

1 **BILL NO. R-16-04-16**

2 **RESOLUTION NO. \_\_\_\_\_**

3  
4 **A RESOLUTION APPROVING THE**  
5 **PURCHASE OF CERTAIN REAL**  
6 **ESTATE (502 GLASGOW AVENUE,**  
7 **FORT WAYNE, INDIANA 46802)**  
8 **AND OTHER SALE ITEMS FOR THE**  
9 **CITY OF FORT WAYNE, INDIANA.**

10 **WHEREAS,** the City of Fort Wayne desires to purchase property  
11 located at 502 GLASGOW AVENUE, FORT WAYNE, INDIANA 46802, AND  
12 OTHER SALE ITMES specifically described in "Exhibit "A," attached hereto and  
13 made a part hereof; and

14 **WHEREAS,** the purchase of this property and other sale items is  
15 necessary for the construction of the Three Rivers Protection and Overflow  
16 Reduction Tunnel (3RPORT); and

17 **WHEREAS,** the purchase price for this property and other sale  
18 items is ONE HUNDRED EIGHT-NINE THOUSAND FIVE HUNDRED AND  
19 00/100 DOLLARS – (\$189,500.00); and

20 **WHEREAS,** Sec. 37-25 of the City of Fort Wayne Code of Ordinances,  
21 requires the Common Council approval of any purchase or conveyance of real  
22 estate by the City.

23  
24 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON**  
25 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

26 **SECTION 1.** The purchase of property and other sale items  
27

1 located at 502 Glasgow Avenue, Fort Wayne, Indiana 46802, by the City of  
2 Fort Wayne, is hereby approved and agreed to.

3 **SECTION 2.** This Resolution shall be in full force and effect from  
4 and after its passage and any and all necessary approval by the Mayor.  
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6  
7 \_\_\_\_\_  
Council Member

8  
9 APPROVED AS TO FORM AND LEGALITY

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11 \_\_\_\_\_  
12 Carol Helton, City Attorney  
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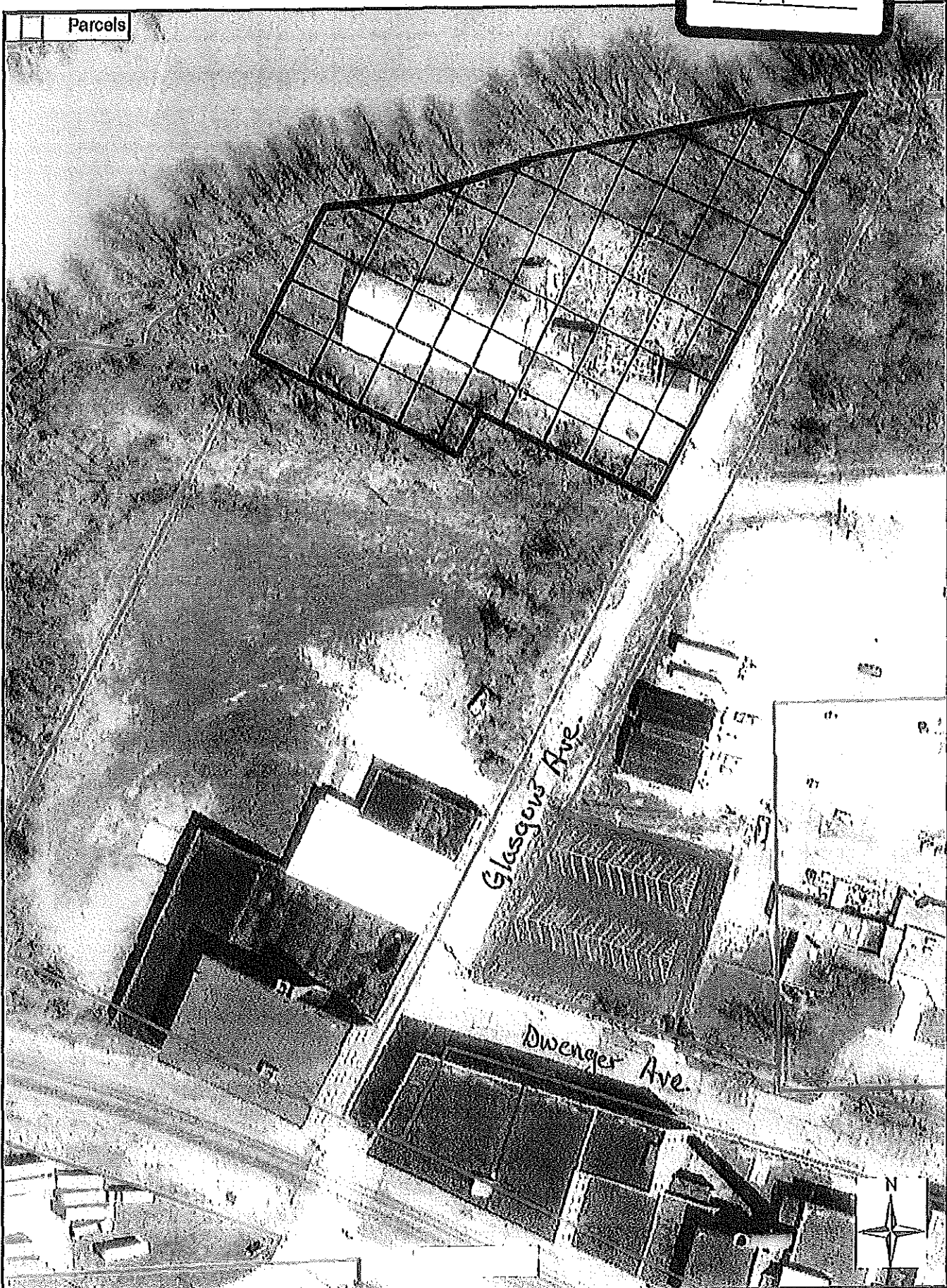
Straub Bros., Inc.

EXHIBIT

tabbles

A

Parcels



March 22, 2016

This map is intended for general reference purposes only. The information displayed herein is not guaranteed to be completely accurate or all inclusive.

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**A RESOLUTION OF THE CITY OF FORT WAYNE, INDIANA,  
BOARD OF PUBLIC WORKS  
APPROVING THE PURCHASE OF  
502 GLASGOW AVENUE,  
FORT WAYNE, INDIANA, 46802**

**RESOLUTION NUMBER 103-3-23-16-1**

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 502 Glasgow Avenue for the future construction of improvements in support of the Three Rivers Protection and Overflow Reduction Tunnel (3RPORT) Project; and

WHEREAS, the City wishes to purchase from Straub Bros., Inc., the Real Estate commonly known as 502 Glasgow Avenue, Fort Wayne, Indiana, 46802, and more particularly described in Exhibit "I" attached hereto; and

WHEREAS, the owners of Straub Bros., Inc., have voluntarily elected to sell the Real Estate to the City; and

WHEREAS, the agreed purchase price for the Real Estate is Ninety Eight Thousand and No/100 Dollars (\$98,000.00), which is the average of two appraisals as mandated by Indiana statute; and

WHEREAS, the agreed purchase price for certain equipment (Other Sale Items) considered as integral to the real estate is Fifty-Two Thousand and No/100 Dollars (\$52,000.00), and

WHEREAS, the agreed purchase price for the inventory of granite (Other Sale Items) is Thirty-Nine Thousand Five Hundred and No/100 Dollars (\$39,500.00).

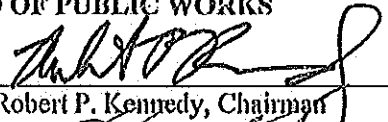
**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE, INDIANA BOARD OF PUBLIC WORKS AS FOLLOWS:**

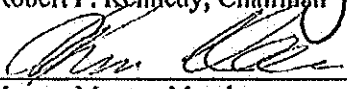
**SECTION 1.** The purchase of the Real Estate and Other Sale Items by the City of Fort Wayne, Indiana, for the total price of One Hundred Eighty-Nine Thousand Five Hundred and No/100 Dollars (\$189,500.00) is hereby approved.

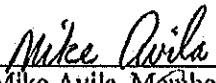
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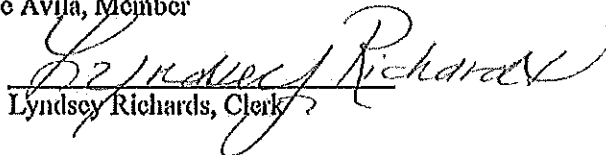
APPROVED this 23 day March, 2016.

BOARD OF PUBLIC WORKS

BY:   
Robert P. Kennedy, Chairman

BY:   
Kumar Menon, Member

BY:   
Mike Avila, Member

ATTEST:   
Lindsey Richards, Clerk

Prepared by: DeWayne J. Nodine, City of Fort Wayne, Program Manager, Capital Project Services

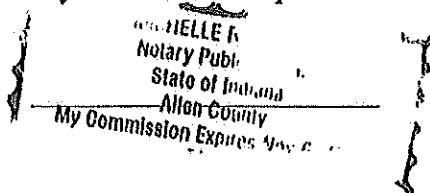
ACKNOWLEDGEMENT

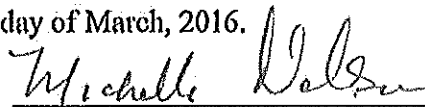
STATE OF INDIANA     )  
                                      )   SS  
COUNTY OF ALLEN     )

Before me, a Notary Public, in and for said County and State personally appeared Robert P. Kennedy, Kumar Menon, and Mike Avila, as Members of the Board of Public Works of the City of Fort Wayne, and Lindsey Richards, Clerk of the Board of Works, and acknowledged the execution of the foregoing contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 23<sup>rd</sup> day of March, 2016.

My Commission Expires:



  
Notary Public

Resident of Allen County

Michelle Nelson  
Printed Name of Notary

**EXHIBIT "1"**

**per**

**Document No. 91-032224 (latest deed of record)**

All that part of the South Fractional Half of Section 6, in Township 30 North, Range 13 East, bounded and described as follows, to-wit:

Commencing at a point where the East line of Sand Street in the City of Fort Wayne intersects the South bank of the Maumee River; thence East along the South bank of the Maumee River to the West line of Glasgow Avenue in said city; thence Southwesterly along the West line of said Glasgow Avenue to the North line of the alley, running East and West immediately North of Lots No. 172 and 242 in J. B. WHITE'S FOURTH ADDITION to the City of Fort Wayne; thence West along the North line of said alley to the East line of said Sand Street; thence Northeasterly along the East line of said Sand Street to the place of beginning. (Deed Record 468, page 420)

**ALSO**

Lots No. 172 and 242, TOGETHER with the 30 foot vacated alley or street lying North thereof and One-Half the vacated 14 foot alley lying Westerly of Lot 172 and Easterly of Lot 242.

**ALSO**

The North 2 feet of Lot No. 171 and One-Half the vacated 14 foot alley lying Westerly thereof; ALL in WHITE'S FOURTH ADDITION to the City of Fort Wayne and recorded in Deed Record 60, page 476.

Parcel No.: 02-13-06-327-001,000-074

Interoffice Memo

Date: April 6, 2016  
To: Common Council Members  
From: DeWayne Nodine, Program Manager — Capital Project Services — Telephone: 427-1330  
RE: Purchase of 502 Glasgow Avenue, Fort Wayne, Indiana 46802

**Council Introduction Date: April 12, 2016—Council District #: 5**

Background & supporting information:

City Utilities seeks to purchase 502 Glasgow Avenue in support of the Three Rivers Protection and Overflow Reduction Tunnel (3RPORT). The owners have voluntarily agreed to sell this property to the City for the total purchase price of \$189,500.00.

This property is critical for construction of a large connector pipe from the tunnel to the Wet Weather Pump Station which is located on the north side of the river. In addition, this property will allow additional staging area for use by contractors during construction of the tunnel project.

A map is attached to this memo highlighting this property along with a copy of the Resolution approved by the Board of Public Works on March 23, 2016.

Implications of not being approved:

This project is contained in the City's Long Term Control Plan and will reduce the amount of untreated overflows reaching the rivers. Therefore, if this project is not constructed, the City may be in violation of the Consent Decree.

Justification if prior approval is being requested: Not applicable

Funding source: Sewer Revenue

Attachments:

- Map
- Resolution

CC: Matthew Wirtz  
Dan Brenner  
Diane Brown  
Project file