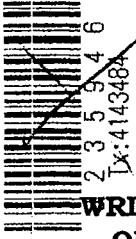


Hold  
St. Joseph  
Redevelopment

**2021-10019**  
RECORDED AS PRESENTED ON  
03/29/2021 10:59 AM  
MARY BETH WISNIEWSKI  
ST. JOSEPH COUNTY  
RECORDER  
PGS: 5 FEES: 25.00



**WRITTEN COMMITMENT UNDERTAKEN BY PETITIONERS IN CONNECTION WITH ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL, ADOPTING BILL NO. 49-20, AMENDING THE ST. JOSEPH COUNTY CODE TO REZONE CERTAIN PROPERTY IDENTIFIED HEREIN FROM A-AGRICULTURAL TO I-INDUSTRIAL**

Petitioners, Kimberli Phillips and Valeri Waters, pursuant to Indiana Code 36-7-4-1015, hereby commit to the following restrictions with respect to the property attached hereto as Exhibit "A" (the "Property") which has been rezoned to I-Industrial, by amendment to Title XV, Land Usage, Chapter 154, Planning and Zoning, of the St. Joseph County Code, as Amended:

The Restrictions are as follows:

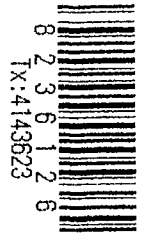
A. The Property may not be used for any of the following uses:

1. Mining operations;
2. Metal and metal scrap shredder operations;
3. Junkyard operations;
4. Slaughterhouse operations;
5. Sewage treatment plant;
6. Sanitary landfill;
7. "Heavy Industrial Uses" as that term is defined in the Comprehensive Plan for South Bend and St. Joseph County, Indiana (April 2002), and any subsequent amendment; "Heavy uses are those industrial uses that incorporate outdoor activities and/or emit relatively high impacts on surrounding properties, including noise, vibration, odor, light, glare, air emissions, and/ or heat."

B. Preservation of Legally Delineated Wetland. To the extent the Property contains a legally delineated Wetland ("the Wetland"), the Wetland may not be used for any industrial use.

In Witness Whereof, the undersigned hereby execute this Written Commitment as owners of the Property, intending the same to be recorded with the Office of the Recorder for St. Joseph County, Indiana, and to bind any owner from using the Property in any manner outside these restrictions.

[signatures follow]



Kimberli Phillips

Kimberli Phillips  
PO Box 213  
Louis, MS 39338

STATE OF ms  
COUNTY OF Jones ) SS:

Before me, a Notary Public in and for said County and State, on 2/24/21, personally appeared the above-named Kimberli Phillips who, being by me duly sworn, did attest to be the individual(s) described in this instrument and to have executed the foregoing instrument.

Linda Diane Herrington

NOTARY SEAL / STAMP

Notary Public



**CERTIFICATE OF PROOF**

WITNESS to the signature(s) on the foregoing instrument to which this Proof is attached

Kristina Jenkins  
Witness Signature

Diana Strickland

Kristina Jenkins  
Witness Name (must be typed / printed) Diana Strickland

**PROOF:**

STATE OF ms

COUNTY OF Jones

Before me, a Notary Public in and for said County and State, on 2/24/21, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Kimberli Philips to be the individual(s) described in and who executed the foregoing instrument; that said WITNESS was present and saw said individuals the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

Linda Diane Herrington

NOTARY SEAL / STAMP

Notary Public



Valeri Waters

Valeri Waters  
7692 N Emery Road  
Rolling Prairie, IN 46371

STATE OF INDIANA )  
COUNTY OF ST. JOSEPH ) SS:

Before me, a Notary Public in and for said County and State, on February 23, 2021, personally appeared the above-named Valeri Waters who, being by me duly sworn, did attest to be the individual(s) described in this instrument and to have executed the foregoing instrument.

Abby E Rowe

Notary Public

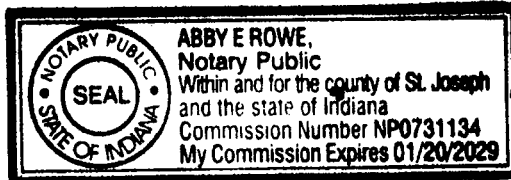
NOTARY SEAL / STAMP

**CERTIFICATE OF PROOF**

WITNESS to the signature(s) on the foregoing instrument to which this Proof is attached:

Courtney Knotts  
Witness Signature

Courtney Knotts  
Witness Name (must be typed / printed)



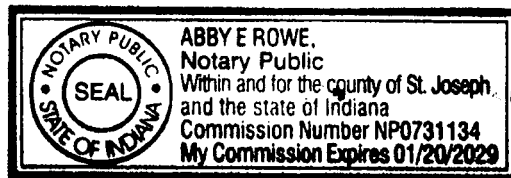
**PROOF:**  
STATE OF INDIANA  
COUNTY OF ST. JOSEPH

Before me, a Notary Public in and for said County and State, on February 23, 2021, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Valeri Waters to be the individual(s) described in and who executed the foregoing instrument; that said WITNESS was present and saw said individuals the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

Abby E Rowe

Notary Public

NOTARY SEAL / STAMP



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. Jamie C. Woods.

Instrument prepared by: Jamie C. Woods, Thorne Grodnik, LLP, 420 Lincolnway West, Mishawaka, Indiana 46654, 574-256-5660.

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

For APN/Parcel ID(s): 71-07-06-100-002.000-017

A PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 1 EAST, DESCRIBED AS FOLLOWS, VIZ:

BEGINNING AT A POINT 808.50 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 6; THENCE SOUTH 2640 FEET; THENCE WEST 676.50 FEET; THENCE NORTH 1320 FEET; THENCE WEST 264 FEET TO THE SOUTHEAST CORNER OF LOT NUMBERED 11; THENCE NORTH 1320 FEET TO THE NORTH LINE OF SAID SECTION; THENCE EAST 940.50 FEET TO THE PLACE OF BEGINNING, CONTAINING 49 ACRES AND BEING LOT NUMBERED 14 IN THE PARTITION PLAT IN THE PARTITION PROCEEDINGS WHEREIN CATHERINE PARTRIDGE, ET AL., WERE PLAINTIFFS AND NATHANIEL B TURRELL, ET AL., WERE DEFENDANTS, AS RECORDED IN PARTITION RECORD 1, PAGE 363 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA.

V/L Edison Road, New Carlisle, IN 46552