

1 **BILL NO. R-17-08-10**

2  
3 **RESOLUTION NO. ~~R-18-17~~**

4 **A RESOLUTION APPROVING THE**  
5 **PURCHASE OF CERTAIN REAL ESTATE**  
6 **(VACANT LOT IN THE 700 BLOCK OF**  
7 **NUTTMAN AVE., FORT WAYNE INDIANA**  
8 **46809) (\$200.00), FOR THE CITY OF FORT**  
9 **WAYNE, INDIANA – Board of Public**  
10 **Works Resolution Number 104-8-2-17-1.**

11 **WHEREAS**, the City of Fort Wayne desires to purchase property,  
12 specifically an undeveloped **VACANT LOT IN THE 700 BLOCK OF NUTTMAN**  
13 **AVE., FORT WAYNE INDIANA 46809**, described in "Exhibit "1," attached  
14 hereto and made a part hereof; and

15 **WHEREAS**, the purchase of this property is necessary for the  
16 future construction of a storm and sanitary improvement project for the area  
17 around Quimby Village, Vesey Avenue, Gruber Avenue and Kinsmoor Avenue;  
18 and

19 **WHEREAS**, the purchase price for this property is **TWO**  
20 **HUNDRED AND 00/100 DOLLARS – (\$200.00)**; and

21 **WHEREAS**, Sec. 37-25 of the City of Fort Wayne Code of Ordinances,  
22 requires the Common Council approval of any purchase or conveyance of real  
23 estate by the City.

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

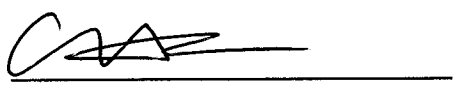
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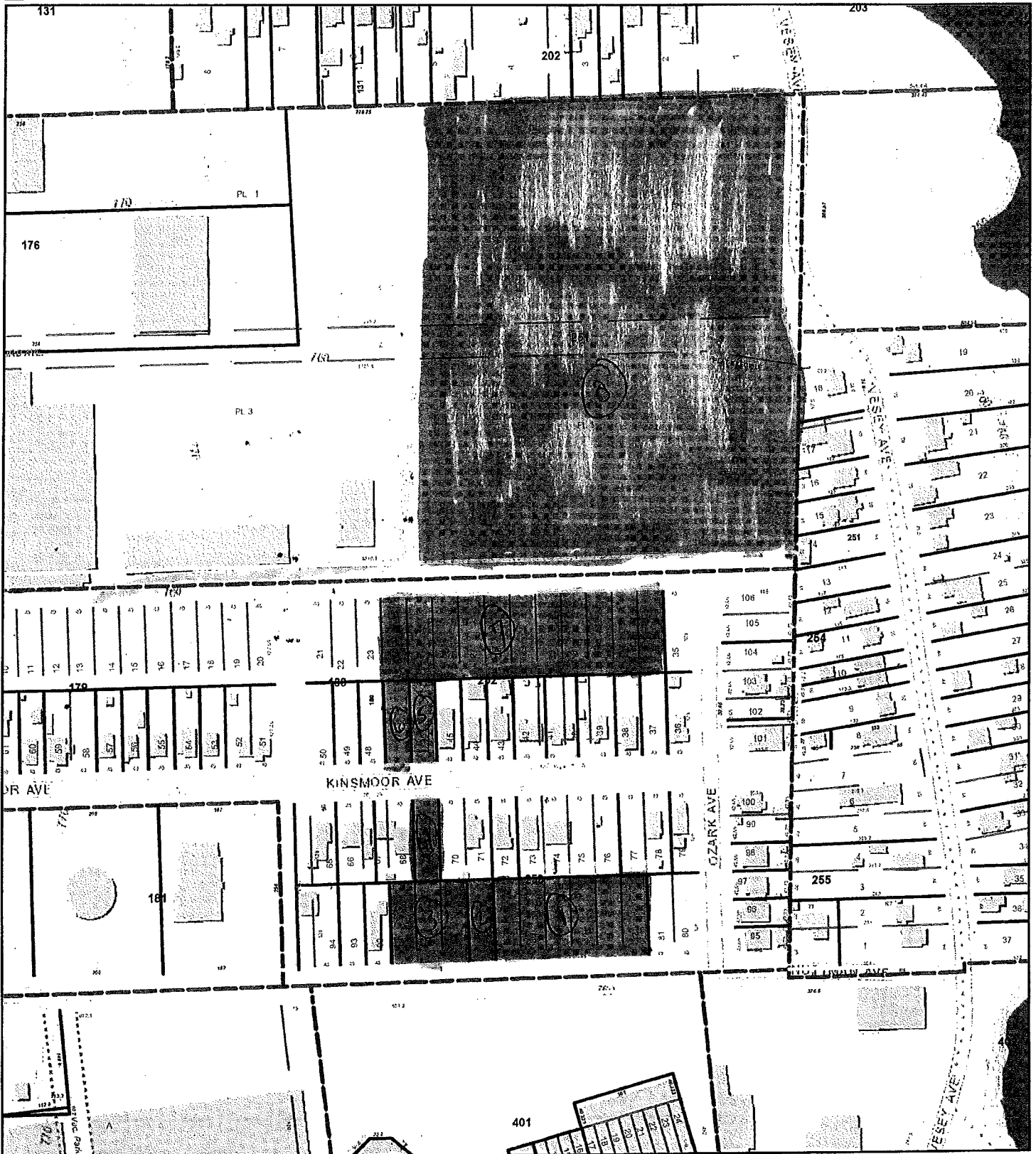
**SECTION 1.** The purchase of property, specifically an undeveloped **VACANT LOT IN THE 700 BLOCK OF NUTTMAN AVE., FORT WAYNE INDIANA 46809**, by the City of Fort Wayne, Indiana is hereby approved and agreed to.

