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Faegre Baker Daniels



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RECORDED AS PRESENTED ON  
12/09/2014 11:07:25AM  
PHILLIP G. DOTSON  
ST. JOSEPH COUNTY  
RECORDER  
PGS: 26 FEES: \$63.00

**CERTIFICATE REGARDING ADOPTION  
OF A CONFIRMING RESOLUTION BY THE  
CITY OF SOUTH BEND, INDIANA, REDEVELOPMENT COMMISSION**

I, David Relos, certify that I am an Economic Resources Associate for the City of South Bend, Indiana, Department of Community Investment and that as such, I am a staff member of the City of South Bend, Indiana, Redevelopment Commission (the "Commission"). I hereby certify that the resolution titled "RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION MODIFYING AND CONFIRMING A DECLARATORY RESOLUTION AND AMENDMENT TO THE DEVELOPMENT PLAN FOR THE NORTHEAST NEIGHBORHOOD DEVELOPMENT AREA ADOPTED BY THE SOUTH BEND REDEVELOPMENT COMMISSION" as attached to this certificate was adopted by the Commission on November 10, 2014.

IN WITNESS WHEREOF, I have executed this Certificate this 8 day of December, 2014.

By: David Relos

Printed: David Relos

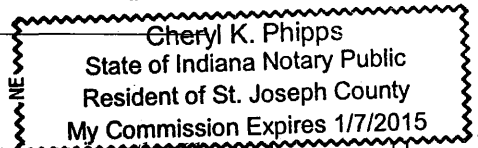
Title: Economic Resources Associate



STATE OF INDIANA )  
  )  
COUNTY OF ST. JOSEPH )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared David Relos of the City of South Bend, Indiana, and acknowledged her execution of the foregoing this 8th day of December, 2014.

I am a resident of \_\_\_\_\_ County, Indiana, and my commission expires on \_\_\_\_\_  
Printed Cheryl K Phipps



Notary Public

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law. Randolph R. Rompola.

This instrument prepared by Randolph R. Rompola, Esq., Faegre Baker Daniels LLP, 202 S. Michigan St., Suite 1400, South Bend, Indiana 46601.

**RESOLUTION NO. 3255**

**RESOLUTION OF THE SOUTH BEND  
REDEVELOPMENT COMMISSION MODIFYING AND CONFIRMING A  
DECLARATORY RESOLUTION AND AMENDMENT TO THE  
DEVELOPMENT PLAN FOR THE NORTHEAST NEIGHBORHOOD  
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. 3228 entitled "Resolution of the South Bend Redevelopment Commission Designating and Declaring Certain Areas as Redevelopment Areas and Adding Certain Territory from the South Bend Central Development Area for the Purpose of Amending the Boundaries of the Northeast Neighborhood Development Area and the Northeast Neighborhood Development Area Allocation Area No.1 and Approving an Amendment to the Development Plan for Said Area" (the "Declaratory Resolution"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Declaratory Resolution (i) consolidated into the Northeast Neighborhood Development Area (the "Northeast Neighborhood Area") certain territory of the South Bend Central Development Area (the "Central Development Area"); (ii) designated and declared certain areas, more particularly described in Exhibit A attached hereto, within the City to be redevelopment areas and allocation areas for purposes of tax increment financing (collectively, the "Expansion Area") to expand the existing Northeast Neighborhood Area; (iii) transferred certain property previously included on the Central Development Area acquisition list to the Northeast Neighborhood Area acquisition list; and (iv) approved an amendment (the "Plan Amendment") to the development plan for the Northeast Neighborhood 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, subsequent to the adoption of the Declaratory Resolution, the Commission has determined to rename the Northeast Neighborhood Area as the River East Development Area to more accurately describe the territory now included in the Northeast Neighborhood Area as a result of the Declaratory Resolution and the Northeast Neighborhood Allocation Area No.1 as the River East Allocation Area No.1 and to rename the Northeast Neighborhood Development Area, Allocation Area #2 as the River East Development Area, Allocation Area #2; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the redevelopment and development of the Northeast Neighborhood Area pursuant to the Development Plan, as amended by the Declaratory Resolution and the Plan Amendment, and modifying 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 Northeast Neighborhood Area, including the Expansion Area.
2. The Commission adopts and confirms the Findings of Fact for the Northeast Neighborhood 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 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 modified to provide that the Northeast Neighborhood Area hereafter shall be renamed and known as the River East Development Area and the Northeast Neighborhood Allocation Area No.1 and the Northeast Neighborhood Development Area, Allocation Area #2 shall be renamed and known, respectively, as the River East Allocation Area No.1 and the River East Development Area, Allocation Area #2.

5. The Declaratory Resolution and the Plan Amendment, as modified herein, are hereby confirmed.

6. 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 modifying and confirming as set forth herein, the Declaratory Resolution and the Development Plan, including the Plan Amendment, pertaining to the River East Development Area, including the Expansion Area.

7. 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).

\* \* \* \* \*

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, Marcia I. Jones

ATTEST:

  
\_\_\_\_\_  
Secretary, Donald E. Inks

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

RESOLUTION NO. 3228

RESOLUTION OF THE  
SOUTH BEND REDEVELOPMENT COMMISSION  
DESIGNATING AND DECLARING CERTAIN AREAS AS  
REDEVELOPMENT AREAS AND ADDING CERTAIN TERRITORY  
FROM THE SOUTH BEND CENTRAL DEVELOPMENT AREA FOR  
THE PURPOSE OF AMENDING THE BOUNDARIES OF THE  
NORTHEAST NEIGHBORHOOD DEVELOPMENT AREA AND THE  
NORTHEAST NEIGHBORHOOD DEVELOPMENT AREA  
ALLOCATION AREA NO. 1 AND APPROVING AN AMENDMENT  
TO THE DEVELOPMENT PLAN FOR SAID AREA

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WHEREAS, the South Bend Redevelopment Commission (the "Commission"), the governing body of the City of South Bend, Indiana, Department of Redevelopment (the "Department") 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 has previously designated and declared an area in the City of South Bend, Indiana (the "City"), known as the Northeast Neighborhood Development Area, which area has been amended from time to time (the "Original Area") as a redevelopment area and as an allocation area for purposes of tax increment financing (the "Original Allocation Area"), has adopted a Development Plan for the Original Area, 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 has previously designated and declared an area in the City known as the South Bend Central Development Area (the "Central Development Area") as a redevelopment area and as an allocation area for purposes of tax increment financing ("Central Development Area Allocation Area"); and

WHEREAS, the Commission now desires to amend the boundaries of the Northeast Neighborhood Development Area to (i) include certain territory of the Central Development Area, more particularly described in Exhibit A attached hereto and made a part hereof (collectively, the "CDA Territory") and (ii) add certain territory, more particularly described in Exhibit B attached hereto and made a part hereof (collectively, the Expansion Area") (the Original Area with the CDA Territory and the Expansion Area being collectively referred to as the "Area") (a description of the Area, after including the Expansion Area, is set forth in Exhibit C attached hereto and made a part hereof); and

WHEREAS, the Commission desires to transfer certain property previously included on the Central Development Area acquisition list (the "CDA Acquisition List"), as set

forth in Exhibit D, to the Area acquisition list (the "Original Area Acquisition List") as set forth in the Development Plan for said Area; and

WHEREAS, the Commission desires to amend the Original Plan by (i) setting out the boundaries of the CDA Area and the Expansion Area and (ii) transferring certain parcels of property from the CDA Acquisition List to the Area Acquisition List (the "Plan Amendment" and collectively with the Original Plan, the "Plan"); 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, including the Plan Amendment that is 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 because of lack of local public improvements and multiple ownership of land and that public health and welfare will be benefited by the accomplishment of the Plan Amendment for the Area; 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 D and made a part hereof; and

WHEREAS, the Commission has caused to be prepared maps and plats of the Expansion Area, said maps and plats of the Expansion Area showing the boundaries of the Expansion Area; the location of the various parcels of property, streets and alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, redevelopment or economic development of the Expansion Area; 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 plans for the redevelopment of the Expansion Area as adopted herein; and

WHEREAS, the Commission has determined that it currently does not intend to acquire real property as part of the Plan Amendment adopted herein; and

WHEREAS, Section 39 of the Act has been enacted and amended to permit the creation of allocation areas 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 situated in an allocation area, and the Commission deems it advisable to (i) provide for the consolidation of the CDA Territory into the Original Allocation Area but retain the base assessment dates that exist for the CDA Territory and (ii) expand the Original Allocation Area to include the Expansion Area with a base date for such Expansion Area as determined by Section 39 of the Act; and

WHEREAS, in determining the location and extent of the Expansion Area, the Commission has determined that no residents of the Expansion Area will be displaced by the redevelopment thereof; and

WHEREAS, the Plan, as amended by the Plan Amendment, for the Area 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 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 (i) consolidate the CDA Territory into the Original Area and include the Expansion Area in the Original Area to amend the boundaries of the Area as set forth herein; (ii) redevelop the Area under the Act; and (iii) transfer property from the CDA Acquisition List to the Area Acquisition List.

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 incorporated as a part of the Original Plan for the Area, as amended.

5. The maps and plats of the CDA Territory and the Expansion Area showing their respective boundaries, the location of the various parcels of property, streets and alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, redevelopment or economic development of the CDA Territory and the Expansion Area, 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, are hereby approved and adopted as the maps and plats for the CDA Territory and the Expansion Area, respectively.

6. No property acquisition is included as part of the Plan Amendment for the Expansion Area. The Commission has no present intention of acquiring any interest in real property within the boundaries of the Expansion Area.

7. The Commission previously found and determined that for purposes of the allocation provisions of Section 39 of the Act, the CDA Territory was part of a duly constituted allocation area for purposes of the Act, which for purposes of the Act and this Resolution means the CDA Territory shall continue to serve as an allocation area under the Act. The Commission hereby finds and determines that the Original Allocation Area shall hereafter be deemed to include the CDA Area. The various base assessment dates for the various portions of the CDA Territory as previously established pursuant to prior actions of the Commission shall continue in place with respect to the CDA Territory following consolidation of such CDA Territory into the Original Allocation Area pursuant to this Resolution.

8. 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.

9. 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 as amended by paragraph 8 and the 2014 Expansion Allocation Area are hereinafter referred to as the "Allocation Area").

10. 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 11(c) hereof, shall be deposited in the allocation fund previously created and designated "City of South Bend, Indiana, Department of Redevelopment, Northeast Neighborhood 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.

11. 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 11(d) plus the amount necessary for the other purposes described in Paragraph 11(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 11(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 11(d) or lessors under Section 25.2 of the Act.

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

13. 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.

14. 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 of the lack of local public improvements which has resulted in less than desirable private capital investment in the Expansion Area as evidenced by the amount of vacant or underutilized properties in the Expansion Area, lack of diversification of commercial and business investment and declining assessed value of a significant number of properties located in the Expansion Area. The Expansion Area has approximately thirty-five (35) vacant lots totaling 3.55 acres and one (1) abandoned property.

15. The Secretary of the Commission is directed to file a certified copy of the Plan Amendment with the minutes of this meeting.

16. The officers of the Commission are hereby directed to make any and all required filings and recordings with the Indiana Department of Local Government Finance, the St. Joseph County Auditor and the St. Joseph County Recorder in connection with the actions of the Commission contained in this Resolution regarding the Allocation Area, as amended hereby.

17. This Resolution, together with supporting data, shall be submitted to the Area Plan Commission and the Common Council of the City, as provided by Sections 16 of the Act, for the approval of this Resolution and the Plan Amendment, and if approved by both bodies, this Resolution and the Plan Amendment shall be submitted to public hearing and remonstrance as provided by Sections 17 of the Act, after public notice in accordance with Sections 17 and 17.5 of the Act and Indiana Code 5-3-1 and after all required filings with governmental agencies and officers have been made pursuant to Sections 17(b) and 17(c) of the Act.

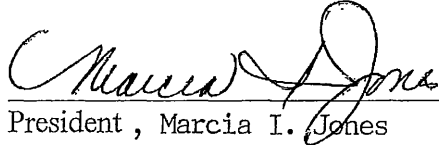
18. All orders or resolutions in conflict herewith are hereby rescinded, revoked and repealed in so far as such exist.

19. 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.

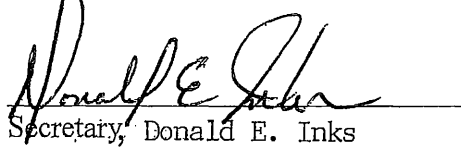
20. This Resolution shall be in full force and effect after its adoption by the Commission.

