

1 **BILL NO. R-24-04-16**

2 **RESOLUTION NO. R-116-24**

3
4 **A RESOLUTION APPROVING THE ACQUISITION/DONATION**
5 **OF THREE STORMWATER DETENTION BASIN PARCELS**
6 **LOCATED NORTH OF AIRPORT EXPRESSWAY, FORT**
7 **WAYNE, INDIANA, FOR THE CITY OF FORT WAYNE, BY**
8 **AND THROUGH THE BOARD OF PUBLIC WORKS**

9 **WHEREAS**, the City of Fort Wayne ("City"), by and through its Board of
10 Public Works, wishes to acquire those three (3) certain parcels of real estate
11 located north of Airport Expressway in Fort Wayne, Indiana, designated as having
12 tax parcel numbers 02-12-33-351-001.000-074, 02-12-32-300-007.000-074, and
13 02-12-32-400-001.004-074, together having a total acreage of some 46.5 acres
14 and each having been improved for stormwater detention purposes (the "Parcels"),
15 to be used as part of the public storm drain system serving continued growth and
16 development of the area surrounding Fort Wayne International Airport; and

17 **WHEREAS**, the Parcels' owner, HBC Realty Corporation ("HBC"), has
18 agreed to donate the Parcels to the City at no cost by the terms of that land
19 donation agreement by and between HBC and the City and attached hereto as
20 Exhibit "A" and made a part hereof by this reference (the "Land Donation
21 Agreement"), which Land Donation Agreement and the conveyance of the
22 Parcels as contemplated therein have been submitted to the Common Council of
23 the City for approval.

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

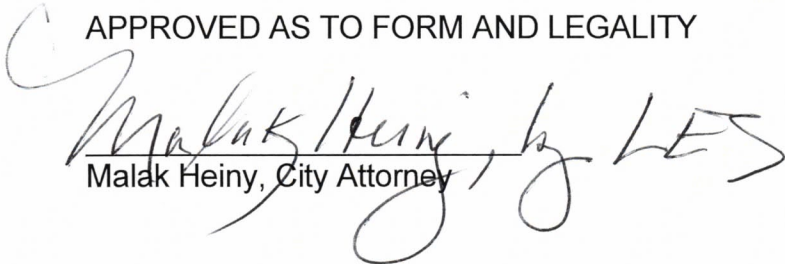
26 **SECTION 1.** The donation of the Parcels to the City, under the
27 terms of the Land Donation Agreement, is hereby agreed to and approved. The
28 appropriate officials of the City are hereby authorized to execute all documents
29
30

1 necessary to accomplish said conveyance.

2 **SECTION 2.** This Resolution shall be in full force and effect from and
3 after its passage and any and all necessary approval by the Mayor.
4

5 
6 _____
7 Council Member

8 APPROVED AS TO FORM AND LEGALITY

9 
10 _____
11 Malak Heiny, City Attorney
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CITY OF FORT WAYNE

THOMAS HENRY, MAYOR

Project Name: Airport Expressway Phase III Stormwater Improvements
Work Order Number: 83794

Parcels:

- PIN: 02-12-33-351-001.000-074; Last Deed of Record: Doc. 910016614 **1934788**
- PIN: 02-12-32-300-007.000-074; Last Deed of Record: Doc. 790032094 **1934503**
- PIN: 02-12-32-400-001.004-074; Last Deed of Record: Doc. 790032094 **179951682**

I, JUVA ZIMMERMAN, on behalf of the undersigned property owner (hereinafter "Owner"), hereby agree to donate, convey, and warrant to Fort Wayne City Utilities ("FWCU") the fee simple interests in the entirety of those certain parcels of real estate referenced hereinabove (the "Property"). Owner thus acknowledges that Owner is entitled to just compensation based on an independent appraisal of said real estate, and Owner knowingly waives all its rights to be remunerated for the Property, wishing to donate such Property to FWCU, in consideration only of goodwill, and of FWCU's assumption of maintenance and other liabilities. Moreover Owner agrees to pay all closing fees and all other costs whatsoever associated with transferring title to FWCU, as well as the remainder of all property taxes owed in 2024; and to execute all necessary conveyance instruments and otherwise cooperate in full to transfer clear title to the Property to FWCU. By executing below, Owner represents that this donation is made freely and without any undue influence or any manner of coercion.

