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BILL NO. R-26-04-01

RESOLUTION NO. R-10-26

A RESOLUTION APPROVING THE ACQUISITION/DONATION OF CERTAIN REAL PROPERTY ON THE 11300 BLOCK OF RIO VISTA AVE, LEO-CEDARVILLE, INDIANA, FOR THE CITY OF FORT WAYNE, BY AND THROUGH ITS BOARD OF PUBLIC WORKS

WHEREAS, Fort Wayne City Utilities for the City of Fort Wayne ("City"), by and through its Board of Public Works, has agreed to accept the donation of an unimproved 0.77 acre lot from the Liechty family ("Leichty"), located on the north side of Rio Vista Avenue, between lots 64 and 65 of the Witmer Park Addition to the town of Leo-Cedarville. The site will be used for access and management of the Cedarville Reservoir along the Saint Joseph River;

WHEREAS, Leichty owns the land and has agreed to donate the land to the City at no cost, and to pay all closing costs.

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

SECTION 1. The donation of this unimproved 0.77 acre lot from Liechty to the City, and the terms of the Agreement, are hereby agreed to and approved. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish the transaction and conveyance contemplated therein.

**A RESOLUTION OF BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA,
ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY
WITMER PARK ADDITION – ADDITIONAL PARK AREA**

RESOLUTION NUMBER 113-3-17-26-1

WHEREAS, the City of Fort Wayne (the “City”) has a long-running program of acquiring vacant riverfront areas along the banks of the St. Joseph River for management of the Leo-Cedarville Reservoir (the “Reservoir”), to facilitate management of the Reservoir; and

WHEREAS, the City wishes to acquire a fee simple interest in certain real property encompassing 0.77 acres of land, located along Rio Vista Avenue in the Town of Leo-Cedarville, east of Lots 63 and 64 and west of Lots 65 and 66 in the Witmer Park Addition, more particularly described and depicted in Exhibit A to the Land Donation Agreement attached hereto, (the “Real Estate”); and

WHEREAS, the present owners of such Real Estate have agreed to donate the Real Estate to the City at no cost; and

WHEREAS, City Ordinance section 37.25 requires all real estate acquisitions to be approved by the Common Council for the City of Fort Wayne.

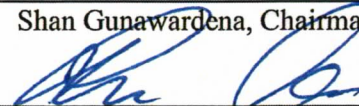
NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE, INDIANA BOARD OF PUBLIC WORKS AS FOLLOWS:

Finding that this project is of benefit to the public, this resolution to accept the donation of a fee simple interest in the Real Estate, to the City of Fort Wayne, Indiana is hereby


APPROVED this 17th day of March, 2026.

BOARD OF PUBLIC WORKS

BY: ABSENT
Shan Gunawardena, Chairman

BY: 
Kumar Menon, Member

BY: 
Chris Guerrero, Member

ATTEST: 
Michelle Fulk-Vondran, Clerk



CITY OF FORT WAYNE

SHARON TUCKER, MAYOR

Land Donation Agreement

PIN: 02-03-22-229-003.000-082

Real Estate being donated: See attached Exhibit A
Title Passage Affidavit Recorded: December 11, 2025

I, **Janie M. Mullet**, 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 interest in the entirety of that certain parcel of real estate referenced hereinabove (the "Property"). Owner thus acknowledges that Owner is entitled to just compensation based on an independent appraisal of the Property, 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 of ownership of the Property. Moreover Owner agrees to pay all closing fees and all other costs whatsoever associated with transferring title to the Property to FWCU, as well as the remainder of all property taxes owed in 2026 for the Property; 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.

Property Owner Name: **Lois J. Kruth, an undivided one-fifth (1/5) interest,
Janie M. Mullet, an undivided one-fifth (1/5) interest,
Omer W. Liechty, Jr., an undivided one-fifth (1/5) interest,
Wendy Lederach, an undivided one-fifth (1/5) interest,
Sherman Liechty, an undivided one-fifth (1/5) interest.**

Signature: Janie M. Mullet

Print Name and Title: Janie M. Mullet

ACKNOWLEDGEMENT

STATE OF Virginia
COUNTY OF Rockingham

SS:

Before me, a Notary Public in and for said County and State, personally appeared **Janie M. Mullet** who acknowledged the truth of the statements in the foregoing affidavit on this 10 day of Feb., 2026

Lynn L. Siler
Notary Public Signature
My Commission Expires 02/28/2029
My County of Residence is Rockingham

LYNN L SILER
Notary Public Printed Name

LYNN L. SILER
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
REGISTRATION #315967
MY COMMISSION EXPIRES FEB. 28, 2029

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CITY OF FORT WAYNE

SHARON TUCKER, MAYOR

Land Donation Agreement

PIN: 02-03-22-229-003.000-082

Real Estate being donated: See attached Exhibit A

Title Passage Affidavit Recorded: December 11, 2025

I, **Sherman Liechty**, 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 interest in the entirety of that certain parcel of real estate referenced hereinabove (the "Property"). Owner thus acknowledges that Owner is entitled to just compensation based on an independent appraisal of the Property, 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 of ownership of the Property. Moreover Owner agrees to pay all closing fees and all other costs whatsoever associated with transferring title to the Property to FWCU, as well as the remainder of all property taxes owed in 2026 for the Property; 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.

Property Owner Name: **Lois J. Kruth, an undivided one-fifth (1/5) interest,
Janie M. Mullet, an undivided one-fifth (1/5) interest,
Omer W. Liechty, Jr., an undivided one-fifth (1/5) interest,
Wendy Lederach, an undivided one-fifth (1/5) interest,
Sherman Liechty, an undivided one-fifth (1/5) interest.**

Signature: *Sherman Liechty*

Print Name and Title: Sherman Liechty

ACKNOWLEDGEMENT

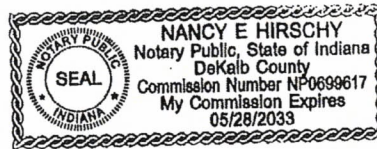
STATE OF Indiana)
COUNTY OF DeKalb)

SS:

Before me, a Notary Public in and for said County and State, personally appeared **Sherman Liechty** who acknowledged the truth of the statements in the foregoing affidavit on this 10 day of February, 2026

Nancy E. Hirschy
Notary Public Signature
My Commission Expires May 28, 2033
My County of Residence is DeKalb

Nancy E. Hirschy
Notary Public Printed Name



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CITY OF FORT WAYNE

Land Donation Agreement

PIN: 02-03-22-229-003.000-082

Real Estate being donated: See attached Exhibit A

Title Passage Affidavit Recorded: December 11, 2025

I, Wendy Lederach, 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 interest in the entirety of that certain parcel of real estate referenced hereinabove (the "Property"). Owner thus acknowledges that Owner is entitled to just compensation based on an independent appraisal of the Property, 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 of ownership of the Property. Moreover Owner agrees to pay all closing fees and all other costs whatsoever associated with transferring title to the Property to FWCU, as well as the remainder of all property taxes owed in 2026 for the Property; 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.

Property Owner Name: Lois J. Kruth, an undivided one-fifth (1/5) interest,
Janie M. Mullet, an undivided one-fifth (1/5) interest,
Omer W. Liechty, Jr., an undivided one-fifth (1/5) interest,
Wendy Lederach, an undivided one-fifth (1/5) interest,
Sherman Liechty, an undivided one-fifth (1/5) interest.

Signature. Wendy Lederach

Print Name and Title: Wendy Lederach

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____)

SS:

Before me, a Notary Public in and for said County and State, personally appeared Wendy Lederach who acknowledged the truth of the statements in the foregoing affidavit on this ___ day of ___, 2026

Notary Public Signature
My Commission Expires
My County of Residence is

Notary Public Printed Name

see attachment, etc

Land Donation agreement

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On February 10, 2026 before me, Elvia Pena, Notary Public
(insert name and title of the officer)

personally appeared Wendy Lederach,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Elvia Pena (Seal)

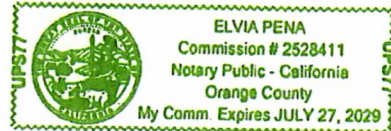


EXHIBIT A - PARCEL #02-03-22-229-003.000-082

Described as follows:

Witmer Park Addn Park Area as shown on Original Plat B21B-P130 recorded May 9, 1955 and Amended Plat B21B-P151 recorded on June 21, 1955, in the office of the Recorder of Allen County Indiana.



02-03-22-229-003.000-082

Liechty Omer W & Mary M

RIO VISTA AVE

500, Vacant - Platted Lot

AG/RURAL RES HOMESIT 1/2

General Information

Ownership

Transfer of Ownership

Notes

Parcel Number 02-03-22-229-003.000-082
Local Parcel Number 43-0014-0048

Liechty Omer W & Mary M
11106 Shoreline Dr
Leo, IN 46765

Date 01/01/2017 Owner Liechty Omer W & Mar
Doc ID Code Book/Page Adj Sale Price V/I

9/21/2017 MISC: COMMON AREA PER S.O.
PART OF THE RIVER & WITMER PARK 18/19

Tax ID:

Legal

Witmer Park Addn Park Area

Routing Number

Property Class 500
Vacant - Platted Lot

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

Year: 2025

Table with columns: Assessment Year (2025, 2024, 2023, 2022, 2021), Reason For Change, As Of Date, Valuation Method, Equalization Factor, Notice Required, Land, Improvement, Total. Includes checkboxes for notice required.

