

**AGENDA OF THE
BOARD OF PUBLIC WORKS AND SAFETY
City of Angola, Indiana
210 N Public Square**

Monday, December 2, 2024 – 6:45 p.m.

CALL TO ORDER BY CHAIR MARTIN

1. Member roll call by Clerk-Treasurer Herbert.

Martin _____ Olson _____ McDermid _____

2. Request approval of the November 4 minutes. (attachment)

ORDER OF BUSINESS

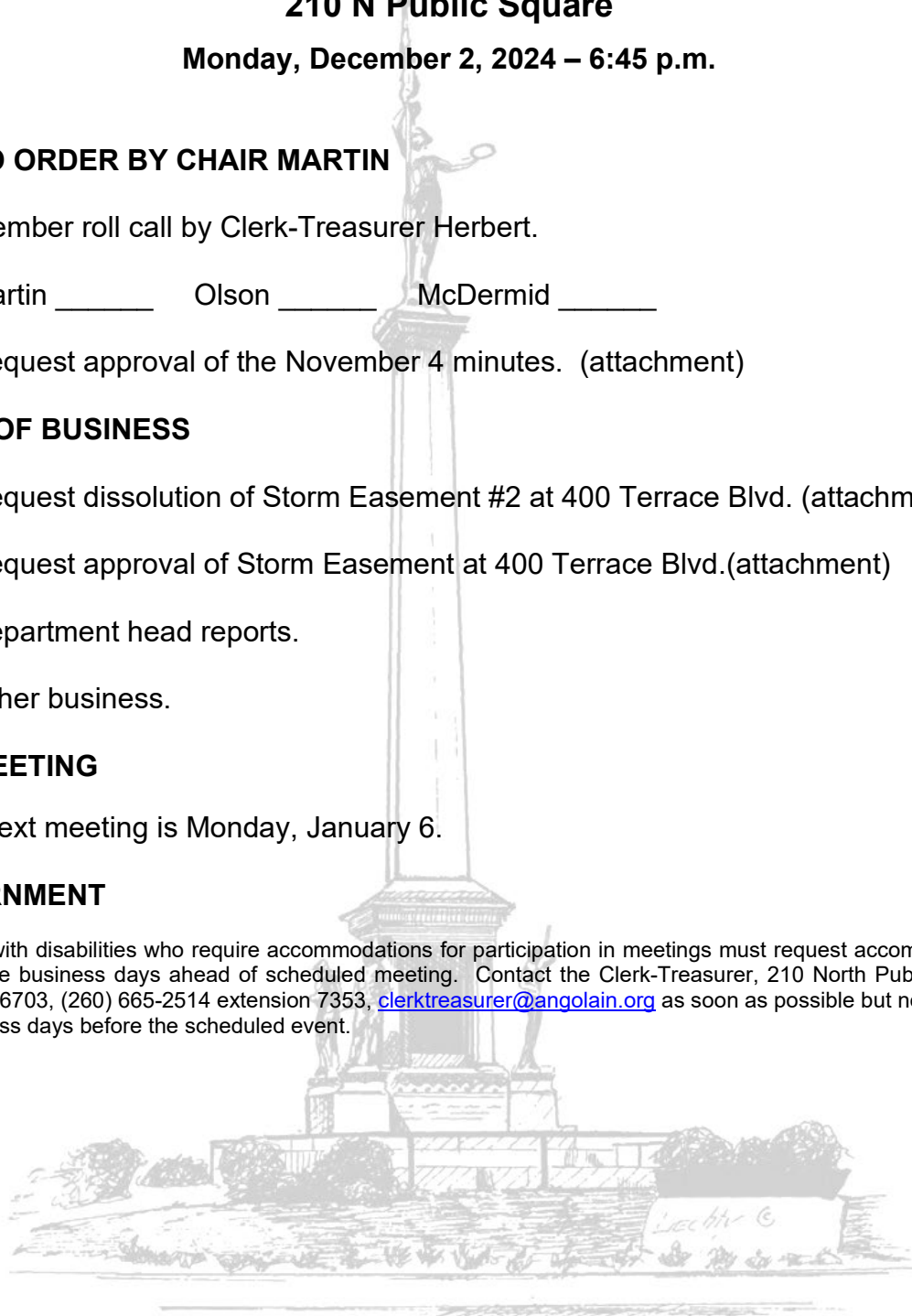
1. Request dissolution of Storm Easement #2 at 400 Terrace Blvd. (attachment)
2. Request approval of Storm Easement at 400 Terrace Blvd.(attachment)
3. Department head reports.
4. Other business.

