



**RESOLUTION NO. 3254**

**RESOLUTION OF THE SOUTH BEND  
REDEVELOPMENT COMMISSION CONFIRMING A DECLARATORY  
RESOLUTION AND AMENDMENT TO THE DEVELOPMENT PLAN FOR  
THE SOUTH SIDE DEVELOPMENT AREA ADOPTED BY THE SOUTH  
BEND REDEVELOPMENT COMMISSION**

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WHEREAS, the South Bend Redevelopment Commission (the "Commission"), governing body of the City of South Bend (the "City") Department of Redevelopment (the "Department") and the Redevelopment District of the City of South Bend, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission on August 28, 2014 approved and adopted its Resolution No. 3227 entitled "Resolution of the South Bend Redevelopment Commission Designating and Declaring a Certain Area as a Redevelopment Area for the Purpose of Amending the Boundaries of the South Side Development Area and its Allocation Area and to Amend the Development Plan for the South Side Development Area" (the "Declaratory Resolution"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Declaratory Resolution (i) designated and declared a certain area within the City to be a redevelopment area and an allocation area for purposes of tax increment financing (the "Expansion Area") to expand the existing South Side Development Area (the "South Side Area") to include the former Scottsdale Community Center in the South Side Area; (ii) added the Scottsdale Community Center to the South Side Area acquisition list; and (iii) approved an amendment (the "Plan Amendment") to the development plan for the South Side Area (as amended by the Plan Amendment, such plan shall be referred to herein as the "Development Plan"); and

WHEREAS, on October 21, 2014, the St. Joseph County Area Plan Commission (the "Plan Commission") adopted and approved Resolution 237-14, constituting its written order approving the Declaratory Resolution and the Plan Amendment, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, on October 27, 2014, pursuant to Section 16 of the Act, the Common Council of the City (the "Common Council") adopted its Resolution No. 4402-14, which approved the Plan Commission Order; and

WHEREAS, the Commission caused to be published and delivered the notices required by Sections 17 and 17.5 of the Act concerning the Declaratory Resolution and the Plan Amendment; and

WHEREAS, at the hearing held by the Commission on the 10<sup>th</sup> day of November, 2014, at 9:30 a.m. (local time), in the Recital Hall in the Century Center Convention Center, 120 South St. Joseph Street, South Bend, Indiana, the Commission heard all persons interested in the proceedings and received 0 written remonstrances and objections that had been filed and considered those remonstrances and objections filed, if any, and such other evidence presented; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the redevelopment and development of the South Side Area, pursuant to the Development Plan as amended by the Declaratory Resolution and the Plan Amendment and confirming the Declaratory Resolution and the Plan Amendment in accordance with Section 17(d) of the Act;

**NOW, THEREFORE, BE IT RESOLVED** by the South Bend Redevelopment Commission as follows:

1. After considering the evidence presented at the hearing on the 10<sup>th</sup> day of November, 2014, the Commission hereby confirms the findings and determinations set forth in the Declaratory Resolution and the Plan Amendment with respect to the South Side Area, including the Expansion Area.

2. The Commission adopts and confirms the Findings of Fact for the South Side Area, attached hereto as Exhibit B.

3. The Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Development Plan, including the Plan Amendment, in the form approved by the Commission in the Declaratory Resolution.

4. The Declaratory Resolution and the Plan Amendment are hereby confirmed.

5. This Resolution constitutes final action, pursuant to Indiana Code 36-7-14-17(d), by the Commission determining the public utility and benefit of, and confirming, the Declaratory Resolution and the Development Plan, including the Plan Amendment, pertaining to the South Side Area, including the Expansion Area.

6. The Secretary of the Commission is directed to file and record the final action taken by the Commission pursuant to the requirements of Indiana Code 36-7-14-17(d).

