

1 **BILL NO. R-18-09-12**

2
3 **RESOLUTION NO. _____**

4 **A RESOLUTION APPROVING THE**
5 **PURCHASE OF CERTAIN REAL ESTATE**
6 **LOCATED AT 1216 DEARBORN AVE.,**
7 **FORT WAYNE INDIANA 46805 (\$4,000.00)**
8 **- Board of Public Works Resolution**
9 **Number 105-9-11-18-2.**

10 **WHEREAS**, the City of Fort Wayne desires to purchase certain real property
11 located at 1216 Dearborn Ave., in Fort Wayne Indiana 46805; and

12 **WHEREAS**, the purchase of the property is necessary to install a parallel 12 inch
13 HDPE lime sludge line from the Three Rivers Filtration plant to the existing parallel section of
14 sludge line east of the south end of Pemberton; and

15 **WHEREAS**, the purchase price for this property is Four Thousand and 00/100
16 Dollars – (\$4,000.00); and

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

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

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22 **SECTION 1.** The purchase of property, specifically located at **1216**
23 **DEARBORN AVE., FORT WAYNE INDIANA 46805**, by the City of Fort Wayne,
24 Indiana is hereby approved and agreed to.
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1 **SECTION 2.** This Resolution shall be in full force and effect from and after its
2 passage and any and all necessary approval by the Mayor.
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4 _____
5 Council Member

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7 APPROVED AS TO FORM AND LEGALITY:

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9 Carol T. Helton, City Attorney
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**A RESOLUTION OF THE CITY OF FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS
APPROVING THE PURCHASE OF 1216 DEARBORN STREET
FOR THE LIME SLUDGE LINE TO EDGEWATER PROJECT**

RESOLUTION NUMBER 105-9-11-18-2

WHEREAS, the City of Fort Wayne (the "City") wishes to purchase a vacant parcel of real estate, located east of Dearborn Street near the southern bank of the St. Joseph River, to facilitate construction of a parallel lime sludge force main; and

WHEREAS, the purchase of this property is in the best interests of the public health, safety, and welfare, in that the project will increase the reliability and capacity of water plant operations; and

WHEREAS, the City thus wishes to purchase from MRW Properties, LLC that certain parcel of real estate having the address of 1216 Dearborn Street, the full legal description of which is set forth in Exhibit "1" attached hereto, incorporated herein by this reference (the "Real Estate"); and

WHEREAS, MRW Properties, LLC wishes to voluntarily sell the Real Estate to the City for an agreed-upon purchase price is Four Thousand Dollars (\$4,000.00).

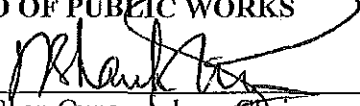
NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE, INDIANA, BOARD OF PUBLIC WORKS AS FOLLOWS:

The purchase of the Real Estate by the City of Fort Wayne, Indiana, for the purchase price of Four Thousand Dollars (\$4,000.00) is hereby approved.

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

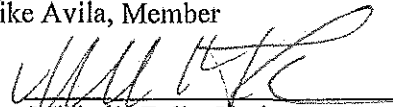
APPROVED this 11th day of September, 2018.

BOARD OF PUBLIC WORKS

BY: 
Shan Gunawardena, Chair

BY: ABSENT
Kumar Menon, Member

BY: 
Mike Avila, Member

ATTEST: 
Michelle Fulk, Clerk

Prepared by: Seth Weinglass, City of Fort Wayne, Program Manager, Capital Project Services

ACKNOWLEDGEMENT

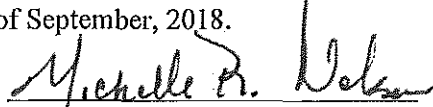
STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared Shan Gunawardena, ~~Kumar Menon~~, and Mike Avila, as Members of the Board of Public Works of the City of Fort Wayne, and Michelle Fulk, 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 11th day of September, 2018.

My Commission Expires:




Notary Public

Resident of Allen County

Michelle R. Nelson
Printed Name of Notary

EXHIBIT 1

PROPERTY OWNER NAME AND MAILING ADDRESS:

Landowner: MRW Properties LLC
Mailing Address: 253 Ethel Ave.
Norfolk, VA 23504

AFFECTED PROPERTY:

Address: 1216 Dearborn St., Fort Wayne, Indiana 46805
Last deed of record: Allen County Recorder's document number 2009019151
Tax parcel no.: 02-12-01-131-009.000-074

Legal description

Part of Lot 166 in Lakeside park Addition to the City of Fort Wayne, Indiana, according to the plat thereof, recorded in Plat Record 1, page 54, of the Records of the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of Lot 166 in Lakeside Park Addition; thence in a Northwesterly direction along the Westerly line of Lot 166, a distance of 106 feet to the place of beginning and for said part of Lot 166 in Lakeside Park Addition; thence continuing in a Northwesterly direction along the Westerly line of Lot 166 a distance of 44.0 feet to the Northwest corner of said Lot 166; thence in a Northeasterly direction along the Northerly line of Lot 166 a distance of 45.0 feet to the Northeast corner of said Lot 166; thence in a Southeasterly direction along the Easterly line of Lot 166, a distance of 54.0 feet; thence in a Southwesterly direction on a line parallel to the Northerly line of Lot 166, a distance of 17.0 feet; thence in a Northwesterly direction on a line parallel to the Westerly line of Lot 166, a distance of 10.0 feet; thence in a Southwesterly direction on a line parallel to the Northerly line of Lot 166 a distance of 28.0 feet to the place of beginning.

INTERESTS TO BE ACQUIRED: Fee simple in the entire parcel.



September 11, 2018

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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Interoffice Memo

Date: September 18, 2018
To: Common Council Members
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330
RE: **Purchase of 1216 Dearborn Ave, in Fort Wayne, Indiana 46805**

Council Introduction Date: September 25, 2018 - Council District #: 2

Background & supporting information:

City Utilities is planning to install a parallel 12 inch HDPE lime sludge line from the Three Rivers Filtration plant to the existing parallel section of sludge line east of the south end of Pemberton.

To facilitate the river crossing, City Utilities is seeking to purchase the lot south of St. Joseph Boulevard, at 1216 Dearborn Street. The property is owed by MRW Properties, LLC. The purchase price for the lot is \$4,000.

The map attached to this memo shows the lot that City Utilities intends to purchase.

Implications of not being approved:

Without the use of these properties, the river crossing will entail additional project cost and risk.

Justification if prior approval is being requested: Not applicable

Funding source: Water Revenue

Attachments:

- Map
- Resolution for purchase approved by Board of Public Works on September 11, 2018

CC: Matthew Wirtz
Andrew Schipper
Diane Brown
Project file