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BILL NO. R-15-09-26

RESOLUTION NO. R-88-15

**A RESOLUTION APPROVING THE
PURCHASE OF CERTAIN REAL
ESTATE FOR THE CITY OF FORT
WAYNE, DIVISION OF CITY
UTILITIES.**

WHEREAS, the City of Fort Wayne, Division of City Utilities, desires to purchase property located at 701 East Wayne Street, Fort Wayne, Indiana for future reconstruction of the Hanna Street Combined Sewer Overflow Regulator; and

WHEREAS, the City of Fort Wayne, through its Board of Public Works, has approved the purchase of the property pursuant to Board of Public Works Resolution Number 102-9-9-15-2, Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the purchase price for the property is FORTY-FOUR THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS – (\$44,500.00); and

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.

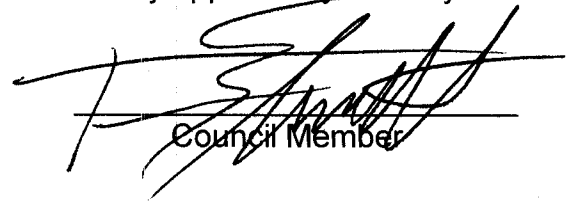
NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The purchase of real estate by the City of Fort Wayne by its Division of City Utilities, located at 701 E. Wayne Street,

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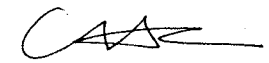
specifically described in the Board of Public Works Resolution, Exhibit "A," is hereby approved and agreed to. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish said purchase.

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.

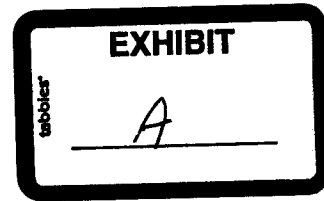


Council Member

APPROVED AS TO FORM AND LEGALITY



Carol Helton, City Attorney



**A RESOLUTION OF THE CITY OF FORT WAYNE, INDIANA,
BOARD OF PUBLIC WORKS
APPROVING THE PURCHASE OF
701 EAST WAYNE STREET,
FORT WAYNE, INDIANA, 46802**

RESOLUTION NUMBER 102-9-9-15-2

WHEREAS, the City of Fort Wayne (the "City") has an ongoing program of purchasing properties critical to its Capital Improvement Program; and

WHEREAS, the City has need for the property located at 701 East Wayne Street for the future reconstruction of the Hanna Street Combined Sewer Overflow Regulator in a location out of the intersection so as to be more safely accessible by maintenance personnel; and

WHEREAS, the City wishes to purchase from Gwen N. Parks, LaVerne M. Brown, Teresa Ransom & Steve Ransom the property commonly known as 701 East Wayne Street, Fort Wayne, Indiana, 46802, also known as Part of Lot 371 in Hanna's Addition to the City of Fort Wayne (the "Real Estate") as more particularly described in an "Affidavit For Transfer of Real Estate Without Administration Pursuant to Indiana Code Section 29-1-8-3" recorded in the Office of the Recorder of Allen County, Indiana; and

WHEREAS, Gwen N. Parks, LaVerne M. Brown, Teresa Ransom & Steve Ransom have voluntarily elected to sell the Real Estate to the City; and

WHEREAS, the agreed purchase price is Forty Four Thousand Five Hundred and No/100 Dollars (\$44,500.00), which is the average of two appraisals as mandated by Indiana statute.

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

SECTION 1. The purchase of the Real Estate by the City of Fort Wayne, Indiana, for the price of Forty-Four Thousand Five Hundred and No/100 Dollars (\$44,500.00) is hereby approved.

(Remainder of the page intentionally left blank—signature page to follow.)

APPROVED THIS 9 DAY OF September, 2015.

BOARD OF PUBLIC WORKS

BY: [Signature]
Robert P. Kennedy, Chairman

BY: [Signature]
Kumar Menon, Member

BY: [Signature]
Mike Avila, Member

ATTEST: [Signature]
Lyndsey Richards, Clerk

Prepared by: DeWayne J. Nodine, City of Fort Wayne, Program Manager, Capital Project Services

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared Robert P. Kennedy, Kumar Menon, and Mike Avila, as Members of the Board of Public Works of the City of Fort Wayne, and Lyndsey Richards, Clerk of the Board of Works, and acknowledged the execution of the foregoing contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 9th day of September, 2015.

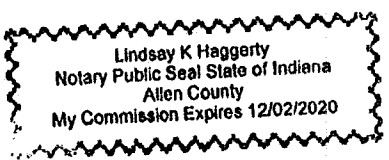
My Commission Expires:

12/02/2020

[Signature]
Notary Public

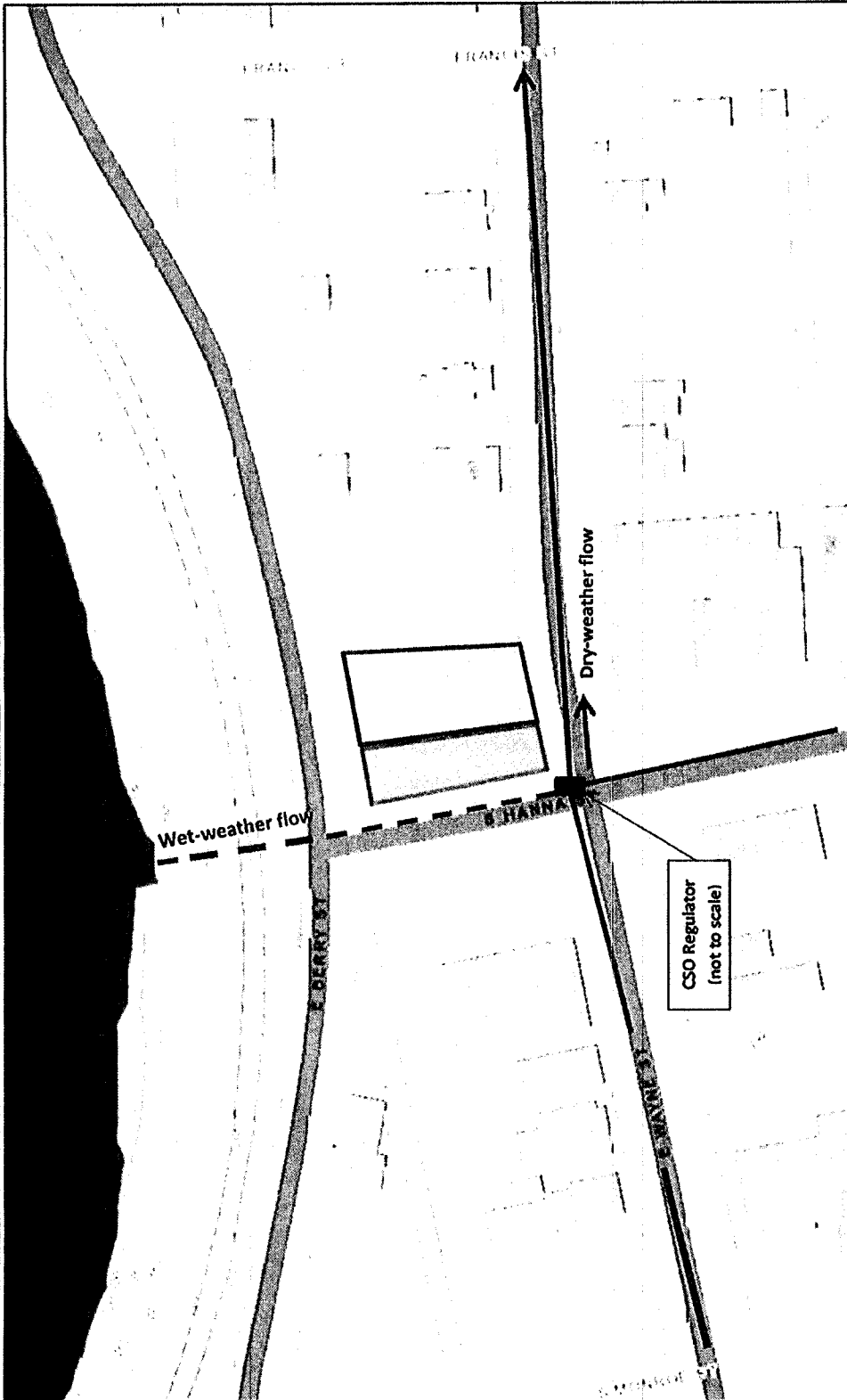
Resident of Allen County

Lindsay K Haggerty
Printed Name of Notary





Voluntary Buy-out: 701 E. Wayne Street



CSO Regulator
(not to scale)

Sept. 9, 2015

Wayne Street Interceptor
 Combined Sewer
 Storm Outfall

City-owned parcels
 701 E. Wayne St.

Although every attempt should be made to ensure the accuracy of this map, the City of Chesapeake does not warrant or guarantee the accuracy or completeness of the information and/or data shown on this map. The City of Chesapeake is not responsible for any errors or omissions in this map.

© 2015, Town of Chesapeake, VA
 North American Datum 1983
 New York Coordinate System, NAD83, NAD83

Interoffice Memo

Date: September 10, 2015
To: Common Council Members
From: DeWayne Nodine, Program Manager -- Capital Project Services -- Telephone: 427-1330
RE: Purchase of 701 E. Wayne Street, Fort Wayne, Indiana 46802

Council Introduction Date: September 22, 2015—Council District #: 5

Background & supporting information:

City Utilities would like to purchase 701 East Wayne Street for the future reconstruction of the Hanna Street Combined Sewer Overflow Regulator in a location out of the intersection of Wayne and Hanna Streets so as to be more safely accessible by maintenance personnel for debris removal. Presently, the regulator is located in the northeast part of this intersection. Therefore, the property under consideration is in the most suitable location for improving access to the regulator. Also, the City owns the two parcels immediately to the east of this address.

The purchase price is \$44,500.00, which is the average value of the two appraisals obtained. A map is attached to this memo highlighting this property along with a copy of the Resolution approved by the Board of Public Works on September 9, 2015.

Implications of not being approved:

More of the intersection is blocked when the regulator is accessed by maintenance personnel in its present location resulting in increased hazards for both them and motorists. Furthermore, if the property is not purchased, at this time, it will most likely cost more to purchase at a later date as the real estate market returns to its natural rate of increasing real estate values.

Justification if prior approval is being requested: Not applicable

Funding source: Sewer Revenue

Attachments:

- Map
- Resolution

CC: Matthew Wirtz
Dan Brenner
Diane Brown
Project file

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 City Utilities Committee. Read the third time in full and on motion by Councilman

Tom 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>8</u>	_____	_____	<u>1</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:

10-13-15

Angela K Davis
ANGELA K. DAVIS, DEPUTY 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-88-15 on the 13th day of
October, 2015

Angela K Davis ATTEST:
ANGELA K. DAVIS,
DEPUTY CITY CLERK

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day
of October, 2015, at the hour of 9:30 o'clock AM. E.S.T.

Angela K Davis
ANGELA K. DAVIS, DEPUTY CITY CLERK

Approved and signed by me this 16th day of OCTOBER
2015, at the hour of 11:30 o'clock AM. E.S.T.

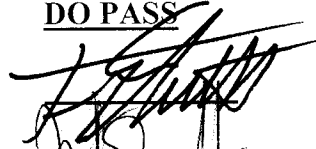
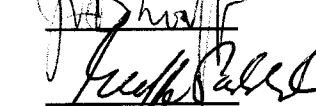
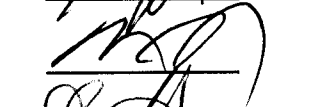
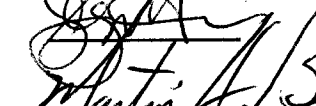
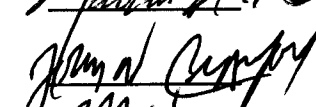

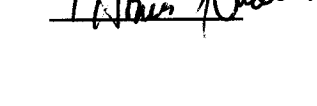
Thomas C. Henry
THOMAS C. HENRY, MAYOR

REPORT OF COMMITTEE ON CITY UTILITIES

OCTOBER 6, 2015

Thomas Smith, Chair
Martin Bender, Co-Chair
All Council Members

A RESOLUTION approving the purchase of certain Real Estate for the City of Fort Wayne, Division of City Utilities at 701 East Wayne Street, Fort Wayne, Indiana. **COMMITTEE ON CITY UTILITIES 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