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**BILL NO. S-17-02-25 AS AMENDED**

**SPECIAL ORDINANCE NO. S-29-17**

**AN ORDINANCE APPROVING BOARD OF WORKS RESOLUTION NO. 104-2-22-17-1 FOR DEPOSIT OF FUNDS (\$272,500.00) TO THE COURT TO TAKE POSSESSION OF CERTAIN REAL PROPERTY (800 GLASGOW AVENUE) BY WAY OF JUDICIAL CONDEMNATION FOR USE BY THE CITY OF FORT WAYNE, INDIANA FOR THE CONSTRUCTION OF THE THREE RIVERS PROTECTION AND OVERFLOW REDUCTION TUNNEL.**

**WHEREAS**, City Utilities desires to acquire 800 Glasgow Avenue to begin construction on the Three Rivers Protection and Overflow Reduction Tunnel (3RPORT) Project; and

**WHEREAS**, the City negotiated in good faith in an attempt to purchase this property from its owner; however such negotiations were unsuccessful.

**WHEREAS**, the City filed for judicial condemnation in the Allen Circuit Court and the City has exhausted all legal prerequisites required by Indiana Code 32-24-1-4 et seq. for the condemnation of the Property located at 800 Glasgow Avenue; and

**WHEREAS**, in accordance with Indiana Code 32-24-1-9, the Court appointed a panel of appraisers to assess the fair market value of the property. The panel reported that the value is \$272,500.00; and

**WHEREAS**, In accordance with Indiana Code 32-24-1-10, the City will deposit \$272,500.00 with the Clerk of the Court which will allow the City to take possession of the property and begin construction of the 3RPORT

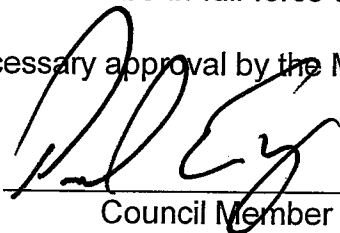
1 working shaft; and

2  
3 **WHEREAS**, pursuant to Indiana Code section 32-24-1-10, by  
4 depositing the amount of the Combined Assessed Value, payable by two  
5 separate checks in the respective amounts of \$20,000 and \$252,500,  
6 respectively, to the Clerk of the Allen Circuit Court will allow the City to take  
7 possession of the Property and begin construction of the 3RPORT working  
8 shaft.


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

11 **SECTION 1.** That the Board of Works Resolution Number 104-  
12 2-22-17-1 (attached hereto and made a part hereof) for the deposit of City  
13 funds in the amount of the Combined Assessed Value as determined by the  
14 Court-appointed panel of appraisers in the Condemnation Action, to be paid  
15 by two separate checks in the respective amounts of \$20,000 and \$252,500 to  
16 the Clerk of the Allen Circuit Court, in order to take possession of the Property  
17 for construction of the 3RPORT project, is hereby approved.

18 **SECTION 2.** This Ordinance shall be in full force and effect from  
19 and after its passage and any and all necessary approval by the Mayor.

20  
21   
22 Council Member

23 APPROVED AS TO FORM AND LEGALITY

24  
25   
26 Carol Helton, City Attorney

1  
2 **BILL NO. S-17-02-25**

3 **SPECIAL ORDINANCE NO. \_\_\_\_\_**

4 **AN ORDINANCE APPROVING BOARD OF**  
5 **WORKS RESOLUTION NO. 104-2-22-17-1**  
6 **FOR DEPOSIT OF FUNDS (\$272,500.00) TO**  
7 **THE COURT TO TAKE POSSESSION OF**  
8 **CERTAIN REAL PROPERTY (800 GLASGOW**  
9 **AVENUE) BY WAY OF JUDICIAL**  
10 **CONDEMNATION FOR USE BY THE CITY OF**  
11 **FORT WAYNE, INDIANA FOR THE**  
12 **CONSTRUCTION OF THE THREE RIVERS**  
13 **PROTECTION AND OVERFLOW REDUCTION**  
14 **TUNNEL.**

15 **WHEREAS,** City Utilities desires to acquire 800 Glasgow Avenue to  
16 begin construction on the Three Rivers Protection and Overflow Reduction  
17 Tunnel (3RPORT) Project; and

18 **WHEREAS,** the City negotiated in good faith in an attempt to purchase  
19 this property from its owner; however such negotiations were unsuccessful.

20 **WHEREAS,** the City filed for judicial condemnation in the Allen Circuit  
21 Court and the City has exhausted all legal prerequisites required by Indiana  
22 Code 32-24-1-4 et seq. for the condemnation of the Property located at 800  
23 Glasgow Avenue; and

24 **WHEREAS,** in accordance with Indiana Code 32-24-1-9, the Court  
25 appointed a panel of appraisers to assess the fair market value of the  
26 property. The panel reported that the value is \$272,500.00; and

27 **WHEREAS,** In accordance with Indiana Code 32-24-1-10, the City will  
28 deposit \$272,500.00 with the Clerk of the Court which will allow the City to  
29 take possession of the property and begin construction of the 3RPORT

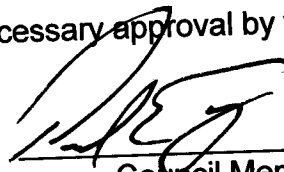
1  
2 working shaft; and

3           **WHEREAS**, pursuant to Indiana Code section 32-24-1-10, by  
4 depositing the amount of the Combined Assessed Value, payable by two  
5 separate checks in the respective amounts of \$20,000 and <sup>252,500</sup>~~\$252,000~~,  
6 respectively, to the Clerk of the Allen Circuit Court will allow the City to take  
7 possession of the Property and begin construction of the 3RPORT working  
8 shaft.

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

11                           **SECTION 1.** That the Board of Works Resolution Number 104-  
12 2-22-17-1 (attached hereto and made a part hereof) for the deposit of City  
13 funds in the amount of the Combined Assessed Value as determined by the  
14 Court-appointed panel of appraisers in the Condemnation Action, to be paid  
15 by two separate checks in the respective amounts of \$20,000 and <sup>\$252,500</sup>~~\$252,000~~ to  
16 the Clerk of the Allen Circuit Court, in order to take possession of the Property  
17 for construction of the 3RPORT project, is hereby approved.

18                           **SECTION 2.** This Ordinance shall be in full force and effect from  
19 and after its passage and any and all necessary approval by the Mayor.  
20

21   
22 \_\_\_\_\_  
23 Council Member

24 APPROVED AS TO FORM AND LEGALITY

25   
26 \_\_\_\_\_  
27 Carol Helton, City Attorney

Interoffice Memo

Date: February 22, 2017  
To: Common Council Members  
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330  
RE: Court Deposit in Condemnation of 800 Glasgow Ave., Fort Wayne, IN 46803

**Council Introduction Date: February 28, 2017—Council District #: 5**

Background & supporting information:

City Utilities needs to acquire 800 Glasgow Avenue to begin construction on the Three Rivers Protection and Overflow Reduction Tunnel (3RPORT) Project. This property, located in a derelict industrial area adjacent to the wastewater treatment plant, will be the location of the 3RPORT working shaft, the contractor's base of operations to launch the tunnel boring machine and construct the tunnel.

The City negotiated in good faith in an attempt to purchase this property from its owner; however such negotiations were unsuccessful. (The principal dispute was whether the City's purchase price should take into account the environmental remediation work needed on the site, which has been contaminated by a number of industrial uses over the past century.) Having thus been unable to agree with the owner for the purchase of the property, the City filed for judicial condemnation. In due course, the Court heard a number of objections to the condemnation from the defendants, and overruled all such objections, determining that the City's negotiation had been in good faith, and that the City is otherwise within its right to exercise its eminent domain power over this property. The defendants' time to appeal from those rulings has passed.

Per code, the Court appointed a panel of appraisers to assess the fair market value of the property. The panel reported that the value is \$272,500.00. Depositing that amount with the Clerk of the Court will allow the City to take possession of the property and begin construction of the 3RPORT working shaft.

Implications of not being approved:

This property acquisition is needed by the City to implement its combined sewer overflow long-term control plan, to comply with the Consent Decree entered into between the City, the U.S. Environmental Protection Agency, the U.S. Department of Justice, and the Indiana Department of Environmental Management. Failing to approve this deposit would delay the project, potentially causing the City to incur penalties set forth by the Consent Decree, and allowing the pollution of our rivers to continue.

Justification if prior approval is being requested: Not applicable

Funding source: Sewer Revenue Bond

Attachments:

- Resolution number 104-2-22-17-1 for court deposit of funds in condemnation, approved by the Board of Public Works on February 22, 2017.

CC: Matthew Wirtz  
Justin Brugger  
Diane Brown  
Project file

**EXHIBIT 1**

**Page 1 of 3**

**PROPERTY OWNER NAMES AND MAILING ADDRESSES:**

**Landowners:** Property Max MMXIV LLC  
**Mailing Address:** 2042 Broadway  
Fort Wayne, IN 46802

**AFFECTED PROPERTY ADDRESS:** 800 Glasgow Ave., Fort Wayne, IN 46803

**LAST DEEDS OF RECORD:**

Allen County Recorder's deed reference numbers:

**2015058243** (Tax parcel no. 02-13-06-327-005.000-074)

**2016006732** (Tax parcel no. 02-13-06-326-001.000-074)

[Scale drawing and full legal descriptions attached on following pages.]

**INTERESTS TO BE ACQUIRED:** Fee simple for all of both lots.

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS  
OF THE CITY OF FORT WAYNE, INDIANA  
APPROVING THE COURT DEPOSIT OF FUNDS IN AN AMOUNT  
DETERMINED BY THE COURT-APPOINTED PANEL OF APPRAISERS  
TO TAKE POSSESSION OF CERTAIN REAL PROPERTY  
BY WAY OF JUDICIAL CONDEMNATION  
FOR USE BY THE CITY OF FORT WAYNE, INDIANA  
FOR THE CONSTRUCTION OF THE  
THREE RIVERS PROTECTION AND OVERFLOW REDUCTION TUNNEL**

**RESOLUTION NUMBER 104-2-22-17-1**

WHEREAS, the City of Fort Wayne, City Utilities, has undertaken to exercise its power of eminent domain to acquire a fee simple interest in certain real property, located at 800 Glasgow Avenue, in Fort Wayne, Indiana, more particularly described and depicted in Exhibit 1 attached hereto (the "Property"), using the process of judicial condemnation set forth by Indiana Code section 32-24-1; and

WHEREAS, acquiring the Property will facilitate the Three Rivers Protection and Overflow Reduction Tunnel ("3RPORT") project, by serving as the location of a working shaft that will be the base of operations for the 3RPORT tunneling contractor to launch the tunnel boring machine and construct the tunnel; and

WHEREAS, the 3RPORT project is needed to bring the City into compliance with the Consent Decree that the City entered into with the U.S. Environmental Protection Agency, the U.S. Department of Justice, and the Indiana Department of Environmental Management to implement a combined sewer overflow long-term control plan; and

WHEREAS, the City has exhausted all legal prerequisites required by Indiana Code sections 32-24-1-4 et seq. for the condemnation of the Property, and has filed a pair of complaints (one for each parcel being acquired) for condemnation in the Allen Circuit Court, causes numbered 02C01-16-04-PL-00218 and 02C01-16-03-PL-000158, consolidated for hearing by the Court (the "Condemnation Action"); and

WHEREAS, the Court conducted a bench trial to receive and consider evidence of the property owner defendants' statutory objections to the Condemnation Action, and thereafter issued a set of interlocutory orders overruling all such objections, and the defendants' time for filing an appeal from such interlocutory orders has passed; and

WHEREAS, the Court has appointed a panel of disinterested appraisers, per Indiana Code sections 32-24-1-9 et seq., to assess the fair market value of the Property and its improvements, as well as damages (less any benefits) to the defendants and any other affected persons resulting from the City's proposed construction on the Property; and

WHEREAS, the total amount of the valuations determined by the panel of Court-appointed appraisers pursuant to such legal process (as reflected by the two Reports of Appraisers dated February 9, 2017, attached as Exhibit 2 and incorporated herein by this reference) is **\$272,500.00** (the " Combined Assessed Value"); and

WHEREAS, pursuant to Indiana Code section 32-24-1-10, depositing the amount of the Combined Assessed Value, payable by two separate checks in the respective amounts of \$20,000 and \$252,000, to the Clerk of the Allen Circuit Court, will allow the City to take possession of the Property and begin construction of the 3RPORT working shaft.

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

The deposit of City funds, in the amount of the Combined Assessed Value as determined by the Court-appointed panel of appraisers in the Condemnation Action, to be paid by two separate checks in the respective amounts of \$20,000 and \$252,000 to the Clerk of the Allen Circuit Court, in order to take possession of the Property for construction of the 3RPORT project, is hereby

APPROVED this 22 day of February, 2017.

(SIGNATURES BEGIN ON NEXT PAGE)

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## EXHIBIT "A"

Lots Numbered 159 thru 170, inclusive, and the South 38 feet of Lot Number 171, and Lots numbered 230 thru 241, inclusive, together with the vacated North-South alley that lies between Lots numbered 159 to 168 and Lots numbered 230 to 239, and the vacated East-West alley that lies between Lot Number 162 and Lot Number 163 and Lot Number 233 and Lot Number 234, as vacated by Declaratory Resolution 686-1936 and the vacated alley that lies between Lots numbered 168 and 169 and Lots numbered 239 and 240 and the vacated alley that lies between Lots numbered 169 and 170 and 240 and 241 and the East half of vacated alley adjoining Lot Number 171 on the West as vacated by General Ordinance No. G-23-77, all in White's Fourth Addition to the City of Fort Wayne, according to the plat thereof, as recorded in Deed Record 60, page 476.

## Together With:

A parcel of land located in the Southwest Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, lying West of White's Fourth Addition to the City of Fort Wayne, North of the New York, Chicago and St. Louis railroad (now the Norfolk & Western railroad), South of the Maumee River and East of Walton Avenue (now Anthony Boulevard), more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot Number 241 in White's Fourth Addition to the City of Fort Wayne, as recorded in Deed Record 60, page 476, Allen County Recorder's Office; thence Southerly along the East right-of-way line of vacated Sand street in said addition (said Sand street vacated 6/77 by General Ordinance G-23-77), a distance of 505.00 feet to the Southwest corner of Lot Number 230 in said addition; thence Westerly by a deflection right of 61 degrees 41 minutes 16 seconds, a distance of 56.79 feet to a point on the Northerly right-of-way line of the Norfolk & Western railroad (formerly the New York, Chicago & St. Louis railroad); thence along said right-of-way as found on station map lands, the N.Y.C. & St. L.R.R. Co., Fort Wayne Div., Sta. 19439+28 to Sta. 19465+60, dated December 31, 1927, sheet 8-L2A of V-2, Ind., by a deflection right of 20 degrees 14 minutes 25 seconds, a distance of 49.08 feet; thence continuing along said right-of-way by a deflection left of 7 degrees 48 minutes 39 seconds, a distance of 104.92 feet, thence continuing along said right-of-way by a deflection left of 3 degrees 40 minutes 50 seconds, a distance of 104.15 feet; thence continuing along said right-of-way by a deflection left of 9 degrees 28 minutes 05 seconds, a distance of 404.30 feet; thence continuing along said right-of-way by a deflection right of 1 degree 22 minutes 21 seconds, a distance of 400.76 feet to a point on the Easterly right-of-way line of Anthony Boulevard (formerly Walton Avenue), as now established; thence Northerly along said East right-of-way line of Anthony Boulevard by a deflection right of 88 degrees 14 minutes 24 seconds, a distance of 37.00 feet to a point on the South bank of the Maumee River; thence Easterly along a meander line along the South bank of said river by a deflection right 92 degrees 45 minutes 18 seconds, a distance of 394.92 feet to an iron pin set (all iron pins set by this survey are 1/2 inch diameter by 18 inches long); thence continuing along a meander line by a deflection left of 12 degrees 26 minutes 08 seconds, a distance of 182.31 feet to an iron pin set; thence continuing along a meander line by a deflection left of 12 degrees 58 minutes 39 seconds, a distance of 163.45 feet to an iron pin set; thence continuing along a meander line by a deflection left of 16 degrees 06 minutes 39 seconds, a distance of 131.30 feet to an iron pin set; thence continuing along a meander line by a deflection right of 7 degrees 38 minutes 41 seconds, a distance of 210.15 feet to an iron pin set; thence continuing along a meander line by a deflection right of 9 degrees 35 minutes 18 seconds, a distance of 211.82 feet to an iron pin set; thence continuing along a meander line by a deflection left of 10 degrees 50 minutes 29 seconds, a distance of 125.89 feet; thence continuing along a meander line along said South river bank by a deflection right of 25 degrees 49 minutes 54 seconds, a distance of 73.33 feet to a point on the centerline of vacated Sand street; thence Southerly along the centerline of said vacated sand street by a deflection right of 125 degrees 57 minutes 52 seconds, a distance of 92.12 feet to an iron pin set on the Westerly extension of the North line of Lot Number 241 and 25.00 feet West of the Northwest corner of said Lot Number 241; thence Easterly by a deflection left of 98 degrees 00 minutes, a distance of 25.00 feet to the point of beginning, containing 4.81 acres of land, more or less.

**EXHIBIT 2**  
**Valuation Reports**

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

IN THE ALLEN CIRCUIT COURT  
CAUSE NO. 02C01-1604-PL-218

CITY OF FORT WAYNE, INDIANA )  
 )  
 ) Plaintiff, )  
 )

vs. )

PROPERTY MAX MMXIV, LLC )  
 )  
OLD NATIONAL BANCORP, )  
 )  
d/b/a OLD NATIONAL BANK, )  
 )  
BNY MELLON CAPITAL MARKETS, )  
 )  
LLC, as successor in interest to NEW )  
 )  
YORK TRUST CO., and WELLS )  
 )  
FARGO BANK, N.A., )  
 )  
 )  
 )  
 ) Defendants. )

"Bare Land Parcel"

FILED  
GENERAL SERVICES DIVISION  
FEB 10 2017  
STEPHEN A. BERGMANN  
CLERK ALLEN CIRCUIT  
COURT AND SUPERIOR COURTS

**REPORT OF APPRAISERS**

The undersigned appraisers, being duly appointed, sworn and instructed by the Court, have honestly, fairly and impartially assessed the total amount of just compensation due Defendant in this case as follows:

1. On April 26, 2016, the fair market value of the interest of the land taken by the Plaintiff in this case was twenty thousand dollars. \$20,000
  
2. On April 26, 2016, the fair market value of the improvements, if any, of the land taken by Plaintiff in this case was zero dollars. \$0
  
3. Total just compensation, which includes residue damages plus damages resulting from construction of the proposed improvements, amounts to twenty thousand dollars. \$20,000

1. Verne V. Mitchell, III Dated: 2/9/17  
Verne V. Mitchell, III, MAI  
Indiana Certified General Appraiser  
License Number CG69100097

202 West Berry Street, Suite 240  
Fort Wayne, IN 46802

2. Roger L. Koehlinger Dated: 2/9/17  
Roger L. Koehlinger  
License Number AB14003847

1021 South Calhoun Street  
Fort Wayne, IN 46802

3. Daniel J. Kruse Dated: 2/9/17  
Daniel J. Kruse  
Indiana Certified General Appraiser  
License Number CG6910092

1910 St. Joe Center Road, Suite 64  
Fort Wayne, IN 46825

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF ALLEN )  
  
 CITY OF FORT WAYNE, INDIANA )  
 )  
 Plaintiff, )  
 )  
 )  
 )  
 vs. )  
 )  
 )  
 PROPERTY MAX MMXIV, LLC, )  
 )  
 )  
 Defendants. )

IN THE ALLEN CIRCUIT COURT  
 CAUSE NO. 02C01-1603-PL-158

"Building Parcel"

FILED  
 ALLEN CIRCUIT COURT  
 FEB 10 2017

FILED  
 CENTRAL SERVICES DIVISION  
 FEB 10 2017

**REPORT OF APPRAISERS**

The undersigned appraisers, being duly appointed, sworn and instructed by the Court, have honestly, fairly and impartially assessed the total amount of just compensation due Defendant in this case as follows:

- |    |   |                  |
|----|---|------------------|
| 1. | On March 23, 2016, the fair market value of the interest of the land taken by the Plaintiff in this case was <u>thirty two thousand five hundred dollars.</u>   | <u>\$32,500</u>  |
| 2. | On March 23, 2016, the fair market value of the improvements, if any, of the land taken by Plaintiff in this case was <u>two hundred twenty thousand dollars.</u>                                     | <u>\$220,000</u> |
| 3. | Total just compensation, which includes residue damages plus damages resulting from construction of the proposed improvements, amounts to <u>two hundred fifty two thousand five hundred dollars.</u> | <u>\$252,500</u> |

1. Verne V. Mitchell, III Dated: 2/9/17  
Verne V. Mitchell, III, MAI  
Indiana Certified General Appraiser  
License Number CG69100097

202 West Berry Street, Suite 240  
Fort Wayne, IN 46802

2. Roger L. Koehlinger Dated: 2/9/17  
Roger L. Koehlinger  
License Number AB14003847

1021 South Calhoun Street  
Fort Wayne, IN 46802

3. Daniel J. Kruse Dated: 2/9/17  
Daniel J. Kruse  
Indiana Certified General Appraiser  
License Number CG6910092

1910 St. Joe Center Road, Suite 64  
Fort Wayne, IN 46825

**BILL NO. S-17-02-25**

**REPORT OF COMMITTEE ON CITY UTILITIES**

**March 7, 2017**

***Paul Ensley Chair***

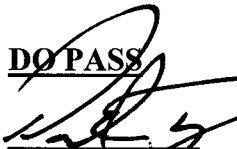
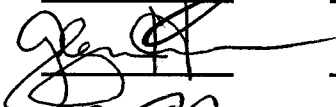
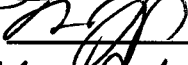


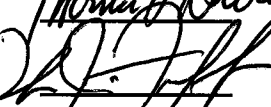
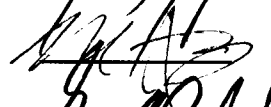
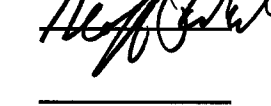
***Tom Freistroffer Co-Chair***

***All Council Members***

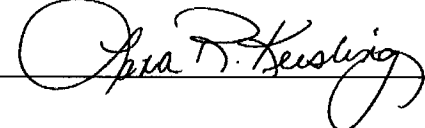
An Ordinance approving Board of Works Resolution No. 104-2-22-17-1 for deposit of funds to the court to take possession of certain real property by way of judicial condemnation for use by the City of Fort Wayne, Indiana, for the construction of the Three Rivers Protection and Overflow Reduction Tunnel

*800 Glasgow Avenue – Fair Market Value of \$272,500.00 to be deposited*

**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>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____		_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

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

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

Read the third time in full and on motion by Councilman Ensley, 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"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<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"/>

DATED: March 14, 2017

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 Special Ordinance No. S-17-02-25AA on the 14th day of March, 2017

ATTEST:

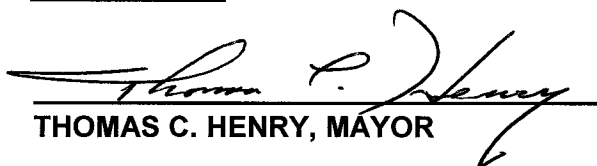
  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th  
 of March 2017, at the hour of 10:30 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15<sup>th</sup> day of MARCH  
 2017, at the hour of 4:00 O'clock PM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR