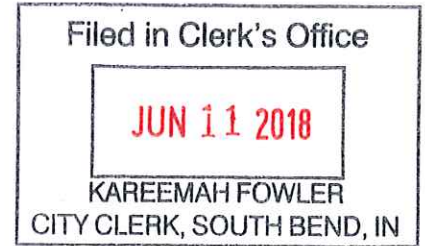


SUBSTITUTE BILL NO. 26-18
ORDINANCE NO. _____



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 24632, 24650, 24700, 24762, 24810, 24820 US HIGHWAY 20 AND 54270 PINE ROAD, SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to annex and rezone the property located at 24810, 24820 and 24762 US Highway 20 from C: Commercial District and M: Manufacturing District in Unincorporated St. Joseph County to PUD Planned Unit Development in South Bend and to rezone the property located at 24632, 24650, 24700 US Highway 20 and 54270 Pine Road from LI Light Industrial District to PUD Planned Unit Development for Mixed-Use Development including Commercial, Industrial and Agricultural Uses.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION I. That the following described real estate situated in St. Joseph County, Indiana, being contiguous by more than one-eighth (1/8) of its aggregate external boundaries with the present boundaries of the City of South Bend, Indiana, shall be and hereby is annexed to and brought within the City of South Bend:

A PART OF THE SOUTH HALF OF SECTION 30, AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, ALSO ALL OF THE LOTS IN CASCINO SECOND MINOR SUBDIVISION, RECORDED UNDER INSTRUMENT NUMBER 9125343, ALSO LOT 1 IN KELLER AND HALL MINOR SUBDIVISION, RECORDED UNDER INSTRUMENT NUMBER 9950876, BOTH BEING RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°17'04" WEST ALONG THE WEST LINE OF SAID SECTION 31, 1089.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°53' 18" EAST, 588.56 FEET; THENCE NORTH 00°35' 41" EAST, 355.17 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN SAID KELLER AND HALL MINOR SUBDIVISION; THENCE NORTH 00°23'29"

WEST ALONG THE WESTERLY LINE OF SAID LOT 1, 387.81 FEET TO THE NORTHWESTERLY MOST CORNER OF SAID LOT 1; THENCE SOUTH 89°51 '53" EAST, 249.65 FEET; THENCE NORTH 00°12'32" WEST, 683.24 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 20; THENCE THE FOLLOWING (13) COURSES ALONG SAID SOUTHERLY AND WESTERLY RIGHT-OF-WAY: 1) SOUTH 61°31 '39" EAST, 312.92 FEET, 2) SOUTH 02°00'00" EAST, 59.37 FEET, 3) SOUTH 61°20'23" EAST, 163.74 FEET, 4) NORTH 30°27'48" EAST, 59.99 FEET, 5) SOUTH 55°14'09" EAST, 794.33 FEET, 6) SOUTH 37°57'27" EAST, 139.58 FEET, 7) SOUTH 28°45' 19" EAST, 935.25 FEET, 8) SOUTH 01 °33'09" EAST, 55.85 FEET, 9) SOUTH 89°42' 58" EAST, 14.92 FEET, 10) NORTH 01 °25' 40" WEST, 14.68 FEET, 11) SOUTH 29°30' 54" EAST, 653.16 FEET, 12) SOUTH 09°30'22" EAST, 409.58 FEET, 13) SOUTH 03°54'27" EAST, 376.16 FEET TO A POINT ON THE EAST/WEST CENTERLINE OF SAID SECTION 31; THENCE NORTH 89°36'02" WEST ALONG SAID EAST/WEST CENTERLINE, 381.54 FEET TO THE CENTER OF SAID SECTION 31, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 IN R.M. LYNCH MINOR SUBDIVISION, RECORDED UNDER INSTRUMENT 8800527 IN SAID RECORDERS OFFICE; THENCE NORTH 01°25'40" WEST ALONG THE EASTERLY LINE OF SAID LOT 3, 946.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°39'01" WEST ALONG THE NORTH LINE OF SAID LOT 3, 2505.42 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 31; THENCE NORTH 00°17'04" EAST ALONG SAID WEST LINE, 616.06 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 79.54 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF- WAY OF RECORD. THIS LEGAL DESCRIPTION IS BASED ON RECORD INFORMATION, A BOUNDARY SURVEY WAS NOT PERFORMED TO COMPLETE THIS DESCRIPTION.

