

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

TO: Board of Public Works

FROM: Daniel Jones, Senior Engineer

SUBJECT: Deed of Dedication- Portion of 2514 Flat Creek Dr

DATE: August 11, 2026

Attached is an Deed of Dedication for a section of 2514 Flat Creek Dr for public right of way. This area is currently private property, but it is being used as a partially paved cul-de-sac. The resident would like this area to be fully paved for proper drainage and driveway connections. See aerial picture below of existing ROW layout.

It is requested the Board of Public Works approve the Deed of Dedication for a portion of the parcel at 2514 Flat Creek Dr.

Thank you for your consideration of this request.



DEED OF DEDICATION OF
RIGHT OF WAY

THIS INDENTURE, made and entered into this 30 day of JUNE 2026, by and between Paul and Kimberly Chimienti, (collectively the "Grantor"), and the City of South Bend, Indiana, acting through its Board of Public Works ("Grantee").

WHEREAS, the Grantor is the owner of certain real estate at owners of property located at 2514 Flat Creek Drive, South Bend, Indiana 46628 located in St. Joseph County, Indiana,

WHEREAS, the Grantor desires to partition a portion of its property more particularly described and depicted in *Exhibit A* attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Grantor desires to dedicate the Property as public right-of-way.

WITNESSETH: for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby GRANTS, CONVEYS, and DEDICATES the Property to the Grantee, the following described property as public right-of-way:

A PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT # 25 OF THE PLAT OF "THE OAKS" SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 0542923 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE; THENCE S. 60°04'54" E., ALONG THE NORTH LINE OF SAID LOT AND THE SOUTHERLY RIGHT-OF-WAY LINE OF FLAT CREEK DRIVE, A DISTANCE OF 80.44 FEET (REC. N. 59°31'08" W., 80.41 FEET); THENCE AROUND A 49.85 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 80.59 FEET TO THE END OF A CHORD WHICH BEARS N. 74°24'46" W., AND HAVING A LENGTH OF 72.10 FEET TO A POINT ON THE WEST LINE OF SAID LOT; THENCE N. 00°29'26" W., (REC. N. 00°04'20" E., ALONG THE WEST LINE OF SAID LOT, A DISTANCE 20.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.03 ACRES MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

The Grantor further warrants that it is the sole owner of the Property and has the authority to dedicate it for public use as described herein.

IN WITNESS WHEREOF, the Grantor has signed this Deed of Dedication on this

30 day of JUNE 2026.

Paul J. A.
Kimberly Chimienti

Michigan
STATE OF ~~INDIANA~~)
COUNTY OF Berrien) SS

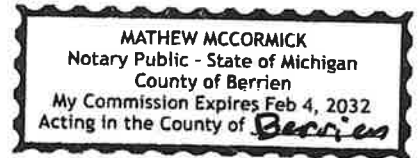
Before me, a Notary Public in and for said County and State, personally appeared, Paul J. Kimberley Chimienti, and acknowledged the execution of the foregoing Deed of Dedication for and behalf of Grantor, and who having been duly sworn, stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 30th day of June, 2026.

Mathew McCormick, Notary Public
Residing in St. Joseph County, Indiana
Berrien County, MI

My Commission Expires:

2-4-2032



I affirm under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Michael J. Schmidt

Prepared by Michael J. Schmidt, Assistant City Attorney, 215 S. Dr. Martin Luther King Jr. Blvd., Ste. 600, South Bend, IN 46601.

ACCEPTANCE

This Deed of Dedication of the Property described in Exhibit A, to be used as public right-of-way by the City of South Bend is hereby accepted this 11th day of August 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 A
Plat/Depiction of Property to Become Right of Way

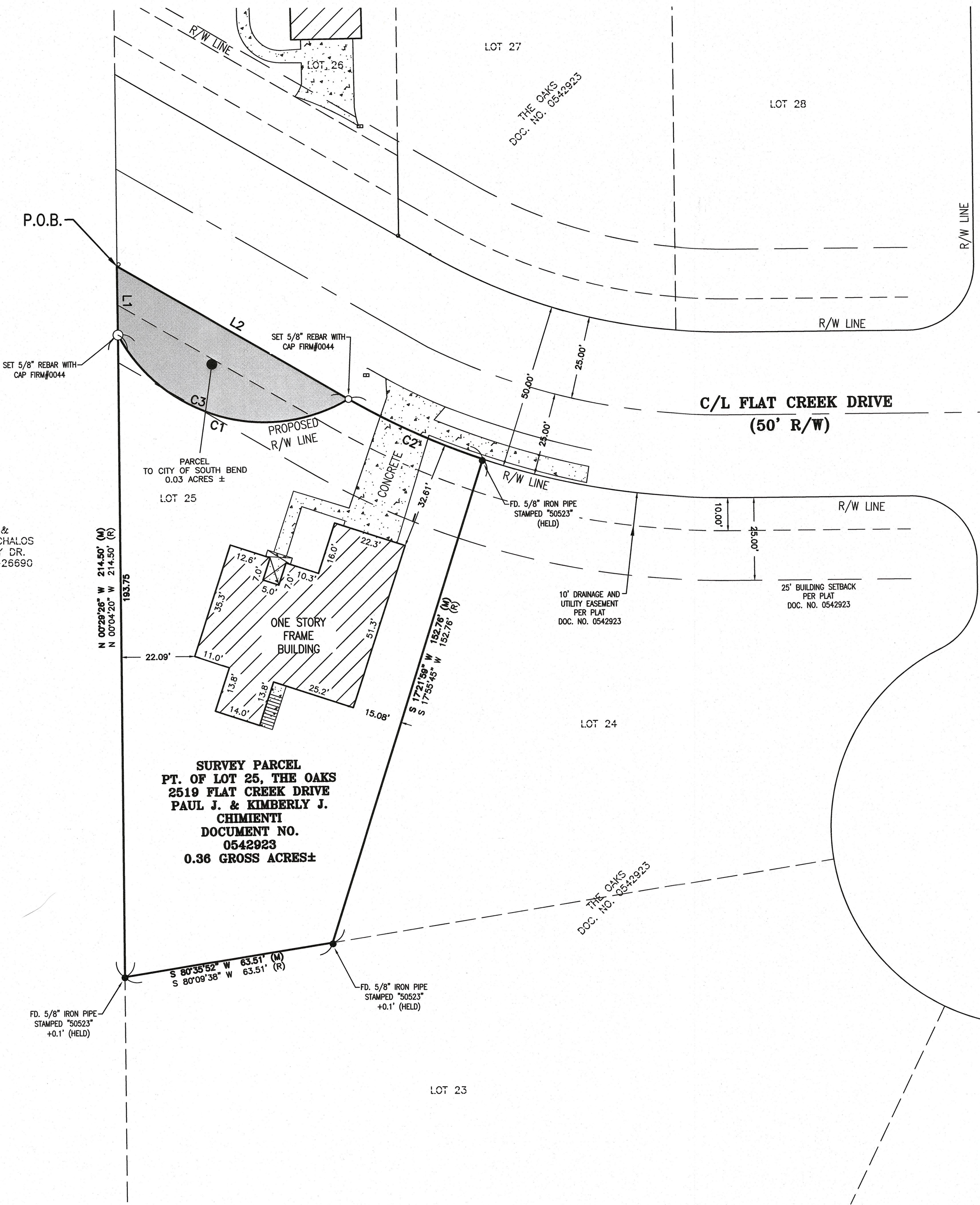
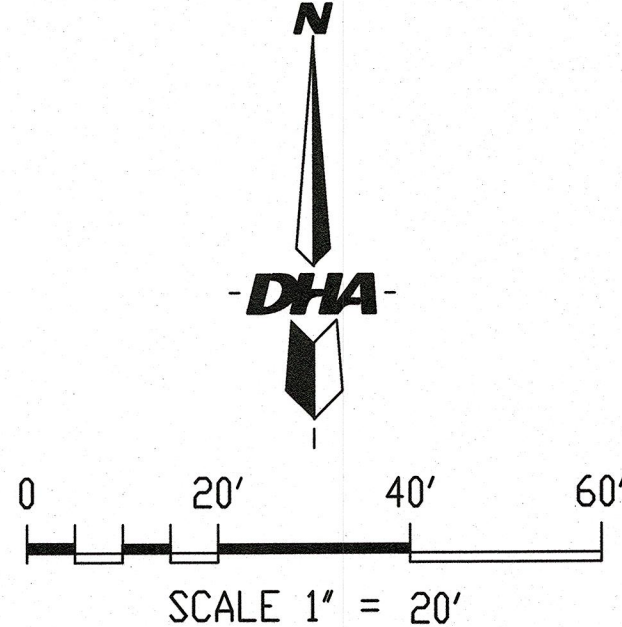
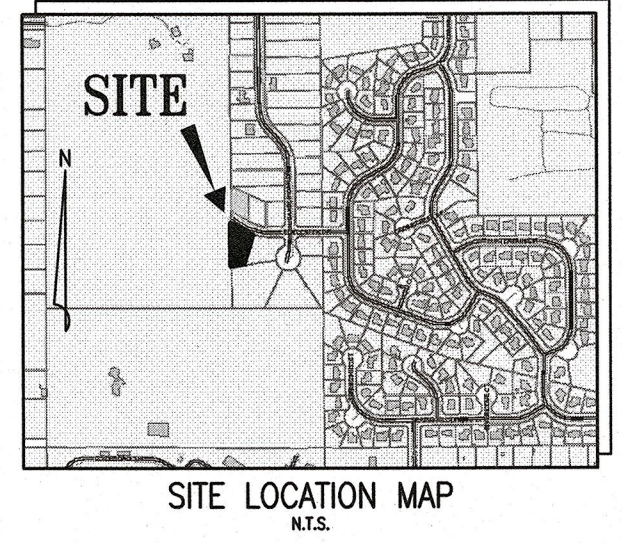
A PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT # 25 OF THE PLAT OF "THE OAKS" SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 0542923 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE; THENCE S. 60°04'54" E., ALONG THE NORTH LINE OF SAID LOT AND THE SOUTHERLY RIGHT-OF-WAY LINE OF FLAT CREEK DRIVE, A DISTANCE OF 80.44 FEET (REC. N. 59°31'08" W., 80.41 FEET); THENCE AROUND A 49.85 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 80.59 FEET TO THE END OF A CHORD WHICH BEARS N. 74°24'46" W., AND HAVING A LENGTH OF 72.10 FEET TO A POINT ON THE WEST LINE OF SAID LOT; THENCE N. 00°29'26" W., (REC. N. 00°04'20" E., ALONG THE WEST LINE OF SAID LOT, A DISTANCE 20.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.03 ACRES MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEY PREPARED FOR: DANIEL JONES; CITY OF SOUTH BEND
SURVEY DATED: 03/04/26
FILE #: 250265.2B

