

VROW-2015-0045

BILL NO. G-15-09-15

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 fifty foot wide right-of-way of Orchard Lane between Lots 49 and 50 of Highland Garden Addition, as recorded in Plat Book 8B, page 62, in the Office of the Recorder of Allen County, Indiana, and also between Lots 5 and 6 in Country Club Gardens Addition as recorded in Plat Book 8B, page 58, in the Office of the Recorder of Allen County, Indiana.

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-2015-0045
Bill Number: G-15-09-15
Council District: 4 – Mitch Harper

Introduction Date: September 22, 2015

Public Hearing Date: October 13, 2015

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

Synopsis of Ordinance: To vacate an unimproved portion of the right-of-way of Orchard Lane.

Location: Between Woodhill Drive and Coleman Avenue.

Reason for Request: This portion of Orchard Lane is unbuilt and the adjacent property owners maintain the right-of-way.

Applicants: John E. Clark, Edwin R. Christian

Property Owner: John E. Clark, Edwin R. Christian

Related Petitions: none

Effect of Passage: The right-of-way of Orchard Lane will revert to the adjacent property owners.

Effect of Non-Passage: The property will remain as right-of-way and a street connection between Woodhill Drive and Coleman Avenue could be built.

CITY OF FORT WAYNE

Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 / 260.957.1221

I/We do hereby petition to vacate the following:

 Easement X Public Right of Way (street or alley)

More particularly described as follows:

Unimproved strict right-of-way west of Coleman Ave
between Lots 5 (Five) and 6 (Six) and East of Woodhill Dr.
between Lots 49 (Forty Nine) and 50 (Fifty) of Country
Club Gardens Sub Division. Area is Bordered by 3616 Coleman Dr
and 3702 Coleman Drive on the East and Spl. ts. 3623 Woodhill Dr on West.
(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

DOC. # 86-006492
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:

This paper Street Dead ends on the Property's
listed above. It is maintained by the Homeowners

(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.

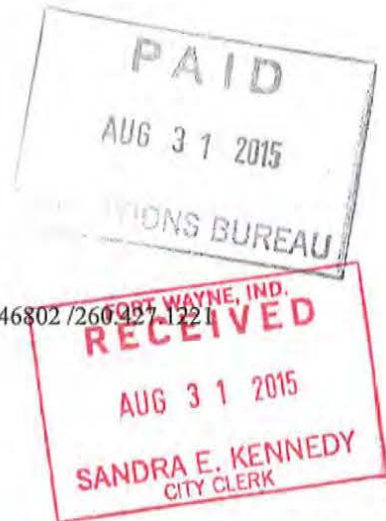
Applicant's name(s) if different from property owner(s):

Name: John E Clark

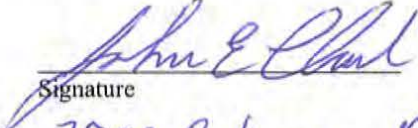
Street Address: 3702 Coleman Ave

City: Fort Wayne State: In Zip: 46804 Phone: 260-436-2027

436-2027



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.

<u></u> Signature	<u>John E Clark</u> Printed Name	<u>8/28/2015</u> Date
<u>3702 Coleman Ave</u> Address	<u>Fort Wayne Ind 46804</u> City/State/Zip	
<u></u> Signature	<u>Mike Blukewich</u> Printed Name	<u>8-28-15</u> Date
<u>3623 Woodhill Dr</u> Address	<u>Fort Wayne Ind 46804</u> 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 #: _____

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.

Edwin R. Christman
Signature

Edwin R. CHRISTMAN 8-30-15
Printed Name Date

3616 Coleman Ave
Address

Fort Wayne Ind 46804
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.

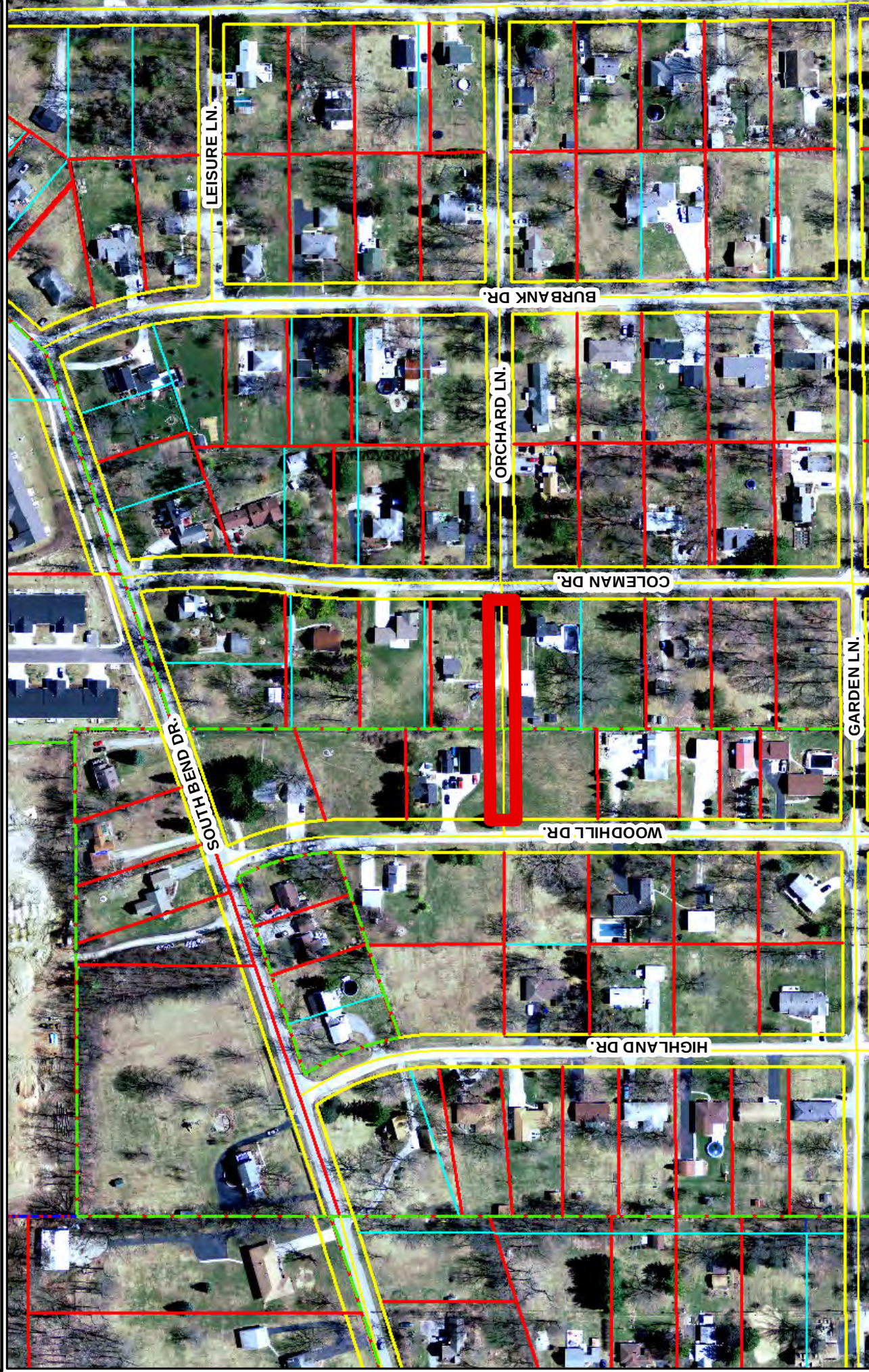
For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____



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: 9/4/2015



1 inch = 200 feet

