

1 **BILL NO. R-18-01-17**

2 **RESOLUTION NO. R-5-18**

3
4 **A RESOLUTION APPROVING THE**
5 **PURCHASE OF CERTAIN REAL ESTATE**
6 **LOCATED IN THE 1700 BLOCK OF**
7 **NUTTMAN AVENUE IN THE CITY OF**
8 **FORT WAYNE, INDIANA (\$8,900.00) –**
9 **Board of Public Works Resolution**
10 **Number 105-1-16-18-1.**

11 **WHEREAS,** the City of Fort Wayne desires to purchase property,
12 specifically nine (9) undeveloped **VACANT LOTS IN THE 1700 BLOCK OF**
13 **NUTTMAN AVE., FORT WAYNE INDIANA 46809,** described in "Exhibit "1,"
14 attached 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 these nine (9) properties is
20 **EIGHT THOUSAND NINE HUNDRED AND 00/100 DOLLARS – (\$8,900.00);**
21 and

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

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26 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON**

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COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The purchase of property, specifically nine (9) undeveloped **VACANT LOTS IN THE 1700 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

EXHIBIT 1

PROPERTY OWNER NAME AND MAILING ADDRESS:

Landowner: Halls Drive Ins, Inc.
Mailing Address: 216 State Road 930 W, New Haven, IN 46774

AFFECTED PROPERTY:

Address: 1700 block Nuttman Avenue, Fort Wayne, Indiana 46809
Tax parcels: 02-12-15-253-013.000-074 &
02-12-15-253-011.000-074

Legal description: Lots numbered 82 through 87 and 89 through 91 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 both parcels.



Hall's properties

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'

**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 105-1-16-18-1

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 a number of vacant residential lots 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, Hall Drive Ins, 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 Eight Thousand, Nine Hundred Dollars (\$8,900.00).

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 Eight Thousand, Nine Hundred Dollars (\$8,900.00) is hereby approved.

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

APPROVED this 16th day of January, 2018.

BOARD OF PUBLIC WORKS

BY: *Shan Gunawardena*
Shan Gunawardena, Chair of Public Works

BY: _____
Kumar Menon, Member

BY: *Mike Avila*
Mike Avila, Member

ATTEST: *Lindsey Richards*
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 Lindsey 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 16th day of January, 2018.

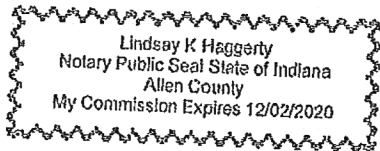
My Commission Expires:

12/02/2020

Lindsay K Haggerty
Notary Public

Resident of ALLEN County

Lindsay K Haggerty
Printed Name of Notary



Interoffice Memo

Date: January 18, 2018
To: Common Council Members
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330
RE: **Purchase of Vacant Lot in the 1700 Block of Nuttman Ave., Fort Wayne, Indiana 46809**

Council Introduction Date: January 23, 2018 - 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 undeveloped lots in the 1700 Block of Nuttman Avenue owned by Hall Drive Ins, Inc. The purchase price for these nine vacant residential lots is \$8,900.00.

The map attached to this memo shows the lots that are 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 different properties, 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 January 16, 2017

CC: Matthew Wirtz
Emily Grabill
Ann Marie Smrcek
Diane Brown
Project file

BILL NO. R-18-01-17

REPORT OF COMMITTEE ON CITY UTILITIES

February 6, 2018

Glynn Hines Chair

Russell Jehl Co-Chair

All Council Members

A Resolution approving the purchase of certain real estate located in the 1700 block of Nuttman Avenue in the City of Fort Wayne, Indiana

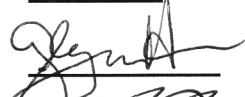


COMMITTEE ON CITY UTILITIES HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance


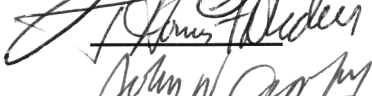
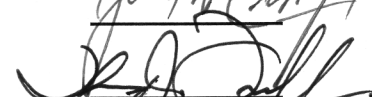
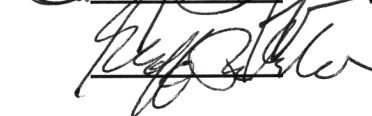
DO PASS

DO NOT PASS

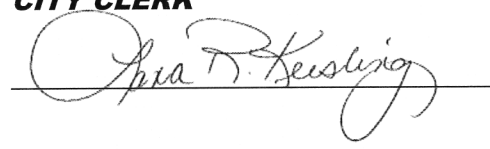
ABSTAIN

NO REC

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

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

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

Read the third time in full and on motion by Councilman Hines, 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: February 13, 2018




 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General Resolution No. R-18-01-17 on the 13th day of February, 2018

ATTEST:



 LANA R. KEESLING
 CITY CLERK



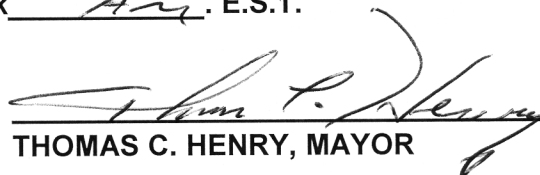
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th
 of February 2018, at the hour of 9:28 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15TH day of FEBRUARY
 2018, at the hour of 7:30 O'clock AM. E.S.T.



 THOMAS C. HENRY, MAYOR