

**CITY OF ELKHART**  
**BOARD OF PUBLIC WORKS MEETING**  
**AGENDA**

**Common Council Chambers**

**9:00 A.M., Tuesday, September 17, 2024**

<https://signin.webex.com/join>

Meeting Number (access code): 2307 057 7334 Meeting password: BOW24

Join by phone: 1-415-655-0001

**I. Roll Call**

**II. Approve Agenda**

**III. Open Quotes & Bids**

- Quote #24-27 Tree Removal Central
- Bid #24-17 State Road 19 Access Management Phase 1 Permanent Plan
- Bid #24-18 Hively Ave. Overpass Demolition Contract #5
- Bid #24-19 Hively Ave. Overpass Demolition Contract #6
- Bid #24-20 Bristol Street Reconstruction- Clearing Right-of-Way

**IV. Claims & Allowance Docket**

**V. Minutes Regular Meeting September 3, 2024**

**VI. Utilities**

- a.) Administration
  - Water MRO for August 2024
- b.) Regulatory Compliance
  - BOW Resolution 24-R-29 for the Sale of 28864 W CR 16

**VII. Engineering**

- a.) Administration
  - Change Order #1 Hively Ave. Demolition Contract #4 Bid #24-08
  - Request Quote #24-28 Wolf Ave. Drainage Improvements
  - Request Quote #24-29 Bypass Road Drainage Improvements
  - Driveway Width Variance- 4019 Timber Court
- b.) Utility
  - Change Order #7 for Bid #21-13 Elkhart WWTP Capacity Upgrades Phase II- QA7634 (Tabled)
  - Ratify Partial Payment SRF#15 to C&E Excavating: Oakland Ave. Forcemain Phase A SA 7878
  - Ratify Partial Payment SRF #72 to Donohue & Associates, Inc.: Elkhart WWTP Capacity Upgrades Phase 2 QA 7634

**VIII. New Business**

- Board of Works Resolution 24-R-26 Accepting the Transfer of Real Property from the City of Elkhart Redevelopment Commission

- Board of Works Resolution 24-R-28 Transfer of 17 Tax Sale Parcels to the Department of Redevelopment
- Award Quote #24-27 Tree Removal Central
- 111 Lexington Permission to Move the Court to Appoint Receiver

**IX.**

**Use & Event Permits**

- EHS Homecoming Parade 10/11- Temporary Street Closure, Parade & Public Assembly, EPD, ESS, EMS, Special Exception from Noise
- Modrell Homeowners Block Party 9/21- Temporary Street Closure, Special Exception from Noise
- Soto Birthday Party 10/12- Temporary Street Closure, Special Exception from Noise
- Ugly Sweater 5k & Stroll 12/7- ESS, EMS, Golf Cart, EPD, Temporary Street Closures, Parade & Public Assembly, Special Exception from Noise
- March for Jesus & Prayer Gathering 9/29- Parade & Public Assembly, Special Exception from Noise, EPD, Central Green Park

**X.**

**Public Participation**

**XI.**

**Adjournment**



## FORESTRY

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### MEMORANDUM

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**Date:** 17SEP2024  
**To:** Board of Public Works  
**From:** Chip Tallman, City Forester  
**Re:** Awarding of Quote #24-27 Contract Removal Central

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CONTRACTOR	QUOTE TOTAL
Chapmans Tree Care	
K C Tree Service	
Williams A-1 Tree Service	
Hartwood Tree Care	
Cut-Rite Tree Services	

After reviewing the quotes for Contract Removal Central, the Forestry Division of Public Buildings & Grounds recommends that the Board of Public Works grants a contract to:

\_\_\_\_\_ and requests that they authorize such to be administered and monitored by the City Forester.

Funding for this project will come from Buildings & Grounds under contract services.

TO BE AWARDED AT A FUTURE MEETING (OCTOBER 1, 2024).



**MEMORANDUM**

**DATE:** October 1, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JDS*

**RE:** Award Bid #24-17, State Road 19 Access Management – Permanent Plan – Phase 1

At the September 17, 2024, Board of Public Works meeting, bids were opened for Bid #24-17, State Road 19 Access Management – Permanent Plan – Phase 1. The results are as follows:

Contractor	Bid

The project is funded by an appropriation from the Redevelopment Commission for this project.

The action requested by the Board of Public Works is as follows:

**Award Bid #24-17, State Road 19 Access Management – Permanent Plan – Phase 1, to**  
 \_\_\_\_\_, **who submitted the lowest responsive bid, with a**  
**contract price in the amount of \$**\_\_\_\_\_.



TO BE AWARDED AT A FUTURE MEETING (OCTOBER 1, 2024).



**MEMORANDUM**

**DATE:** October 1, 2024  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering *JJS*  
**RE:** Award Bid #24-18, Hively Avenue Overpass – Demolition Contract #5

At the September 17, 2024, Board of Public Works meeting, bids were opened for Bid #24-18, Hively Avenue Overpass – Demolition Contract #5. The results are as follows:

Contractor	Bid

The project is funded by an appropriation from the Common Council for the Hively Avenue Overpass Project. This expenditure will be credited to the City as part of the City’s financial contribution to the project.

The action requested by the Board of Public Works is as follows:

**Award Bid #24-18, Hively Avenue Overpass – Demolition Contract #5, to \_\_\_\_\_, who submitted the lowest responsive bid, with a contract price in the amount of \$ \_\_\_\_\_.**

TO BE AWARDED AT A FUTURE MEETING (OCTOBER 1, 2024).



**MEMORANDUM**

**DATE:** October 1, 2024  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering *JSS*  
**RE:** Award Bid #24-19, Hively Avenue Overpass – Demolition Contract #6

At the September 17, 2024, Board of Public Works meeting, bids were opened for Bid #24-19, Hively Avenue Overpass – Demolition Contract #6. The results are as follows:

Contractor	Bid

The project is funded by an appropriation from the Common Council for the Hively Avenue Overpass Project. This expenditure will be credited to the City as part of the City’s financial contribution to the project.

The action requested by the Board of Public Works is as follows:

**Award Bid #24-19, Hively Avenue Overpass – Demolition Contract #6, to \_\_\_\_\_, who submitted the lowest responsive bid, with a contract price in the amount of \$\_\_\_\_\_.**

TO BE AWARDED AT A FUTURE MEETING (OCTOBER 1, 2024).



**MEMORANDUM**

**DATE:** October 1, 2024  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering *JJS*  
**RE:** Award Bid #24-20, Bristol Street Widening Project - Clearing

At the September 17, 2024, Board of Public Works meeting, bids were opened for Bid #24-20, Bristol Street Widening Project - Clearing. The results are as follows:

Contractor	Bid

The project is funded by an appropriation from the Common Council for the Bristol Street Widening Project. This expenditure will be credited to the City as part of the City’s financial contribution to the project.

The action requested by the Board of Public Works is as follows:

**Award Bid #24-20, Bristol Street Widening Project - Clearing, to \_\_\_\_\_,**  
**who submitted the lowest responsive bid, with a contract price in the amount of**  
**\$\_\_\_\_\_.**

**Board of Public Works**  
**CLAIM AND ALLOWANCE DOCKET**

I HEREBY CERTIFY THAT EACH OF THE ABOVE LISTED VOUCHERS AND INVOICES OR BILLS ATTACHED THERETO ARE TRUE AND CORRECT AND I HAVE AUDITED SAME IN ACCORDANCE WITH IC 5-11-10-1.6. I ALSO HEREBY CERTIFY THAT THESE VOUCHERS AND INVOICES REPRESENT GOODS AND/OR SERVICES THAT ARE FOR THE BENEFIT OF THE CITY OF ELKHART AND THAT APPROPRIATIONS FOR THESE EXPENDITURES HAVE BEEN DULY MADE OR OTHERWISE AUTHORIZED BY THE CITY COUNCIL AND OTHER APPROPRIATE AUTHORITY.

September 11

,2024



JAIME ARCE - CITY CONTROLLER

IN RELIANCE ON THE ABOVE CERTIFICATION, CLAIMS IN THE TOTAL AMOUNT OF **\$6,492,694.07** AS LISTED ON THE REGISTER ATTACHED HERETO **CONSISTING OF 29 PAGES**, ARE HEREBY APPROVED EXCLUDING ANY CLAIMS WITHHELD AS SHOWN ON THE SEPARATE SUMMARY OF PENDING CLAIMS.

**EXECUTED THIS 17TH DAY OF SEPTEMBER 2024 BY:**

PRESIDENT

\_\_\_\_\_  
MICHAEL C. MACHLAN

VICE PRESIDENT

\_\_\_\_\_  
JAMIE ARCE

MEMBER

\_\_\_\_\_  
RON DAVIS

MEMBER

\_\_\_\_\_  
ROSE RIVERA

MEMBER

\_\_\_\_\_  
ANDY JONES

**ORIGINAL COPY MUST BE RETAINED IN THE CONTROLLER'S OFFICE**



# Board of Public Works

Accounts Payable Summary  
9.17.24

**Individual Claims Over \$25,000 each:**

Fund	Vendor	Description	Amount
2226	JI CONTRACTING COMPANY, LLC	B23-1600 RPRAIRIE	\$ 28,000.00
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 424.92 tons for Riverview	\$ 28,682.19
7704	RELIANCE STANDARD LIFE INSURANCE CO	Life Premium - September	\$ 30,427.19
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt for Sunnyside- 460.75 tons	\$ 31,100.72
1101	DANIEL M WILLIAMS JR dba WILLIAMS A-1 EXPERT TI	16 trees removed by contract	\$ 33,400.00
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 500.51 tons for Homewood Ave	\$ 33,784.51
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 500.53 tons for Home Ave and Homewood	\$ 33,785.86
2201	PREMIUM CONCRETE SERVICES, INC.	SW corner of Lexington & West- sidewalk & curbs	\$ 39,200.00
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 600.37 tons for Wood- Simpson to Rivervie	\$ 40,525.08
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Ashalt- 623.36 tons for Parker	\$ 42,076.92
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 46,850.00
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 49,100.00
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 49,100.00
1101	MISHAWAKA-F, LLC	POLICE CID FORD EXPLORER INTERCEPTORS	\$ 49,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
1101	MISHAWAKA-F, LLC	POLICE FORD EXPLORER INTERCEPTORS	\$ 52,100.00
2201	RIETH-RILEY CONSTRUCTION CO, INC.	Asphalt- 878.09 tons for Joyce Ct/ Riverview	\$ 59,271.20
6201	BIO CHEM, INC	POLYMER	\$ 67,600.80
4436	PREMIUM CONCRETE SERVICES, INC.	2024 ADA FUNDED CURB RAMP REPLACEMENT	\$ 132,274.20
6203	FMG HOLDINGS LLC dba FOX FORD LLC	REPLACE 455	\$ 143,999.02
4436	BORDEN WASTE-AWAY SERVICE, INC.	09/24 TRASH SVCS	\$ 195,405.42
4450	PREMIUM CONCRETE SERVICES, INC.	Cassopolis St Improvements	\$ 309,184.92
7739	MCGOWAN & COMPANY, INC	2024 CITY GENERAL LIABILITY INSURANCE - 4TH PMT	\$ 325,404.05
1101	BLOOMINGTON FORD INC	2023 FORD EXPLORERS	\$ 484,907.50
Total Claims over \$25,000			\$ 1,822,247.11
Regular Claims under \$25,000:			\$ 1,149,166.82
<b>Total Regular Departmental Claims:</b>			<b>\$ 2,971,413.93</b>

**Pre-Approved Claims Over \$25,000 each: (a)**

6201	INDIANA MICHIGAN POWER COMPANY	04656645704 1201 S NAPPANEE ST LS44	\$ 38,478.34
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - PHARMACY	\$ 49,067.90
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 58,221.11
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 77,820.76
8806	INDIANA PUBLIC RETIREMENT SYSTEM-POLICE	INPRS- POLICE 8.30.2024 PAYROLL DATE	\$ 99,766.08
8806	INDIANA PUBLIC RETIREMENT SYSTEM-POLICE	INPRS - POLICE 8.16.2024 PAYROLL	\$ 100,556.10
8806	INDIANA PUBLIC RETIREMENT SYSTEM-POLICE	INPRS POLICE 8.02.2024 PAYROLL	\$ 101,346.12
8806	INDIANA PUBLIC RETIREMENT SYSTEM-FIRE	INPRS-FIRE 8.16.2024 PAYROLL DATE	\$ 106,513.65
8806	INDIANA PUBLIC RETIREMENT SYSTEM-FIRE	INPRS - FIRE 8.30.2024 PAYROLL DATE	\$ 106,513.65
8806	INDIANA PUBLIC RETIREMENT SYSTEM	INPRS - CIVIL CITY 8.30.2024 PAYROLL DATE	\$ 144,460.83
8806	INDIANA PUBLIC RETIREMENT SYSTEM	INPRS - CIVIL CITY 8.16.2024 PAYROLL	\$ 145,870.28
Total Pre-Approved over \$25,000:			\$ 503,358.41
Total Pre-Approved Claims under \$25,000:			\$ 657,610.76
<b>Total Pre-Approved Claims:</b>			<b>\$ 1,160,969.17</b>

