

VROW-2014-0084

BILL NO. G-14-09-15

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 Vacation of the portion of Keller Road lying on each side of the line described as follows: A part of the North Half of Section 8, Township 29 North, Range 12 East, Allen County, Indiana, described as follows: Commencing at the northwest corner of said section; thence South 0 degrees 54 minutes 00 seconds East 1,834.73 feet along the west line of said section to the centerline of Indianapolis Road; thence North 80 degrees 55 minutes 06 seconds East 111.43 feet along said centerline; thence North 58 degrees 13 minutes 33 seconds East 1,219.92 feet along said centerline; thence North 57 degrees 16 minutes 44 seconds East 631.84 feet along said centerline; thence North 53 degrees 52 minutes 10 seconds East 304.33 feet along said centerline to the centerline of West Perimeter Road; thence South 31 degrees 28 minutes 40 seconds East 428.43 feet along said centerline; thence along said centerline Southeasterly 172.01 feet along an arc to the left having a radius of 164.49 feet and subtended by a long chord having a bearing of South 61 degrees 35 minutes 48 seconds East and a length of 164.28 feet; thence North 88 degrees 36 minutes 30 seconds East 365.46 feet along said centerline to the centerline of said Keller Road and the point of beginning of this description: thence South 1 degree 01 minute 01 second East 1,231.49 feet along said centerline to the terminus.

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-2014-0084
Bill Number: G-14-09-15
Council District: 4-Mitch Harper

Introduction Date: September 23, 2014
Public Hearing Date: October 7, 2014
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate the right-of-way of Keller Road.

Location: Parallel with the north-south portion of West Perimeter Road, on the west side of the Fort Wayne-Allen County International Airport.

Reason for Request: The applicant has created a master plan for the roadway network on the west side of the airport. Keller Road no longer serves the surrounding buildings and use efficiently.

Applicant: Fort Wayne-Allen County Airport Authority

Property Owner: Fort Wayne-Allen County Airport Authority

Related Petitions: Similar vacation request for a portion of Indianapolis Road in Unincorporated Allen County.

Effect of Passage: Vacation of Keller Road, as requested, will allow the Airport Authority to complete their roadway master plan to better serve existing and future development on the west side of the airport.

Effect of Non-Passage: Keller Road will remain dedicated as public right-of-way and will impede the completion of the roadway master plan for the airport. Keller Road does not currently serve any non-airport land and does not connect to any other public 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 X Public Right of Way (street or alley)

More particularly described as follows:

Keller Road near Fort Wayne International Airport. See attached description and exhibit.

(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: NA PAGE(S) NUMBER(S): NA (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:

Road construction and airport development

(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.

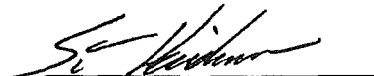
Applicant's name(s) if different from property owner(s):

Name: **Fort Wayne - Allen County Airport Authority**

Street Address: **Suite 209, 3801 Ferguson Rd**

City: **Fort Wayne** State: **IN** Zip: **46809** Phone: **260-747-4146**

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.


Signature

Scott D. Hinderman, A.A.E. 6-16-14
Printed Name Date

Suite 209, 3801 Ferguson Rd
Address

Fort Wayne, IN 46809
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 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: 9/3/14

Map #: P108 G-47

Reference #: VROW 2014 008584

EXHIBIT "A"

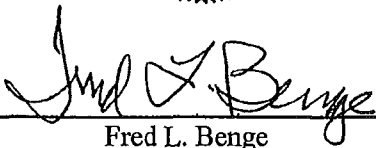
PROJECT: Fort Wayne Allen County Airport
PARCEL NO.: Keller Road Vacation

The Vacation of the portion of Keller Road lying on each side of the line described as follows:

A part of the North Half of Section 8, Township 29 North, Range 12 East, Allen County, Indiana, as shown on the attached **Exhibit "B"**, described as follows: Commencing at the northwest corner of said section; thence South 0 degrees 54 minutes 00 seconds East 1,834.73 feet along the west line of said section to the centerline of Indianapolis Road; thence North 80 degrees 55 minutes 06 seconds East 111.43 feet along said centerline; thence North 58 degrees 13 minutes 33 seconds East 1,219.92 feet along said centerline; thence North 57 degrees 16 minutes 44 seconds East 631.84 feet along said centerline; thence North 53 degrees 52 minutes 10 seconds East 304.33 feet along said centerline to the centerline of West Perimeter Road; thence South 31 degrees 28 minutes 40 seconds East 428.43 feet along said centerline; thence along said centerline Southeasterly 172.01 feet along an arc to the left having a radius of 164.49 feet and subtended by a long chord having a bearing of South 61 degrees 35 minutes 48 seconds East and a length of 164.28 feet; thence North 88 degrees 36 minutes 30 seconds East 365.46 feet along said centerline to the centerline of said Keller Road and the point of beginning of this description: thence South 1 degree 01 minute 01 second East 1,231.49 feet along said centerline to the terminus.