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

SOUTH BEND  
REDEVELOPMENT COMMISSION

  
\_\_\_\_\_  
President, Marcia I. Jones

ATTEST:

  
\_\_\_\_\_  
Secretary, Donald E. Inks

**EXHIBIT A**

**DESCRIPTION OF THE CDA TERRITORY**

**LEGAL DESCRIPTION OF THE NORTHEAST PORTION OF THE SOUTH BEND CENTRAL DEVELOPMENT AREA TO BE ADDED TO THE NNDA TIF;**

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF THE ST. JOSEPH RIVER WITH THE CENTERLINE OF CORBY BOULEVARD EXTENDED WEST; THENCE EAST ALONG SAID EXTENDED CENTERLINE AND SAID CENTERLINE TO A POINT 120 FEET WEST OF THE FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE PROJECTED NORTH; THENCE SOUTH, TO A POINT 150 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF CORBY STREET; THENCE EAST PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF SAID FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE; THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 222 FEET; THENCE SOUTHWESTERLY, A DISTANCE OF 260.82 FEET; THENCE NORTHWESTERLY, A DISTANCE OF 85 FEET; THENCE SOUTHWESTERLY, A DISTANCE OF 222 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NILES AVENUE; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 312 FEET; THENCE NORTHEASTERLY, A DISTANCE OF 199.95 FEET; THENCE NORTHERLY, A DISTANCE OF 141.54 FEET TO A POINT 378.66 FEET WEST OF SAID FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE ALSO ON THE SOUTH RIGHT-OF-WAY LINE OF CORBY STREET; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND ITS PROJECTION WEST TO THE EAST SHORE OF THE ST. JOSEPH RIVER; THENCE SOUTHERLY ALONG SAID EAST SHORE TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BARTLETT STREET PROJECTED EAST; THENCE WEST ALONG SAID EASTERLY PROJECTION TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOSEPH RIVER; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. CONTAINING 6.36 ACRES MORE OR LESS.

**LEGAL DESCRIPTION OF THE SOUTHEAST PORTION OF THE SOUTH BEND CENTRAL DEVELOPMENT AREA TO BE ADDED TO THE NNDA TIF;**

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF THE ST. JOSEPH RIVER AND THE CENTERLINE OF THE EAST RACE EXTENDED NORTHWESTERLY; THENCE SOUTHEASTERLY ALONG SAID EXTENDED CENTERLINE OF THE EAST RACE TO THE CENTERLINE OF LASALLE AVENUE; THENCE EAST ALONG SAID CENTERLINE OF LASALLE AVENUE TO A POINT 110 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF NILES AVENUE; THENCE NORTH 159.25 FEET; THENCE EAST 110 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID NILES AVENUE; THENCE EASTERLY TO THE NORTHWEST CORNER OF LOT 71 IN THE ORIGINAL TOWN OF LOWELL; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 71 TO THE CENTERLINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE; THENCE NORTH ALONG SAID CENTERLINE OF SAID ALLEY TO THE CENTERLINE OF MADISON STREET; THENCE EAST ALONG SAID CENTERLINE TO THE CENTERLINE OF HILL STREET; THENCE SOUTH ALONG SAID CENTERLINE TO THE CENTERLINE OF LASALLE STREET; THENCE EAST ALONG SAID CENTERLINE TO THE PROJECTED CENTERLINE OF THE FIRST ALLEY EAST OF HILL STREET; THENCE SOUTH, ALONG SAID PROJECTED CENTERLINE TO A POINT THAT IS 66 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY SOUTH OF WASHINGTON STREET; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY TO THE CENTERLINE OF THE FIRST 14 FOOT NORTH-SOUTH ALLEY LYING EAST OF HILL STREET; THENCE SOUTH ALONG SAID CENTERLINE OF

ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON BOULEVARD; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WAYNE STREET; THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF WAYNE STREET TO THE EAST RIGHT-OF-WAY LINE OF NOTRE DAME AVENUE; THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 287.5 FEET MORE OR LESS; THENCE EAST 173 FEET; THENCE NORTH 102.5 FEET; THENCE EAST 171.07 FEET TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE 102.5 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET EXTENDED WEST; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET AND ITS WESTERLY EXTENSION TO THE WEST RIGHT-OF-WAY LINE OF EDDY STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF THE PLAT OF PARRY'S ADDITION; THENCE WEST ALONG THE SAID SOUTH LINE AND THE SOUTH LINE OF THE PLAT OF BECK'S 1<sup>ST</sup> ADDITION TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NORTHSIDE BOULEVARD; THENCE WEST TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOSEPH RIVER; THENCE MEANDERING IN A NORTHWESTERLY AND NORTHEASTERLY DIRECTION ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. CONTAINING 102.37 ACRES MORE OR LESS.

## EXHIBIT B

### DESCRIPTION OF THE EXPANSION AREA

#### **LEGAL DESCRIPTION OF THE EAST AREA TO BE ADDED TO THE NNDA TIF;**

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF LASALLE STREET WITH THE CENTERLINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF HILL STREET PROJECTED NORTH; THENCE SOUTH, ALONG SAID PROJECTED CENTERLINE TO A POINT THAT IS 66 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY SOUTH OF WASHINGTON STREET; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY TO THE CENTERLINE OF THE FIRST 14 FOOT NORTH-SOUTH ALLEY LYING EAST OF HILL STREET; THENCE SOUTH ALONG SAID CENTERLINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON BOULEVARD; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WAYNE STREET; THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF WAYNE STREET TO THE EAST RIGHT-OF-WAY LINE OF NOTRE DAME AVENUE; THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 287.5 FEET MORE OR LESS; THENCE EAST 173 FEET; THENCE NORTH 102.5 FEET; THENCE EAST 171.07 FEET TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE 102.5 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET EXTENDED WEST; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET AND ITS WESTERLY EXTENSION TO THE CENTERLINE LINE OF EDDY STREET; THENCE NORTH ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF COLFAX STREET; THENCE WEST ALONG THE CENTERLINE OF COLFAX STREET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE FIRST NORTH-SOUTH ALLEY WEST OF FRANCES STREET PROJECTED SOUTH; THENCE NORTH ALONG SAID WEST LINE AND PROJECTION TO THE NORTH LINE OF THE FIRST EAST-WEST ALLEY SOUTH OF LASALLE STREET; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF FRANCES STREET; THENCE NORTH ALONG SAID WEST LINE TO ITS POINT OF INTERSECTION WITH THE CENTERLINE OF LASALLE STREET; THENCE WEST ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.  
CONTAINING 65.92 ACRES MORE OR LESS.

