

RESOLUTION NO. 3447

**A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION
ACCEPTING THE TRANSFER OF REAL PROPERTY FROM
THE SOUTH BEND BOARD OF PUBLIC WORKS**

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

WHEREAS, the South Bend Board of Public Works (the “Board”) exists and operates pursuant to Indiana Code Section 36-4-9-5, holds real property owned by the City pursuant to Indiana Code Section 36-9-6-3, and is authorized to transfer such property to another governmental entity pursuant to Indiana Code Section 36-1-11-8; and

WHEREAS, the City owns certain real property located near Ignition Park in the River West Development Area (the “Ignition Park Area”) at 900 S. Lafayette Boulevard, as more particularly described on Exhibit A (the “Property”); and

WHEREAS, the Commission holds title to all properties adjacent to and abutting the Property; and

WHEREAS, the Board and the Commission desire to consolidate real property ownership in the Ignition Park Area in the Commission for the purposes authorized by the Act.

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

1. The Commission hereby accepts the conveyance of the Property from the Board pursuant to I.C. 36-1-11-8 in the form of a quit claim deed substantially similar to the document attached hereto as Exhibit B, conveying all of the Board’s right, title, and interest in the Property to the Commission.

2. The Commission authorizes David Relos of the City’s Department of Community Investment to act on behalf of the Commission in presenting the deed for recordation in the Office of the Recorder of St. Joseph County, Indiana and executing any other document necessary to effect the Commission’s acceptance of the Property.

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

Signature Page Follows

ADOPTED at a meeting of the South Bend Redevelopment Commission held on September 13, 2018, 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

EXHIBIT A

A part of Lot Numbered Fifty-Two (52) as shown on the recorded Plat of South Bend City, as platted by Samuel Morrison, now a part of the City of South Bend, which part is bounded by a line running as follows, viz: Beginning at the Northwest corner of said Lot Numbered Fifty-Two (52); thence running South on the East line of Lafayette Street, 50 feet; thence East 110 feet, more or less, to the West line of the right-of-way of the Terre Haute & Logansport Railroad (known as the Vandalia Line); thence North along the line of said right-of-way to the South line of Sample Street; thence West along the South line of Sample Street to the place of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

A part of Lot Numbered Fifty-two (52) in South Bend City Addition, now the City of South Bend, Indiana, the plat of which addition is recorded in Plat Book 2, page 4, in the Office of the Recorder of St. Joseph County, Indiana, described as follows: Beginning at the Northwest corner of said lot; thence North $88^{\circ}48'35''$ East 35.205 meters (115.50 feet) along the North line of said lot to the Northeast corner of the grantor's land; thence South $0^{\circ}47'05''$ East 2.384 meters (7.82 feet) along the East line of the grantor's land; thence South $85^{\circ}39'05''$ West 35.272 meters (115.72 feet) and the West line of said lot; thence North $0^{\circ}47'05''$ West 4.326 meters (14.20 feet) along said West line to the point of beginning.

Tax Parcel No. 018-8001-0001

EXHIBIT B

Form of Quit Claim Deed

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH THAT the Civil City of South Bend, Indiana, by and through its Board of Public Works (the “Grantor”)

CONVEYS AND QUIT CLAIMS TO the Department of Redevelopment of the City of South Bend, for the use and benefit of the Department of Redevelopment, by and through its governing body, the South Bend Redevelopment Commission (the “Grantee”), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the real estate located in St. Joseph County, Indiana, and more particularly described in attached Exhibit 1 (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 11th day of September, 2018.

GRANTOR:
Civil City of South Bend, Indiana, by and through
its Board of Public Works

By:

Gary Gilot, President

ATTEST:

By:

Linda Martin, Clerk

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

Before me, the undersigned, a Notary Public for and in said County and State this 11th day of September 2018, personally appeared Gary Gilot and Linda Martin, known to me to be, respectively, President and Clerk of the City of South Bend, Indiana, Board of Public Works, the Grantor, and acknowledged the execution of the foregoing Quit Claim Deed.

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

_____, Notary Public
Resident of _____ County, _____

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

Exhibit 1

A part of Lot Numbered Fifty-Two (52) as shown on the recorded Plat of South Bend City, as platted by Samuel Morrison, now a part of the City of South Bend, which part is bounded by a line running as follows, viz: Beginning at the Northwest corner of said Lot Numbered Fifty-Two (52); thence running South on the East line of Lafayette Street, 50 feet; thence East 110 feet, more or less, to the West line of the right-of-way of the Terre Haute & Logansport Railroad (known as the Vandalia Line); thence North along the line of said right-of-way to the South line of Sample Street; thence West along the South line of Sample Street to the place of beginning.

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Tax Parcel No. 018-8001-0001