

1 VALY-2015-0018

2 BILL NO. G-15-04-09

3 Plat Book: T
4 Page No: 49
5 Misc. Record: 10
6 Page 583

7 GENERAL ORDINANCE NO. G-_____

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

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

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

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

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

20 The 16-1/2 foot wide alley lying East of Lots 1 through 15 in William G. Ewing's
21 Administrators Addition to Fort Wayne, as recorded in Deed Record 29, page 522, and West
22 of Lots 1 through 13 in Bonds Subdivision of Outlot 2 of East 1/2, NW 1/4, Sec. 11, T 30 N, R
23 12 E, as recorded in Deed Record "T", page 49, according to the plats thereof in the Office of
24 the Recorder of Allen County, Indiana.

25 Together with the 16-1/2 foot wide ally, opened in Miscellaneous Record 10, page 583 and
26 again in miscellaneous Record 15, page 635, off of the West side of Lot 4 in Block 33 of
27 Ewing Addition to Fort Wayne as recorded in Plat Record 2, Page 40, all in the Office of the
28 Recorder of Allen County, Indiana.

29 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
30 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: VALY-2015-0018
Bill Number: G-15-04-09
Council District: 5-Geoff Paddock

Introduction Date: April 28, 2015

Public Hearing Date: May 12, 2015

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

Synopsis of Ordinance: To vacate the north-south, 16.5 foot wide alley located between William G. Ewing's Administrators Addition and Bond's Subdivision of Outlot 2.

Location: Between Fairfield Avenue and Ewing Street, extending from West Jefferson Boulevard to West Brackenridge Street.

Reason for Request: Approval of the alley vacation will allow the construction of CityScape Flats, a 167-unit multiple family residential development, proposed to be located between Fairfield, Ewing, West Jefferson, and Brackenridge.

Applicant: City of Fort Wayne, Redevelopment Commission

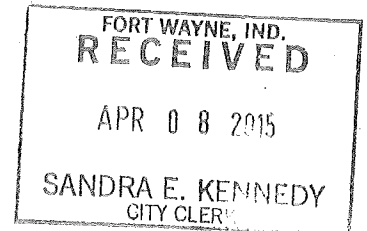
Property Owner: City of Fort Wayne, Redevelopment Commission

Related Petitions: Primary Development Plan, CityScape Flats

Effect of Passage: Vacation of the alley will allow the proposed multiple family residential development to be constructed as planned.

Effect of Non-Passage: The alley will remain as platted and redevelopment capabilities of the project site will be limited. The alley bisects the site and the CityScape Flats project, as planned, will not be permitted.

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 legal description

(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: "T" PAGE(S) NUMBER(S): 49 (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:

Redevelopment of the site. Construction of parking garage and +/- 150 dwelling units
167 pmb

(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: Community Development Division - Redevelopment Comm.
Street Address: 200 East Berry Suite 320
City: FW State: IN Zip: 46002 Phone: 427-

400 block Brackenridge
1100 to 1300 blocks Ewing & Fairfield

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]
Signature

Justin Brugger
Printed Name

4/6/15
Date

200 E. Berry Suite 320
Address

Fort Wayne, IN 46802.
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): P.J. Thuringer

Street Address: 200 E. Berry, Suite 320

City: FW State: IN Zip: 46802 Phone: 427-

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: 4/8/15

Map #: Wayne 11 L02

Reference #: VALY-2015-

district 5 - Paddock
zoning DE

DESCRIPTION OF ALLEY VACATION

The 16 - 1/2 feet wide alley lying East of Lots 1 through 15 in William G. Ewing's Administrators Addition to Fort Wayne, as recorded in Deed Record 29, page 522, and West of Lots 1 through 13 in Bonds Subdivision of Out Lot 2 of East 1/2, NW ¼, Sec. 11, T 30 N, R 12 E, as recorded in Deed Record "T", page 49, according to the plats thereof in the Office of the Recorder of Allen County, Indiana.

