

1 **BILL NO. R-22-02-07**

2 **RESOLUTION NO. R-22-22**

3 **A RESOLUTION OF THE**
4 **COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA,**
5 **APPROVING THE PURCHASE OF LAND BY**
6 **THE FORT WAYNE REDEVELOPMENT COMMISSION FOR MORE THAN**
7 **THE AVERAGE OF TWO APPRAISALS**
8 **(AVENUE OF THE AUTOS)**

9 WHEREAS, the Fort Wayne Redevelopment Commission (the
10 “Commission”) desires to purchase certain parcels of real property located at 505 Avenue
11 of Autos, Fort Wayne, Wayne Township, Allen County, Indiana 46804 (Parcel Number
12 02-12-06-402-002.000-076) (“KEL-014 Property”), 633 Avenue of Autos, Fort Wayne,
13 Wayne Township, Allen County, Indiana 46804 (Parcel Number 02-12-06-402-003.000-
14 076) (“KEL-011 Property”), and 811 Avenue of Autos, Fort Wayne, Wayne Township,
15 Allen County, Indiana 46804 (Parcel Number 02-12-06-452-001.000-076) (“KEL-012
16 Property”), and more particularly described on **Exhibit A** hereto, together with all
17 improvements and landscaping located thereon, and any and all rights, privileges,
18 easements, rights of way, benefits, agreements, development rights and appurtenances
19 thereunto belonging (collectively, the “Property”); and

20
21 WHEREAS, the purchase price negotiated with the Real Estate
22 Investment Trust (REIT) that owns the Property is \$7,310,000, which exceeds the greater
23 of the two appraisals of fair market value of the Property by \$330,000; and

24
25 WHEREAS, as a result, IC 36-7-14-19.5(b)(2) requires the Common
26 Council (“Common Council”) of the City of Fort Wayne, Indiana (the “City”), acting as
27 the legislative body of the City, to approve the purchase of the Property by the
28 Commission; and

29
30

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The Land referred to herein below is situated in the County of Allen, State of Indiana, and is described as follows:

PARCEL 1:

BLOCKS 5 AND 6, EXCEPT THE SOUTH 20 FEET OF BLOCK 5, 14/69 AUTO MALL, SECTION I, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT CABINET A, PAGE 18 AND AS DOCUMENT NUMBER 87-38637 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.

PARCEL 2:

BLOCK 4 AND THE SOUTH 20 FEET OF BLOCK 5, 14/69 AUTO MALL, SECTION I, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT CABINET A, PAGE 18 AND AS DOCUMENT NO. 87- 38637 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.

PARCEL 3 (EASEMENT PARCEL FOR THE BENEFIT OF PARCEL 1 AND 2):

NON-EXCLUSIVE 20 FOOT WIDE EASEMENT FOR DRAINAGE PURPOSES OVER THE NORTH 20 FEET OF THE WEST ½ WEST ½ WEST ½ OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA AS CREATED, LIMITED AND DEFINED IN THAT CERTAIN EASEMENT GRANT DATED JULY 22, 1987, RECORDED JULY 23, 1987 IN INSTRUMENT #87-037695, ALLEN COUNTY RECORDS.

PARCEL 4:

PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST (BEARINGS IN THIS DESCRIPTION ARE BASED ON THE PLAT BEARINGS FOR 14/69 AUTO MALL, SECTION 1, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET A, PAGE 18, IN THE OFFICE OF THE RECORDER OF SAID COUNTY) ALONG THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 206.23 FEET TO A 5/8-INCH REBAR FOUND FLUSH, BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 450.00 FEET TO A 5/8- INCH REBAR FOUND FLUSH, SAID POINT SITUATED NORTH 00 DEGREES 10 MINUTES 00 SECONDS WEST, A DISTANCE OF 48.00 FEET FROM THE NORTHEAST CORNER OF SAID 14/69 AUTO MALL, SECTION 1; THENCE SOUTH 89 DEGREES 46 MINUTES 00 SECONDS WEST AND PARALLEL TO THE NORTH LINE OF SAID 14/69 AUTO MALL, SECTION 1, A DISTANCE OF 400.00 FEET TO A 5/8-INCH REBAR FOUND FLUSH; THENCE NORTH 00 DEGREES 10 MINUTES 00 SECONDS WEST AND PARALLEL TO SAID EAST LINE, A DISTANCE OF 348.16 FEET TO A 5/8-INCH REBAR WITH A CAP STAMPED TAZIAN ASSOC. FIRM #0020 SET FLUSH AT THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS

OF 70.0 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 38.84 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 38.34 FEET AND A BEARING OF NORTH 15 DEGREES 43 MINUTES 39 SECONDS EAST, TO A 5/8-INCH REBAR WITH A CAP STAMPED TAZIAN ASSOC. FIRM #0020 SET FLUSH AT THE POINT OF REVERSE CURVATURE OF A REGULAR CURVE TO THE LEFT HAVING A RADIUS OF 70.0 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 68.25 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 65.58 FEET AND A BEARING OF NORTH 03 DEGREES 41 MINUTES 29 SECONDS EAST, TO A 5/8-INCH REBAR FOUND FLUSH; THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, NOT TANGENT TO THE LAST COURSE, A DISTANCE OF 385.09 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 4.104 ACRES OF LAND.

BILL NO. R-22-02-07

REPORT OF COMMITTEE ON FINANCE

February 15, 2022

Sharon Tucker Chair

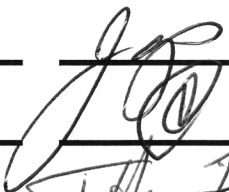
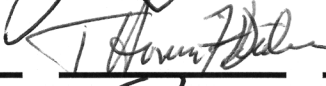




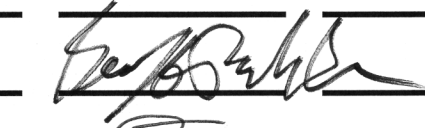
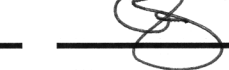
Russ Jehl Co-Chair

All Council Members

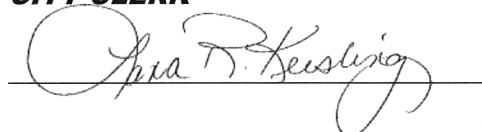
A Resolution of the Common Council of the City of Fort Wayne, Indiana, approving the purchase of land by the Fort Wayne Redevelopment Commission for more than the average of two appraisals - Avenue of the Autos

In the amount of \$7,310,000.00

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Tucker.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilperson Tucker, 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"/>
CHAMBERS	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: February 22, 2022



 STACY A. REED, DEPUTY CITY CLERK

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

Ordinance No. R-22-02-07 on the 22nd day of February, 2022

ATTEST:



 STACY A. REED
 DEPUTY CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd of February 2022, at the hour of 8:45 o'clock A.M. E.S.T.



 STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 23rd day of FEBRUARY 2022, at the hour of 11:00 o'clock Am E.S.T.



 THOMAS C. HENRY, MAYOR