#### **LEGAL DESCRIPTION OF THE SOUTHEAST AREA TO BE ADDED TO THE NNDA TIF;**

BEGINNING AT THE SOUTHEAST CORNER OF THE PLAT OF PARRY'S ADDITION AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE; THENCE WEST ALONG THE SAID SOUTH LINE AND THE SOUTH LINE OF THE PLAT OF BECK'S 1<sup>ST</sup> ADDITION AS RECORDED IN THE RECORDS OF SAID COUNTY TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NORTHSIDE BOULEVARD; THENCE WEST TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOSEPH RIVER; THENCE MEANDERING IN A SOUTHEASTERLY DIRECTION ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT # 39 OF THE PLAT OF "EUCLID PARK" AS RECORDED IN THE RECORDS OF SAID COUNTY EXTENDED SOUTH; THENCE NORTH ALONG SAID EXTENDED LINE, THE EAST LINE OF SAID LOT AND SAID LINE EXTENDED NORTH TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE FIRST VACATED EAST-WEST 14 FOOT WIDE PUBLIC ALLEY NORTH OF NORTHSIDE BOULEVARD; THENCE WEST ALONG SAID CENTERLINE TO THE EAST LINE OF A NORTH-SOUTH 14 FOOT WIDE



PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT #40 IN SAID PLAT EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND NORTH LOT LINE TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 14 FOOT TO THE SOUTH LINE OF LOT # 42 IN SAID PLAT; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST RIGHT-OF-WAY LINE OF CLOVER STREET; THENCE NORTH ALONG SAID EAST LINE TO THE CENTERLINE OF A VACATED 14 FOOT WIDE EAST-WEST PUBLIC ALLEY LOCATED NORTH OF AND ADJACENT TO LOT # 46 IN SAID PLAT; THENCE WEST ON THE EXTENDED CENTERLINE OF SAID VACATED ALLEY TO A POINT ON THE EAST LINE OF A NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY, SAID POINT BEING 7 FEET NORTH OF THE NORTHWEST CORNER OF LOT # 109 IN SAID PLAT; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT # 36 IN THE PLAT OF "HIBBERD PLACE" AS RECORDED IN THE RECORDS OF SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND THE SOUTH LINE OF SAID LOT TO THE EAST RIGHT-OF-WAY LINE OAKLAND STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF A PARCEL WITH ST. JOSEPH COUNTY INDIANA AUDITOR'S TAX KEY NUMBER 18-6020-0510, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND NORTH PARCEL LINE TO THE EAST LINE OF A 14 FOOT WIDE NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT # 43 IN THE PLAT OF "OAKLAND PARK REVISED PLAT" AS RECORDED IN THE RECORDS OF SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND SOUTH LOT LINE TO THE EAST RIGHT-OF-WAY LINE OF EMERSON AVENUE; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HILDRETH STREET; THENCE WEST ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ROBERTS STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF RUSKIN STREET; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF LOUISE STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE FIRST 14 FOOT WIDE EAST-WEST PUBLIC ALLEY SOUTH OF MISHAWAKA AVENUE; THENCE EAST ALONG THE SOUTH LINE OF SAID ALLEY TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ESTHER STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF MISHAWAKA AVENUE; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF TWYCKENHAM DRIVE; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE FIRST 14 FOOT WIDE EAST-WEST PUBLIC ALLEY NORTH OF MISHAWAKA AVENUE, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND THE NORTH LINE OF SAID PUBLIC ALLEY TO A POINT OF INTERSECTION WITH THE EAST LINE OF EMERSON AVENUE; THENCE CONTINUING WEST TO THE SOUTHEAST CORNER OF LOT # 711 IN THE PLAT OF "WHITCOMB & KELLER'S 3<sup>RD</sup> SUNNYMEADE" AS RECORDED IN THE RECORDS OF SAID COUNTY; THENCE CONTINUING ALONG THE SOUTH AND WEST LINE OF SAID LOT AND THE WEST LINES OF LOTS # 711, # 710, # 709 AND # 708 IN SAID PLAT AND THE NORTHERLY EXTENTION OF THE WEST LINE OF SAID LOT # 708 TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD RIGHT-OF-WAY; THENCE NORTHWESTERLY A DISTANCE OF 100 FEET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE TO THE SOUTHEASTERLY CORNER OF LOT # 508 IN SAID PLAT; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT A DISTANCE OF 41.4 FEET MORE OR LESS; THENCE SOUTHWESTERLY A DISTANCE OF 30 FEET MORE OR LESS TO THE SOUTHERLY LINE OF LOT # 507 IN SAID PLAT; THENCE NORTHWESTERLY ALONG SAID SOUTHELY LINE AND CROSSING LONGFELLOW AVENUE (70 FT. WIDE) TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LONGFELLOW AVENUE; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE TO THE SOUTHWESTERLY CORNER OF LOT # 485 IN SAID PLAT; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT, SAID CORNER BEING ON THE EASTERLY LINE OF A 14 FOOT WIDE PUBLIC ALLEY; THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID ALLEY AND ITS WESTERLY EXTENTION TO A POINT ON THE SOUTH LINE OF LOT # 434 IN SAID PLAT OF "WHITCOMB & KELLER'S 3<sup>RD</sup> SUNNYMEADE" AS RECORDED IN THE RECORDS OF SAID COUNTY; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT # 434 AND LOTS 433, 432, 431, AND 430

TO THE SOUTHWEST CORNER OF SAID LOT 430; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT; THENCE IN A NORTHWESTERLY DIRECTION CROSSING BELMONT AVE. (60 FT. R/W) TO THE SOUTHWEST CORNER OF LOT #425 IN SAID PLAT, SAID CORNER ALSO BEING THE EAST LINE OF A 14 FOOT WIDE NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SOUTH STREET; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF EDDY STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE PLAT OF PARRY'S ADDITION AS RECORDED IN SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EASTERLY EXTENTION LINE TO THE POINT OF BEGINNING.  
CONTAINING 97.73 ACRES MORE OR LESS.

