

RESOLUTION NO. 3529

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 two parcels of real property in the River West Development Area of the City, commonly known as 405 Dubail Avenue, South Bend, Indiana, and more particularly described on 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 United Way of St. Joseph County, Inc., an Indiana non-profit and tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, for the purpose of the development of a community center; 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 David Relos 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 February 12, 2021, held electronically as authorized by the Governor's Executive Order 20-09, as subsequently renewed by Executive Orders 20-17, 20-25, 20-30, 20-34, 20-38, 20-41, 20-44, 20-47, 20-49, 20-52, and 21-03.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Quentin M. Phillips, Secretary

EXHIBIT A

Legal Description

Parcel 1:

W 1/2 of Lot 93 of the Bowman Place Addition, commonly known as 405 Dubail Avenue, South Bend, IN 46613.

Parcel ID: 018-7033-1281

Parcel 2:

E 1/2 of Lot 93 of the Bowman Place Addition.

Parcel ID: 018-7033-1282

EXHIBIT B

**Form of Quit Claim Deed
2 Parcels comprising 405 Dubail**

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

AUDITOR'S RECORD: _____
TRANSFER NO. _____
TAXING UNIT: _____
PARCEL NOS. 018-7033-1281
018-7033-1282

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:

Parcel 1:

W 1/2 of Lot 93 of the Bowman Place Addition, commonly known as 405 Dubail Avenue, South Bend, IN 46613.
Parcel ID: 018-7033-1281

Parcel 2:

E 1/2 of Lot 93 of the Bowman Place Addition.
Parcel ID: 018-7033-1282

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 February 2021

GRANTOR:
South Bend Redevelopment Commission

By: _____
Marcia I. Jones, President

ATTEST:

Quentin M. Phillips, Secretary

WITNESS:

(Printed Name)

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

Before me, the undersigned, a Notary Public for and in said County and State this ____ day of February 2021, personally appeared Marcia I. Jones and Quentin M. Phillips, 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 3529 of the South Bend Redevelopment Commission so to do.

Additionally, _____, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, personally appeared and stated that he or she is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

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. Sandra L. Kennedy

Prepared by Sandra L. Kennedy, Assistant City Attorney, 1200 S. County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601