



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: 11/15/23
FROM: Joseph Molnar
SUBJECT: Accepting Property from BPW

_____ 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: Acceptance of property along Carrol/Monroe from BPW

Specifics: In 2023 the Board of Public Works purchased 316 Monroe Street, 502 Carroll Street, 510 Carroll Street, 512 Carroll Street, 514 Carroll Street, 516 Carroll Street, and 524 Carroll from the adjacent property owner. After the recent neighborhood planning process, staff believes it is in the best intention for the surrounding area to try to redevelop the properties. This resolution accepts the properties from the BPW. Staff intends to then begin the disposition process on the lots.

Staff requests approval.

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 \$ _____

RESOLUTION NO. 3581

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 certain real property in the City located at 316 Monroe Street, 502 Carroll Street, 510 Carroll Street, 512 Carroll Street, 514 Carroll Street, 516 Carroll Street, and 524 Carroll, more particularly described on Exhibit A (collectively, 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 “River West 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 which is located within the River West Development Area 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 43-2022 at its regular meeting held on November 14, 2023.

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 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 November 20, 2023.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Vivian Sallie, Secretary

EXHIBIT A
Legal Description

Description of Property

Parcel Number: 71-08-12-329-004.000-026

Tax ID: 018-3027-0974

Legal Description: A LOT OR PARCEL OF LAND 63 FEET IN LENGTH, NORTH AND SOUTH, TAKEN OFF OF AND FROM THE ENTIRE WIDTH OF THE NORTH END OF LOT NUMBERED SEVEN (7) AS SHOWN ON THE RECORDED PLAT OF GEORGE R. HUDSON'S SUBDIVISION OF A PART OF LOTS NUMBERED 19 AND 20 IN DENNISTON AND FELLOW'S ADDITION TO THE TOWN, NOW CITY OF SOUTH BEND, INDIANA.

Commonly Known As: 316 E MONROE SOUTH BEND IN 46601

Parcel Number: 71-08-12-329-001.000-026

Tax ID: 018-3027-0968

Legal Description: A PART OF LOT NUMBERED NINETEEN (19) AS SHOWN ON THE RECORDED PLAT OF DENNISTON AND FELLOW'S ADDITION TO THE TOWN, NOW CITY OF SOUTH BEND, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT NUMBERED 19; THENCE SOUTH 63 FEET; THENCE EAST 66 FEET; THENCE NORTH 63 FEET; THENCE WEST 66 FEET TO THE PLACE OF BEGINNING, IN ST. JOSEPH COUNTY, INDIANA.

Commonly Known As: 502 CARROLL SOUTH BEND IN 46601

Parcel Number: 71-08-12-329-002.000-026

Tax ID: 018-3027-0969

Legal Description: A PARCEL OF LAND 33 FEET WIDE FRONTING ON CARROLL STREET 116 FEET DEEP BOUNDED BY A LINE RUNNING AS FOLLOWS: BEGINNING AT A POINT 36 FEET NORTH OF THE SOUTHWEST CORNER OF LOT NUMBERED NINETEEN (19) AS SHOWN ON THE RECORDED PLAT OF DENNISTON AND FELLOW'S ADDITION TO THE TOWN, NOW CITY OF SOUTH BEND; THENCE RUNNING DUE EAST 116 FEET TO AN ALLEY EXTENDING ALONG THE EAST SIDE OF LOT NUMBERED 7 AS SHOWN ON THE PLAT OF GEORGE R. HUDSON'S SUBDIVISION OF SAID LOT 19; THENCE DUE NORTH 33 FEET ON THE EAST LINE OF SAID LOT 7; THENCE WEST 116 FEET TO THE EAST LINE OF SOUTH CARROLL STREET; THENCE SOUTH ON THE EAST LINE OF SOUTH CARROLL STREET, 33 FEET TO THE PLACE OF BEGINNING, IN ST. JOSEPH COUNTY, INDIANA.

Commonly Known As: 510 CARROLL SOUTH BEND IN 46601

Parcel Number: 71-08-12-329-003.000-026

Tax ID: 018-3027-0970

Legal Description: A LOT OR PARCEL OF LAND BOUNDED BY A LINE RUNNING AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBERED NINETEEN (19) AS SHOWN ON THE RECORDED PLAT OF DENNISTON AND FELLOW'S ADDITION TO THE TOWN, NOW CITY OF SOUTH BEND; THENCE EAST PARALLEL WITH THE SOUTH LINE OF MONROE STREET, A DISTANCE OF 116 FEET TO THE SOUTHEAST CORNER OF LOT NUMBERED 7 IN GEORGE R. HUDSON'S SUBDIVISION OF SAID LOT NUMBERED 19;

THENCE NORTH PARALLEL WITH THE EAST LINE OF CARROLL STREET 36 FEET;
THENCE WEST 116 FEET TO A POINT 36 FEET NORTH OF THE SOUTHWEST CORNER OF
SAID LOT NUMBERED 19; THENCE SOUTH ON THE EAST LINE OF CARROLL STREET 36
FEET TO THE PLACE OF BEGINNING IN ST. JOSEPH COUNTY, INDIANA.

