



South Bend

# Redevelopment Commission

227 West Jefferson Boulevard, Room 1308, South Bend, Indiana

## Agenda

Regular Meeting, February 11, 2021 – 9:30 a.m.

<https://tinyurl.com/RDC021121>

---

### 1. Roll Call

### 2. Approval of Minutes

A. Minutes of the Regular Meeting of Thursday, January 28, 2021

### 3. Approval of Claims

A. Claims Allowance Request

1. 02.02.21
2. 02.08.21
3. 02.09.21

### 4. Old Business

### 5. New Business

A. River West Development Area

1. Resolution No. 3529 (Property Transfer RDC to BPW United Way)
2. Purchase Agreement (Lippert Components)
3. Budget Request (Ignition Park Charging Station)
4. Budget Request (Coal Line Trail)

### 6. Progress Reports

- A. Tax Abatement
- B. Common Council
- C. Other

### 7. Next Commission Meeting:

Thursday, February 25, 2021 9:30 am

### 8. Adjournment



South Bend  
**Redevelopment Commission**  
 227 West Jefferson Boulevard, Room 1308, South Bend, IN  
 46601

**SOUTH BEND REDEVELOPMENT COMMISSION  
 REGULAR MEETING**

January 28, 2020

9:30 a.m.

Presiding: Marcia Jones, President

<https://tinyurl.com/RDC012821>

South Bend, Indiana

The meeting was called to order at 9:34 a.m.

**1. ROLL CALL**

Members Present:	Marcia Jones, President Quentin Phillips, Secretary Troy Warner, Commissioner Leslie Wesley, Commissioner	
Members Absent:	Don Inks, Vice-President	
Legal Counsel:	Sandra Kennedy, Esq.	
Redevelopment Staff:	David Relos, RDC Staff Mary Brazinsky, Board Secretary	
Others Present:	Daniel Buckenmeyer Amanda Pietsch Andrew Netter Angela Rose Tim Corcoran Brian Donoghue Kyle Silveus Charlotte Brach Eli Wax Doug Michael Ben Patrick Conrad Damian	DCI DCI DCI DCI DCI IT Engineering Engineering SB Councilman Resident Resident Resident

## 2. Approval of Minutes

- **Approval of Minutes of the Regular Meeting of Thursday, January 14, 2021**

Upon a motion by Commissioner Warner, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, January 14, 2021.

## 3. Approval of Claims

- **Claims Submitted for January 12, January 19, and January 26, 2021**

Upon a motion by Commissioner Warner, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved the claims for January 12, January 19, and January 26, 2021 submitted on Thursday, January 28, 2021.

## 4. Old Business

## 5. New Business

### A. River West Development Area

#### 1. License Agreement (Event)

Mr. Netter presented License Agreement (Event). This public event will occur on September 18, 2021, however the agreement for use will be effective September 11 through September 25, 2021. This one-day music event will have 6 national bands. The area is off Sample and Garst by the South Bend Police Department. Doug Michaels is online to answer any questions. Commission approval is requested.

Commissioner Warner asked why they chose South Bend.

Mr. Michael stated that he is a resident of South Bend. He had moved away but has now returned and is excited to offer this kind of event to the area. He remembers when there were more events like this in South Bend. He is looking to bring in six national acts and is currently working with The Struts from England. Mr. Michael stated that they will require one security guard for every 100 people at this event. Once you enter the event you will not be able to leave and come back without buying another ticket. There will be a variety of food trucks and plenty of restrooms (see map attached to agreement).

Upon a motion by Commissioner Warner, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved License Agreement (Event) submitted on Thursday, January 28, 2020.

**B. RDC General**

**1. Professional Services Agreement (IncDev Alliance)**

Mr. Donoghue presented Professional Services Agreement (IncDev Alliance). This service agreement is to request funding for IncDev Alliance which will train under capacity neighborhood organizations and individuals to develop small properties. The request is for \$50k. Commission approval is requested.

Upon a motion by Commissioner Warner, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved Professional Services Agreement (IncDev Alliance) submitted on Thursday, January 28, 2020.

