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MEMORANDUM OF CONTRACT
(SENIOR REHABILITATION PROGRAM)

THIS MEMORANDUM OF CONTRACT evidences the existence of a Contract, dated November 23, 2010 (the "Contract"), made by D&R Construction Company, Inc. as Contractor, and Zacarais & Maria Cruz, 444 Adams 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:

Gary Land Company's 1st Subdivision ALL L.17 BL.81. ; Key # 45-08-04-007.000-004; 444 Adams Street, Gary, Indiana 46402.

2. The amount of the Contract is \$24,800.00. The terms of the Contract begins November 23, 2010 and ends November 23, 2020.

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 23rd day of November, 2010

AMOUNT \$ 13⁰⁰
CASH _____
CHECK # PO 31415 CHARGE GCD
OVERAGE _____
COPY _____
NON-COM _____
CLERK PLR

D&R Construction Company, Inc.

Zacarias & Maria Cruz

By: *[Signature]*
CONTRACTOR

By: *Maria Cruz*
OWNER

By: *[Signature]*
OWNER

306 Clark Road, Gary, IN
ADDRESS

544 Adams 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 Zacarias & Maria Cruz, 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 23rd day of November, 2010

My Commission Expires: Oct. 14, 2017 Signature: *Carrie V. Perkins*

Resident of Lake Printed: Carrie V. Perkins

CARRIE V. PERKINS
Notary Public- Seal
State of Indiana
My Commission Expires Oct 14, 2017

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Mail To: *[Arrow]*

Department of Community Development
839 Broadway, Suite 302N
Gary, IN 46402

(Prepared by City of Gary Law Department)