

RESOLUTION NO. 3393

**A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION
AMENDING RESOLUTION NO. 3361 REGARDING TRANSFER OF THE WAYNE
STREET PARKING GARAGE TO THE SOUTH BEND BOARD OF PUBLIC WORKS**

WHEREAS, the South Bend Redevelopment Commission, the governing body of the City of South Bend, Indiana, Department of Redevelopment (the “Commission”), exists and operates pursuant to Ind. Code 36-7-14 (the “Act”); and

WHEREAS, the plat of Wayne Street Parking Garage Minor Subdivision was recorded on February 19, 2016, as Document No. 1604082 in the Office of the Recorder of St. Joseph County, Indiana (the “Plat”); and

WHEREAS, the Plat shows the building commonly known as the Wayne Street Garage (the “Garage”) as Lot 1 and the first-floor storefront contained within the same building as Lot 2 (the “Storefront”); and

WHEREAS, on September 15, 2016, the Commission adopted its Resolution No. 3361 (the “Original Resolution”) concerning, among other matters, the Commission’s conveyance of the Garage to the City of South Bend Board of Public Works (the “Board”), which conveyance the Board approved and accepted under its Resolution No. 44-2016 dated September 27, 2016; and

WHEREAS, the warranty deed provided in the Original Resolution erroneously identified both Lots 1 and 2 for the Commission’s conveyance to the Board, and the deed was executed, delivered, and recorded as Document No. 1626183 in the Office of the Recorder of St. Joseph County, Indiana; and

WHEREAS, despite the erroneous description set forth in the deed, the Commission intended to convey, under the Original Resolution, only the Garage (i.e., Lot 1) to the Board for purposes of parking-related operations pursuant to Ind. Code 36-9-11; and

WHEREAS, the Commission intended to retain for redevelopment purposes the Storefront, which the Commission offered to the public for disposition in accordance with Section 22 of the Act and its Resolution No. 3365 dated November 10, 2016; and

WHEREAS, the Commission wishes to clarify the record of its actions with respect to the Garage and the Storefront.

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

1. The Commission hereby amends the form of warranty deed attached as Exhibit A to the Original Resolution by deleting the term “Lots 1 and 2” in the deed’s real property description and inserting in its place the term “Lot 1.”

2. The Commission hereby authorizes and instructs David Relos of the City's Department of Community Investment, in cooperation with the South Bend Legal Department, to take all necessary administrative actions to correct the chain of title of the affected real property and otherwise to accomplish the purposes of this Resolution.

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 May 11, 2017, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Donald E. Inks, Secretary

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