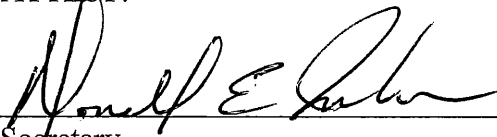
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ADOPTED AND APPROVED at a meeting of the South Bend Redevelopment Commission held on the 10<sup>th</sup> day of November, 2014.

SOUTH BEND REDEVELOPMENT  
COMMISSION

By:  \_\_\_\_\_  
President

ATTEST:

 \_\_\_\_\_  
Secretary

**EXHIBIT A**  
**DECLARATORY RESOLUTION**

**RESOLUTION NO. 3227**

**RESOLUTION OF THE  
SOUTH BEND REDEVELOPMENT COMMISSION  
DESIGNATING AND DECLARING A CERTAIN AREA AS A  
REDEVELOPMENT AREA FOR THE PURPOSE OF AMENDING THE  
BOUNDARIES OF THE SOUTH SIDE DEVELOPMENT AREA AND ITS  
ALLOCATION AREA AND TO AMEND THE DEVELOPMENT PLAN  
FOR THE SOUTH SIDE DEVELOPMENT AREA**

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WHEREAS, the South Bend Redevelopment Commission (the "Commission"), governing body of the City of South Bend, Indiana, Department of Redevelopment (the "Department") and the Redevelopment District of the City of South Bend, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in IC 36-7-14 *et seq.*, as amended from time to time (the "Act"); and

WHEREAS, the Commission has previously designated and declared an area in the City of South Bend, Indiana (the "City") known as the South Side Development Area to be a redevelopment area, which area has been amended from time to time (the "Original Area") and an allocation area (the "Original Allocation Area") for purposes of tax increment financing, has adopted a Development Plan, which development plan has been amended from time to time (the "Original Plan"), and has established an allocation fund for said Original Allocation Area; and

WHEREAS, the Commission desires to expand the boundary of the Original Area to include certain additional territory which includes the former Scottsdale Community Center (the "Community Center"), more particularly described in Exhibit A attached hereto and made a part hereof (the "Expansion Area") (the Original Area and the Expansion Area shall be collectively referred to herein as the "Area") (a description of the Area, after including the Expansion Area, is set forth in Exhibit B attached hereto and made a part hereof); and

WHEREAS, the Commission desires to amend the Original Plan (the "Plan Amendment") by setting out the boundaries of the Expansion Area and include the Community Center property on the property acquisition list for the Area (the "Acquisition List"); and

WHEREAS, the Department, pursuant to the Act, has conducted surveys and investigations and has thoroughly studied the Expansion Area; and

WHEREAS, upon such surveys, investigations and studies being made, the Commission finds that the Plan Amendment attached hereto and hereinafter adopted in this Resolution, cannot be achieved by regulatory processes or by the ordinary operations of private enterprise without resort to the powers allowed under the Act and that the public health and welfare will be benefited by the redevelopment of the Expansion Area under the provisions of the Act; and

WHEREAS, there was presented to this meeting of the Commission for its consideration and approval, a copy of the Plan Amendment, which Plan Amendment is attached hereto as Exhibit C; and

WHEREAS, Section 39 of the Act has been enacted and amended to permit the creation of allocation area within an area needing redevelopment to provide for the allocation and distribution, as provided in the Act, of the proceeds of taxes levied on property which in an allocation area, and the Commission deems it advisable to expand the Original Allocation Area to include the Expansion Area; and

WHEREAS, the Plan Amendment adds the Community Center property to the Acquisition List as the Commission has determined it may be necessary to acquire an interest in such property to redevelop the Expansion Area; and

WHEREAS, in determining the location and extent of the Expansion Area, the Commission has given consideration to transitional and permanent provisions for adequate housing for the residents of the Expansion Area, if any, who will be displaced by the redevelopment thereof; and

WHEREAS, the Plan Amendment conforms to other development and redevelopment plans for the City;

**NOW THEREFORE, BE IT RESOLVED** by the South Bend Redevelopment Commission as follows:

1. The Commission hereby finds and determines that the Expansion Area is an area needing redevelopment to an extent that cannot be corrected by regulatory processes or by the ordinary operations of private enterprise without resort to the powers allowed under the Act, and that the public health and welfare will be benefited by the redevelopment of the Expansion Area under the Act.

