

Board of Park Commissioners Project Summary

**Franke Park Indiana Michigan Power Company
Easement Agreement Contract
Project No: n/a**

Project Approval Request

Scope of Work:

This request for approval is for an easement agreement from Indiana Michigan Power Company associated with a parcel in Franke Park. The purpose of the easement area is to allow I&M to install underground electrical utilities in the area and keep the area clear of future development. The easement area is 20' wide by 350' in length, approximately 48' in depth. See attached Exhibit A for more detailed information.

Board Approval:

For the sum of \$1.00 the **City of Fort Wayne, Board of Park Commissioners**, does hereby grant and convey to the **Indiana Michigan Power Company** a right-of-way and easement for the construction, operation, use, maintenance, repair, renewal, and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy, including the right to permit attachments of others to said facilities, in, on, along, under, over, across and through the following described Premises.

At this time, I would like to request approval of this easement for \$1.00 with Indiana Michigan Power Company. Please see the attached easement document and maps for details.

The Fort Wayne Parks and Recreation and the Board of Park Commissioners met to host their regularly scheduled monthly Board meeting on **December 14, 2023**, to approve the above-referenced project and contract, in the amount of **\$1.00**.

We, the Board of Park Commissioners, on the date stated, do ATTEST, sign the above-referenced and attached documents, and approve as presented.

