

**A RESOLUTION OF THE
COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA,
APPROVING AND AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL PROPERTY CONVEYANCE
BETWEEN THE CITY OF FORT WAYNE AND
THE ALLEN COUNTY BOARD OF COMMISSIONERS
(0.147 ACRES OF VACANT LAND ON THE 18400 BLOCK OF PAULDING ROAD IN
MONROEVILLE, INDIANA)**

WHEREAS, the City of Fort Wayne, by and through its Division of City Utilities (“CU”), wishes to acquire a part of that certain real property located on the 18400 block of Paulding Road in Monroeville, Indiana, (the “real Estate”), to be used for a sanitary sewer lift station for a septic elimination project, allowing residents in the area to connect to Fort Wayne’s public sewer system; and

WHEREAS, the owner of the Real Estate is the Allen County Board of Commissioners (the “Owner”).

WHEREAS, the City of Fort Wayne, by and through its Board of Public Works, approved and executed Resolution Number 111-3-26-24-1 to acquire the Real Estate in the regularly-held meeting of the Board of Public Works on March 26, 2024; and

WHEREAS, Sec. 37.25 of the City of Fort Wayne Code of Ordinances requires the Common Council’s approval of any conveyance of real estate to the City.

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

SECTION 1. The acquisition of the Real Estate by CU, the City of Fort Wayne, by and through its Board of Public Works, and upon such other terms and conditions as CU shall determine, is hereby agreed to and approved. The appropriate officials of the City of Fort Wayne are hereby authorized to execute all documents necessary to effectuate said acquisition.

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:

Malak Heiny, City Attorney



General Information
Parcel Number
02-14-24-300-008.001-046
Local Parcel Number
16-0024-0045

Tax ID:

Routing Number

Property Class 620
Exempt, County

Year: 2023

Location Information

County
Allen
Township
JEFFERSON TOWNSHIP
District 046 (Local 016)
046 JEFFERSON (16)
School Corp 0255
EAST ALLEN COUNTY
Neighborhood 91400-046
JEFFERSON RURAL 046
Section/Plat
0024
Location Address (1)
18400 PAULDING RD (BLK OF)
MONROEVILLE, IN 46773

Zoning

Subdivision

Lot

Market Model
N/A

Characteristics

Topography
Level ☐
Flood Hazard
ERA ☐
Public Utilities
Electricity ☐
Streets or Roads
Paved ☐
Neighborhood Life Cycle Stage
Other ☐

Printed Thursday, April 13, 2023

Review Group 2022

BOARD OF COMMISSIONERS

Ownership
Board Of Commissioners
200 E Berry St Ste 410
Fort Wayne, IN 46802

Legal
.147 A TR 116.5FT E OF INTER
OF NEELY, RW US 30 & S LINE
SW 1/4 SEC 24



Valuation Records (Work in Progress values are not certified values and are subject to change)

2023	Assessment Year	2022	2021	2020	2019
12/12/2022	Reason For Change	AA	AA	AA	AA
Indiana Cost Mod	As Of Date	04/07/2023	03/10/2021	03/13/2020	03/15/2019
1.0000	Valuation Method	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod
	Equalization Factor	1.0000	1.0000	1.0000	1.0000
	Notice Required	☒	☐	☐	☐
\$0	Land	\$0	\$0	\$0	\$0
\$0	Land Res (1)	\$0	\$0	\$0	\$0
\$0	Land Non Res (2)	\$0	\$0	\$0	\$0
\$0	Land Non Res (3)	\$0	\$0	\$0	\$0
\$0	Improvement	\$0	\$0	\$0	\$0
\$0	Imp Res (1)	\$0	\$0	\$0	\$0
\$0	Imp Non Res (2)	\$0	\$0	\$0	\$0
\$0	Imp Non Res (3)	\$0	\$0	\$0	\$0
\$0	Total	\$0	\$0	\$0	\$0
\$0	Total Res (1)	\$0	\$0	\$0	\$0
\$0	Total Non Res (2)	\$0	\$0	\$0	\$0
\$0	Total Non Res (3)	\$0	\$0	\$0	\$0

Land Data (Standard Depth: Res 120', Cl 120' Base Lot: Res 0' X 0', Cl 0' X 0')