2. The Commission hereby finds and determines that it will be of public utility and benefit to redevelop the Expansion Area under the Act.

3. The Commission hereby finds and determines that the Plan Amendment conforms to other development and redevelopment plans for the City.

4. The Plan Amendment is in all respects approved and is hereby adopted as the Plan Amendment for the Expansion Area. The Plan Amendment shall be entitled "Amendment to the South Bend Redevelopment Commission South Side Development Area Development Plan," and, when combined with the Original Plan, shall be deemed to refer to such Original Plan as so amended.

5. The maps and plats of the Expansion Area showing its boundaries, the location of the various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, or redevelopment of the Expansion Area, indicating the parcels of property to be excluded from acquisition, and the parts of the Expansion Area that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other

public purposes under the Plan Amendment are hereby approved and adopted as the maps and plats for the Expansion Area.

6. The Commission approves of the addition of the Community Center property to the Acquisition List as set forth in the Plan Amendment.

7. The Commission hereby finds and determines that for purposes of the allocation provisions of Section 39 of the Act, the Expansion Area shall constitute an allocation area for purposes of the Act and this Resolution.

8. Such Expansion Area shall be designated as the "2014 Expansion Allocation Area." The Original Allocation Area shall hereafter be deemed to include the 2014 Expansion Allocation Area (the Original Allocation Area and the 2014 Expansion Allocation Area are hereinafter referred to as the "Allocation Area").

9. Any property taxes levied on property in the 2014 Expansion Allocation Area in 2014 for collection in 2015, and thereafter, except as otherwise provided in Section 39 of the Act, by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the 2014 Expansion Allocation Area shall be allocated and distributed as follows:

- (a) The proceeds of the taxes attributable to the lesser of: (i) the assessed value of the property for the assessment date with respect to which the allocation and distribution is made; or (ii) the net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of these allocation provisions (as adjusted under Section 39(h) of the Act), which assessment date is March 1, 2014; shall be allocated to, and when collected, paid into the funds of the respective taxing units.
- (b) The excess of the proceeds of the property taxes imposed for the assessment date with respect to which the allocation and distribution is made that are attributable to taxes imposed after being approved by the voters in a referendum or a local public question conducted after April 30, 2010, not otherwise included in clause (a) shall be allocated to and, when collected, paid into the funds of the taxing unit for which the referendum or local public question was conducted.
- (c) Property tax proceeds in excess of those described in clause (a) and clause (b) shall be allocated to the Redevelopment District and, when collected, paid into the Allocation Fund (as defined below).
- (d) Proceeds distributed to the Redevelopment District pursuant to Paragraph 9(c) hereof, shall be deposited in the allocation fund previously created and designated "City of South Bend, Indiana, Department of Redevelopment, South Side Development Plan, Allocation Area No. 1 Allocation Fund" (the "Allocation Fund"),



and may be used only as provided in the Act, and more particularly to (i) pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the Redevelopment District for the purpose of financing or refinancing the redevelopment of the Area; (ii) establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in Area; (iii) pay the principal of and interest on bonds payable from allocated tax proceeds in Area and from the special tax levied under Section 27 of the Act; (iv) pay the principal of and interest on bonds issued by the City to pay for local public improvements in or serving Area; (v) pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in Area; (vi) make payments on leases payable from allocated tax proceeds in Area under Section 25.2 of the Act; (vii) reimburse the City for expenditures made by it for local public improvements (which include buildings, parking facilities, and other items described in Section 25.1(a) of the Act) that are physically located and physically connected to the Area; (viii) reimburse the City for rentals paid by it for a building or parking facility that are physically located and physically connected to the Area under any lease entered into under Indiana Code 36-1-10; (ix) pay all or a portion of a property tax replacement credit to taxpayers in Area as determined by the Commission in accordance with the provisions of the Act; (x) pay expenses incurred by the Commission for local public improvements that are in or serving Area (public improvements include buildings, parking facilities and other items described in Section 25.1(a) of the Act); (xi) reimburse expenses incurred in training employees of industrial facilities that are located in Area and on a parcel of real property that has been classified as industrial property under the rules of the Department of Local Government Finance in accord with the provisions of the Act; and (x) pay the costs of carrying out an eligible efficiency project (as defined in Indiana Code 36-9-41-1.5) subject to the restrictions set for in Section 39(b)(2)(c) of the Act.

provided, however, that if future uses of property tax proceeds allocated to the Allocation Fund are authorized or permitted by amendments to the Act, including Sections 39 and 43, after the effective date of this Resolution, those uses shall also be authorized or permitted for property tax proceeds allocated to the Allocation Fund.

10. Except as provided in Section 39(g) of the Act, before July 15 of each year, the Commission shall do the following:

- (a) determine the amount, if any, by which the assessed value of the taxable property in the allocation area for the most recent assessment date minus the base assessed value, when multiplied by

the estimated tax of the Area will exceed the amount of assessed value needed to produce the property taxes necessary to make, when due, principal and interest payments on bonds described in Paragraph 9(d) plus the amount necessary for the other purposes described in Paragraph 9(d); and

- (b) provide a written notice to the County Auditor, the Common Council and the officers who are authorized to fix budgets, tax rates, and tax levies under Indiana Code 6-1.1-17-5 for each of the other taxing units that are wholly or partially located within the Area. The notice must state the amount, if any, of the amount of excess assessed value that the Commission has determined may be allocated to the respective taxing units in the manner prescribed in Paragraph 9(a) or state that the Commission has determined that there is no excess assessed value that be allocated to the overlapping taxing units. The Commission may not authorize the payment to the respective taxing units if to do so would endanger the interests of the holders of bonds described in Paragraph 9(d) or lessors under Section 25.2 of the Act.

11. "Property Taxes" referred to herein shall mean taxes imposed under IC 6-1.1 on real property only.

12. The allocation provisions of Section 39 of the Act and as set forth above shall, with respect to the 2014 Expansion Allocation Area, expire on a date which may not be more than twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues.

13. The Commission finds that designating and declaring the Expansion Area as an allocation area will result in new property taxes in the Area that would not have been generated but for including the Expansion Area in the Allocation Area because the Community Center property has been vacant for a number of years and has been on the tax sale list since at least 2005, indicating the inability of private enterprise to develop the property to its fullest use without resort to the powers under the Act.

14. The Secretary is directed to file a certified copy of the Plan Amendment and this Resolution with the minutes of this meeting.

15. The officers of the Commission are hereby directed to make any and all required filings with the Department of Local Government Finance, the St. Joseph County Auditor, and the St. Joseph County Recorder in connection with 2014 Expansion Allocation Area.

16. This Resolution, together with supporting data, shall be submitted to the St. Joseph County Area Plan Commission and Common Council of the City, as provided by Section 16 of the Act, for the approval of the Resolution and the Plan Amendment, and if approved by both bodies, the Resolution and the Plan Amendment shall be submitted to public

hearing and remonstrance as provided by Section 17 of the Act, after public notice in accordance with Section 17 and Section 17.5 of the Act and IC 5-3-1 and after all required filings with governmental agencies and officers have been made pursuant to Section 17(b) and Section 17(c) of the Act.

17. All orders or resolutions in conflict herewith are hereby rescinded, revoked and repealed in so far as such exist.

18. This Resolution does not affect any rights or liabilities accrued, penalties incurred, offenses committed, or (except as otherwise provided herein) proceedings begun before the effective date of this Resolution.

