Exhibit C

STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS

NOTE: The Rules of Procedure of the Metropolitan Development Commission require use of this form in recording covenant or commitment modification(s) or termination(s) with respect to rezoning, approval, variance or special exception cases in accordance with I.C. 36-7-4-613, I.C. 36-7-4-614, and/or I.C. 36-7-4-918.8 and I.C. 36-7-4-921.

COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION OR SPECIAL EXCEPTION PETITION

In accordance with I.C. 36-7-4-613, I.C. 36-7-4-614, and/or I.C. 36-7-4-918.8 and I.C. 36-7-4-921, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

Legal Description:  (insert here or attach)

Statement of Modification or Termination of Covenants or Commitments:

1. 

2. 

3. 

4. 

These COVENANTS or COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COVENANTS or COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COVENANTS or COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the Metropolitan Development Commission in petition ______________.

These COMMITMENTS may be enforced jointly or severally by:
Exhibit C

1. The Metropolitan Development Commission;

2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval. Owners of real estate entirely located outside Marion County are not included, however. The identity of owners shall be determined from the records in the offices of the various Township Assessors of Marion County which list the current owners of record. (This paragraph defines the category of persons entitled to receive personal notice of the rezoning or approval under the rules in force at the time the commitment was made);

3.

4. These COVENANTS may be enforced by the Metropolitan Development Commission.

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Covenant or Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of modification and/or termination of Covenant(s) or Commitment(s) of petition # _____________ by the Metropolitan Development Commission.

IN WITNESS WHEREOF, owner has executed this instrument this _________ day of ________________, 20______.

Signature:   Signature:

Printed:   Printed:

STATE OF INDIANA   )
) SS:
COUNTY OF MARION   )

Before me, a Notary Public in and for said County and State, personally appeared ________________________________________, owner(s) of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this __________ day of ________________, 20______

__________________________
Notary Public

__________________________
Printed Name of Notary Public
My Commission expires: ____________________________
My County of residence: ____________________________

This instrument was prepared by ____________________________________________

This modification and/or Termination Agreement was approved by the Metropolitan Development Commission on the ______ day of __________________, 20______.

__________________________
Secretary, Metropolitan Development Commission