

23,000
⑤
2.00001111111111111111

Jennifer J Hayden
HAMILTON County Recorder IN
IN 2007000212 ENCR
01/03/2007 11:27:35 5 PGS
Filing Fee: \$23.00

PERMANENT ENCROACHMENT AGREEMENT

Document Cross Reference Numbers

Plat Recorded as Instrument No. 200600048168

Covenants Recorded as Instrument No. 200601 74250

This Agreement entered into on the dates set out herein, between the City of Noblesville, Indiana, by and through its Board of Public Works and Safety, (hereinafter referred to as the "City") and Twin Oaks of Noblesville, LLC (hereinafter referred to as "Owners" or the "Owner").

WITNESS THAT:

WHEREAS, the City owns or has jurisdiction over the right-of-way for the roadway commonly known as Bladen Drive which is located in Noblesville Township, Hamilton County, Indiana; and

WHEREAS, the Owner is the owner of all Common areas in a subdivision which property is described in and recorded as Twin Oaks of Noblesville, Section 1A recorded in the office of the Hamilton County Recorder, Hamilton County, Indiana, as Instrument No. 200600048168 and, which is incorporated hereto by reference and made a part hereof, hereinafter referred to as the "Property"; and

WHEREAS, the Owner, at his own expense, desires to install in the right-of-way for Bladen Drive a sign, masonry wall, lighting, landscaping, and irrigation, hereinafter referred to as the "System" to serve the property, and the City is willing to permit such installation under the terms and conditions as set out herein.

THEREFORE, in consideration of the mutual agreements and covenants contained herein and other good and valuable consideration by and between the parties as follows:

1. The City grants unto the Owner the right to install, maintain, and replace, the System, within the right-of-way of Bladen Drive as outlined below:
The initial placement of the System may be within the right-of-way and shall be approved by the City of Noblesville.

the Association to pay any and all costs which may be subsequently imposed upon the Association by this Agreement. They further acknowledge that the Association has the authority to impose an assessment upon the lot owners within the subdivision and agree on behalf of themselves and their successors to impose an assessment to pay all costs, which may be subsequently imposed upon the Owner under this Agreement.

TWIN OAKS OF NOBLESVILLE, LLC
BY: INDIANA LAND GROUP, LLC,
its manager

By: _____

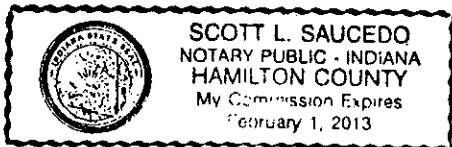
Jose Kreutz
Jose Kreutz, Member

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

SS:

Personally appeared before me, a notary public in and for said county and state, _____, who, being first duly sworn, acknowledges that the representations contained herein are true to the best of his knowledge.

WITNESS MY HAND AND SEAL, this 15th day of DECEMBER, 2006.



Scott L. Saucedo

Notary Public

SCOTT L. SAUCEDO

Printed Name

MY COMMISSION EXPIRES:

2/1/2013

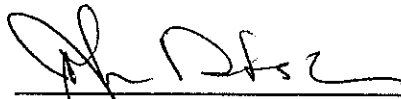
COUNTY OF RESIDENCE:

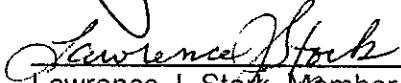
HAMILTON

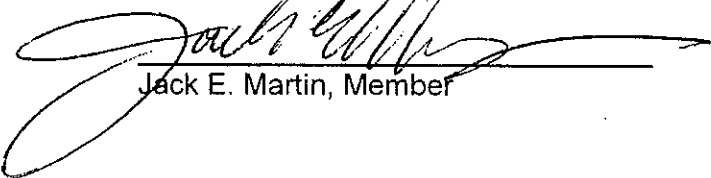
IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, this

26th day of Dec, 2006.

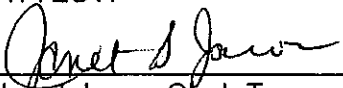
BOARD OF PUBLIC WORKS AND SAFETY
OF THE CITY OF NOBLESVILLE

By: 
Mayor John Ditslear


Lawrence J. Stork, Member


Jack E. Martin, Member

ATTEST:


Janet Jaros, Clerk-Treasurer

This document prepared by Michael A. Howard, Attorney at Law, 694 Logan Street, Noblesville, Indiana 46060.