

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VROW-2016-0002
Bill Number: G-16-06-24
Council District: 4 – Jason Arp

Introduction Date: June 28, 2016

Public Hearing Date: July 12, 2016

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

Synopsis of Ordinance: To vacate a portion of the unbuilt Vernon Avenue.

Location: Beginning at 2711 Vernon Avenue and continuing west to Lot 77 of Sand Point Gardens, Section A (approximately 500 feet in length).

Reason for Request: Applicant's reasoning is to preserve wildlife by ensuring the road will never be built.

Applicant: Ann Hatfield

Property Owner: Ann Hatfield

Related Petitions: none

Effect of Passage: Vacation of the unimproved Vernon Avenue right-of-way will place the property back on the tax roll, adding the property to the adjacent owners' properties.

Effect of Non-Passage: This portion of Vernon Avenue will remain as platted and could be completed by the City of Fort Wayne or a private developer to serve adjacent development.

VROW-2016-0002

BILL NO. G-16-06-24

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 vacate a public right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

Part of the South Half of the Northeast Quarter of Section 21, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning at the Northeast corner of Lot 86 in the Plat of Sand Point Gardens, Section A, as recorded in Plat Book 13A, Page 38, in the Office of the Recorder of Allen County, Indiana, thence Westerly along the North line of Lots 86, 85, 84, 83, 82, 81, 80, 79, 78 and 77, a distance of 500 feet to the Northwest corner of Lot 77; thence Northerly to the North line of the right-of-way of Vernon Avenue, a distance of 50 feet; thence Easterly along the north right-of-way line of Vernon Avenue, a distance of 500 feet; thence Southerly, a distance of 50 feet to the point of beginning, containing 0.57 acres of land, more or less.

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.

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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

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:

platted road - not paved or started to be built.

(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:

preserve "wild life", ensure no road will be built.

(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: Ann Hatfield

Street Address: 2711 Vernon Ave

City: Fort Wayne State: IN Zip: 46809 Phone: 260-784-0445

VPBW-2016-0002

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.

[Signature]
Signature

Ann Hatfield
Printed Name

6.10.16
Date

2711 Vernon Ave
Address

Fr. Wayne, IN 46809
City/State/Zip

[Signature]
Signature

John Hatfield
Printed Name

6.10.16
Date

2711 Vernon Ave
Address

Fr. Wayne, IN 46809
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 #: _____

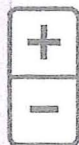
Date Filed: _____

Map #: _____

Reference #: _____



2711 Vernon Ave



Find on Map

Dewolf

Dewolf

Dewolf

Wood

wood

wendell

Hartfield

2711

Hartfield

2810

2806

2802

2730

2730

2728

2720

2720

2714

2708

2708

2620

GREENVIEW AVE

2809

2805

2801

2731

2727

2715

Michael Dewolfe
2802 Greenview Ave
Fort Wayne, IN 46809

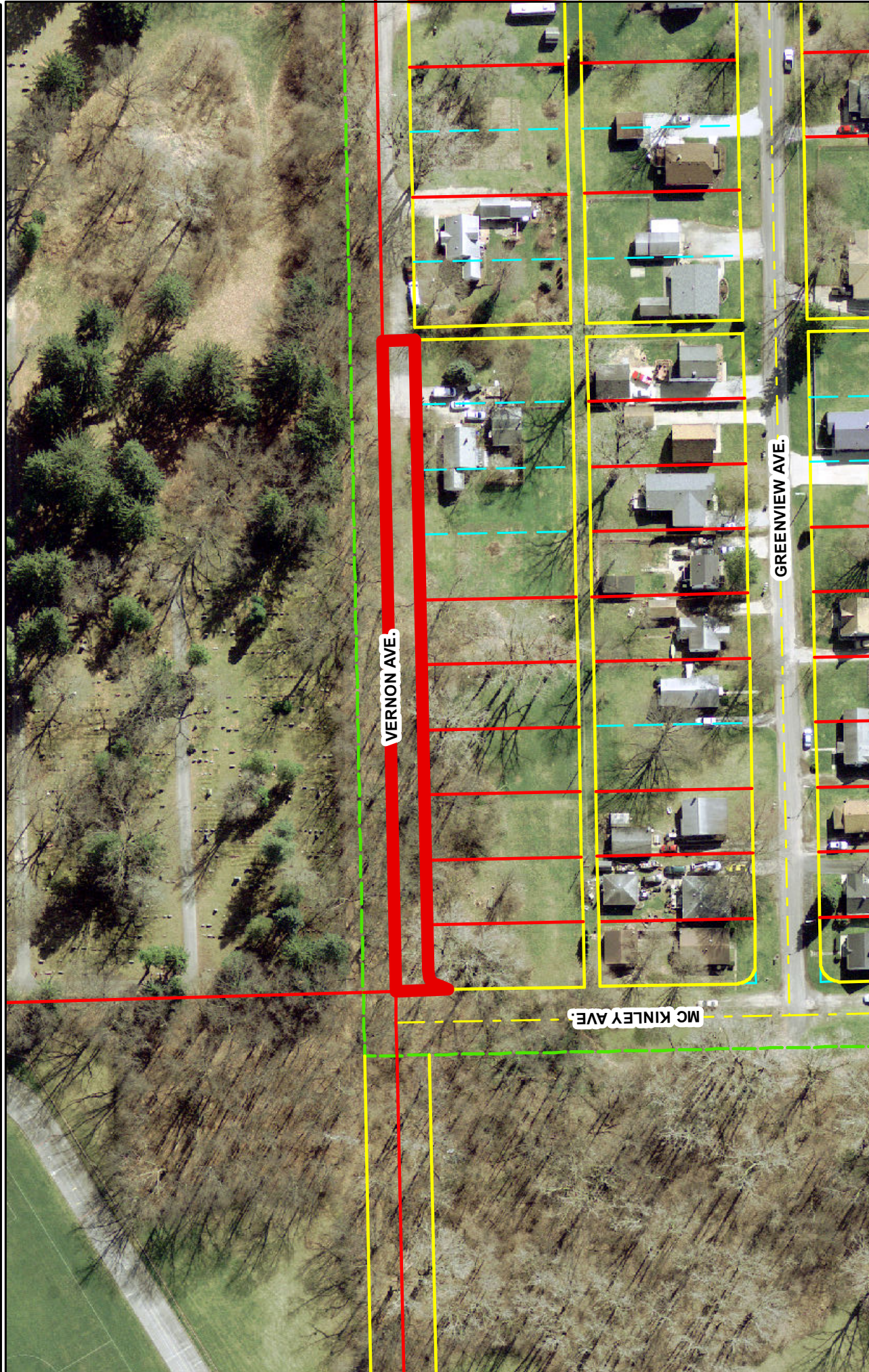
Allen and Roberta and Kenneth Wood
2907 Genessee Ave
Fort Wayne, IN 46809

Robert and Lila Wendell
2728 Greenview Ave
Fort Wayne, IN 46809

St John Evangelical Lutheran Church (cemetary)
2507 Engle Rd
Fort Wayne, IN 46809



Vacation Petition VROW-2016-0002 - Vernon Ave



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: 6/17/2016

