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BILL NO. S-11-08-05

SPECIAL ORDINANCE NO. S-148-11

AN ORDINANCE approving RESOLUTION 98-8-3-11-3 - THE STONE LAKE STORM WATER EASEMENT AGREEMENT between STONE LAKE DEVELOPMENT, LLC. and the City of Fort Wayne, Indiana, by and through the Fort Wayne Board of Storm Water Management

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

SECTION 1. That the RESOLUTION 98-8-3-11-3 APPROVING THE STONE LAKE STORM WATER EASEMENT AGREEMENT by and between STONE LAKE DEVELOPMENT, LLC. and the City of Fort Wayne, Indiana, by and through the Fort Wayne Board of Storm Water Management, is hereby ratified, and affirmed and approved in all respects, respectfully for:

Easement Agreement allows City Utilities to use the Stone Lake as a detention basin for stormwater management. The Easement Agreement also also allows the City to route area storm water from the Stone Lake Watershd and surrounding residential developments through public storm sewers into Stone Lake, and to reduce the rate of flow of stormwater to the river. The Easement Agreement brings all parties into compliance with the law:

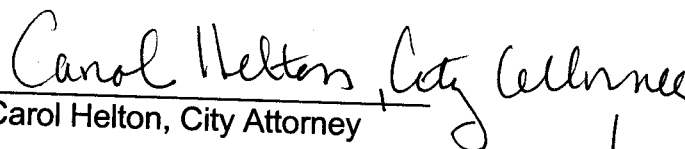

involving a total cost of ONE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$175,000.00) - (\$150,000.00 TO BE PAID UPON APPROVAL AND \$25,000.00 BY THE END OF THE FIRST QUARTER OF 2012). A copy said Easement Agreement is on file with the Office of the City Clerk and made available for public inspection, according to law.

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SECTION 2. That this Ordinance 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 

Read the first time in full and on motion by James and duly adopted, read the second time by title and referred to the Committee on City Update (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 2011, at _____ o'clock _____ M.E.S.T.

DATED: 8-9-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bender and duly adopted, placed on its passage. PASSED KOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>BROWN</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	_____	_____	_____	<u>✓</u>
<u>PAPE</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 8-23-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. 8-148-11 on the 23rd day of August, 2011

ATTEST:

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Matthew Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 2011, at the hour of 2:00 o'clock P. M.E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of AUGUST 2011, at the hour of 9:30 o'clock A M.E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR