

RESOLUTION NO. 26-2026

A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS APPROVING A CERTIFICATE OF COMPLETION FOR AFFORDABLE HOMEMATTERS INDIANA LLC RELATING TO BUYER'S POST-CLOSING DEVELOPMENT OBLIGATIONS

WHEREAS, the City of South Bend, Indiana's (the "City") Board of Public Works ("the Board") exists pursuant to Indiana Code Section 36-4-9-5, as amended from time to time (the "Act"); and

WHEREAS, the City, pursuant to that certain Real Property Transfer Agreement by and between the City and Affordable HomeMatters Indiana LLC (the "Buyer"), dated June 25, 2024 (the "Agreement") conveyed to the Buyer certain real property, including the parcels described in attached Exhibit 1 (the "Property") by the special warranty deed recorded on October 10, 2024 as Document No. 2024-23970 in the Office of the Recorder of St. Joseph County, Indiana; and

WHEREAS, Section 7 of the Agreement established certain obligations of the Buyer following its acceptance of the Deed from the City (the "Buyer's Post-Closing Development Obligations"); and

WHEREAS, the Property conveyed pursuant to the Agreement consists of multiple parcels, some of which have satisfied the Buyer's Post-Closing Development Obligations and others of which have not; and

WHEREAS, the City hereby acknowledges and affirms that the Buyer has performed all of the Buyer's Post-Closing Development Obligations that are applicable to the parcels described in Exhibit 1 and has provided satisfactory evidence of the same; and

WHEREAS, the proposed form of Certificate of Completion applies only to the parcels described in Exhibit 1 and does not release any obligations or reversionary interests applicable to any other parcels conveyed pursuant to the Agreement; and

WHEREAS, in order to release the City's reversionary interest in the parcels described in Exhibit 1, the City must issue and record a Certificate of Completion as a conclusive determination of the Buyer's satisfaction of the Buyer's Post-Closing Development Obligations with respect to such parcels; and

WHEREAS, the form of the proposed Certificate of Completion has been presented to the Board at this public meeting and is attached hereto as Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, AS FOLLOWS:

SECTION 1. The Board hereby approves the form of Certificate of Completion attached as Exhibit 1, substantially in the form presented at this meeting, with such non-material modifications as may be approved by legal counsel for the City prior to execution and recording.

SECTION 2. This Resolution shall take effect, and be in full force and effect, upon passage and approval by the Board, in conformance with applicable law.

ADOPTED at a meeting of the Board of Public Works of the City of South Bend, Indiana held in person and electronically on August 11, 2026.

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

Elizabeth A. Maradik, President

Murray L. Miller

Murray L. Miller, Member

Abigail E. Magas, P.E.

Abigail E. Magas, Member

JRM

Joseph R. Molnar, Vice President

Breana N. Micou

Breana N. Micou, Member

Hillary R. Horvath

Attest: Hillary R. Horvath, Clerk

Date: August 11, 2026

EXHIBIT 1

Form of Certificate of Completion

CROSS REFERENCE:

Document No.2024-23970, recorded October 10, 2024

CERTIFICATE OF COMPLETION

This Certificate of Completion (this "Certificate") is issued on August 11, 2026, by the City of South Bend, Indiana, by and through its Board of Public Works (the "City"), pursuant to that certain Real Property Transfer Agreement by and between the City and Affordable HomeMatters Indiana LLC (the "Buyer"), dated June 25, 2024 (the "Agreement").

The City states as follows:

1. Pursuant to the Agreement, the City conveyed to the Buyer certain real property, including that which is described in attached Exhibit 1 (the "Property") by the special warranty deed recorded on October 10, 2024 as Document No. 2024-23970 in the Office of the Recorder of St. Joseph County, Indiana (the "Deed").

2. Section 7 of the Agreement established certain obligations of the Buyer following its acceptance of the Deed from the City (the "Buyer's Post-Closing Development Obligations"). The City hereby acknowledges and affirms that the Buyer has performed all of the Buyer's Post-Closing Development Obligations that are applicable to the Property described in Exhibit 1 and has provided satisfactory evidence of the same.

