

BILL NO. R-14-06-50

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE
PURCHASE OF CERTAIN REAL
ESTATE (804 PEMBERTON DRIVE)
FOR THE CITY OF FORT WAYNE,
DIVISION OF CITY UTILITIES.**

WHEREAS, the City of Fort Wayne, through its Division of Public Works, desires to purchase property located at 804 Pemberton Drive, specifically described in the Resolution Number 101-5-28-14-2 of The Fort Wayne, Indiana Board of Public Works Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the City of Fort Wayne, through its Division of Public Works, desires to purchase this property for the future work on the west side of the Polishing Ponds and the Wet Weather Pump Station located at the Water Pollution Control Plant; and

WHEREAS, the purchase price for the property is SIXTY THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS – (\$60,500.00).

WHEREAS, Sec. 37-19 of the City of Fort Wayne Code of Ordinances, requires the Common Council approval of any purchase of real estate by the City.

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

SECTION 1. The purchase of real estate by the City of Fort Wayne through its Division of Public Works, located at 804 Pemberton Drive is hereby approved and agreed to. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish said purchase.

SECTION 2. This Resolution 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

Interoffice Memo

Date: June 18, 2014
To: Common Council Members
From: DeWayne Nodine, Program Manager -- Capital Project Services -- Telephone: 427-1330
RE: Purchase of 804 Pemberton Dr., Fort Wayne, Indiana 46805

Council Introduction Date: June 24, 2014—Council District # 1:

Background & supporting information:

City Utilities would like to purchase 804 Pemberton Dr. for future work on the water pollution control facilities located on the north side of the Maumee River. In addition, this purchase will give City Utilities another access route to these important facilities, and construction/staging access for the Morton Street Force Main.

The purchase price is \$60,500.00, which is the average value of the two appraisals obtained. A map is attached to this memo highlighting this property and also the property at 707 N. Coliseum Blvd., also under consideration, but as a separate resolution.

Implications of not being approved:

Work on the projects stated above will be hindered, possibly resulting in higher costs to City Utilities. Furthermore, if the property is not purchased, at this time, it will most likely cost more to purchase at a later date as the real estate market returns to its natural rate of increasing real estate values.

Justification if prior approval is being requested: Not applicable

Funding source: 2010 Sewer Revenue Bond

Attachments:

- Map: Indicates the locations of both 707 N. Coliseum Blvd. (Bill No. R-14-06-49), and 804 Pemberton Dr. (Bill No. R-14-06-50)
- Resolution for purchase approved by Board of Public Works on May 28, 2014

CC: Matthew Wirtz
Dan Brenner
Diane Brown
Project file

**A RESOLUTION OF THE FORT WAYNE, INDIANA, BOARD OF PUBLIC WORKS
APPROVING THE PURCHASE OF 804 PEMBERTON DRIVE,
FORT WAYNE, INDIANA, 46805**

RESOLUTION NUMBER 101-5-28-14-2

WHEREAS, the City of Fort Wayne (the "City") has an ongoing program of purchasing properties critical to its Capital Improvement Program; and

WHEREAS, the City has need for the property located at 804 Pemberton Drive for the future construction of the Morton Street Force Main, future work on the west side of the Polishing Ponds and the Wet Weather Pump Station located at the Water Pollution Control Plant, flood fighting access to a box culvert, and access to landlocked City-owned land; and

WHEREAS, the City wishes to purchase from Marat Kurbanov and Robin Kurbanov the property commonly known as 804 Pemberton Drive, Fort Wayne, Indiana, 46805, also known as Lot 195 and the South Half of Lot 196 in South Kensington Park Addition to the City of Fort Wayne according to the plat thereof recorded in Plat Record 9, pages 54-55 of the Records in the Office of the Recorder of Allen County, Indiana (the "Real Estate"); and

WHEREAS, Marat Kurbanov and Robin Kurbanov wish to sell the Real Estate to the City; and

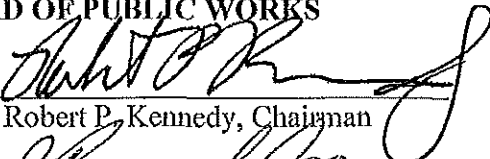
WHEREAS, the agreed purchase price is Sixty Thousand Five Hundred and No/100 Dollars (\$60,500.00), which is the average of two appraisals as mandated by Indiana statute.

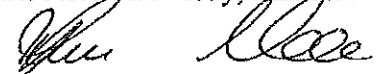
**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE,
INDIANA BOARD OF PUBLIC WORKS AS FOLLOWS:**

SECTION 1. The purchase of the Real Estate by the City of Fort Wayne, Indiana, for the price of Sixty Thousand Five Hundred and No/100 Dollars (\$60,500.00) is hereby approved.

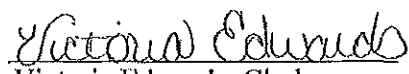
APPROVED THIS 28th **DAY OF** May, 2014.

BOARD OF PUBLIC WORKS

BY: 
Robert P. Kennedy, Chairman

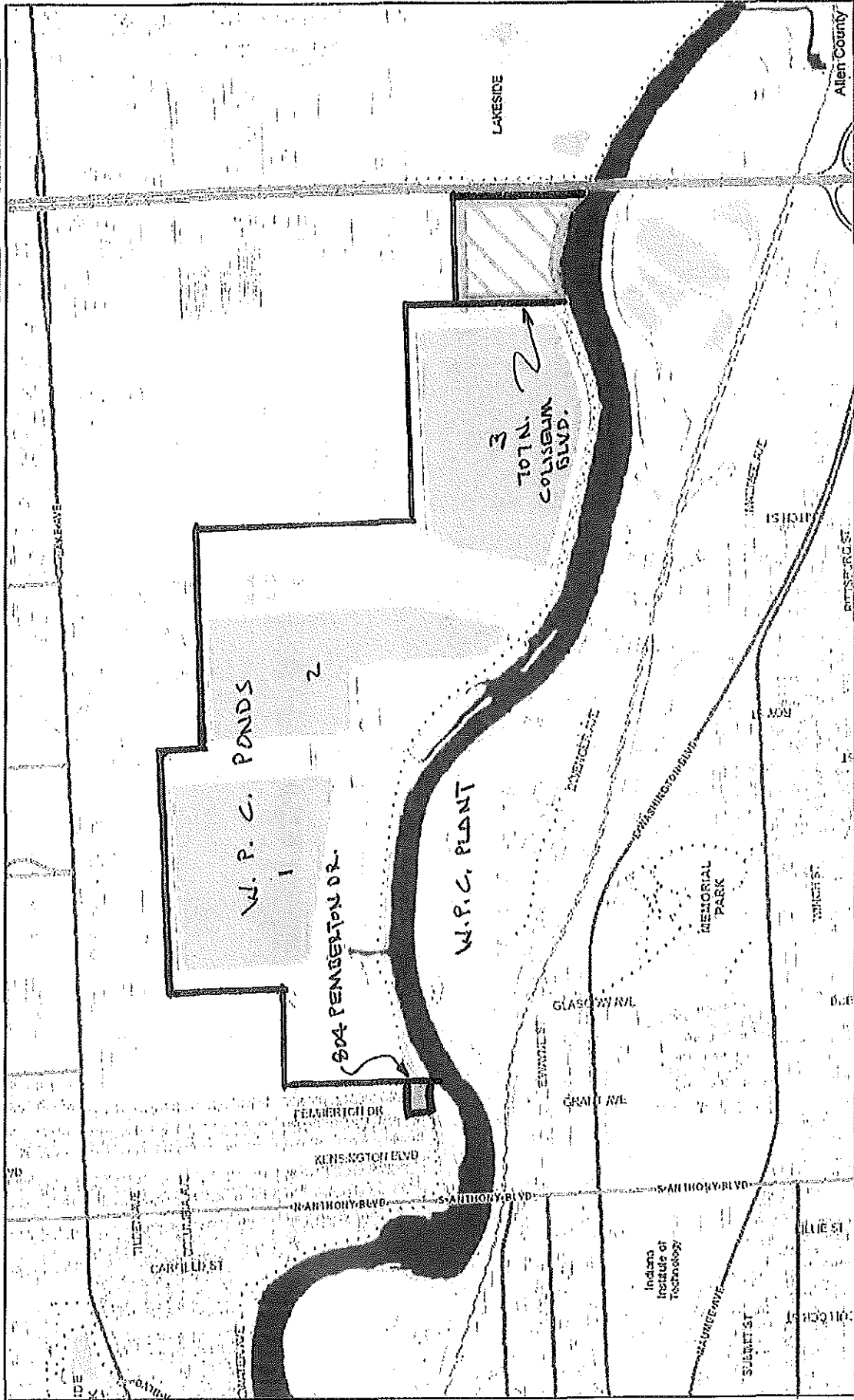
BY: 
Kumar Menon, Member

BY: 
Mike Avila, Member

ATTEST: 
Victoria Edwards, Clerk



Proposed Real Est. Purchases: 707 N. Coliseum Blvd. & 804 Pemberton Dr.



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East

Date: 6/12/2014 1" = 1,000'

Public Hearing Date, if applicable _____

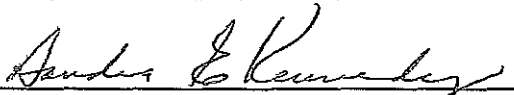
Read the first time in full and on motion by Councilman _____

Read the second time by title and referred to the _____

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
BENDER	_____	_____	_____	_____
CRAWFORD	_____	_____	_____	_____
DIDIER	_____	_____	_____	_____
HARPER	_____	_____	_____	_____
HINES	_____	_____	_____	_____
JEHL	_____	_____	_____	_____
PADDOCK	_____	_____	_____	_____
SHOAF	_____	_____	_____	_____
SMITH	_____	_____	_____	_____

DATED: _____


SANDRA E. KENNEDY, CITY CLERK

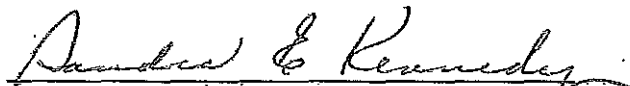
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. _____ on the _____ day of _____, 2014

ATTEST:

SANDRA E. KENNEDY,
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day
of _____, 2014, at the hour of _____ o'clock _____ E.S.T.


SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____
2014, at the hour of _____ o'clock _____ E.S.T.

THOMAS C. HENRY, MAYOR