19. This Resolution shall be in full force and effect from and after its adoption by the Commission.

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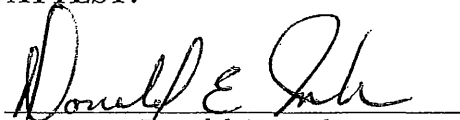
ADOPTED AND APPROVED at a meeting of the South Bend Redevelopment Commission held on the 28<sup>th</sup> day of August, 2014.

**SOUTH BEND  
REDEVELOPMENT COMMISSION**



President, Marcia C. Jones

**ATTEST:**



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Secretary, Donald E. Inks

## EXHIBIT A

(Description of Expansion Area)

Beginning at a point of intersection of the West line of the Plat of Scottsdale Addition Section "A" as recorded in the records of St. Joseph County, Indiana and the North right-of-way line of the U.S. 20 Bypass; thence East along said North line to a point of intersection with the East right-of-way line of York Road; thence Southeasterly along said East line 213.26 feet (assumed) to a point of intersection with the South right-of-way line of said U.S. 20 Bypass; thence East along said South line 540.73 feet (assumed) to the Northwest corner of Lot # 308 in the Plat of Scottsdale Addition Section "D" as recorded in the records of St. Joseph County, Indiana; thence Southwesterly along the West line of said Lot # 308 and the West lines Lots # 307 to Lot # 301 in said Plat and crossing Thornhill Drive (60 ft. wide) to a point of intersection with the South right-of-way line of said Thornhill Drive; thence along said South line in a Westerly direction and crossing York Road (70 ft. wide) to a point of intersection with the West right-of-way line of said York Road; thence along said West line in a Northwesterly direction to a point of intersection with the South right-of-way line of said U.S. 20 Bypass; thence along said South line in a Westerly direction 812.84 feet (assumed); thence North 200.55 feet (assumed) to the point of beginning.

## EXHIBIT B

(Description of Area, As Expanded)

A parcel land being a part of the Northeast Quarter of Section 26, and a part of Southeast Quarter of Section 23 and a part of the West half of Section 24, all in Township 37 North, Range 2 East, City of South Bend, Centre Township and Portage Township, St. Joseph County, Indiana and being more particularly described as follows:

Beginning at the intersection of the South right-of-way line of Chippewa Avenue and the West right-of-way line of the now abandon Penn Central Railroad located in the Northeast Quarter of said Section 26; thence Northeasterly and Northerly along said West right-of-way line to the Southerly right-of-way line of Ewing Avenue; thence East along said South right-of-way line to the first North-South property line located East of Michigan Street; thence South along said first North-South property line to the North right-of-way line of Altgeld Street; thence East along said Altgeld Street, a distance of 5 feet to the West right-of-way line of the first alley East of Michigan Street projected North; thence South along said West right-of-way line and its projection to the South right-of-way line of Donmoyer Avenue; thence East along said South right-of-way line to the West right-of-way line of St. Joseph Street; thence South along said West right-of-way line to the North right-of-way line of Farneman Street; thence West along said North right-of-way line to the intersection with the West right-of-way line of the first alley located East of Michigan Street projected North; thence South along said West right-of-way line and its projection North to the North right-of-way line of Jennings Avenue; thence East along said North right-of-way line to the intersection with the West right-of-way line of the first alley located East of Michigan Street projected North; thence South along said West right-of-way line and its projection to the South right-of-way line of Chippewa Avenue; thence South along said West right-of-way line to the North right-of-way line of Barbie Street; thence East along said North right-of-way line to the West line of Lot 56 Zook's First Subdivision projected North; thence South along said West line of Lot 56 and its projection to the Southwest corner of said Lot 56; thence East along the South line of said Zook's First Subdivision to the East right-of-way line of Fellows Street; thence North along said east right-of-way line to the North line of Lot 75 in said Zook's First Subdivision; thence East along said North line to the East line of said Zook's First Subdivision; thence North and Northeasterly along said East line to the North line of the Erskine Golf Course parcel; thence East along the North line of said Erskine Golf Course to the West right-of-way line of Miami Street; thence South along said West right-of-way line to the South right-of-way line of Alpine Drive projected West; thence East along said South right-of-way line and its projection to the East line of Lot A Broadmoor Section 3 Revised; thence Southeasterly to the Northeast corner of Lot 254; thence East and Northeasterly to the Northeast corner of Lot 247; thence Southeasterly to the Southwest corner of Lot 246 and being on the North right-of-way line of Ireland Road; thence East along said North right-of-way line thence East along the North right-of-way line of Ireland Road to the East line of Broadmoor Section 6; thence North along said East line to the South line of Lot 472 in said Broadmoor Section 6; thence East along said South line of Lot 472 and the South lines of Lots 10 and 9 in Ireland Woods, Section One; thence Northeasterly along the South lines of Lots 8, 7, A, B, and Lot 4; thence East along the South line of Lots 3, 2, 1 and Lot 71AA to the East line of said Lot 71AA; thence North along said East line of Lot 71AA, and Outlot B, 69, and Lot 68; thence West along

