

Cross-Reference: Document No. 9804643

**MEMORANDUM OF ASSIGNMENT AND ASSUMPTION
OF GROUND LEASE**

This Memorandum Of Assignment And Assumption Of Ground Lease (this “Memorandum”) is made as of August 10, 2017 (the “Effective Date”), by and between the South Bend Redevelopment Commission (the “Commission”), and the City of South Bend Board of Public Works (the “Board”) (each a “Party” and together the “Parties”).

RECITALS

WHEREAS, pursuant to the Commission’s Resolution No. 3361 dated September 15, 2016, and the Board’s Resolution No. 44-2016 dated September 27, 2016, the Commission and the Board entered into that certain Assignment And Assumption Of Garage-Related Agreements dated September 27, 2016 (the “Assignment”); and

WHEREAS, by the Assignment, the Commission assigned to the Board all of the Commission’s rights, interests, and obligations in, to, and under that certain Ground Lease dated January 23, 1998, and recorded on February 3, 1998, as Document No. 9804643 in the Office of the Recorder of St. Joseph County (the “Ground Lease”); and

WHEREAS, the Parties desire to place as a matter of public record their respective interests as the assignor and the assignee, respectively, of the Ground Lease.

NOW, THEREFORE, the Parties state as follows:

1. Effective on September 27, 2016, the Commission assigned the Ground Lease to the Board, and the Board assumed all rights, interests, and obligations of the Commission under the terms and provisions of the Ground Lease.
2. No third party’s consent was required to effect the Parties’ assignment and assumption of the Ground Lease under the Assignment.
3. The recitals set forth above are true and correct and are hereby incorporated herein by reference.
4. This Memorandum will be governed by and construed in accordance with the laws of the State of Indiana.

[Signature pages follow.]

IN WITNESS WHEREOF, the Parties have executed this Memorandum to be effective as of the Effective Date stated above.

SOUTH BEND REDEVELOPMENT
COMMISSION, governing body of the South Bend
Department of Redevelopment of the City of South
Bend, Indiana

By: _____
Marcia I. Jones, President

ATTEST:

By: _____
Donald E. Inks, Secretary

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

Before me, the undersigned, a Notary Public in and for said State, personally appeared Marcia I. Jones and Donald E. Inks, known by me to be the President and Secretary, respectively, of the South Bend Redevelopment Commission, and who, in such capacity, acknowledged the execution of the foregoing instrument as said Commission's free and voluntary act and deed.

WITNESS my hand and Notarial Seal this _____ day of _____, 2017.

_____, Notary Public
Residing in _____ County, IN

My Commission Expires: _____

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS

Gary Gilot
Gary Gilot, President

Therese Dorau
Therese Dorau, Member

Suzanna Fritzberg, Member

Elizabeth Maradik
Elizabeth Maradik, Member

James Mueller
James Mueller, Member

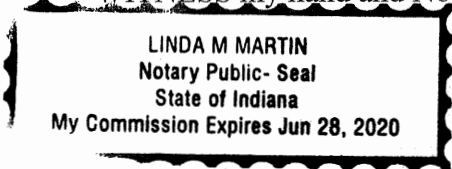
ATTEST:

Linda Martin
Linda Martin, Clerk

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

Before me, the undersigned, a Notary Public in and for said State, personally appeared the Board of Public Works Members, of the City of South Bend Board of Public Works, and acknowledged the execution of the foregoing instrument as said Board's free and voluntary act and deed.

WITNESS my hand and Notarial Seal this 8 day of August, 2017.



Linda M. Martin
_____, Notary Public
Residing in St. Joseph County, IN

My Commission Expires: _____

This instrument was prepared by Benjamin J. Dougherty, Assistant City Attorney, 1200 S. County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601.

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. Benjamin J. Dougherty.

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