Land Type	Pricing Method	Soil ID	Act Front.	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Res Market Elig %	Factor	Value
82	A		0	.15	1.00	\$1,900	\$1,900	\$285	-100%	0%	1.0000	\$00

18400 PAULDING RD (BLK OF) 620, Exempt, County

Transfer of Ownership
Date
05/15/2007
01/01/1900
Owner
Board Of Commission
OBERLEY RONALD G

JEFFERSON RURAL 046/9

Notes

Land Computations

Calculated Acreage 0.15
Actual Frontage 0
Developer Discount ☐
Parcel Acreage 0.15
81 Legal Drain NV 0.00
82 Public Roads NV 0.15
83 UT Towers NV 0.00
9 Homesite 0.00
91/92 Acres 0.00
Total Acres Farmland 0.00
Farmland Value \$0
Measured Acreage 0.00
Avg Farmland Value/Acre 0.0
Value of Farmland \$0
Classified Total \$0
Farm / Classified Value \$0
Homesite(s) Value \$0
91/92 Value \$0
Supp. Page Land Value \$0
CAP 1 Value \$0
CAP 2 Value \$0
CAP 3 Value \$0
Total Value \$0

Data Source Aerial
Collector 05/02/2022 amobab
Appraiser 05/02/2022 amobab

#207027490
Recorded
05/15/2007 10:18:30
RECORDER
JOHN D MCGAULEY
ALLEN COUNTY, IN
Receipt No. 14416
N/C 0.00
Total 0.00

PROJECT: B13-06

PARCEL: PAUL DING

LINCOLN Highway E.
OBERLEY

1 off.
02-14-24-300-008-000-046 WARRANTY DEED

THIS INDENTURE WITNESSETH THAT Ronald G. Oberley and Diana L. Oberley, husband and wife, of Allen County in the State of Indiana,

CONVEY and WARRANT TO THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN, INDIANA

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

See Exhibit "A" attached hereto and made a part hereof by reference.

the last deed of record from which the above real estate has been taken was recorded October 26, 2006 as Document Number 206065408,

Grantors herein agree to pay all real estate taxes and assessments levied or assessed against the above-described real estate prior to the date of this deed.

Grantors hereby convey the above-described real estate free and clear of all leases, licenses, or other interests, both legal and equitable, and all encumbrances of any kind or character.

This document shall constitute a conveyance of the above-described real estate (excepting any parcels specifically designated as easements or as temporary rights-of-way) in fee simple and not merely for right-of-way purposes, and no reversionary rights whatsoever are intended to remain in the Grantors.

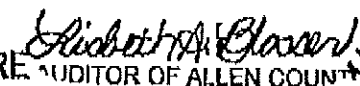
Dated this 13 day of APRIL, 2007.


Ronald G. Oberley


Diana L. Oberley

454066

RETURN TO ALLEN COUNTY
HIGHWAY DEPARTMENT BOX

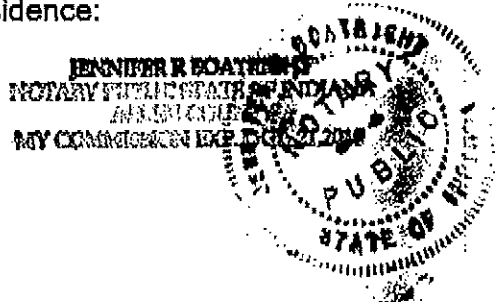
AUDITOR'S OFFICE
Duty entered for taxation. Subject
to final acceptance for transfer.
FILED
30733
MAY 15 2007
SALES DISCLOSURE
FORM

AUDITOR OF ALLEN COUNTY (5)

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 13 day of April, 2007, personally appeared Ronald G. Oberley and Diana L. Oberley, husband and wife, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
Oct 21, 2010

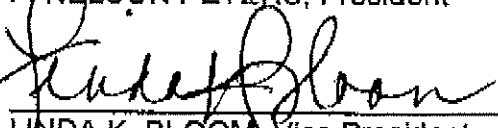
Jennifer R. Boatsworth
Notary Public
Printed: Jennifer R. Boatsworth
County of Residence:



The foregoing Warranty Deed is hereby accepted by:

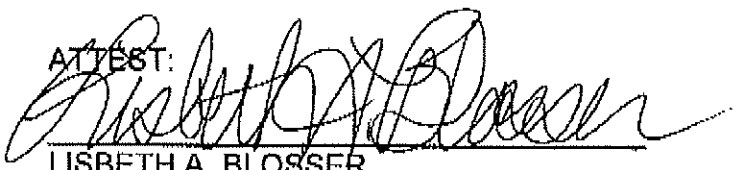
THE BOARD OF COMMISSIONERS OF
THE COUNTY OF ALLEN, INDIANA


F. NELSON PETERS, President


LINDA K. BLOOM, Vice President

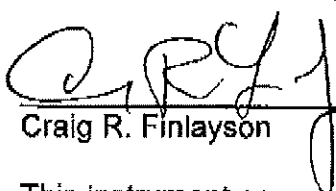

WM. E. BROWN, Secretary

ATTEST:


LISBETH A. BLOSSER
Allen County Auditor

Date: April 27, 2007

This instrument reviewed by: Allen County Attorney, Craig R. Finlayson.

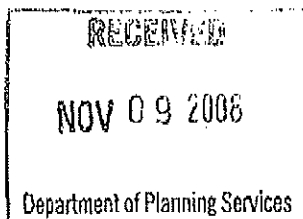

Craig R. Finlayson

12/29/06
Date

This instrument prepared by: Craig R. Finlayson, Assistant Allen County Attorney.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig R. Finlayson

ANDERSON SURVEYING, INC.
1324 Henry Avenue
Fort Wayne, Indiana 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
www.andersonsurveying.com



ANDERSON SURVEYING, INC.
1947 E. Schug Road
Columbla City, Indiana 46725
Phone: (260) 691-3425
Fax: (260) 482-6855
Toll Free: (888) 483-1724

DESCRIPTION EXHIBIT (Page 2 of 2)

EXHIBIT "A"

NEW DESCRIPTION OF REAL ESTATE:

(Part of Document # 206060408)

Present Owner (s): Ronald G. Oberley and Diana L. Oberley

Part of the Southwest Quarter of Section 24, Township 30 North, Range 14 East, Allen County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of a 0.48 acre parcel (Document #204019255), said corner being located North 90 degrees 00 minutes 00 seconds East (assumed bearing and is utilized as the basis for all bearings relative this description), 115.50 feet from the intersection of the Northeasterly right-of-way line of U.S. Highway #30 with the South line of said Southwest Quarter; thence North 01 degrees 22 minutes 50 seconds West along the East line of said 0.48 acre parcel, 40.00 feet to a point; thence North 90 degrees 00 minutes 00 seconds East, 160.00 feet to a point; thence South 01 degrees 22 minutes 50 seconds East, 40.00 feet to a point on the South line of said Southwest Quarter; thence South 90 degrees 00 minutes 00 seconds West along said South line, being within the right-of-way of Paulding Road, 160.00 feet to the point of beginning, containing 0.147 acres of land, more or less, subject to legal right-of-way for Paulding Road, subject to all Legal Drainage Easements for any legal open and/or drain tiles, being on or within 75 feet of the above described parcel and to all other easements of record located thereon.

Described this 3RD day of November, 2006.

Described for: Oberley

Description Number: 06-08-104-1



**A RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA
APPROVING THE INTERGOVERNMENTAL CONVEYANCE
OF CERTAIN REAL PROPERTY
LOCATED ON THE 18400 BLOCK OF PAULDING ROAD
IN MONROEVILLE, INDIANA**

RESOLUTION NUMBER 111-3-26-24-1

WHEREAS, the Board of Commissioners of the County of Allen ("County") owns certain real estate in Allen County, State of Indiana ("Real Property") as described in the evidence of conveyance of property attached hereto as Exhibit 1; and

WHEREAS, IC 36-1-11-8 permits a governmental entity to transfer or exchange property with another governmental entity upon terms and conditions as agreed upon by the entities as evidenced by substantially similar resolutions adopted by each entity; and

WHEREAS, the City of Fort Wayne ("City") has requested the County to convey the Real Property to the City; and