the North line of said Lot 68, a distance of 181 feet; thence North 20 feet; thence West 35 feet; thence North along the East line of Lots 67, 52, and 51 to the South line of Meadow View Second Addition; thence East along said South line to the West line of a 1.187 acre parcel of land; thence Southeasterly along said West line to the North line of a 2.577 acre parcel of land; thence West along said North line to the West line of said 2.577 acre parcel; thence South along said West line to the South line of said 2.577 acre parcel; thence East along said South line to the West right-of-way line of Ironwood Road; thence South along said West right-of-way line to the North line of Ruby Plaza Minor Subdivision projected West; thence East along said North line and its projection to the East line of said Ruby Plaza Subdivision; thence South along said East line to the South right-of-way line of Ireland Road; thence West along said South right-of-way line to the East right-of-way line of Ironwood Road; thence South along said East right-of-way line to the North right-of-way line of the U.S. 20 Bypass; thence West along said North right-of-way line to the East line of Scottsdale Addition, Section C; thence North along said East line and the East line of Scottsdale Addition, Section B to the South right-of-way line of Ireland Road; thence West along said South right-of-way line to the West line of the Scottsdale Addition Section A; thence South along said West line to a point of intersection with the North right-of-way line of the U.S. 20 Bypass; thence East along said North line to a point of intersection with the East right-of-way line of York Road; thence Southeasterly along said East line 213.26 feet (assumed) to a point of intersection with the South right-of-way line of said U.S. 20 Bypass; thence East along said South line 540.73 feet (assumed) to the Northwest corner of Lot # 308 in the Plat of "Scottsdale Addition Section "D" as recorded in the records of St. Joseph County, Indiana; thence Southwesterly along the West line of said Lot # 308 and the West lines Lots # 307 to Lot # 301 in said Plat and crossing Thornhill Drive (60 ft. wide) to a point of intersection with the South right-of-way line of said Thornhill Drive; thence along said South line in a Westerly direction and crossing York Road (70 ft. wide) to a point of intersection with the West right-of-way line of said York Road; thence along said West line in a Northwesterly direction to a point of intersection with the South right-of-way line of said U.S. 20 Bypass; thence in a Westerly direction for the next three (3) courses along said South line, Westerly 812.84 feet (assumed), South 14.05 feet (assumed) and Westerly 59.46 feet (assumed) to a point of intersection with the West line of said Plat of Scottsdale Addition Section "D"; thence South along the West line of said Plat 507.7 feet (assumed); thence West to the Southerly right-of-way line of the U.S. 20 Bypass; thence Southwesterly along said Southerly right-of-way line to the East right-of-way line of Miami Street; thence South along said East right-of-way line to the South right-of-way line of Jackson Road; thence West to the West right-of-way line of Miami Street; thence North along said West right-of-way line to the South right-of-way line of said U.S. 20 Bypass; thence West along said South right-of-way line to the West right-of-way line of Fellows Street projected South; thence Westerly, Southwesterly, and Southerly to the South right-of-way line of Jackson Road; thence West to the Westerly right-of-way line of said U. S. 20 Bypass; thence Northerly, Northwesterly, and Westerly along said South right-of-way line of the U. S. 20 Bypass to the Easterly right-of-way line of the now abandon Penn Central Railroad located in the South half of said Section 26; thence Northeasterly along said Easterly right-of-way line to the Southerly right-of-way line of Ireland Road; thence West along said South right-of-way line to the West right-of-way line of said abandon Penn Central Railroad; thence Northeasterly along said West right-of-way line to the place of beginning.

