



ITEM: 6.B.(5)

Department of
Community Investment

Memorandum

March 26, 2015

TO: Redevelopment Commission
FROM: Sarah Heintzelman, Business Development
SUBJECT: Oliver Plow Memorial Deed Transfer

On October 6, 2011 the Commission approved a professional services agreement with Danch, Harner, and Associates, to complete a minor subdivision to accommodate the James Oliver Memorial in the Oliver Plow Industrial Park.

Since the inception of the Park, this site was contemplated to be the Memorial's location within the Park, with Commission ownership, but remains owned by Rose Brick. So the property can be transferred from Rose to the Commission, a deed has been prepared and signed by Rose Brick.

Staff would like to notify you that this project has now been complete and the deed filed accordingly. Included is a copy of the deed, as well as the original memo from October 6, 2011.



memorandum

Community & Economic Development



1200 County-City Building, 227 West Jefferson, South Bend, Indiana 46601-1830 Phone 574/235-9371 Fax 574/235-9021

To: Redevelopment Commission
From: Bill Schalliol
Subject: Professional Services Proposal - Related to James Oliver Memorial, Oliver IP
Danch, Harner and Associates
Date: October 6, 2011

Attached to this memorandum is a professional service proposal to complete a variety of items related to and because of the James Oliver Memorial. The City of South Bend, through the financial participation of the Redevelopment Commission, recently constructed and dedicated the James Oliver Memorial within the Oliver industrial Park. The project was built on a parcel that was planned from the inception of the park to be used for the memorial. At a point in time, the parcel was transferred to Rose Brick, the adjacent property owner, as they were going to assist in the memorial development and it was believed that the time that the memorial could be developed privately and on a private parcel. With the City's participation in the development of the plaza and memorial, and more importantly the statue, it is imperative that the parcel be returned to the City so that the memorial can remain and be charged as a city asset.

The scope of work to be provided by Danch, Harner and Associates includes the following work items:

- Survey fieldwork to delineate plaza and all features to be rededicated to the City
- Preparation of a Special Use exception and multiple variances
- Preparation of a Subdivision Plat

The total amount of the project budget based on the scope of work is \$12,875.00 and staff requests a total project amount of \$14,000.00 to cover incidental expenses (title work, monumentation, etc).

Additionally, staff requests Commission approval to allow the plat and any related documentation by Don Inks in his capacity as Director of Economic Development.

Finally, staff requests Commission approval to allow Danch, Harner and Associates to represent the Commission at the various approval meetings related to this project.

Staff requests Commission approval of these various requests.

RETURN TO:
SOUTH BEND REDEVELOPMENT
COMMISSION
1400 S. COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, IN 46601

AUDITOR'S RECORD
TRANSFER NO. _____
TAXING UNIT _____
DATE _____
KEY NO. _____

WARRANTY DEED

THIS INDENTURE WITNESSETH that Rose Brick, LLC, an Indiana limited liability company, with its registered office at 1631 Pioneer Trail, Chesterton, Indiana 46304 (the "Grantor")

CONVEYS AND WARRANTS to Department of Redevelopment of the City of South Bend, for the use and benefit of the Department of Redevelopment by and through its governing body, the South Bend Redevelopment Commission, 1400 S. County-City Building, 227 W. Jefferson Boulevard, South Bend, Indiana 46601 (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 in St. Joseph County, Indiana, described as follows (the "Property"):

Lot B of Oliver Plow Works First Major – Section One, First Replat, recorded on February 2, 2012, as Document Number 1203040 in the Office of the Recorder of St. Joseph County, Indiana [County Parcel No. 018-3061-235104].

The Grantor hereby conveys the Property to the Grantee free and clear of all leases, licenses, or other interests and subject to covenants, restrictions, and easements of record.

The undersigned persons executing this Warranty Deed (the "Deed") represent and certify that each is competent and fully empowered to execute and deliver this Deed on behalf of the Grantor; that the Grantor has full legal capacity to convey the Property; and that all necessary action necessary to complete this conveyance has been duly taken.

IN WITNESS WHEREOF, the Grantor has executed this Deed this 18th day of March, 2015.

ROSE BRICK, LLC

[Signature]
Signature
JAY R. HARWOOD
Printed Name and Title
VICE-PRESIDENT

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

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Jay Harwood, known to me to be the Vice President of Grantor and acknowledged the execution of the foregoing Warranty Deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the 18th day of March, 2015.

My Commission Expires:

10-23-2016

[Signature]
Notary Public
Residing in St. Joseph County, Indiana

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. Benjamin J. Dougherty.

This instrument was prepared by Benjamin J. Dougherty, Assistant City Attorney, 1200 S. County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601.

