

1 VALY-2013-0067

2 BILL NO. G-13-07-08

3 Plat Book: 4A

Page No: 15

4 GENERAL ORDINANCE NO. G-_____

5 AN ORDINANCE amending the Thoroughfare
6 Plan of the City Comprehensive ("Master")
7 Plan by vacating public right-of-way.

8 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
9 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
10 Indiana; and

11 WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing
12 and approved said petition, as provided in I.C. 36-7-3-12.

13 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
14 FORT WAYNE, INDIANA:

15 SECTION 1. That the petition filed herein to partially vacate a public right-of-way within the
16 City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

17 A 10 foot platted alley being described as follows: Beginning at the Southwest corner of Lot 4
18 Zorbaugh's Amended. Subdivision to the City of Fort Wayne, Allen County, Indiana, thence
19 East along the South line of said Lot 4, 145.00 feet to the Southeast corner of said Lot 4;
20 thence South 10.0 feet to the Northeast Corner of Lot 1 in Doctor's Addition to the City of Fort
21 Wayne, according to the plat thereof, recorded in Plat Record 4A, page 15 in the office of the
22 Recorder of Allen County, Indiana; thence West along the North line of said Lot 1 145.0 feet
23 to the Northwest corner of said Lot 1; thence north 10.0 feet to the point of beginning.

24 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
25 and is hereby approved in all respects.

26 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
27 any and all necessary approval by the Mayor.

28 _____
COUNCILMEMBER

29 APPROVED AS TO FORM AND LEGALITY:

30 _____
Carol T. Helton, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2013-0067
Bill Number: Z-13-07-08
Council District: 6 – Glynn Hines

Introduction Date: July 9, 2013

Public Hearing Date: July 23, 2013

Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate an east-west 10-foot wide platted alley. This petition was in front of Council in 2010. The petition expired before the applicant granted the necessary easements. There was no opposition to the request at that time.

Location: Between Lot 4 of Zorbaugh's Amended Subdivision and Lot 1 of Doctor's Addition in the City of Fort Wayne. The alley is between 2615 and 2617 South Anthony Boulevard.

Reason for Request: Approval of the alley will allow the property owner to combine the two lots into one parcel to aid in future development.

Applicant: Louis Poindexter

Property Owner: Louis Poindexter

Related Petitions: none

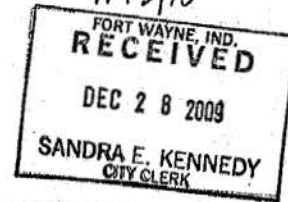
Effect of Passage: Vacation of the alley will allow the parcels to be combined. This will aid in future development by creating a larger parcel and removing setbacks along the alley.

Effect of Non-Passage: The alley will remain as platted and re-development capabilities may be limited, due to lot size and setbacks.

CITY OF FORT WAYNE



Vacation Petition



City Clerk / Room #122 / City-County Building / One Main Street / Fort Wayne IN 46802 / 260.427.1221

I/We do hereby petition to vacate the following:

☐ Easement ☒ Public Right of Way (street or alley)

More particularly described as follows:

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

DEED BOOK NUMBER: _____ PAGE(S) NUMBER(S): _____ (This information can be obtained from the Allen County Recorder's Office on the 2nd Floor, City County Building, One Main Street, Fort Wayne IN.)

The reasons for the proposed vacation are as follows:

Alley not being used; merge jointing properties

(If additional space is needed please attach a separate page.)

The names and addresses of all adjacent property owner(s) must also be provided by the applicant on an attached sheet. The information on that sheet must be as follows:

Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

Applicants name(s) if different from property owner(s):

Name: Lewis Pindexter

Street Address: 530 E. Taber

City: Fort Wayne State: IN Zip: 46803 Phone: (260) 744-2942

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

 Lewis Poindexter 12/13/09
Signature Printed Name Date

2617 S. Anthony Blvd Fort Wayne IN 46806
Address Lot 1 doctors add EX St. City/State/Zip

 Lewis Poindexter 12/13/09
Signature Printed Name Date

2615 S. Anthony Blvd Fort Wayne IN 46806
Address Lot 4 Zorbaughs AMB Sub AMB City/State/Zip

If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

NOTICE:

- Legal Description is to be the area to be vacated and must be complete and accurate. If necessary a licensed surveyor's legal description may be required.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicant may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.

For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

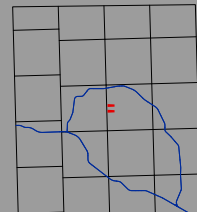
Reference #: _____

November 20, 2002



Vacation Petition 1193/10

Printed: December 29, 2009
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 North American Datum 1983
 Sate Plane Coordinate System, Indiana East
 Photos: Spring 2003 / Contours: 1999
 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.



0 1 inch = 100 ft
 0 100 200