

RESOLUTION NO. _____-2020

A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE CITY OF SOUTH BEND, INDIANA CONCERNING PONADER PARK

WHEREAS, the Board of Park Commissioners (the "Board") of the City of South Bend, Indiana (the "City"), pursuant to Indiana Code §36-10-4-9, has exclusive control of all property within the City used for park purposes; and

WHEREAS, the Park Board owns and is in control of property located at 17772 Douglas Road, South Bend, Indiana, 46635, commonly known as Ponader Park, that contains established ecological communities and wetlands that play a critical role in the ecosystem, particularly as it relates to the conservation of Juday Creek; and

WHEREAS, the St. Joseph County Board of Commissioners (the "County") is currently undergoing an improvement project related to Douglas Road (the "Project") which calls for expanding Douglas Road from two to four lanes and other reconstruction from Ivy Road to SR 23; and

WHEREAS, the Board has expressed concerns about the ecological impact of the County's Project on Ponader Park; and

WHEREAS, the Board has negotiated the terms and conditions under which the County will be permitted to construct its Project within Ponader Park, such terms and conditions being memorialized in a Memorandum of Understanding, which is by reference and attachment, incorporated herein.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF PARK COMMISSIONERS OF THE CITY OF SOUTH BEND AS FOLLOWS:

1. The Board grants the County the right to construct its Project within Ponader Park, subject to the terms and conditions contained within the Memorandum of Understanding entered into by the Board and the County.
2. This Resolution shall be in full force and effect upon its adoption by the Board.

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ADOPTED at a meeting of the Board of Park Commissioners of the City of South Bend, Indiana, held on August 7, 2020 at 301 S. St. Louis Blvd., South Bend, Indiana 46617.

**CITY OF SOUTH BEND, INDIANA
BOARD OF PARK COMMISSIONERS**

Mark Neal, President

Consuela Hopkins, Vice President

Aimee Buccellato, Member

Dan Farrell, Member

ATTEST:

Eva Ennis, Clerk