

SPECIAL WARRANTY DEED

THE STATE OF INDIANA           §  
   §           KNOW ALL PERSONS BY THESE PRESENTS:  
 COUNTY OF ST. JOSEPH         §

**The Department of Redevelopment, acting by and through its governing body, the South Bend Redevelopment Commission (“Grantor”),** for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration to it paid by **FREG Central High Associates, LLC**, a Colorado limited liability company, a Colorado limited liability company (“Grantee”), whose mailing address is c/o Forum Management, Inc., 4500 Cherry Creek Drive South, Suite 550, Glendale, CO 80246, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY unto the Grantee that certain tract of land (“**Land**”) described in Exhibit “A” hereto, together with all improvements, if any, thereon and all rights and appurtenances appertaining thereto (herein collectively called the “**Property**”).

TOGETHER with all the easements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, including, without limitation, air rights, subsurface rights, development rights, mineral rights, oil, gas and other hydrocarbon substances and water rights, and the reversions, remainders, rents, issues, and profits thereof, and all the estate, right, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the Property.

This Deed is executed by Grantor and accepted by Grantee subject to those matters listed in Exhibit “B” hereto (collectively, the “**Permitted Encumbrances**”).

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its legal representatives, successors, and assigns forever; and Grantor does hereby bind itself, its legal representatives, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Encumbrances, unto Grantee, its legal representatives, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise.

8-0-2

WITNESS THE EXECUTION HEREOF as of the \_\_\_\_ day of June 2019.

**South Bend Redevelopment Commission**

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

ATTEST:

\_\_\_\_\_  
Quentin Phillips, Secretary

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

Before me, a Notary Public in and for said County and State, personally appeared Marcia I. Jones and Quentin Phillips, President and Secretary, respectively, of the South Bend Redevelopment Commission, who, having been duly sworn, acknowledged the execution of the foregoing instrument for and on behalf of such entity as such representatives.

WITNESS my hand and Notarial Seal this \_\_\_\_ day of June 2019.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public (Printed)

My Commission Expires:

My County of Residence:

\_\_\_\_\_

\_\_\_\_\_

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. Sandra L. Kennedy

Prepared by Sandra L. Kennedy, Assistant City Attorney, 1200 S. County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601

**When recorded return to: Edie M. Suhr, Esq., Fisher & Suhr, P.C., 1125 17<sup>th</sup> Street, Suite 710, Denver, CO 80202**

**EXHIBIT "A"**

BEING IN THAT PART OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS:

LOT NUMBER TWO (2) OF THE RECORDED PLAT OF "CENTRAL HIGH ASSOCIATES MINOR SUBDIVISION" RECORDED AS DOCUMENT NO. 9408747 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1 OF SAID SUBDIVISION; THENCE SOUTH 00° 01' 34" WEST, 313.76 FT.; THENCE SOUTH 89° 58' 26" WEST, 172.35 FT.; THENCE NORTH 00° 01' 34" EAST, 42.66 FT.; THENCE NORTH 89° 57' 21" WEST, 197.41 FT. TO THE EAST LINE OF WILLIAM STREET; THENCE SOUTH 00° 00' 00" WEST ALONG SAID EAST LINE 91.15 FT. TO THE NORTH LINE OF WASHINGTON STREET; THENCE SOUTH 89° 48' 08" EAST ALONG SAID NORTH LINE, 430.07 FT. TO THE WEST LINE OF ST. JAMES COURT; THENCE NORTH 00° 01' 34" EAST ALONG SAID WEST LINE, 411.05 FT. TO THE SOUTH LINE OF COLFAX AVENUE; THENCE NORTH 89° 43' 16" WEST ALONG SAID SOUTH LINE, 430.26 FT. TO THE EAST LINE OF WILLIAM STREET; THENCE SOUTH 00° 00' 00" WEST ALONG SAID EAST LINE, 206.31 FT.; THENCE SOUTH 89° 57' 21" EAST, 145.29 FT.; THENCE NORTH 06° 01' 09" EAST, 13.57 FT.; THENCE NORTH 00° 02' 39" EAST, 34.30 FT.; THENCE NORTH 89° 58' 26" EAST, 50.83 FT.; THENCE NORTH 00° 01' 34" WEST, 109.01 FT.; THENCE NORTH 89° 58' 26" EAST, 172.36 FT. TO THE POINT OF BEGINNING.

Parcel ID No. 018-1023-097701

**EXHIBIT "B"**

NONE