



# CITY OF SOUTH BEND

## REDEVELOPMENT COMMISSION

### Redevelopment Commission Agenda Item

DATE: 4/28/22

FROM: Joseph Molnar, DCI Property Manager

SUBJECT: Matching Resolution Accepting the Transfer of

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

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

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

APPROVED  Not Approved

*SOUTH BEND REDEVELOPMENT COMMISSION*

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

The Department of Community Investment is asking for the Redevelopment Commission to approve the resolution, accepting the transfer of 2 lots along Walnut St. and Chestnut St. from the Board of Public Works.

The Board of the Public Works acquired these properties several years ago. With increased interest in redevelopment of property within this area of the West Washington Chapin Development area, the Department of Community Investment feels that it is within the best interest of the City to transfer the property to the Redevelopment Commission for eventual disposition.

INTERNAL USE ONLY: Project Code: \_\_\_\_\_;

Total Amount new/change (inc/dec) in budget: \_\_\_\_\_; Break down:

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

1400S County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p 574.235.9371 | f 574.235.9021 | www.southbendin.gov

**RESOLUTION NO. 3550**

**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 Board owns two (2) parcels of real property in the West Washington Chapin Development Area of the City along Walnut Street and Chestnut Street, which are more particularly described on Exhibit A (together, the "Property"); and

WHEREAS, pursuant to declaratory resolutions previously adopted and amended from time to time, the Commission has declared a certain area of the City known as the “West Washington Chapin Development Area” as a redevelopment area and an allocation area under the Act and approved an economic development plan for the Area; and

WHEREAS, the Commission desires to obtain title to the Property to encourage the redevelopment of the property and for any other purpose authorized by the Act; and

WHEREAS, the Board approved the conveyance of the Property pursuant to its Resolution 21 -2022 at its regular meeting held on April 26, 2022.

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 Andrew Netter or Joseph Molnar 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 acceptance of the Property.

3. 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 April 28, 2022.

SOUTH BEND REDEVELOPMENT  
COMMISSION

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Marcia I. Jones, President

ATTEST:

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Troy Warner, Secretary

**EXHIBIT A**  
**Legal Description**

**Parcel No.** 71-08-11-155-014.000-026

**Tax ID:** 018-3076-305301

**Legal Description:** 6 X 20FT SW COR LOT 34 KNOBLOCKS SUB OF BOL 84

**Commonly Known As:** Vacant Lot 34 Walnut St., South Bend, IN 46601

**Parcel No.** 71-08-11-155-010.000-026

**Tax ID:** 018-3076-3059

**Legal Description:** LOT 45 KNOBLOCKS SUB BOL 84 N OF RR

**Commonly Known As:** Vacant Lot 45 Chestnut St., South Bend, IN 46601

**EXHIBIT B**

**Form of Quit Claim Deed**

**RESOLUTION NO. 21-2022**

**A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS AUTHORIZING THE TRANSFER OF REAL PROPERTY TO THE CITY OF SOUTH BEND REDEVELOPMENT COMMISSION**

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the "Board") exists pursuant to Indiana Code Section 36-4-9-5, holds real property owned by the City of South Bend, Indiana (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 South Bend Redevelopment Commission, the governing body of the City of South Bend, Indiana, Department of Redevelopment (the "Commission"), exists and operates pursuant to Indiana Code Section 36-7-14 (the "Act"); and

WHEREAS, the Board owns two (2) parcels of real property in the City, one (1) on Walnut Street, and one (1) on Chestnut Street, both more particularly described on Exhibit A (the "Property"); and

WHEREAS, the Board desires to convey the Property to the Commission pursuant to Ind. Code 36-1-11-8 for the purpose of making the Property available for re-use and redevelopment in accordance with the Commission's purposes and powers under the Act; and

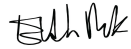
WHEREAS, it is anticipated that the Commission will adopt a resolution accepting the Board's conveyance of the Property to the Commission and appointing a representative to accept and record the deed received from the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS AS FOLLOWS:

1. The Board hereby approves the conveyance of the Property to the Commission in accordance with Indiana Code Section 36-1-11-8.
2. The President and Clerk of the Board are authorized and instructed to execute and attest, respectively, a quit claim deed in substantially the form attached hereto as Exhibit B, conveying all of the Board's right, title, and interest in the Property to the Commission.
3. The Board authorizes Joseph Molnar or Andrew Netter of the City's Department of Community Investment to present for recordation in the Office of the Recorder of St. Joseph County, Indiana, the deed conveying the Property to the Commission, as well as to execute any other document necessary to affect the Board's conveyance to the Commission.
4. This Resolution will be in full force and effect upon its adoption by the Board.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on April 26, 2022, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS



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Elizabeth A. Maradik, President



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Joseph R. Molnar, Vice President



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Gary A. Gilot, Member



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Jordan V. Gathers, Member



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Murray L. Miller, Member



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Attest: Theresa M. Heffner, Clerk

Date: April 26, 2022

**EXHIBIT A**  
**Legal Description**

**Parcel No.** 71-08-11-155-014.000-026

**Tax ID:** 018-3076-305301

**Legal Description:** 6 X 20FT SW COR LOT 34 KNOBLOCKS SUB OF BOL 84

**Commonly Known As:** Vacant Lot 34 Walnut St., South Bend, IN 46601

**Parcel No.** 71-08-11-155-010.000-026

**Tax ID:** 018-3076-3059

**Legal Description:** LOT 45 KNOBLOCKS SUB BOL 84 N OF RR

**Commonly Known As:** Vacant Lot 45 Chestnut St., South Bend, IN 46601



**EXHIBIT B**

**Form of Quit Claim Deed**

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

AUDITOR'S RECORD:  
TRANSFER NO. \_\_\_\_\_  
TAXING UNIT: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PARCEL NO. 018-3076-305301  
018-3076-3059

