

BILL NO. R-20-02-02

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE ACQUISITION/DONATION
OF CERTAIN REAL ESTATE LOCATED AT 5800 MASON
DRIVE, FORT WAYNE, INDIANA, FOR THE CITY OF FORT
WAYNE, BY AND THROUGH THE FORT WAYNE PARKS
AND RECREATION DEPARTMENT.**

WHEREAS, the City of Fort Wayne, through its Department of Parks and Recreation desires to acquire 2.351 acres of property located at 5800 Mason Drive, Fort Wayne, Indiana, specifically described in the Quit Claim Deed, Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the Quit Claim Deed for the 2.351 acres of property located at 5800 Mason Drive, Fort Wayne, Indiana is submitted to the Common Council for approval.

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

SECTION 1. The acquisition of 2.351 acres of real estate by the City of Fort Wayne through its Department of Parks and Recreation, located at 5800 Mason Drive, Fort Wayne, Indian, specifically described in the Quit Claim Deed, Exhibit "A," is hereby approved and agreed to. The appropriate officials of the City are hereby authorized to execute all documents necessary to accomplish said donation.

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

A

Mail Tax Bills To:
200 East Berry Street, Suite 470
Fort Wayne, IN 46802

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, Old Prairie Products, Inc., an Indiana corporation ("GRANTOR") of Allen County in the State of Indiana,

Remises, releases and forever QUITCLAIMS to the City of Fort Wayne Board of Park Commissioners ("GRANTEE") of Allen County in the State of Indiana,

For and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in the City of Fort Wayne, Allen County, in the State of Indiana, to-wit:

See Exhibit A attached

The undersigned person executing this instrument on behalf of the Grantor represents and certifies that he is the duly elected President of Grantor, and has been fully empowered and authorized to execute and deliver this QUITCLAIM DEED; that Grantor has full capacity to convey the real estate herein; and that all necessary action for the making of this conveyance has been taken and done.

Subject to all liens, easements, rights-of-way, restrictions and limitations of record, and visible easements not of record.

Dated this 9 day of Dec, 2019.

Old Prairie Products, Inc.

Allen L. Poorman
Allen L. Poorman
President



STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

Before me a Notary Public in and for said County and State, this 9 day of Dec, 2019, personally appeared Allen L. Poorman, President of Old Prairie Products, Inc. and acknowledged the execution of the foregoing deed. I have, in witness thereof, subscribed my name and affixed my official seal.

My Commission Expires:

4/26/2026

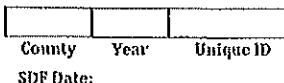
Sheryl K Poorman
Notary Public

Resident of:

Allen Co.

This instrument prepared by Lawrence E. Shine, Attorney at Law 298-02

I affirm, under penalties of perjury, that I have taken reasonable care to redact the Social Security numbers in this document, unless required by law.
Daniel A. Brenner



County	Year	Unique ID

SDE Date:

PART 1 - To be completed by BUYER/GRANTOR and SELLER/GRANTOR					
A. PROPERTY TRANSFERRED - MUST BE CONVEYED ON A SINGLE CONVEYANCE DOCUMENT					
1. Property Number		Check box if applicable to parcel	5. Complete Address of Property		6. Complete Tax Billing Address (if different from property address)
A.) 02-12-28-201-003.000-074		<input checked="" type="checkbox"/> 2. Split <input type="checkbox"/> 3. Land <input type="checkbox"/> 4. Improvement	6100 Blue Spruce Ct (Beh) Fort Wayne, IN 46809		200 East Berry Street, Suite 470 Fort Wayne, IN 46802
7. Legal Description of Parcel A: Pt NE 1/4 S25, T30N, R12E containing approximately 2.325 acres					
B.)		<input type="checkbox"/> 2. Split <input type="checkbox"/> 3. Land <input type="checkbox"/> 4. Improvement			
7. Legal Description of Parcel B:					
B. CONDITIONS - IDENTIFY ALL THAT APPLY			C. SALES DATA - DISCLOSE VALUE OF ITEMS LISTED IN TABLE B, ITEMS 1-15.		
If condition 1 applies, filer is subject to disclosure and a disclosure filing fee.			1. Conveyance date (MM/DD/YYYY): <u>12/09/2019</u>		
YES	NO	CONDITION	2. Total number of parcels: <u>1</u>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. A transfer of real property interest for valuable consideration.	3. Describe any unusual or special circumstances related to this sale, including the specification of any less-than-complete ownership interest and terms of seller financing. 		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Buyer is an adjacent property owner.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Vacant land.			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Exchange for other real property ("Trade").			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Seller paid points. (Provide the value Table C Item 12)			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Change planned in the primary use of the property? (Describe in special circumstances in Table C Item 3.)			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Existence of family or business relationship between buyer and seller. (Complete Table C Item 4.)			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Land contract. Contract term (yr): _____ and contract date (MM/DD/YYYY): _____			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Personal property included in transfer. (Provide the value Table C Item 5.)	YES NO CONDITION		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Physical changes to property between March 1 and date of sale. (Describe in special circumstances in Table C Item 3.)	<input type="checkbox"/> <input checked="" type="checkbox"/> 4. Family or business relationship existing between buyer and seller?		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. Partial interest. (Describe in special circumstances in Table C Item 3.)	Amount of discount: \$_____		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Easements or right-of-way grants.	Disclose actual value in money, property, a service, an agreement, or other consideration.		
If conditions 13-15 apply, filers are subject to disclosure, but no disclosure filing fee.			5. Estimated value of personal property: \$ 0.00		
YES	NO	CONDITION	6. Sales price: \$ 0.00		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. Document for compulsory transactions as a result of foreclosure or express threat of foreclosure, divorce, court order, judgment, condemnation, or probate.	YES NO CONDITION		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14. Documents involving the partition of land between tenants in common, joint tenants, or tenants by the entirety.	<input type="checkbox"/> <input checked="" type="checkbox"/> 7. Is the seller financing sale? If yes, answer questions (8-13).		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15. Transfer to a charity, not-for-profit organization, or government.	<input type="checkbox"/> <input checked="" type="checkbox"/> 8. Is buyer/borrower personally liable for loan?		
			<input type="checkbox"/> <input checked="" type="checkbox"/> 9. Is this a mortgage loan?		
			10. Amount of loan:		\$
			11. Interest rate:		%
			12. Amount in points:		\$
			13. Amortization period:		

D. PREPARER

Daniel A. Brenner

Preparer of the Sales Disclosure Form

200 East Berry Street Suite 470

Address (Number and Street)

Fort Wayne, IN 46802

City, State, and ZIP Code

Property Manager

Title

Fort Wayne

Company

260 427-5402

Telephone Number

E-mail

E. SELLER(S)/GRANTOR(S)

Old Prairie Products, Inc.

Seller 1 - Name as appears on conveyance document

12408 Ernst Rd

Address (Number and Street)

Roanoke, IN 46783

City, State, and ZIP Code

260 747-9141

Telephone Number

E-mail

Seller 2 - Name as appears on conveyance document

Address (Number and Street)

City, State, and ZIP Code

Telephone Number

E-mail

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act".

Signature of Seller

Allen L. Poorman

Printed Name of Seller

Sign Date (MM/DD/YYYY)

12/09/2019

Signature of Seller

Printed Name of Seller

Sign Date (MM/DD/YYYY)

F. BUYER(S)/GRANTEE(S) - APPLICATION FOR PROPERTY TAX DEDUCTIONS: IDENTIFY ALL ITEMS THAT APPLY

City of Fort Wayne

Buyer 1 - Name as appears on conveyance document

200 East Berry Street Suite 470

Address (Number and Street)

Fort Wayne, IN 46802

City, State, and ZIP Code

260 427-5402

Telephone Number

E-mail

Buyer 2 - Name as appears on conveyance document

Address (Number and Street)

City, State, and ZIP Code

Telephone Number

E-mail

THE SALES DISCLOSURE FORM MAY BE USED TO APPLY FOR CERTAIN DEDUCTIONS FOR THIS PROPERTY. IDENTIFY ALL OF THOSE THAT APPLY.

YES NO CONDITION

- ☐ ☒ 1. Will this property be the buyer's primary residence? Provide complete address of primary residence, including county:

200 E. Berry St Suite 470

Address (Number and Street)

Fort Wayne, IN 46802

City, State ZIP Code

County

- ☐ ☒ 2. Does the buyer have a homestead in Indiana to be vacated for this residence? If yes, provide complete address of residence being vacated, including county:

Address (Number and Street)

City, State ZIP Code

County

YES NO CONDITION

- ☐ ☒ 3. Homestead
☐ ☒ 4. Solar Energy Heating/Cooling System
☐ ☒ 5. Wind Power Device
☐ ☒ 6. Hydroelectric Power Device
☐ ☒ 7. Geothermal Energy Heating/Cooling Device
☐ ☒ 8. Is this property a residential rental property?
☐ ☒ 9. Would you like to receive tax statements for this property via e-mail? (Provide contact information below. Please see instructions for more information. Not available in all counties.)