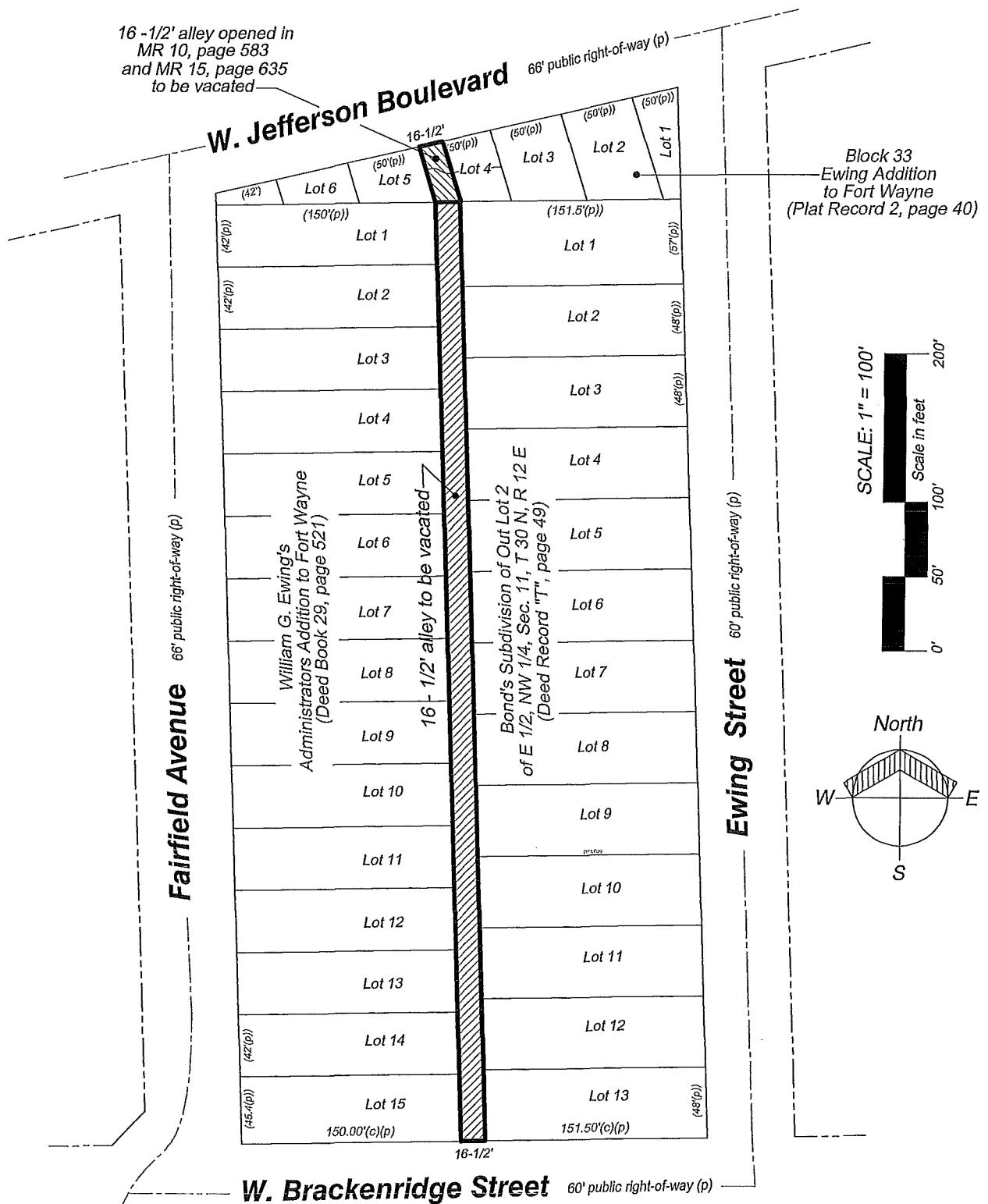
TOGETHER WITH the 16 - 1/2 feet wide alley, opened in Miscellaneous Record 10, page 583 and again in Miscellaneous Record 15, page 635, off of the West side of Lot 4 in Block 33 of Ewing Addition to Fort Wayne, as recorded in Plat Record 2, page 40, all in the Office of the Recorder of Allen County, Indiana.



GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.

