

BILL NO. R-17-08-12

RESOLUTION NO. _____

A RESOLUTION APPROVING THE PURCHASE OF CERTAIN REAL ESTATE, SPECIFICALLY 0.140 ACRES OF LAND LOCATED AT 6040 INNOVATION BOULEVARD, FORT WAYNE, INDIANA 46818) (\$8,400.00), FOR THE CITY OF FORT WAYNE, INDIANA – Board of Public Works Resolution Number 104-8-2-17-3.

WHEREAS, the City of Fort Wayne desires to purchase property specifically, 0.140 ACRES OF LAND LOCATED AT 6040 INNOVATION BOULEVARD, FORT WAYNE, INDIANA 46818, described in "Exhibit "1," attached hereto and made a part hereof; and

WHEREAS, the purchase of this property is necessary for City Utilities to construct and install a pump station ; and

WHEREAS, the purchase price for this property is EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS – (\$8,400.00); and

WHEREAS, Sec. 37-25 of the City of Fort Wayne Code of Ordinances, requires the Common Council approval of any purchase or conveyance 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 property, specifically, 0.140 ACRES OF LAND LOCATED AT 6040 INNOVATION BOULEVARD, FORT

1 WAYNE, INDIANA 46818, by the City of Fort Wayne, Indiana is hereby
2 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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7 _____
Council Member

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9 APPROVED AS TO FORM AND LEGALITY

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11 _____
12 Carol Helton, City Attorney
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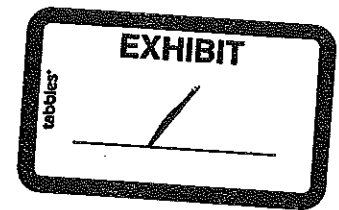


EXHIBIT "A"

LAND DESCRIPTION

A part of the southeast quarter of Section 16, Township 31 North, Range 12 East of the Second Principal Meridian, Washington Township, Allen County, Indiana, more particularly described as follows:

Commencing at a 5/8 inch rebar with "Karst" identification cap marking the intersection of the north right-of-way line of Washington Center Road and the easterly right-of-way line of Innovation Boulevard as depicted and described in Instrument Number 201042065 in the Office of the Recorder of Allen County, Indiana (the next 4 calls are along the easterly right-of-way line of Innovation Boulevard); North 47 degrees 15 minutes 44 seconds West (Indiana State Plane Coordinate System, East Zone) a distance of 64.18 feet; North 02 degrees 44 minutes 20 seconds West, a distance of 40.00 feet; North 08 degrees 26 minutes 21 seconds West, a distance of 151.02 feet to a 5/8 inch rebar with "Foresight" identification cap; North 02 degrees 44 minutes 20 seconds West, a distance of 444.48 feet to a 5/8 inch rebar with "Karst" identification cap, being the northwesterly corner of a 7.069 acre tract as described in Instrument Number 2008055297 in the Office of said Recorder, also the POINT OF BEGINNING of this description; thence South 87 degrees 38 minutes 50 seconds East, along the northerly boundary of said 7.069 acre tract, a distance of 95.38 feet to a 5/8 inch rebar with "Wessler" identification cap; thence South 02 degrees 44 minutes 20 seconds East, a distance of 60.00 feet to a 5/8 inch rebar with "Wessler" identification cap; thence South 87 degrees 15 minutes 40 seconds West, a distance of 95.00 feet to a 5/8 inch rebar with "Wessler" identification cap, on the westerly boundary of said 7.069 tract; thence North 02 degrees 44 minutes 20 seconds West, along said westerly boundary, a distance of 68.46 feet to the point of beginning. Containing 0.140 acres (6,102 square feet), more or less. Subject to all legal highways, rights-of-ways, easements, restrictions of record, and a 20' sanitary sewer easement as described in Instrument Number 201042067 in the Office of said Recorder.

SURVEYOR'S REPORT

In accordance with Indiana Administrative Code 865 IAC 1 – 12 (Rule 12), the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of variances in reference monuments, inconsistencies in lines of occupation, discrepancies in the record descriptions, and the relative positional accuracy. There may be unwritten rights associated with these uncertainties.

Unless otherwise noted or depicted hereon, there is no evidence of occupation along the perimeter lines of the subject tract, and there are no deed gaps with adjoining record land descriptions. All survey monuments, set or found during this survey, are flush with the existing grade unless otherwise noted.

**A RESOLUTION OF BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA,
APPROVING THE PURCHASE OF PART OF
6040 INNOVATION BOULEVARD IN FORT WAYNE
TO FACILITATE THE SUMMIT PUMP STATION PROJECT**

RESOLUTION NUMBER 104-8-2-17-3

WHEREAS, the City of Fort Wayne (the "City") is planning to install a pump station in Summit Industrial Park, near the intersection of Washington Center Road and Innovation Boulevard, in order to create a new remote pressure zone with increased fire flows, increased reliability between pressure zones, and increased pressure in the service area (the "Project"); and

WHEREAS, to facilitate the Project, the City wishes to acquire a fee simple interest in a certain area of real property encompassing 0.140 acres of land, located at 6040 Innovation Boulevard in Fort Wayne, Indiana, 46818, more particularly described and depicted in Exhibit 1 attached hereto, incorporated herein by this reference (the "Property"); and

WHEREAS, the City wishes to purchase the Property from its owner, Wayne Pipe and Supply, Inc. (the "Owner"); and

WHEREAS, the aforesaid Owner wishes to sell the Property to the City; and

WHEREAS, the agreed purchase price for the Property is Eight Thousand, Four Hundred Dollars (\$8,400.00).

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

The purchase of the Property by the City of Fort Wayne, Indiana, for the total price of Eight Thousand, Four Hundred Dollars (\$8,400.00) is hereby

APPROVED this 2 day of August, 2017.

(Remainder of the page intentionally left blank—signature page to follow.)

BOARD OF PUBLIC WORKS

By: ~~Absent~~ Robert P. Kennedy
Robert P. Kennedy, Chair

By: Kumar Menon
Kumar Menon, Member

By: Mike Avila
Mike Avila, Member

Attest: Lyndsey Richards
Lyndsey Richards, Clerk

Prepared by: Seth Weinglass, 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 Lyndsey 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 2 day of AUGUST, 2017.

My Commission Expires:

12/02/2020

Lindsay K Haggerty
Notary Public

Resident of Allen County

Lindsay K Haggerty
Printed Name of Notary

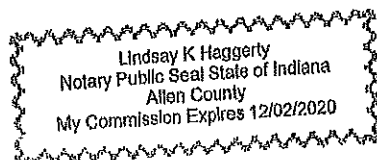


EXHIBIT 1

PROPERTY OWNER NAME AND MAILING ADDRESS:

Landowner: Wayne Pipe and Supply
Mailing Address: 6040 Innovation Blvd.
Fort Wayne, IN 46818

AFFECTED PROPERTY:

Address: 6040 Innovation Blvd., Fort Wayne, IN 46818
Last deed of record: Allen County Recorder's document number 2008055297
Tax parcel no.: 02-07-16-400-004.004-073

INTEREST TO BE ACQUIRED: Part of the above parcel, encompassing an area of 0.140 of an acre (legal description and drawing attached).

LAND DESCRIPTION

A part of the southeast quarter of Section 16, Township 31 North, Range 12 East of the Second Principal Meridian, Washington Township, Allen County, Indiana, more particularly described as follows:

Commencing at a 5/8 inch rebar with "Karst" identification cap marking the intersection of the north right-of-way line of Washington Center Road and the easterly right-of-way line of Innovation Boulevard as depicted and described in Instrument Number 201042065 in the Office of the Recorder of Allen County, Indiana (the next 4 calls are along the easterly right-of-way line of Innovation Boulevard); North 47 degrees 15 minutes 44 seconds West (Indiana State Plane Coordinate System, East Zone) a distance of 64.18 feet; North 02 degrees 44 minutes 20 seconds West, a distance of 40.00 feet; North 08 degrees 26 minutes 21 seconds West, a distance of 151.02 feet to a 5/8 inch rebar with "Foresight" identification cap; North 02 degrees 44 minutes 20 seconds West, a distance of 444.48 feet to a 5/8 inch rebar with "Karst" identification cap, being the northwesterly corner of a 7.069 acre tract as described in Instrument Number 2008055297 in the Office of said Recorder, also the POINT OF BEGINNING of this description; thence South 87 degrees 38 minutes 50 seconds East, along the northerly boundary of said 7.069 acre tract, a distance of 95.38 feet to a 5/8 inch rebar with "Wessler" identification cap; thence South 02 degrees 44 minutes 20 seconds East, a distance of 60.00 feet to a 5/8 inch rebar with "Wessler" identification cap; thence South 87 degrees 15 minutes 40 seconds West, a distance of 95.00 feet to a 5/8 inch rebar with "Wessler" identification cap, on the westerly boundary of said 7.069 tract; thence North 02 degrees 44 minutes 20 seconds West, along said westerly boundary, a distance of 68.46 feet to the point of beginning. Containing 0.140 acres (6,102 square feet), more or less. Subject to all legal highways, rights-of-ways, easements, restrictions of record, and a 20' sanitary sewer easement as described in Instrument Number 201042067 in the Office of said Recorder.

SURVEYOR'S REPORT

In accordance with Indiana Administrative Code 865 IAC 1 – 12 (Rule 12), the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of variances in reference monuments, inconsistencies in lines of occupation, discrepancies in the record descriptions, and the relative positional accuracy. There may be unwritten rights associated with these uncertainties.

Unless otherwise noted or depicted hereon, there is no evidence of occupation along the perimeter lines of the subject tract, and there are no deed gaps with adjoining record land descriptions. All survey monuments, set or found during this survey, are flush with the existing grade unless otherwise noted.

In July 2016, Wessler Engineering was hired by the City of Fort Wayne to perform a boundary survey at the northwesterly corner of a 7.069 acre tract of land owned by Wayne Pipe and Supply Inc., as described in Instrument Number 2008055297 in the Office of the Recorder of Allen County, Indiana. The project was surveyed using GPS Real Time Kinematic methods based upon the Indiana Continuously Operating Reference Station (INCORS) Network, Indiana State Plane, East Zone, NAD 1983. The distances shown on the survey are grid distances, and the combined scale factor is 0.99995128.

This survey originated the description and monuments were found for the parent parcel as called for in Instrument Number 2008055297. The northerly adjoiner is the City of Fort Wayne as recorded in Instrument Number 201042064. The easterly and southerly adjoiner is Wayne Pipe and Supply Inc. as recorded in Instrument Number 2008055297. The westerly adjoiner is the right-of-way for Innovation Boulevard as recorded in Instrument Number 201042065. Information from the Secondary Development Plan for Summit Park II recorded in Plat Cabinet D, Page 128 and Instrument Number 201060988 was used during this survey.

As a result of the above observations, it is my opinion that the uncertainties in the locations of the lines and corners established on this survey are as follows:

Due to reference monuments: less than the relative positional accuracies of this survey.

Due to lines of occupation: none.

Due to discrepancies in the record descriptions: none.

The within survey was prepared without benefit of current evidence of source to title for the subject tract or adjoiners and is therefore subject to any statements of facts revealed by examination of such documents.

This survey complies with the relative positional accuracies of an urban survey (0.07 feet plus 50 parts per million) as defined in 865 IAC 1-12-7.

SURVEYOR'S STATEMENT

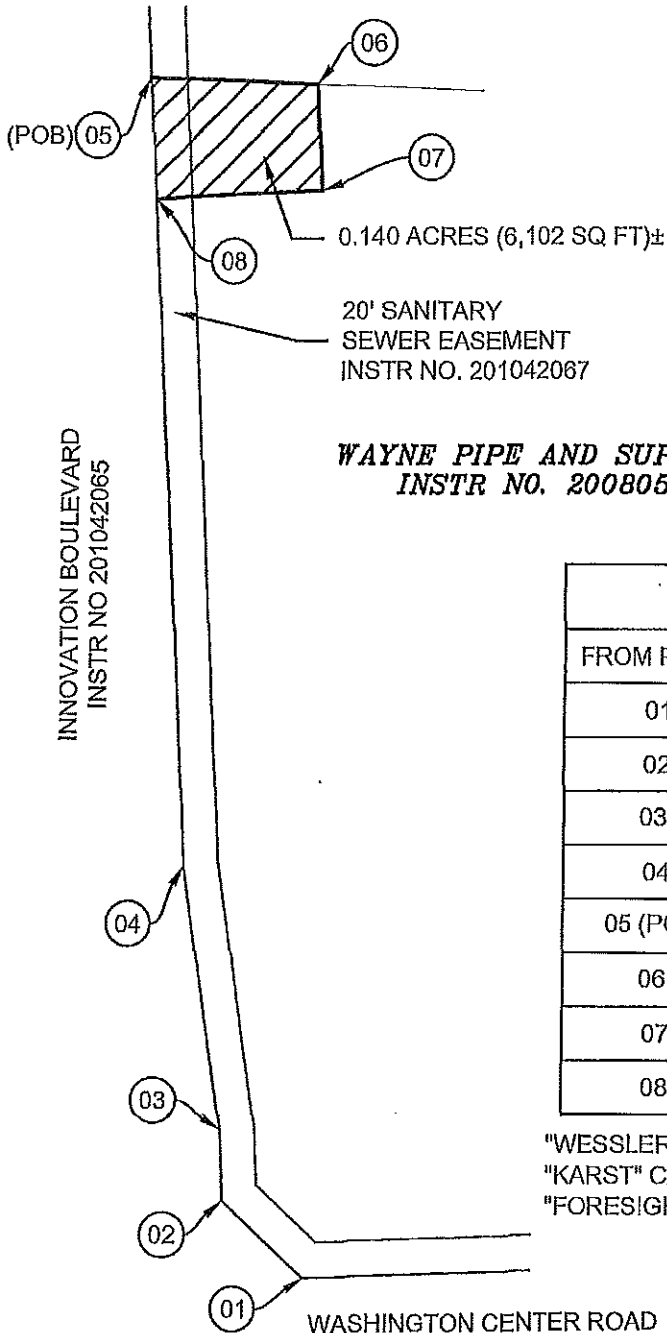
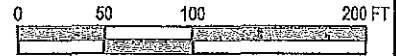
This survey was performed wholly under the direction of myself and to the best of my information, knowledge, and belief, was executed in accordance with the survey requirements in Indiana Administrative Code 865 IAC 1-12 (Rule 12). The field work was completed in August 2016.

DATE: August 5, 2016



Ronald L. Nolan
RONALD L. NOLAN
Registered Land Surveyor SO 439
State Of Indiana

CITY OF FORT WAYNE
COMMON AREA
INSTR NO. 201042064



WAYNE PIPE AND SUPPLY INC.
INSTR NO. 2008055297

PARCEL LINE DATA

FROM POINT	TO POINT	BEARING	DISTANCE
01	02	N47°15'44"W	64.18'
02	03	N2°44'20"W	40.00'
03	04	N8°26'21"W	151.02'
04	05 (POB)	N2°44'20"W	444.48'
05 (POB)	06	S87°38'50"E	95.38'
06	07	S2°44'20"E	60.00'
07	08	S87°15'40"W	95.00'
08	05 (POB)	N2°44'20"W	68.46'

"WESSLER" CAPPED $\frac{5}{8}$ " REBAR SET AT POINTS 06, 07, AND 08.
"KARST" CAPPED $\frac{5}{8}$ " REBAR FOUND AT POINTS 01 AND 05.
"FORESIGHT" CAPPED $\frac{5}{8}$ " REBAR FOUND AT POINT 04.

DRAWN BY	CHECKED BY	APPROVED BY
JRW	JAB	RLN
DRAWING SCALE		
1"=100'		
PROJECT NUMBER		
180015-04-002		



BOUNDARY SURVEY

FOR

CITY OF FORT WAYNE
PART OF SUMMIT PARK II

CURRENT SHEET NO.

3

TOTAL SHEETS

3

Interoffice Memo

Date: August 2, 2017
To: Common Council Members
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330
RE: Purchase of 6040 Innovation Blvd., Fort Wayne, IN 46818

Council Introduction Date: August 8, 2017 - Council District: 3

Background & supporting information:

City Utilities is planning to add a remote water pressure zone to its existing water distribution system, to support growth and development. Once implemented, the pump station will increase fire flows, and reliability, and water pressure in the area. This project will require the installation of pump station equipment and appurtenances.

City Utilities would like to install this new infrastructure on part of a parcel located in Summit Industrial Park, north of Washington Center Road, on a property along Innovation Boulevard. The property's present owner, Wayne Pipe and Supply, has agreed to sell the needed land to the City for a purchase price of \$8,400.

City Ordinance section 37.25 requires all real estate acquisitions to be approved by the Common Council. A surveyor's map and legal description are attached showing the exact boundaries of the purchase area, along with an aerial map showing recent overhead imagery of the area.

Implications of not being approved:

This land is a suitable location for installation of the pump station. If the City does not approve this purchase, a new location will need to be found and acquired.

Justification if prior approval is being requested: Not applicable.

Funding source: Water Revenue.

Attachments:

- Surveyor's map, legal description, and survey report
- Aerial map
- Resolution for purchase approved by Board of Public Works on August 2, 2017

CC: Matthew Wirtz, Diane Brown

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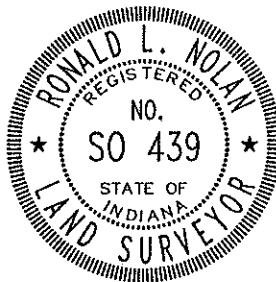
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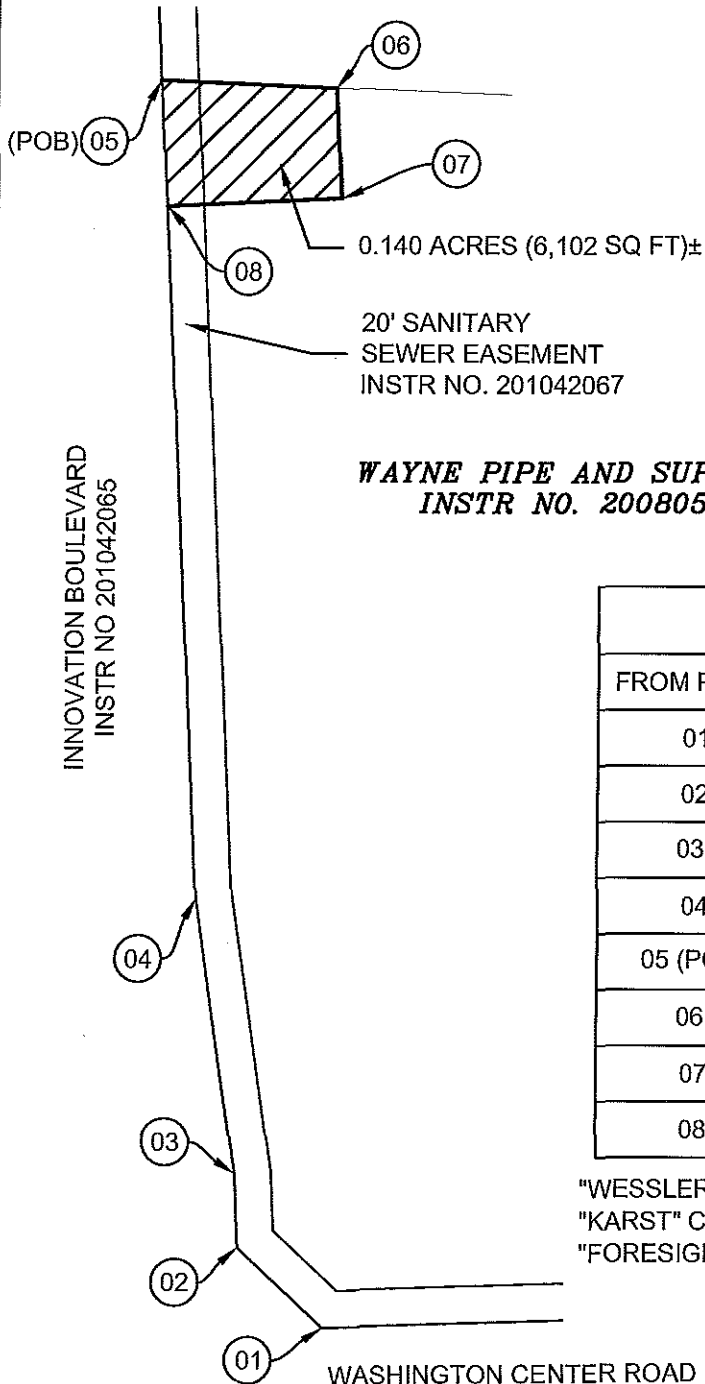
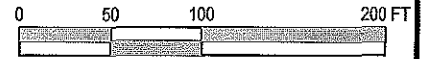
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Ronald L. Nolan
RONALD L. NOLAN
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JRW	JAB	RLN
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1"=100'		
PROJECT NUMBER		
180015-04-002		

W
WESSLER
ENGINEERING
More than a Project™

BOUNDARY SURVEY

FOR

CITY OF FORT WAYNE
PART OF SUMMIT PARK II

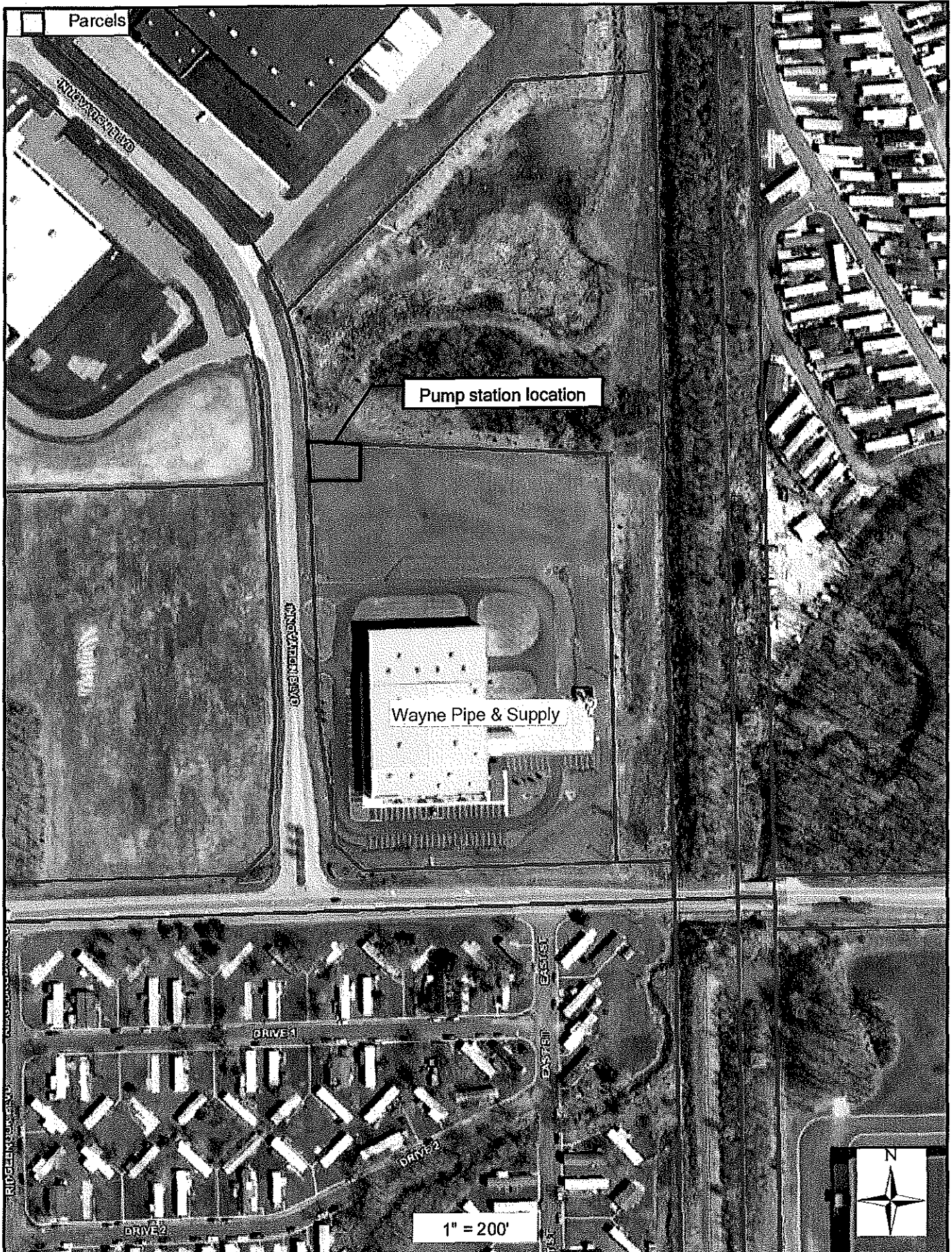
CURRENT SHEET NO.

3

TOTAL SHEETS

3

Summit Pump Station @ Wayne Pipe & Supply



March 28, 2017

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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FORT WAYNE BOARD OF PUBLIC WORKS TRANSMITTAL

Meeting Date: August 2, 2017

Department: City Utilities Administration

Preparer: Weinglass, Seth

Subject: 104-8-2-17-3 Property Purchase for Summit Pump Station

Description:

Improvement Resolution: #104-8-2-17-3, Property Purchase for Summit Pump Station.

Attachments:

BOPW resolution no. 104-8-2-17-3 - Wayne Pipe 6040 Innovation Blvd