**American Rescue Plan Claims:**

2474	MOTOROLA SOLUTIONS,INC.	Ambulance Purchase	\$ 5,406.00
2474	HEART CITY HEALTH CENTER INC	Elkhart Thrive Neighborhood Hub Initiative	\$ 8,076.92
<b>Total American Resuce Plan Claims:</b>			<b>\$ 13,482.92</b>

**UTILITY REFUNDS**

**\$ 341.46**

**Payroll and Pension Payments:**

Police & Fire Clothing Allowance	\$ 382,994.10	
Police & Fire Pension	\$ 1,963,492.49	
Bi-weekly Payroll	\$ 2,346,486.59	
<b>Total Payroll:</b>		<b>\$ 2,346,486.59</b>

**Total All Claims, Internal Payments, and Payroll: \$ 6,492,694.07**

*(a) Claims with rigid payment deadlines. As provided for in the Elkhart Municipal Code §33.415, certain payments may be made prior to review and approval by the Board of Public Works. Typically such payments include utility bills, credit card bills, central services, association dues, employer-paid benefits, training, and employee reimbursements. Unusual items in excess of \$25,000 are noted in detail.*

BOARD OF PUBLIC WORKS  
Tuesday, September 3, 2024

President Michael Machlan called a regular meeting of the Board of Public Works to order at 9:00 a.m., Tuesday, August 20, 2024. Clerk of the Board Nancy Wilson called the roll. Michael Machlan, Andy Jones, Rose Rivera, Jamie Arce, and Ronnie Davis attended in person. Mike noted the time was after 9:00 a.m. and no more quotes would be accepted.

1. Approve Agenda

A motion was made by Rose Rivera and seconded by Jamie Arce to approve the agenda. On motion by Rose Rivera, seconded by Ron Davis and carried 5-0, the agenda was amended by adding the R&R Quote approval to VII. Engineering, Permission to Solicit Proposals for 111 Lexington to VIII. New Business, and removing the Contract with Conway Entertainment from VIII. New Business. The amended agenda carried 5-0.

2. Open Quotes

Quote #24-26 Tree Removal Southwest

Two quotes were received. Cut-Rite Tree Services submitted a quote for \$38,832.00. Williams A-1 Tree Service submitted a quote for \$53,450.00. On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board referred the quote to the City Forrester to review and report back later in the meeting with an award if possible.

3. Claims & Allowance Docket

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the claims and allowance docket in the amount of \$8,561,288.64, consisting of 28 pages as prepared on August 28, 2024 at 11:24 a.m.

4. Minutes Regular Meeting August 20, 2024

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the minutes from the regular meeting on August 20, 2024.

5. Utilities

(A.) Administration

Wastewater Utility MRO for July 2024

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board accepted and placed on file the Wastewater Utility MRO for July 2024.

(B.) Water Quality

BOW Resolution 24-R-27 Appropriation

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved Board of Works Resolution 24-R-27, a Resolution of the Board of Public Works of the City of Elkhart, Indiana appropriating funds for the additional lab testing for PFAS Analysis in the amount of \$25,500.00.

(C.) Summary

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified the following permits:

Water Assessment: MB Construction, LLC

2809 A. Ferndale Rd

Elkhart, IN. 46517

Property: 30783 Cynthia Dr.

Paid in full, \$1337.40



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E.W. Marine Inc.  
115 Parkway Ave  
Elkhart, IN. 46514  
Property: 1115 Parkway Ave (Lot 15)  
Paid in Full, \$4843.80

Aurora Capital Management, LLC  
694 Nels Adams Rd  
Dickson, TN. 37055  
Property: 3214 Burr Oak  
Paid in Full, \$1227.00

McCollough Scholten Construction  
P.O. Box 2807  
Elkhart, IN. 46515  
Property: 1333 Beardsley Ave  
Paid in Full, \$2760.00

Maria I. Arroya  
922 Concord Ave  
Elkhart, IN. 46516  
Property: 922 Concord Ave  
Paid in Full, \$1213.20

Jon Brown  
24137 Roadster  
Elkhart, IN. 46516  
Property: 714 Markel  
Paid in full, \$1365.00

Sewer Assessment:

Aurora Capital Management, LLC  
694 Nels Adams Rd  
Dickson, TN. 37055  
Property: 3214 Burr Oak  
Paid in Full, \$5455.00

McCollough Scholten Construction  
P.O. Box 2807  
Elkhart, IN. 46515  
Property: 1333 W. Beardsley Ave  
Paid in Full, \$12,000.00

Jon Brown  
24137 Rodster  
Elkhart, IN. 46516

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Tuesday, September 3, 2024

Property: 714 Markel  
Paid in full, \$7300.00

Revocable Permit: #6584, Placed by: Mackiel Johnson  
Property: 613 Dr. Martin Luther King Dr.  
Permit Holder: (ER)  
Description: Close sidewalk on Wagner, both ends

Driveway Permit: #5140, Owner: JDBM, LLC  
Property: 1210 W. CR 6  
Contractor: J.A. Wagner Construction  
\$2000 Cash bond

#5138, Owner: Pat Johnson  
Property: 1235 Roman Ave  
Contractor: JL Denlinger Concrete  
\$600 Cash Bond

Release of Bond: #5140, J.A. Wagner Construction  
Property: 1210 W. CR 6  
\$2000.00 bond

#5138, Contractor: JL Denlinger Concrete  
Property: 1235 Romain Ave  
\$600.00 bond

6. Engineering  
(A.) Utility

Ratify Payment #32 to DLZ: Oakland Ave. Project B Storage Tank Design

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #32 of SRF loan WW22162005 in the amount of \$667,890.00 to DLZ Consulting from the allocated SRF loan for professional services on the Oakland Avenue Project B Storage Tank Design.

Ratify Payment #33 to DLZ: Oakland Ave. Project B Storage Tank Design

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #33 of SRF loan WW22162005 in the amount of \$143,102.00 to DLZ Consulting from the allocated SRF loan for professional services on the Oakland Avenue Project B Storage Tank Design.

Ratify Partial Payment #73 to Donohue & Associates: Elkhart WWTP Capacity Upgrades Phase 2 QA7634

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #73 of Loan WW18262004 in the amount of \$54,281.00 to Donohue & Associates, Inc. for professional services on the Elkhart WWTP Capacity Upgrades Phase 2 project.



BOARD OF PUBLIC WORKS  
Tuesday, September 3, 2024

BOW Resolution 24-R-25 Appropriation: Change Order #2 Oakland Avenue Project A

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved BOW Resolution 24-R-25, a Resolution of the Board of Public Works of the City of Elkhart, Indiana appropriating \$227,925.00 to Line #6203-5-999-7999999 Sewer Project Coordination for an unfunded change order.

Ratify Partial Payment #30 to American Structurepoint: Oakland Avenue Project C Harrison Street Design

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #30 of SRF loan WW22162005 in the amount of \$43,765.00 to American Structurepoint from the allocated SRF loan for professional services on the Oakland Avenue Project C Harrison Street Design.

Ratify Partial Payment #31 to American Structurepoint: Oakland Avenue Project C Harrison Street Design

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board ratified partial payment request SRF #31 of SRF loan WW22162005 in the amount of \$28,124.00 to American Structurepoint from the allocated SRF loan for professional services on the Oakland Avenue Project C Harrison Street Design.

R&R Quote Approval- Sewer Cleaning

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the quote with R&R Visual for an amount not to exceed \$7,200.00.

Change Order #7 for Bid #21-13 Elkhart WWTP Capacity Upgrades Phase II QA7634 (Tabled)

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, Change Order #7 for Bid #21-13 was added to the agenda as a tabled item. No further action was taken.

7. New Business

Request Quote #24-27 Tree Removal Central

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board granted permission to Quote #24-27 Tree Removal Central.

PSA with DLZ Indiana, LLC for City Hall HVAC Improvements

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved a Professional Services Agreement with DLZ Indiana, LLC for the City Hall HVAC Improvements in an amount not to exceed \$101,900.00.

Request Proposals/ Professional Services- HUD Five-Year Consolidated Plan

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board granted permission to solicit proposals for professional services for the HUD Five-Year Consolidated Plan Services.

Request to Purchase 2015 Newmar Bay Star RV for Mobile Response Unit

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved the purchase of a 2015 Newmar Bay-Star RV for the Fire Department Mobile Response Unit in an amount not to exceed \$12,000.00, and authorized Jamie Arce to sign on behalf of the Board.

Permission to Solicit Proposals and Qualifications Regarding 111 Lexington

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board approved for distribution the Request for Proposals and Qualifications for 111

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Lexington Avenue.

8. Award Quote #24-26 Tree Removal Southwest

On motion by Jamie Arce, seconded by Rose Rivera and carried 5-0, the Board awarded Quote #24-26 Tree Removal Southwest to Cut-Rite Tree Services who was the lowest responsible bidder with a price of \$38,832.00, and authorized the City Forrester Chip Tallman to sign the contract.

9. Public Participation

Neil Purtz, the Environmental Manager for JBS Prepared Foods updated the Board on the Administrative Order for the manhole project. JBS retained Surveys and Mapping here locally to be the Surveyor of the project itself. JBS received their bid, and a bid for the manhole itself, and JBS is looking to spend approximately \$200,000- \$225,000 for this manhole. There have been a lot of questions for that cost. JBS currently has the existing manhole with all of the flow meters and the flow-proportioning requirements needed for the Administrative Order. They have the ability to drive by and get the billing. Neil said direction has been given to me to appeal the Administrative Order, and he wanted to update the Board on that. Mike thanked him for the update, and directed him to Steve Brown to start with that. Mike thanked him for his efforts.

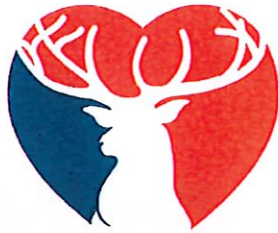
10. Adjournment

On motion by Jamie Arce, seconded by Ron Davis and carried 5-0, the Board of Works adjourned at 9:49 a.m.