**QUIT CLAIM DEED**

THIS INDENTURE WITNESSETH THAT the Civil City of South Bend, Indiana, acting 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 its Department of Redevelopment, by and through its governing body, the South Bend Redevelopment Commission (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 No.** 71-08-11-155-014.000-026

**Tax ID:** 018-3076-305301

**Legal Description:** 6 X 20FT SW COR LOT 34 KNOBLOCKS SUB OF BOL 84

**Commonly Known As:** Vacant Lot 34 Walnut St., South Bend, IN 46601

**Parcel No.** 71-08-11-155-010.000-026

**Tax ID:** 018-3076-3059

**Legal Description:** LOT 45 KNOBLOCKS SUB BOL 84 N OF RR

**Commonly Known As:** Vacant Lot 45 Chestnut St., South Bend, IN 46601

Grantor hereby conveys the Property subject to all covenants, restrictions, easements, and other matters of record.

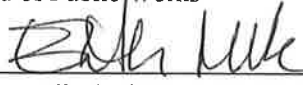
The undersigned persons executing this Quit Claim Deed on behalf of the Grantor represent and certify that each has been fully empowered and authorized to execute this Quit Claim Deed and that all action necessary to complete this conveyance on Grantor's behalf has been duly taken.

[Signature page follows.]

Dated this 26<sup>th</sup> day of April 2022.

GRANTOR:

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

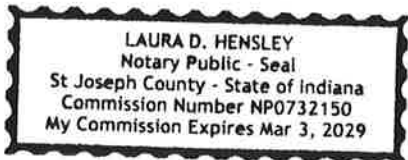
By:   
Elizabeth Maradik, President

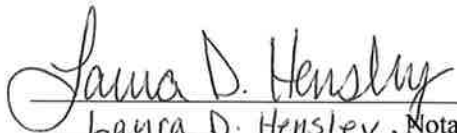
ATTEST:   
Theresa Heffner, Clerk

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

Before me, the undersigned, a Notary Public for and in said County and State this 26<sup>th</sup> day of April, 2022, personally appeared Elizabeth Maradik and Theresa Heffner, known to me to be, respectively, as the President and Clerk of the City of South Bend, Indiana, Board of Public Works, the Grantor named herein, and acknowledged the execution of the foregoing Quit Claim Deed, being authorized by Resolution 21-2022 of the City of South Bend, Indiana, Board of Public Works so to do.

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



  
Laura D. Hensley, Notary Public  
Resident of St. Joseph County, Indiana  
Commission expires: March 3, 2029

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

**BOARD OF PUBLIC WORKS  
AGENDA ITEM REVIEW REQUEST FORM**

Date	04/19/2022	Department	DCI
Name	Andrew Netter	Phone Extension	5931
BPW Date	04/26/2022		

**Review and Approval Required Prior to Submittal to Board**

Diversity Compliance and Inclusion Officer	<input type="checkbox"/>	Officer Name	_____
BPW Attorney	<input type="checkbox"/>	Attorney Name	Clara McDaniels
Dept. Attorney	<input checked="" type="checkbox"/>	Attorney Name	Sandra Kennedy
Purchasing	<input type="checkbox"/>		_____

**Check the Appropriate Item Type – Required for All Submissions**

<input type="checkbox"/> Professional Services Agreement	<input type="checkbox"/> Contract	<input type="checkbox"/> Proposal
<input type="checkbox"/> Open Market Contract	<input type="checkbox"/> Amendment/Addendum	<input type="checkbox"/> Special Purchase, QPA
<input type="checkbox"/> Bid Opening	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Req. to Advertise <input type="checkbox"/> Title Sheet
<input type="checkbox"/> Quote Opening	<input type="checkbox"/> Quote Award	<input type="checkbox"/> Reject Bids/Quotes
<input type="checkbox"/> Proposal Opening	<input type="checkbox"/> C/O & PCA No. _____	<input type="checkbox"/> PCA
<input type="checkbox"/> Chg. Order, No. _____	<input type="checkbox"/> Traffic Control	<input checked="" type="checkbox"/> Resolution
<input type="checkbox"/> Other:		<input type="checkbox"/> Ease./Encroach

**Required Information**

Company or Vendor Name	Redevelopment Commission of South Bend		
New Vendor	<input type="checkbox"/> Yes <input type="checkbox"/> If Yes, Approved by Purchasing		
	<input checked="" type="checkbox"/> No		
MBE/WBE Contractor	<input type="checkbox"/> MBE <input type="checkbox"/> WBE	Completed E-Verify Form Attached	<input type="checkbox"/> Yes <input type="checkbox"/> No
Project Name	Transfer of Two Vacant Lots to Redevelopment Commission		
Project Number	_____		
Funding Source	_____		
Account No.	_____		
Amount	_____		
Terms of Contract	_____		
Purpose/Description	Request to transfer two vacant lots to the Redevelopment Commission. One lot is on Chestnut St. and the other is on Walnut St. It is the intention to put both properties through the RDC disposition process.		

**For Change Orders Only**

Amount of	<input type="checkbox"/>	Increase	\$ _____	
	<input type="checkbox"/>	Decrease	(\$ _____)	
Previous Amount			\$ _____	
		Increase	_____ %	
Current Percent of Change:		Decrease	( _____ %)	
New Amount			\$ _____	
		Increase	_____ %	
Total Percent of Change:		Decrease	( _____ %)	
Time Extension Amount:			_____	
New Completion Date:			_____	