NEXT MEETING

The next meeting is Monday, January 6.

ADJOURNMENT

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least three business days ahead of scheduled meeting. Contact the Clerk-Treasurer, 210 North Public Square, Angola, IN 46703, (260) 665-2514 extension 7353, clerktreasurer@angolain.org as soon as possible but no later than three business days before the scheduled event.



NOVEMBER 4, 2024

The regular meeting of the Board of Public Works and Safety of the City of Angola, Indiana was called to order by Chair David B. Martin at 6:45 p.m. City Hall, 210 N Public Square. Members David B. Martin, David A. Olson, and Jerold D. McDermid answered roll call. No member was absent. Clerk-Treasurer Ryan P. Herbert recorded the minutes.

Among those present were City Attorney Kim Shoup, City Engineer Amanda Cope, Economic Development and Planning Director Retha Hicks, Police Chief Ken Whitmire, Water Superintendent Tom Selman, Assistant Wastewater Superintendent Cory Ritter, and Human Resources Director Sue Essman.

Also present were Quinn Miller, Cristian Wong-Ramos, Ryan Gienger, Emma Beyer, and Maxwell Somerfield.

APPROVAL OF MINUTES

Member Olson moved to approve the October 7, 2024 Minutes. Member McDermid seconded the motion. The motion carried 3-0.

ORDER OF BUSINESS

Member McDermid moved to approve the Uniform Conflict of Interest Disclosure Statement for Hillary Cope. Member Olson seconded the motion. The motion carried 3-0.

ADJOURNMENT

There being no further business, the meeting was considered adjourned at 6:46 p.m.

Attest:

David B. Martin, Chair

Ryan P. Herbert, Clerk-Treasurer

DISSOLUTION OF STORM EASEMENT

DEED REFERENCE: DOCUMENT NO. 07020365

THIS INDENTURE WITNESSETH THAT: **TERRACE PLACE APARTMENTS, LLC**, an Indiana limited liability company, as the successor in interest to Terrace Associates, LLC, a Michigan limited liability company, having an address of 319 Pokagon Trail, Suite A, Angola, Indiana 46702 and **JK PROPERTY INVESTMENTS, LLC**, an Indiana limited liability company, having an address of 319 Pokagon Trail, Suite A, Angola, Indiana 46702 (collectively "Grantor") and the **CITY OF ANGOLA**, having a notice address of 210 N. Public Square, Angola, Indiana 46703 ("Grantee") do hereby agree to the dissolution and extinguishment of that certain Storm Easement #2, consisting of 1.195 acres, more or less, as described in that certain Grant of Easements, dated as of February 14, 2007, and recorded with the Steuben County Recorder on February 14, 2007, as Document No. 07020365 ("Grant of Easements").

The parties believe the dissolution of Storm Easement #2 is necessary to facilitate the development of the real estate that is encumbered by this storm easement.

NOW THEREFORE, Grantor and Grantee agree that the following described Storm Easement #2 in the Grant of Easements is hereby dissolved and extinguished:

Storm Easement #2:

Part of the Northwest Quarter of Section 28, Township 37 North, Range 13 East of the Second Principal Meridian, Pleasant Township in Steuben County, Indiana, more particularly described as follows:

Commencing at a PK Nail found at the Southwest corner of said Northwest Quarter; thence North 87 degrees 53 minutes 00 seconds East, (Rowland Associates assumed bearing), a distance of 1956.48 feet along the South line of said Northwest Quarter and the centerline of U.S. Highway #20 to the East line of an existing 31.872 acre tract; thence North 01 degrees 59 minutes 08 seconds West, a distance of 925.92 feet along said East line to the POINT OF BEGINNING of the herein described easement; thence North 26 degrees 51 minutes 23 seconds West, a distance of 47.56 feet; thence North 01 degrees 59 minutes 08 seconds West, a distance of 127.68 feet;

thence South 87 degrees 54 minutes 10 seconds West, a distance of 147.20 feet; thence South 11 degrees 50 minutes 03 seconds West, a distance of 84.49 feet; thence South 87 degrees 54 minutes 10 seconds West, a distance of 267.82 feet; thence North 02 degrees 05 minutes 50 seconds West, a distance of 20.00 feet; thence North 87 degrees 54 minutes 10 seconds East, a distance of 114.30 feet; thence North 05 degrees 57 minutes 37 seconds West, a distance of 131.61 feet; thence North 56 degrees 31 minutes 40 seconds West, a distance of 129.62 feet; thence North 02 degrees 05 minutes 50 seconds West, a distance of 24.59 feet; thence South 56 minutes 31 minutes 40 seconds East, a distance of 153 .37 feet; thence South 05 degrees 57 minutes 37 seconds East, a distance of 142.41 feet; thence North 87 degrees 54 minutes 10 seconds East, a distance of 117.83 feet; thence North 11 degrees 50 minutes 03 seconds East, a distance of 84.49 feet; thence North 87 degrees 54 minutes 10 seconds East, a distance of 162.89 feet; thence North 01 degrees 59 minutes 08 seconds West, a distance of 23.77 feet; thence North 14 degrees 10 minutes 08 seconds West, a distance of 116.42 feet; thence North 02 degrees 05 minutes 50 seconds West, a distance of 66.88 feet; thence North 11 degrees 24 minutes 22 seconds East, a distance of 106.65 feet; thence North 01 degrees 59 minutes 08 seconds West, a distance of 215.13 feet; thence North 87 degrees 54 minutes 10 seconds East, a distance of 20.00 feet to the East line of said existing 31.872 acre tract; thence South 01 degrees 59 minutes 08 seconds East, a distance of 642.86 feet along said East line; thence South 26 degrees 51 minutes 23 seconds East, a distance of 613 .44 feet to the East line of an existing tract described in Document Number 05120152 in the Office of the Recorder of Steuben County, Indiana; thence South 01 degrees 59 minutes 08 seconds East, a distance of 39.22 feet along said East line; thence South 19 degrees 48 minutes 42 seconds West, a distance of 18.57 feet; thence North 26 degrees 51 minutes 23 seconds West, a distance of 597.05 feet to the Point of Beginning. Containing 1.195 acres (52,034.123 square feet) more or less. Subject to easements of record.

A depiction of the dissolved is attached hereto as Exhibit A is noted as the "Easement to be Vacated." Notwithstanding the foregoing dissolution of Storm Easement #2, all other storm and utility easements described and depicted in the Grants of Easements remain in full force and effect and shall survive this dissolution of Storm Easement #2.

Terrace Place Apartments, LLC hereby warrants that is the successor in interest of Terrace Associates, LLC, a Michigan limited liability company, which owned the real estate encumbered by Storm Easement #2 in 2007.

TERRACE PLACE APARTMENTS, LLC, an
Indiana limited liability company

Kenneth W. Wilson, its authorized Member

STATE OF INDIANA)
) SS:
COUNTY OF STEUBEN)

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kenneth W. Wilson the duly authorized member of Terrace Place Apartments, LLC and acknowledged the execution of the foregoing to be his voluntary act and deed this ____ day of _____, 2024.

My Commission Expires: _____

Notary Public

Resident Of: _____

Commission No.: _____

JK PROPERTY INVESTMENTS, LLC, an Indiana
limited liability company

Kenneth W. Wilson, its authorized Member

STATE OF INDIANA)
) SS:
COUNTY OF STEUBEN)

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kenneth W. Wilson the duly authorized member of JK Property Investments, LLC and acknowledged the execution of the foregoing to be his voluntary act and deed this ____ day of _____, 2024.

My Commission Expires: _____

Notary Public

Resident Of: _____

Commission No.: _____

CITY OF ANGOLA, Board of Public Works and Safety

Chair

Member

Member

STATE OF INDIANA)
) SS:
COUNTY OF STEUBEN)

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ and acknowledged the execution of the foregoing to be their voluntary act and deed this ____ day of _____, 2024.

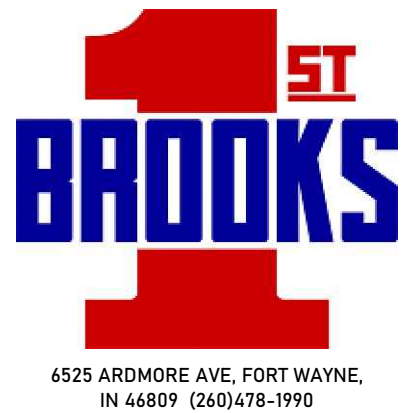
My Commission Expires: _____

Notary Public

Resident Of: _____

Commission No.: _____

This instrument prepared by **ROBERT W. EHERENMAN**, (I.D. #16703-53), HallerColvin PC, 444 East Main Street, Fort Wayne, Indiana 46802; Telephone: (260) 426-0444; Fax: (260) 422-0274. 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. /s/ Robert W. Eherenman