\_\_\_\_\_ Jamie Arce, Vice-President

Attest: \_\_\_\_\_ Nancy Wilson, Clerk of the Board





**City of Elkhart**  
*Public Works and Utilities*

Memo To Board of Works  
Memo From Laura Kolo, Utility Services Manager *lk*  
Date Sep 06, 2024  
Subject Water Utility Monthly Report of Operations  
for the month of August, 2024

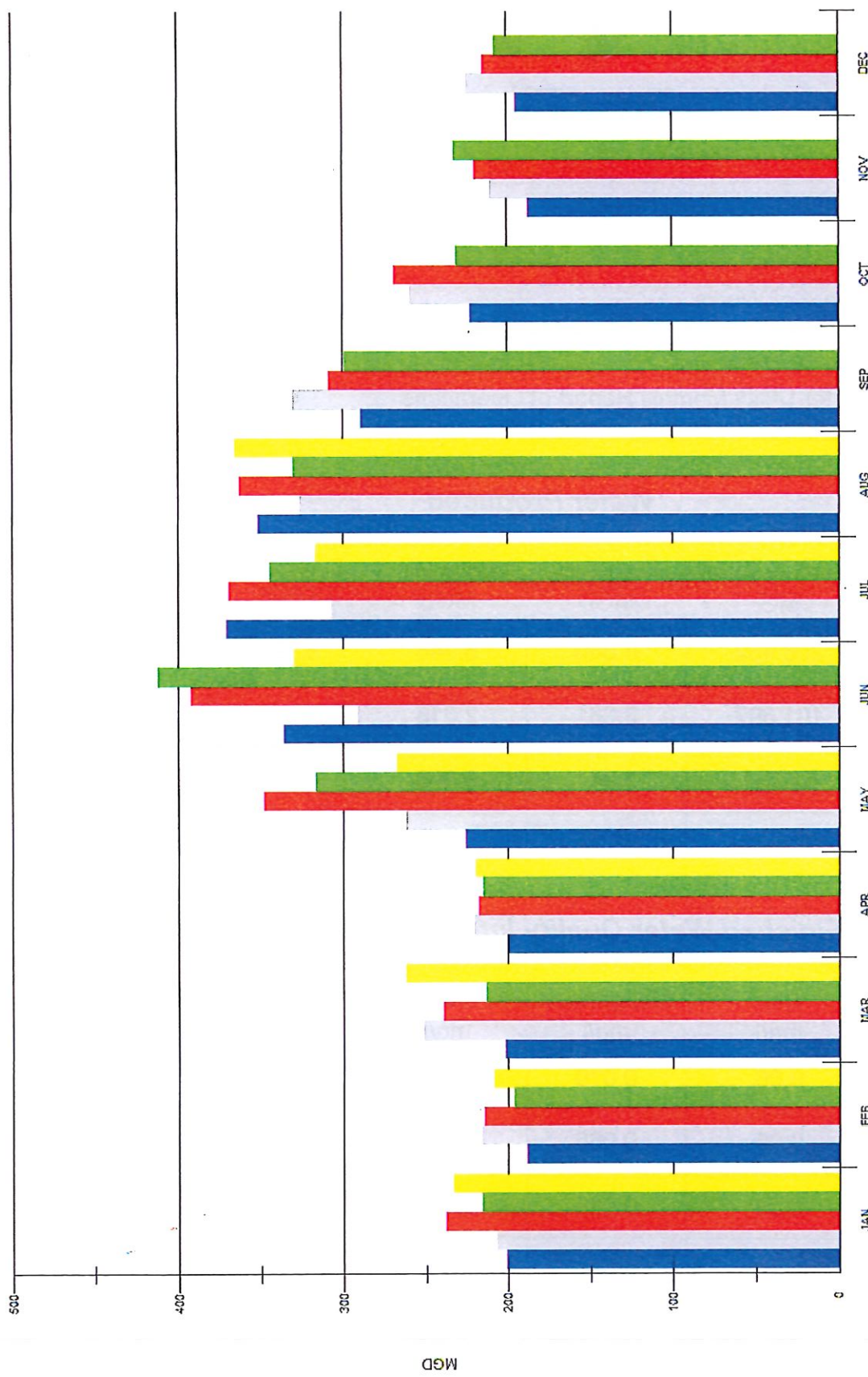
***Water Produced***

	Monthly Total MG	Daily Avg MGD	Daily Min MGD	Daily Max MGD
North Main	206.452	6.660	5.146	8.791
Northwest	101.697	3.281	2.613	4.202
South	57.081	1.841	0.896	13.888
System	365.23	11.78		

***Finished Water Quality Information (Monthly Averages)***

	Iron mg/l	Manganese mg/l	Fluoride mg/l	Chlorine mg/l	Orthophosphate mg/l
North Main	0.06	0.070	1.15	1.25	1.54
Northwest	0.05	0.066	1.03	1.42	0.94
South	0.03	0.056	1.00	1.54	1.05
Secondary Std / Target	0.30	0.050	0.8 - 1.0	0.9 - 1.5	0.5 - 1.0

### Monthly Water Production Comparison



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2020	201.13	188.69	201.44	199.21	225.63	336.17	370.93	351.87	289.17	222.62	187.43	194.60
2021	206.82	215.47	251.38	220.28	261.41	290.86	306.88	325.29	329.96	258.98	210.32	224.10
2022	238.16	214.80	239.40	217.71	348.16	392.38	369.59	362.66	308.75	269.06	219.61	214.64
2023	215.56	196.63	213.12	215.02	316.61	412.55	344.29	330.06	298.47	230.88	232.45	207.42
2024	233.36	208.78	262.14	219.75	267.32	329.41	316.17	365.23				





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## M E M O R A N D U M

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Date September 11, 2024  
To Board of Public Works *BYC*  
From Bryan Cress, Regulatory Compliance Manager  
RE Resolution Authorizing Negotiation of Sale on Property at 28864 W County Road 16

*24-12-29*

The Board previously directed Bryan Cress to hire a broker to sell the property at 28864 W County Road 16, Elkhart, IN 46516. A licensed broker with more than 20 years of experience selling homes in this area has been hired. The broker and staff believe that delays due to direct negotiation between an interested buyer and the Board of Public Works may discourage potential buyers for the property. In the interest of facilitating a sale that attracts the highest number of potential buyers, **Public Works respectfully requests that the Board of Public Works approve the attached resolution directing Bryan Cress to negotiate and sign for the sale of the property.** The resolution specifies that the property be sold in as-is condition and the gross proceeds of the sale not be less than \$180,000.

Resolution 24-R-29  
**A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE  
CITY OF ELKHART, INDIANA, TO DESIGNATE AND AUTHORIZE REGULATORY  
COMPLIANCE MANAGER TO NEGOTIATE AND SELL THE PROPERTY AT 28864  
COUNTY ROAD 16 W**

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WHEREAS, the property at 28864 County Road 16 W, Elkhart, Indiana (“Property”) is owned by the City of Elkhart and was purchased with the funds of the Elkhart Municipal Water Works (“Utility”);

WHEREAS, Mayor Rod Roberson, acting as the executive of the City, approved the disposal of the Property on November 29, 2023;

WHEREAS, the Board of Public Works (“Board”), acting as the fiscal body of the Utility and as the body authorized to transfer real property owned by the City, approved the disposal of the Property on November 21, 2023;

WHEREAS, the Property was offered for sale in the manner required by law by publishing solicitations for bids in the *Elkhart Truth* on April 27, 2024, and May 4, 2024;

WHEREAS, the property was up for bid for at least sixty (60) days and no bids were received;

WHEREAS, the Board, acting as the disposal agent, determined that, in the exercise of good business judgment, it should hire a broker to sell the Property and pay the broker a reasonable compensation out of the gross proceeds of the sale;

WHEREAS, the Board directed the Regulatory Compliance Manager, Bryan Cress, to negotiate and to hire a broker on behalf of the Board;

WHEREAS, Bryan Cress has hired a broker on behalf of the Board;

WHEREAS, the sale of the Property shall be assisted by designating a representative of the Board to negotiate and sign for the sale of the Property on behalf of the Board; AND

WHEREAS, Regulatory Compliance Manager, Bryan Cress, is available and willing to negotiate and sign for the sale of the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF ELKHART, INDIANA, THAT Bryan Cress is hereby designated by the Board as authorized to negotiate and sign for the sale of the Property in as-is condition with gross proceeds of not less than \$180,000 (one hundred eighty thousand dollars).

RESOLVED this \_\_\_\_\_ day of September, 2024.

\_\_\_\_\_  
Michael C. Machlan, President

\_\_\_\_\_  
Jamie Arce, Vice President

\_\_\_\_\_  
Ronnie Davis, Member

\_\_\_\_\_  
Rose Rivera, Member

\_\_\_\_\_  
Andy Jones, Member

ATTEST:

\_\_\_\_\_  
Nancy Wilson, Clerk




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## MEMORANDUM

---

**DATE:** September 17, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering 

**RE:** **Change Order #1 for Bid #24-08, Hively Avenue Overpass – Demolition Contract #4**

---

Change Order #1 for Bid #24-08, Hively Avenue Overpass – Demolition Contract #4, is add the actual cost of asbestos remediation for two of the residential structures to be demolished and removes the allowances that were included in the bid.

The net total increase in the contract price due to the Change Order is \$9772.00, which is 4.3% of the original contract price of \$224,773.00.

The action requested by the Board of Public Works is as follows:

**Approve Change Order #1 for Bid #24-08, Hively Avenue Overpass – Demolition Contract #4, increasing the contract value by \$9772.00, resulting in a contract price of \$235,545.00.**



# CITY OF ELKHART

## PUBLIC WORKS & UTILITIES

Change Order No. One  
Dated 9/7/2024

Project: Hively Avenue Overpass - Demolition Contract #4 Contract No. 24-08

To: C&E Excavating  
Contractor

You are required to make the changes noted below in the subject Contract:

City of Elkhart

By \_\_\_\_\_  
President, Board of Public Works

Dated \_\_\_\_\_

### Nature of Changes

Add actual cost for Asbestos Remediation for 1818 East Hively Avenue and 1823 East Hively Avenue	\$29,772.00
Remove allowances for same parcels	(\$20,000.00)
<b>TOTAL</b>	<b>\$ 9,772.00</b>

These changes result in the following adjustment of Contract Price and Contract Time:

Original Contract Price	\$ <u>225,773.00</u>
Contract Price Prior to this Change Order	\$ <u>225,773.00</u>
Net change resulting from this Change Order	\$ <u>9,772.00</u>
Current Contract Price including this Change Order	\$ <u>235,545.00</u>
Current Contract Price % Change from Original Price	<u>4.3%</u>
Contract Time prior to this Change Order	<u>90 days</u> (Days or Time)
Net Time change resulting from this Change Order	<u>13 days</u> (Days)
Current Contract Time including this Change Order	<u>103 days</u> (Days or Time)

The above changes are approved:

Public Works & Utilities

BY: [Signature]  
Engineer

09/10/2024

DATE

The above changes are accepted:

By: [Signature]  
Contractor

DATE



August 21, 2024

City of Elkhart  
1201 S Nappanee St.  
Elkhart, IN 46516

RE: **Hively Avenue Overpass - Demolition Contract #4**  
**Change Order Request**  
**Asbestos Abatement**

---

This change order request is reflective of the following proposed scope as indicated by RACM Surveys provided by the City. Because these properties are awarded within one contract, all properties needing abatement will require IDEM permitting as a group. Availability of abatement crews for this scope will begin on or about September 9th, 2024, and will be completed in succession.

***1818 East Hively Avenue***

***Scope Of Work :***

- Remove 30 square foot of asbestos containing seam tape on the HVAC System located in the basement of the structure located at the referenced project site.

***Duct seam tape, as found on the basement duct work, approximately 30 SF, 60%***

***Chrysotile***

***\*Estimated 2-3 Days Abatement Duration – this property.***

***1823 East Hively Avenue***

***Scope Of Work:***

- Remove 800 square foot of asbestos containing ceiling texturing located in the dining room of the structure located at the referenced project site.
- Remove 1,500 square foot of drywall in order to remove the 10 square foot of asbestos containing joint compound located in the kitchen of the structure located at the referenced project site.

***Joint Compound, as found in the kitchen, approximately 10 SF, <1% Chrysotile***  
***Textured Ceiling, as found on the dining room ceiling, approximately 800 SF, <1%***

***Chrysotile***

***\*Estimated 9-10 Days Abatement Duration – this property.***

**Change Order Total:           \$29,772.00**

C & E Excavating, Inc.  
53767 CR 9  
Elkhart, IN 46514

Office (574) 262-4346

Fax (574) 262-9251

**Time Extension Requested: 13 Workdays**

Because of the scope and duration of this abatement process, C&E Excavating, Inc. is requesting that the City provide a 50% pre-payment of **\$14,886.00** to allow C&E to honor the terms of its subcontractor (A&G Environmental Solutions LLC). C&E will also inquire with IDEM if a single abated property within this group can be demolished immediately after abatement, thus minimizing time extensions.

**Authorized Signature:**  **Date: August 21, 2024**

Tim Bonadies  
Project Manager/Estimator  
C&E Excavating, Inc.





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**M E M O R A N D U M**

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**DATE:** September 17, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JTS*

**RE:** **Permission to Request Quote #24-28, Wolf Avenue Drainage Improvements**

---

The Engineering Staff requests approval of documents for Quote #24-28, Wolf Avenue Drainage Improvements. This project will include the removal of an area compacted gravel along the north side of Wolf Avenue, between Ashland Avenue and Prairie Street, and the placement of GravelPave2 drainage system in the parking lane and a new tree lawn between the sidewalk and the parking lane. The GravelPave2 system is designed to improve drainage and protect the parking lane from rutting.

The project will be funded by the Common Council appropriation for Small Drainage projects.