Justin Shurley, President

Cory Miller, Vice President

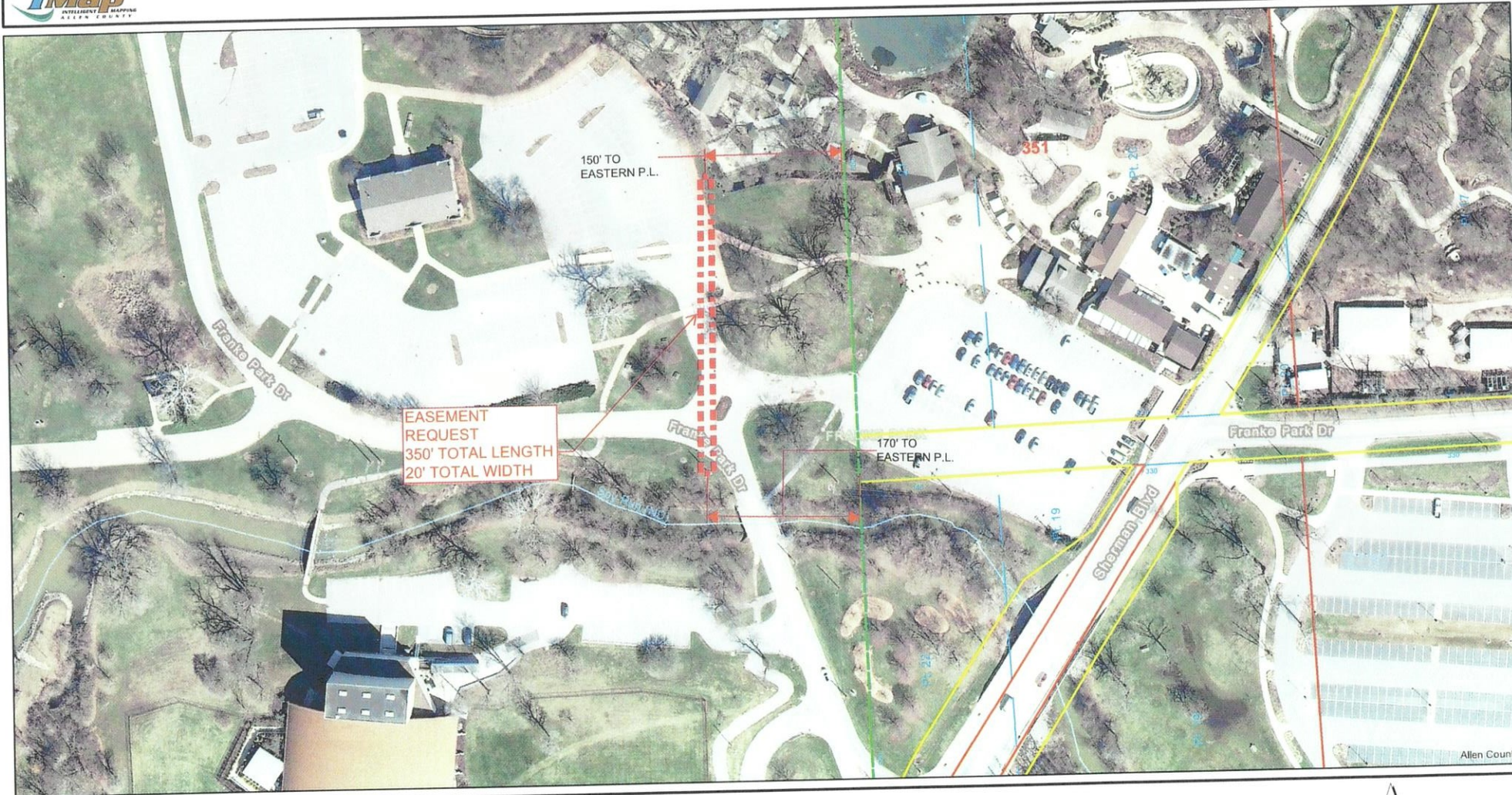
Richard Briley, Commissioner

Jenna Jauch, Commissioner

Steve McDaniel, Director, Board Secretary

Attachment A

FW CHILDREN'S ZOO



EASEMENT
REQUEST
350' TOTAL LENGTH
20' TOTAL WIDTH

150' TO
EASTERN P.L.

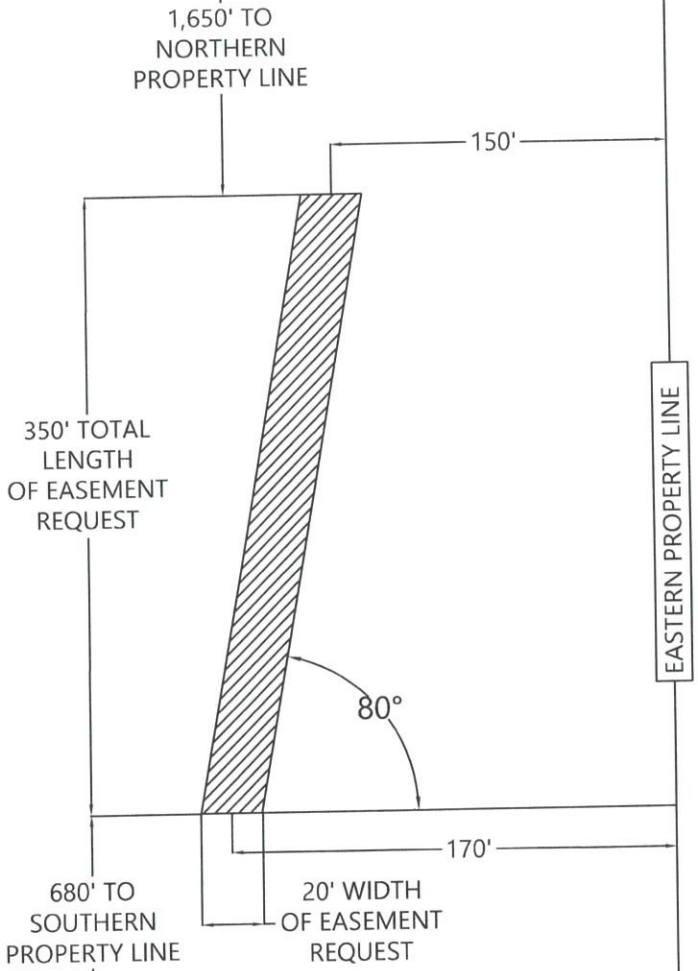
170' TO
EASTERN P.L.