**EXHIBIT C**

**AMENDMENTS TO THE DEVELOPMENT PLAN  
FOR THE SOUTH SIDE DEVELOPMENT AREA  
LOCATED IN THE CITY OF SOUTH BEND, INDIANA**

- I. The following parcels of land are added to the description of the development area described in the Development Plan for the South Side Development Area:

Beginning at a point of intersection of the West line of the Plat of Scottsdale Addition Section "A" as recorded in the records of St. Joseph County, Indiana and the North right-of-way line of the U.S. 20 Bypass; thence East along said North line to a point of intersection with the East right-of-way line of York Road; thence Southeasterly along said East line 213.26 feet (assumed) to a point of intersection with the South right-of-way line of said U.S. 20 Bypass; thence East along said South line 540.73 feet (assumed) to the Northwest corner of Lot # 308 in the Plat of Scottsdale Addition Section "D" as recorded in the records of St. Joseph County, Indiana; thence Southwesterly along the West line of said Lot # 308 and the West lines Lots # 307 to Lot # 301 in said Plat and crossing Thornhill Drive (60 ft. wide) to a point of intersection with the South right-of-way line of said Thornhill Drive; thence along said South line in a Westerly direction and crossing York Road (70 ft. wide) to a point of intersection with the West right-of-way line of said York Road; thence along said West line in a Northwesterly direction to a point of intersection with the South right-of-way line of said U.S. 20 Bypass; thence along said South line in a Westerly direction 812.84 feet (assumed); thence North 200.55 feet (assumed) to the point of beginning.

- II. The following property is proposed to be added to the South Side Development Area acquisition list described in the Development Plan for the South Side Development Area:

Address	Parcel ID	Owner of Record
4802 York Road, South Bend, Indiana	023-1016-0871	Scottsdale Community Club



## **EXHIBIT B**

### **FINDINGS OF FACT**

In accordance with IC 36-7-14 et. seq. (the "Act") and in support of the Declaratory Resolution, as amended, and the Development Plan (the "Development Plan"), as amended by a Plan Amendment (the "Plan Amendment") for the South Side Development Area (the "South Side Area"), the South Bend Redevelopment Commission finds as follows:

1. The Plan Amendment for the South Side Area promotes significant opportunities for the gainful employment of its citizens and will encourage attraction, retention, and expansion of businesses in the South Side Area.
2. The Plan Amendment for the South Side Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise because of lack of public improvements, or other similar conditions without resort to the Act.
3. The public health and welfare will be substantially benefited by the planning, replanning, development and development of the South Side Area, including the Expansion Area, and accomplishment of the Plan Amendment for the South Side Area. The improvements in the South Side Area will facilitate attraction, retention, and expansion of industries in the South Side Area thereby benefiting the public's health and welfare through job creation and expansion of the City of South Bend's tax base.
4. The accomplishment of the Development Plan, including the Plan Amendment, for the South Side Area will be a public utility and benefit as measured by the attraction and retention of permanent jobs and an increase in the property tax base.
5. The Plan Amendment for the South Side Area conforms to other development and redevelopment plans for the City of South Bend. The Plan Amendment conforms to the Comprehensive Master Plan for the City of South Bend, known as City Plan.
6. The Plan Amendment is reasonable and appropriate when considered in relation to the original Declaratory Resolution, as amended, the Development Plan and the purposes of the Act.