This description was prepared for the Fort Wayne Allen County Airport Authority, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 2nd day of May, 2014


Fred L. Bengé

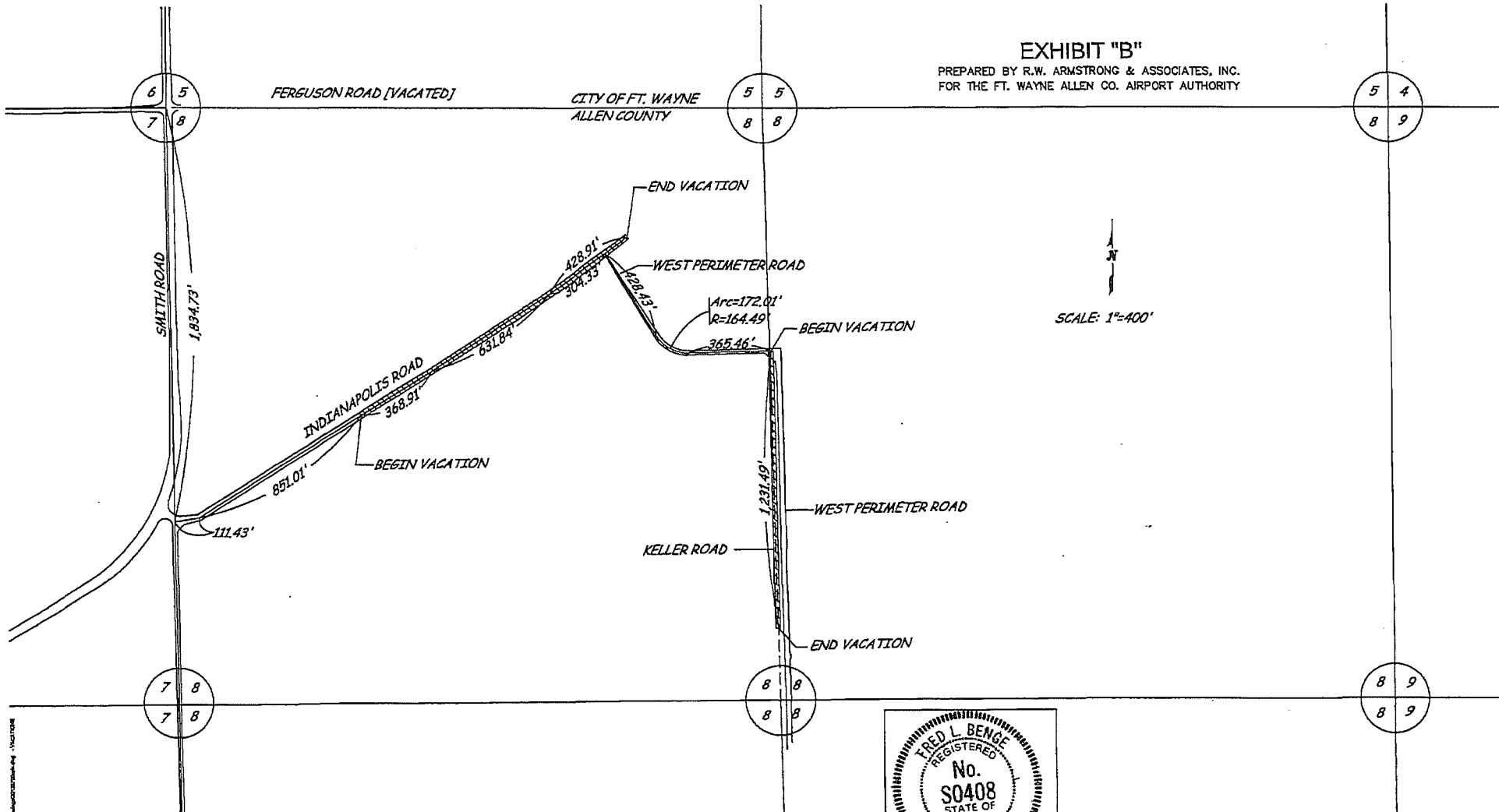


EXHIBIT "B"

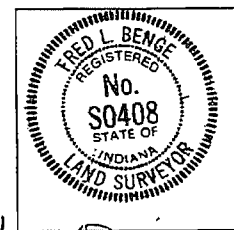
PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.
FOR THE FT. WAYNE ALLEN CO. AIRPORT AUTHORITY

OWNER: FT. WAYNE ALLEN CO. AIRPORT AUTHORITY

VACATIONS: #1, #2, #3, #4, & #5
ROADS: FERGUSON, INDIANAPOLIS, WEST PERIMETER & KELLER
COUNTY: ALLEN
SECTION: 8 PROJECT: 20125700
TOWNSHIP: 29 NORTH
RANGE: 12 EAST