The action requested by the Board of Public Works is as follows:

**Approve the Quote Documents and Grant Permission to Request Quote #24-28, Wolf Avenue Drainage Improvements.**



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MEMORANDUM

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**DATE:** September 17, 2024

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JSS*

**RE:** **Permission to Request Quote #24-29, Bypass Road Drainage Improvements**

---

The Engineering Staff requests approval of documents for Quote #24-29, Bypass Road Drainage Improvements. This project will include the removal of excess asphalt pavement along the north side of Bypass Road, west of Nappanee Street, and the placement of a new tree lawn between the sidewalk and the travel lanes. This work will occur adjacent to the Hellenic Senior Living of Elkhart facility. This work was intended to be completed immediately after the building was constructed in 2019, but was pushed back during COVID and never finished.

The project will be funded by the Common Council appropriation for Small Drainage projects.

The action requested by the Board of Public Works is as follows:


**Approve the Quote Documents and Grant Permission to Request Quote #24-29, Bypass Road Drainage Improvements.**



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**MEMORANDUM**

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**DATE:** September 17, 2024  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering   
**RE:** **Driveway Width Variance – 4019 Timber Court**

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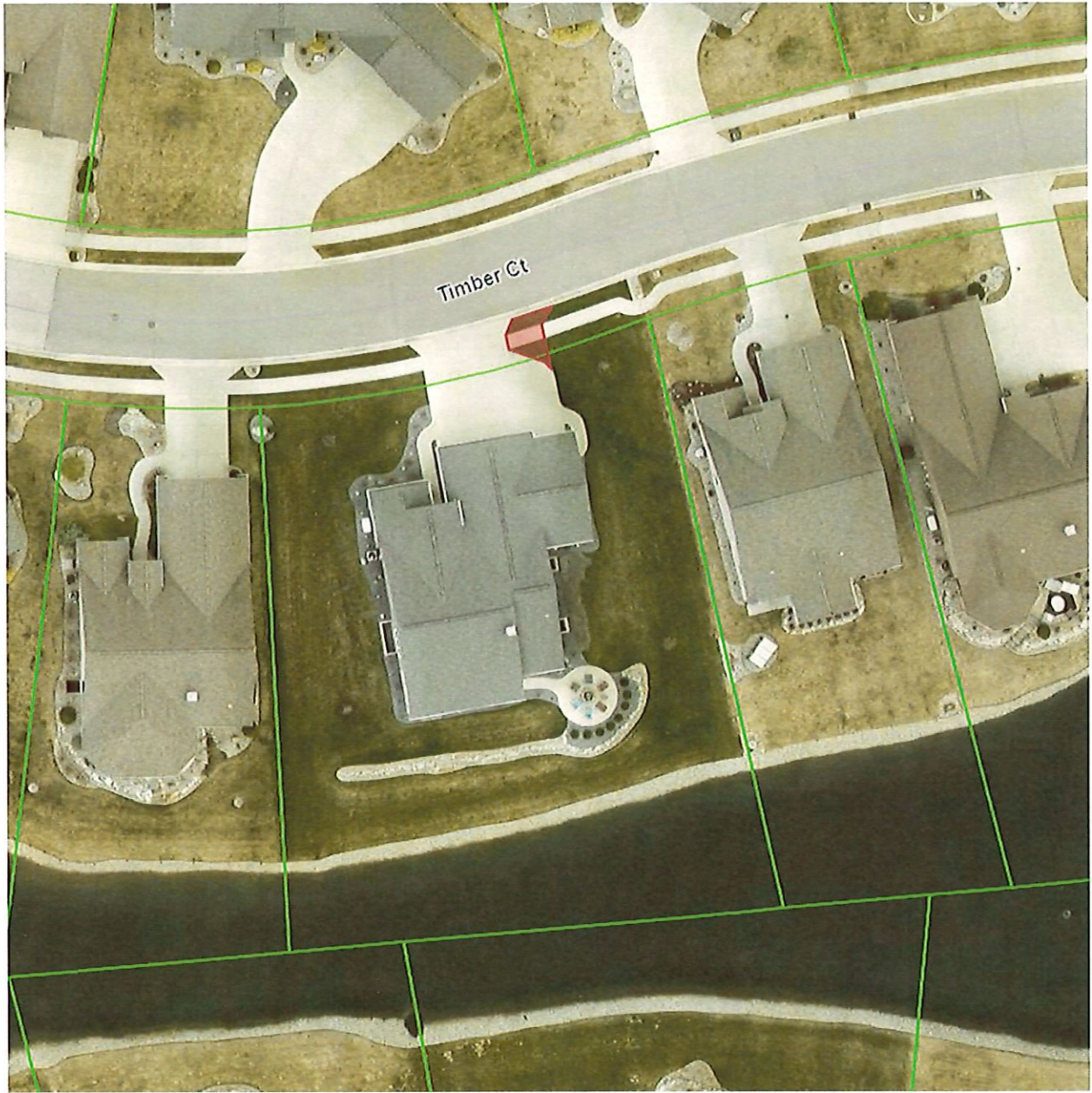
The staff received a driveway permit application from Scott Hamilton (property owner) and Infinite Creations (contractor) for a proposed driveway reconstruction at 4109 Timber Court. The existing driveway width at the right-of-way line is approximately 24 feet, which is the maximum permitted by the Board's approved driveway policy. The applicants are request a driveway width of 40 feet at the property line. A sketch is attached.

The staff notified the applicants that the driveway permit would not be approved as presented and that the applicants should appear before the Board to request a variance from the Board's approved driveway policy.

The starting motion suggested by the Board of Public Works for discussion purposes is as follows:

**Approve the driveway width variance for 4019 Timber Court as requested by Scott Hamilton (owner) and Infinite Creations (contractor).**







# DRIVEWAY/DRAINAGE PERMIT APPLICATION

Public Works & Utilities 1201 S. Nappanee St. Elkhart, IN 46516  
Phone (574) 293-2572 Fax (574) 293-7658

Driveway Permit No. 5141  
Drainage Permit No. —  
Zoning Clearance No. — per JS  
\*Application Date: 9/3/24

Address:

- Single Family
- Duplex
- Multi-Unit
- Manufactured Housing Park
- Business
- Manufacturing

\*Completed by Applicant

\*Property Address: 4019 Timber Ct

\*Owner: Scott Hamilton Phone No.: (574) 849-3674 Cell No.: \_\_\_\_\_

\*Address (If different than Property Address): \_\_\_\_\_

\*Contractor: Infinite Creations Phone No.: \_\_\_\_\_ Cell No.: (574) 312-0041

\*Address: 55290 CR 8 Middlebury, IN 46540 Fax No.: \_\_\_\_\_

\*Requested By:  Property Owner  Contractor

\*Nearest Side Street: Timberstone Dr. E

\*Does a State or County Road Border the Property?  Yes  No Road Name: \_\_\_\_\_

### Required Bond Amount (Completed by staff)

- Blanket Bond of \$10,000 to \$50,000 (Contractors only-if bond has been filed with city) N/A
- Residential Drive 12' Wide → 40' wide Residential Drive 24' Wide per Jeff S.
- One Drive \$400  Two Drives \$600  One Drive \$600  Two Drives \$800
- Commercial Drive 30' Wide Commercial Drive 40' Wide Two Commercial Drives 30'-40' Wide
- \$1,500.00  \$2,000.00  \$3,500.00

Additional drives, wider drives, or other special considerations may require bond amounts greater than these guidelines.

### Approvals

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Traffic Approval: \_\_\_\_\_ Date: \_\_\_\_\_

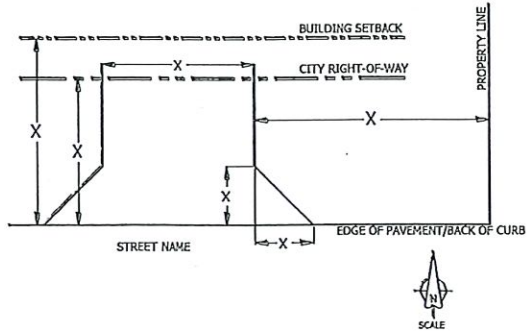
Drainage Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Board of Public Works: \_\_\_\_\_ Date: \_\_\_\_\_



**Required Drawing with Permit Application:**

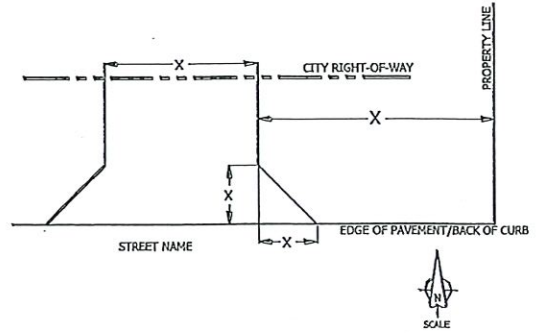
*TYPICAL COMMERCIAL DRIVEWAY DRAWING*



**REQUIRED**

- |                     |                               |
|---------------------|-------------------------------|
| ADDRESS             | BUILDING SETBACK              |
| STREET NAME         | BUILDING(S)                   |
| STREET MATERIAL     | DRIVEWAY DIMENSIONS           |
| STREET WIDTH        | DRIVEWAY MATERIAL & THICKNESS |
| STREET NAME         | DRIVEWAY LOCATION ON PROPERTY |
| DRAINAGE STRUCTURES | ADT COUNTS                    |
| RIGHT-OF-WAY        | DECEL/ACCEL LANES IF REQUIRED |

*TYPICAL RESIDENTIAL DRIVEWAY DRAWING*

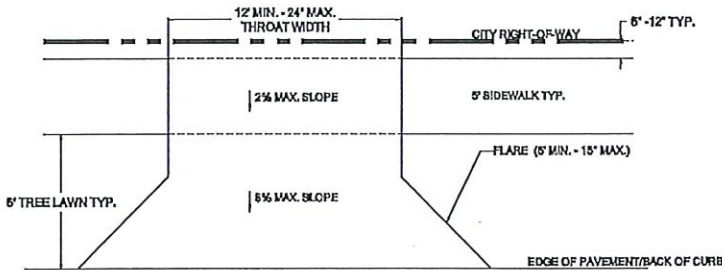


**REQUIRED**

- |                               |
|-------------------------------|
| ADDRESS                       |
| STREET NAME                   |
| STREET MATERIAL               |
| BUILDING(S)                   |
| DRIVEWAY DIMENSIONS           |
| DRIVEWAY MATERIAL & THICKNESS |
| DRIVEWAY LOCATION ON PROPERTY |

**Drainage Requirements:** Refer to the City of Elkhart Requirements

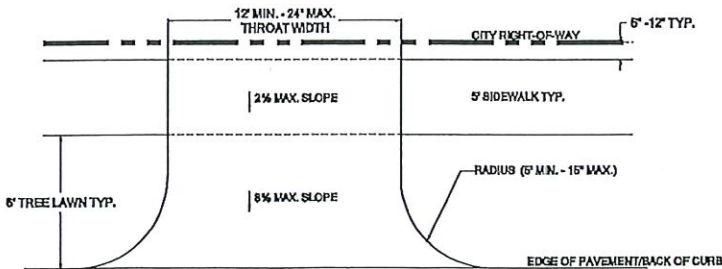
*TYPICAL RESIDENTIAL DRIVE ENTRANCE*



*Driveway Pavement Sections Within City Right-of-Way for Collector or Arterial Streets*

Concrete	OR	Bituminous
6" Class 'A'		1 1/2" Bit. Surface
3" Aggregate Base (Compacted)		2" Bit. Binder
		4" Bit. Base
		3" Aggregate Base (Compacted)