**2. Professional Service Agreement (Leslie Omeeboh)**

Mr. Donoghue presented Professional Services Agreement (Leslie Omeeboh). This service agreement is for Leslie Omeeboh to research and complete funding opportunities utilizing the investment in the Linden Avenue Greenhouse project to sustain future youth jobs and nutrition programs. This agreement is for \$25k.

Mr. Buckenmeyer shared the information for this project which includes listening sessions and community development. Commission approval is requested.

Upon a motion by Secretary Phillips, seconded by Commissioner Warner, the motion carried unanimously, the Commission approved Professional Service Agreement (Leslie Omeeboh) submitted on Thursday, January 28, 2020.

**6. Progress Reports**

A. Tax Abatement

1. Mr. Buckenmeyer noted that there are several things that will be coming up with tax abatements.

B. Common Council

C. Other

**7. Next Commission Meeting:**

Thursday, February 11, 2020, 9:30 a.m.

**8. Adjournment**

Thursday, January 28, 2020, 9:48 a.m.

---

David Relos, Property Development Manager

---

Marcia Jones, President



**City of South Bend  
Department of Administration & Finance  
Claims Allowance Request**

To: South Bend Redevelopment Commission  
From: Daniel Parker, City Controller  
Date: Tuesday, February 2, 2021

Pursuant to Indiana Code 36-4-8-7, I have audited and certified the attached claims and submit them for allowance in the following amounts:

GBLN-0010740	\$148,622.83
GBLN-000xxxx	\$0.00

Total: \$148,622.83

Daniel Parker, City Controller

The attached claims described above were allowed in the following total amount at a public meeting on the date stated below:

\$ 148,622.83

By: \_\_\_\_\_  
South Bend Redevelopment Commission  
Name:

Date:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

**Expenditure approval**

RDC Payments-2/2/21

GBLN-0010740

**Payment method:** ACH-Total  
**Voucher:** RDCP-00000212  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000019	ABONMARCHE CONSULTANTS OF IN	133445	Professional Service Agreement-Lww & Olive St Node	1/27/2021	\$19,500.00	324-10-102-121-442001-- PROJ00000046	PO-0006600

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000213  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000222	BLACK & VEATCH CORPORATION	1336438	North WTP Imp Design	2/5/2021	\$14,229.00	324-10-102-121-431002-- PROJ00000056	PO-0005261

**Payment method:** ACH-Total  
**Voucher:** RDCP-00000214  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000269	BURKHART SIGN SYSTEMS	167581	Signage	10/22/2020	\$1,840.00	324-10-102-121-444000-- PROJ00000013	PO-0003829

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000215  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000918	JONES PETRIE RAFINSKI	182021	3400 Block S Michigan Streetscape Improvements PSA	2/7/2021	\$2,966.25	430-10-102-121-442001-- PROJ00000216	PO-0005885

---

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000216  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001789	WALSH & KELLY INC	Appl4	Two Way Conversion Of Colfax Ave Phase II	2/4/2021	\$8,750.67	324-10-102-121-444000-- PROJ00000013	PO-0006594
V-00001789	WALSH & KELLY INC	Appl4	Two Way Conversion Of Colfax Ave Phase II	2/4/2021	\$25,059.38	324-10-102-121-444000-- PROJ00000013	PO-0006594

---

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000217  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00004711	Hoepfner Wagner & Evans LLP	491509	Norfolk Southern Coal Line Mediation	1/17/2021	\$1,168.75	324-10-102-121-431001-- PROJ00000018	PO-0007041

---

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000218  
**Payment date:** 2/2/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001222	NORTHERN INDIANA CONSTRUCTIO N	APP #8	Historic Leeper Park Improvement Project	1/26/2021	\$25,684.96	641-06-602-509-439001-- PROJ000000043	PO-0006598
V-00001222	NORTHERN INDIANA CONSTRUCTIO N	APP #8	Historic Leeper Park Improvement Project	1/26/2021	\$30,228.00	452-11-206-289-444000-- PROJ000000043	PO-0006598
V-00001222	NORTHERN INDIANA CONSTRUCTIO N	APP #8	Historic Leeper Park Improvement Project	1/26/2021	\$19,195.82	251-06-600-506-442001-- PROJ000000043	PO-0006598

