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2 **BILL NO. R-17-11-33**

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4 **RESOLUTION NO. R-104-17**

5 **A RESOLUTION APPROVING THE**
6 **PURCHASE OF CERTAIN REAL**
7 **ESTATE LOCATED IN THE 1700**
8 **BLOCK OF NUTTMAN AVENUE IN**
9 **FORT WAYNE, INDIANA (\$1,550.00)**
10 **FOR THE CITY OF FORT WAYNE,**
11 **INDIANA – Board of Public Works**
12 **Resolution Number 104-11-22-17-2.**

13 **WHEREAS,** the City of Fort Wayne desires to purchase property
14 located IN THE 1700 BLOCK OF NUTTMAN AVENUE in Fort Wayne, Indiana,
15 specifically described in "Exhibit "A," attached hereto and made a part hereof;
16 and

17 **WHEREAS,** the purchase of this property is necessary to facilitate
18 the Waynedale/Belle Vista Drainage Improvements Project; and

19 **WHEREAS,** the purchase price for this property is ONE
20 THOUSAND FIVE HUNDRED FIFTY AND 00/100 – (\$1,550.00); 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:**

26 **SECTION 1.** The purchase of property located in the 1700 Block
27 of Nuttman Avenue in Fort Wayne, Indiana by the City of Fort Wayne, Indiana is

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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

**A RESOLUTION OF BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA,
APPROVING THE PURCHASE OF A 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 104-11-22-17-2

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, AEP Indiana Michigan Transmission, Inc. (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 One Thousand, Five Hundred and Fifty Dollars (\$1,550.00).

**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 One Thousand, Five Hundred and Fifty Dollars (\$1,550.00) is hereby approved.

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

APPROVED this 22nd day of November, 2017.

BOARD OF PUBLIC WORKS

BY: _____
Shan Gunawardena, Interim Chair of Public Works

BY: _____
Kumar Menon, Member

BY: _____
Mike Avila, Member

ATTEST: _____
Lindsey 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 Shan Gunawardena, 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 22nd day of November, 2017.

My Commission Expires:

Notary Public

Resident of _____ County

Printed Name of Notary



AEP/Indiana Michigan Property @ Quimby Village



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: 5/23/2017

1" = 200'



AEP/Indiana Michigan Property @ Quimby Village



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North American Datum 1983
State Plane Coordinate System, Indiana East



Date: 5/23/2017

1" = 200'

EXHIBIT 1

PROPERTY OWNER NAME AND MAILING ADDRESS:

Landowner: AEP Indiana Michigan Transmission, Inc.
Mailing Address: P.O. Box 16428, Columbus, OH 43216

AFFECTED PROPERTY:

Address: 1700 block Nuttman Avenue, Fort Wayne, Indiana 46809
Last deed of record: Deed Book 427, Page 195
Tax parcel no.: 02-12-15-253-014.000-074
Legal description: Lots Numbered 80 and 81 in Riverside Terrace Addition to the City of Fort Wayne, Allen County, Indiana, according to the plat thereof recorded October 19, 1925, in Plat Record 11, Page 102, of the records in the Recorder's Office of Allen County, Indiana.

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

Interoffice Memo

Date: November 22, 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: November 28, 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 property is owned by AEP/Indiana Michigan Power Company. The purchase price for the property is \$1,550.00, which is fifty dollars more than its assessed value.

The map attached to this memo shows the land under consideration for purchase.

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 November 22, 2017

CC: Matthew Wirtz
Ann Marie Smrcek
Diane Brown
Project file



FORT WAYNE BOARD OF PUBLIC WORKS TRANSMITTAL

Meeting Date: November 22, 2017

Department: City Utilities Administration

Preparer: Weinglass, Seth

Subject: 104-11-22-17-2 Purchase of Vacant Lot from AEP for Quimby Village Detention

Description:

Resolution: #104-11-22-17-2, Purchase of Vacant Lot from Indiana Michigan Power for the Quimby Village Drainage Improvements project.

Attachments:

BOPW resolution no. 104-11-22-17-2 AEP-Nuttman

**A RESOLUTION OF BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA,
APPROVING THE PURCHASE OF A 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 104-11-22-17-2

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

WHEREAS, the agreed purchase price for the Property is One Thousand, Five Hundred and Fifty Dollars (\$1,550.00).

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 One Thousand, Five Hundred and Fifty Dollars (\$1,550.00) is hereby approved.

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

EXHIBIT 1

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

BILL NO. R-17-11-33

REPORT OF COMMITTEE ON CITY UTILITIES

December 5, 2017

Tom Freistroffer Chair

Paul Ensley Co-Chair

All Council Members

A Resolution approving the purchase of certain real estate located in the 1700 block of Nuttman Avenue in Fort Wayne, Indiana for the city of Fort Wayne, Indiana – Board of Public Works Resolution Number 104-11-22-17-1



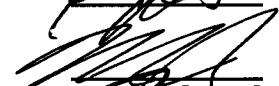


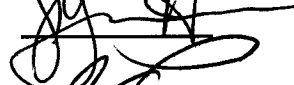
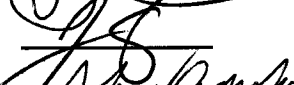

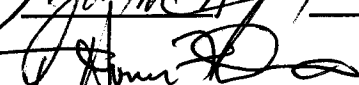
COMMITTEE ON CITY UTILITIES HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

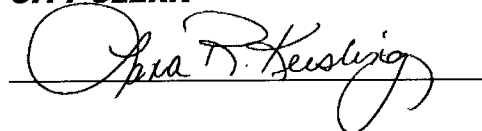
DO NOT PASS

ABSTAIN

NO REC

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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: December 12, 2017


LANA R. KEESLING, CITY CLERK

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

Resolution No. R-17-11-33 on the 12th day of December, 2017

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th of December 2017, at the hour of 10:30 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of December 2017, at the hour of 11:00 O'clock AM E.S.T.


THOMAS C. HENRY, MAYOR