



# CITY OF SOUTH BEND

## REDEVELOPMENT COMMISSION

### Redevelopment Commission Agenda Item

DATE: June 27, 2019

FROM: David Relos, Property Development Manager

SUBJECT: Second Amendment to Agreement to Buy and Sell Real Estate (618 W. Marion)

Which TIF? (circle one) **River West**; River East; South Side; Douglas Road; West Washington

This Second Amendment to Agreement to Buy and Sell Real Estate (Amendment) is to extend by 45 days the closing on 618 W. Marion. This property is in a key redevelopment target area at Charles Martin Dr. and LWW, and is the last property in this block needing to be acquired. A First Amendment was approved by the Commission on May 9, 2019, which extended the closing by 30 days.

Staff requests approval of this Amendment, to allow for the eventual acquisition of this property.

INTERNAL USE ONLY: Project Code: \_\_\_\_\_ N/A \_\_\_\_\_;  
Total Amount new/change (inc/dec) in budget: \_\_\_\_\_; Breakdown:  
Costs: Demolition Amt: \_\_\_\_\_; Other Prof Serv Amt \_\_\_\_\_;  
Acquisition of Land/Bldg (circle one) Amt: \_\_\_\_\_; Street Const Amt \_\_\_\_\_;  
Building Imp Amt \_\_\_\_\_; Sewers Amt \_\_\_\_\_; Other (specify) Amt: \_\_\_\_\_  
\_\_\_\_\_ Going to BPW for Contracting? **N**  
Is this item ready to encumber now? \_\_\_\_ Existing PO# \_\_\_\_\_ Inc/Dec \$ \_\_\_\_\_

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**SECOND AMENDMENT TO AGREEMENT TO BUY AND SELL REAL ESTATE**

This Second Amendment to Agreement to Buy and Sell Real Estate (this "Second Amendment") is made effective as of June 27, 2019 (the "Effective Date"), by and between James B. Williams, Jr., and Doris E. Williams (the "Sellers") and the City of South Bend, Indiana, Department of Redevelopment, acting by and through its governing body, the South Bend Redevelopment Commission ("Buyer") (each a "Party" and together the "Parties").

RECITALS

A. Buyer and Sellers entered into that certain Agreement to Buy and Sell Real Estate, dated March 14, 2019, as amended by a First Amendment to Agreement to Buy and Sell Real Estate, dated May 9, 2019 (together, the "Agreement"), for the purchase and sale of the Property (as defined in the Agreement) located in the City of South Bend.

B. Sellers have requested an additional extension of the Closing date due to unforeseen circumstances.

C. The Parties wish to amend the Agreement as set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and obligations in this First Amendment and the Agreement, the adequacy of which consideration is hereby acknowledged, the Parties agree as follows:

1. In Section 7.A. of the Agreement, the phrase "sixty (60) days" shall be deleted and replaced with "one hundred five (105) days."

2. Unless expressly modified by this Second Amendment, the terms and provisions of the Agreement remain in full force and effect.

3. Capitalized terms used in this Second Amendment will have the meanings set forth in the Agreement unless otherwise stated herein.

[Signature page follows.]

IN WITNESS WHEREOF, the Parties hereby execute this Second Amendment to Agreement to Buy and Sell Real Estate to be effective on the Effective Date stated above.

BUYER:

South Bend  
Redevelopment Commission

\_\_\_\_\_  
Marcia I. Jones, President

ATTEST:

\_\_\_\_\_  
Quentin Phillips, Secretary

SELLERS:

\_\_\_\_\_  
James B. Williams, Jr.

\_\_\_\_\_  
Doris E. Williams