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BILL NO. S-15-11-15

SPECIAL ORDINANCE NO. S- 93-15

AN ORDINANCE approving SEWER CONSTRUCTION CONNECTION CHARGE ASSESSMENT CONTRACT, AND MANAGEMENT SERVICES AGREEMENT FOR HURSH ROAD-TONKEL ROAD-CRAWFORD ROAD AREA SANITARY - SEWER CONTRACT #2015-S-0167 - WORK ORDER #76167 between ALLEN COUNTY REGIONAL WATER & SEWER DDISTRICT and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

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

SECTION 1. That the SEWER CONSTRUCTION CONNECTION CHARGE ASSESSMENT CONTRACT, AND MANAGEMENT SERVICES AGREEMENT FOR HURSH ROAD-TONKEL ROAD-CRAWFORD ROAD AREA SANITARY - SEWER CONTRACT #2015-S-0167 - WORK ORDER #76167 by and between ALLEN COUNTY REGIONAL WATER & SEWER DDISTRICT and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for construction of approximately 14,774 lineal feet of sanitary sewer and will provide sanitary sewer service/septic elimination to 74 properties. This project will extend Fort Wayne CU sanitary sewer system; CU will operate and maintain the sanitary sewer

involving a total cost of ONE MILLION ONE HUNDRED NINETY-ONE

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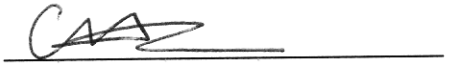
THOUSAND FOUR HUNDRED SIXTY AND 00/100 DOLLARS -
(\$1,191,460.00 - CITY UTILITIES CONTRIBUTION - \$41,600.00). A copy of
said Contract is on file with the Office of the City Clerk and made available for
public inspection, according to law.

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

SEWER CONSTRUCTION
CONNECTION CHARGE ASSESSMENT CONTRACT,
AND MANAGEMENT SERVICES AGREEMENT
FOR HURSH ROAD – TONKEL ROAD – CRAWFORD ROAD AREA SANITARY

Sewer Contract # 2015-S-0167

Work Order # 76167

THIS AGREEMENT is made and entered into this 8th day of September, 2015, by and between the Allen County Regional Water and Sewer District (the "Sewer District") and the City Utilities of the City of Fort Wayne, by and through the Board of Public Works of the City of Fort Wayne ("Fort Wayne").

WHEREAS, the Real Estate described herein is outside the City limits of the City of Fort Wayne; and

WHEREAS, this Agreement is made and entered into by the Sewer District and Fort Wayne pursuant to both IND. CODE §§ 13-26-5-2(15) and (16) and 36-9-23;

WHEREAS, the Sewer District shall issue the Sewage Works Revenue Bonds of 2015, (the "Bonds") to the Indiana Finance Authority to finance the construction of the Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System ("Project");

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Sewer District and Fort Wayne agree as follows:

1. The Sewer District shall proceed, dependent upon procurement of materials and labor and award of a contract, to construct a 2" (two-inch), 3" (three-inch) and 8" (eight-inch) underground sanitary sewer line and individual grinder pump stations (hereinafter the "Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System") in accordance with plans and specifications prepared by VS Engineering Inc. dated July 16, 2015 approved by Fort Wayne on September 2015 (hereinafter the "Project"). The Project shall be constructed in accordance with said plans and specifications prepared by VS Engineering and are now on file in the office of Development Services of Fort Wayne, and are incorporated herein and made a part hereof by reference. Said sewer is described as follows:

Hursh Road

Beginning by setting a Terminal cleanout Str 101 at Sta 0+00 located 5± feet North of the South right of way of Hursh Road and 90± feet East of the East property line of 3802 Hursh Road; thence Easterly, along the South right of way of Hursh Road, 395± L.F. of 2" HDPE DR 11 force main pipe to Str 102 at Sta 3+95; thence Easterly 405± L.F. to Str 103 at Sta 8+00; thence Easterly 45± L.F. to Str 104 at Sta 8+45; thence Easterly 755± L.F. to Str 105 at Sta 16+00; thence Easterly 150± L.F. to Str 106 at Sta 17+50; thence Easterly 595± L.F. to Str 107 at Sta 23+45; thence Easterly 871± L.F. to Str 108 at Sta 32+16; thence Easterly 859± L.F. to Str 109 at Sta 40+75; thence Easterly 113± L.F. to at Tee at Sta 41+88; thence Easterly 133± L.F. of 3" HDPE DR 11 force main pipe to Str 110 at Sta 43+21; thence Easterly 480± L.F. to Str 111 at Sta 48+01; thence Easterly 162± L.F. to Str 112 at Sta 49+63; thence Easterly 443± L.F. to Str 113 at Sta 54+06; thence Easterly 57± L.F. to a tee at Sta 54+63; thence Northeast 470± L.F. of 2" HDPE DR 11 force main pipe to Str 114 at Sta 59+33 and terminating said Hursh Road Sewer Main.