1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

Alley Vacation Exhibit
City of Fort Wayne, IN



Date: April 3, 2015
Job No.: 20130057



Vacation Petition VALY-2015-0018

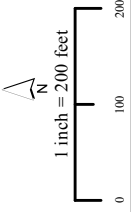


Project boundaries represented by bold colored lines are for representational purposes only.

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.

© 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: 4/21/2015

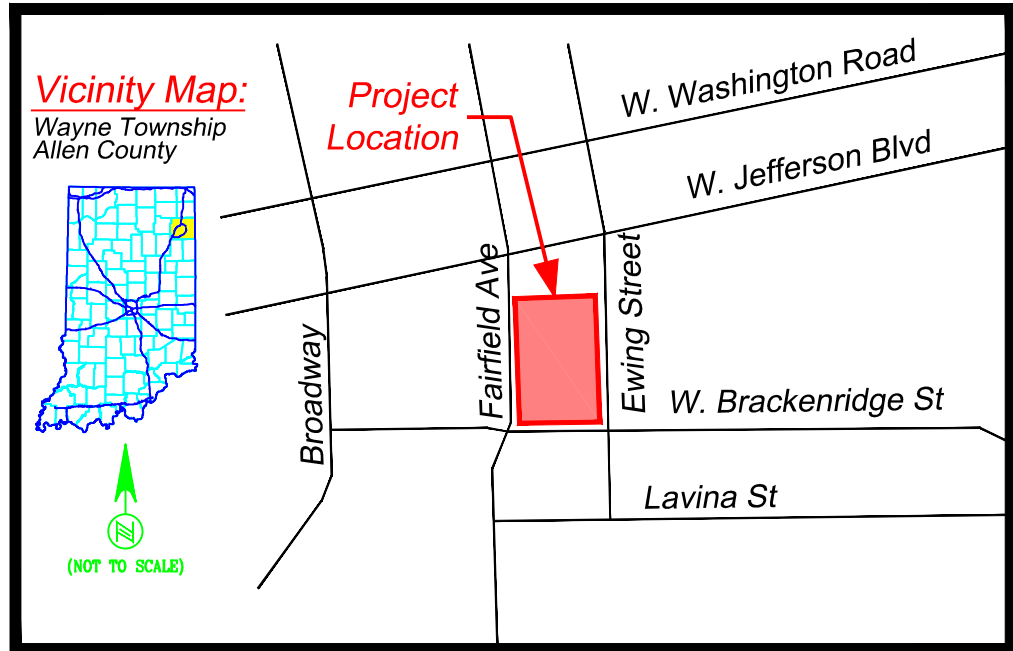


Primary Development Plan

Cityscape Flats

A Site Located in Section 11, Township 30 North, Range 12 East.

Allen County, Indiana



Legal Description:

The South 28 feet of Lot 4 in William G. Ewing's Administrators Addition to Fort Wayne, as recorded in Deed Record 29, pages 521-522 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH:

Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 in William G. Ewing's Administrators Addition to Fort Wayne, as recorded in Deed Record 29, pages 521-522 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH:

