

1 VALY-2014-0022

2 BILL NO. G-14-02-07

Plat Record: 0

Page No: 116

3
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 14 foot wide alley lying between Lots 492 through 495 and Lots 508 through 511, including that part
18 located between the north and south portions of the 10-foot wide alley vacated in Dec. Res. 96-1903,
19 in the West Part of Hanna's Addition to Fort Wayne, as originally recorded in Deed Record C, page
20 525 and reprinted in Plat Record 0, page 116 in the Office of the Recorder of Allen County, Indiana.

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

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

25 _____
26 COUNCILMEMBER

27 APPROVED AS TO FORM AND LEGALITY:

28 _____
29 Carol T. Helton, City Attorney
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2014-0022
Bill Number: Z-14-02-07
Council District: 5-Geoff Paddock

Introduction Date: February 25, 2014

Public Hearing Date: March 11, 2014

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

Synopsis of Ordinance: To vacate a portion of a 14-foot wide east-west alley right-of-way.

Location: Between Harrison and Webster, south of Berry Street and north of Wayne Street.

Reason for Request: Approval of the alley vacation will allow the property to be redeveloped as the Emerald Skyline project, including a parking garage, office and retail building and residential tower.

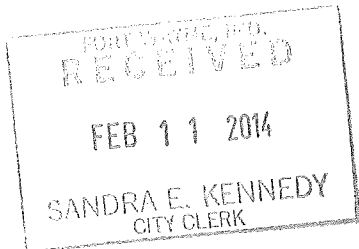
Applicant: Redevelopment Department, City of Fort Wayne

Property Owner: City of Fort Wayne

Related Petitions: Primary Development Plan, Emerald Skyline

Effect of Passage: Vacation of the alley will allow the parcels to be redeveloped. The current proposal is the Emerald Skyline project, including the Ash Headquarters.

Effect of Non-Passage: The alley will remain as platted and re-development capabilities may be limited. Without this vacation, the Emerald Skyline project, as proposed, will not continue.



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:

See attached
E/W Alley North of Wayne between Harrison and
Webster

(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: Record C PAGE(S) NUMBER(S): 525 (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:

Construction of Parking Garage, Residential Tower and
office Tower

(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: Redevelopment Department, City of Fort Wayne
Street Address: 200 E. Berry Suite 320
City: Fort Wayne State: IN Zip: 46802 Phone: 260 427 1499

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.

 GREG LEATHERMAN 2/7/14
Signature Printed Name Date
see attached _____
Address 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): _____

Street Address: _____

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

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:

Receipt #: _____ Date Filed: _____

Map #: _____ Reference #: VALY-2014-0022

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.

Anthony Thomas
Signature

ANTHONY THOMAS 12/4/2013
Printed Name Date

220 W Wayne
Address

FW 46802
City/State/Zip

LIGERT & BREUNING, INC.
Tim W. Breuning, Pres.
Signature

TIM W. BREUNING 12/6/13
Printed Name Date

221 W. BARRY
Address

FORT WAYNE IN 46802
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 easement's as needed.