Tonkel Road (Force Main)

Beginning at a connection point at Sta 0+00 and being located 15± feet South and 70± feet West of the Centerline of the Intersection of Tonkel Road and Hursh Road; thence, South along the West right of way of Tonkel Road, 200± L.F. of 3" HDPE DR 11 force main pipe to Str 115 at Sta 2+00; thence South 355± L.F. to Str 116 at Sta 5+55; thence South 450± L.F. to Str 117 at Sta 10+05; thence South 255± L.F. to a connection point on Crawford Road at Sta 12+60 and terminating said Tonkel Road (Force Main) Sewer Main.

Tonkel Road (Gravity Main)

Beginning by removing an existing cleanout and installing a new MH Str 118 at 2± feet North and 45± feet East of the Centerline of the Intersection of Tonkel Road and Argiano Crossing; thence North, along the East right of way of

Tonkel Road, 61± L.F. of 8" PVC SDR 35 pipe to Str 119; thence North 328± L.F. to Str 120; thence North 397± L.F. to Str 121 and terminating said Tonkel Road (Gravity Main) Sewer Main.

Crawford Road

Beginning by tapping an existing Manhole S78 013 – Str 122 located 5± feet South of the South right of way of Crawford Road and 140± feet West of the East property line of Hawthorne Park Estates Subdivision; thence East 29± L.F. of 3" HDPE DR 11 force main pipe to a fitting and crossing Crawford Road and continuing East, within a proposed easement, 734± L.F. to Str 123 at Sta 8+00; thence East 640± L.F. to Str 124 at Sta 14+40; thence East 160± L.F. to Str 125 at Sta 16+00; thence East 694± L.F. to Str 126 at Sta 22+94; thence East 106± L.F. to Str 127 at Sta 24+00; thence East 322± L.F. to a tie in point on Tonkel Road at Sta 27+22 and terminating said Crawford Road Sewer Main.

Chesswood Drive / N. Cedar Lake Drive

Beginning at a tie in point on Hursh Road at Sta 0+00 and being located 20± feet South and 15± feet West of the Centerline of Hursh Road and Chesswood Drive; thence South along the West right of way of Chesswood Drive and the North right of way of N. Cedar Lake Drive, 601± L.F. of 2" HDPE DR 11 force main pipe to Str 128 at Sta 6+01; thence West 49± L.F. to Str 129 at Sta 6+50; thence South along the West right of way of West Cedar Lake Drive, 638± L.F. to Str 130 at Sta 12+88 and terminating said Chesswood Drive / N. Cedar Lake Drive Sewer Main.

Ramona Lane

Beginning at a tie in point on Hursh Road at Sta 0+00 and being located 20± feet South and 15± feet West of the Centerline of the Intersection of Hursh Road and Ramona Lane; thence South, along the West right of way of Ramona Lane, 382± L.F. of 2" HDPE DR 11 force main pipe to Str 131 at Sta 3+82; thence West 395± L.F. to Str 132 at Sta 7+77 and terminating said Ramona Lane Sewer Main.

Valley Road

Beginning at a tie in point on Hursh Road at Sta 0+00 and being located 30± feet South and 15± feet East of the Centerline of the Intersection of Hursh Road and Valley Road; thence North, along the East right of way of Valley Road, 800± L.F. of 2" HDPE DR 11 force main pipe to Str 133 at Sta 8+00; thence North 179± L.F. to Str 134 at Sta 9+79; thence Easterly, along the South right of way of Hickory Lane, 685± L.F. to Str 135 at Sta 16+64 and terminating said Valley Road Sewer Main.

Lake Road

Beginning at a tie in point on Hursh Road at Sta 0+00 and being located 15± feet South and 20± feet West of the Centerline of the Intersection of Hursh Road and Lake Road; thence North, along the West right of way of Lake Road, 344± L.F. of 2" HDPE DR 11 force main pipe to Str 136 at Sta 3+44 and terminating said Lake Road Sewer Main.

Said sewer to include: 8,731± L.F. of 2" HDPE DR 11 force main pipe, 5,257± L.F. of 3" HDPE DR 11 force main pipe and 786± L.F. of 8" PVC SDR 35 pipe; 12 (Twelve) Air release valves, 13 (Thirteen) Inline flushing cleanouts, 6 (Six) Terminal flushing cleanouts and 4 (Four) Manholes.

Project also includes the installation of individual grinder pump stations for each connected customer (anticipated to be 74). The individual grinder pump stations will remain under the ownership, operation and maintenance of the District until December 31, 2040, and Fort Wayne will not be responsible for the operation, repair, maintenance, replacement, etc. of the grinder pump stations at any time.

