

1 VALY-2013-0166

2 BILL NO. G-13-11-08

Deed Book: 45, Page No: 195

Plat Book: 8, Page 95

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 twelve foot wide north-south alley located along the west property line of Lot 14 and Lot 15
18 in McLachlin Addition to Mechanicsburg, as recorded in Deed Book 45, page 195, in the
19 Office of the Recorder of Allen County, more particularly described as follows:

20 Beginning at the northwest corner of Lot 14 in said McLachlin Addition to Mechanicsburg, as
21 recorded in Deed Book 45, page 195, in the Office of the Recorder of Allen County; thence
22 southerly a distance of 112 feet to the Southwest corner of Lot 15 in said McLachlin Addition
23 to Mechanicsburg; thence westerly a distance of 12 feet to the Southeast corner of Lot 6 in
24 said McLachlin Addition to Mechanicsburg; thence northerly a distance of 112 to the
25 Northeast corner of Lot 7 in said McLachlin Addition to Mechanicsburg; thence easterly a
26 distance of 12 feet to the point of beginning.

27 Together with:

28 A twelve foot wide north-south alley located along the east property line of Lots 1, 2, and 3 of
29 Lehman's Addition to the City of Fort Wayne, as recorded in Plat Book 8, page 95 in the Office
30 of the Recorder of Allen County, more particularly described as follows:

Beginning at the Northeast corner of Lot 1 in said Lehman's Addition to the City of Fort
Wayne, as recorded in Plat Book 8, page 95 in the Office of the Recorder of Allen County;
thence easterly a distance of 12 feet to the southwest corner of Lot 15 in McLachlin Addition
to Mechanicsburg, recorded in Deed Book 45, page 195, in the Office of the Recorder of Allen
County; thence southerly, along the east line of the alley to be vacated, a distance of 82.5 feet
to a point on the north line of the east-west alley running along the north property line of Lot
21 in Fleming and Esmonds Addition to the City of Fort Wayne, as recorded in Deed Book
104, page 617 in the Office of the Recorder of Allen County; thence westerly a distance of 12

1 feet along the north line of said east-west alley, to the Southeast corner of Lot 3 in said
2 Lehman's Addition; thence northerly along the east line of Lots 1, 2 and 3 in said Lehman's
3 Addition, a distance of approximately 82.5 feet to the Northeast corner of Lot 1 in said
Lehman's addition, also being the point of beginning.

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

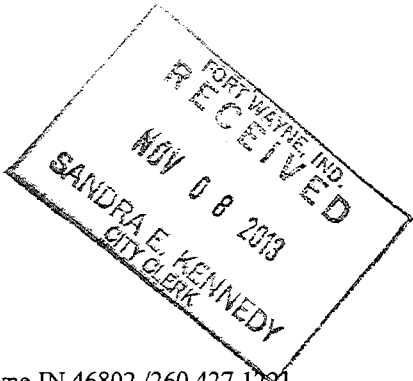
6 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
7 any and all necessary approval by the Mayor.

8 _____
COUNCILMEMBER

9 APPROVED AS TO FORM AND LEGALITY:

10 _____
11 Carol T. Helton, City Attorney
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CITY OF FORT WAYNE



Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 /260.427.1221

I/We do hereby petition to vacate the following:

Easement X Public Right of Way (street or alley)

More particularly described as follows:

The entire length of the public alley, oriented north-to- south, and the entire width of the public alley, oriented east-to-west, as it exists west of the properties from the south edge of the existing east-west alley north of 2818 South Clinton Street (Lot 14 McLachlin to Mechanicsburg Addition) to the north edge of the existing east-west alley south of 2834/36 South Clinton Street (SP 82.5'X150' S of Lot 15 McLachl'n to Mech'c).

(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: 45/8 PAGE(S) NUMBER(S): 195/95 (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:

In an effort to bring existing (dormant) development into compliance, current developer is cooperating with Dept. of Planning Staff to re-zone R2 properties to CM2 (2834/26 S. Clinton). N-S alley that is subject of vacation petition extends between two existing E-W alleys. The petition includes the entire length of the alley west of properties from 2818 S. Clinton Street to 2836 S. Clinton Street.

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

The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). 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.

Applicant's name(s) if different from property owner(s):

Name: Cornelius Key

Street Address: 9310 Wallen Court

City: Fort Wayne State: IN Zip: 46825 Phone: 260/414-6438

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 For 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.

Cornelius Key
Signature

Cornelius Key
Printed Name

11-8-13
Date

9310 Wallen Court
Address

Fort Wayne, IN 46825
City/State/Zip

Signature

Printed Name

Date

Address

City/State/Zip

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

Agent's Name (Print Legibly): Kelty Tappy Design, Inc. / Matthew G. Kelty
(matt@keltytappy.com)

Street Address: 116 East Berry Street, Suite 700

City: Fort Wayne State: IN Zip: 46802 Phone: 260/426-7770

NOTICE:

- Legal Description is to be the area to be vacated and must be complete ad 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 easement's as needed.

For Office Use Only:

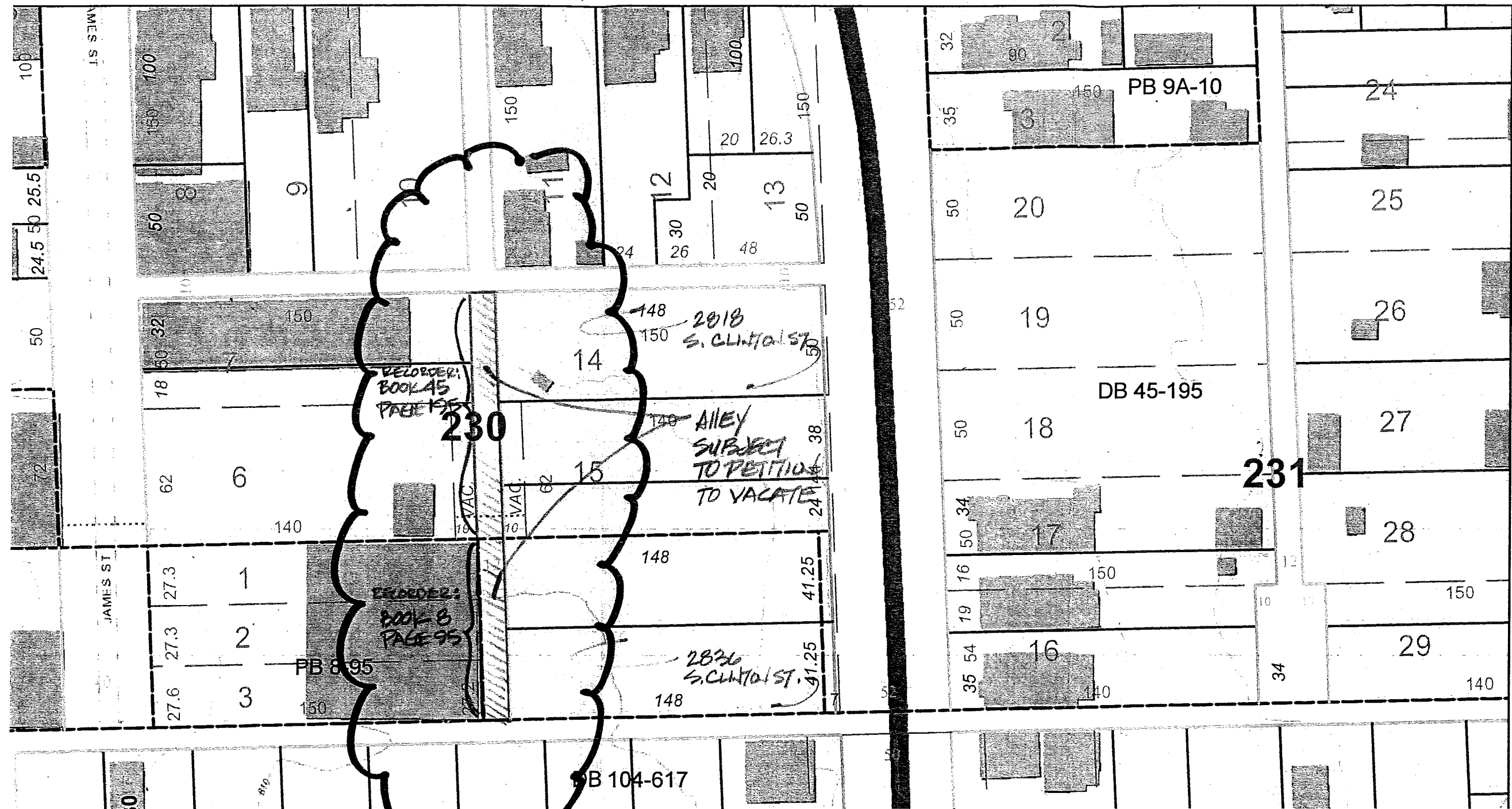