---



**City of South Bend  
Department of Administration & Finance  
Claims Allowance Request**

To: South Bend Redevelopment Commission  
From: Daniel Parker, City Controller  
Date: Monday, February 8, 2021

Pursuant to Indiana Code 36-4-8-7, I have audited and certified the attached claims and submit them for allowance in the following amounts:

GBLN-0011046	\$3,977,876.25
GBLN-00	\$0.00
Total:	<u>\$3,977,876.25</u>

Daniel Parker, City Controller

The attached claims described above were allowed in the following total amount at a public meeting on the date stated below: \$ 3,977,876.25

By: \_\_\_\_\_  
South Bend Redevelopment Commission  
Name:

Date:

\_\_\_\_\_  
Name:  
  
\_\_\_\_\_  
Name:  
  
\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:  
  
\_\_\_\_\_  
Name:



**Expenditure approval**

2021-01-29 Debt Service Wire Payments 1/29/21

GBLN-0011046

**Payment method:** Wire-Total  
**Voucher:** RDCP-00000219  
**Payment date:** 1/29/2021  
**Payment reference:** DS0005 & DS0006

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000187	BANK OF NEW YORK MELLON	INV 11/20/20	IBB Special Program Bonds, Series 2011A (TIF A)	2/1/2021	\$785,000.00	324-10-102-121-438100-DS0005-	
V-00000187	BANK OF NEW YORK MELLON	INV 11/20/20	IBB Special Program Bonds, Series 2011A (TIF A)	2/1/2021	\$173,956.00	324-10-102-121-438200-DS0005-	
V-00000187	BANK OF NEW YORK MELLON	INV 11/20/20	IBB Special Program Bonds, Series 2011A (TIF B)	2/1/2021	\$445,000.00	324-10-102-121-438100-DS0006-	
V-00000187	BANK OF NEW YORK MELLON	INV 11/20/20	IBB Special Program Bonds, Series 2011A (TIF B)	2/1/2021	\$99,095.25	324-10-102-121-438200-DS0006-	

**Payment method:** Wire-Total  
**Voucher:** RDCP-00000220  
**Payment date:** 1/29/2021  
**Payment reference:** DS0054

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001743	US BANK	11268	2015 Eddy St Commons Bonds Lease Rental Payment - Transfer to Fund 752	2/1/2021	\$1,236,500.00	436-10-102-121-452000-DS0054-	

**Payment method:** Wire-Total  
**Voucher:** RDCP-00000221  
**Payment date:** 1/29/2021  
**Payment reference:** DS0169

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001743	US BANK	1694703	2018 TIF Parks Bond	2/1/2021	\$340,000.00	324-10-102-121-438100-DS0169-	
V-00001743	US BANK	1694703	2018 TIF Parks Bond	2/1/2021	\$153,825.00	324-10-102-121-438200-DS0169-	

**Payment method:** Wire-Total  
**Voucher:** RDCP-00000222

**Payment date:** 1/29/2021  
**Payment reference:** DS0163

<b>Vendor #</b>	<b>Name</b>	<b>Invoice #</b>	<b>Line description</b>	<b>Due date</b>	<b>Invoice amount</b>	<b>Financial dimensions</b>	<b>Purchase order</b>
V-00001743	US BANK	1694231	2017 Eddy St Commons Bonds - Transfer to Fund 760	2/1/2021	\$744,500.00	436-10-102-121-452000- DS0163-	

---



# City of South Bend Department of Administration & Finance Claims Allowance Request

To: South Bend Redevelopment Commission  
From: Daniel Parker, City Controller  
Date: Tuesday, February 9, 2021

Pursuant to Indiana Code 36-4-8-7, I have audited and certified the attached claims and submit them for allowance in the following amounts:

GBLN-0011102	\$25,725.02
GBLN-00xxxxxx	\$0.00

Total: \$25,725.02

Daniel Parker, City Controller

The attached claims described above were allowed in the following total amount at a public meeting on the date stated below:

