

Consent to Encroachment of Setback Pool

Pursuant to **Unified Development Ordinance Article 6.1(G)(3)**, swimming pools may encroach into the Side and/or Rear Building Setback by a maximum of 50% of the District's Minimum Building Setback if the adjoining Property Owner(s) execute and record a notarized consent to a reduced setback.

By the authority granted in the hereinabove cited Article, I or we, the undersigned owners of property located at _____, Indiana, do hereby grant _____, the owner(s) of property located at _____, Indiana (and more particularly described in Exhibit A) permission to construct a swimming pool within _____ feet of the property line common to said properties, at the location shown in Exhibit B.

The covenant herein shall run with the title to the above-described real estate, and shall be binding upon the parties hereto and their successors and/or assigns until which time the swimming pool is removed.

IN WITNESS WHEREOF, the undersigned have hereunto executed this Consent to Encroachment of Setback agreement, effective this ____ day of _____, 20__.

GRANTOR PRINTED NAME

GRANTEE PRINTED NAME

GRANTOR SIGNATURE

GRANTEE SIGNATURE

Community Development

2728 East 171st Street
Westfield, IN 46074
Westfield.in.gov

Consent to Encroachment of Setback

Pool

STATE OF _____

COUNTY OF _____

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the abovementioned parties who, having been duly sworn, acknowledge and consent to the execution of the foregoing Consent to Encroachment of Setback agreement.

WITNESS my hand and Notarial Seal this _____ day of _____, 20____.

STATE OF _____

NOTARY SEAL

COUNTY OF _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

RESIDING IN: _____ COUNTY, _____

Instrument prepared by: _____ (name)

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

_____ (name)