

VROW-2014-0089

BILL NO. G-14-08-02

Plat Book: 11A

Page No: 52

GENERAL ORDINANCE NO. G-_____

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

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

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

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

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

The right-of-way of Webster Street, from Cox Drive to the east-west alley south of Lots 385 and 386 in Fairfield Terrace Addition, Block B, as recorded in Deed Book 11A, page 52 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of Lot 384 in said Fairfield Terrace Addition, Block B, then East, a distance of 50 feet along the south right-of-way line of Cox Drive to the Northwest corner of Lot 387 in said Fairfield Terrace Addition, Block B; thence South, a distance of 137.5 feet, along the west property line of Lot 387 and Lot 386 in said Fairfield Terrace Addition, Block B, to the Southwest corner of said Lot 386; thence west, a distance of 50 feet, along the north right-of-way line of an east-west alley in said Fairfield Terrace Addition, Block B, to the Southeast corner of Lot 385 in said Fairfield Terrace Addition, Block B; thence north, a distance of 137.5 feet to the point of beginning, containing 6,875 square feet of land, more or less.

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

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

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

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: VROW-2014-0089
Bill Number: Z-14-08-02
Council District: 5 – Geoff Paddock

Introduction Date: August 12, 2014

Public Hearing Date: August 26, 2014

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

Synopsis of Ordinance: To vacate a portion of the unimproved Webster Street from Cox Drive, south to the east-west alley, south of Lots 385 and 386 in Fairfield Terrace Addition, Block B.

Location: Located between 303 West Cox Drive and 223 West Cox Drive.

Reason for Request: The applicant wishes to build an addition to their garage and the proposed addition would encroach into the right-of-way.

Applicant: Connie and Randy Branstrator

Property Owner: Connie and Randy Branstrator

Related Petitions: None

Effect of Passage: Vacation of this portion of Webster Street, which is unimproved, will allow the garage addition. No access will be denied to any properties.

Effect of Non-Passage: This portion of Webster Street will remain dedicated as public right-of-way and no permits will be issued that encroach on the right-of-way.

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 ☐ Public Right of Way (street or alley)

More particularly described as follows:

Formerly Harrison St ~~100~~ 50' of easement
Adjacent to 303 W. Cox Dr on East Side

(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:

TO BUILD A GARAGE -

(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: CONNIE BRAUNSTATOR & RANDY BRAUNSTATOR

Street Address: 303 W. COX

City: FT. WAYNE State: IN Zip: 46802 Phone: 260-745-3801

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.

Connie Branstator
Signature

CONNIE BRANSTATOR 7-21-14
Printed Name Date

303 W. Cox Dr
Address

FT. WAYNE, IN 46807
City/State/Zip

Randy Branstator
Signature

Randy Branstator 7-21-14
Printed Name Date

303 W. Cox Dr
Address

FT WAYNE IN 46807
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 #: _____

7-21-14

VACATION REQUEST

Abutting property owner : FORMERLY HARRISON ST;
EAST 50' of 303 W. COX DR.

JAMES + TRACY WILLIAMS

223 W. COX DR.

PORT WYNE, IN 46807

Request submitted by:

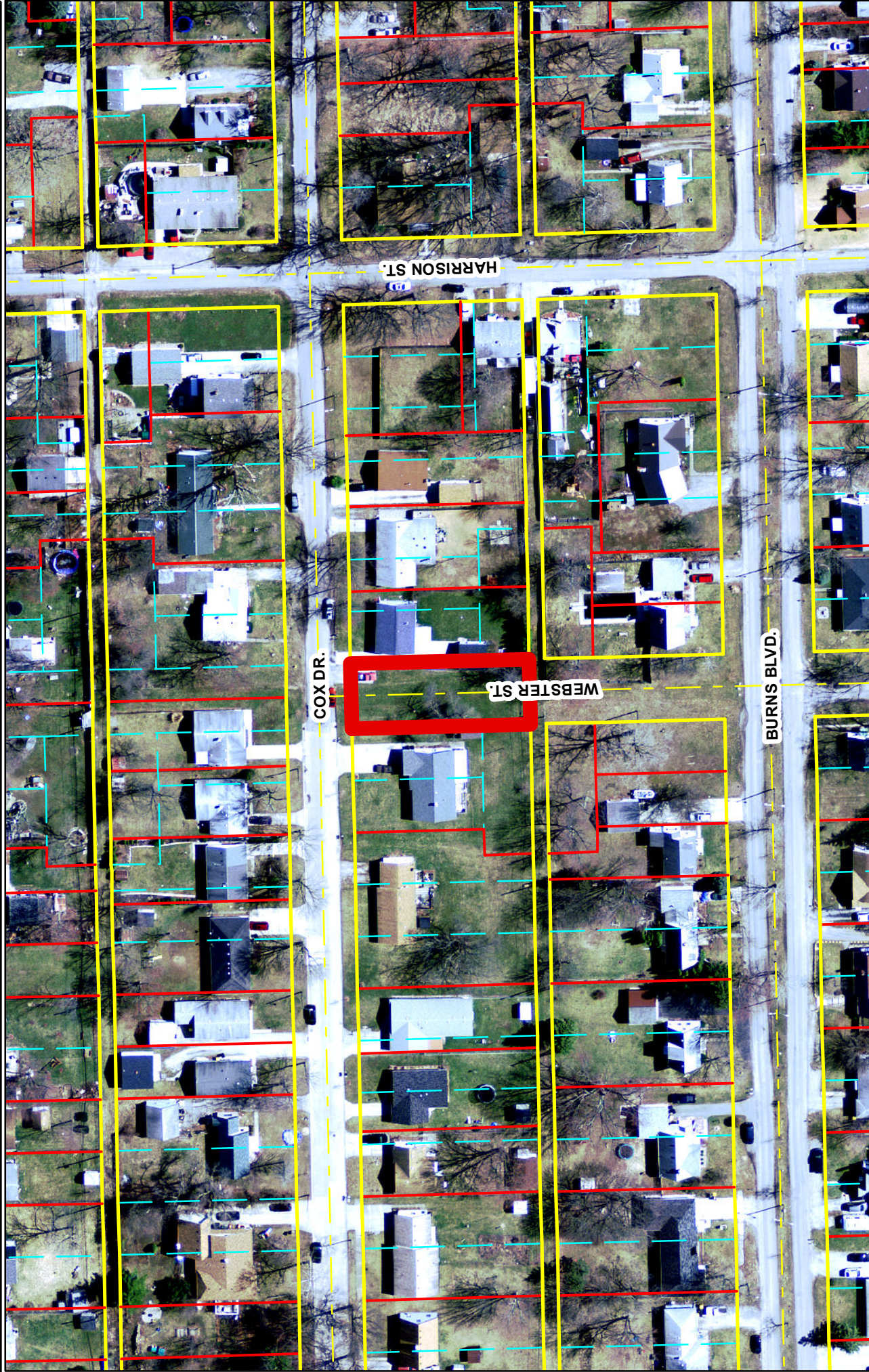
CONNIE + RUBY BRANSTRATOR

303 W. COX DR

PORT WYNE, IN 46807



Vacation Petition VROW-2014-0089



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: 8/4/2014