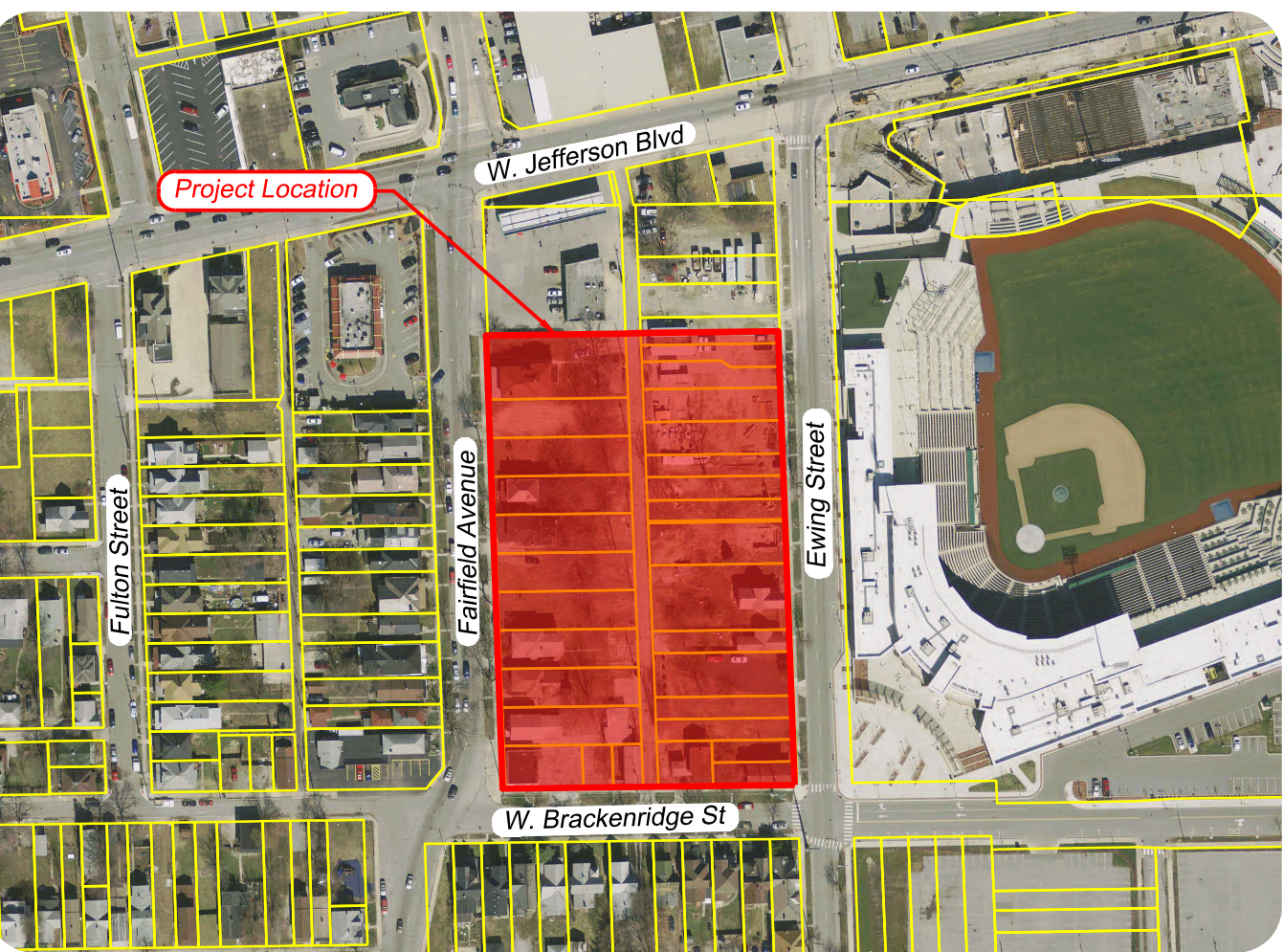
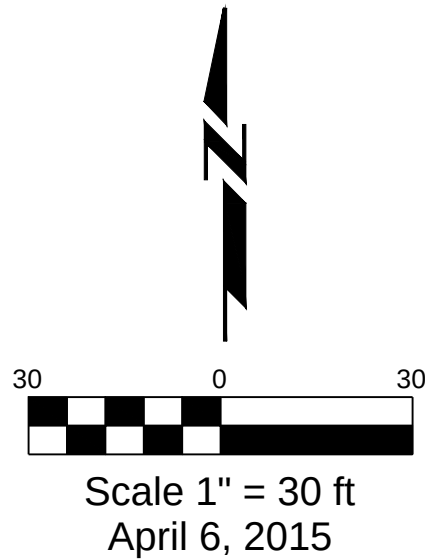
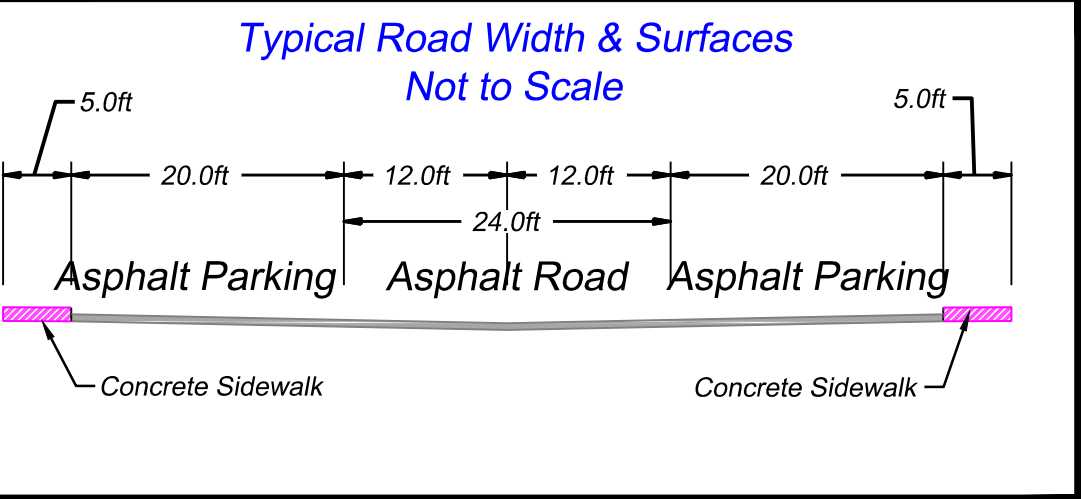
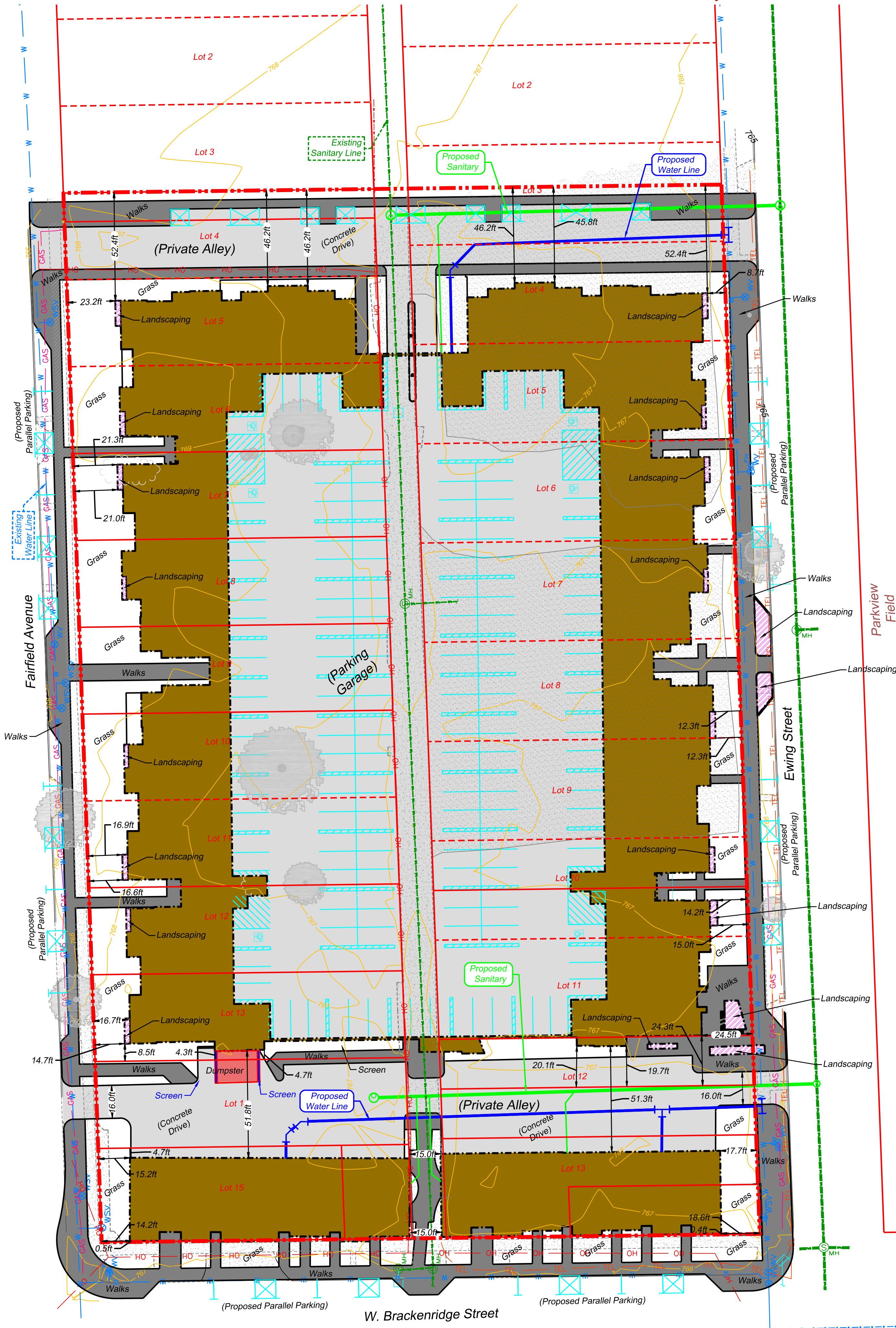
The South 13.4 feet of Lot 3 in Bonds Subdivision of Out Lot 2 of East Half, Northwest Quarter, Section 11, Township 30 North, Range 12 East, as recorded in Deed Record "T", page 49 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Bonds Subdivision of Out Lot 2 of East Half, Northwest Quarter, Section 11, Township 30 North, Range 12 East, as recorded in Deed Record "T", page 49 in the Office of the Recorder of Allen County, Indiana.