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East



Date: 11/2/2023 1" = 100'

FORT WAYNE CITY OF BOARD
 OF PARK COMMISSIONERS
 3411 SHERMAN BLVD, FORT WAYNE, IN 46808
 COUNTY: ALLEN CO
 TOWNSHIP: WASHINGTON TWP
 PARCEL# 02-07-27-400-003.000-073
 RANGE: T 31 N, R 12 E
 EASEMENT# A-7-R
 SECTION: 27



Sketch #: UTILITY EASEMENT FOR HOOSIER FARMS		Map: ###	W/R#: 86149003
Contact Information: STEVE SCHUHMACHER 260-427-6401 Steve.Schuhmacher @cityoffortwayne.org	County: ALLEN	Section: 27	Township: WASHINGTON TWP
Easement #: A-7-R	Drawn By: A.VONGPHACHANH S275375	Date: 11/02/2023	



DISTRIBUTION EASEMENT- Corporation, OH & UG

Easement No. IN230586

THIS INDENTURE, made this ____ day of _____, 2023 by and between **City of Fort Wayne Board of Park Commissioners**, whose address is 3411 Sherman Street, Fort Wayne, Indiana 4608("Grantor"), and **INDIANA MICHIGAN POWER COMPANY**, an Indiana corporation whose address is 3514 Landin Road, New Haven, Indiana, 46774("Grantee").

WITNESSETH: That for one Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency of which Grantor hereby acknowledges, Grantor does hereby grant and convey to Grantee a right-of-way and easement for the construction, operation, use, maintenance, repair, renewal and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy and for communication purposes, including the right to permit attachments of others to said facilities, in, on, along, under, over, across and through the following described Premises situated in Section 27, Washington Township, Township 31 North, Range 12 East, Allen County, Indiana, to wit: Being the same (or a part of the same) property conveyed to City of Fort Wayne, Board of Park Commissioners by Interstate Farm and Mortgage Corporation by deeds dated September 23rd and 24th, 1931 and recorded on October 3, 1931 in **Deed Record 332 pages 175 and 176, Parcel # 02-07-27-400-003.000-073**, in the office of the Recorder of Allen County, Indiana, to which reference is made for further description.

Part of the Southwest Quarter of Section 27, Washington Township, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows.

A strip of land 20 feet in width as shown on sketch SK-110623-RW, a portion of Franke Park, attached hereto and hereby made a part of this document. All parties having a copy of said sketch.

TOGETHER with the right of ingress and egress to, from and over said Premises, and also the right to cut or trim and/or remove any trees or bushes which may endanger the safety or interfere with the construction and use of said facilities.

Grantee shall promptly repair or replace all physical damage on the Premises proximately caused by the construction, operation and maintenance of Grantee's Facilities.

The Grantor warrants that no structure or building shall be erected upon said easement.

After the completion of said system, the Grantor reserves the full use of the land which is not inconsistent with the existence and maintenance of said facilities but does agree not to change elevation or grade within the area of said easement without the written prior consent of Grantee.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions and shall be binding on their respective representatives, heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereto affixed this ____ day of _____, 2023.

City of Fort Wayne, Board of Park Commissioners By: _____

Its: _____

State of Indiana, County of _____, SS.

Before me, a Notary Public, in and for said County and State, personally appeared the above named _____ known to me to be the _____ of said corporation and acknowledged the execution of the foregoing deed of easement and affixed thereto the corporate seal of said corporation as the free and voluntary act of said corporation, for the uses and purposes therein set forth, dated this ____ day of _____, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day and year above written.

Notary Public

Printed Name

My commission expires _____. I am a resident of _____ County.

This instrument was prepared by Karen A. Palmer, Right-of-Way Agent for Indiana Michigan Power Company.

I affirm, under penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law, Karen A. Palmer.

C:cofwbopcfrafrankepark