PLAT OF SURVEY
PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 2 EAST,
CITY OF SOUTH BEND, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.



LEGAL DESCRIPTIONS
LEGAL DESCRIPTION FOR CHIMENTI'S PROPERTY:
A PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS: LOT # 25 OF THE PLAT OF "THE OAKS" SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 0542923 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE. CONTAINING 0.36 ACRES MORE OR LESS. SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.
RIGHT-OF-WAY LEGAL DESCRIPTION FROM CHIMENTI'S TO CITY:
A PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT # 25 OF THE PLAT OF "THE OAKS" SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 0542923 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE; THENCE S. 80°04'54" E., ALONG THE NORTH LINE OF SAID LOT AND THE SOUTHERLY RIGHT-OF-WAY LINE OF FLAT CREEK DRIVE, A DISTANCE OF 80.44 FEET (REC. N. 59°31'08" W., 80.41 FEET); THENCE AROUND A 49.85 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 80.59 FEET TO THE END OF A CHORD WHICH BEARS N. 74°24'46" W., AND HAVING A LENGTH OF 72.10 FEET TO A POINT ON THE WEST LINE OF SAID LOT; THENCE N. 00°29'26" W., (REC. N. 00°04'20" E., ALONG THE WEST LINE OF SAID LOT, A DISTANCE 20.75 FEET TO THE POINT OF BEGINNING. CONTAINING 0.03 ACRES MORE OR LESS. SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

EXISTING LEGEND		
△ SET MAG NAIL	● FOUND IRON	○ SET FLUSH, 5/8"
▲ FOUND MAG NAIL	(M) MEASURED DISTANCE	○ CAPPED REBAR
	(R) RECORD DISTANCE	IN. REG. F-5044
		MI. REG. #22438
● PINE TREE	⊕ GAS METER	⊕ WATER MANHOLE
● TREE	⊕ GAS VALVE	⊕ WATER METER
● BUSH/TREE ROW	⊕ FIBER OPTIC MANHOLE	⊕ WATER VALVE
● IRR. VLV.	⊕ TINTIC MANHOLE	⊕ PHONE VAULT
● BOLLARD/POLE	⊕ ELEC. VAULT	⊕ PHONE PED.
● LIGHT POLE	⊕ ELEC. TRANSFORMER	⊕ PHONE MANHOLE
● UTILITY POLE	⊕ ELEC. MANHOLE	⊕ CABLE PED.
● GUY ANCHOR	⊕ ELEC. METER	⊕ MAILBOX
● SIGN	⊕ ELEC. PED.	⊕ A/C UNIT
● WELL	⊕ SPOT ELEVATION	
● SOIL BORING	⊕ EX. ELEVATION	
● FIRE HYDRANT	⊕ WIRE FENCE	
● CURB INLET	⊕ CHAIN LINK FENCE	
● DRYWELL/CATCH BASIN	⊕ WOOD/VINYL FENCE	
● SANITARY MANHOLE	⊕ DNE	⊕ ELECTRIC
● STORM MANHOLE	⊕ UGE	⊕ UT
● CLEAN-OUT	⊕ UT	⊕ PHONE
● END SECTION	⊕ UT	⊕ GAS
	⊕ CTV	⊕ CABLE TV
	⊕ CTV	⊕ WATER
	⊕ FD	⊕ FIBER OPTIC
	⊕ FD	⊕ STORM LINE
	⊕ FD	⊕ SANITARY LINE