\$ 25,725.02

By: \_\_\_\_\_  
South Bend Redevelopment Commission  
Name:

Date:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Name:

**Expenditure approval**

RDC Payments-02/09

GBLN-0011102

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000223  
**Payment date:** 2/9/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000472	DLZ INDIANA LLC	702695	ROGER-SAMPLE/SHERIDAN DESIGN TRAFFIC SIGNAL	1/29/2021	\$2,767.50	324-10-102-121-431002-- PROJ00000124	PO-0000021

**Payment method:** CHK-Total  
**Voucher:** RDCP-00000224  
**Payment date:** 2/9/2021

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000982	LAWSON- FISHER ASSOCIATES	201516102200506	AMENDMENT #2	6/30/2020	\$3,109.58	324-10-102-121-431002-- PROJ00000059	PO-0001774
V-00000982	LAWSON- FISHER ASSOCIATES	201516102191108	AMENDMENT #2	12/30/2019	\$139.18	324-10-102-121-431002-- PROJ00000059	PO-0001774
V-00000982	LAWSON- FISHER ASSOCIATES	201516102200406	AMENDMENT #2	5/30/2020	\$11,058.76	324-10-102-121-431002-- PROJ00000059	PO-0001774
V-00000982	LAWSON- FISHER ASSOCIATES	202018202201276	Olive Street Reconstruction Phase 2	1/30/2021	\$1,716.00	324-10-102-121-431002-- PROJ00000059	PO-0006602
V-00000982	LAWSON- FISHER ASSOCIATES	202018202201186	Olive Street Reconstruction Phase 2	12/30/2020	\$6,934.00	324-10-102-121-431002-- PROJ00000059	PO-0006602

**RESOLUTION NO. 3529****A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION  
AUTHORIZING THE TRANSFER OF REAL PROPERTY TO  
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, operates, and holds property pursuant to Indiana Code Section 36-7-14 (the "Act") and is authorized to transfer such property to another governmental entity pursuant to Indiana Code Section 36-1-11-8; and

WHEREAS, the South Bend Board of Public Works (the "Board") exists and operates pursuant to Indiana Code Section 36-4-9-5, and holds real property owned by the City pursuant to Indiana Code Section 36-9-6-3; and

WHEREAS, the Commission owns two parcels of real property in the River West Development Area of the City, commonly known as 405 Dubail Avenue, South Bend, Indiana, and more particularly described on Exhibit A (the "Property"); and

WHEREAS, the Board desires to obtain title to the Property pursuant to Ind. Code 36-1-11-8 for the purpose of donating the Property to United Way of St. Joseph County, Inc., an Indiana non-profit and tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, for the purpose of the development of a community center; and

WHEREAS, it is anticipated that the Board will adopt a resolution accepting the Commission's conveyance of the Property to the Board and appointing a representative to accept and record the deed received from the Commission.

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

1. The Commission hereby authorizes and approves the conveyance of the Property to the Board pursuant to I.C. 36-1-11-8 in the form of a quit claim deed.

2. The President and Secretary of the Board are authorized and instructed to execute and attest, respectively, the quit claim deed in substantially the form attached hereto as Exhibit B, conveying all of the Commission's right, title, and interest in the Property to the Board.

3. Upon acceptance of the conveyance by the Board, the Commission authorizes David Relos or Andrew Netter 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 affect the Commission's conveyance of the Property.

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

ADOPTED at a meeting of the South Bend Redevelopment Commission held on February 12, 2021, held electronically as authorized by the Governor's Executive Order 20-09, as subsequently renewed by Executive Orders 20-17, 20-25, 20-30, 20-34, 20-38, 20-41, 20-44, 20-47, 20-49, 20-52, and 21-03.

SOUTH BEND REDEVELOPMENT  
COMMISSION

---

Marcia I. Jones, President

ATTEST:

---

Quentin M. Phillips, Secretary

**EXHIBIT A**

**Legal Description**

**Parcel 1:**

W 1/2 of Lot 93 of the Bowman Place Addition, commonly known as 405 Dubail Avenue, South Bend, IN 46613.