HATCHED
AREAS ARE THE
APPROXIMATE
VACATION AREAS

DRAWN BY: G.L. SMITH DATE: 5/22/13
CHECKED BY: F.L. BENGÉ DATE: 5/2/14



Fred L. Bengé 5-2-14
FRED L. BENGÉ DATE
REG. LAND SURVEYOR No. LS0408

City of Fort Wayne Public Right of Way Vacation Petition

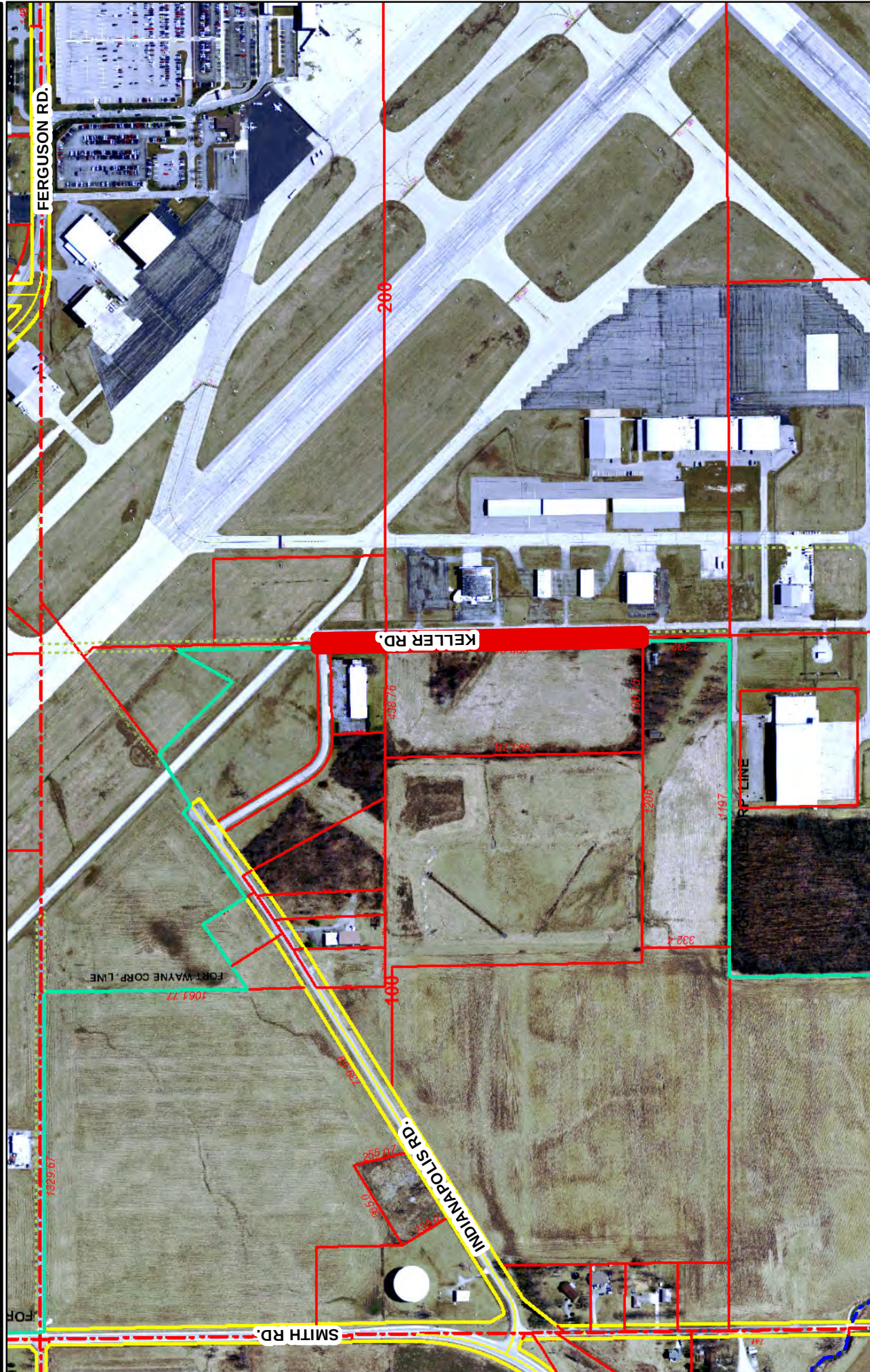
Keller Road near Fort Wayne International Airport

All adjacent properties are owned by:

Fort Wayne – Allen County Airport Authority
Suite 209, 3801 Ferguson Road
Fort Wayne, Indiana 46809



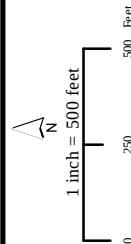
FERGUSON RD.



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

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

Date: 9/18/2014





LEGEND

- | | |
|---|--------------------------------------|
|  | PROPOSED ROAD CONSTRUCTION |
|  | PROPOSED ROAD DEMOLITION |
|  | EXISTING ROAD WITH PROPOSED NEW NAME |

PROPOSED ROAD
NAME EXHIBIT