Primary property owner contact name

E-mail

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act". (Note: Spouse information, Social Security and Driver's License/Other numbers are not necessary if no Homestead Deduction is being filed.)

Signature of Buyer 1

Daniel A. Brenner

Printed Legal Name of Buyer 1

Sign Date (MM/DD/YYYY)

01029

Last 5 digits of Buyer 1 Driver's State Last 5 Digits of Social Security Number License/ID/Other Number

Signature of Buyer 2/Spouse

Printed Legal Name of Buyer 2/Spouse

Sign Date (MM/DD/YYYY)

Last 5 digits of Buyer 2/Spouse Driver's State Last 5 Digits of Social Security Number License/ID/Other Number

PART 2: COUNTY ASSESSOR

The county assessor must verify and complete items 1 through 14 and stamp the sales disclosure form before sending to the auditor:

1. Property	2. AV Land	3. AV Improvement	4. Value of Personal Property	5. AV Total	6. Property Class Code	7. Neighborhood Code	8. Tax District	9. Acreage
A.)								
B.)								

Assessor Stamp	10. Identify physical changes to property between March 1 and date of sale. _____ _____ _____ _____	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> <th>CONDITION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>11. Is form completed?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>12. State sales fee required?</td> </tr> <tr> <td colspan="3">13. Date of sale (MM/DD/YYYY): _____</td> </tr> <tr> <td colspan="3">14. Date form received (MM/DD/YYYY): _____</td> </tr> </tbody> </table>	YES	NO	CONDITION	<input type="checkbox"/>	<input type="checkbox"/>	11. Is form completed?	<input type="checkbox"/>	<input type="checkbox"/>	12. State sales fee required?	13. Date of sale (MM/DD/YYYY): _____			14. Date form received (MM/DD/YYYY): _____		
	YES	NO	CONDITION														
	<input type="checkbox"/>	<input type="checkbox"/>	11. Is form completed?														
	<input type="checkbox"/>	<input type="checkbox"/>	12. State sales fee required?														
13. Date of sale (MM/DD/YYYY): _____																	
14. Date form received (MM/DD/YYYY): _____																	

Items 15 through 18 are to be completed by the assessor when validating this sale:

15. If applicable, identify any additional special circumstances relating to validation of sale. _____ _____ _____ _____ _____ _____	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> <th>CONDITION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>16. Sale valid for trending?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>17. Validation of sale complete?</td> </tr> <tr> <td colspan="3">18. Validated by: _____</td> </tr> </tbody> </table>	YES	NO	CONDITION	<input type="checkbox"/>	<input type="checkbox"/>	16. Sale valid for trending?	<input type="checkbox"/>	<input type="checkbox"/>	17. Validation of sale complete?	18. Validated by: _____		
YES	NO	CONDITION											
<input type="checkbox"/>	<input type="checkbox"/>	16. Sale valid for trending?											
<input type="checkbox"/>	<input type="checkbox"/>	17. Validation of sale complete?											
18. Validated by: _____													

PART 3: COUNTY AUDITOR

Auditor Stamp	1. Disclosure fee amount collected: \$ _____	<table border="1"> <thead> <tr> <th>YES</th> <th>NO</th> <th>CONDITION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>6. Is form completed?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>7. Is state fee collected?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>8. Attachments complete?</td> </tr> </tbody> </table>	YES	NO	CONDITION	<input type="checkbox"/>	<input type="checkbox"/>	6. Is form completed?	<input type="checkbox"/>	<input type="checkbox"/>	7. Is state fee collected?	<input type="checkbox"/>	<input type="checkbox"/>	8. Attachments complete?
	YES		NO	CONDITION										
	<input type="checkbox"/>		<input type="checkbox"/>	6. Is form completed?										
	<input type="checkbox"/>		<input type="checkbox"/>	7. Is state fee collected?										
	<input type="checkbox"/>		<input type="checkbox"/>	8. Attachments complete?										
2. Other Local Fee: \$ _____														
3. Total fee Collected: \$ _____														
4. Auditor receipt book number: _____														
5. Date of transfer (MM/DD/YYYY): _____														

PART 4: RECEIPT FOR STATEMENT OF DEDUCTION OF ASSESSED VALUATION

SDF ID _____	SDF Date (MM/DD/YYYY) _____	Buyer 1 - Name as appears on conveyance document _____
Parcel Number _____		Address of Property (Number and Street) _____
Check all that apply:		City, State, and ZIP Code of Property _____
<input type="checkbox"/> Homestead	<input type="checkbox"/> Solar Energy	<input type="checkbox"/> Wind Power
<input type="checkbox"/> Hydroelectric	<input type="checkbox"/> Geothermal	<input type="checkbox"/> Rental Property
<input type="checkbox"/> Electronic Statement (e-mail)		
		Auditor Signature _____ Date (MM/DD/YYYY) _____

A person who knowingly and intentionally falsifies value of transferred real property, or omits or falsifies any information required to be provided in the sales disclosure form commits a Class C felony.

CLOSING STATEMENT

Seller: Old Prairie Products, Inc.

Buyer: City of Fort Wayne

Property: Part of NE 1/4 S25, T30N, R12E, in Wayne Township, Allen County, Indiana
containing approximately 2.325 acres

Closing Date: _____

Sales Price Land (Donation)	\$0.00
Appraisal	N/A
Survey	N/A
Title Insurance	POC
Advertising Costs	N/A
Recording	N/A
Deed Preparation	N/A
Balance Due from Buyer	\$0.00

POC – Buyer Paid Outside Closing Survey

POC – Buyer Paid Outside Closing Title Insurance

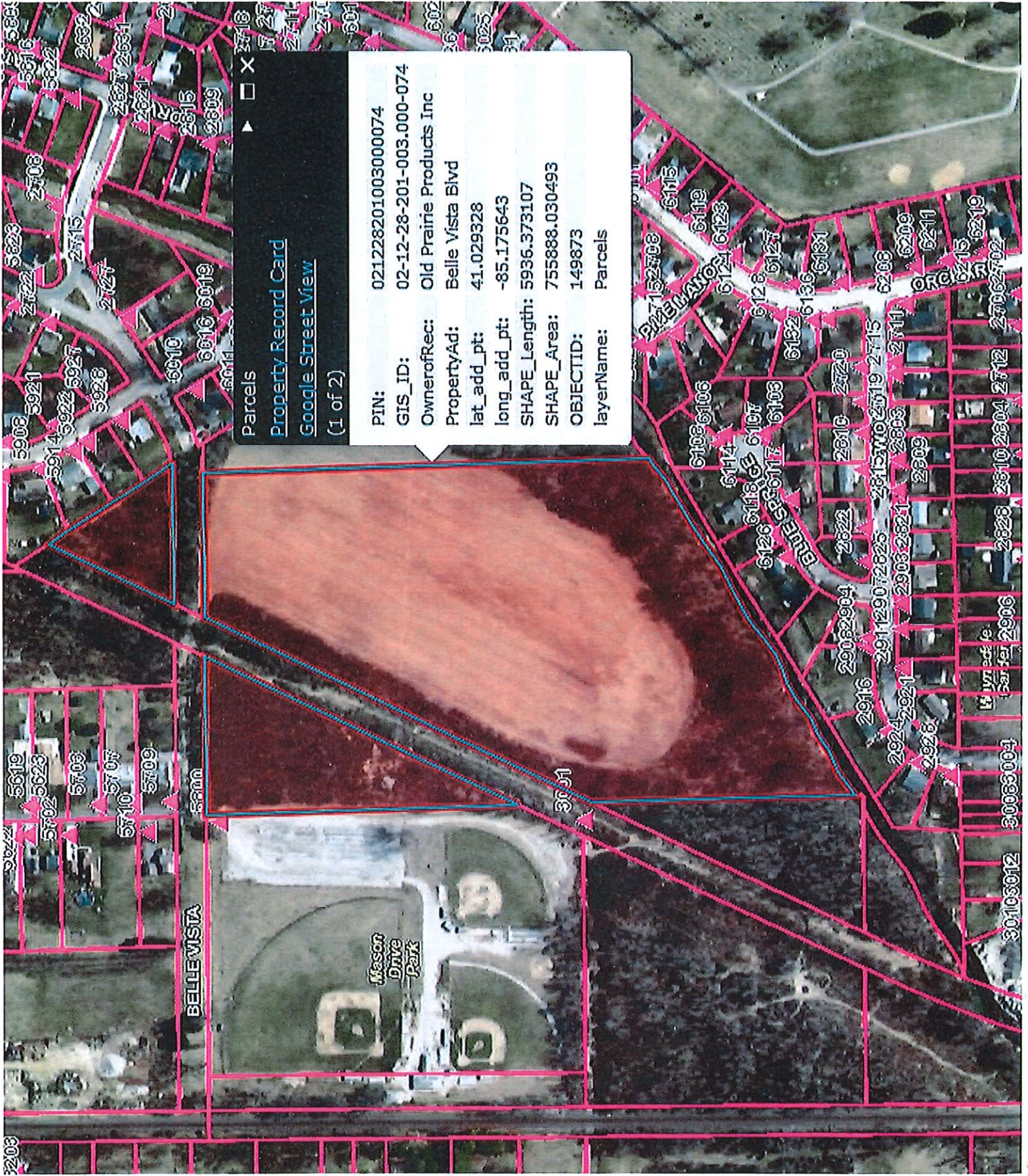
Seller: Old Prairie Products, Inc.

Buyer: City of Fort Wayne Board of Park
Commissioners

By:

Allen L. Poorman
Allen L. Poorman

By:



Parcels

[Property Record Card](#)

[Google Street View](#)

(1 of 2)

PIN:	0212282010030000074
GIS_ID:	02-12-28-201-003.000-074
OwnerofRec:	Old Prairie Products Inc
PropertyAd:	Belle Vista Blvd
lat_add_pt:	41.029328
long_add_pt:	-85.175643
SHAPE_Length:	5936.373107
SHAPE_Area:	755888.030493
OBJECTID:	149873
layerName:	Parcels

COUNCIL DIGEST SHEET

Enclosed with this introduction form is a tab sheet and related material from the vendor(s) who submitted bid(s). Purchasing Department is providing this information to Council as an overview of this award.

RFPs & BIDS

Bid/RFP #	
Awarded To	Board of Park Commissioners
Amount	0
Conflict of interest on file?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Number of Registrants	1
Number of Bidders	1
Required Attachments	Property Donation Deed

EXTENSIONS

Date Last Bid Out	0
# Extensions Granted To Date	0

SPECIAL PROCUREMENT

Contract #/ID (State, Federal, Piggyback--Authority)	n/a
Sole Source/ Compatibility Justification	

BID CRITERIA *(Take Buy Indiana requirements into consideration.)*

Most Responsible, Responsive Lowest	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If no, explain below</i>
If not lowest, explain	

COUNCIL DIGEST SHEET

COST COMPARISON

<i>Increase/decrease amount from prior years For annual purchase (if available).</i>	n/a
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DESCRIPTION OF PROJECT / NEED

<i>Identify need for project & describe project; attach supporting documents as necessary.</i>	This is a request for approval of a donation of 2.351 acres of wooded land that is located adjacent to Mason Drive Park. This property would serve as additional park space in Mason Drive Park.

REQUEST FOR PRIOR APPROVAL

<i>Provide justification if prior approval is being requested.</i>	n/a

FUNDING SOURCE

<i>Account Information.</i>	None

MEMORANDUM

To: City Council Members, City of Fort Wayne
From: Steve Schuhmacher
CC: File
Subject: Mason Drive Park Property Donation
Date: January 15, 2020

Mason Drive Park Property Donation Approval

Project Approval Request

Scope of Work:

Mason Drive Park is located at 5800 Mason Drive in Fort Wayne. Old Prairie Products is the property owner directly to the east of the park. The owner would like to donate a portion of the land to the Fort Wayne Parks Department to serve as an addition to Mason Drive Park. The property consists completely of wooded area containing 2.351 acres. Due to the location and type of property, the Board of Park Commissioners feels that this would be a beneficial property to the Parks Department and Mason Drive Park and therefore would like to request approval to accept this donation from Old Prairie Products to the Fort Wayne Parks and Recreation Department. If you have any questions, please feel free to contact me at 427-6401 or Executive Director, Steve McDaniel at 427-6407.

Please review the attached documents and let me know if you have any questions or concerns.

Thank you in advance.

Steve Schuhmacher
DEPUTY DIRECTOR OF PARK MAINTENANCE
Fort Wayne Parks And Recreation

(260) 427-6401
705 E. State Blvd.
Fort Wayne, IN 46805