HBC Realty Corporation

Print Name and Title: Juva Zimmerman

ACKNOWLEDGEMENT

STATE OF INDIANA)
)
COUNTY OF ALLEN)

SS:

Before me, a Notary Public in and for said County and State, personally appeared JUVA ZIMMERMAN on behalf of HBC Realty Corporation who acknowledged the truth of the statements in the foregoing affidavit on this 29th day of March, 2024.

Notary Public Signature
My Commission Expires MAY 23, 2024
My County of Residence is ALLEN

Susan K. Clark
Notary Public Printed Name



SAFE CITY • QUALITY JOBS • B.E.S.T.

One Main St. • Fort Wayne, Indiana • 46802-1804 • www.cityoffortwayne.org

An Equal Opportunity Employer

APPROVED this 2nd day of April, 2024.

BOARD OF PUBLIC WORKS

BY: *Shan Gunawardena*
Shan Gunawardena, Chair

BY: *Kumar Menon*
Kumar Menon, Member

BY: *Chris Guerrero*
Chris Guerrero, Member

ATTEST: *Michelle Fulk-Vondran*
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, 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.

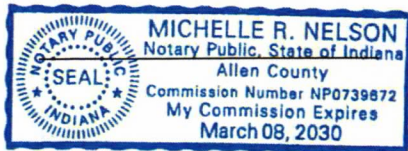
WITNESS my hand and notarial seal this 2nd day of April, 2024.

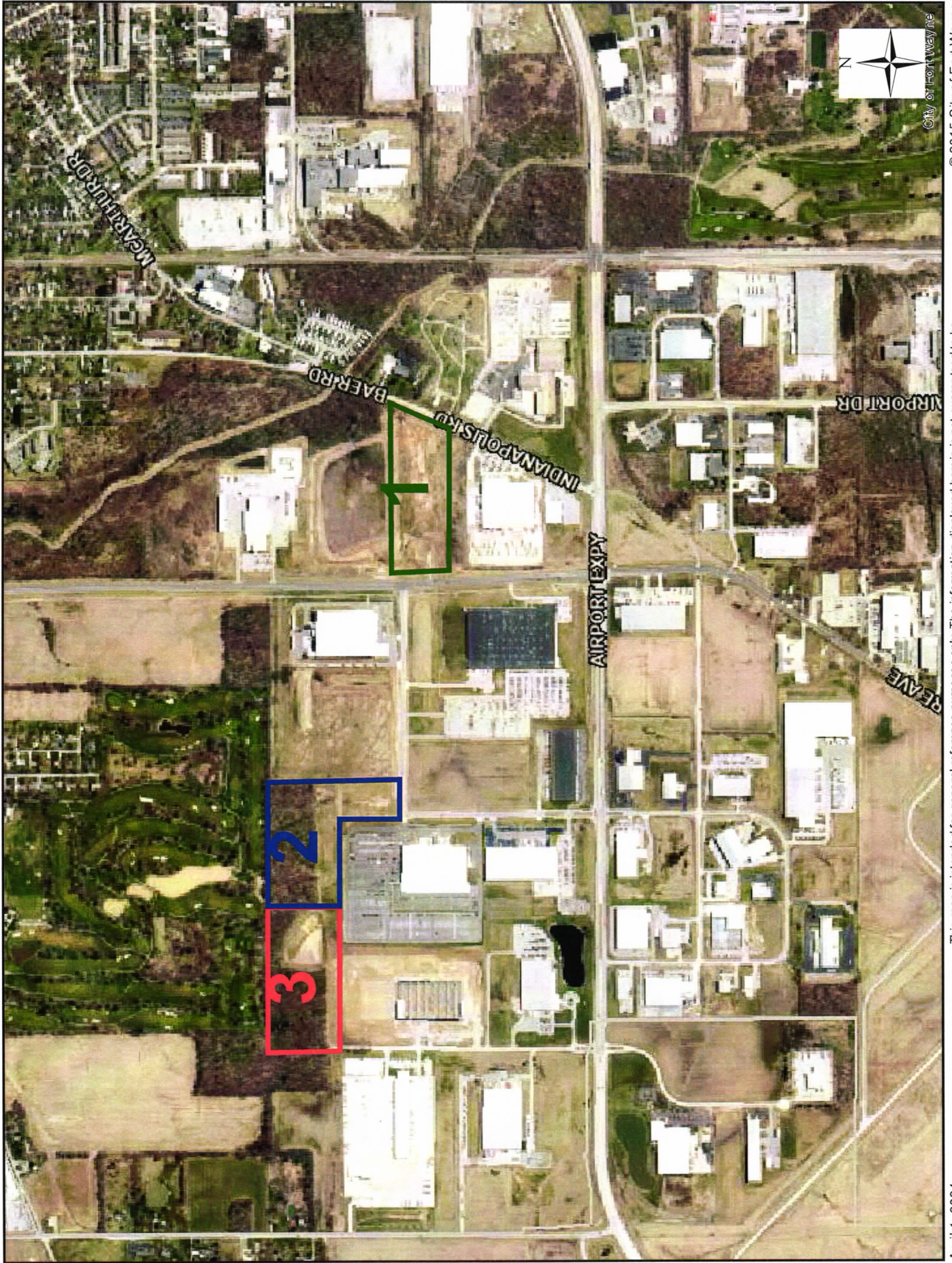
My Commission Expires:

Michelle R. Nelson
Notary Public

Resident of *Allen* County

Michelle R. Nelson
Printed Name of Notary





City of Fort Wayne

General Information
Parcel Number
02-12-32-300-007.000-074
Local Parcel Number
95-0317-0001

Ownership
HBC Realty Corporation
Po Box 10690
Fort Wayne, IN 46853

Owner
HBC Realty Corporation
Doc ID Code Book/Page Adj Sale Price V/I
2020068004 CW / \$0 I

Transfer of Ownership
Date
11/02/2020 HBC Realty Corporation
01/01/1900 HBC Realty Corporation

Notes
5/16/2019 MISC: 2019021536 5-13-2019 split 1.91 A
from -300-007, to -400-001,003 for 20/21, mef

Tax ID:

E 70 A SW 1/4 Sec 32 Ex Tracts & Ex R/W

Routing Number

Property Class 100
Vacant Land

Year: 2023

Location Information

County Allen
Township WAYNE TOWNSHIP
District 074 (Local 091)
074 FT WAYNE WAYNE (91-95)
School Corp 0235
FORT WAYNE COMMUNITY
Neighborhood 171001-074
AG/RURAL RES HOMESITES 01 0



Valuation Records (Work in Progress values are not certified values and are subject to change)

Table with columns: Assessment Year (2023, 2022, 2021, 2020, 2019), Reason For Change, As Of Date, Valuation Method, Equalization Factor, Notice Required, Land, Land Res (1), Land Non Res (2), Land Non Res (3), Improvement, Imp Res (1), Imp Non Res (2), Imp Non Res (3), Total, Total Res (1), Total Non Res (2), Total Non Res (3)

Land Data (Standard Depth: Res 120', CI 120' Base Lot: Res 0' X 0', CI 0' X 0')

Table with columns: Land Pricing Soil Type Method ID, Act Front, Size Factor, Rate, Adj. Rate, Ext. Value, Infl. % Elig, Res Market Factor, Value

Characteristics

Topography Flood Hazard
Public Utilities ERA
Streets or Roads TIF
Neighborhood Life Cycle Stage

Land Computations
Calculated Acreage 15.78
Actual Frontage 0
Developer Discount
Parcel Acreage 15.78
81 Legal Drain NV 0.00
82 Public Roads NV 0.00
83 UT Towers NV 0.00
9 Homesite 0.00
91/92 Acres 0.00
Total Acres Farmland 15.78
Farmland Value \$9,540
Measured Acreage 15.78
Avg Farmland Value/Acre 605
Value of Farmland \$9,540
Classified Total \$0
Farm / Classified Value \$9,500
Homesite(s) Value \$0
Supp. Page Land Value \$0
CAP 1 Value \$0
CAP 2 Value \$9,500
CAP 3 Value \$0
Total Value \$9,500

