



Department of
Community Investment

Memorandum

August 27, 2015

TO: South Bend Redevelopment Commission
FROM: David Relos, Economic Resources *DR*
SUBJECT: Cove Lot 5 Certificate of Completion (Performance Center Facility)

On September 3, 2014, the Commission entered into a Memorandum of Understanding with Swing Batter Swing (SBS), the owner of the South Bend Cubs Class A Minor League Baseball team. This MOU provided for the construction of a training facility to be used by the team and open to the public, with a private investment of at least \$1,000,000 and containing six batting tunnels, two regulation pitching mounds, and an observation deck.

On March 26, 2015, the Commission approved an Agreement for Sale of Land with Run Faster Run (RFR), a wholly owned subsidiary of SBS. Per Section V of the Agreement for Sale, upon receiving a Certificate of Occupancy from the Building Dept. and being open to the public, the Commission will issue and record a Certificate of Completion, thereby recognizing RFR has completed its obligations under the Agreement for Sale.

Since that time the facility has been completed, has been issued a Certificate of Occupancy from the Building Department, and is open to the public.

Staff requests approval of the Certificate of Completion for the new, state of the art Performance Center on Cove Lot 5.



CERTIFICATE OF COMPLETION

On April 3, 2015, pursuant to the Agreement for Sale of Land for Private Development by and between the City of South Bend, Department of Redevelopment, by and through the South Bend Redevelopment Commission (the "Commission"), Run-Faster-Run LLC, an Indiana limited liability company (the "Developer"), and Swing-Batter-Swing, LLC, an Indiana limited liability company (the "Parent Company") dated March 26, 2015 (the "Purchase Agreement"), the Commission conveyed to the Developer the following real property located in St. Joseph County, Indiana, by the quit claim deed (the "Deed") recorded on April 7, 2015, as Document No. 1508181, in the Office of the Recorder of St. Joseph County, Indiana:

Lot 5 of the plat of Coveleski Park Minor Subdivision recorded on February 11, 2015, as Document No. 1503430, in the Office of the Recorder of St. Joseph County, Indiana [Parcel Key No.: 018-3014-051504] (the "Property").

In accordance with Section V of the Purchase Agreement, the Commission hereby certifies that the Developer has reached Substantial Completion of the Project (as defined in the Purchase Agreement), which is situated on the Property. This certificate will be recorded in the Office of the Recorder of St. Joseph County, Indiana, and will have the effects set forth in the Purchase Agreement and the Deed, respectively.

[Signature page follows.]

SOUTH BEND
REDEVELOPMENT COMMISSION

Marcia I. Jones, President

ATTEST:

Donald E. Inks, Secretary

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

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Marcia I. Jones and Donald E. Inks, known to me to be the President and Secretary, respectively, of the South Bend Redevelopment Commission and acknowledged execution of the foregoing Certificate of Completion.

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

(SEAL)

_____, Notary Public
Commission expires: _____ Resident of _____ County, _____

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

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.

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