



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 6/7/22
FROM: Joseph Molnar
SUBJECT: Transfer of RDC Property

_____ 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

PURPOSE OF REQUEST: To transfer the Oliver Plow Memorial from the RDC to BPW.

Specifics: RDC is the current owner of the Oliver Plow Memorial lot in the Oliver Plow Industrial Park. The lot is small and consists of only the memorial and remnant smokestack. There is a desire to eventually transfer the property to a non-profit for long term maintenance of the memorial. BPW is a more appropriate board to transfer the lot than the RDC, therefore staff requests this transfer to BPW.

INTERNAL USE ONLY: Project Code: _____;

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

Costs: Engineering 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? Y/N

Is this item ready to encumber now? ____ Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

RESOLUTION NO. 3553

**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 one parcel of real property in the River West Development Area of the City, commonly known as 910 Oliver Plow Ct., South Bend, Indiana, and more particularly described in 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 an Indiana non-profit and tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, for the purpose of preservation of the Oliver Memorial; 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 Joseph Molnar 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 June 9,
2022.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Troy Warner, Secretary

EXHIBIT A

Description of Property

Tax ID No. 018-3061-235104

Parcel Key No. 71-08-11-451-002.000-026

Legal Description: Lot B Oliver Plow Works 1st Major Sec 1 First Replat & CONT 0.34282 AC+/-
NP# 771 02-02-12

Commonly known as: 910 Oliver Plow Ct., South Bend IN 46601

EXHIBIT B

**Form of Quit Claim Deed
1 Parcel containing 910 Oliver Ct.**

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

AUDITOR'S RECORD: _____
TRANSFER NO. _____
TAXING UNIT: _____
PARCEL NO. 018-3061-235104

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:

Tax ID No. 018-3061-235104

Parcel Key No. 71-08-11-451-002.000-026

Legal Description: Lot B Oliver Plow Works 1st Major Sec 1 First Replat & CONT 0.34282 AC+/- NP# 771 02-02-12

Commonly known as: 910 Oliver Plow Ct., 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 9 day of June, 2022
GRANTOR:

South Bend Redevelopment Commission

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Troy Warner, Secretary

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

Before me, the undersigned, a Notary Public for and in said County and State this 9 day of June 2022, personally appeared Marcia I. Jones and Troy Warner, 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 3553 of the South Bend Redevelopment Commission so to do.

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

Resident of St Joseph County, Indiana

Mary Brazinsky, Notary Public
Commission expires: 12-12-2024

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. Danielle Campbell Weiss

Prepared by Danielle Campbell Weiss, Assistant City Attorney, 1200 S. County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601