Appraiser 03/30/2022 bjzuaa

Data Source Aerial Collector

General Information
Parcel Number
02-12-32-400-001.004-074
Local Parcel Number
95-0316-0009
Tax ID:

Ownership
HBC Realty Corporation
PO Box 10690
Fort Wayne, IN 46853-0690

Transfer of Ownership
Date
01/01/1900
Owner
HBC Realty Corporation

Doc ID Code Book/Page Adj Sale Price
WD / \$0 I

Notes

Routing Number

Legal
16.5203 A Irr Tract Pt of W 1/2 SE 1/4 Sec 32

Assessment Year
2023

Reason For Change
WIP AA

As Of Date
04/07/2023

Property Class 100
Vacant Land

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

Year: 2023

Valuation Records (Work in Progress values are not certified values and are subject to change)

Assessment Year
2023

Reason For Change
WIP AA

As Of Date
04/07/2023

County
Allen

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

Township
WAYNE TOWNSHIP

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

District 074 (Local 091)
074 FT WAYNE WAYNE (91-95)

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

School Corp 0235
FORT WAYNE COMMUNITY

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

Neighborhood 171001-074
AG/RURAL RES HOMESITES 01 0

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

Section/Plat
0032

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

Location Address (1)
4510 AIRPORT EXPY
FORT WAYNE, IN 46809

Valuation Method
Indiana Cost Mod

Equalization Factor
1.0000

Notice Required

Land
\$15,100

Zoning

Land Data (Standard Depth: Res 120' CI 120' Base Lot: Res 0' X 0', CI 0' X 0')

Rate

Factor

Size

Subdivision

Land Pricing Soil Method ID

Act Front

Rate

Factor

Lot

Land Pricing Soil Method ID

Act Front

Rate

Factor

Market Model
RES | WAY TWP

Land Pricing Soil Method ID

Act Front

Rate

Factor

Topography
Level

Land Pricing Soil Method ID

Act Front

Rate

Factor

Public Utilities
Electricity

Land Pricing Soil Method ID

Act Front

Rate

Factor

Streets or Roads
Unpaved

Land Pricing Soil Method ID

Act Front

Rate

Factor

Neighborhood Life Cycle Stage
Other

Land Pricing Soil Method ID

Act Front

Rate

Factor

Review Group
2022

Land Pricing Soil Method ID

Act Front

Rate

Factor

Data Source
Aerial

Land Pricing Soil Method ID

Act Front

Rate

Factor

Collector

Land Pricing Soil Method ID

Act Front

Rate

Factor

Land Type	Pricing Method	Soil Method ID	Act Front	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Res Market Factor	Value
4	A	BMA	0	1.867	0.89	\$1,900	\$1,691	\$3,157	0%	0%	\$3,160
4	A	BMB2	0	.059	0.85	\$1,900	\$1,615	\$95	0%	0%	\$100
4	A	MRB2	0	4.76	0.77	\$1,900	\$1,463	\$6,964	0%	0%	\$6,960
4	A	PE	0	.945	1.11	\$1,900	\$2,109	\$1,993	0%	0%	\$1,990
6	A	BMA	0	1.04	0.89	\$1,900	\$1,691	\$1,759	-80%	0%	\$350
6	A	MRB	0	4.452	0.81	\$1,900	\$1,539	\$6,852	-80%	0%	\$1,370
6	A	MRB2	0	1.837	0.77	\$1,900	\$1,463	\$2,688	-80%	0%	\$540
6	A	PE	0	1.56	1.11	\$1,900	\$2,109	\$3,290	-80%	0%	\$660