Area Schedule (Gross Building)				
Location	Description	Area	Subtotals	Units
Main Level / Garage	Parking	58,117 SFT		
	Main Level (AB)	15,470 SFT		
	Main Level (CD)	17,043 SFT		
	Office	1,527 SFT		
			92,157 SFT	
Second Level / Plaza	Second Level (A)	14,502 SFT		
	Second Level (B)	10,620 SFT		
	Second Level (C)	14,509 SFT		
	Second Level (D)	11,967 SFT		
	Greenhouse	38,948 SFT		
	Amenity - Fitness	1,578 SFT		
			92,124 SFT	
Third Level	Third Level (AB)	26,872 SFT		
	Third Level (CD)	25,009 SFT		
			51,881 SFT	
Fourth Level	Fourth Level (AB)	14,709 SFT		
	Amenity - Club Room	831 SFT		
			15,540 SFT	
	Grand Totals		251,702 SFT	163

Area Schedule (Gross Building)				
Location	Description	Area	Subtotals	Units
Townhomes	Level 1	10,381 SFT		
	Level 2	10,316 SFT		
	Level 3	10,316 SFT		
			31,012 SFT	14
	Grand Totals		31,012 SFT	14



Area Map
Scale 1" = 200 ft

General Contractor:
Sunstone Construction Company, LLC
6455 Brauer Lane
Carmel, IN 46033
Tel: (317) 418-2200



Developer:
DOMO Development
Company, LLC
8830 Notestine Road
Fort Wayne, IN 46835
Tel: (260) 413-6342

Engineer:
DABEC
D.A. Brown Engineering Consultants
5419 County Road 427, Suite C, Auburn, IN 46706
Phone: (260) 925 - 2020 Fax: (260) 925 - 1212
www.dabrownengineering.com

Project Jurisdiction Summary:

Sanitary Sewer Utility:
Fort Wayne Utilities
200 E. Berry Street
Fort Wayne, IN 46802
(260) 427-5064

Water Utility:
Fort Wayne Utilities
200 E. Berry Street
Fort Wayne, IN 46802
(260) 427-5064

Drainage Approval:
Fort Wayne Utilities
200 E. Berry Street
Suite 350
Fort Wayne, IN 46802
(260) 449-7625

Planning/development Approval:
Allen County Department
of Planning Services
200 E. Berry Street
Suite 150
Fort Wayne, IN 46802
(260) 449-7607

Traffic, Street & Right-of-way
Approval:
Fort Wayne Utilities
200 E. Berry Street
Suite 425
Fort Wayne, IN 46802
(260) 427-1111

Date:		Drawn By:		Revisions	
04/06/2015		Checked By:		Date:	Description:
As Noted					
Job No.		Sheet No.			
1411-03-001		1 of 1			