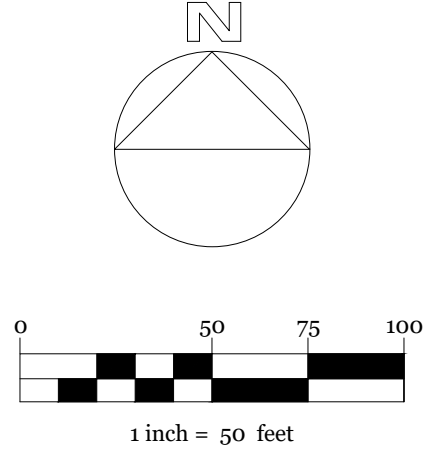
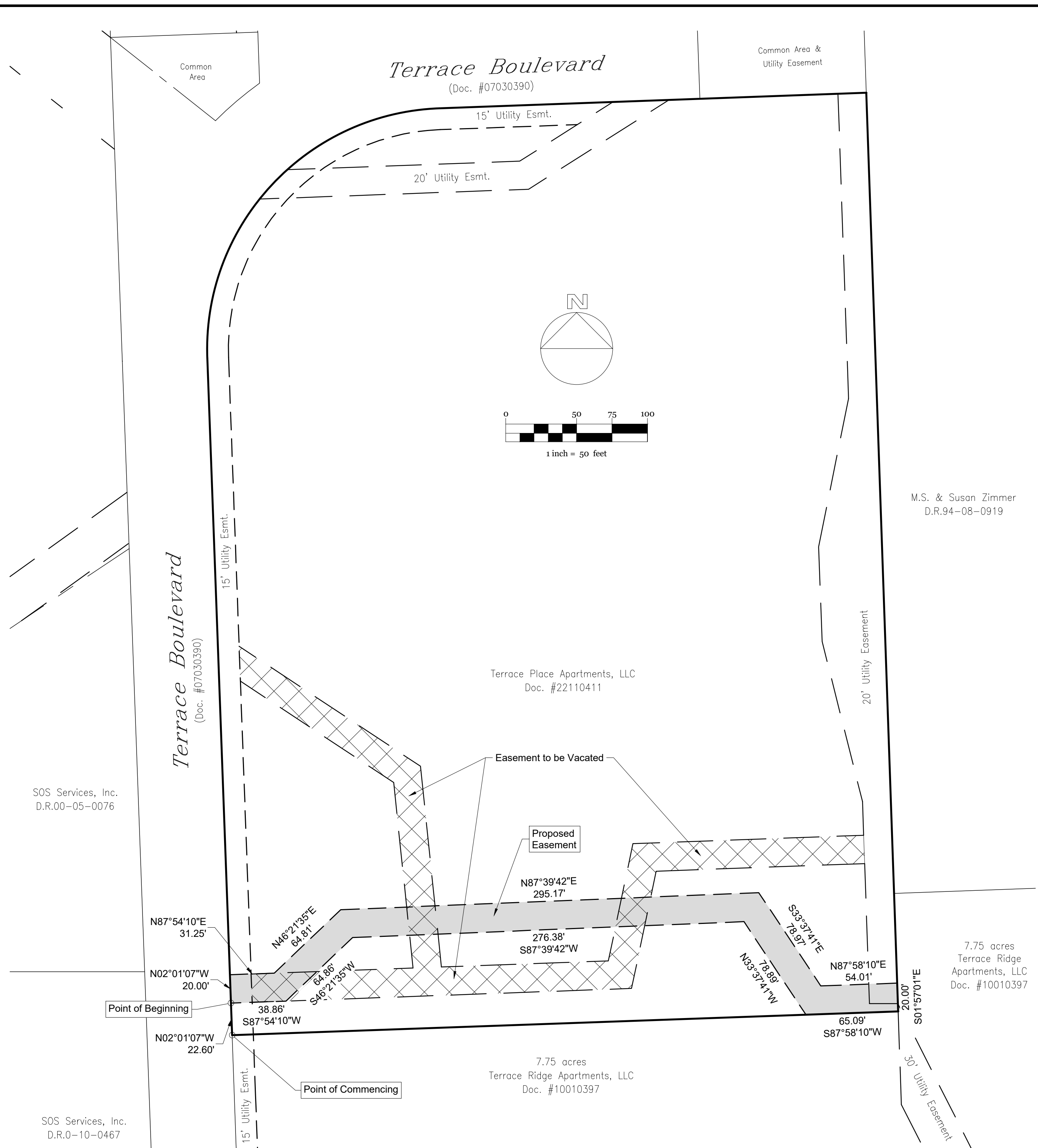


The concepts, designs, plans details and specifications and surveys as shown on and within this document are the sole property of Brooks Construction Company, Inc. and were created, developed and presented for use on this specific project. None of the concepts, ideas, designs, plans, details or specifications shall be used or dissemination of any data hereon may be made without the express written permission of Brooks Construction Company, Inc.

Easement Description:

A part of the Northwest Quarter of Section 28, Township 37 North, Range 13 East, Steuben County, Indiana, being entirely within the boundary of a tract of land conveyed to Terrace Place Apartments, LLC by Document Number 22110411, as recorded in the Office of the Recorder of Steuben County, Indiana (hereinafter called "subject parcel") and more particularly described as follows:

Commencing at the Northwest corner of a 7.75 acre tract of land conveyed to Terrace Ridge Apartments, LLC by Document Number 10010397, as recorded in the Office of the Recorder of Steuben County, Indiana, said point being on the Easterly Right-of-way line of Terrace Boulevard, as establish in the plat of "The Villas of Buck Lake" as recorded in Document Number 07030390; thence North 02 degrees 01 minutes 07 seconds West, on and along said Easterly Right-of-way line, a distance of 22.60 feet to the Point of Beginning; thence North 02 degrees 01 minutes 07 seconds West, on and along said Easterly Right-of-way line, a distance of 20.00 feet; thence North 87 degrees 54 minutes 10 seconds East, a distance of 31.25 feet; thence North 46 degrees 21 minutes 35 seconds East, a distance of 64.81 feet; thence North 87 degrees 39 minutes 42 seconds East, a distance of 295.17 feet; thence South 33 degrees 37 minutes 41 seconds East, a distance of 78.97 feet; thence North 87 degrees 58 minutes 10 seconds West, a distance of 54.01 feet to a point on the East line of said subject parcel, said point also being on a Northerly line of said 7.75 acre tract; thence South 01 degrees 57 minutes 01 seconds East, on and along the East line of said subject parcel and on and along the Northerly line of said 7.75 acre tract, a distance of 20.00 feet to the Southeast corner of said subject parcel, said point also being a Northerly corner of said 7.75 acre tract; thence South 87 degrees 58 minutes 10 seconds West, on and along the South line of said subject parcel and on and along the Northerly line of said 7.75 acre tract, a distance of 65.09 feet; thence North 33 degrees 37 minutes 41 seconds West, a distance of 78.89 feet; thence South 87 degrees 39 minutes 42 seconds West, a distance of 276.38 feet; thence South 46 degrees 21 minutes 35 seconds West, a distance of 64.86 feet; thence South 87 degrees 54 minutes 10 seconds West, a distance of 38.86 feet to the Point of Beginning, containing 0.241 acres of land, more or less, being subject to and/or together with all easements and rights-of-way of record.



This drawing is not intended to be represented as a retracement or original survey, a route survey, or a Surveyor Location report.

Easement Exhibit	Location:	N. Terrace Ridge Boulevard, Angola, Indiana 46703
	For:	Terrace Place Apartments, LLC 319 Pokagon Trail, Suite A Angola, Indiana 46703

JOB NUMBER:	2473-0023
DRAWN BY:	JWH
CHECKED BY:	JWH
SCALE:	As Shown
DATE:	09/27/2024
REVISION	DATE

TITLE:	Easement Exhibit
SHEET:	

GRANT OF STORM DRAINAGE EASEMENT

TERRACE PLACE APARTMENTS, LLC, an Indiana limited liability company (“Grantor”), in consideration of the mutual covenants and agreements contained herein, and for other good and valuable and consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants and conveys to the **CITY OF ANGOLA** (“Grantee”) permanent storm drainage easement over real estate located in Steuben County, Indiana, and more particularly described as follows, to-wit:

Storm Drainage Easement:

A part of the Northwest Quarter of Section 28, Township 37 North, Range 13 East, Steuben County, Indiana, being entirely within the boundary of a tract of land conveyed to Terrace Place Apartments, LLC by Document Number 22110411, as recorded in the Office of the Recorder of Steuben County, Indiana (hereinafter called “subject parcel”) and more particularly described as follows:

Commencing at the Northwest corner of a 7.75 acre tract of land conveyed to Terrace Ridge

Apartments, LLC by Document Number 10010397, as recorded in the Office of the Recorder of Steuben County, Indiana, said point being on the Easterly Right-of-way line of Terrace Boulevard, as establish in the plat of “The Villas of Buck Lake” as recorded in Document Number 07030390; thence North 02 degrees 01 minutes 07 seconds West, on and along said Easterly Right-of-way line, a distance of 22.60 feet to the Point of Beginning; thence North 02 degrees 01 minutes 07 seconds West, on and along said Easterly Right-of-way line, a distance of 20.00 feet; thence North 87 degrees 54 minutes 10 seconds East, a distance of 31.25 feet; thence North 46 degrees 21 minutes 35 seconds East, a distance of 64.81 feet; thence North 87 degrees 39 minutes 42 seconds East, a distance of 295.17 feet; thence South 33 degrees 37 minutes 41 seconds East, a distance of 78.97 feet; thence North 87 degrees 58 minutes 10 seconds West, a distance of 54.01 feet to a point on the East line of said subject parcel, said point also being on a Northerly line of said 7.75 acre tract; thence South 01 degrees 57 minutes 01 seconds East, on and along the East line of said subject parcel and on and along the Northerly line of said 7.75 acre tract, a distance of 20.00 feet to the Southeast corner of said subject parcel, said point also being a Northerly corner of said 7.75 acre; thence South 87 degrees 58 minutes 10 seconds

West, on and along the South line of said subject parcel and on and along the Northerly line of said 7.75 acre tract, a distance of 65.09 feet; thence North 33 degrees 37 minutes 41 seconds West, a distance of 78.89 feet; thence South 87 degrees 39 minutes 42 seconds West, a distance of 276.38 feet; thence South 46 degrees 21 minutes 35 seconds West, a distance of 64.86 feet; thence South 87 degrees 54 minutes 10 seconds West, a distance of 38.86 feet to the Point of Beginning, containing 0.241 acres of land, more or less, being subject to and/or together with all easements and rights-of-way of record.

A depiction of the easement is attached hereto as **Exhibit A** is noted as the "Proposed Easement." The City may construct, inspect, repair, remove, replace, operate and forever maintain surface and ground water drain or drains, along with any manholes, pipes, conduits and other appurtenances thereto, across, over, along, through and within the above described real estate.

Grantor may use the surfaces of the above described real estate provided such use does not interfere with the Grantee's use of said easements. It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of Grantor while in form purporting to be the representations, covenants, undertakings and agreements of Grantor, are nevertheless each and every one of them made and intended not as personal representations, covenants, undertakings and agreements by the Grantor or for the purpose or with the intention of binding Grantor personally, but are made and intended for the purpose of binding only that portion of Grantor's real estate specifically described herein. This grant of easement is subject to all easements, zoning laws and ordinances, building, use, occupancy and other restrictions, encumbrances and rights-of-way of record.

TERRACE PLACE APARTMENTS, LLC, an
Indiana limited liability company

Kenneth W. Wilson, its authorized Member

STATE OF INDIANA)
) SS:
COUNTY OF STEUBEN)

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kenneth W. Wilson the duly authorized member of Terrace Place Apartments, LLC and acknowledged the execution of the foregoing to be his voluntary act and deed this ____ day of _____, 2024.

My Commission Expires: _____

Notary Public

Resident Of: _____

Commission No.: _____

CITY OF ANGOLA, Board of Public Works and Safety

Chair

Member

Member

STATE OF INDIANA)
) SS:
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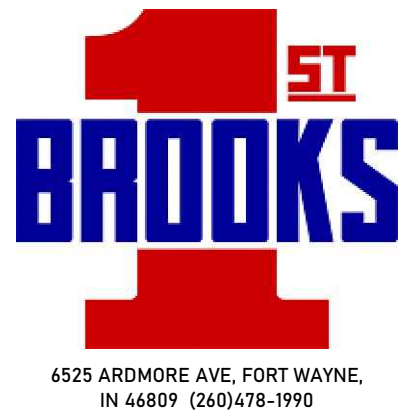
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Resident Of: _____

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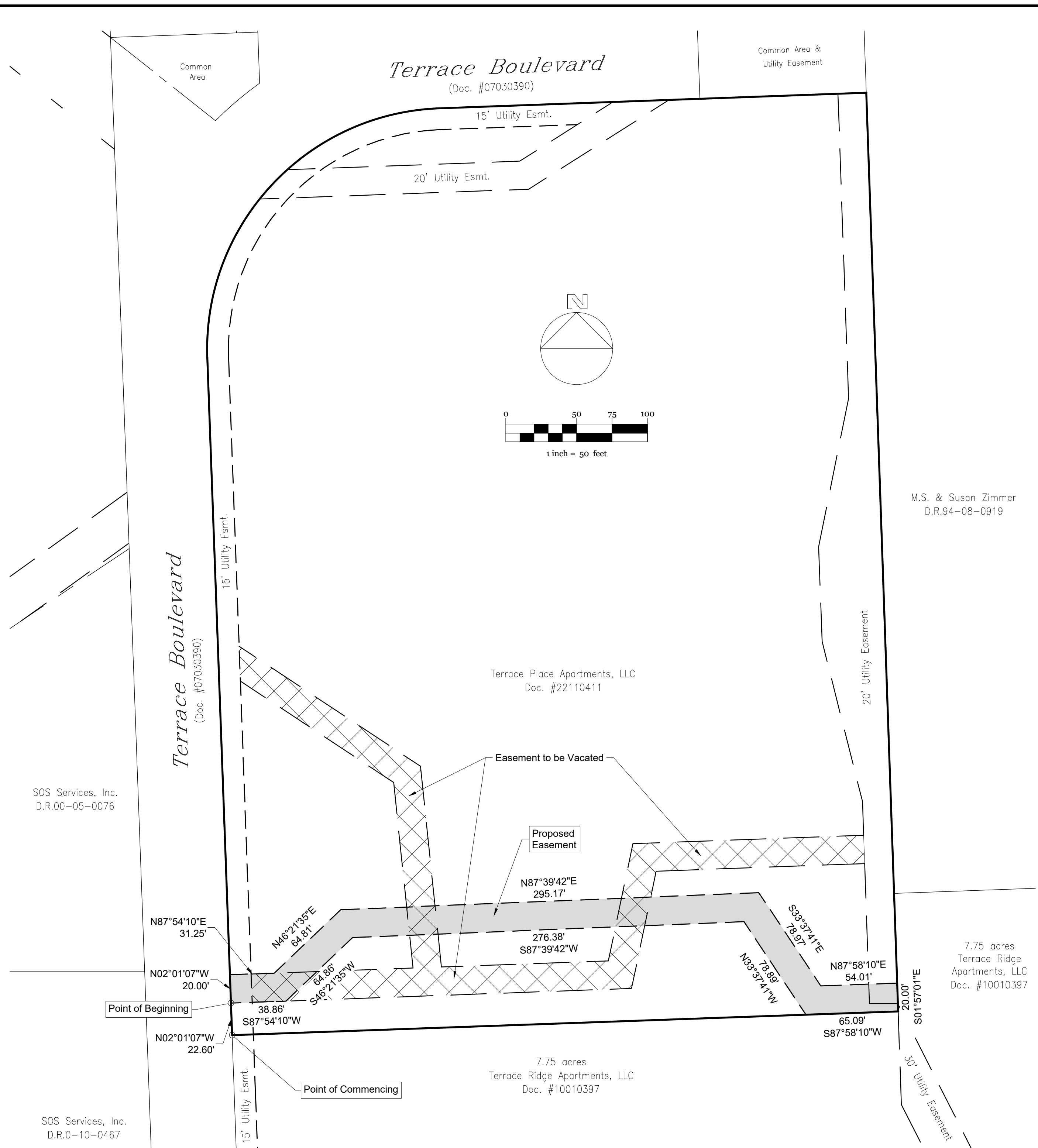


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Easement Exhibit

Location: N. Terrace Ridge Boulevard, Angola, Indiana 46703

For: Terrace Place Apartments, LLC
319 Pokagon Trail, Suite A
Angola, Indiana 46703

JOB NUMBER:	2473-0023
DRAWN BY:	JWH
CHECKED BY:	JWH
SCALE:	As Shown
DATE:	09/27/2024
REVISION	DATE

TITLE:
Easement Exhibit

SHEET:

This drawing is not intended to be represented as a retracement or original survey, a route survey, or a Surveyor Location report.