Calculated Acreage	Actual Frontage	Developer Discount	Parcel Acreage	81 Legal Drain NV	82 Public Roads NV	83 UT Towers NV	9 Homesite	91/92 Acres	Total Acres Farmland	Farmland Value	Measured Acreage	Avg Farmland Value/Acre	Value of Farmland	Classified Total	Farm / Classified Value	Homesite(s) Value	91/92 Value	Supp. Page Land Value	CAP 1 Value	CAP 2 Value	CAP 3 Value	Total Value
16.52	0	<input type="checkbox"/>	16.52	0.00	0.00	0.00	0.00	0.00	16.52	\$15,130	16.52	916	\$15,130	\$0	\$15,100	\$0	\$0	\$0	\$0	\$15,100	\$0	\$15,100

Land Type	Pricing Method	Soil Method ID	Act Front	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Res Market Factor	Value
4	A	BMA	0	1.867	0.89	\$1,900	\$1,691	\$3,157	0%	0%	\$3,160
4	A	BMB2	0	.059	0.85	\$1,900	\$1,615	\$95	0%	0%	\$100
4	A	MRB2	0	4.76	0.77	\$1,900	\$1,463	\$6,964	0%	0%	\$6,960
4	A	PE	0	.945	1.11	\$1,900	\$2,109	\$1,993	0%	0%	\$1,990
6	A	BMA	0	1.04	0.89	\$1,900	\$1,691	\$1,759	-80%	0%	\$350
6	A	MRB	0	4.452	0.81	\$1,900	\$1,539	\$6,852	-80%	0%	\$1,370
6	A	MRB2	0	1.837	0.77	\$1,900	\$1,463	\$2,688	-80%	0%	\$540
6	A	PE	0	1.56	1.11	\$1,900	\$2,109	\$3,290	-80%	0%	\$660

Topography	Flood Hazard	Public Utilities	ERA	Streets or Roads	TIF	Neighborhood Life Cycle Stage
Level	<input type="checkbox"/>	Electricity	<input checked="" type="checkbox"/>	Unpaved	<input checked="" type="checkbox"/>	Other

Review Group	2022	Data Source	Aerial	Collector	Appraiser	03/30/2022	bjzuaa
Review Group	2022	Data Source	Aerial	Collector	Appraiser	03/30/2022	bjzuaa

Printed Thursday, April 13, 2023

General Information
Parcel Number
02-12-33-351-001.000-074
Local Parcel Number
95-0315-0014

Ownership
AEP INDIANA MICHIGAN TRANSMIS
1 RIVERSIDE PLAZA, 16TH FLOOR
COLUMBUS, OH 43215-2737

Owner
AEP INDIANA MICHIG
HBC Realty Corporatio

Transfer of Ownership
Doc ID Code Book/Page Adj Sale Price VII
12/16/2020 AEP INDIANA MICHIG WD / \$180,000 I
01/01/1900 HBC Realty Corporatio WD / \$0 I

Notes
5/2/2018 MISC: 2018019151, 4-20-2018 split: 5.04 A
from -001. to -001.004 for 2019 pay 2020. mef

Tax ID:

Legal
Pl NW 1/4 & SW 1/4 Sec 33 lying W of Hwy 3 Ex E
of Ditch & Ex Tracts

Routing Number

Property Class 100
Vacant Land



Agricultural

Year: 2023

Location Information

County: Allen
Township: WAYNE TOWNSHIP
District 074 (Local 091)
074 FT WAYNE WAYNE (91-95)
School Corp 0235
FORT WAYNE COMMUNITY
Neighborhood 171001-074
AG/RURAL RES HOMESITES 01 0

Valuation Records (Work in Progress values are not certified values and are subject to change)

Table with columns: Assessment Year, Reason For Change, As Of Date, Valuation Method, Equalization Factor, Notice Required, Land, Land Res (1), Land Non Res (2), Land Non Res (3), Improvement, Imp Res (1), Imp Non Res (2), Imp Non Res (3), Total, Total Res (1), Total Non Res (2), Total Non Res (3)

Land Data (Standard Depth: Res 120', CI 120' Base Lot: Res 0' X 0', CI 0' X 0')

