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BILL NO. R-14-05-09

RESOLUTION NO. R- 51-14

A RESOLUTION APPROVING THE SALE OF CERTAIN REAL ESTATE LOCATED AT 1118 W. TILL ROAD, FORT WAYNE, INDIANA FOR THE CITY OF FORT WAYNE, BY AND THROUGH THE DIVISION OF PUBLIC WORKS.

WHEREAS, the City of Fort Wayne, through its Division of Public Works, desires to sell 9.348 acres of property located North of 1118 W. Till Road, Fort Wayne, Indiana, specifically described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the City of Fort Wayne, through its Division of Public Works, desires to sell this property as it has no current or future need for said property; and

WHEREAS, the purchase price for the property is TWO HUNDRED THOUSAND AND 00/100 DOLLARS – (\$200,000.00); and

WHEREAS, IC 36-1-11-3C(1), requires the Common Council approval of any disposal of real property by the City having an appraised value of fifty thousand dollars (\$50,000.00) or more.

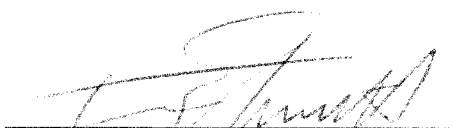
NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The sale of real estate by the City of Fort Wayne through its Division of Public Works, 9.348 acres of property located North of

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1118 W. Till Road, Fort Wayne, Indiana, specifically described in 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 sale.

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.



Council Member

APPROVED AS TO FORM AND LEGALITY



Carol Helton, City Attorney

Public Hearing Date, if applicable _____

Read the first time in full and on motion by Councilman Tom Smith
Read the second time by title and referred to the Public Works Committee
Committee. Read the third time in full and on motion by Councilman
Smith, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 5-27-14 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. R-51-14 on the 27th day of
May, 2014

Sandra E. Kennedy ATTEST:
SANDRA E. KENNEDY,
CITY CLERK

Martin A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day
of May, 2014, at the hour of 11:30 o'clock Am. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of MAY
2014, at the hour of 9:00 o'clock AM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

EXHIBIT "A"

Legal Description

The North 800 feet of the East 138.39 feet of Lot Number 7 and the North 800 feet of Lot Number 8, all by parallel lines, in the Plat of Rousseau's Out Lots, according to the plat thereof as recorded in Plat Book 7B, page 50, in the Office of the Recorder of Allen County, Indiana, being a subdivision of the South Half of the Northeast Quarter of Section 3, Township 31 North, Range 12 East, in Allen County, Indiana, containing 9.348 acres of land, more or less.

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA,
AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY**

RESOLUTION NUMBER 101-4-23-14-1

WHEREAS, the City of Fort Wayne Board of Public Works (the "Board") owns certain real property (the "Parcel"), the legal description to which is attached hereto as Exhibit "A" and made a part of this Resolution by this reference; and

WHEREAS, Indiana Code Title 36, Article 1, Chapter 11, Section 3(b)(2) [IC 36-1-11-3(b)(2)] requires the Board to conduct a public hearing regarding the sale of the Parcel and to give the Board's recommendation of whether or not the sale of the Parcel should proceed to the Mayor of the City of Fort Wayne, Indiana; and

WHEREAS, public notice of today's hearing was given on April 11, 2014, being at least ten (10) days prior to the hearing date in accordance Indiana Code Title 5, Article 3, Chapter 1, Section 2(b) [IC 5-3-1-2(b)], which said notice gave the date, time, location and subject matter of the hearing.