Parcel ID: 018-7033-1281

**Parcel 2:**

E 1/2 of Lot 93 of the Bowman Place Addition.

Parcel ID: 018-7033-1282

**EXHIBIT B**

**Form of Quit Claim Deed  
2 Parcels comprising 405 Dubail**



RETURN TO:  
City of South Bend  
227 W Jefferson Blvd., Ste 1400S  
South Bend, IN 46601

AUDITOR'S RECORD: \_\_\_\_\_  
TRANSFER NO. \_\_\_\_\_  
TAXING UNIT: \_\_\_\_\_  
PARCEL NOS. 018-7033-1281  
018-7033-1282

**QUIT CLAIM DEED**

THIS INDENTURE WITNESSETH THAT the Department of Redevelopment of the City of South Bend, for the use and benefit of its Department of Redevelopment, by and through its governing body, the South Bend Redevelopment Commission (the "Grantor") CONVEYS AND QUIT CLAIMS TO the Civil City of South Bend, Indiana, acting by and through its Board of Public Works (the "Grantee"), for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the real estate located in St. Joseph County, Indiana:

**Parcel 1:**

W 1/2 of Lot 93 of the Bowman Place Addition, commonly known as 405 Dubail Avenue, South Bend, IN 46613.  
Parcel ID: 018-7033-1281

**Parcel 2:**

E 1/2 of Lot 93 of the Bowman Place Addition.  
Parcel ID: 018-7033-1282

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 \_\_\_\_ day of February 2021

GRANTOR:  
South Bend Redevelopment Commission

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

ATTEST:  
  
\_\_\_\_\_  
Quentin M. Phillips, Secretary

WITNESS:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
(Printed Name)

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

Before me, the undersigned, a Notary Public for and in said County and State this \_\_\_\_ day of February 2021, personally appeared Marcia I. Jones and Quentin M. Phillips, known to me to be, respectively, as the President and Secretary of the South Bend Redevelopment Commission, the Grantor named herein, and acknowledged the execution of the foregoing Quit Claim Deed, being authorized by Resolution 3529 of the South Bend Redevelopment Commission so to do.

Additionally, \_\_\_\_\_, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, personally appeared and stated that he or she is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

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

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
Resident of St. Joseph County, Indiana  
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

## **PURCHASE AGREEMENT**

This Purchase Agreement (“Agreement”) is dated effective the 11th day of February 2021 and made by and between the South Bend Redevelopment Commission ("Seller") and Lippert Components Manufacturing, Inc., a Delaware corporation ("Buyer"). Seller and Buyer are each referred to herein as a "Party" and together as the "Parties."

### **RECITALS**

A. Seller and Buyer entered into an Equipment Lease Agreement, dated May 15, 2014 ("Lease"), related to the lease to the Buyer of certain equipment, which equipment is more particularly described on **Exhibit A** ("Equipment").

B. The Lease is ancillary to an Economic Development Agreement, dated May 15, 2014, as amended by a First Amendment to Economic Development Agreement, dated March 24, 2016 (together, "Development Agreement"), in which the Parties made certain commitments to each other.

C. The Lease contains an option to purchase upon the expiration of the Lease and Buyer's compliance with certain provisions of the Development Agreement.

D. The Lease has expired, and Buyer desires to exercise the option to purchase pursuant to the Lease terms.

E. Seller has confirmed Buyer has complied with the terms of the Lease and the Development Agreement.

F. The Parties desire to enter into this Agreement to effectuate the transfer of the Equipment ownership from Seller to the Buyer in accordance with the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and promises in this Agreement and other good and valuable consideration, the receipt of which is hereby acknowledged, Buyer and Seller agree as follows:

#### **1. RECITALS**

The Recitals are hereby made a part of the terms and conditions of this Agreement.

#### **2. PURCHASE AND SALE OBLIGATION**

Seller agrees to sell the Equipment to the Buyer upon the terms and conditions set forth herein. All the terms and conditions of this Agreement will be effective and binding upon the Parties and their successors and assigns at the time the Agreement is fully signed by Buyer and Seller (the “Contract Date”).