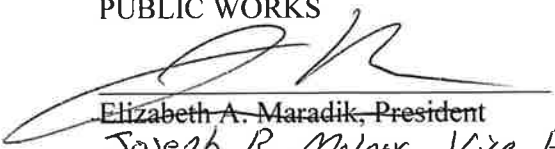
3. This Certificate will serve as a conclusive determination of the Buyer's satisfaction of the Buyer's Post-Closing Development Obligations and, upon recordation, will constitute a full release of the City's reversionary interest in the Property established under the Deed and Section 7 of the Agreement.

4. This Certificate solely applies to the Property described in Exhibit 1 attached hereto. The City's release of its reversionary interest is limited to the Property and shall not apply to any other real property conveyed pursuant to the Agreement. All reversionary interests and other rights of the City relating to such other real property shall remain in full force and effect.

5. This Certificate does not amend or otherwise alter the Agreement, and this Certificate shall be binding upon the City and its successors and assigns and shall inure to the benefit of the Buyer and her successors in interest.

[Signature page follows.]

CITY OF SOUTH BEND, INDIANA BOARD OF
PUBLIC WORKS


Elizabeth A. Maradik, President

Joseph R. Molnar, Vice President

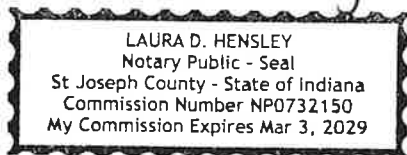
ATTEST:


Hillary Horvath, Clerk

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

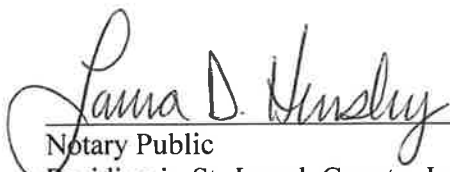
Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared ~~Elizabeth Maradik~~ ^{Joseph R. Molnar} and Hillary Horvath, known to me to be the President and Clerk, respectively, of the City of South Bend, Indiana, Board of Public Works and acknowledged the execution of the foregoing Certificate of Completion.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the 11th day of August 2020



My Commission Expires:

March 3, 2029


Laura D. Hensley
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. /s/ Danielle Campbell Weiss

This instrument was prepared by Danielle Campbell Weiss, Senior Assistant City Attorney, 215 S. Dr. Martin Luther King Jr., Blvd., Suite 600, South Bend, Indiana 46601.

EXHIBIT 1

Description of Property

Parcel I

Tax ID No. 018-1032-1392

Parcel Key Number: 71-08-02-380-001.000-026

Legal Description: Lot 21 Birner Place Add

Commonly known as: 516 Blaine

Parcel II

Tax ID No. 018-1035-1519

Parcel Key Number: 71-08-02-378-017.000-026

Legal Description: Lot 34 Ex 38.2'E End J N Lederers Add

Commonly known as: 528 Blaine

Parcel III

Tax ID No. 018-1036-1579

Parcel Key Number: 71-08-02-377-031.000-026

Legal Description: Lot 11 Klingels Mich Ave Add Sub of D

Commonly known as: 529 Blaine

Parcel IV

Tax ID No. 018-1036-1578

Parcel Key Number: 71-08-02-377-030.000-026

Legal Description: Lot 10 Klingels Mich Ave Add Sub Of D & F

Commonly known as: 533 Blaine

Parcel V

Tax ID No. 018-1035-1517

Parcel Key Number: 71-08-02-378-015.000-026

Legal Description: Lot 32 Lederers Add

Commonly known as: 536 Blaine

Parcel VI

Tax ID No. 018-1035-1515

Parcel Key Number: 71-08-02-378-013.000-026

Legal Description: Lot 30 J N Lederers Add

Commonly known as: 602 Blaine

Parcel VII

Tax ID No. 018-1035-1513

Parcel Key Number: 71-08-02-378-011.000-026

Legal Description: Lot A Lederer's Sub of Outlot A-First LLA 27/28 LLA #845 4/16/2026

