

EXHIBIT "D"

**COMMITMENTS MODIFYING OR TERMINATING EXISTING COMMITMENTS
CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE
MADE IN CONNECTION WITH A SPECIAL EXCEPTION OR A
VARIANCE FROM THE TERMS OF THE ZONING ORDINANCE.**

In accordance with I.C.36-7-4-921, the Owner of the real estate located in the City of South Bend, St. Joseph County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION:

STATEMENT OF MODIFICATION OR TERMINATION OF COMMITMENTS existing in Instrument Number _____ as recorded in the Office of the Recorder of St. Joseph County, Indiana, as made in connection with petition # _____:

- 1.
- 2.
- 3.
- 4.

These modified COMMITMENTS shall be binding on the Owner of the above-described real estate, subsequent owners of the above-described real estate, and other persons acquiring an interest in the above-described real estate.

These modified COMMITMENTS may be further modified or terminated by a decision of the City of South Bend Board of Zoning Appeals made at a public hearing after proper notice has been given.

Modified COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the City of South Bend Board of Zoning Appeals in petition # _____.

These COMMITMENTS may be enforced jointly or severally by:

1. The City of South Bend, Indiana;
2. Owners of all parcels of ground adjoining the real estate to a depth of three-hundred (300) feet from the subject property, and all owners of real estate within the area included in the petition who were not petitioners. Owners of real estate entirely located outside of the City of South Bend are not included, however; and
3. _____

The undersigned hereby authorizes the Secretary of the City of South Bend Board of Zoning Appeals to record this Commitment in the office of the Recorder of St. Joseph County, Indiana, upon final approval of modification and/or termination of commitment(s) by the City of South Bend Board of Zoning Appeals in petition # _____.

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)
) SS:
COUNTY OF)

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)
) SS:
COUNTY OF)

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 _____.