

**EXHIBIT "B"**

NOTE: The City of South Bend Zoning Ordinance requires the use of this form in recording commitment modification(s) or termination(s) with respect to a Development Plan Approval, Zone Map Change or Planned Unit Development in accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615.

**COMMITMENTS MODIFYING OR TERMINATING EXISTING COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A DEVELOPMENT PLAN APPROVAL, ZONE MAP CHANGE OR PLANNED UNIT DEVELOPMENT.**

In accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615, the Owner of the real estate located in St. Joseph County, Indiana, which is described below, makes the following modification(s) or termination(s) of commitment(s) concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION:

STATEMENT OF MODIFICATION OR TERMINATION OF COMMITMENTS:

- 1.
- 2.
- 3.

These MODIFICATION OR TERMINATION OF COMMITMENTS shall run with the land, be binding on the Owner of the above-referenced real estate, subsequent owners of the above-referenced real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated by a decision of the Area Plan Commission of St. Joseph County made at a public hearing after proper notice has been given.

MODIFICATION OR TERMINATION OF COMMITMENTS contained in this instrument shall be effective upon adoption of modification or termination approved by the Area Plan Commission of St. Joseph County in petition #\_\_\_\_\_: (i) the real estate is rezoned; or, (ii) modified or terminated by the Area Plan Commission of St. Joseph County.

These COMMITMENTS may be enforced jointly or severally by:

1. The Area Plan Commission of St. Joseph County;
2. The City of South Bend, Indiana;
3. Owners of all parcels of ground adjoining the real estate within three-hundred (300) feet of the subject parcel and and all owners of real estate within the area included in the petition who were not petitioners for approval; and
4. \_\_\_\_\_  
\_\_\_\_\_

The undersigned hereby authorizes the Executive Director of the Area Plan Commission of St. Joseph County to record this MODIFICATION OR TERMINATION OF COMMITMENTS in the Office of the Recorder of St. Joseph County, Indiana, upon final approval petition # by the Area Plan Commission of St. Joseph County.

IN WITNESS WHEREOF, Owner has executed this instrument this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**(Individual Owner)**

Signature \_\_\_\_\_(Seal)

Signature \_\_\_\_\_(Seal)

Printed \_\_\_\_\_

Printed \_\_\_\_\_

**(Organization Owner)**

\_\_\_\_\_

By \_\_\_\_\_

Printed \_\_\_\_\_

Title \_\_\_\_\_

**(Individual Acknowledgment)**

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

SS:

Before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, Owner(s) of the real estate described above who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signature\_\_\_\_\_

Printed\_\_\_\_\_

County of Residence\_\_\_\_\_

My Commission expires: \_\_\_\_\_

**(Organization Acknowledgment)**

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

SS:

Before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_, a(n) \_\_\_\_\_, Owner(s) of the real estate described above who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signature\_\_\_\_\_

Printed\_\_\_\_\_

County of Residence\_\_\_\_\_

My Commission expires: \_\_\_\_\_

This instrument was prepared by \_\_\_\_\_.