WHEREAS, the County and the City are each a political subdivision under IC 36-1-2-13 and are therefore eligible entities under IC 36-1-11-8 and have authority to complete a conveyance and transfer the property under IC 36-1-11-8; and

WHEREAS, the City has determined that it would be advisable for the City, by and through its Board of Public Works (the "Board") to receive the Real Property to be used by the City for purposes of constructing a lift station to reduce the need for septic systems in the area surrounding the Real Property; and

WHEREAS, the City has proposed that the County approve the conveyance of the Real Property to the City; and

WHEREAS, the County has adopted or will adopt a substantially similar resolution to this resolution acknowledging the transfer and conveyance of the Real Property, and approving the exchange and acquisition of the Real Property as required by IC 36-1-11-8.

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

Section 1. The foregoing recitals and the attached exhibits are incorporated herein by reference and are confirmed and approved.

Section 2. The Board hereby finds the transfer of the Real Property to the City to be desirable or necessary for the proper serving of the constituents of Allen County, Indiana living in the vicinity of the Real Property.

Section 3. Accordingly, the Board, by this Resolution, accepts the County's conveyance of the Real Property to the City as permitted by IC 36-1-11-8.

Section 4. The Board hereby approves, confirms, authorizes and directs any Authorized Officer or Employee for and on behalf of and in the name of the Board to do any and all other acts and things, and to execute and deliver any and all other documents, certificates,

instruments, statements, and other items, as may be necessary or appropriate to perform all of the terms, provisions, and conditions of the transfer and conveyance of the Real Property.

Section 5. If any section, paragraph, or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 6. This Resolution shall become effective as of the date of passage.

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

APPROVED this 26th day of March, 2024.

BOARD OF PUBLIC WORKS

BY: [Signature]

Shan Gunawardena, Chair

BY: [Signature]

Kumar Menon, Member

BY: ABSENT

Chris Guerrero, Member

ATTEST: [Signature]

Michelle Fulk-Vondran, 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 ~~Chris Guerrero~~ ABSENT, as Members of the Board of Public Works of the City of Fort Wayne, and Michelle Fulk-Vondran, 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 26th day of March, 2024.

My Commission Expires:



Michelle R. Nelson
Notary Public

Resident of Allen County

Michelle R. Nelson
Printed Name of Notary

EXHIBIT 1

#207027490
RECORDED
05/15/2007 10:18:30
RECORDER
JOHN D MCCAULEY
ALLEN COUNTY, IN
Receipt No. 14416
N/C 0.00
Total 0.00

PROJECT: B13-06

PARCEL: PAUL DWAGG
LINCOLN Highway S.
OBERLEY

1 off.
02-14-24-300-008-000-046 WARRANTY DEED

THIS INDENTURE WITNESSETH THAT Ronald G. Oberley and Diana L. Oberley, husband and wife, of Allen County in the State of Indiana,

CONVEY and WARRANT TO THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN, INDIANA

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

See Exhibit "A" attached hereto and made a part hereof by reference.

the last deed of record from which the above real estate has been taken was recorded October 26, 2006 as Document Number 206065408,

Grantors herein agree to pay all real estate taxes and assessments levied or assessed against the above-described real estate prior to the date of this deed.

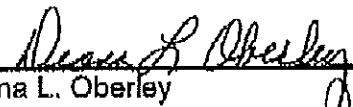
Grantors hereby convey the above-described real estate free and clear of all leases, licenses, or other interests, both legal and equitable, and all encumbrances of any kind or character.

This document shall constitute a conveyance of the above-described real estate (excepting any parcels specifically designated as easements or as temporary rights-of-way) in fee simple and not merely for right-of-way purposes, and no reversionary rights whatsoever are intended to remain in the Grantors.

Dated this 13 day of APRIL, 2007.


Ronald G. Oberley

454066


Diana L. Oberley

FILED

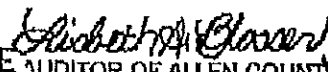
AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

30733

MAY 15 2007

MAY 15 2007

SALES DISCLOSURE
FORM


AUDITOR OF ALLEN COUNTY
(5)

RETURN TO ALLEN COUNTY
HIGHWAY DEPARTMENT BOX

STATE OF INDIANA }
 } SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 13 day of April, 2011, personally appeared Ronald G. Oberley and Diana L. Oberley, husband and wife, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

Oct. 21, 2010

Jennifer R. Boettrich
Notary Public
Printed: Jennifer R. Boettrich
County of Residence:



The foregoing Warranty Deed is hereby accepted by:

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF ALLEN, INDIANA


F. NELSON PETERS, President


LINDA K. BLOOM, Vice President


WM. E. BROWN, Secretary

ATTEST:


LISBETH A. BLOSSER
Allen County Auditor

Date: April 27, 2007

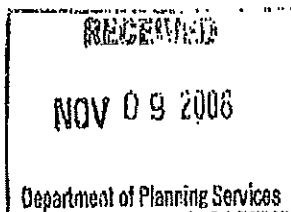
This instrument reviewed by: Allen County Attorney, Craig R. Finlayson.

 12/29/06
Craig R. Finlayson Date

This instrument prepared by: Craig R. Finlayson, Assistant Allen County Attorney.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig R. Finlayson

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DESCRIPTION EXHIBIT (Page 2 of 2)

EXHIBIT "A"

NEW DESCRIPTION OF REAL ESTATE:

(Part of Document # 206060408)

Present Owner (s): Ronald G. Oberley and Diana L. Oberley

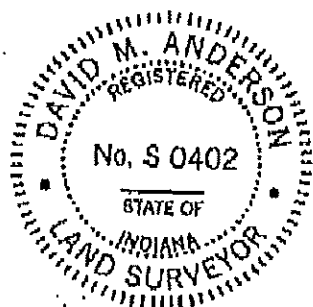
Part of the Southwest Quarter of Section 24, Township 30 North, Range 14 East, Allen County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of a 0.48 acre parcel (Document #204019255), said corner being located North 90 degrees 00 minutes 00 seconds East (assumed bearing and is utilized as the basis for all bearings relative this description), 115.50 feet from the intersection of the Northeasterly right-of-way line of U.S. Highway #30 with the South line of said Southwest Quarter; thence North 01 degrees 22 minutes 50 seconds West along the East line of said 0.48 acre parcel, 40.00 feet to a point; thence North 90 degrees 00 minutes 00 seconds East, 160.00 feet to a point; thence South 01 degrees 22 minutes 50 seconds East, 40.00 feet to a point on the South line of said Southwest Quarter; thence South 90 degrees 00 minutes 00 seconds West along said South line, being within the right-of-way of Paulding Road, 160.00 feet to the point of beginning, containing 0.147 acres of land, more or less, subject to legal right-of-way for Paulding Road, subject to all Legal Drainage Easements for any legal open and/or drain tiles, being on or within 75 feet of the above described parcel and to all other easements of record located thereon.

Described this 3RD day of November, 2006.

Described for: Oberley

Description Number: 06-08-104-1



Interoffice Memo

Date: April 4, 2024
To: Common Council Members
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330
RE: Intergovernmental Conveyance of 0.147 Acres of Vacant Land on the 18400 Block of Paulding Road in Monroeville, IN 46773

Council Introduction Date: April 9, 2024—Council District #: n/a

Background & supporting information:

Allen County has agreed to donate an unimproved 0.147 acre lot to City Utilities, located on the north side of Paulding Road, east of its intersection with Lincoln Highway in Monroeville.

The map attached to this memo shows the new parcel that City Utilities intends to purchase. The site will be used for a sanitary sewer lift station for a septic elimination project, allowing residents in the area to connect to Fort Wayne's public sewer system.

The property will be conveyed following an intergovernmental transfer of the property. Pursuant to Indiana Code 36-1-11-8, the County Board of Commissioners will pass a resolution adopt a substantially similar resolution to the attached Board of Public Works resolution approving the exchange, following which the Commissioners will execute a quitclaim deed transferring title.

Implications of not being approved:

If City Utilities does not purchase this land, a different area of land will need to be purchased for the lift station, likely in a less favorable area for the planned sewer main and at higher cost.

Justification if prior approval is being requested: Not applicable

Funding source: CUE Revenue

Attachments:

- Aerial Image of Property
- Tax Card
- Most Recent Deed
- Board Resolution 111-3-26-24-1

CC: Matthew Wirtz
Mike Kiester
Nathan Baggett
Jill Helfrich