July 2000

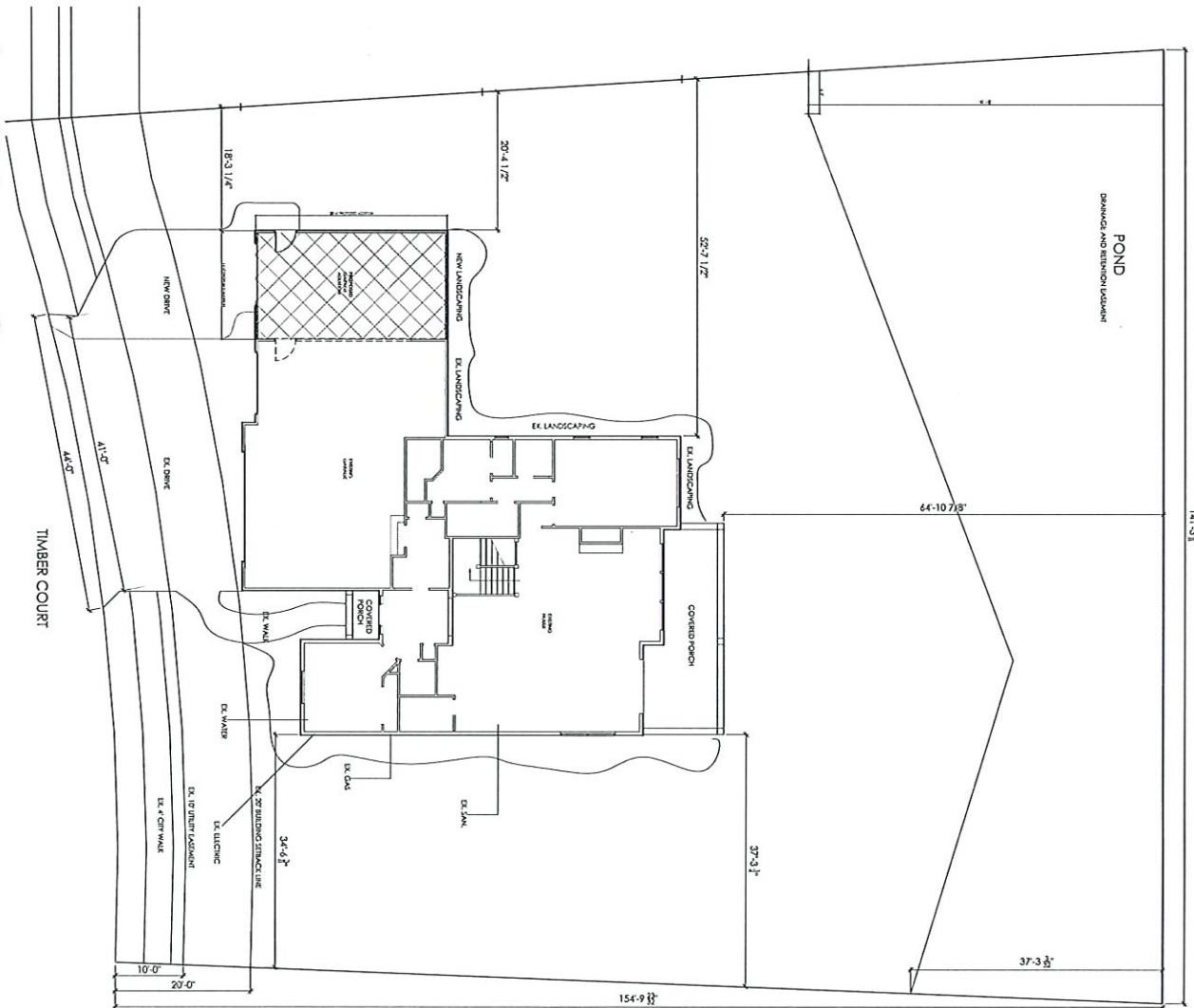


**Please call for a pre-pour inspection and final inspection.**

**Recommendations**



POND  
BRANCHED AND RETURN LAYOUT



1 Proposed Site Plan  
1" = 20'-0"



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**M E M O R A N D U M**

---

**DATE:** August 29, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Oakland Avenue Forcemain – Phase A – SA7878: *Ratify* Approval of Partial Payment Request #15 to C&E Excavating**

---

Please see the attached partial pay application #15 from C&E Excavating for construction services provided for the Oakland Avenue Forcemain – Phase A project for work performed during the period thru July 31<sup>st</sup>, 2024. This partial pay application, in the amount of \$459,270.00, includes payment for water main, force main, and water service installation and as payment for retainage. It will be paid through the two SRF loans for this project. The partial payment this application breaks down as follows:

	WW22162005	DW22232001
Payment Due	\$ 419,988.00	\$ 16,318.00
Retainage Held	\$ 22,105.00	\$ 859.00
Total Amount	\$ 442,093.00	\$ 17,177.00

To date, including this payment and all retainage, we have paid \$5,537,030.00, or 48.26% of the \$11,473,861.38 current contract price for Division I (WW22162005) and \$182,580.00, or 22.31% of the current \$818,195.00 current contract for Division II (DW22232001).

This will be SRF Disbursement Request #34 from WW22162005 and Request #7 from DW22232001.

It is requested that the BOW:

**ratify partial payment request #15 in the amount of \$442,093.00 to C&E Excavating from SRF loan WW22162005 and \$17,177.00 from loan DW22232001 for construction on the Oakland Avenue Forcemain – Phase A project.**



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## M E M O R A N D U M

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**DATE:** July 29, 2024  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Elkhart WWTP Capacity Upgrades – Phase 2 – QA7634: Ratify Partial Payment Request SRF#72 to Donohue & Associates, Inc.**

---

Please see the attached Donohue invoice #70, to be paid from SRF loan number WW18262004. This invoice from Donohue & Associates, Inc. is for professional services provided for the Elkhart WWTP Capacity Upgrades – Phase 2 project for work performed through July 20, 2024. This payment of \$64,304.00 has been rounded as required by SRF and represents the 72<sup>nd</sup> cost incurred from the SRF loan.

To date, including this payment, we have paid \$4,300,388.00 or 96.96% of the contract.

It is requested that the BOW:

**ratify partial payment request SRF #72 of Loan WW18262004 in the amount of \$64,304.00 to Donohue & Associates, Inc. for professional services on the Elkhart WWTP Capacity Upgrades – Phase 2 project.**



# CITY OF ELKHART

*The city with a heart*

---

TO: Board of Public Works  
FROM: Elkhart City Attorney  
DATE: September 17, 2024  
RE: Resolution 24-R-26 Transfer of Tax Sale Parcel \_\_\_\_\_

---

The City Redevelopment Commission holds title to Lot 126, South Elkhart, Third Addition, originally acquired from the County. The parcel was in the tax sale and not purchased. As a result, the tax sale certificate was transferred to the County. The County offered the parcel to the City. Because the parcel is in the name of "City of Elkhart, Department of Redevelopment", it is now necessary to transfer the parcel to the City of Elkhart, so the Board of Works can utilize the parcel.

The Legal Department respectfully requests the Board of Public Works to:

**Approve Resolution 24-R-26 Accepting the Transfer of Real Estate to the City of Elkhart, Indiana.**

**RESOLUTION NO. 24-R-26**

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE  
CITY OF ELKHART, INDIANA  
ACCEPTING THE TRANSFER OF REAL PROPERTY FROM  
THE CITY OF ELKHART REDEVELOPMENT COMMISSION**

(Lot 126, South Elkhart, Third Addition)

**WHEREAS**, the Elkhart Redevelopment Commission (the “Commission”), the governing body of the City of Elkhart, Indiana, Department of Redevelopment (the “Department”) and of the Redevelopment District of the City of Elkhart, Indiana (the “Redevelopment District”), exists and operates under the provisions of I.C. § 36-7-14, as amended from time to time (the “Act”) and is a body corporate and politic; and

**WHEREAS**, the City of Elkhart, Indiana, Board of Public Works (the “Board”) has custody of and may maintain all real property owned by the City of Elkhart, Indiana (the “City”) pursuant to I.C. § 36-9-6-3; and

**WHEREAS**, pursuant to I.C. § 36-1-11-8, the Department, acting by and through the Commission, may transfer property to another governmental entity upon terms and conditions agreed upon by the two (2) entities as evidenced by the adoption of substantially identical resolutions of each entity; and

**WHEREAS**, the City, through the Board, desires to accept transfer of the Property from the Department and to authorize the staff of the Board to accept quitclaim deeds effecting the transfer of the Property and cause those to be presented for recording; and

**WHEREAS**, the City, by and through the Board, wishes to accept transfer from the Commission of the certain parcel of land or interests therein previously acquired by the Commission and more particularly described at Exhibit A (the “Property”); and

**WHEREAS**, the Commission has adopted a resolution consistent with the requirement of I.C. § 36-1-11-8.

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY OF ELKHART, INDIANA, BOARD OF PUBLIC WORKS AS FOLLOWS:

1. The transfer of the Property, or the Department’s interests therein, described at Exhibit A situated in Elkhart County, Indiana, by the City of Elkhart, Indiana, Department of Redevelopment, acting by and through its Redevelopment Commission, (**Inter-Department**) to the “City of Elkhart, Indiana, a municipal corporation” shall be, and hereby is, authorized and approved.

2. The staff of the Department of Public Works shall be, and hereby are, authorized to accept and cause to be recorded with the Elkhart County Recorder’s Office a quit claim deed

transferring the Department's interests in the Property described at Exhibit A to the City.

3. This Resolution shall be in full force and effect upon its adoption.

ADOPTED at a meeting of the City of Elkhart, Indiana, Board of Public Works held on \_\_\_\_\_, 2024, at 229 South Second Street, Elkhart, Indiana 46516.

**CITY OF ELKHART, INDIANA  
BOARD OF PUBLIC WORKS**

\_\_\_\_\_  
Michael C. Machlan, President

\_\_\_\_\_  
Jamie Arce, Vice President

\_\_\_\_\_  
Andy Jones, Member

\_\_\_\_\_  
Ron Davis, Member

\_\_\_\_\_  
Rose Rivera, Member

**ATTEST:**

\_\_\_\_\_  
Nancy Wilson, Clerk

**City of Elkhart, Indiana, Board of Public Works**



**EXHIBIT A**

Property to be Transferred

Real Estate located in the City and County of Elkhart, State of Indiana, to wit:

All of Lot 126, in South Elkhart, Third Addition as the same is known and designated on the recorded plat of South Elkhart, Third Addition to the town (now City) of Elkhart, Indiana, (unimproved vacant land).

Tax Code Numbers 20-06-08-208-002.000-012  
20-06-08-208-003.000-012 Property on Dr. King Drive,  
City of Elkhart  
(Vacant Lot South Side Hickory between Benham and Alley)

RESOLUTION NO. 24-R- 058

**A RESOLUTION OF THE REDEVELOPMENT COMMISSION (INTER-DEPARTMENT)  
OF THE CITY OF ELKHART, INDIANA  
AUTHORIZING THE TRANSFER OF REAL PROPERTY  
TO THE CITY OF ELKHART**

(LOT 126, SOUTH ELKHART, THIRD ADDITION)

**WHEREAS**, the Elkhart Redevelopment Commission (the "Commission"), the governing body of the City of Elkhart, Indiana, Department of Redevelopment (the "Department") exists and operates under the provisions of I.C. § 36-7-14, as amended from time to time (the "Act") and is a body corporate and politic; and

**WHEREAS**, the City of Elkhart, Indiana, Board of Public Works (**Inter-Department**) (the "Board") has custody of and may maintain all property owned by the City of Elkhart, Indiana (the "City") pursuant to I.C. § 36-9-6-3; and

**WHEREAS**, pursuant to I.C. § 36-1-11-8, the City, acting by and through the Board, may request and accept the transfer property from another governmental entity upon terms and conditions agreed upon by the two (2) entities as evidenced by the adoption of substantially identical resolutions of each entity; and

**WHEREAS**, the Department, by and through the Commission, has received from the Board, a request for the transfer to the City of the vacant lot more particularly described at Exhibit A (the "Property"); and

**WHEREAS**, the Department, acting through the Commission, desires to transfer the Property to the City; and

**WHEREAS**, the Commission will adopt a resolution consistent with the requirement of I.C. § 36-1-11-8.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ELKHART, INDIANA, REDEVELOPMENT COMMISSION (INTER-DEPARTMENT) AS FOLLOWS:**

1. The transfer of the Property described at Exhibit A situated in Elkhart County, Indiana to the City of Elkhart, Indiana, shall be, and hereby is, authorized and approved.
2. This Resolution shall be in full force and effect upon its adoption and upon the adoption by the Board of Public Works of a resolution consistent with the requirements of I.C. § 36-1-11-8.

ADOPTED at a meeting of the City of Elkhart, Indiana, Redevelopment Commission (**Inter-Department**) held on September 10, 2024 at 229 South Second Street, Elkhart, Indiana 46516.

**REDEVELOPMENT COMMISSION  
CITY OF ELKHART  
(Inter-Department)**

  
\_\_\_\_\_  
Sandra Schreiber, President

**ATTEST:**  
  
\_\_\_\_\_  
Dina Harris, Secretary



PROPERTY TO BE TRANSFERRED

EXHIBIT "A"

Real Estate located in the City and County of Elkhart, State of Indiana, to wit:

All of Lot 126, in South Elkhart, Third Addition as the same is known and designated on the recorded plat of South Elkhart, Third Addition to the town (now City) of Elkhart, Indiana, (unimproved vacant land).

