

RESOLUTION NO. 0004-2020

A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PARK COMMISSIONERS ACCEPTING THE TRANSFER OF REAL PROPERTY FROM THE SOUTH BEND REDEVELOPMENT AUTHORITY

WHEREAS, the South Bend Board of Park Commissioners (the "Park Board") exists and operates pursuant to Ind. Code 36-10-3 and 36-10-4 and is authorized to acquire real property pursuant to Ind. Code 36-10-3-11(a)(4); and

WHEREAS, the South Bend Redevelopment Authority (the "Authority") was created pursuant to Indiana Code 36-7-14.5 as a separate body, corporate and politic, and as an instrumentality of the City of South Bend, Indiana (the "City"), is authorized to hold and dispose of real property pursuant to Indiana Code Section 36-7-14.5-12(a)(4) and (5), and is authorized to transfer such property to another governmental entity pursuant to Indiana Code Section 36-1-11-8; and

WHEREAS, the Authority holds certain real property located in the City and comprising a portion of the land and improvements known as Howard Park, and more particularly described on Exhibit A (the "Property"), which it acquired in connection with a certain public improvement project (the "Project") in order to secure certain bonds; and

WHEREAS, the purpose for which the Authority holds the Property has been satisfied because the Project has been completed and the bonds have been closed; and

WHEREAS, the Park Board desires to acquire the Property in order to consolidate ownership of Howard Park in the Park Board and the Authority has authorized the transfer of the Property to Park Board pursuant to its Resolution No. 208 for that purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PARK COMMISSIONERS OF THE CITY OF SOUTH BEND AS FOLLOWS:

1. The Park Board hereby accepts the conveyance by quit claim deed of the Property from the Authority in accordance with Indiana Code Section 36-1-11-8.

1. That upon receipt of the fully executed deed to the Property, the Park Board authorizes David Relos or Andrew Netter of the City's Department of Community Investment to present it for recordation in the Office of the Recorder of St. Joseph County, Indiana, as well as to execute any other document necessary to affect the Park Board's acceptance of the conveyance.

2. This Resolution shall be in full force and effect upon its adoption by the Park Board.

ADOPTED at a meeting of the Board of Park Commissioners of the City of South Bend, Indiana, held on April 20, 2020 at 301 S. St. Louis Blvd., South Bend, Indiana 46617.

**CITY OF SOUTH BEND
BOARD OF PARK COMMISSIONERS**

Mark Neal, President

Consuela Hopkins, Vice President

Aimee Buccellato, Member

Dan Farrell, Member

ATTEST:

Eva Ennis, Clerk

EXHIBIT A

Legal Description

Commencing at the Northeast corner of Colfax (U.S. 20) and St. Joseph Street, also being the Southeast corner of Lot Ninety-one (91) in the River Bend Addition and situated in the West Half of the Northwest Quarter of Section 12, Township 37 North, Range 2 East; thence Northwest 228.43 feet along the East right-of-way line of St. Joseph Street; thence North 87.18 feet along the East right-of-way line of St. Joseph Street; thence Southeast for 108.76 feet; thence Southeast for 430.00 feet along the St. Joseph River back to the point of beginning.

Commencing at the Northwest corner of Lot 4 in Heck's Addition, also situated in the West Half of the Northeast Quarter of Section 12, Township 37 North, Range 2 East; thence Southeast along the East side of the St. Joseph River for approximately 1200 feet to the Southeast corner of Lot 19; thence North for 20 feet; thence Northwest parallel to the East side of the St. Joseph River for approximately 1200 feet, the North line of Lot 4; thence West for 20 feet back to the point of beginning.

The Southeast Quarter of Section 12, Township 37 North, Range 2 East, City of South Bend, St. Joseph County, Indiana, more particularly described as beginning at the Southeast corner of Lot 213 of Heck's Addition and the Easterly edge of the waters of the St. Joseph River; thence meandering Southeasterly and South along said Easterly water's edge to the point of intersection with the North right-of-way line of Sample Street projected; thence Northeast along said projected North right-of-way line of Sample Street to the West right-of-way line of Northside Boulevard; thence Northwesterly and North along said West right-of-way line of Northside Boulevard to the East lot line of Lot 213 of Heck's Addition; thence South along said East lot line a distance of 15 feet, more or less, back to the point of beginning.