## EXHIBIT C

### DESCRIPTION OF THE AREA, AS AMENDED

#### REVISED LEGAL DESCRIPTION OF THE BOUNDARY OF THE NNDA TIF

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF THE ST. JOSEPH RIVER WITH THE CENTERLINE OF CORBY BOULEVARD EXTENDED WEST; THENCE MEANDERING IN A SOUTHERLY AND SOUTHEASTERLY DIRECTION ALONG THE CENTERLINE OF SAID ST. JOSEPH RIVER TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT # 39 OF THE PLAT OF "EUCLID PARK" AS RECORDED IN THE RECORDS OF SAID COUNTY EXTENDED SOUTH; THENCE NORTH ALONG SAID EXTENDED LINE, THE EAST LINE OF SAID LOT AND SAID LINE EXTENDED NORTH TO A POINT OF INTERSECTION WITH THE CENTERLINE OF FIRST VACATED EAST-WEST 14 FOOT WIDE PUBLIC ALLEY NORTH OF NORTHSIDE BOULEVARD; THENCE WEST ALONG SAID CENTERLINE TO THE EAST LINE OF A NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT #40 IN SAID PLAT EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND NORTH LOT LINE TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 14 FOOT TO THE SOUTH LINE OF LOT # 42 IN SAID PLAT; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST RIGHT-OF-WAY LINE OF CLOVER STREET; THENCE NORTH ALONG SAID EAST LINE TO THE CENTERLINE OF A VACATED 14 FOOT WIDE EAST-WEST PUBLIC ALLEY LOCATED NORTH OF AND ADJACENT TO LOT # 46 IN SAID PLAT; THENCE WEST ON THE EXTENDED CENTERLINE OF SAID VACATED ALLEY TO A POINT ON THE EAST LINE OF A NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY, SAID POINT BEING 7 FEET NORTH OF THE NORTHWEST CORNER OF LOT # 109 IN SAID PLAT; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT # 36 IN THE PLAT OF "HIBBERD PLACE" AS RECORDED IN THE RECORDS OF SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND THE SOUTH LINE OF SAID LOT TO THE EAST RIGHT-OF-WAY LINE OAKLAND STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF A PARCEL WITH ST. JOSEPH COUNTY INDIANA AUDITOR'S TAX KEY NUMBER 18-6020-0510, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND NORTH PARCEL LINE TO THE EAST LINE OF A 14 FOOT WIDE NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT # 43 IN THE PLAT OF "OAKLAND PARK REVISED PLAT" AS RECORDED IN THE RECORDS OF SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND SOUTH LOT LINE TO THE EAST RIGHT-OF-WAY LINE OF EMERSON AVENUE; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HILDRETH STREET; THENCE WEST ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ROBERTS STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF RUSKIN STREET; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF LOUISE STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE FIRST 14 FOOT WIDE EAST-WEST PUBLIC ALLEY SOUTH OF MISHAWAKA AVENUE; THENCE EAST ALONG THE SOUTH LINE OF SAID ALLEY TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ESTHER STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF MISHAWAKA AVENUE; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF TWYCKENHAM DRIVE; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE FIRST 14 FOOT WIDE EAST-WEST PUBLIC ALLEY NORTH OF MISHAWAKA AVENUE, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND THE NORTH LINE OF SAID PUBLIC ALLEY TO A POINT OF INTERSECTION WITH THE EAST LINE OF EMERSON AVENUE; THENCE CONTINUING WEST TO THE SOUTHEAST CORNER OF LOT # 711 IN THE PLAT OF "WHITCOMB & KELLER'S 3<sup>RD</sup> SUNNYMEADE" AS RECORDED IN THE RECORDS OF SAID COUNTY; THENCE CONTINUING ALONG THE SOUTH AND WEST LINE OF SAID LOT AND THE WEST LINES OF LOTS # 711, # 710, # 709 AND # 708 IN SAID PLAT AND THE NORTHERLY EXTENTION

OF THE WEST LINE OF SAID LOT # 708 TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD RIGHT-OF-WAY; THENCE NORTHWESTERLY A DISTANCE OF 100 FEET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE TO THE SOUTHEASTERLY CORNER OF LOT # 508 IN SAID PLAT; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT A DISTANCE OF 41.4 FEET MORE OR LESS; THENCE SOUTHWESTERLY A DISTANCE OF 30 FEET MORE OR LESS TO THE SOUTHERLY LINE OF LOT # 507 IN SAID PLAT; THENCE NORTHWESTERLY ALONG SAID SOUTHELY LINE AND CROSSING LONGFELLOW AVENUE (70 FT. WIDE) TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LONGFELLOW AVENUE; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE TO THE SOUTHWESTERLY CORNER OF LOT # 485 IN SAID PLAT; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT, SAID CORNER BEING ON THE EASTERLY LINE OF A 14 FOOT WIDE PUBLIC ALLEY; THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID ALLEY AND ITS WESTERLY EXTENTION TO A POINT ON THE SOUTH LINE OF LOT # 434 IN SAID PLAT OF "WHITCOMB & KELLER'S 3<sup>RD</sup> SUNNYMEADE" AS RECORDED IN THE RECORDS OF SAID COUNTY; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT # 434 AND LOTS 433, 432, 431, AND 430 TO THE SOUTHWEST CORNER OF SAID LOT 430; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT; THENCE IN A NORTHWESTERLY DIRECTION CROSSING BELMONT AVE. (60 FT. R/W) TO THE SOUTHWEST CORNER OF LOT #425 IN SAID PLAT, SAID CORNER ALSO BEING THE EAST LINE OF A 14 FOOT WIDE NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SOUTH STREET; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF EDDY STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE PLAT OF PARRY'S ADDITION AS RECORDED IN SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EASTERLY EXTENTION LINE TO THE CENTERLINE OF EDDY STREET; THENCE NORTH ALONG SAID CENTERLINE THENCE NORTH ALONG SAID CENTERLINE TO THE CENTERLINE OF LASALLE STREET; THENCE EAST ALONG SAID CENTERLINE TO THE CENTERLINE OF SUNNYSIDE AVENUE; THENCE NORTH ALONG SAID CENTERLINE TO THE CENTERLINE OF ROCKNE DRIVE; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO THE EAST RIGHT-OF-WAY LINE OF TWYCKENHAM DRIVE; THENCE NORTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF LOT 38 IN WOODED ESTATES AS SHOWN IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTHEASTERLY ALONG THE SOUTHEAST LINES OF LOTS 38, 37 AND 36 TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WHITE OAK DRIVE; THENCE NORTHEASTERLY TO THE SOUTHWESTERLY CORNER OF LOT 35 IN SAID WOODED ESTATES; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINES OF LOTS 35, 34, 33, 32, 31 AND 30 IN SAID WOODED ESTATES TO THE WESTERLY RIGHT-OF-WAY LINE OF BLACK OAK DRIVE; THENCE NORTHEASTERLY TO THE NORTHWEST CORNER OF LOT 48 IN SAID WOODED ESTATES; THENCE EAST ALONG THE NORTH LINE OF LOTS 48, 51, 52, 53 AND 54 TO THE CENTERLINE OF OAK RIDGE DRIVE; THENCE NORTHERLY ALONG SAID CENTERLINE TO THE CENTERLINE OF EDISON ROAD; THENCE WEST TO THE EAST LINE OF LOT 5 VACVAL AND DAVIDSON SUBDIVISION PROJECTED SOUTH; THENCE NORTH ALONG SAID EAST LINE AND ITS PROJECTION TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE WEST TO THE EAST PROPERTY LINE OF A PARCEL OF LAND OWNED BY PATRICK AND JOSEPHINE SIMERI; THENCE NORTH TO THE NORTHEAST CORNER OF SAID SIMERI PARCEL; THENCE WEST ALONG THE NORTH LINE OF SIMERI PARCEL TO THE NORTHWEST CORNER OF SAID SIMERI PARCEL; THENCE SOUTH ALONG THE WEST LINE OF SAID SIMERI PARCEL TO A POINT 208.71 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA; THENCE WEST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 208.71 FEET; THENCE NORTH TO THE NORTHEAST CORNER OF THE JAMISON INN CONDOMINIUM; THENCE WEST ALONG THE NORTH LINE OF SAID JAMISON INN CONDOMINIUM TO THE CENTERLINE OF IVY ROAD; THENCE SOUTH ALONG SAID CENTERLINE OF IVY ROAD TO THE NORTH RIGHT-OF-WAY LINE OF EDISON ROAD; THENCE WESTERLY, SOUTHWESTERLY AND WESTERLY ALONG SAID NORTH RIGHT OF -WAY LINE OF EDISON ROAD AND CHANGING TO ANGELA BOULEVARD TO THE SOUTHWEST CORNER OF A PARCEL OF LAND HAVING TAX KEY

NUMBER 18-5123-4392.03 IN RECORDS OF THE ST. JOSEPH COUNTY AUDITOR'S OFFICE; THENCE NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX KEY NUMBER 18-5123-4392.03 TO THE CENTERLINE OF THE NOW VACATED ANGELA BOULEVARD; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF THE NOW VACATED ANGELA BOULEVARD TO THE CENTERLINE OF NOTRE DAME AVENUE; THENCE WEST ALONG THE CENTERLINE OF ANGELA BOULEVARD TO THE WEST LINE OF LOT 95 UNIVERSITY HEIGHTS AS SHOWN IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA PROJECTED NORTH; THENCE SOUTH ALONG THE WEST LINES OF LOTS 95, 94, 93, 92, 33 AND 32 TO THE SOUTHWEST CORNER OF SAID LOT 32; THENCE WEST ALONG THE NORTH LINES OF LOTS 29 THRU 6 IN UNIVERSITY HEIGHTS TO THE CENTERLINE OF LAWRENCE STREET; THENCE SOUTH ALONG SAID CENTERLINE TO THE CENTERLINE OF NAPOLEON STREET; THENCE WEST ALONG SAID CENTERLINE TO THE CENTERLINE OF NILES AVENUE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE TO THE CENTERLINE OF CORBY STREET; THENCE WEST ALONG SAID CENTERLINE AND ITS WESTERLY EXTENTION TO THE POINT OF BEGINNING. CONTAINING 919.60 ACRES MORE OR LESS.

**EXHIBIT D**

**2014 PLAN AMENDMENT TO THE DEVELOPMENT PLAN,  
NORTHEAST NEIGHBORHOOD DEVELOPMENT AREA**

- I. The following territory, formerly the northeast portion of the South Bend Central Development Area, is transferred and added to the description of the development area described in the Development Plan for the Northeast Neighborhood Development Area:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF THE ST. JOSEPH RIVER WITH THE CENTERLINE OF CORBY BOULEVARD EXTENDED WEST; THENCE EAST ALONG SAID EXTENDED CENTERLINE AND SAID CENTERLINE TO A POINT 120 FEET WEST OF THE FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE PROJECTED NORTH; THENCE SOUTH, TO A POINT 150 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF CORBY STREET; THENCE EAST PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF SAID FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE; THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 222 FEET; THENCE SOUTHWESTERLY, A DISTANCE OF 260.82 FEET; THENCE NORTHWESTERLY, A DISTANCE OF 85 FEET; THENCE SOUTHWESTERLY, A DISTANCE OF 222 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NILES AVENUE; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 312 FEET; THENCE NORTHEASTERLY, A DISTANCE OF 199.95 FEET; THENCE NORTHERLY, A DISTANCE OF 141.54 FEET TO A POINT 378.66 FEET WEST OF SAID FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE ALSO ON THE SOUTH RIGHT-OF-WAY LINE OF CORBY STREET; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND ITS PROJECTION WEST TO THE EAST SHORE OF THE ST. JOSEPH RIVER; THENCE SOUTHERLY ALONG SAID EAST SHORE TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BARTLETT STREET PROJECTED EAST; THENCE WEST ALONG SAID EASTERLY PROJECTION TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOSEPH RIVER; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.  
CONTAINING 6.36 ACRES MORE OR LESS.

- II. The following territory, formerly the southeast portion of the South Bend Central Development Area is transferred and added to the description of the development area described in the Development Plan for the Northeast Neighborhood Development Area:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF THE ST. JOSEPH RIVER AND THE CENTERLINE OF THE EAST RACE EXTENDED NORTHWESTERLY; THENCE SOUTHEASTERLY ALONG SAID EXTENDED CENTERLINE OF THE EAST RACE TO THE CENTERLINE OF LASALLE AVENUE; THENCE EAST ALONG SAID CENTERLINE OF LASALLE AVENUE TO A POINT 110 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF NILES AVENUE; THENCE NORTH 159.25 FEET; THENCE EAST 110 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID NILES AVENUE; THENCE EASTERLY TO THE NORTHWEST CORNER OF LOT 71 IN THE ORIGINAL TOWN OF LOWELL; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 71 TO THE CENTERLINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF NILES AVENUE; THENCE NORTH ALONG SAID CENTERLINE OF SAID ALLEY TO THE CENTERLINE OF MADISON STREET; THENCE EAST ALONG SAID CENTERLINE TO THE CENTERLINE OF HILL STREET; THENCE SOUTH ALONG SAID CENTERLINE TO THE CENTERLINE OF LASALLE STREET; THENCE EAST ALONG SAID CENTERLINE TO THE PROJECTED CENTERLINE OF THE FIRST ALLEY EAST OF HILL STREET; THENCE SOUTH, ALONG SAID PROJECTED CENTERLINE TO A POINT THAT IS 66 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF

THE FIRST EAST-WEST ALLEY SOUTH OF WASHINGTON STREET; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY TO THE CENTERLINE OF THE FIRST 14 FOOT NORTH-SOUTH ALLEY LYING EAST OF HILL STREET; THENCE SOUTH ALONG SAID CENTERLINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON BOULEVARD; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WAYNE STREET; THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF WAYNE STREET TO THE EAST RIGHT-OF-WAY LINE OF NOTRE DAME AVENUE; THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 287.5 FEET MORE OR LESS; THENCE EAST 173 FEET; THENCE NORTH 102.5 FEET; THENCE EAST 171.07 FEET TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE 102.5 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET EXTENDED WEST; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET AND ITS WESTERLY EXTENSION TO THE WEST RIGHT-OF-WAY LINE OF EDDY STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF THE PLAT OF PARRY'S ADDITION; THENCE WEST ALONG THE SAID SOUTH LINE AND THE SOUTH LINE OF THE PLAT OF BECK'S 1<sup>ST</sup> ADDITION TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NORTHSIDE BOULEVARD; THENCE WEST TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOSEPH RIVER; THENCE MEANDERING IN A NORTHWESTERLY AND NORTHEASTERLY DIRECTION ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

CONTAINING 102.37 ACRES MORE OR LESS.

- III. The following territory is added to the description of the development area described in the Development Plan for the Northeast Neighborhood Development Area:

**LEGAL DESCRIPTION OF THE EAST AREA:**

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF LASALLE STREET WITH THE CENTERLINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF HILL STREET PROJECTED NORTH; THENCE SOUTH, ALONG SAID PROJECTED CENTERLINE TO A POINT THAT IS 66 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY SOUTH OF WASHINGTON STREET; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY TO THE CENTERLINE OF THE FIRST 14 FOOT NORTH-SOUTH ALLEY LYING EAST OF HILL STREET; THENCE SOUTH ALONG SAID CENTERLINE OF ALLEY TO THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON BOULEVARD; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF ST. LOUIS BOULEVARD; THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF WAYNE STREET; THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF WAYNE STREET TO THE EAST RIGHT-OF-WAY LINE OF NOTRE DAME AVENUE; THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 287.5 FEET MORE OR LESS; THENCE EAST 173 FEET; THENCE NORTH 102.5 FEET; THENCE EAST 171.07 FEET TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE 102.5 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET EXTENDED WEST; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF QUIMBY STREET AND ITS WESTERLY EXTENSION TO THE CENTERLINE LINE OF EDDY STREET; THENCE NORTH ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF COLFAX STREET; THENCE WEST ALONG THE CENTERLINE OF COLFAX STREET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE FIRST NORTH-SOUTH ALLEY WEST OF FRANCES STREET PROJECTED SOUTH; THENCE NORTH ALONG SAID WEST LINE AND PROJECTION TO THE NORTH LINE OF THE FIRST EAST-WEST ALLEY SOUTH OF LASALLE STREET; THENCE EAST ALONG SAID NORTH LINE TO THE WEST LINE OF FRANCES STREET; THENCE NORTH ALONG SAID WEST

LINE TO ITS POINT OF INTERSECTION WITH THE CENTERLINE OF LASALLE STREET; THENCE WEST ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. CONTAINING 65.92 ACRES MORE OR LESS.

**LEGAL DESCRIPTION OF THE SOUTHEAST AREA:**

BEGINNING AT THE SOUTHEAST CORNER OF THE PLAT OF PARRY'S ADDITION AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE; THENCE WEST ALONG THE SAID SOUTH LINE AND THE SOUTH LINE OF THE PLAT OF BECK'S 1<sup>ST</sup> ADDITION AS RECORDED IN THE RECORDS OF SAID COUNTY TO THE WEST RIGHT-OF-WAY LINE OF FRANCES STREET; THENCE SOUTH ALONG SAID WEST LINE TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NORTHSIDE BOULEVARD; THENCE WEST TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE ST. JOSEPH RIVER; THENCE MEANDERING IN A SOUTHEASTERLY DIRECTION ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT # 39 OF THE PLAT OF "EUCLID PARK" AS RECORDED IN THE RECORDS OF SAID COUNTY EXTENDED SOUTH; THENCE NORTH ALONG SAID EXTENDED LINE, THE EAST LINE OF SAID LOT AND SAID LINE EXTENDED NORTH TO A POINT OF INTERSECTION WITH THE CENTERLINE OF THE FIRST VACATED EAST-WEST 14 FOOT WIDE PUBLIC ALLEY NORTH OF NORTHSIDE BOULEVARD; THENCE WEST ALONG SAID CENTERLINE TO THE EAST LINE OF A NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT #40 IN SAID PLAT EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND NORTH LOT LINE TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 14 FOOT TO THE SOUTH LINE OF LOT # 42 IN SAID PLAT; THENCE WEST ALONG SAID SOUTH LINE TO THE EAST RIGHT-OF-WAY LINE OF CLOVER STREET; THENCE NORTH ALONG SAID EAST LINE TO THE CENTERLINE OF A VACATED 14 FOOT WIDE EAST-WEST PUBLIC ALLEY LOCATED NORTH OF AND ADJACENT TO LOT # 46 IN SAID PLAT; THENCE WEST ON THE EXTENDED CENTERLINE OF SAID VACATED ALLEY TO A POINT ON THE EAST LINE OF A NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY, SAID POINT BEING 7 FEET NORTH OF THE NORTHWEST CORNER OF LOT # 109 IN SAID PLAT; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT # 36 IN THE PLAT OF "HIBBERD PLACE" AS RECORDED IN THE RECORDS OF SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND THE SOUTH LINE OF SAID LOT TO THE EAST RIGHT-OF-WAY LINE OAKLAND STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF A PARCEL WITH ST. JOSEPH COUNTY INDIANA AUDITOR'S TAX KEY NUMBER 18-6020-0510, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND NORTH PARCEL LINE TO THE EAST LINE OF A 14 FOOT WIDE NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT # 43 IN THE PLAT OF "OAKLAND PARK REVISED PLAT" AS RECORDED IN THE RECORDS OF SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND SOUTH LOT LINE TO THE EAST RIGHT-OF-WAY LINE OF EMERSON AVENUE; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HILDRETH STREET; THENCE WEST ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ROBERTS STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF RUSKIN STREET; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF LOUISE STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE FIRST 14 FOOT WIDE EAST-WEST PUBLIC ALLEY SOUTH OF MISHAWAKA AVENUE; THENCE EAST ALONG THE SOUTH LINE OF SAID ALLEY TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ESTHER STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF MISHAWAKA AVENUE; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF TWYCKENHAM DRIVE; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE FIRST 14 FOOT WIDE EAST-WEST PUBLIC ALLEY NORTH OF MISHAWAKA AVENUE, EXTENDED EAST; THENCE WEST ALONG SAID EXTENDED LINE AND THE NORTH LINE OF SAID PUBLIC ALLEY TO A POINT OF INTERSECTION WITH THE EAST LINE OF EMERSON AVENUE; THENCE CONTINUING WEST TO THE SOUTHEAST CORNER OF LOT # 711 IN THE PLAT OF "WHITCOMB & KELLER'S 3<sup>RD</sup>