Tax Code Numbers 20-06-08-208-002.000-012  
20-06-08-208-003.000-012 Property on Dr. King Drive,  
City of Elkhart  
(Vacant Lot South Side Hickory between Benham and Alley)

**RETURN TO:**

Board of Public Works  
Municipal Building  
229 South Second Street  
Elkhart, Indiana 46516

**AUDITOR'S RECORD**

TRANSFER NO.: \_\_\_\_\_  
TAXING UNIT: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PARCEL ID: \_\_\_\_\_

**QUIT-CLAIM DEED**

THIS INDENTURE WITNESSETH, THAT the City of Elkhart, Department of Redevelopment, a Municipal Corporation, *the Grantor Conveys and Quit-claims* to City of Elkhart, Indiana, a Municipal Corporation, *the Grantee*

*for no monetary consideration, the following described real estate in Elkhart County, in the State of Indiana, to-wit:*

All of Lot 126, in South Elkhart, Third Addition as the same is known and designated on the recorded plat of South Elkhart, Third Addition to the town (now City) of Elkhart, Indiana, (unimproved vacant land).

Tax Code Numbers 20-06-08-208-002.000-012  
20-06-08-208-003.000-012 Property on Dr. King Drive,

City of Elkhart  
(Vacant Lot South Side Hickory between Benham and Alley)

The Grantor herein is a tax-exempt entity and therefore there are no real estate taxes or assessments levied or assessed against the above-designated real estate prior to the date of this deed.

The Grantor hereby conveys the above-described real estate free and clear of all leases, licenses, or other interests, both legal and equitable, subject to all easements, restrictions, highways and public rights of way of record.

The undersigned state that each is a duly elected official of the Grantor and that each has statutory authority to execute this Deed.

NO SALES DISCLOSURE REQUIRED

Executed this 10<sup>th</sup> day of September, 2024.

“GRANTOR”

CITY OF ELKHART,  
DEPARTMENT OF REDEVELOPMENT

By: Sandra Schreiber  
Sandra Schreiber, President  
Elkhart Redevelopment Commission

ATTEST:

Dina Harris  
Dina Harris, Secretary  
Elkhart Redevelopment Commission

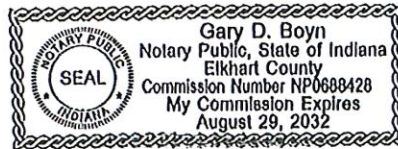
STATE OF INDIANA        )  
  )SS:  
COUNTY OF ELKHART    )

Before me, a Notary Public in and for said County and State, personally appeared Sandra Schreiber and Dina Harris, the President and Secretary, respectively, of the City of Elkhart, Indiana, Redevelopment Commission and acknowledged the execution of the foregoing Deed on the 10<sup>th</sup> day of September, 2024.

Gary D. Boyn  
Notary Public

Interests in land acquired by:

City of Elkhart, Indiana  
c/o Department of Public Works  
229 South Second Street  
Elkhart, Indiana 46516





ACCEPTANCE

The Grantee hereby accepts the foregoing Quit Claim Deed.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2024.

“GRANTEE”  
CITY OF ELKHART, INDIANA

By: \_\_\_\_\_  
Jamie Arce, Vice-President  
Board of Public Works

ATTEST:

\_\_\_\_\_  
Nancy Wilson, Clerk of the Board of Public Works

STATE OF INDIANA        )  
  )SS:  
COUNTY OF ELKHART    )

Before me, a Notary Public in and for said County and State, personally appeared Michael C. Machlan and Nancy Wilson, known to me to be the President and Clerk of the City of Elkhart, Indiana, Board of Public Works, and acknowledged the execution of the foregoing Acceptance on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public

*This Instrument was prepared by the law firm of Warrick & Boyn, LLP, 861 Parkway Avenue, Elkhart, Indiana 46516, by Gary D. Boyn. 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. Gary D. Boyn*

ACCEPTANCE

The Grantee hereby accepts the foregoing Quit Claim Deed.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2024.

“GRANTEE”  
CITY OF ELKHART, INDIANA

By: \_\_\_\_\_  
Jamie Arce, Vice-President  
Board of Public Works

ATTEST:

\_\_\_\_\_  
Nancy Wilson, Clerk of the Board of Public Works

STATE OF INDIANA        )  
                                  )SS:  
COUNTY OF ELKHART    )

Before me, a Notary Public in and for said County and State, personally appeared Jamie Arce and Nancy Wilson, known to me to be the President and Clerk of the City of Elkhart, Indiana, Board of Public Works, and acknowledged the execution of the foregoing Acceptance on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public

*This Instrument was prepared by the law firm of Warrick & Boyn, LLP, 861 Parkway Avenue, Elkhart, Indiana 46516, by Gary D. Boyn. 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. Gary D. Boyn*

# CITY OF ELKHART

*The city with a heart*

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TO: Board of Public Works  
FROM: Elkhart City Attorney  
DATE: September 17, 2024  
RE: Resolution 24-R-28 Transfer of 17 Tax Sale Parcels

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The City acquired the title to 17 tax sale parcels from the County. The parcels were in the tax sale and not purchased. As a result, the tax sale certificates were transferred to the County. The County offered these to the City. Because the parcels were originally placed in the name of the City, rather than in "City of Elkhart, Department of Redevelopment", it is now necessary to transfer these parcels to the City of Elkhart, Department of Redevelopment so the Redevelopment Commission can sell these parcels for development.

The Legal Department respectfully requests the Board of Public Works to:

**Approve Resolution 24-R-28 Approving the Transfer of Real Estate to the City of Elkhart, Indiana, Department of Redevelopment.**



**RESOLUTION NO. 24-R-28**

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS (INTER-DEPARTMENT)  
OF THE CITY OF ELKHART, INDIANA  
AUTHORIZING THE TRANSFER OF REAL PROPERTY  
TO THE ELKHART REDEVELOPMENT COMMISSION**

(17 Tax Parcels)

**WHEREAS**, the Elkhart Redevelopment Commission (the "Commission"), the governing body of the City of Elkhart, Indiana, Department of Redevelopment (the "Department") exists and operates under the provisions of I.C. § 36-7-14, as amended from time to time (the "Act") and is a body corporate and politic; and

**WHEREAS**, the City of Elkhart, Indiana, Board of Public Works (**Inter-Department**) (the "Board") has custody of and may maintain all property owned by the City of Elkhart, Indiana (the "City") pursuant to I.C. § 36-9-6-3; and

**WHEREAS**, pursuant to I.C. § 36-1-11-8, the City, acting by and through the Board, may transfer property to another governmental entity upon terms and conditions agreed upon by the two (2) entities as evidenced by the adoption of substantially identical resolutions of each entity; and

**WHEREAS**, the Department, by and through the Commission, has presented to the Board, a request for the transfer to the Commission of the 17 lots more particularly described at Exhibit A (the "Property"); and

**WHEREAS**, the City, through the Board, desires to transfer the Property to the Department; and

**WHEREAS**, the Department will adopt a resolution consistent with the requirement of I.C. § 36-1-11-8.

**NOW, THEREFORE, BE IT RESOLVED BY THE ELKHART BOARD OF PUBLIC WORKS (INTER-DEPARTMENT) AS FOLLOWS:**

1. The transfer of the Property described at Exhibit A situated in Elkhart County, Indiana to the City of Elkhart, Indiana, Department of Redevelopment, shall be, and hereby is, authorized and approved.

2. This Resolution shall be in full force and effect upon its adoption and upon the adoption by the Department of a resolution consistent with the requirements of I.C. § 36-1-11-8.

ADOPTED at a meeting of the Elkhart Board of Public Works (**Inter-Department**) held on \_\_\_\_\_, 2024 at 229 South Second Street, Elkhart, Indiana 46516.

**CITY OF ELKHART  
BOARD OF PUBLIC WORKS  
(Inter-Department)**

\_\_\_\_\_  
Michael C. Machlan, President

\_\_\_\_\_  
Jamie Arce, Vice-President

\_\_\_\_\_  
Andy Jones, Member

\_\_\_\_\_  
Ron Davis, Member

\_\_\_\_\_  
Rose Rivera, Member

**ATTEST:**

\_\_\_\_\_  
Nancy Wilson, Clerk of the Board of Public Works

PROPERTY TO BE TRANSFERRED

EXHIBIT "A"

Parcel Number (18-digits)	Owner Name	Property Street	Property City St & Zip	Legal Acreage	
20-06-05-382-002.000-012	CITY OF ELKHART INDIANA	323 S SIXTH ST.	ELKHART IN 46516	0.122 Developable (Residential)	*
20-06-05-382-003.000-012	CITY OF ELKHART INDIANA	327 S SIXTH ST.	ELKHART IN 46516	0.057 Developable (Residential)	*
20-06-05-401-002.000-012	CITY OF ELKHART	200 N SECOND ST	ELKHART IN 46516	0.082 Developable (Residential)	*
20-06-05-479-031.000-012	CITY OF ELKHART INDIANA	HUG ST	ELKHART IN 46516	0.484 Developable (Residential)	
20-06-06-483-031.000-012	CITY OF ELKHART INDIANA	164 S SHORE DR	ELKHART IN 46516	0.11 Developable (Residential)	*
20-06-06-483-032.000-012	CITY OF ELKHART INDIANA	S SHORE DR	ELKHART IN 46516	0.11 Developable (Residential)	
20-06-08-110-017.000-012	CITY OF ELKHART	619 S EIGHTH	ELKHART IN 46516	0.052 Developable (Residential)	*
20-06-08-110-018.000-012	CITY OF ELKHART	S EIGHTH	ELKHART IN 46516	0.055 Developable (Residential)	
20-06-08-156-008.000-012	CITY OF ELKHART INDIANA	LAFAYETTE	ELKHART IN 46516	0.162 Developable (Residential)	
20-06-08-255-023.000-012	CITY OF ELKHART INDIANA	DELAWARE	ELKHART IN 46516	0.086 Developable (Residential)	
20-06-08-255-024.000-012	CITY OF ELKHART INDIANA	DELAWARE	ELKHART IN 46516	0.133 Developable (Residential)	
20-06-08-255-030.000-012	CITY OF ELKHART INDIANA	DELAWARE	ELKHART IN 46516	0.068 Developable (Residential)	
20-06-09-126-008.000-012	CITY OF ELKHART	RICHMOND	ELKHART IN 46516	0.155 residential developable owned by BOW	
20-06-09-133-010.000-012	CITY OF ELKHART INDIANA	1030 PRINCETON	ELKHART IN 46516	0.121 Developable (Residential)	*
20-06-09-185-012.000-012	CITY OF ELKHART	E INDIANA	ELKHART IN 46516	0.65	
20-06-10-155-009.000-012	CITY OF ELKHART	E INDIANA	ELKHART IN 46516	0.455 Developable (Residential)	
20-06-16-137-023.000-012	CITY OF ELKHART INDIANA	804 E CARLTON AVE	ELKHART IN 46517	0.265 Developable (Residential)	



**Parcel 1**

A part of Lot Numbered One Hundred Ninety-one (191) as the said Lot is known and designated on the recorded Plat of the SECOND SOUTH AND WESTERN ADDITION to the Elkhart Town (now City), said Plat being recorded in Deed Record 3, page 538 in the Office of the Recorder of Elkhart County, State of Indiana and being more particularly described as follows:

Beginning at a point in the City of Elkhart on the West line of Sixth Street, Seventy-five (75) feet North line of Franklin Street; thence West parallel with the North line of Franklin Street, Seventy-five (75) feet; thence North parallel with the West line of Sixth Street to the South line of Vistula Street; thence Northeastwardly along the South line of Vistula Street to the West line of Sixth Street; thence Southwardly along the West line of Sixth Street to the place of beginning.

20-06-05-382-002.00-012  
323 S Sixth St., Elkhart, In 46516

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**Parcel 2**

A part of Lot Numbered One Hundred Ninety-one (191) as the said Lot is known and designated on the recorded Plat of the SECOND SOUTH AND WESTERN ADDITION to the Elkhart Town (now City), said Plat being recorded in Deed Record 3, page 538 in the Office of the Recorder of Elkhart County, State of Indiana and being more particularly described as follows:

Beginning at a point on the West line of Sixth Street in the City of Elkhart which is forty two ( 42) feet North of the North line of Franklin Street in said City; thence North along the West line of said Sixth Street, thirty-three (33) feet; thence West, parallel with the North line of Franklin Street seventy-five (75) feet; thence South parallel with the West line of South Street thirty-three (33) feet; thence East parallel with the North line of Franklin Street, seventy-five (75) feet to the place of beginning.