2. Upon completion of the Project, Fort Wayne shall accept sewage therefrom, in accordance with the rules and regulations of Fort Wayne, and the laws, ordinances, and regulations applicable thereto, now in force, or that may hereafter be adopted; however, it is understood and agreed that Fort Wayne shall not accept any sewage from any part or parts of the Hursh Road – Tonkel Road – Crawford Road Drive Area Sanitary Sewer System covered hereunder unless and until the entire sewer system shall have been tested and accepted for maintenance, repair, and replacement by Fort Wayne.
3. It is further understood that Fort Wayne may approve the extension of additional sanitary sewer lines from the sanitary sewer system(s) covered in this contract without incurring financial obligations to the Sewer District under this contract. Public

sanitary sewer lines are sewers that are installed by Fort Wayne or by others in the future that are or will be owned, operated and maintained by Fort Wayne upon acceptance.

4. It is understood and agreed that the Sewer District shall furnish and pay for all design services by VS Engineering at a cost of \$121,500.00 (One hundred twenty one thousand five hundred dollars and no cents), and for materials, contractual labor, equipment, permits and/or licenses required for construction by Rothenberger Company Inc. for the Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System at a cost of \$1,160,905.10 (One million one hundred sixty thousand nine hundred five dollars and ten cents). It is also agreed that said Sewer District shall hold the Fort Wayne harmless from any liability for claims connected therewith, and that said Sewer District shall pay all expenses in connection with necessary inspection, and testing services estimated a cost of Thirty thousand five hundred fifty five dollars and fifty cents (\$30,555.50). The total value of said sanitary sewer system is One million one hundred ninety one thousand four hundred sixty dollars and sixty cents (\$1,191,460.60).
5. It is further agreed that in consideration of the environmental and community benefits resulting from the elimination of failed and/or failing septic systems, the City shall contribute a not to exceed amount of Forty one thousand six hundred dollars (\$41,600.00) to the District toward the cost of the project. Said contribution shall be paid to the District based in an amount of Three thousand two hundred dollars and no cents (\$3,200.00) for each connection to the sewer system described in paragraph 1 that results in the elimination of a septic system. City shall make payments to the District on a monthly basis for those connections to the Project. The monthly payment shall be determined and begin based on the Acceptance Date of this contract. Payments shall be made forty-five (45) days following the end of the month in which a connection resulting in the elimination of a septic system is made.
6. The Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System once installed and accepted by the Sewer District and Fort Wayne will immediately serve the parcels of Real Estate identified in attached Exhibit A (hereinafter the “Real Estate”). During the term of this Agreement, the Sewer District may, in its discretion, permit additional direct private sewer lateral connections to the Project facilities which additional connections are allowed and subject to the approval of Fort Wayne (such approval not to be unreasonably withheld or delayed) and shall be customers of the Sewer District during the term of this Agreement. The real estate being served by any such additional direct private sewer lateral connections to the Project during the term of this Agreement shall be subject to the rates and charges, including connection fees imposed by the Sewer District via the Sewer District’s rate ordinance that is in effect at the time of the connection.
7. Prior to connection, any lot, parcel, or building connecting to the Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System, that does not result in the decommissioning and elimination of an existing septic system, shall be required to pay Fort Wayne its then applicable area connection charge (the “Area Connection Fee”). The Area Connection Fees shall be paid on or before building sewer connections are made to the sewer system in accordance with the applicable fee in effect at the time of connection. The City has agreed to and does hereby waive the Area Connection Fees associated with the elimination of an existing septic system for the Real Estate described on Exhibit A.
8. The Sewer District currently has enacted a rate ordinance imposing a Debt Service Charge, Replacement Charge and a monthly User Charge associated with the Project. Commencing upon issuance of a notice to proceed for the Project and for the remainder of the term of this Agreement, Fort Wayne will monthly bill each customer as agent for the Sewer District for the User Charge, Replacement Charge and Debt Service Charge, and shall remit the Replacement Charge, Debt Service Charge and the Sewer District’s portion of the User Charge directly to the Sewer District on a monthly basis. Except as provided in paragraph 10, nothing contained herein shall prohibit the Sewer District from modifying its rate ordinance applicable to the Project customers from time to time during the term of this Agreement up to the Transition Period as defined in paragraph 10, as may be necessary to reflect changes in the Sewer District User Charge, Replacement Charge or the Debt Service Charge, changes in the applicable Fort Wayne rate ordinances, changes when a connection is metered or located within the city limits of Fort Wayne, and charges of the Sewer District for the Sewer District’s cost of operations. It shall be the obligation of the Sewer District to advise Fort Wayne of changes in its rate ordinances as it relates to the Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System.
9. Notwithstanding the terms of paragraph 8, during the period commencing January 1, 2036, and ending December 31, 2040 (the “Transition Period”), the Sewer District agrees, to the extent lawfully allowable, to enact a Rate Ordinance in effect during the Transition Period limited to:

- (a) Fort Wayne's then applicable User Charges that Fort Wayne will retain as its portion of the User Charge;
- (b) reasonable rates and charges for Sewer District administrative costs and expenses in an amount equal to the then prevailing Sewer District-wide administrative charges;
- (c) reasonable rates and charges for Sewer District costs and expenses for operating, maintaining, repairing, rehabilitating or replacing the grinder system and its components in the Project, including any capital or debt charge allocated solely to grinder system replacement; and
- (d) a monthly Capital Charge of \$10.00 (ten dollars and zero cents) per EDU per month in the Project.

At midnight on December 31, 2040, ownership of the grinder system in the Project will transfer to the property owner in normal working condition and repair.

- 10. Upon completion of the Project (which shall include testing and acceptance), the City of Fort Wayne will accept all responsibility and liability for maintenance, repair, and replacement of the sanitary sewer main lines installed as part of this Project. Fort Wayne shall not accept liability of any kind including maintenance, repair and replacement of the private building sewer laterals or grinder pump stations serving the real estate that connects to the sanitary sewer main lines. Upon completion and acceptance of the Project as provided in paragraph 2 of this Agreement with the exception of the individual grinder pump stations, the Sewer District shall transfer rights and responsibilities to access the sanitary sewer main lines in the Project to Fort Wayne, as it may require, to affect such maintenance, repair or replacement of the sanitary sewer main lines.
- 11. Upon completion of the Project, the City of Fort Wayne shall perform all inspections of customer tap-ins, and charge the customer its usual and customary tap-in inspection fee, currently in the amount of \$75.00 (Seventy five dollars and no cents) per sanitary sewer lateral installed and inspected by City Utilities.
- 12. The Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System shall be constructed for disposal of sanitary sewage only, and no one shall be permitted to discharge or flow into the sanitary sewer any water runoff caused by natural precipitation, or permit anything other than sanitary sewer to be discharged into the Hursh Road – Tonkel Road – Crawford Road Area Sanitary Sewer System in violation of the ordinances of Fort Wayne now in effect, and as may be amended from time to time hereafter. All use of the sanitary sewer shall be subject to the ordinances of Fort Wayne upon completion and acceptance of the project.
- 13. It is further understood and agreed that, upon completion of the Project, the Sewer District or its contractor shall file a Completion Affidavit, a Maintenance Bond and Certified Record Drawings with the Board of Public Works of Fort Wayne. The Maintenance Bond shall run for a minimum period of one (1) year from the date that Fort Wayne accepts said sewer system and shall be in the minimum amount of \$290,226.28 (Two hundred ninety thousand two hundred twenty six dollars and twenty eight cent).
- 14. Upon completion of the Project and the acceptance thereof by Fort Wayne, Fort Wayne shall issue a "Letter of Acceptance" of the Project and the sanitary sewer main lines installed pursuant to this contract and described in paragraph 1 shall be accepted by Fort Wayne for all repair, replacement, and maintenance. However, ownership of the sanitary sewer Project infrastructure including the main lines shall not transfer to or be a part of the sewer system of the City of Fort Wayne until December 31, 2040. At midnight on December 31, 2040, ownership of the Project infrastructure including the main lines shall automatically transfer to Fort Wayne and upon transfer of ownership, all rights, title and interest whatsoever in the said sanitary sewer main lines shall forever remain in Fort Wayne ownership.
- 15. The Sewer District's imposition of the monthly Replacement Charge, Debt Service Charge and User Charge pursuant to its rate ordinance to be adopted is made pursuant to IND. CODE § 13-26-11-7(b) and shall be a lien upon any customers of the Sewer District that connects to the Project during the term of this Agreement.

16. This Agreement is binding upon the parties hereto and their successors and assigns. This Agreement shall be governed by the laws of the State of Indiana in effect from time to time during the term of this Agreement.

DATED this 8th day of September, 2015

[Signature Page to Follow]

EXHIBIT "A"
Hursh Rd / Tonkel Rd / Crawford Rd Area - ACRWSD Sanitary
 09/04/15

Grinder	Project Owner	Parcel Number	Property Legal	Address	City	State	Zip	Mailing Address	Grinder/Gravity	Comment
1	Sammy R. & Jodi L. Thomas	02-02-24-253-000-000-057	Cedar Heights Lot 26 Ft N 430.31 of S 2881.91 of Ft W 232.56 of E 1951.53 Ft SE 1/4 Sec 24	4804 Cedar Lake Drive 4918 Cedar Lake Dr ve	Fort Wayne	In	46845	Same	Grinder	
2	John R. & Angela M. Marechal	02-02-24-401-000-000-057	Cedar Heights Lot 24	4716 N. Cedar Lake Drive	Fort Wayne	In	46845	Same	Grinder	
3	Keddy L. Voder	02-02-24-253-000-000-057	Cedar Heights Lot 8	4920 N. Cedar Lake Drive	Fort Wayne	In	46845	Same	Grinder	
4	Adam V. & Stacy Baker	02-02-24-401-000-000-057	5200 A 17 2211 601 Ft N & 1102.39 Ft W of Cedar Heights Lot 8 SE Cor Sec 1/4 Sec 24	4936 N. Cedar Lake Drive	Fort Wayne	In	46845	Same	Grinder	
5	Michael D. & April D. Pedersen	02-02-24-252-000-000-057	Cedar Heights Lot 18	14729 N. Cedar Lake Drive	Fort Wayne	In	46845	Same	Grinder	
6	Tracy Douglas & Karen L. Dinko	02-02-24-252-000-000-057	Cedar Heights Lot 23	14333 W. Cedar Lake Drive	Fort Wayne	In	46845	Same	Grinder	
7	Karla L. Docter	02-02-24-451-001-000-057	Cedar Heights Lot 17	14709 W. Cedar Lake Drive	Fort Wayne	In	46845	Same	Grinder	
8	Dennis C. & Ursula K. Haupt	02-02-24-451-001-000-057	W 324.47 Ft S 1/2 SE 1/4 Sec 24	4714 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
9	Thomas Lynn & Karla R. Elvert	02-02-24-451-000-000-057	W 350 of E 1642.4 of N 470 S 1/2 SE 1/4 Sec 24	4908 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
10	Angel Soto	02-02-24-451-000-000-057	W 732 of E 1042.4 of N 470 S 1/2 SE 1/4 E 1163 & E3 W 350 Sec 24	5014 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
11	Timothy B. & Carol E. Flinn	02-02-24-451-000-000-057	W 163 of E 1389.4 of N 470 Ft S 1/2 SE 1/4 W 197 of E 1210.4 of N 470 Ft S 1/2 SE 1/4 N 439 of E 1013.4 Ft SE 1/4 SE 1/4 Ex E	5100 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
12	Henry H. & Edith Louise Fanner	02-02-24-470-000-000-057	W 237 of E 881.2 of S 885.5 Ft N 1/2 SE 1/4 Sec 24	5116 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
13	Larry L. & Suzanne C. Ideas	02-02-24-470-000-000-057	N 429.00 of S 1323.80 of W 288.27 of E 1/4 Sec 24	5200 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
14	Kenneth R. & Kathleen L. Maysen	02-02-24-420-000-000-057	W 237 of E 881.2 of S 885.5 Ft N 1/2 SE 1/4 Sec 24	5228 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
15	Jeffrey M. & Emily M. Bushley	02-02-24-420-000-000-057	N 429.00 of S 1323.80 of W 288.27 of E 1/4 Sec 24	5232 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
16	Theresa L. Jr. & Connie M. Higgins	02-02-24-470-000-000-057	N 1/2 SE 1/4 Ex N 107 of S 600.5 of W 200 of E 250 & Ex Ft N 450.31 of Ft E 1891.83 & Ex	5305 Crawford Road	Fort Wayne	In	46845	Same	Grinder	
17	Joseph M. Debeverlyne	02-02-24-253-000-000-057	Cedar Heights Lot 19	14404 Chestwood Drive	Fort Wayne	In	46845	Same	Grinder	
18	Jenna A. & Jennifer S. Bower	02-02-24-271-402-000-057	Hidden Valleys Sec A Lot 15	5077 Hickory Lane	Fort Wayne	In	46845	14520 Valley Road Fort Wayne, In 46845	Grinder	No address assigned at this time 7/8/15
19	Carl W. Mooshe	02-02-24-228-004-000-057	Hidden Valleys Sec A Lot 20	5109 Hickory Lane	Fort Wayne	In	46845	Same	Grinder	
20	Duane M. & Sheril L. Trowbridge	02-02-24-228-004-000-057	Hidden Valleys Sec A Lot 19	5219 Hickory Lane	Fort Wayne	In	46845	Same	Grinder	
21	Philip L. & Sandra A. Mooshe	02-02-24-228-000-000-057	Hidden Valleys Sec A Lot 18	5310 Hickory Lane	Fort Wayne	In	46845	Same	Grinder	
22	Fred W. & Maurron Toongas	02-02-24-271-004-000-057	Haddon Valley Sec A Lot 17	5310 Hickory Lane	Fort Wayne	In	46845	236 McKinley Boulevard Terc Haute, In 47803	Grinder	
23	Clifton E. & Margaret Jane McCormick	02-02-24-101-007-000-057	W 280 of N 380 W 1/2 NW 1/4 N of Hursh Rd Ex N 501.2 Ft Sec 24	3713 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
24	Jeffrey & Brenda A. Hartman	02-02-24-101-001-000-057	W 165 of N 208 N S of Hursh Rd W 1/2 NW 1/4 NW 1/4 Sec 24	3802 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
25	Martha W. Jr. & Joan M. Fulhimg	02-02-24-101-000-000-057	W 424.5 Ft N of Hursh Rd NW 1/4 Ex E-Ly 2.442 A 7r Sec 24	3831 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
26	Lloyd F. & Julia A. Kipp	02-02-24-101-000-000-057	W 178.3 of E 885 N of Hursh Rd W 1/2 NW 1/4 NW 1/4 & N of	3922 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
27	Philip L. & Sharon S. Paterson	02-02-24-101-000-000-057	Ft S 605.54 x Ft W 192.77 Ft R building 688.7 Ft W & 302.89 Ft S of NE corner W 1/2 NW 1/4 & N of	4003 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
28	Terry & Rita Reinking	02-02-24-102-002-000-057	Ft W 174.28 of W 288.2 of Ft N 435 S of W 287.1 of E 500.2 S of Hursh Rd W 1/2 NW 1/4 Ex Ft W 174.28 of Ft N 435 Ft & N 1/2 of W 739.5 Ft	4022 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
29	Donald F. Lasho	02-02-24-151-003-000-057	W 287.1 of E 500.2 S of Hursh Rd W 1/2 NW 1/4 Ex Ft W 174.28 of Ft N 435 Ft & N 1/2 of W 739.5 Ft	4106 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
30	Fred L. & Mary Jean Ryan	02-02-24-151-003-000-057	E 288.1 of Ft S 1558.8 N W 1/2 NW 1/4 Sec 24	4138 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
31	David L. & Barry L. Shoemaker	02-02-24-174-002-000-057	Greenham Sub Lot 1 & 2	4222 Hursh Road	Fort Wayne	In	46845	Same	Grinder	
32	Malcolm K. & Mark Larpis									

EXHIBIT "A"

Hursh Rd / Tonkel Rd / Crawford Rd Area - ACRWSD Sanitary

09/04/15

Grinder											
33	Ralph R. Jr. & Feliciana V. Garey	02-02-24-177-003.000-057	Greuters Subr Add Lot 3 & 50 ft Spc Adj on S	4232 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
34	Scott A. & Maricela M. Stroud	02-02-24-177-004.000-057	Greuters Subr Add Lot 4 & 50 Ft Spc Adj on S	4306 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
35	Richard J. Jr. & Theresa A. Reith	02-02-24-177-005.000-057	Greuters Sub Lot 5	4316 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
36	Janis S. Bodigon	02-02-24-177-006.000-057	Lot 6 Greuters Sub Ex 50 Ft Spc Adj on S Sec 24	4326 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
37	Micaela R. Shippe	02-02-24-177-007.000-057	Greuters Subr Add Lot 7 & 50 Ft Spc Adj on S	4336 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
38	Walter A. & Charlene M. Grim	02-02-24-177-008.000-057	Greuters Sub Lots 8 & 9	4410 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
39	David L. & Mary L. Cummings	02-02-24-178-001.000-057	4.12 a SE cor N of Rd E 1/2 NW 1/4 Sec 24	4433 Hursh Road	Fort Wayne	In	46845	1432 E. Gump Road Fort Wayne, In 46845		Grinder	
40	Betty A. Click	02-02-24-177-014.000-057	Fri W 183.9 of W 315.9 of N 388 Ft From Int of E Ln NW 1/4 & Hursh Rd C/L Sec 24	4520 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
41	John H. III & Krista J. Tipton	02-02-24-177-015.000-057	1.33 A Tr E Pt S of Hursh Rd NW 1/4 Sec 24 & Lot 15 Cedar Heights	4534 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
42	Arthur H. & Birdie S. Corwin	02-02-24-177-010.000-057	Greuters Lot 10 & 50 ft Spc Adj on S	4624 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
43	Randal L. & Tereasa M. Brown	02-02-24-252-002.000-057	Cedar Heights Lot 14	4704 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
44	Gary Lee & Marlene L. Carpenter	02-02-24-252-003.000-057	Cedar Heights Lot 13	4728 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
45	William D. & Mary Anne Deaton	02-02-24-252-004.000-057	Cedar Heights Lot 12	4732 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
46	Ronna Lee Bleekman	02-02-24-253-001.000-057	Cedar Heights Lot 11	4808 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
47	Kenneth J. Sr. & Shari R. Schaab	02-02-24-251-003.000-057	S 300 of W 182 of E 004.9 ft W 1/2 N of Rd Sec 24	4809 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
48	Dano M. & Carol J. Dimke	02-02-24-253-002.000-057	Cedar Heights Lot 10	4812 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
49	Dale L. & Claudette M. Estabrook	02-02-24-253-003.000-057	Cedar Heights Lot 9	4834 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
50	Michael A. Lybe	02-02-24-251-005.000-057	Fri W 221.8 of E 377.6 of S 355.6 Ft N of Rd Cl & Tri Spc Adj on NW W 1/2 NE 1/4 Sec 24	4909 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
51	Brian E. Blauser	02-02-24-251-006.000-057	Tri Spc N of Hursh Rd on E Lina W 1/2 NE 1/4 Ex W 221.8 Ft Sec 24	4929 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
52	Jeffrey R. & Barbara J. Studebaker	02-02-24-279-001.000-057	W 110 of E 1309.9 of Fri N 232.4 NE 1/4 Sec 24	5108 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
53	Janice M. Schlegel	02-02-24-279-006.000-057	W 318.5 of E 1089.5 S of Hursh Rd NE 1/4 Sec 24	5118 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
54	Brendan A. & Rebekah J. McCool	02-02-24-279-007.000-057	W 305 of E 771.4 Ft S of Hursh Rd E 1/2 NE 1/4 Sec 24	5208 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
55	Daie O. & Brenda S. Slayton	02-02-24-278-012.000-057	Hidden Valleys Sec A Lot 5	5311 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
56	Joseph P. III & Michelle L. Leahy	02-02-24-426-007.000-057	N Fri 110 of S 2571.60 of Fri E 522.72 Ft S of Hursh Rd E 1/2 Sec 24	5380 Hursh Road	Fort Wayne	In	46845	Same		Grinder	
57	Pranger Properties LLC	02-02-24-280-001.000-057	Hidden Valley Sec A Lot 4	5405 Hursh Road	Fort Wayne	In	46845	P.O. Box 366 Ashley, In 46705		Grinder	
58	Bruce K. & Brenda D. Sowers	02-03-19-300-001.000-042	Fri W 1/2 SW 1/4 Ex S 1588.37 Ft & Ex E 412.7 Ft & Ex W 287.3 of E 700 of N 004.1 Sec 10	5612 Hursh Road	Fort Wayne	In	46845	5830 Hursh Road Fort Wayne, In 46845		Grinder	
59	Sharon R. Howard	02-02-24-278-004.000-057	Hidden Valleys Sec A Lot 10	14331 Lake Road	Fort Wayne	In	46845	Same		Grinder	
60	Christall D. & Emily A. Nounhouser	02-02-24-278-006.000-057	Hidden Valleys Sec A Lot 8	14336 Lake Road	Fort Wayne	In	46845	Same		Grinder	
61	Stefan M. & Jennifer M. Thill	02-02-24-253-013.000-057	Cedar Heights Lot 7	14307 Ramona Lane	Fort Wayne	In	46845	Same		Grinder	
62	William A. & Susan F. Collins	02-02-24-279-003.000-057	W 220 of E 1309.9 of N 100 of S 200 S of Rd NE 1/4 Sec 24	14310 Ramona Lane	Fort Wayne	In	46845	Same		Grinder	
63	Thomas Lee & Myra M. Arnold	02-02-24-253-012.000-057	Cedar Heights Lot 6	14315 Ramona Lane	Fort Wayne	In	46845	Same		Grinder	
64	Dorothy J. Monnier & Betty J. Niedermeyer Etal	02-03-30-100-044.000-042	S 100 of N 660 of W 322.25 Ft W 1/2 NW 1/4 Sec 30	13210 Tonkel Road	Fort Wayne	In	46845	Same		Gravity	

EXHIBIT "A"
Hursh Rd / Tonkel Rd / Crawford Rd Area - ACRWSD Sanitary
 09/04/15

Parcel	Owner	Parcel Description	Area (sq. ft.)	Sanitary	Notes			
65	Richard Heckerath	W 872.25 of S 340 of N 800 Ft NW 1/4 Ex S 100 of W 322.5 & Ex E 281.25 Ft Sec 30	13216 Tonkel Road	Fort Wayne In	46845	13206 Tonkel Road Fort Wayne, In 46845	Gravity	1 Parcel - 2 taps (13216 & 13218 Tonkel Road)
66	Richard Heckerath	W 872.25 of S 340 of N 800 Ft NW 1/4 Ex S 100 of W 322.5 & Ex E 281.25 Ft Sec 30	13218 Tonkel Road	Fort Wayne In	46845	13306 Tonkel Road Fort Wayne, In 46845	Gravity	1 Parcel - 2 taps (13216 & 13218 Tonkel Road)
67	Phillip L. Winkler	02-03-30-100-002-000-042	13318 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
68	Laurie A. Badger	02-03-30-100-001-000-042	13330 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
69	Richard L. & Lois L. Rodenbeck	02-03-30-100-001-000-042	13325 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
70	Randolph & Tracy Brown	02-02-24-426-012-000-057	13811 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
71	Jule S. & Michael D. Pait	02-02-24-426-011-000-057	13831 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
72	Katie A. Sherman	02-02-24-426-010-000-057	13919 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
73	Bruce E. & Mary C. Bonar	02-02-24-426-008-000-057	14001 Tonkel Road	Fort Wayne In	46845	Same	Gravity	
74	Carl W. & Martha J. Mosble	02-02-24-277-001-000-057	14520 Valley Drive	Fort Wayne In	46845	Same	Gravity	