SUNNYMEADE" AS RECORDED IN THE RECORDS OF SAID COUNTY; THENCE CONTINUING ALONG THE SOUTH AND WEST LINE OF SAID LOT AND THE WEST LINES OF LOTS # 711, # 710, # 709 AND # 708 IN SAID PLAT AND THE NORTHERLY EXTENTION OF THE WEST LINE OF SAID LOT # 708 TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD RIGHT-OF-WAY; THENCE NORTHWESTERLY A DISTANCE OF 100 FBET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE TO THE SOUTHEASTERLY CORNER OF LOT # 508 IN SAID PLAT; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT A DISTANCE OF 41.4 FBET MORE OR LESS; THENCE SOUTHWESTERLY A DISTANCE OF 30 FBET MORE OR LESS TO THE SOUTHERLY LINE OF LOT # 507 IN SAID PLAT; THENCE NORTHWESTERLY ALONG SAID SOUTHELY LINE AND CROSSING LONGFELLOW AVENUE (70 FT. WIDE) TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LONGFELLOW AVENUE; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE TO THE SOUTHWESTERLY CORNER OF LOT # 485 IN SAID PLAT; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT, SAID CORNER BEING ON THE EASTERLY LINE OF A 14 FOOT WIDE PUBLIC ALLEY; THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID ALLEY AND ITS WESTERLY EXTENTION TO A POINT ON THE SOUTH LINE OF LOT # 434 IN SAID PLAT OF "WHITCOMB & KELLER'S 3<sup>RD</sup> SUNNYMEADE" AS RECORDED IN THE RECORDS OF SAID COUNTY; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT # 434 AND LOTS 433, 432, 431, AND 430 TO THE SOUTHWEST CORNER OF SAID LOT 430; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT; THENCE IN A NORTHWESTERLY DIRECTION CROSSING BELMONT AVE. (60 FT. R/W) TO THE SOUTHWEST CORNER OF LOT #425 IN SAID PLAT, SAID CORNER ALSO BEING THE EAST LINE OF A 14 FOOT WIDE NORTH-SOUTH PUBLIC ALLEY; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SOUTH STREET; THENCE WEST ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF EDDY STREET; THENCE NORTH ALONG SAID EAST LINE TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE PLAT OF PARRY'S ADDITION AS RECORDED IN SAID COUNTY, EXTENDED EAST; THENCE WEST ALONG SAID EASTERLY EXTENTION LINE TO THE POINT OF BEGINNING. CONTAINING 97.73 ACRES MORE OR LESS.

IV. As a result of certain territory being transferred from the South Bend Central Development Area into the Northeast Neighborhood Development Area, the following parcels of land are transferred from the South Bend Central Development Area acquisition list to the Northeast Neighborhood Development Area acquisition list described in the Development Plan for the Northeast Neighborhood Development Area:

Address	Parcel ID
212 E LaSalle, South Bend, Indiana, 46617	018-5003-0041
218 Sycamore, South Bend, Indiana, 46617	018-5003-0047
230-237 Sycamore, South Bend, Indiana, 46617	018-5003-0059
Paved lot on La Salle, South Bend, Indiana, 46617	018-5003-006001
502 Colfax, South Bend, Indiana, 46617	018-5004-0075
510 Colfax, South Bend, Indiana, 46617	018-5004-007501
512 Colfax, South Bend, Indiana, 46617	018-5004-007502
108 Niles, South Bend, Indiana, 46617	018-5004-007901
117 Hill, South Bend, Indiana, 46617	018-5004-0087
710 N Niles, South Bend, Indiana, 46617	018-5038-1349

## **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 Northeast Neighborhood Development Plan (the "Plan"), as amended by a Plan Amendment (the "Plan Amendment") for the Northeast Neighborhood Development Area (the "Northeast Neighborhood Area"), the South Bend Redevelopment Commission finds as follows:

1. The Plan Amendment for the Northeast Neighborhood Area promotes significant opportunities for the gainful employment of its citizens and will encourage attraction, retention, and expansion of businesses in the Northeast Neighborhood Area.
2. The Plan Amendment for the Northeast Neighborhood 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 Northeast Neighborhood Area, including the Expansion Area, and accomplishment of the Plan Amendment for the Northeast Neighborhood Area. The improvements in the Northeast Neighborhood Area will facilitate attraction, retention, and expansion of industries in the Northeast Neighborhood 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 Plan, including the Plan Amendment, for the Northeast Neighborhood 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 Northeast Neighborhood 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 Plan and the purposes of the Act.