

2

2009 082379

2009 DEC 11 PM 2:29

MICHAEL A. BROWN
CLERK

**MEMORANDUM OF CONTRACT
(SENIOR REHABILITATION PROGRAM)**

THIS MEMORANDUM OF CONTRACT evidences the existence of a Contract, dated November 4, 2009 (the "Contract"), made by D&R Construction Company, Inc. as Contractor, and Annie Brown, 3730 Polk Street, Gary, IN as Owner of real estate located in Gary, Lake County, Indiana, hereinafter called the "Property".

1. The legal description, key no, and common address of the Property subject to the Contract is:

Red Oak Addition South 81/3 feet of L.16 BL.2, L.18 BL.2 L; Key # 45-08-28-127-021.000-004
2. The amount of the Contract is \$25,000.00. The terms of the Contract begins November 4, 2009 and ends November 4, 2019.
3. The following agreements and covenants of the Contract, as to which third parties are to have particular notice, are set forth in abbreviated or summary form and description:
 - (a) CONTRACTOR agrees to waive, and does hereby waive and relinquish, all right to lien upon the real estate herein above described and the building to be improved thereon in accordance with the terms of this contract. CONTRACTOR expressly agrees that no lien shall attach to the real estate.
 - (b) OWNER agrees to maintain the property as an owner-occupied residential property for a minimum of Ten (10) years from the date of the completion of the project (the "Affordability Period"). In the event that the OWNER shall sell, transfer, or refinance the property during the Affordability Period, then the Department of Community Development shall be entitled to the return of funds paid for repair of the property, on a pro rata basis. The Department shall have a lien on the property in the contract amount.
4. The Contract contains other agreements and covenants of the parties, as set forth in an executed counterpart of it in possession of the parties. A complete copy of the Contract is on file in the Department of Community Development of the City of Gary, 839 Broadway, Suite 302N, Gary, Indiana 46402. Such agreements and covenants are incorporated, by this reference, in this Memorandum as though contained in full herein.

SIGNED this 4th day of November, 2009

HOLD
134
G.C.D.
R.M.

D&R Construction Company, Inc.

Annie Brown

By: Ashley Dunbar
CONTRACTOR

By: Annie Brown
OWNER

By: _____
OWNER

777 Hanley Street, Gary, IN
ADDRESS

3730 Polk Street Gary, IN
ADDRESS

STATE OF INDIANA, COUNTY OF LAKE) SS:

Before me, a Notary Public in and for said County and State, personally appeared D& R Construction Company, Inc. and Annie Brown, who acknowledged the execution of the foregoing **Memorandum of Contract**, and who having been duly sworn, stated that the representations therein contained are true. Witness my hand and Notarial Seal this 4th day of November, 2009

My Commission Expires: 11-23-2016 Signature: Carrol Pirtle

Resident of Lake County Printed: Carrol Pirtle

