

RESOLUTION NO. 208

**A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT AUTHORITY
AUTHORIZING THE TRANSFER OF REAL PROPERTY TO
THE SOUTH BEND BOARD OF PARK COMMISSIONERS**

WHEREAS, the South Bend Redevelopment Authority (the "Authority") has been 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 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 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 desires to transfer the Property to Park Board for that purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH BEND REDEVELOPMENT AUTHORITY AS FOLLOWS:

1. The Authority hereby approves the conveyance of the Property to the Park Board in accordance with Indiana Code Section 36-1-11-8.
2. The President and Secretary of the Authority are authorized and instructed to execute and attest, respectively, a quit claim deed in substantially the form attached hereto as Exhibit B, conveying all of the Authority's right, title, and interest in the Property to the Park Board.
3. The Authority authorizes David Relos or Andrew Netter of the City's Department of Community Investment to present for recordation in the Office of the Recorder of St. Joseph County, Indiana, the deed conveying the Property to the Park Board, as well as to execute any other document necessary to affect the Authority's conveyance to the Park Board.
4. This Resolution will be in full force and effect upon its adoption by the Authority.

ADOPTED at a meeting of the South Bend Redevelopment Authority held on March 30, 2020, at the County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

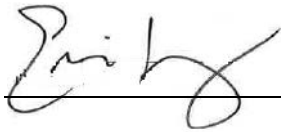
SOUTH BEND REDEVELOPMENT AUTHORITY

By:  _____

Name: Anthony Fitts

Title: President, Redevelopment Authority

ATTEST:



Secretary

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.

EXHIBIT B

Form of Quit Claim Deed

RETURN TO:
City of South Bend
227 W Jefferson Blvd., Ste 1400S
South Bend, IN 46601

AUDITOR'S RECORD
TRANSFER NO. _____
TAXING UNIT _____
KEY NO. 018-6001-0002
Cross Reference to Instrument No. 9010100

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH THAT the South Bend Redevelopment Authority (the "Grantor") CONVEYS AND QUIT CLAIMS TO the City of South Bend, Indiana, for the use and benefit of its Parks and Recreation Department, acting by and through its Board of Park Commissioners, 219 S. St. Louis Blvd., South Bend, Indiana, 46614 (the "Grantee"), for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the real estate located in St. Joseph County, Indiana, which is more particularly described on Exhibit A (the "Property").

Grantor hereby conveys the Property subject to all covenants, restrictions, easements, and other matters of record.

The undersigned persons executing this Quit Claim Deed on behalf of the Grantor represent and certify that each has been fully empowered and authorized to execute this Quit Claim Deed and that all action necessary to complete this conveyance on Grantor's behalf has been duly taken.

[Signature page follows.]

Dated this 30th day of March 2020.

GRANTOR:

SOUTH BEND REDEVELOPMENT AUTHORITY

By: _____
_____, President

ATTEST:

_____, Secretary

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

Before me, the undersigned, a Notary Public for and in said County and State this 30th day of March 2020, personally appeared _____, known to me to be, respectively, as the President and Secretary of the South Bend Redevelopment Authority, the Grantor named herein, and acknowledged the execution of the foregoing Quit Claim Deed, being authorized by Resolution 208 of the South Bend Redevelopment Authority so to do.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

_____, Notary Public
Resident of St. Joseph County, Indiana
Commission expires:_____

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

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Jefferson St 82 1/2 ft

Wayne St 82 1/2 ft

PINK = BPW
YELLOW = RDA
ORANGE = RDC
GREEN = PARKS

