

1 VALY-2015-0026

2 BILL NO. G-15-05-17

3 Plat Book: 103
4 Page No: 230

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 south line of Lots 1 through 15 and the north line of
19 Lots 16 through 30 in Bond & Brandriff's Subdivision the City of Fort Wayne, as recorded in
20 Deed 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-2015-0026
Bill Number: G-15-05-17
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 east-west alley from Indiana Avenue to South Wayne Avenue between Home Avenue and Cottage Avenue.

Location: In the 2900 block of Indiana Avenue east to the 2900 block of South Wayne Avenue, bordered by Lots 1 through 15 and Lots 16 through 30 of Bond and Brandriff's Subdivision.

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 South Wayne Elementary School.

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 ☒ Public Right of Way (street or alley)

More particularly described as follows:

Alley (± 14 ROW) running East / West from South Wayne
Avenue to Indiana Avenue mid-block of Home Avenue
and Cottage Avenue

(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 one parcel in the block surrounding
Home Ave / South Wayne Ave / Cottage Avenue & Indiana Avenue and
have demolished all but one home and is in the process of
fine grading and seeding the area to create a soft play turf
playground. This request 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-2015-0026

Adjacent Property Owner

RE: Request to vacate alley (+/-14' ROW) running East/West from South Wayne Avenue to Indiana Avenue mid-block of Home Avenue and Cottage Avenue

2918 South Wayne Ave

Owner(s): San Jose 01 LLC

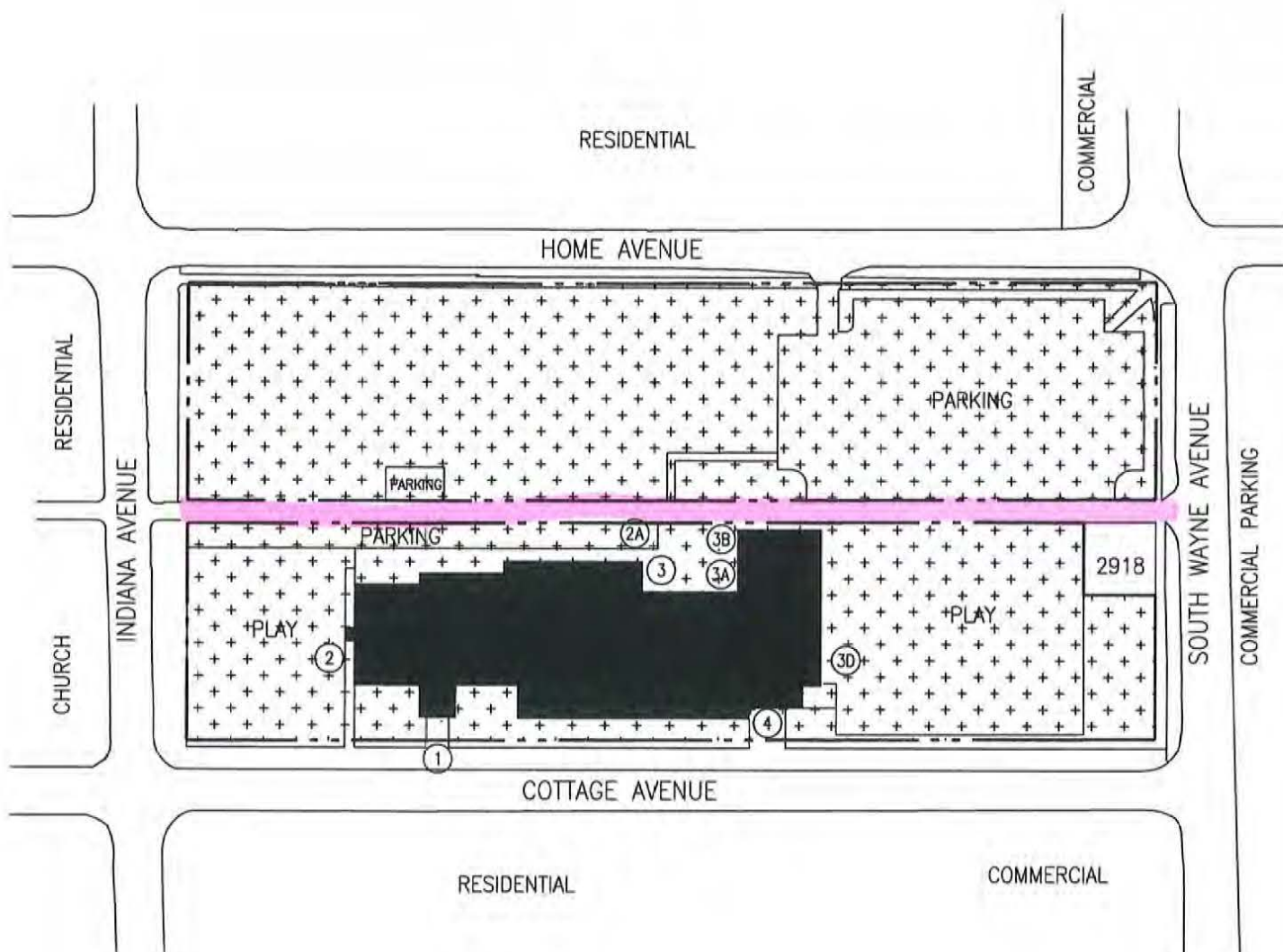
Address: 10516 Wheelock Road Fort Wayne IN 46835

Phone Number: Unknown

Your browser is unsupported or running in compatibility mode. Please upgrade or disable compatibility mode for the best experience.

Search	Owner Name	2918 SOUTH WAYNE AVE	2015	Search	Tax Number	Duplicate Number
Duplicate Nbr: 1918000 Parcel Number: 02-12-14-109-013.000-074 Tax Unit: 074 - FW Wayne Tax Type: R Owner of Record: San Jose O1 LLC Tax Rate: 3.5329000 Tax Yr / Pay Yr: 2014 / 2015 HMCR: 7.614400						
Billing Current Prop Info Misc Appeals/Banks Legal Desc Assess/Exempt/Ded Tax Sale Projects Other Assess Prop Hist Names Transfe						
Owner(s) of Record San Jose O1 LLC				Mailing Address Address 1: 10516 Wheelock Rd. Address 2: Country Code: USA Other Country: Zip Code: 46835- City: Fort Wayne State/Province: IN		
Property Information Tax ID Nbr: 02-12-14-109-013.000-074 Parcel Number: 02-12-14-109-013.000-074 Property Type: Residential State Property Type: R - Real Property Class: 510 Property Class Description: RESIDENTIAL ONE FAMILY DWELLING ON A PLATTED LOT Government Owned: False Status: Active Homestead Ineligible: True Ineligible Date: 9/18/2014				Property Address Address 1: 2918 South Wayne Ave Address 2: Country Code: USA Zip Code: 46807 - City: Fort Wayne State/Province: IN		

The Homestead deduction has been removed because the current owner of this property



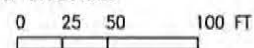
FORT WAYNE COMMUNITY SCHOOLS
 FORT WAYNE, INDIANA
 SOUTH WAYNE SITE.dwg

MARCH 2015



SOUTH WAYNE SCHOOL
 810 COTTAGE AVENUE

SITE PLAN





Vacation Petition VALY-2015-0026

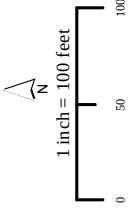


Project boundaries represented by bold colored lines are for representational purposes only.

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: 5/19/2015





2918 S. WAYNE