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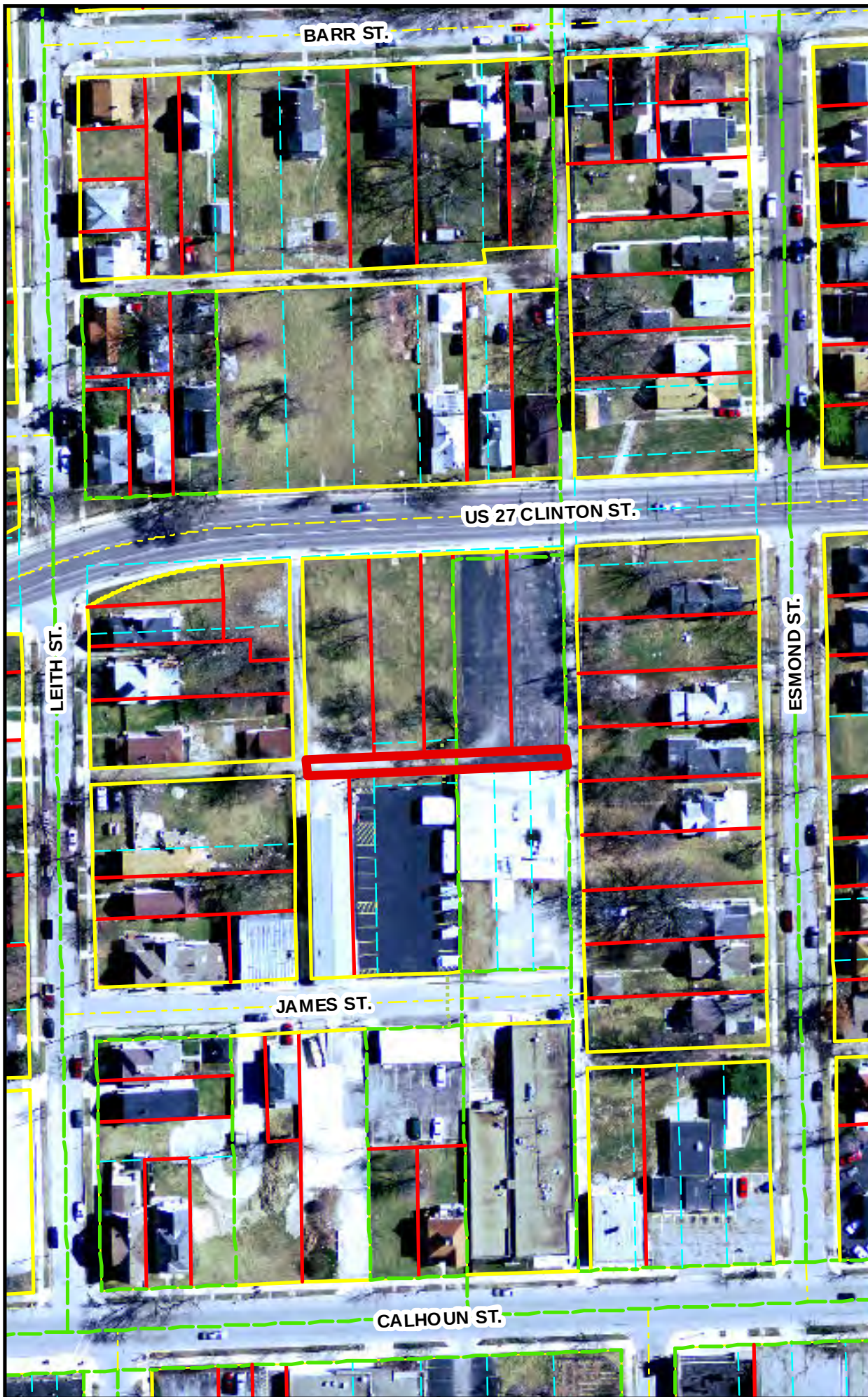
Date Filed: _____

Map #: _____

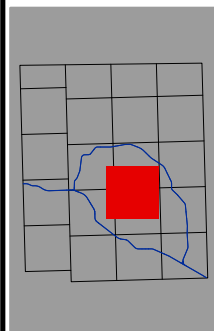
Reference #: _____

Alley Vacation Petition (west side of 2818 South Clinton to 2836 South Clinton)



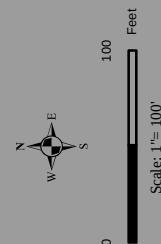


This map is for representational purposes only - Boundaries identified by bold colored lines represent the general location of the proposed project



Vacation Petition VALY-2013-0166

Printed: November 17, 2013
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 North American Datum, 1983
 State Plane Coordinate System, NAD 83 East



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