

A RESOLUTION APPROVING THE ACQUISITION OF LOTS 403 AND 406 IN STELLHORN PARK ADDITION SECTION B, FORT WAYNE, INDIANA, FOR THE CITY OF FORT WAYNE, INDIANA – Board of Public Works Resolution Number 110-10-3-23-4.

WHEREAS, the City of Fort Wayne (the "City") wishes to purchase two parcels of real estate, the full legal description of which are set forth in Exhibit "1" attached hereto, incorporated herein by this reference (collectively the "Real Estate"); and

WHEREAS, the Real Estate's owner, the Allen County Community Development Corporation ("ACCDC"), wishes to sell the Real Estate to the City; and

WHEREAS, the Real Estate is comprised of two undeveloped lots, both abutting the Donald Ross Golf Club, on the north side of West Tillman Road; and

WHEREAS, purchasing the Real Estate will facilitate flood control efforts and future sanitary sewer relief sewer projects; and

WHEREAS, purchasing the Real Estate is therefore in the best interests of the public health, safety, and welfare; and

WHEREAS, the agreed purchase price for each lot is Twenty Five Dollars (\$25.00), for a total purchase price for both lots of Fifty Dollars (\$50.00).

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

SECTION 1. The purchase of the Real Estate by the City of Fort Wayne, Indiana, for the total purchase price of Fifty Dollars (\$50.00) is hereby approved.

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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



Malak Heiny, City Attorney

**A RESOLUTION OF THE CITY OF FORT WAYNE, INDIANA,
BOARD OF PUBLIC WORKS
APPROVING THE PURCHASE OF
LOTS 403 AND 406 IN STELLHORN PARK ADDITION SECTION B
FOR FLOOD CONTROL AND FUTURE RELIEF SEWER PROJECTS**

RESOLUTION NUMBER 110-10-3-23-4

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WHEREAS, the agreed purchase price for each lot is Twenty Five Dollars (\$25.00), for a total purchase price for both lots of Fifty Dollars (\$50.00).

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

The purchase of the Real Estate by the City of Fort Wayne, Indiana, for the total purchase price of Fifty Dollars (\$50.00) is hereby approved.

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

APPROVED this 3rd day of October, 2023.

BOARD OF PUBLIC WORKS

BY: *[Signature]*
Shan Gunawardena, Chair

BY: *[Signature]*
Kumar Menon, Member

BY: ABSENT
Chris Guerrero, Member

ATTEST: *[Signature]*
Michelle Fulk-Vondran, 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 ~~Chris Guerrero~~ ABSENT, as Members of the Board of Public Works of the City of Fort Wayne, and Michelle Fulk-Vondran, 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 3rd day of October, 2023.

My Commission Expires:

Michelle R. Nelson
Notary Public

Resident of Allen County

Michelle R. Nelson
Printed Name of Notary



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 PROPERTIES:

Address: 210 W Tillman Rd (W Of)
Last deed of record: Allen County Recorder's document number 2023010614
Tax parcel no.: 02-12-26-453-009.000-074
Legal description: Lot 406 Stellhorn Park Add Sec B

Address: 200 Blk W Tillman Rd
Last deed of record: Allen County Recorder's document number 2023010554
Tax parcel no.: 02-12-26-453-006.000-074
Legal description: Lot 403 Stellhorn Park Add Sec B

INTERESTS TO BE ACQUIRED: Fee simple in the entirety of each parcel.



September 27, 2023

This map is intended for general reference purposes only. The information displayed herein is not guaranteed to be completely accurate or all inclusive.

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Interoffice Memo

Date: October 3, 2023
To: Common Council Members
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330
RE: Purchase of Lots 403 and 406 in Stellhorn Park Addition Section B from ACCDC

Council Introduction Date: October 10, 2023 - Council District #: 5

Background & supporting information:

City Utilities is seeking to purchase two residential lots located on the south side of Donald Ross Golf Club, north of Tillman Road, between Calhoun Street and the Saint Mary's River. Both properties are unimproved. The current owner is Allen County Community Development Corporation (ACCDC), which took title after the previous owner defaulted on their property taxes.

Most of the neighboring lots are already owned by the City. They will be useful for flood control and future sanitary sewer relief projects. ACCDC has agreed to sell the lots to City Utilities for a purchase price of \$25.00 per lot, for a total purchase price of \$50.00. The map attached to this memo shows the parcels that City Utilities intends to purchase.

Implications of not being approved:

Any future acquisition of this property is likely to be at a higher price than the amount presently offered. This is a vacant property in a floodplain, and is not likely to be useful to a private owner.

Justification if prior approval is being requested: Not applicable

Funding source: Sewer Revenue

Attachments:

- Map
- Resolution for purchase approved by Board of Public Works on October 3, 2023

CC: Matthew Wirtz
Nathan Baggett
Jill Helfrich

BILL NO. R-23-10-09

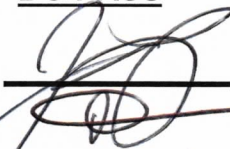

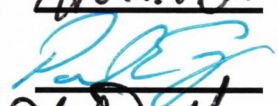

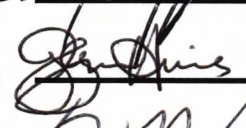
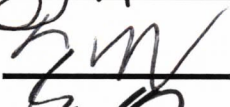
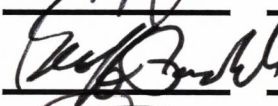

REPORT OF COMMITTEE ON CITY UTILITIES

October 17, 2023

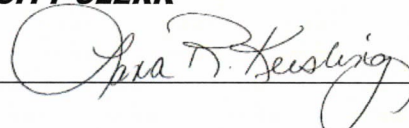
**Russ Jehl Chair
Paul Ensley Co-Chair
All Council Members**

A Resolution approving the acquisition of Lots 403 And 406 in Stellhorn Park Addition Section B, Fort Wayne, Indiana, for the City of Fort Wayne, Indiana – Board of Public Works Resolution Number 110-10-3-23-4

Agreed purchase price for each lot is \$25.00, for a total purchase price for both lots of \$50.00

<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 Jehl.

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

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

DATED: October 24, 2023



 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. R-23-10-09 on the 24th day of October, 2023

ATTEST:



 LANA R. KEESLING
 CITY CLERK



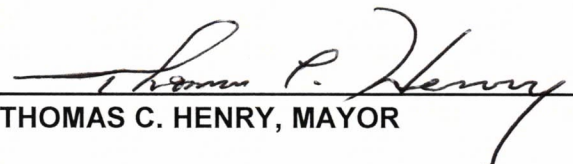
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th of October 2023, at the hour of 4:15 o'clock P.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 26TH day of OCTOBER 2023, at the hour of 10:00 o'clock AM E.S.T.



 THOMAS C. HENRY, MAYOR

