

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

RESCISSION OF AGREEMENT AFFECTING CERTAIN LOTS IN
ASPEN VILLAGE, SECTION IV

WHEREAS, on November 19, 1980, Landvue Development Corp., Inc., by its President, Harold G. Kleeman, agreed, as set forth in Plat Book 44, Page 52, appearing in the office of the Allen County Recorder, that following the recordation of the final plat of Aspen Village, Section IV, it or subsequent titleholders of lots within the plat will not request Improvement Location Permits or Certificates of Occupancy for said residential lots numbered 148-163 in said plat until one of the following occurs:

- a. Completion of the installation of all improvements as set forth on the approved plat, engineering plans and drawings on file with the Allen County Plan Commission and secures the written approval and/or acceptance of those improvements from the appropriate public or quasi-public agencies;
- b. Posting of a performance bond guaranteeing the completion of all improvements as set forth on the approved plat, engineering plans and drawings on file with the Allen County Plan Commission;
- c. Submission of an acceptable financial guarantee that will assure the proper completion of the aforementioned improvements as set forth in the Allen County Plan Commission's Regulation 79-1.

WHEREAS, the above-referenced agreement states that it shall remain in full force and effect until such time as it is rescinded, in writing, by the Executive Director of the Allen County Plan Commission and said rescission is recorded in the office of the Allen County Recorder; and,

WHEREAS, Rudolf/Samczyk, Inc. has posted a performance bond with the Allen County Plan Commission guaranteeing the completion of all improvements affecting lots 148-163 as set forth on the approved plat, engineering plans, and drawings on file with the Allen County Plan Commission.

NOW, THEREFORE, the Executive Director of the Allen County Plan Commission hereby rescinds, in writing, the above-referenced agreement, as set forth in Plat Book 44, Page 52, as appearing in the office of the Allen County Recorder.

Dated this 4th day of September, 1986.

by: Jack G. Suter
Jack G. Suter, Executive Director
Allen County Plan Commission

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Before me, the undersigned, a Notary Public in and for said County and State, this 4th day of September, 1986, personally appeared Jack G. Suter, Executive Director of the Allen County Plan Commission, and acknowledged the execution of the foregoing rescission.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Paul H. Kauter
Notary Public, Resident of
Allen County, Indiana

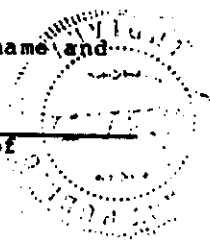
My Commission Expires:

2-6-87

This instrument prepared by Patrick L. Fahey

*Co. Clerk, La. ...
C. ...*

1986 SEP -5 PM 4:13
ALLEN COUNTY RECORDER
M. ...



J. ...