20-06-05-382-003.000-012  
327 S Sixth St., Elkhart, In 46516

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**Parcel 3**

A part of Lot Numbered Twenty-eight (28) as the said Lot is known and designated on the recorded **ORIGINAL PLAT OF THE TOWN OF ELKHART**, to the City of Elkhart, Elkhart County, Indiana; said Plat being recorded in Deed Record 1, page 34 in the Office of the Recorder of Elkhart County, Indiana, more particularly described as follows: Beginning at the Southwest corner of said Lot Numbered Twenty-eight (28); thence running Northwardly along the Western line of said Lot, Forty-one (41) feet and Three (3) inches; thence Easterly on a line parallel with the Southern line of said Lot, Eighty-five (85) feet; thence Southerly on a line parallel with the Western line of said Lot, Forty-one (41) feet and Three (3) inches to the Southern line of said Lot; thence Westwardly along the Southern line of said Lot, Eighty-five (85) feet to the place of beginning.

20-06-05-401-002.000-012  
200 N Second St, Elkhart, In 46516

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**Parcel 4**

A part of Out Lot Twenty-eight (28) as the same is known and designated on the recorded Corporation Plat of the Town of Elkhart, Indiana, now an Addition to the City of Elkhart; said Plat being recorded in Deed Record 27, page 154 in the Office of the Recorder of Elkhart County, Indiana, being more particularly described as follows:

Beginning at an iron stake at the Southwest corner of said Out Lot; running thence East along the North line of Division Street Fifty-three (53) feet to an iron stake thence North at right angles to the North line of said Division Street Eight (8) rods (132 feet); thence West parallel with the North line of Division Street Fifty-three and seventy-seven hundredths (53. 77) feet to an iron stake on the West line of said Out Lot; thence South along the West line of said Out Lot eight (8) rods (132 feet) to the place of beginning.

ALSO, Lots Numbered Three: (3), Four (4), Five (5) and Six (6) as the same are known and designated on the recorded Plat of Funk's Addition to the City of Elkhart; said Plat being recorded in Deed Record 65, page 426 in the Office of the Recorder of Elkhart County, Indiana. ALSO, the West One-half (W 1/2) of the vacated alley lying East of and adjacent to the above lots.

ALSO, a part of Section Five (5), Township Thirty-seven (37) North, Range Five (5) East, in Elkhart City Concord Township, Elkhart County, Indiana, being more particularly described as follows:

Commencing at the Northeast corner of Lot Number Six (6) of Funk's Addition to the City of Elkhart; thence South along the East line of Lots Numbered Six (6), Five (5), Four (4) and Three (3) in said Funk's Addition, to the Southeast corner of said Lot number Three (3); thence East Twelve (12) feet; thence South to the North line of Out Lot Number Twenty-eight (28); thence East along the North line of said Out lot Number Twenty-eight (28), Fifty (50) feet; thence North to the South line of Hug Street; thence West Sixty-two (62) feet to the place of beginning. ALSO, the East One-half (E 1/2) of the vacated alley lying West of and adjacent to the above described real estate.

20-06-05-479-031.000-012  
Hug St, Elkhart, In 46516

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**Parcel 5**

Lot Numbered 8 in Willow Bay, as per plat thereof recorded in Plat Book 1, page 9 in the Office of the Recorder of Elkhart County, Indiana.

20-06-06-483-031.000-012  
164 S Shore Dr, Elkhart, In 46516

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**Parcel 6**

Lot Numbered 7 in Willow Bay, as per plat thereof recorded in Plat Book 1, page 9 in the Office of the Recorder of Elkhart County, Indiana.

20-06-06-483-032.000-012  
S Shore Dr, Elkhart, In 46516

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Parcel 7

A part of Lot Numbered Four Hundred Fifty-four (454) as the said Lot is known and designated on the recorded Plat of Mather and McNaughton's Addition to the City of Elkhart; said Plat being recorded in Deed Record 37, page 72 in the Office of the Recorder of Elkhart County, Indiana, more particularly described as follows: Commencing at a point on the East line of Lot 454 in Mather and McNaughton's Addition to the Town (now City) of Elkhart, Indiana, as the same is known and designated on the recorded Plat of said Addition, 40 feet North from the Southeast corner thereof; thence Westwardly on a line parallel with the North line of Mason Street in said City, 60 feet; thence Northwardly on a line parallel with the West line of Eighth Street in said City, about 38 feet to the South line of the premises heretofore conveyed to one Oppel; thence Eastwardly on a line parallel with the North line of Mason Street to the West line of Eighth Street; thence Southwardly along the West line of Eighth Street to the place of beginning.

20-06-08-110-017.000-012  
619 S Eighth, Elkhart, In 46516

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Parcel 8

A part of Lot Numbered Four Hundred Fifty-four (454) as the said Lot is known and designated on the recorded Plat of Mather and McNaughton's Addition to the Town, now City of Elkhart; said Plat being recorded in Deed Record 37, page 72 in the Office of the Recorder of Elkhart County, Indiana, and more particularly described as follows: Commencing at the Southeast corner of said Lot; thence Westwardly along the South line of said Lot, 60 feet; thence Northwardly on a line parallel with the East line of said Lot, 40 feet; thence Eastwardly on a line parallel with the South line of said Lot, 60 feet to the West line of Eighth Street; thence Southwardly along the East line of said Lot, 40 feet to the place of beginning.

20-06-08-110-018.000-012  
S Eighth, Elkhart, In 46516

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Parcel 9

Lot Numbered 559 as the said Lots are known and designated on the recorded Plat of McNaughton and Compton's Addition to the Town (now City) of Elkhart; said Plat being recorded in Deed Record 39, page 577 in the Office of the Recorder of Elkhart County, Indiana.

20-06-08-156-008.000-012  
Lafayette, Elkhart, In 46516

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**Parcel 10**

Lot Numbered Two Hundred Seventy (270), as shown on the plat of CHAPMAN'S ROSEDALE ADDITION, said Plat being recorded in Deed Record 114, page 586 in the Records of Elkhart County, Indiana. EXCEPT: 10 feet North Side, together with the South Half of the vacated alley lying Northwest and Adjacent.

20-06-08-255-023.000-012  
Delaware, Elkhart, In 46516

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**Parcel 11**

Lot Numbered Two Hundred Seventy-one (271), as shown on the plat of CHAPMAN'S ROSEDALE ADDITION, said Plat being recorded in Deed Record 114, page 586 in the Records of Elkhart County, Indiana.

20-06-08-255-024.000-012  
Delaware, Elkhart, In 46516

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**Parcel 12**

Southeast part of Lot Numbered 269 and North 10 feet of Lot 270, as shown on the plat of CHAPMAN'S ROSEDALE ADDITION, said Plat being recorded in Deed Record 114, page 586 in the Records of Elkhart County, Indiana together with the South Half of the vacated alley lying Northwest and Adjacent.

20-06-08-255-030.000-012  
Delaware, Elkhart, In 46516

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**Parcel 13**

The West Half of Lot Numbered 32 in Hall's Second Kelvin Grove Addition to the Town, now City of Elkhart, Indiana, as per plat thereof recorded April 6, 1867 in Deed Record 31, page 437 in the Office of the Recorder of Elkhart County, Indiana.

20-06-09-126-008.000-012  
Richmond, Elkhart, In 46516

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**Parcel 14**

Lot Numbered Fifty-eight (58), except the North 2 feet and Two (2) feet off the North side of Lot Numbered Fifty-seven (57) as the said Lots are known and designated on the recorded plat of Studebaker Park, an Addition to the City of Elkhart, Indiana; said Plat being recorded in Deed Record 116, page 44 in the Office of the Recorder of Elkhart County, Indiana.

20-06-09-133-010.000-012  
1030 Princeton, Elkhart, In 46516

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**Parcel 15**

Lots Numbered 182, 183, and 184 as the said Lots are known and designated on the recorded Plat of Studebaker Park Addition to the City of Elkhart, Indiana; said Plat being recorded in Deed Record 116, page 44 in the Office of the Recorder of Elkhart County, Indiana.

20-06-09-185-012.000-012  
E Indiana, Elkhart, In 46516

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**Parcel 16**

Lots Numbered Four (4), Five (5) and Six (6), as the said Lots are known and designated on the recorded Plat of Paul's East Bend Addition to the City of Elkhart, Indiana; said Plat being recorded in Plat Book 3, page 69 in the Office of the Recorder of Elkhart County, Indiana.

20-06-10-155-009.000-012  
E Indiana, Elkhart, In 46516

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Parcel 17

Lots Numbered Seventy-seven (77) and Seventy-eight (78) as the said Lots are known and designated on the recorded Plat of HAYNES AND NALLINGER'S SOUTH SIDE, an Addition in the City of Elkhart, Indiana; said Plat being recorded in Plat Book 1, page 43 in the Office of the Recorder of Elkhart County, Indiana.

20-06-16-137-023.000-012

804 E Carlton Ave, Elkhart, In 46517

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**RETURN TO:**  
Department of Redevelopment  
201 South Second Street  
Elkhart, Indiana 46516

**AUDITOR'S RECORD**  
TRANSFER NO.: \_\_\_\_\_  
TAXING UNIT: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PARCEL ID: \_\_\_\_\_

### QUIT-CLAIM DEED

THIS INDENTURE WITNESSETH, THAT the City of Elkhart, Indiana, a Municipal Corporation, *the Grantor* **Conveys and Quit-claims to** City of Elkhart, Indiana, Department of Redevelopment, a Municipal Corporation, *the Grantee*

*for no monetary consideration, the following described real estate in Elkhart County, in the State of Indiana, to-wit:*

**(See Exhibit A attached hereto)**

Subject to all easements, restrictions and public rights of way of record.

The Grantor herein is a tax-exempt entity and therefore there are no real estate taxes or assessments levied or assessed against the above-designated real estate prior to the date of this deed.

The Grantor hereby conveys the above-described real estate free and clear of all leases, licenses, or other interests, both legal and equitable, subject to all easements, highways and public rights of way of record.

The undersigned state that each is a duly elected official of the Grantor and that each has statutory authority to execute this Deed.

NO SALES DISCLOSURE REQUIRED

Executed this \_\_\_\_ day of \_\_\_\_\_, 2024.

“GRANTOR”

CITY OF ELKHART, INDIANA  
DEPARTMENT OF PUBLIC WORKS

By: \_\_\_\_\_  
Jamie Arce, Vice-President  
City of Elkhart, Indiana,  
Board of Public Works

ATTEST:

By: \_\_\_\_\_  
Nancy Wilson, Clerk of the Board of Public Works

STATE OF INDIANA        )  
                                  )SS:  
COUNTY OF ELKHART    )

Before me, a Notary Public in and for said County and State, personally appeared Jamie Arce and Nancy Wilson, the Vice-President and Clerk, respectively, of the City of Elkhart, Indiana, Board of Public Works, and acknowledged the execution of the foregoing Deed on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public

Interests in land acquired by:

City of Elkhart, Indiana,  
Department of Redevelopment  
229 South Second Street  
Elkhart, Indiana 46516

ACCEPTANCE

The Grantee hereby accepts the foregoing Quit Claim Deed.

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

“GRANTEE”  
CITY OF ELKHART, INDIANA  
DEPARTMENT OF REDEVELOPMENT

By: \_\_\_\_\_  
Sandra Schreiber, President  
Elkhart Redevelopment Commission

ATTEST:

By: \_\_\_\_\_  
Dina Harris, Secretary

STATE OF INDIANA        )  
                                  )SS:  
COUNTY OF ELKHART    )

Before me, a Notary Public in and for said County and State, personally appeared Sandra Schreiber and Dina Harris, known to me to be the President and Secretary of the City of Elkhart, Indiana, Redevelopment Commission, and acknowledged the execution of the foregoing Acceptance on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Gary D. Boyn  
Notary Public

*This Instrument was prepared by the law firm of Warrick & Boyn, LLP, 861 Parkway Avenue, Elkhart, Indiana 46516, by Gary D. Boyn. 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. Gary D. Boyn*



EXHIBIT A

Parcel 1

A part of Lot Numbered One Hundred Ninety-one (191) as the said Lot is known and designated on the recorded Plat of the SECOND SOUTH AND WESTERN ADDITION to the Elkhart Town (now City), said Plat being recorded in Deed Record 3, page 538 in the Office of the Recorder of Elkhart County, State of Indiana and being more particularly described as follows:

Beginning at a point in the City of Elkhart on the West line of Sixth Street, Seventy-five (75) feet North line of Franklin Street; thence West parallel with the North line of Franklin Street, Seventy-five (75) feet; thence North parallel with the West line of Sixth Street to the South line of Vistula Street; thence Northeastwardly along the South line of Vistula Street to the West line of Sixth Street; thence Southwardly along the West line of Sixth Street to the place of beginning.

