MEMORANDUM OF CONTRACT (EMERGENCY REPAIR PROGRAM)

2019 019

THIS MEMORANDUM OF CONTRACT evidences the existence of a Contract dated February 6, 2019 (the "Contract"), made by ABILITY HEATING & COOLING, as Contractor, and MANDY L. FERGUSON as Owner of real estate located in Gary, Lake County, Indiana, hereinafter called the "Property".

- 1. The legal description, key number, and common address of the property subject to the Contract is: KELLEY-GLOVER-VALE ADD. ALL L.10 BL.3

 (45-08-21-378-008.000-004) 3541 POLK STREET, GARY, IN 46408
- 2. The amount of the Contract is \$4,029.00 The term of the Contract begins February 6, 2019 and ends February 6, 2014
- 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:

 the Lake County Recorder!
 - (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 FIVE 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 fands 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, and Gary, Indiana 46402. Such agreements and covenants are incorporated, by this reference, in this Memorandum as though contained in full herein.

SIGNED this <u>6th</u> day of <u>February</u> ,2019.



ABILITY HEATING & COOLING

MANDY L. FERGUSON

By: Rob Robert	By: Mandy Gerguson
CONTRACTOR	OWNER
	By:
	OWNER

4332 West 47th Avenue, Gary, In 46408 ADDRESS 3541 Polk Street, Gary, IN 46408
ADDRESS

STATE OF INDIANA

Document is NOT OFFICIAL!

COUNTY OF LAKE

This Document is the property of the Lake County Recorder!

Before me, a Notary Public in and for said County and State, personally appeared ABILITY HEATING & COOLING and MANDY L. FERGUSON 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 day of County and State, personally appeared ABILITY

HEATING & COOLING and MANDY L. FERGUSON 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

My Commission Expires

Resident of

Signature:

Printed:

Vaffirm 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:

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

(Prepared by City of Gary Community Development Div.'s Legal Counsel)