Commonly Known As: 512 CARROLL SOUTH BEND IN 46601

Parcel Numbers:

71-08-12-329-006.000-026

71-08-12-329-007.000-026

71-08-12-329-008.000-026

Tax IDs:

018-3027-0971

018-3027-0972

018-3027-0973

Legal Description: THE WEST 132 FEET OF LOT NUMBERED TWENTY (20) AS SHOWN ON
THE RECORDED PLAT OF DENNISTON AND FELLOW'S ADDITION TO THE TOWN, NOW
CITY OF SOUTH BEND, IN ST. JOSEPH COUNTY, INDIANA.

Commonly Known As:

514 CARROLL SOUTH BEND IN 46601

516 CARROLL SOUTH BEND IN 46601

524 CARROLL 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: _____
Key Nos. 018-3027-0974
018-3027-0968 018-3027-0969
018-3027-0970 018-3027-0971
018-3027-0972 018-3027-0973

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 One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the real estate located in St. Joseph County, Indiana and more particularly described on Exhibit A (the "Property").

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 _____ 2023.

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 _____ day of _____, 2023, 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 _____-2023 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.

_____, 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. Danielle Campbell Weiss

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

RESOLUTION NO. 43-2023

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 certain real property in the City located at 316 Monroe Street, 502 Carroll Street, 510 Carroll Street, 512 Carroll Street, 514 Carroll Street, 516 Carroll Street, and 524 Carroll, more particularly described on Exhibit A (collectively, 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 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 November 14, 2023, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

**CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS**



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member

Alexandra Dolz-Lane, Member



Murray L. Miller, Member

ATTEST:



Theresa M. Heffner, Clerk

Date: November 14, 2023

EXHIBIT A
Legal Description

Description of Property

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Tax ID: 018-3027-0974

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Commonly Known As: 502 CARROLL SOUTH BEND IN 46601

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Commonly Known As: 510 CARROLL SOUTH BEND IN 46601

Parcel Number: 71-08-12-329-003.000-026

Tax ID: 018-3027-0970

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NUMBERED 7 IN GEORGE R. HUDSON'S SUBDIVISION OF SAID LOT NUMBERED 19;
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SAID LOT NUMBERED 19; THENCE SOUTH ON THE EAST LINE OF CARROLL STREET 36
FEET TO THE PLACE OF BEGINNING IN ST. JOSEPH COUNTY, INDIANA.

Commonly Known As: 512 CARROLL SOUTH BEND IN 46601

Parcel Numbers:

71-08-12-329-006.000-026

71-08-12-329-007.000-026

71-08-12-329-008.000-026

Tax IDs:

018-3027-0971

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514 CARROLL SOUTH BEND IN 46601

516 CARROLL SOUTH BEND IN 46601

524 CARROLL 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: _____
Key Nos. 018-3027-0974
018-3027-0968 018-3027-0969
018-3027-0970 018-3027-0971
018-3027-0972 018-3027-0973

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 One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the real estate located in St. Joseph County, Indiana and more particularly described on Exhibit A (the "Property").

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 14th day of November 2023.

GRANTOR:

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

By: 
Elizabeth Maradik, President

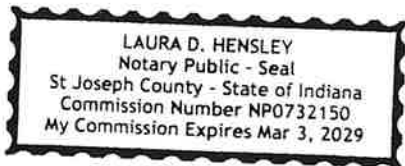
ATTEST:

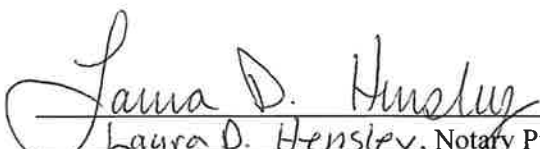
Theresa Heffner, Clerk

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

Before me, the undersigned, a Notary Public for and in said County and State this 14th day of November, 2023, 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 43-2023 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. Danielle Campbell Weiss

Prepared by Danielle Campbell Weiss, 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	11/3/2023	Department	DCI
Name	Joseph Molnar	Phone Extension	6052
BPW Date	11/14/23		

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	Michael Schmidt
Dept. Attorney	<input checked="" type="checkbox"/>	Attorney Name	Danielle Campbell Weiss
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: <u>Transfer Agreement</u>		<input type="checkbox"/> Ease./Encroach	

Required Information

Company or Vendor Name	_____		
New Vendor	<input type="checkbox"/> Yes	<input type="checkbox"/> If Yes, Approved by Purchasing	
	<input type="checkbox"/> No		
MBE/WBE Contractor	<input type="checkbox"/> MBE	<input checked="" type="checkbox"/> Completed E-Verify Form Attached	<input type="checkbox"/> Yes
	<input type="checkbox"/> WBE		<input type="checkbox"/> No
Project Name	Transfer of property to Redevelopment Commission		
Project Number	_____		
Funding Source	_____		
Account No.	_____		
Amount	_____		
Terms of Contract	_____		
Purpose/Description	Request to transfer seven (7) parcels along Lincoln Way East and Carol Street to the Redevelopment Commission for the purpose of redeveloping the property.		

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:			_____