20-06-05-382-002.00-012  
323 S Sixth St., Elkhart, In 46516

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Parcel 2

A part of Lot Numbered One Hundred Ninety-one (191) as the said Lot is known and designated on the recorded Plat of the SECOND SOUTH AND WESTERN ADDITION to the Elkhart Town (now City), said Plat being recorded in Deed Record 3, page 538 in the Office of the Recorder of Elkhart County, State of Indiana and being more particularly described as follows:

Beginning at a point on the West line of Sixth Street in the City of Elkhart which is forty two ( 42) feet North of the North line of Franklin Street in said City; thence North along the West line of said Sixth Street, thirty-three (33) feet; thence West, parallel with the North line of Franklin Street seventy-five (75) feet; thence South parallel with the West line of South Street thirty-three (33) feet; thence East parallel with the North line of Franklin Street, seventy-five (75) feet to the place of beginning.

20-06-05-382-003.000-012  
327 S Sixth St., Elkhart, In 46516

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Parcel 3

A part of Lot Numbered Twenty-eight (28) as the said Lot is known and designated on the recorded **ORIGINAL PLAT OF THE TOWN OF ELKHART**, to the City of Elkhart, Elkhart County, Indiana; said Plat being recorded in Deed Record 1, page 34 in the Office of the Recorder of Elkhart County, Indiana, more particularly described as follows: Beginning at the Southwest corner of said Lot Numbered Twenty-eight (28); thence running Northwardly along the Western line of said Lot, Forty-one (41) feet and Three (3) inches; thence Easterly on a line parallel with the Southern line of said Lot, Eighty-five (85) feet; thence Southerly on a line parallel with the Western line of said Lot, Forty-one (41) feet and Three (3) inches to the Southern line of said Lot; thence Westwardly along the Southern line of said Lot, Eighty-five (85) feet to the place of beginning.

20-06-05-401-002.000-012  
200 N Second St, Elkhart, In 46516

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Parcel 4

A part of Out Lot Twenty-eight (28) as the same is known and designated on the recorded Corporation Plat of the Town of Elkhart, Indiana, now an Addition to the City of Elkhart; said Plat being recorded in Deed Record 27, page 154 in the Office of the Recorder of Elkhart County, Indiana, being more particularly described as follows:

Beginning at an iron stake at the Southwest corner of said Out Lot; running thence East along the North line of Division Street Fifty-three (53) feet to an iron stake thence North at right angles to the North line of said Division Street Eight (8) rods (132 feet); thence West parallel with the North line of Division Street Fifty-three and seventy-seven hundredths (53. 77) feet to an iron stake on the West line of said Out Lot; thence South along the West line of said Out Lot eight (8) rods (132 feet) to the place of beginning.

ALSO, Lots Numbered Three: (3), Four (4), Five (5) and Six (6) as the same are known and designated on the recorded Plat of Funk's Addition to the City of Elkhart; said Plat being recorded in Deed Record 65, page 426 in the Office of the Recorder of Elkhart County, Indiana. ALSO, the West One-half (W 1/2) of the vacated alley lying East of and adjacent to the above lots.

ALSO, a part of Section Five (5), Township Thirty-seven (37) North, Range Five (5) East, in Elkhart City Concord Township, Elkhart County, Indiana, being more particularly described as follows:

Commencing at the Northeast corner of Lot Number Six (6) of Funk's Addition to the City of Elkhart; thence South along the East line of Lots Numbered Six (6), Five (5), Four (4) and Three (3) in said Funk's Addition, to the Southeast corner of said Lot number Three (3); thence East Twelve (12) feet; thence South to the North line of Out Lot Number Twenty-eight (28); thence East along the North line of said Out lot Number Twenty-eight (28), Fifty (50) feet; thence North to the South line of Hug Street; thence West Sixty-two (62) feet to the place of beginning. ALSO, the East One-half (E 1/2) of the vacated alley lying West of and adjacent to the above described real estate.

20-06-05-479-031.000-012  
Hug St, Elkhart, In 46516

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Parcel 5

Lot Numbered 8 in Willow Bay, as per plat thereof recorded in Plat Book 1, page 9 in the Office of the Recorder of Elkhart County, Indiana.

20-06-06-483-031.000-012  
164 S Shore Dr, Elkhart, In 46516

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Parcel 6

Lot Numbered 7 in Willow Bay, as per plat thereof recorded in Plat Book 1, page 9 in the Office of the Recorder of Elkhart County, Indiana.

20-06-06-483-032.000-012  
S Shore Dr, Elkhart, In 46516

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Parcel 7

A part of Lot Numbered Four Hundred Fifty-four (454) as the said Lot is known and designated on the recorded Plat of Mather and McNaughton's Addition to the City of Elkhart; said Plat being recorded in Deed Record 37, page 72 in the Office of the Recorder of Elkhart County, Indiana, more particularly described as follows: Commencing at a point on the East line of Lot 454 in Mather and McNaughton's Addition to the Town (now City) of Elkhart, Indiana, as the same is known and designated on the recorded Plat of said Addition, 40 feet North from the Southeast corner thereof; thence Westwardly on a line parallel with the North line of Mason Street in said City, 60 feet; thence Northwardly on a line parallel with the West line of Eighth Street in said City, about 38 feet to the South line of the premises heretofore conveyed to one Oppel; thence Eastwardly on a line parallel with the North line of Mason Street to the West line of Eighth Street; thence Southwardly along the West line of Eighth Street to the place of beginning.

20-06-08-110-017.000-012  
619 S Eighth, Elkhart, In 46516

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Parcel 8

A part of Lot Numbered Four Hundred Fifty-four (454) as the said Lot is known and designated on the recorded Plat of Mather and McNaughton's Addition to the Town, now City of Elkhart; said Plat being recorded in Deed Record 37, page 72 in the Office of the Recorder of Elkhart County, Indiana, and more particularly described as follows: Commencing at the Southeast corner of said Lot; thence Westwardly along the South line of said Lot, 60 feet; thence Northwardly on a line parallel with the East line of said Lot, 40 feet; thence Eastwardly on a line parallel with the South line of said Lot, 60 feet to the West line of Eighth Street; thence Southwardly along the East line of said Lot, 40 feet to the place of beginning.

20-06-08-110-018.000-012  
S Eighth, Elkhart, In 46516

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Parcel 9

Lot Numbered 559 as the said Lots are known and designated on the recorded Plat of McNaughton and Compton's Addition to the Town (now City) of Elkhart; said Plat being recorded in Deed Record 39, page 577 in the Office of the Recorder of Elkhart County, Indiana.

20-06-08-156-008.000-012  
Lafayette, Elkhart, In 46516

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Parcel 10

Lot Numbered Two Hundred Seventy (270), as shown on the plat of CHAPMAN'S ROSEDALE ADDITION, said Plat being recorded in Deed Record 114, page 586 in the Records of Elkhart County, Indiana. EXCEPT: 10 feet North Side, together with the South Half of the vacated alley lying Northwest and Adjacent.

20-06-08-255-023.000-012  
Delaware, Elkhart, In 46516

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**Parcel 11**

Lot Numbered Two Hundred Seventy-one (271), as shown on the plat of CHAPMAN'S ROSEDALE ADDITION, said Plat being recorded in Deed Record 114, page 586 in the Records of Elkhart County, Indiana.

20-06-08-255-024.000-012  
Delaware, Elkhart, In 46516

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**Parcel 12**

Southeast part of Lot Numbered 269 and North 10 feet of Lot 270, as shown on the plat of CHAPMAN'S ROSEDALE ADDITION, said Plat being recorded in Deed Record 114, page 586 in the Records of Elkhart County, Indiana together with the South Half of the vacated alley lying Northwest and Adjacent.

20-06-08-255-030.000-012  
Delaware, Elkhart, In 46516

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**Parcel 13**

The West Half of Lot Numbered 32 in Hall's Second Kelvin Grove Addition to the Town, now City of Elkhart, Indiana, as per plat thereof recorded April 6, 1867 in Deed Record 31, page 437 in the Office of the Recorder of Elkhart County, Indiana.

20-06-09-126-008.000-012  
Richmond, Elkhart, In 46516

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**Parcel 14**

Lot Numbered Fifty-eight (58), except the North 2 feet and Two (2) feet off the North side of Lot Numbered Fifty-seven (57) as the said Lots are known and designated on the recorded plat of Studebaker Park, an Addition to the City of Elkhart, Indiana; said Plat being recorded in Deed Record 116, page 44 in the Office of the Recorder of Elkhart County, Indiana.

20-06-09-133-010.000-012  
1030 Princeton, Elkhart, In 46516

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**Parcel 15**

Lots Numbered 182, 183, and 184 as the said Lots are known and designated on the recorded Plat of Studebaker Park Addition to the City of Elkhart, Indiana; said Plat being recorded in Deed Record 116, page 44 in the Office of the Recorder of Elkhart County, Indiana.

20-06-09-185-012.000-012  
E Indiana, Elkhart, In 46516

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**Parcel 16**

Lots Numbered Four (4), Five (5) and Six (6), as the said Lots are known and designated on the recorded Plat of Paul's East Bend Addition to the City of Elkhart, Indiana; said Plat being recorded in Plat Book 3, page 69 in the Office of the Recorder of Elkhart County, Indiana.

20-06-10-155-009.000-012  
E Indiana, Elkhart, In 46516

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**Parcel 17**

Lots Numbered Seventy-seven (77) and Seventy-eight (78) as the said Lots are known and designated on the recorded Plat of HAYNES AND NALLINGER'S SOUTH SIDE, an Addition in the City of Elkhart, Indiana; said Plat being recorded in Plat Book 1, page 43 in the Office of the Recorder of Elkhart County, Indiana.

20-06-16-137-023.000-012  
804 E Carlton Ave, Elkhart, In 46517

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Rod Roberson  
Mayor

Laura Kolo  
Environmental Resources

Tory Irwin, P.E.  
Engineering Services



Public Works &  
Utilities Department

Administration, Engineering  
& Laboratory  
574.293.2572

Utility Billing  
574.264.4273

1201 S. Nappanee St.  
Elkhart, Indiana 46516

## MEMORANDUM

**TO: BOARD OF PUBLIC WORKS**

**FROM: MAGGIE MARNOCHA, PUBLIC WORKS ATTORNEY**

**DATE: 9/12/24**

**RE: PERMISSION TO MOVE THE COURT TO APPOINT RECEIVER FOR 111 LEXINGTON**

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At the last Board meeting, the Board of Works permitted the Redevelopment Department to solicit proposals and qualifications for receivership for 111 Lexington St. The City had previously filed a Petition in the Elkhart County Superior Court 2, requesting that the Court appoint a receiver over the real estate located at 111 Lexington. With the Board's permission, the City then solicited proposals from various contractors who have shown an interest in the property. The submissions have been evaluated and the selection committee now has a recommendation. The selection committee asks the Board's permission to move the Court to appoint the selected contractor as the receiver.

Please approve the recommendation of the selection committee and approve the Public Works Attorney's request to file a motion with the Court requesting the appointment of the selected receiver.

**Use & Event Permits: Event Committee 09-10-24, BOW 09-17-24**

- EHS Homecoming Parade 10/11- Temporary Street Closure, Parade & Public Assembly, EPD, ESS, EMS, Special Exception from Noise
- Modrell Homeowners Block Party 9/21- Temporary Street Closure, Special Exception from Noise
- Soto Birthday Party 10/12- Temporary Street Closure, Special Exception from Noise
- Ugly Sweater 5k & Stroll 12/7- ESS, EMS, Golf Cart, EPD, Temporary Street Closures, Parade & Public Assembly, Special Exception from Noise
- March for Jesus & Prayer Gathering 9/29- Parade & Public Assembly, Special Exception from Noise, ESS, EPD, Central Green Park