SECTION II. That the boundaries of the City of South Bend, Indiana, shall be and are hereby declared to be extended so as to include the real estate of the above described parcel as part of the City of South Bend, Indiana.

SECTION III. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

A PART OF THE SOUTH HALF OF SECTION 30, AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, ALSO ALL OF THE LOTS IN CASCINO SECOND MINOR SUBDIVISION, RECORDED UNDER INSTRUMENT NUMBER 9125343, ALSO LOT 1 IN KELLER AND HALL MINOR SUBDIVISION, RECORDED UNDER INSTRUMENT NUMBER 9950876, BOTH BEING RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°17'04" WEST ALONG THE WEST LINE OF SAID SECTION 31, 1089.99 FEET

TO THE POINT OF BEGINNING; THENCE NORTH 89°53' 18" EAST, 588.56 FEET; THENCE NORTH 00°35' 41" EAST, 355.17 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN SAID KELLER AND HALL MINOR SUBDIVISION; THENCE NORTH 00°23'29" WEST ALONG THE WESTERLY LINE OF SAID LOT 1, 387.81 FEET TO THE NORTHWESTERLY MOST CORNER OF SAID LOT 1; THENCE SOUTH 89°51 '53" EAST, 249.65 FEET; THENCE NORTH 00°12'32" WEST, 683.24 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 20; THENCE THE FOLLOWING (13) COURSES ALONG SAID SOUTHERLY AND WESTERLY RIGHT-OF-WAY: 1) SOUTH 61°31 '39" EAST, 312.92 FEET, 2) SOUTH 02°00'00" EAST, 59.37 FEET, 3) SOUTH 61°20'23" EAST, 163.74 FEET, 4) NORTH 30°27'48" EAST, 59.99 FEET, 5) SOUTH 55°14'09" EAST, 794.33 FEET, 6) SOUTH 37°57'27" EAST, 139.58 FEET, 7) SOUTH 28°45' 19" EAST, 935.25 FEET, 8) SOUTH 01 °33'09" EAST, 55.85 FEET, 9) SOUTH 89°42' 58" EAST, 14.92 FEET, 10) NORTH 01 °25' 40" WEST, 14.68 FEET, 11) SOUTH 29°30' 54" EAST, 653.16 FEET, 12) SOUTH 09°30'22" EAST, 409.58 FEET, 13) SOUTH 03°54'27" EAST, 376.16 FEET TO A POINT ON THE EAST/WEST CENTERLINE OF SAID SECTION 31; THENCE NORTH 89°36'02" WEST ALONG SAID EAST/WEST CENTERLINE, 381.54 FEET TO THE CENTER OF SAID SECTION 31, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 IN R.M. LYNCH MINOR SUBDIVISION, RECORDED UNDER INSTRUMENT 8800527 IN SAID RECORDERS OFFICE; THENCE NORTH 01°25'40" WEST ALONG THE EASTERLY LINE OF SAID LOT 3, 946.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°39'01" WEST ALONG THE NORTH LINE OF SAID LOT 3, 2505.42 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 31; THENCE NORTH 00°17'04" EAST ALONG SAID WEST LINE, 616.06 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 79.54 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF- WAY OF RECORD. THIS LEGAL DESCRIPTION IS BASED ON RECORD INFORMATION, A BOUNDARY SURVEY WAS NOT PERFORMED TO COMPLETE THIS DESCRIPTION.

be and the same is hereby established as PUD Planned Unit Development.

SECTION IV. This ordinance is and shall be subject to commitments as provided by Chapter 21-09.02(d) Commitments, if applicable.

SECTION V. This Ordinance shall be in full force and effect 30 days from and after its passage by the Common Council, approval by the Mayor, and legal publication.

Tim Scott, Council President
South Bend Common Council

Attest:

Kareemah N. Fowler, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2018, at _____ o'clock ____ . m.

Kareemah N. Fowler, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2018, at ____ o'clock ____ .m.

Pete Buttigieg, Mayor
City of South Bend, Indiana