GENERAL SURVEY DISCLAIMER NOTES:
THE INFORMATION SHOWN ON THIS DRAWING IS INTENDED FOR THE CLIENT ONLY. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.
ANY UTILITY OR EASEMENT LOCATIONS, IF SHOWN, ARE APPROXIMATE. THE CLIENT MUST FIELD VERIFY UTILITY LOCATIONS WITH THE RESPECTIVE UTILITY COMPANY. THIS LAND SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE LOCATION OR SIZE OF EXISTING UTILITIES OR THE EXISTENCE OR NONEXISTENCE OF ADDITIONAL UNDERGROUND UTILITIES OR STRUCTURES.
NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING, ZONING AND SUBDIVISION ORDINANCES.
UNLESS SPECIFICALLY SHOWN HEREON, THIS SURVEY DOES NOT PURPORT TO INDICATE THE PRESENCE OR ABSENCE OF WETLANDS AND HAZARDOUS OR ENVIRONMENTALLY INJURIOUS MATERIALS. THE SURVEYOR EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR THE SAME.
ANY INFORMATION ON THIS DRAWING IS NOT INTENDED TO BE SUITABLE FOR REUSE BY ANY PERSON, FIRM OR CORPORATION OR ANY OTHERS ON EXTENSION OF THIS PROJECT OR FOR ANY USE ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADOPTION BY THE ENGINEER, ARCHITECT OR SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE ENGINEER, ARCHITECT OR SURVEYOR.
ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN.

LINE TABLE:		
LINE	BEARING	DISTANCE
L1	N 00°45'21" W	20.75'
L2	S 60°04'54" E	80.44'

CURVE TABLE:					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	49.85'	80.59'	72.10'	S 74°24'46" E	92°36'32"
C2	224.70'	44.38'	44.31'	S 65°44'05" E	11°19'02"
C3	49.85'	80.59'	72.10'	N 74°24'46" W	92°37'31"



SURVEYORS CERTIFICATION:
TO: PAUL J & KIMBERLY CHIMENTI
I, R.L. HARNER, AM A REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA AND HEREBY CERTIFY: THAT I HAVE SURVEYED THE LANDS HEREON DESCRIBED AND DELINEATED, AND THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF RULE 12 OF "MINIMUM STANDARDS FOR COMPETENT PRACTICES OF LAND SURVEYING" AND AS PRESCRIBED BY INDIANA ADMINISTRATIVE CODE 865, 1.1-12.
R.L. HARNER, R.L.S. #910032 DATE: 3/13/2026

"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."

RON L. HARNER.

DATE 03/13/26	DRAWN BY: MJP	R E V I S I O N S			
SCALE 1"= 20'	CHECKED BY: MJD	DATE	BY		
FILE # 250265.2B	PROJ. MANGR: MJD				

Danah, Harner & Associates, Inc.
Land Surveyors • Professional Engineers
Landscape Architects • Land Planners
Office: (574) 324-4003 / (800) 964-4003 • Fax: (574) 324-1119
1643 Commerce Drive • South Bend, IN 46626

DHA

SHEET 1 OF 1

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

Date: July 30, 2026
Name: Dan Jones Department of Public Works – Engineering Division
BPW Date: August 11, 2026 Phone Extension: 9245

Required Prior to Submittal to Board

BPW Attorney ☒ Attorney Name _____

Dept. Attorney ☐ Attorney Name _____

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: <u>Deed of Dedication of Right of Way</u> | | ☐ Ease./Encroach |

Required Information

Company or Vendor Name _____

New Vendor ☐ Yes ☐ If Yes, Approved by Purchasing

☐ No

MBE/WBE Contractor

☐ MBE

☐ WBE

Completed E-Verify Form Attached

☐ Yes

☐ No

Project Name _____

Flat Creek Dr ROW Dedication

Project Number _____

125-069

Funding Source _____

Account No. _____

Amount _____

Terms of Contract _____

Purpose/Description _____

Deed of Dedication of a portion of a parcel at **2514 Flat Creek Dr** for public right of way.

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: _____

New Completion Date: _____