### **3. PURCHASE PRICE**

The purchase price for the Equipment shall be One Dollar (\$1.00) (the "Purchase Price"). Upon payment of the Purchase Price, Seller shall provide Buyer with title documentation pertaining to the Equipment, executed as required to transfer ownership to Buyer. Further, upon payment of the Purchase Price, Seller shall promptly release any UCC financing statements evidencing its interest in the Equipment.

### **4. ACCEPTANCE OF EQUIPMENT "AS-IS"**

BUYER AGREES TO PURCHASE THE EQUIPMENT "AS IS, WHERE IS" AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES BY SELLER AS TO THE CONDITION OF THE EQUIPMENT OR ITS FITNESS FOR ANY PARTICULAR USE OR PURPOSE. SELLER DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES AND CONDITIONS, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES AND CONDITIONS OF MERCHANTABILITY, SATISFACTORY QUALITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT. SELLER ASSUMES NO RISK AS TO THE QUALITY AND PERFORMANCE OF THE EQUIPMENT. SHOULD THE EQUIPMENT PROVE DEFECTIVE IN ANY RESPECT, SELLER ASSUMES NO COST OR LIABILITY FOR SERVICING, REPAIR, OR CORRECTION. THIS DISCLAIMER OF WARRANTY IS AN ESSENTIAL PART OF THIS AGREEMENT, AND NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR WARRANTY AS TO THE CONDITION OR FITNESS OF THE EQUIPMENT.

### **5. INDEMNIFICATION**

Buyer agrees to indemnify, defend, and hold harmless Seller from and against any claims, damages, losses, or expenses (including attorneys' fees) arising from, connected with, occurring by virtue of, or relating in any way to Buyer's possession, operation, or use of the Equipment. Buyer's obligation to indemnify Seller as set forth herein shall survive the termination of this Agreement.

### **6. TAXES**

Buyer will pay any taxes, license or other fees due or accruing with regard to the purchase and sale of the Equipment.

### **6. APPLICABLE LAW; JURISDICTION**

This Agreement shall be interpreted and enforced according to the laws of the State of Indiana. Any action to enforce the terms or conditions of this Agreement or otherwise concerning a dispute under this Agreement will be commenced in the courts of St. Joseph County, Indiana.

7. **ENTIRE AGREEMENT**

This Agreement embodies the entire agreement between Seller and Buyer and supersedes all prior discussions, understandings, or agreements between Seller and Buyer concerning the transaction contemplated in this Agreement, whether written or oral.

8. **COUNTERPARTS; SIGNATURES**

This Agreement may be separately executed in counterparts by Buyer and Seller, and the same, when taken together, will be regarded as one original Agreement. Electronic signatures will be regarded as original signatures.

9. **AUTHORITY TO EXECUTE**

The undersigned persons executing and delivering this Agreement on behalf of Buyer and Seller represent and certify that they are the duly authorized representatives of Buyer and Seller and have been fully empowered to execute and deliver this Agreement and that all necessary action has been taken and done.

10. **ACKNOWLEDGMENT OF UNDERSTANDING**

**The Parties negotiated this Agreement at arms' length, and each Party has had an opportunity to consult with legal counsel. Each Party hereby acknowledges and affirms that it understands and is willing to be bound by the terms of this Agreement.**

*[Signature Page Follows]*

IN WITNESS WHEREOF, the Parties hereby execute this Agreement to be effective as of the 11th day of February 2021.

SELLER:  
SOUTH BEND REDEVELOPMENT COMMISSION

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

Attest: \_\_\_\_\_  
Quentin M. Phillips, Secretary

BUYER:  
LIPPERT COMPONENTS MANUFACTURING, INC.