**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



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



Date: 1/10/2017

1" = 200'



## FORT WAYNE BOARD OF PUBLIC WORKS TRANSMITTAL

Meeting Date: August 2, 2017

Department: City Utilities Administration

Preparer: Weinglass, Seth

Subject: 104-8-2-17-1 Purchase of County Property in 1700 Block of Nuttman Avenue

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### Description:

Improvement Resolution: #104-8-2-17-1, Purchase of County Property in 1700 Block of Nuttman Avenue.

### Attachments:

BOPW resolution no. 104-8-2-17-1 - ACCDC 1700 Nuttman

BOPW resolution no. 104-8-2-17-3 - Wayne Pipe 6040 Innovation Blvd

**A RESOLUTION OF BOARD OF PUBLIC WORKS  
OF THE CITY OF FORT WAYNE, INDIANA,  
APPROVING THE PURCHASE OF CERTAIN REAL PROPERTY  
LOCATED IN THE 1700 BLOCK OF NUTTMAN AVENUE IN FORT WAYNE  
TO FACILITATE THE  
WAYNE DALE/BELLE VISTA DRAINAGE IMPROVEMENTS PROJECT**

**RESOLUTION NUMBER 104-8-2-17-1**

WHEREAS, the City of Fort Wayne (the "City") is planning a storm and sanitary improvement project for the area around Quimby Village, Vesey Avenue, Gruber Avenue and Kinsmoor Avenue to address concerns about flooding and standing water, involving the construction of a storm sewer and detention basin as well as the removal of storm inlets from the sanitary systems in such area (the "Project"); and

WHEREAS, to facilitate the Project, the City wishes to acquire an undeveloped parcel located in the 1700 block of Nuttman Avenue in Fort Wayne, Indiana, 46809, more particularly described and depicted in Exhibit 1 attached hereto, incorporated herein by this reference (the "Property"); and

WHEREAS, the City wishes to purchase the Property from its owner, the Allen County Community Development Corporation (the "Owner"); and

WHEREAS, the aforesaid Owner wishes to sell the Property to the City; and

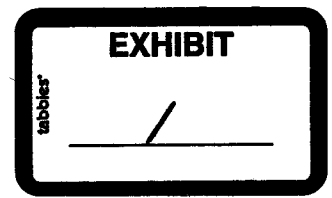
WHEREAS, the agreed purchase price for the Property is Two Hundred Dollars (\$200.00).

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

The purchase of the Property by the City of Fort Wayne, Indiana, for the total price of Two Hundred Dollars (\$200.00) is hereby

APPROVED this 2 day of August, 2017.

