



Board of Park Commissioners Project Summary

Foster Park - Indiana Michigan Power Company
Easement Agreement Contract

Project No: n/a

Project Approval Request

Scope of Work:

This easement agreement is a request from Indiana Michigan Power Company to grant the company a right-of-way and easement for the construction, operation, use, maintenance, repair, renewal, and/or removal of a newly installed power line that supplies electrical power to the Foster Park Pavilion #3. The easement shall also grant I&M 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 the power line. The easement consists of an area of .291 acres extending 10' on each side of the electric line for a distance of approximately 636' located on the south edge of Foster Park. Details of the exact location can be found on page 3 in the attached easement distribution agreement.

Board Approval:

Therefore, 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/or removal of a line or lines of underground facilities and equipment for the transmission of electrical energy as described in the attached distribution easement document.

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 **August 11, 2022**, 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 to the above referenced and attached document, and approve as presented.

William Zielke, President

Justin Shurley, Vice President

Corey Miller, Commissioner

Rick Briley, Commissioner

Steve McDaniel, Director/Board Secretary

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 _____, 2022.

Board of Park Commissioners of the City of Fort Wayne

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 _____, 2022.

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.

DISTRIBUTION EASEMENT- Corporation, UG

Easement No. IN 22 _____

THIS INDENTURE, made this ____ day of _____, 2022 by and between Board of Park Commissioners of the City of Fort Wayne, whose address is 3900 Old Mill Road, with a mailing address of 705 East State Blvd., Fort Wayne, Indiana 46805, ("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 underground facilities and equipment for the transmission of electrical energy and for communication purposes, in, on, along, under, over, across and through the following described Premises situated in Section 22, Wayne Township, Township 30 North, Range 12 East, Allen County, Indiana, to wit: Being the same (or a part of the same) property conveyed to Board of Park Commissioners of the City of Fort Wayne, in Parcel # 02-12-22-126-001.000-074, as shown as part of Richardsville Reserve East of the St. Mary's River, per plat thereof, as recorded September 10, 1845 in Deed Record F, page 481, in the office of the Recorder of Allen County, Indiana, to which reference is made for further description.

See Easement Sketch and Easement Description attached hereto and hereby made a part of this document.

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.

Corporate Office
221 Tower Drive
Monroe, IN 46772
Phone: (260) 692-6166

Brett R. Miller, P.S. No. LS20300059
Robert J. Marucci, P.S. No. LS20400028
www.mlswebsite.us

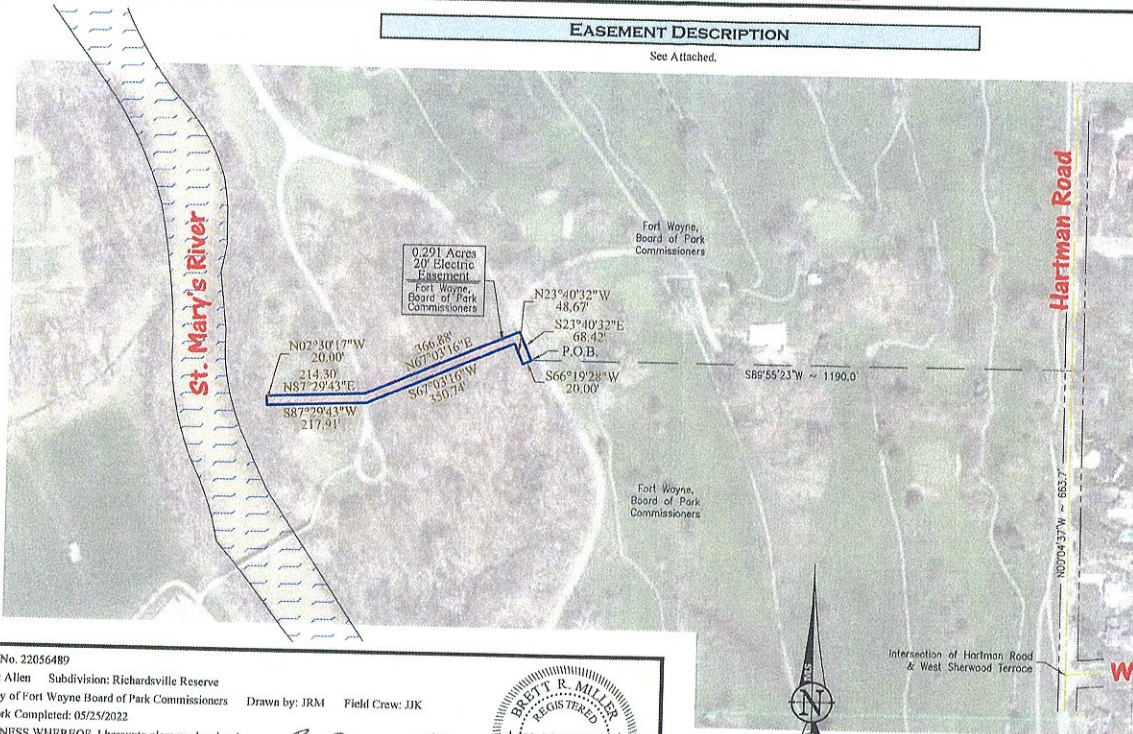
Miller Land Surveying, Inc.
EASEMENT SKETCH
Precision and Professionalism is where we draw the line.



Fort Wayne Office
10060 Bent Creek Blvd.
Fort Wayne, IN 46825
Phone: (260) 489-8571

EASEMENT DESCRIPTION

See Attached.

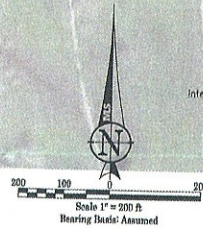


Survey No. 22056489
County: Allen Subdivision: Richardsville Reserve
For: City of Fort Wayne Board of Park Commissioners
Fieldwork Completed: 05/25/2022
IN WITNESS WHEREOF, I hereunto place my hand and seal this 2nd day of June, 2022.
Revised:

B. R. Miller
Brett R. Miller, P.S. No. 20300059



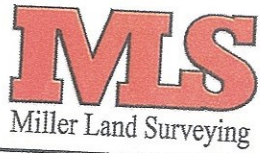
(Drawing Name: 22056489.dwg)



Easement Note
This description was prepared for Indiana Michigan Power Company for easement purposes only and is not intended to represent a complete survey of the property.

Legend	
POB	- Point of Beginning
M.	- Measured
R.	- Record
C.	- Calculated
D.	- Deed
- - - - -	- Right of Way (R/W)
- - - - -	- Building Setback Line
- - - - -	- Center Line





Miller Land Surveying, Inc.

Precision and Professionalism is
Where We Draw the Line.

Brett R. Miller, PS, President
Robert J. Marucci, PS

20' Electric Easement Description 0.291 Acres

Page 2 of 2

Part of Richardsville Reserve East of the St. Mary's River, per plat thereof, as recorded September 10, 1845 in Deed Record F, page 481, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:

Commencing at the intersection of Hartman Road and West Sherwood Terrace; thence North 00 degrees 04 minutes 37 seconds West (assumed bearing and basis of bearings to follow), a distance of 663.7 feet along the centerline of said Hartman Road; thence South 89 degrees 55 minutes 23 seconds West, a distance of 1190.0 feet to the POINT OF BEGINNING of the herein described easement; thence South 66 degrees 19 minutes 28 seconds West, a distance of 20.00 feet; thence North 23 degrees 40 minutes 32 seconds West, a distance of 48.67 feet; thence South 67 degrees 03 minutes 16 seconds West, a distance of 350.74 feet; thence South 87 degrees 29 minutes 43 seconds West, a distance of 217.91 feet; thence North 02 degrees 30 minutes 17 seconds West, a distance of 20.00 feet; thence North 87 degrees 29 minutes 43 seconds East, a distance of 214.30 feet; thence North 67 degrees 03 minutes 16 seconds East, a distance of 366.88 feet; thence South 23 degrees 40 minutes 32 seconds East, a distance of 68.42 feet to the Point of Beginning. Containing 0.291 acres, more or less. Subject to easements of record.

Survey Job #22056489

Date: June 2, 2022

For: Fort Wayne Board of Park Commissioners
Miller Land Surveying, Inc.