DIGEST SHEET

Department: City Utilities, Utility Administration & Development Services

Resolution Number: Board of Works Contract 2014-S-0167

Title of Ordinance: Sewer Construction Connection Charge Assessment Contract, and Management Services Agreement for Hursh Road – Tonkel Road – Crawford Road Area Sanitary, Contract 2015-S-0167

Contractee: Allen County Regional Water & Sewer District (“District”)

Amount of Contract: Total Contract Value \$1,191,460; City Utilities contribution \$41,600

Number of Bidders: City Utilities (CU) contribution is based on number of septic systems to be eliminated. District implemented public work bidding process as set forth in Indiana Code.

Description of Project (Be Specific):

This Agreement calls for the construction of approximately 14,774 lineal feet of sanitary sewer and will provide sanitary sewer service/septic elimination to 74 properties. This project will extend Fort Wayne CU sanitary sewer system; CU will operate and maintain the sanitary sewer system.

What Are The Implications If Not Approved:

- Properties in this area with failed/failing septic systems will not have access to public sanitary sewer system; public health and safety and quality of life impacts will not be mitigated.

If Prior Approval Is Being Requested, Justify:

Not Applicable.

Additional Comments: City Utilities contributing toward the cost of the project, in line with existing Board of Public Works septic elimination policy, in order to promote and facilitate the elimination of failed/failing septic systems and to mitigate threats to the general health and safety of the area.



Nancy Townsend, 427-2691

Nov 4, 2015

Date

Public Hearing Date, if applicable _____

Read the first time in full and on motion by Councilman Thomas Smith

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

Committee. Read the third time in full and on motion by Councilman Thomas Smith, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	_____	_____	<u>2</u>
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	_____	_____	_____	<u>✓</u>
HINES	_____	_____	_____	<u>✓</u>
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 11-24-15 Michelle D. Chambers
MICHELLE D. CHAMBERS, 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. S-93-15 on the 24th day of November, 2015

ATTEST: Michelle D. Chambers John N. Crawford
MICHELLE D. CHAMBERS, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 30th day of November, 2015, at the hour of 12:00 o'clock PM, E.S.T.

Michelle D. Chambers
MICHELLE D. CHAMBERS, CITY CLERK

Approved and signed by me this 1st day of December 2015, at the hour of 4:00 O'clock PM, E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

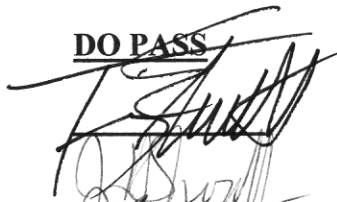
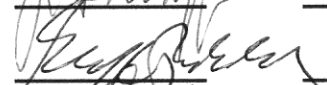
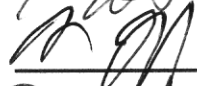

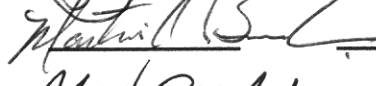
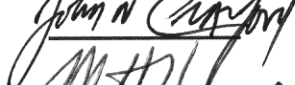
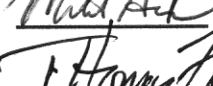

BILL NO. S-15-11-15

REPORT OF COMMITTEE ON CITY UTILITIES

NOVEMBER 17, 2015

*Thomas Smith, Chair
Martin Bender, Co-Chair
All Council Members*

AN ORDINANCE approving SEWER CONSTRUCTION CONNECTION CHARGE ASSESSMENT CONTRACT AND MANAGEMENT SERVICES AGREEMENT FOR HURSH ROAD-TONKEL ROAD CRAWFORD ROAD DRIVE AREA SANITARY-SEWER CONTRACT #2015-S-0167- WORK ORDER #76167 between ALLEN COUNTY REGIONAL WATER & SEWER DISTRICT and the City of Fort Wayne, Indiana, in connection with the 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>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
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MICHELLE D. CHAMBERS
CITY CLERK 