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



## EXHIBIT 1

### PROPERTY OWNER NAME AND MAILING ADDRESS:

**Landowner:** Allen County Community Development Corporation  
**Mailing Address:** 200 East Berry Street, Suite 170  
Fort Wayne, IN 46802

### AFFECTED PROPERTY:

**Address:** 1700 block Nuttman Avenue, Fort Wayne, Indiana 46809  
**Last deed of record:** Allen County Recorder's document number 203094359  
**Tax parcel no.:** 02-12-15-253-012.000-074  
**Legal description:** Lot Numbered 88 in Riverside Terrace Addition to the City of Fort Wayne, according to the recorded plat thereof, as recorded in Plat Book 11, Page 102.

**INTEREST TO BE ACQUIRED:** Fee simple in the entire parcel.

**BOARD OF PUBLIC WORKS**

By: *Absent Robert P. Kennedy*  
Robert P. Kennedy, Chair

By: *[Signature]*  
Kumar Menon, Member

By: *Mike Avila*  
Mike Avila, Member

Attest: *Lyndsey Richards*  
Lyndsey Richards, Clerk

Prepared by: Seth Weinglass, City of Fort Wayne, Program Manager, Capital Project Services

**ACKNOWLEDGEMENT**

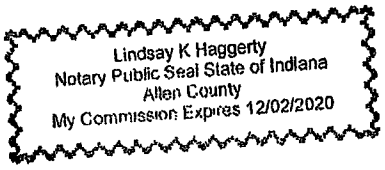
STATE OF INDIANA     )  
  )   SS:  
COUNTY OF ALLEN    )

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 2 day of AUGUST, 2017.

My Commission Expires:  
12/02/2020

*Lindsay K Haggerty*  
Notary Public  
Resident of Allen County  
Lindsay K Haggerty  
Printed Name of Notary



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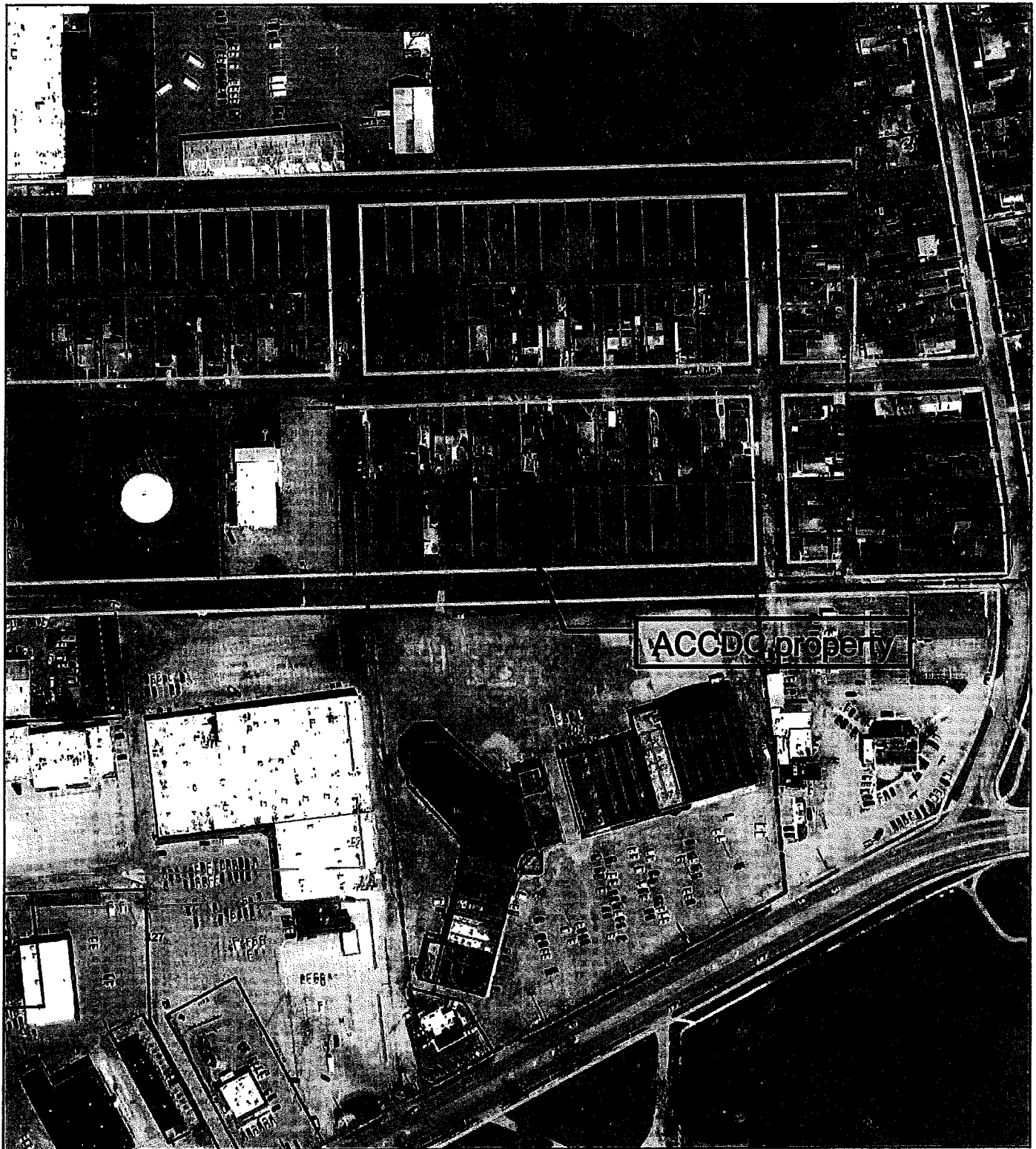
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# ACCDC property @ Quimby Village



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Date: 5/23/2017

1" = 200'

Interoffice Memo

Date: August 2, 2017  
To: Common Council Members  
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330  
RE: Purchase of Vacant Lot in the 700 Block of Nuttman Ave., Fort Wayne, Indiana 46809

**Council Introduction Date: August 8, 2017 - Council District #: 5**

Background & supporting information:

City Utilities is planning a storm and sanitary improvement project for the area around Quimby Village, Vesey Avenue, Gruber Avenue and Kinsmoor Avenue. To address concerns about flooding and standing water, the project will involve the construction of a storm sewer and detention basin. Storm inlets will also be removed from the sanitary systems in the area.

City Utilities will need to purchase a number of properties for this project, beginning with this undeveloped lot in the 700 Block of Nuttman Avenue. The present owner is the Allen County Community Development Corporation (ACCDC), which acquired the property after it went unsold at a tax sale in 2003. The purchase price for the property is \$200.

The map attached to this memo highlights each of the properties that City Utilities presently intends to purchase in connection with this project, showing the land under consideration here as property number 2.

Implications of not being approved:

If this property purchase is not approved, the project will need to be redesigned, causing delays to the flood relief that the project is intended to bring about, and necessitating the purchase of a different property, all at additional cost.

Justification if prior approval is being requested: Not applicable

Funding source: Storm Revenue

Attachments:

- Map
- Resolution for purchase approved by Board of Public Works on August 2, 2017

CC: Matthew Wirtz  
Diane Brown  
Project file

**BILL NO. R-17-08-10**

**REPORT OF COMMITTEE ON CITY UTILITIES**

**August 22, 2017**



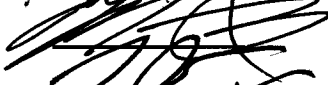

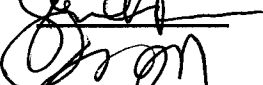
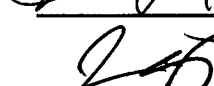
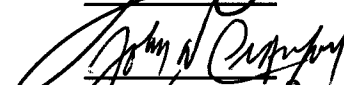
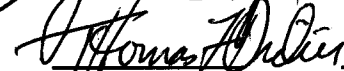
**Tom Freistroffer Chair**

**Paul Ensley Co-Chair**

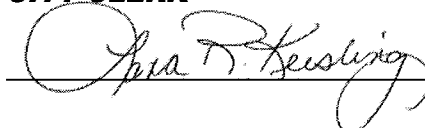
**All Council Members**

A Resolution approving the purchase of certain real estate for the City of Fort Wayne, Indiana, - Board of Public Works Resolution Number 104-8-2-17-1

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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**LANA R. KEESLING  
CITY CLERK**

  
\_\_\_\_\_

Public Hearing Date: N/A


Read the first time in full and on motion by Councilman Freistroffer.

Read the second time by title and referred to the City Utilities Committee.

Read the third time in full and on motion by Councilman Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: August 22, 2017

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-17-08-10 on the 22nd day of August, 2017

ATTEST:

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd of August 2017, at the hour of 10:25 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 28<sup>TH</sup> day of AUGUST 2017, at the hour of 10:00 O'clock AM . E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR