RESOLUTION NO. 3318

A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION REGARDING REVIEW OF PLANS FOR CONSTRUCTION IN BLACKTHORN CORPORATE PARK BY COHN & COHN INVESTMENTS, LLC

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), governing body of the South Bend Department of Redevelopment, exists and operates under the provisions of I.C. 36-7-14, as amended (the "Act"); and

WHEREAS, in furtherance of its public purposes under the Act, on July 30, 2015, the Commission entered into the Agreement To Buy And Sell Real Estate (the "Purchase Agreement") for the sale of certain real property (the "Property") within the Blackthorn Corporate Park ("Blackthorn") to Cohn & Cohn Investments, LLC (the "Company"); and

WHEREAS, in anticipation of closing its purchase of the Property from the Commission, the Company has submitted to the Architectural and Review Committee (the "Committee") established under the Declaration of Protective Covenants & Restrictions of the Blackthorn Corporate Park (the "Declaration") its building design plans and specifications for its anticipated construction on the Property; and

WHEREAS, the Company's plans and specifications attached hereto as **Exhibit A** (the "Company Plans") are presently under review by the Committee; and

WHEREAS, the Commission amended the Declaration on November 12, 2015, pursuant to Resolution No. 3315; and

WHEREAS, under Section 5.5.8 of the amended Declaration, an applicant aggrieved by the Committee's decision concerning the applicant's plans and specifications for construction within Blackthorn may appeal to the Commission and seek the Commission's final determination concerning the approval of such plans and specifications; and

WHEREAS, the Commission desires to express its approval of the Company Plans, notwithstanding the result of any further review by the Committee.

NOW, THEREFORE, BE IT RESOLVED by the South Bend Redevelopment Commission as follows:

- 1. The Commission hereby approves the Company Plans attached hereto as Exhibit A and, in the event of an adverse decision on the Company Plans by the Committee, will resolve an appeal in the Company's favor.
- 2. This Resolution is limited to approval of the Company Plans and will not be construed to relieve the Company of any of its obligations under the amended Declaration, the Development Guidelines for Blackthorn Corporate Park, or applicable laws.

3. This Resolution will be in full force and effect upon its adoption by the Commission.

ADOPTED at a Regular Meeting of the South Bend Redevelopment Commission held on November 12, 2015, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND, DEPARTMENT OF REDEVELOPMENT, by and through its governing body, the South Bend Redevelopment Commission

David A. Varner, Vice President

ATTEST:

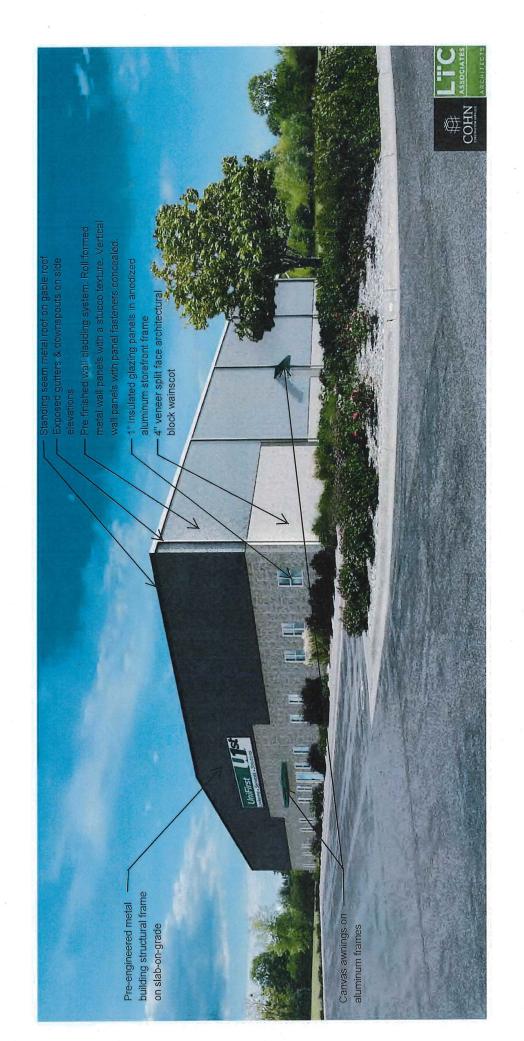
Donald E. Inks, Secretary

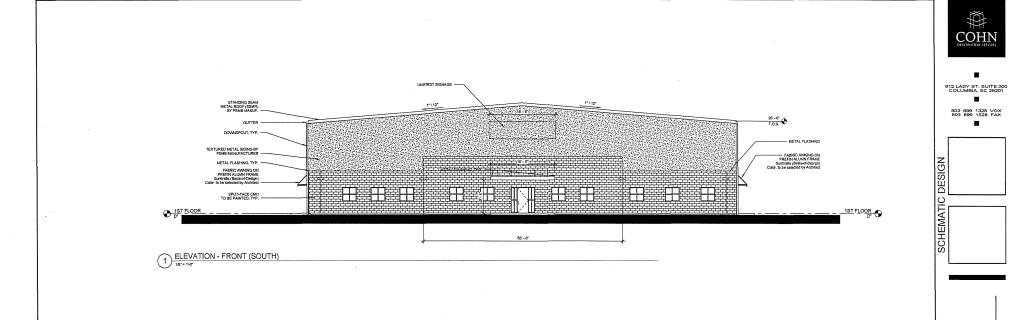
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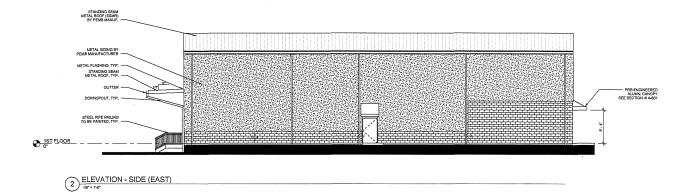
EXHIBIT A

Company Plans

[See attached.]







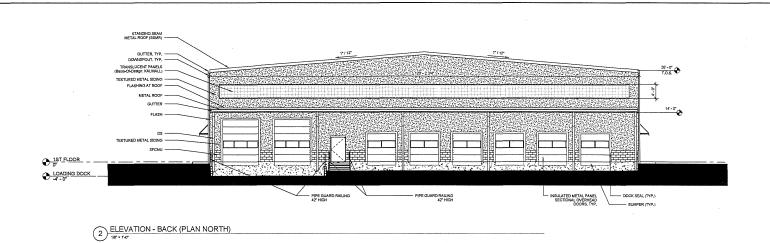
NEW FACILITY
UNIFIRST
SOUTH BEND, IA

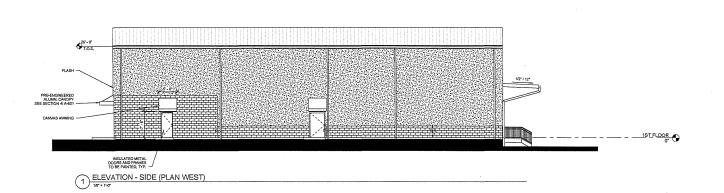
EXTERIOR ELEVATIONS



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COHN
COVITALETION ELEVILLES

912 LADY ST. SUITE 200 COLUMBIA, SC 29201

803 699 1325 VOX 803 699 1528 FAX

DESIGN

SCHEMATIC DESIGN

NEW FACILITY
UNIFIRST
SOUTH BEND, IA

EXTERIOR ELEVATIONS



A-402

DATE: 13 OCTOBER, 2015

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