

**A RESOLUTION APPROVING THE  
PURCHASE OF CERTAIN  
SANITARY SEWER EASEMENT  
FOR THE CITY OF FORT WAYNE,  
DIVISION OF CITY UTILITIES.**

**WHEREAS**, the City of Fort Wayne, through its Division of Public Works, desires to purchase a sanitary sewer easement located on Dupont Road, between Diebold Road and The Oaks subdivision, specifically described in the Sanitary Sewer Easement Agreement, Exhibit "A," attached hereto and made a part hereof; and

**WHEREAS**, the City of Fort Wayne, through its Division of Public Works, desires to purchase this sanitary sewer easement as part of the Upper Ely Sewer Interceptor Installation; and

**WHEREAS**, the purchase price for the sanitary sewer easement is ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS - \$130,000.00.

**WHEREAS**, Sec. 37-19 of the City of Fort Wayne Code of Ordinances, requires the Common Council approval of any purchase of real estate by the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** The purchase of a sanitary sewer easement by the City of Fort Wayne through its Division of Public Works, located on Dupont

Road, between Diebold Road and The Oaks subdivision, specifically described in the Sanitary Sewer Easement Agreement, Exhibit "A," is hereby approved and agreed to. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish said purchase.

**SECTION 2.** This Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mitch Harper  
Council Member

Read the third time in full and on motion by Pape. and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight  
Bender, Brown, Didier, Goldner,  
Hines, Pape, Shoaff, Smith  
NAYS: One  
Harper  
ABSTAINED: None  
ABSENT: None

DATED: 9-22-09

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-50-09 on the 22<sup>nd</sup> day of September, 2009

ATTEST:

SEAL

Sandra E. Kennedy  
City Clerk

Thomas E. Smith  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23<sup>rd</sup> day of September, 2009, at the hour of 11:30 o'clock A.M. E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 23<sup>rd</sup> day of September, 2009, at the hour of 2:00 o'clock P.M, E.S.T.

Thomas C. Henry  
Mayor