Location Information

County Allen
Township CEDAR CREEK TOWNSHIP
District 082 (Local 043)
School Corp 0255
Neighborhood 421019-082
Section/Plat 0022
Location Address (1)
RIO VISTA AVE
LEO, IN 46765

Land Computations

Table with columns: Land Computations, 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.

Zoning

Table with columns: Land Type, Pricing Method, Soil ID, Act Front., Size Factor, Rate, Adj. Rate, Ext. Value, Infl. %, Market Factor, Cap 1, Cap 2, Cap 3, Value.

Subdivision

Lot

Market Model

Characteristics

Topography Flood Hazard
Public Utilities ERA
Streets or Roads TIF

Neighborhood Life Cycle Stage

Other
Printed Saturday, April 12, 2025
Review Group 2022

Data Source N/A Collector 04/26/2022 kwmaa Appraiser 04/26/2022 kwmaa

Interoffice Memo

Date: March 26, 2026

To: Common Council Members

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

RE: Land Donation of 0.77 Acres of Vacant Land on the 11300 Block of Rio Vista Avenue in Leo-Cedarville, IN 46765

Council Introduction Date: April 13, 2026—Council District #: n/a

Background & supporting information:

City Utilities has agreed to accept the donation an unimproved 0.77 acre lot from the Liechty family. The lot is located on the north side of Rio Vista Avenue, between lots 64 and 65 of the Witmer Park Addition to the town of Leo-Cedarville.

The map attached to this memo shows the new parcel that City Utilities intends to acquire. The site will be used for access and management of the Cedarville Reservoir along the Saint Joseph River.

The owners have agreed to donate the land to the City at no cost, and to pay all closing costs.

Implications of not being approved:

Not accepting this donation would result in City Utilities not having access through this inlet to maintain the reservoir and control water levels.

Justification if prior approval is being requested: Not applicable

Funding source: CUE Revenue

Attachments:

- Aerial Image of Property
- Tax Card
- Board Resolution
- Land Donation Agreement

CC: Matthew Wirtz
Eric Ruppert
Ben Gensic
Jill Helfrich

BILL NO. R-26-04-01

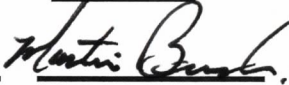
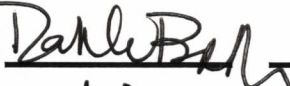







REPORT OF COMMITTEE ON CITY UTILITIES

April 21, 2026

Russ Jehl Chair
Thomas Freistroffer Co-Chair
All Council Members

A Resolution approving the acquisition/donation of certain real property on the 11300 block of Rio Vista Ave, Leo-Cedarville, Indiana, for the City of Fort Wayne, by and through its Board of Public Works

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>BOOKER</u>		_____	_____
<u>CHAMBERS</u>		_____	_____
<u>ENSLEY</u>		_____	_____
<u>FREISTROFFER</u>		_____	_____
<u>HARTMAN</u>		_____	_____
<u>JEHL</u>		_____	_____
<u>MYERS</u>		_____	_____
<u>PADDOCK</u>		_____	_____

JOHN D. MCGAULEY
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 Freistroffer, 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"/>
BOOKER	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 28, 2026



 JOHN D. MCGAULEY, CITY CLERK

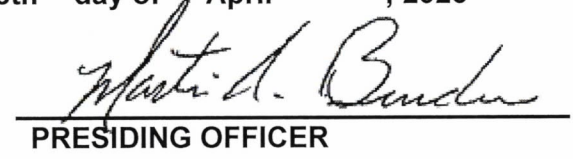
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-26-04-01 on the 28th day of April, 2026

ATTEST:



 JOHN D. MCGAULEY
 CITY CLERK



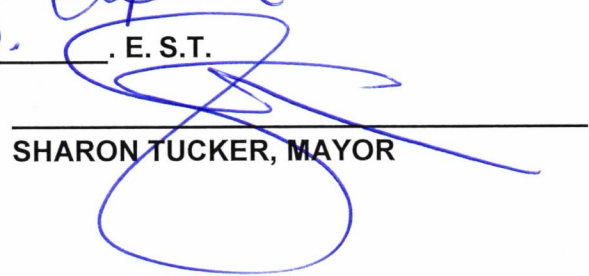
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th of April 2026, at the hour of 8:45 o'clock A.M. E.S.T.



 JOHN D. MCGAULEY, CITY CLERK

Approved and signed by me this 29th day of April 2026, at the hour of 9:02 o'clock A.M. E. S.T.



 SHARON TUCKER, MAYOR