For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____

Adjacent Property Owners

201 W Berry

Metro Venture LLC

c/o CBRE Sturges, LLC

202 W. Berry Suite 800

Fort Wayne, IN 46802

260 424-8448

800 Blk S. Harrison Street

Metro Venture LLC

c/o CBRE Sturges, LLC

202 W. Berry Suite 800

Fort Wayne, IN 46802

260 424-8448

208 W. Wayne

Robert S. Walters

1919 Forest Park Blvd

Fort Wayne, IN 46805

(260) 423-9551

220 W. Wayne

222-228 W. Wayne

232 W. Wayne

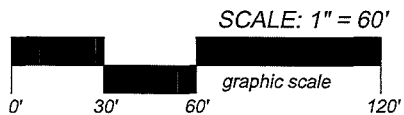
827 Webster

821-823 Webster

819 Webster



Exhibit for Alley Vacation



Date: November 3, 2013

Job No.: 20130150

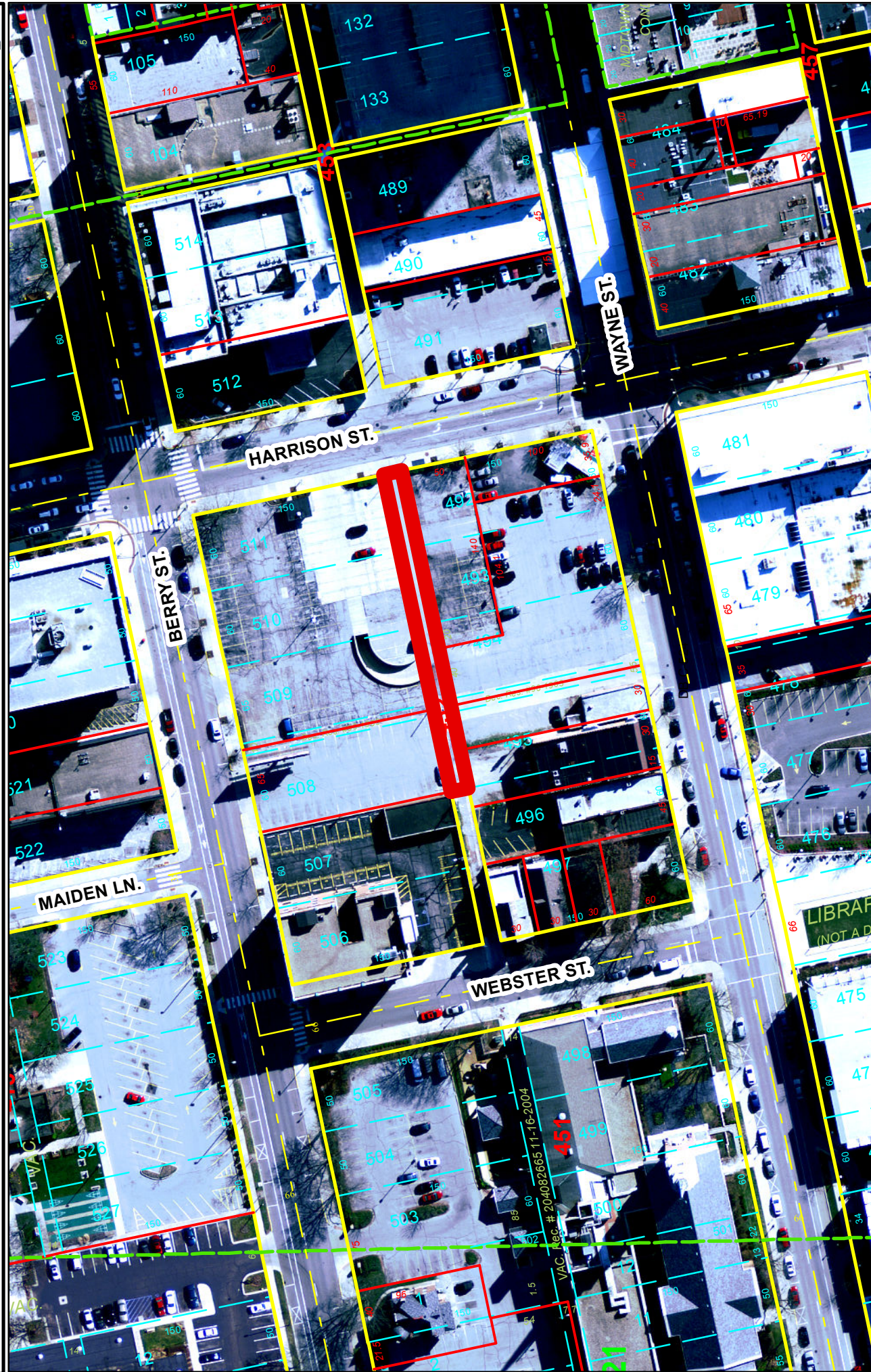
Sheet: 1 of 1

DESCRIPTION OF ALLEY VACATION

A 14 feet wide alley lying between Lots 492 through 495 and Lots 508 through 511 in The West Part of Hanna's Addition to Fort Wayne, as originally recorded in Deed Record C, page 525 and reprinted in Plat Record 0, page 116 in the Office of the Recorder of Allen County, Indiana.



Vacation Petition VALY-2014-0022



Project boundaries represented by bold colored lines are for representational purposes only.

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.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Date: 2/19/2014