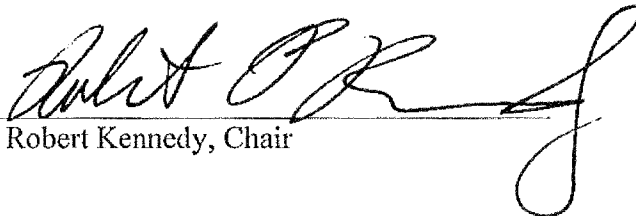
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. After holding a public hearing during which the Board requested to hear from citizens wishing to speak about the proposed sale of the parcel as described in the aforesaid Exhibit "A," the Board hereby recommends to the Mayor of the City of Fort Wayne, Indiana, that the sale of the parcel to Chestnut Group, Inc., should proceed, and at the agreed upon purchase price of \$200,000; and
2. That the Board hereby authorizes DeWayne Nodine, Program Manager, Capital Project Services with Fort Wayne City Utilities Engineering to sign, in the name of and on behalf of the Board, any deed associated with the sale of the Parcel in the event that the sale of the Parcel is approved by both the Common Council, and the Mayor of the City of Fort Wayne, Indiana.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

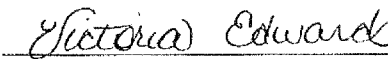
APPROVED this 23rd day of April, 2014.

BOARD OF PUBLIC WORKS

By: 
Robert Kennedy, Chair

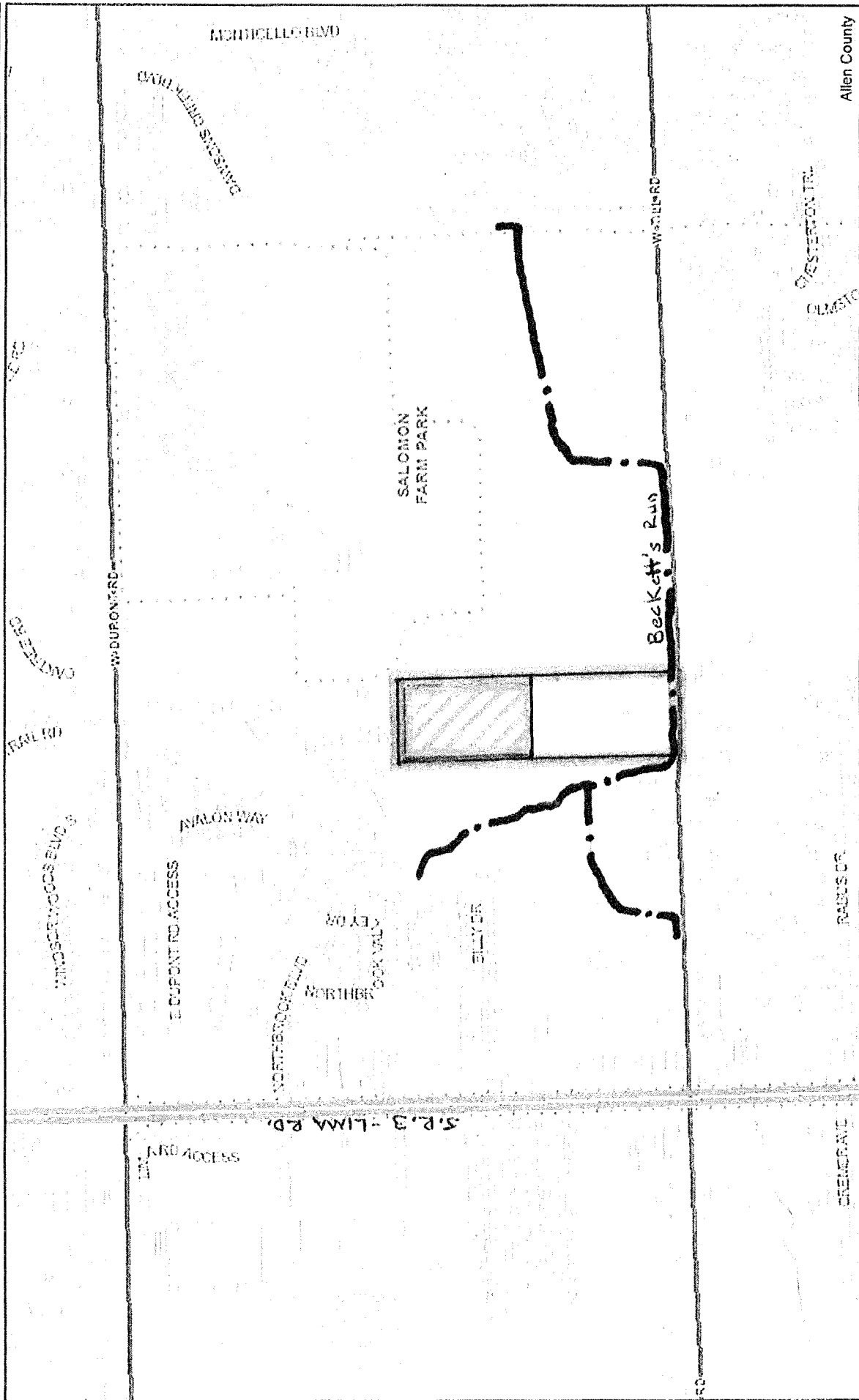
By: _____
Kumar Menon, Member

By: 
Mike Avila, Member

Attest: 
Victoria Edwards, Clerk



Proposed Sale of 9.348 acres--North 800 feet at 1118 W. Till Road



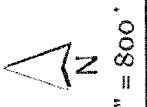
Allen County

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East

DALGARD PARCEL
 19.24 acres
 Purchased by City
 Utilities in 2011.

PROPOSED SALE
 9.348 acres -
 North 800'



Date: 4/30/2014 1" = 800'

Interoffice Memo

Date: May 7, 2014
To: Common Council Members
From: DeWayne Nodine, Program Manager – Capital Project Services **RE: Sale of 9.348 acres of land-North of 1118 W. Till Rd., Fort Wayne, Indiana**

Council Introduction Date: May 13, 2014—Council District #: 3

Background & supporting information:

In 2011, City Utilities purchased a 19.24 acres parcel of land north of Till Road to alleviate stormwater problems. This parcel's southerly 9.9 acres is low-lying and being utilized for this stormwater project. However, the remaining 9.348 acres to the north consists of developable ground that is ideal for residential improvements.

Implications of not being approved: If not approved, the northerly 9.348 acre remainder will not be improved and will not make contributions to the property tax base. Further, City Utilities will own a parcel of land for which it lacks a purpose.

Justification if prior approval is being requested: Not applicable

Funding source: Not applicable

Attachments:

- Resolution authorizing and recommending the sale approved after a public hearing by the Board of Public Works on April 23, 2014;
- Map.

CC: Matthew Wirtz
Justin Brugger
Diane Brown
Project file

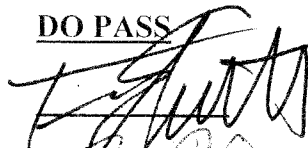

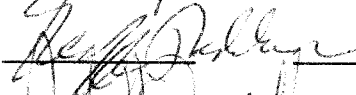

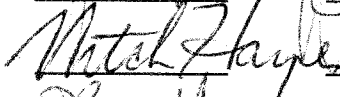
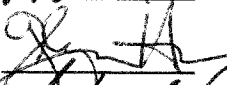
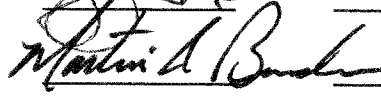
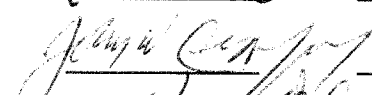

BILL NO. R-14-05-09

REPORT OF COMMITTEE ON PUBLIC WORKS

MAY 20, 2014

*Tom Smith, Chair
Glynn Hines, Co-Chair
All Council Members*

A RESOLUTION approving the sale of certain Real Estate located at 1118 W. Till Road, Fort Wayne, Indiana for the City of Fort Wayne, by and through the Division of Public Works. **COMMITTEE ON PUBLIC WORKS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
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**SANDRA E. KENNEDY
CITY CLERK**