

1 VALY-2015-0025

2 BILL NO. G-15-05-16

3 Plat Book: W
4 Page No: 391

5 GENERAL ORDINANCE NO. G-_____

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

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

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

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

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

18 The 14 foot platted alley located along the west line of Lots 21 through 25 and the east line of
19 Lots 31 through 35 in Bowserville Addition to the City of Fort Wayne, as recorded in Deed
20 Book W, Page 391 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-2015-0025
Bill Number: G-15-05-16
Council District: 5-Geoff Paddock

Introduction Date: May 26, 2015

Public Hearing Date: June 9, 2015

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

Synopsis of Ordinance: To vacate the north-south alley from Second Street to High Street, between Marion Street and Orchard Street.

Location: In the 500 block North of Second Street, south to the 500 block of High Street, bordered by Lots 21 through 25 and Lots 31 through 35 of Bowserville Addition.

Reason for Request: Approval of the alley vacation will allow the property owner to combine parcels and use the surrounding land as a soft playground for the students of Bloomingdale Elementary Schools.

Applicant: Fort Wayne Community Schools-Darren Hess, Director of Facilities

Property Owner: Fort Wayne Community Schools

Related Petitions: VROW-2015-0024, adjacent street vacation

Effect of Passage: The alley will be vacated and the property owner will use the surrounding land for a playground. Public vehicular access will no longer be available.

Effect of Non-Passage: The alley will remain as platted and vehicular traffic will bisect the property owned by Fort Wayne Community Schools.

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:

Alley (± 14' ROW) running north/south from Second Street
South to High Street mid-block of Marion Street
and Orchard Street

(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:

FWCS has acquired all but two parcels in the block south of
Orchard and have demolished the homes and have begun grading
and seeding the area to create a soft play turf playground.
This requested Vacation would allow safe passage to the new
playground

(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 Community Schools
Street Address: 1200 S. Clinton
City: FW State: IN Zip: 46802 Phone: 260-467-2075

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.

Darren P Hess
Signature

1200 S. Clinton St
Address

Darren P Hess, Director of Facilities 5/5/15
Printed Name Fort Wayne Community Schools Date
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.

DARREN P. HESS, DIRECTOR OF FACILITIES
Agent's Name (Print Legibly): FORT WAYNE COMMUNITY SCHOOLS

Street Address: 1200 S. Clinton St

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 467-2075

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.

*understood
DPH*

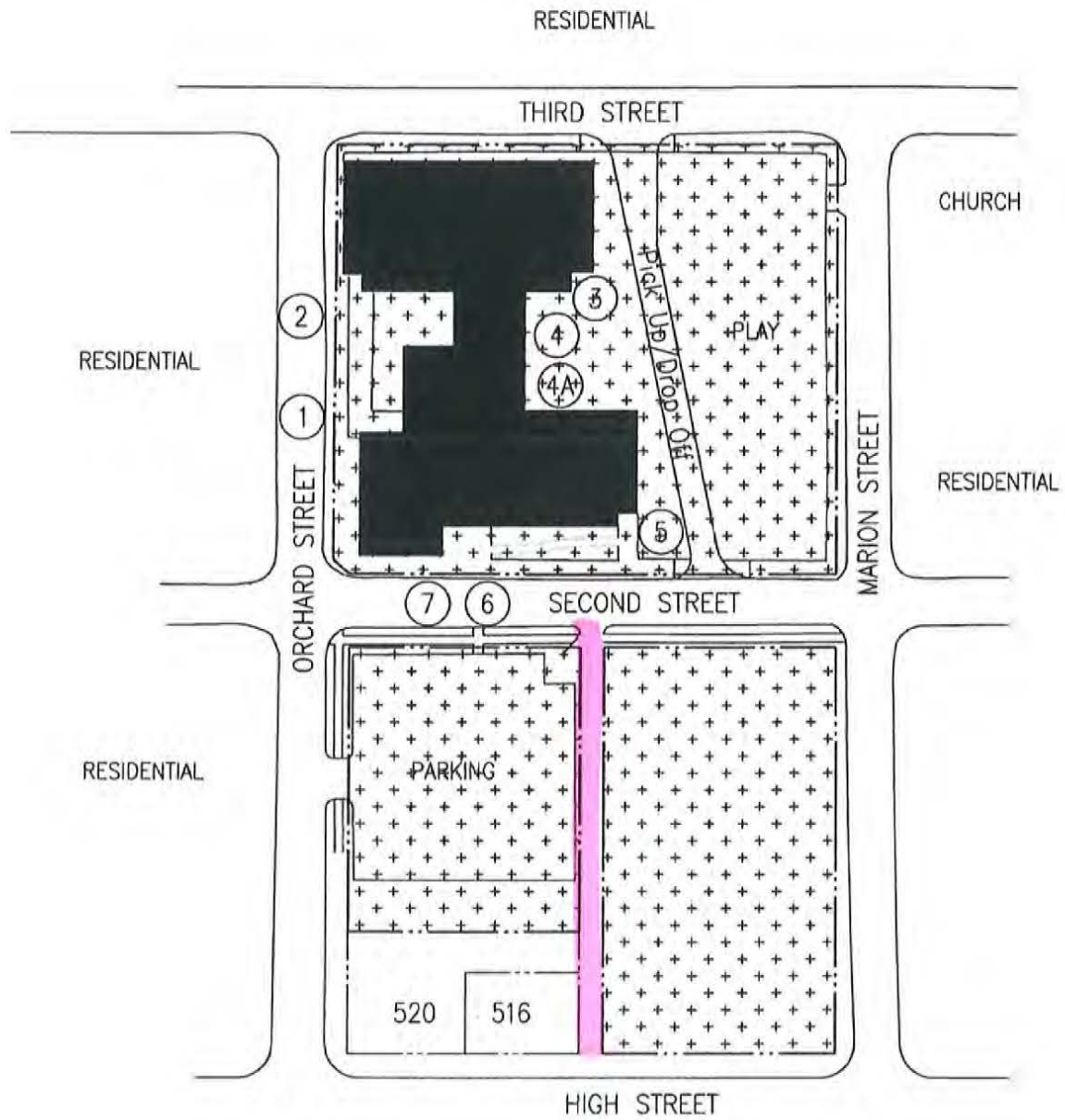
For Office Use Only:

Receipt #: N/A

Date Filed: May 19, 2015 - DPS

Map #: _____

Reference #: VALY-2015-0025



FORT WAYNE COMMUNITY SCHOOLS
FORT WAYNE, INDIANA

OCTOBER 2014



BLOOMINGDALE SCHOOL
1300 ORCHARD STREET

SITE PLAN

0 25 50 100 FT

Adjacent Property Owner

RE: Request to vacate alley (+/-14' ROW) running north/south from Second Street south to High Street mid-block of Marion Street and Orchard Street.

516 High Street

Owner(s): Bar Leasing LLC

Address: 3511 Spy Run Avenue Fort Wayne IN 46805

Phone Number: Unknown



Vacation Petition VALY-2015-0025

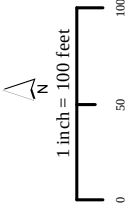


Project boundaries represented by bold colored lines are for representational purposes only.

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: 5/19/2015





516 H16H 915