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

## **EXHIBIT A**

### **Description of Equipment**

1. Hyundai Translead trailer model V12530152-AJRS  
(VIN 3H3V532C4GT209001)
2. Hyundai Translead trailer model V12530152-AJRS  
(VIN 3H3V532C6GT209002)
3. Hyundai Translead trailer model V12530152-AJRS  
(VIN 3H3V532C8GT209003)
4. Hyundai Translead trailer model V12530152-AJRS  
(VIN 3H3V532CXGT209004)
5. Hyundai Translead trailer model V12530152-AJRS  
(VIN 3H3V532C1GT209005)
6. Hyundai Translead trailer model V12530152-AJRS  
(VIN 3H3V532C3GT209006)



# CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

## Redevelopment Commission Agenda Item

DATE: February 11, 2021

FROM: Dan Buckenmeyer, Director of Business Development

SUBJECT: Budget Request – Ignition Park Vehicle Charging

\_\_\_\_\_ Pres/V-Pres

ATTEST: \_\_\_\_\_ Secretary

Date: \_\_\_\_\_

APPROVED  Not Approved

*SOUTH BEND REDEVELOPMENT COMMISSION*

Funding Source\* (circle one) River West; River East; South Side; Douglas Road; West Washington; RDC General

\*Funds are subject to the City Controller's determination of availability; if funds are unavailable, as solely determined by the City Controller, then the authorization of the expenditure of such funds shall be void and of no effect.

### Purpose of Request:

This is a joint project with the City and AEP. AEP will be contributing car charging stations and electrical infrastructure; the City's contribution is a parking lot in Ignition Park to house the charging units. In the spirit of working to meet future demand for additional charging stations, and for the provision of an amenity central to Ignition Park, the project will build for expansion and create a parklet with parking areas for two food trucks. This will create a meaningful central amenity for Ignition Park companies and their employees and contribute to the attraction of new developments and employers to Ignition Park.

Increased funding is requested to cover updated construction costs as well as a survey replat.

INTERNAL USE ONLY: Project ID: PROJ00000208;

Total Amount – New Project Budget Appropriation \$450,000 ;

Total Amount – Existing Project Budget Change (increase) or decrease) \$200,000;

Funding Limits: Engineering: \$ \_\_\_\_\_ ; Other Prof Serv Amt \$ \_\_\_\_\_ ;

Acquisition of Land/Bldg (circle one) Amt: \$ \_\_\_\_\_ ; Street Const Amt \$ \_\_\_\_\_ ;

Building Imp Amt \$ \_\_\_\_\_ ; Sewers Amt \$ \_\_\_\_\_ ; Other (specify) Amt \$ \_\_\_\_\_





# CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

## Redevelopment Commission Agenda Item

DATE: February 11, 2021  
FROM: Chris Dressel  
SUBJECT: Budget Request (Construction and Construction Inspection of future Coal Line Multiuse Trail)

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

PURPOSE OF REQUEST:

Staff requests the Redevelopment Commission's approval of an additional \$1,788,015 to be budgeted for construction and construction inspection services for completion of the Coal Line Trail, a 1.5-mile multiuse trail facility between Lincoln Way West and State Route 933. Phase I project construction (Lincoln Way West to Riverside Drive) is expected to commence in Spring 2021. Phase II (Riverside Drive to 933) construction will be completed in 2022.

If you should have any questions or need more information, please feel free to contact me at either [cdressel@southbendin.gov](mailto:cdressel@southbendin.gov) or 235-5847.

INTERNAL USE ONLY: Project Code: \_\_\_\_\_;  
Total Amount new change (inc/dec) in budget: \$1,788,015; Break down:  
Costs: Engineering Amt: \_\_\_\_\_; Other Prof Serv Amt \_\_\_\_\_;  
Acquisition of Land/Bldg (circle one) Amt: \_\_\_\_\_; Street Const Amt \$1,788,015 \_\_\_\_\_;  
Building Imp Amt \_\_\_\_\_; Sewers Amt \_\_\_\_\_; Other (specify) Amt: \_\_\_\_\_  
\_\_\_\_\_ . Going to BPW for Contracting? Y/N  
Is this item ready to encumber now? \_\_\_\_\_ Existing PO# \_\_\_\_\_ Inc/Dec \$ \_\_\_\_\_