Commonly known as: 606 Blaine

Parcel VIII

Tax ID No. 018-1036-1571

Parcel Key Number: 71-08-02-377-027.000-026

Legal Description: Lot 7 Klingels Mich Ave Add Sub Of D & F

Commonly known as: 607 Blaine

Parcel IX

Tax ID No. 018-1035-1511

Parcel Key Number: 71-08-02-378-009.000-026

Legal Description: Lot 27 J N Lederers Add

Commonly known as: 614 Blaine

Parcel X

Tax ID No. 018-1032-1410

Parcel Key Number: 71-08-02-380-016.000-026

Legal Description: Lot 33 Birner Place Add

Commonly known as: 1109 Birner

Parcel XI

Tax ID No. 018-1033-1438

Parcel Key Number: 71-08-02-381-006.000-026

Legal Description: Lot 48 Birner Place Add

Commonly known as: 1110 Birner

Parcel XII

Tax ID No. 018-1032-1409

Parcel Key Number: 71-08-02-380-015.000-026

Legal Description: 1113 Birner

Commonly known as: Lot 34 Birner Place Add

Parcel XIII

Tax ID No. 018-1033-1436

Parcel Key Number: 71-08-02-381-004.000-026

Legal Description: Lot 46 Birner Pl Add

Commonly known as: 1118 Birner

Parcel XIV

Tax ID No. 018-1032-1406

Parcel Key Number: 71-08-02-380-012.000-026

Legal Description: Lot 38 Birner Place Add

Commonly known as: 1125 Birner

Parcel XV

Tax ID No. 018-1036-1565

Parcel Key Number: 71-08-02-377-005.000-026

Legal Description: Lot 5 Klingels Mich Ave Add Sub Of D & F

Commonly known as: 1130 Lincoln Way W

Parcel XVI

Tax ID No. 018-1032-1394

Parcel Key Number: 71-08-02-380-003.000-026

Legal Description: Lot 23 Birner Place Add

Commonly known as: 1132 Harvey

Parcel XVII

Tax ID No. 018-1032-138201

Parcel Key Number: 71-08-02-378-028.000-026

Legal Description: Lot B Birner Place Add First Lot Line Adj 27/28 LLA #844 4/16/2026

Commonly known as: 1133 Harvey

Parcel XVIII

Tax ID No. 018-1032-1393

Parcel Key Number: 71-08-02-380-002.000-026

Legal Description: Lot 22 Birner Place Add

Commonly known as: 1134 Harvey

Parcel XIX

Tax ID No. 018-1032-1381

Parcel Key Number: 71-08-02-378-027.000-026

Legal Description: Lot A Birner Place Add First Lot Line Adj 27/28 LLA #844 4/16/2026

Commonly known as: 1135 Harvey

**BOARD OF PUBLIC WORKS
AGENDA ITEM REVIEW REQUEST FORM**

Date	8/3/2026		
Name	Erin Michaels	Department	DCI
BPW Date	8/11/2026	Phone Extension	5931

Review and Approval Required Prior to Submittal to Board

Diversity Compliance and Inclusion Officer	☐	Officer Name	_____
BPW Attorney	☐	Attorney Name	_____
Dept. Attorney	☒	Attorney Name	Danielle Campbell Weiss
Purchasing	☐	_____	

Check the Appropriate Item Type – Required for All Submissions

☐ Professional Services Agreement	☐ Contract	☐ Proposal
☐ Open Market Contract	☐ Amendment/Addendum	☐ Special Purchase, QPA
☐ Bid Opening	☐ Bid Award	☐ Req. to Advertise ☐ Title Sheet
☐ Quote Opening	☐ Quote Award	☐ Reject Bids/Quotes
☐ Proposal Opening	☐ C/O & PCA No. _____	☐ PCA
☐ Chg. Order, No. _____	☐ Traffic Control	☒ Resolution
☐ Other: Temporary License Agreement		☐ Ease./Encroach

Required Information

Company or Vendor Name	Affordable HomeMatters Indiana LLC
New Vendor	☐ Yes ☐ If Yes, Approved by Purchasing
	☐ No
MBE/WBE Contractor	☐ MBE ☐ WBE
	Completed E-Verify Form Attached ☐ Yes ☐ No
Project Name	Resolution Approving Certificate of Completion for Affordable HomeMatters Indiana LLC
Project Number	_____
Funding Source	_____
Account No.	_____
Amount	_____
Terms of Contract	_____
Purpose/Description	Resolution approving form of Certificate of Completion for 19 completed homes per the Real Property Transfer Agreement between BPW and Affordable HomeMatters dated June 25, 2024

For Change Orders Only

Amount of	☐	Increase	\$ _____
	☐	Decrease	(\$ _____)
Previous Amount			\$ _____
		Increase	_____ %
Current Percent of Change:		Decrease	(_____ %)
New Amount			\$ _____
		Increase	_____ %
Total Percent of Change:		Decrease	(_____ %)
Time Extension Amount:			_____