Table with columns: Land Type, Pricing Method ID, Soil Method ID, Act Front, Size Factor, Rate, Adj. Rate, Ext. Value, Infl. % Elig, Res Market Factor, Value

Market Model
RES | WAY TWP

Characteristics
Topography: Flood Hazard
Public Utilities: ERA
Streets or Roads: TIF
Neighborhood Life Cycle Stage

Land Computations
Calculated Acreage: 14.17
Actual Frontage: 0
Developer Discount: 0
Parcel Acreage: 14.17
81 Legal Drain NV: 0.00
82 Public Roads NV: 0.00
83 UT Towers NV: 0.00
9 Homesite: 0.00
91/92 Acres: 0.00
Total Acres Farmland: 14.17
Farmland Value: \$21,720
Measured Acreage: 14.17
Avg Farmland Value/Acre: 1533
Value of Farmland: \$21,720
Classified Total: \$0
Farm / Classified Value: \$21,700
Homesite(s) Value: \$0
91/92 Value: \$0
Supp. Page Land Value: \$0
CAP 1 Value: \$0
CAP 2 Value: \$21,700
CAP 3 Value: \$0
Total Value: \$21,700

Appraiser: bjzuaa

Collector

Data Source: Aerial

Review Group: 2022

Interoffice Memo

Date: April 4, 2024

To: Common Council Members

From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330

RE: Donation of Three Stormwater Detention Basin Parcels Located North of Airport Expressway, Fort Wayne, IN 46835

Council Introduction Date: April 9, 2024—Council District #: 4

Background & supporting information:

HBC Realty Company has agreed to donate three parcels of land to City Utilities, all within the vicinity of the Fort Wayne International Airport and the surrounding developments. All together, the land being donated has a total acreage of some 46.5 acres. The attached aerial image depicts the location of all three parcels.

Each of these parcels is the site of an existing stormwater detention facility. These facilities will be incorporated into the public storm drainage system, as part of a project designed to address flooding and standing water issues, so as to enable continued growth and development in the area.

Implications of not being approved:

If City Utilities does not acquire this land, a different area of land will need to be purchased for the drainage improvements at additional cost.

Justification if prior approval is being requested: Not applicable

Funding source: CUE Revenue

Attachments:

- Land Donation Agreement
- Aerial Image
- Tax Cards

CC: Matthew Wirtz
Anne Marie Smrchek
Jill Helfrich

BILL NO. R-24-04-16

REPORT OF COMMITTEE ON CITY UTILITIES

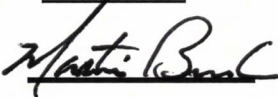




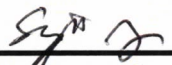


April 16, 2024

Paul Ensley Chair
Russ Jehl Co-Chair
All Council Members

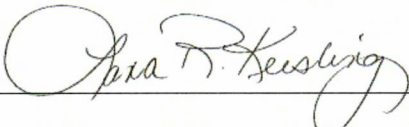
A Resolution approving the acquisition/donation of three Stormwater Detention Basin Parcels located north of Airport Expressway, Fort Wayne, Indiana, for the City of Fort Wayne, by and through the Board of Public Works

The owner is donating to the City of Fort Wayne at no cost

COMMITTEE ON CITY UTILITIES 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>
<u>BENDER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

LANA R. KEESLING
CITY CLERK



Public Hearing Date: N/A

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

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

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

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<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"/>
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"/>
HARTMAN	<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"/>
MYERS	<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: April 23, 2024



LANA R. KEESLING, CITY CLERK

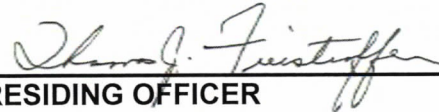
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-24-04-16 on the 23rd day of April, 2024

ATTEST:

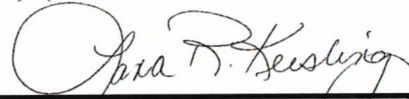


LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th of April 2024, at the hour of 9:10 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 24th day of April 2024, at the hour of 5:57 o'clock PM E. S.T.

SHARON TUCKER, MAYOR

