

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Platted Alley
Case Number: VALY-2016-0001
Bill Number: G-16-09-01
Council District: 6-Glynn Hines

Introduction Date: September 13, 2016
Public Hearing Date: September 27, 2016 (to be held by Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate the 14 foot wide platted utility alley in Hiron's Addition.
Location: Between Lots 52 through 57 and Lots 47 through 51 of Hiron's Addition, south of East Fairfax Street, west of Decatur Road and east of Monroe Street.
Reason for Request: To facilitate an easement utility transmission lines for Indiana Michigan Power.
Applicant: AEP Indiana Michigan Transmission Company, Inc.
Property Owner: Tanas Donev and SSS Estate, LLC

Related Petitions: None

Effect of Passage: Vacation of the alley will allow AEP to purchase easement rights for existing utility transmission lines.
Effect of Non-Passage: Leaving the alley will not allow AEP to have clear title to acquire the easement rights for the existing transmission lines.

1 VALY-2016-0001

2 BILL NO. G-16-09-01

3
4 GENERAL ORDINANCE NO. G-_____

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

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

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

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

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

17 Beginning at the Northeast corner of Lot 57, Hiron's Addition, being a subdivision in the South
18 Half of Section 24, Township 30 North, Range 12 East, City of Fort Wayne, Indiana, according
19 to the plat thereof recorded in Plat Book 6, page 69, Allen County Records; thence North 88
20 degrees 10 minutes 15 seconds East on the South right-of-way line of East Fairfax Street 14
21 feet to the Northwest corner of Lot 47 of said Hiron's Addition; thence South 33 degrees 46
22 minutes 35 seconds East on the West line of Lots 47 through 51 of said Hiron's Addition
23 244.64 feet to the Southwest corner of said Lot 51; thence South 74 degrees 31 minutes 37
24 seconds West on the South line of said Hiron's Addition 12.51 feet to the Southeast corner of
25 Lot 52 of Said Hiron's Addition; thence North 33 degrees 46 minutes 35 seconds West on the
26 East line of Lots 52 through 57 of said Hiron's Addition 248.12 feet to the Point of Beginning.

27 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
28 and is hereby approved in all respects.
29
30

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

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 Exhibit A.

(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:

Utility transmission line crosses property.

(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: AEP Indiana Michigan Transmission Company, Inc.

Street Address: 110 East Wayne Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 408-3588

FORT WAYNE, INDIANA
FILED

AUG 22 2016

LANA R. KEESLING
CITY CLERK

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

JESSICA CHRISMAN
Printed Name

8/10/16
Date

110 E. WAYNE STREET
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): Lisa M. Biggins

Street Address: 110 East Wayne Street, 1 MPC 16

City: Ft. Wayne State: IN Zip: 46802 Phone: 260-450-3612

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 #: N19

Reference #: VAL-2016-0001

Wayne 24
6-Glynn Hines

8-16-09

STATE OF INDIANA
ALLEN COUNTY
CITY OF FORT WAYNE
SEC. 24, T30N, R12E

EXHIBIT "A"

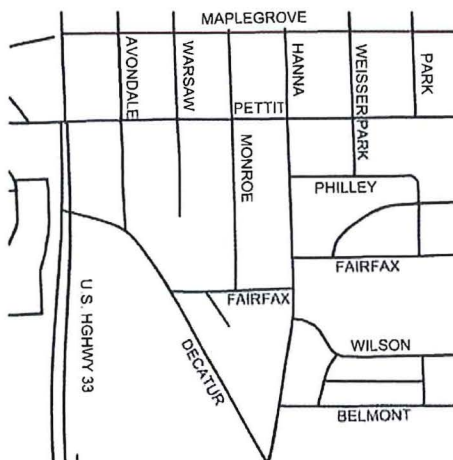
THIS IS NOT A
BOUNDARY SURVEY.

EAST FAIRFAX (50' R/W) STREET

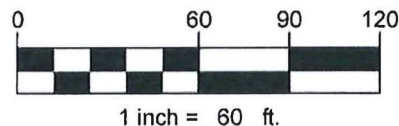
MONROE STREET
(50' R/W, VACATED)

BEGINNING AT THE NORTHEAST CORNER OF LOT 57, "HIRON'S ADDITION", BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 24, TOWNSHIP 30 NORTH, RANGE 12 EAST, CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 69, ALLEN COUNTY RECORDS; THENCE NORTH 88° 10' 15" EAST ON THE SOUTH RIGHT OF WAY LINE OF EAST FAIRFAX STREET 14.00 FEET TO THE NORTHWEST CORNER OF LOT 47 OF SAID HIRON'S ADDITION; THENCE SOUTH 33° 46' 35" EAST ON THE WEST LINE OF LOTS 47 THROUGH 51 OF SAID HIRON'S ADDITION 244.64 FEET TO THE SOUTHWEST CORNER OF SAID LOT 51; THENCE SOUTH 74° 31' 37" WEST ON THE SOUTH LINE OF SAID HIRON'S ADDITION 12.51 FEET TO THE SOUTHEAST CORNER OF LOT 52 OF SAID HIRON'S ADDITION; THENCE NORTH 33° 46' 35" WEST ON THE EAST LINE OF LOTS 52 THROUGH 57 OF SAID HIRON'S ADDITION 248.12 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE INDIANA STATE PLANE COORDINATE SYSTEM (EAST ZONE), U.S. SURVEY FEET.



VICINITY MAP
NOT TO SCALE



[Signature]
BRIAN P. LIEBERG
LS - 20800148

8/2/16
DATE

HILLCREST - PETTIT AVENUE AEP INDIANA MICHIGAN TRANSMISSION COMPANY, INC.		INDIANA STATE PLANE COORDINATE SYSTEM (EAST ZONE) U.S. SURVEY FEET.	
LINE: TLN385:94-147	WO:	DRAWN BY: BKG	CHECKED BY:
EASEMENT: 015	MAP NO: 2006	SCALE: 1" = 60'	EXHIBIT "A" PREPARED BY: WIGHTMAN & ASSOCIATES, INC 2303 PIPESTONE ROAD BENTON HARBOR, MI 49022 269-927-0100
DATE CREATED: 05/09/2016		W&A JOB#: 150212	
		REVISIONS: 07/22/2016	

STATE OF INDIANA
ALLEN COUNTY
CITY OF FORT WAYNE
SEC. 24, T30N, R12E

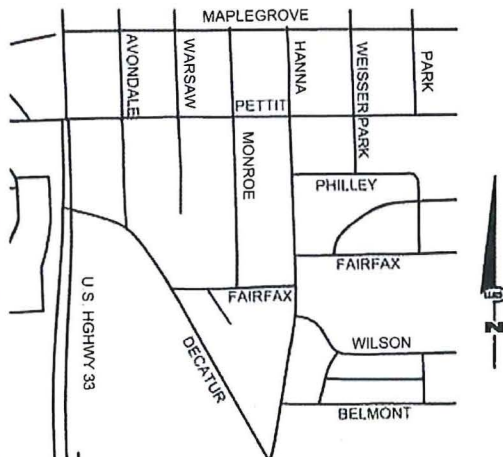
EXHIBIT "A"

THIS IS NOT A
BOUNDARY SURVEY.

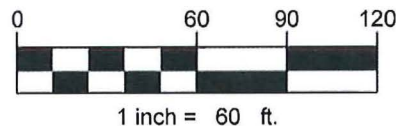
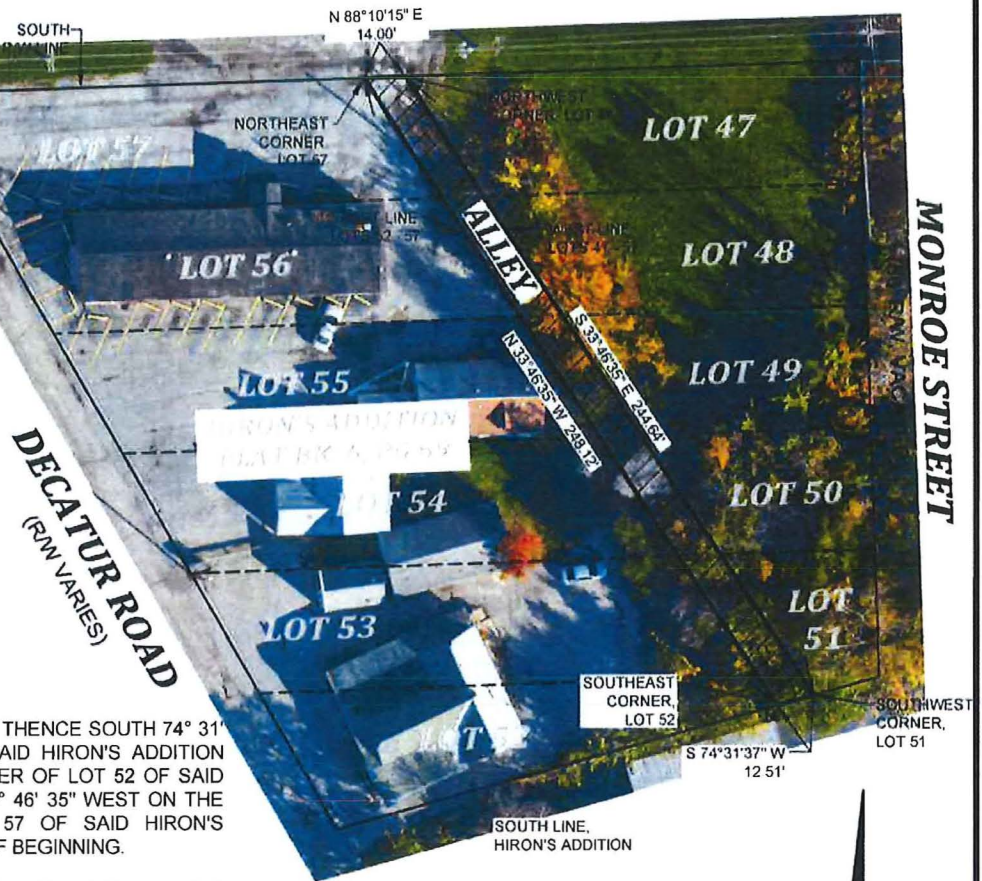
EAST FAIRFAX (50' R/W) STREET

BEGINNING AT THE NORTHEAST CORNER OF LOT 57, "HIRON'S ADDITION", BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 24, TOWNSHIP 30 NORTH, RANGE 12 EAST, CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 69, ALLEN COUNTY RECORDS; THENCE NORTH $88^{\circ} 10' 15''$ EAST ON THE SOUTH RIGHT OF WAY LINE OF EAST FAIRFAX STREET 14.00 FEET TO THE NORTHWEST CORNER OF LOT 47 OF SAID HIRON'S ADDITION; THENCE SOUTH $33^{\circ} 46' 35''$ EAST ON THE WEST LINE OF LOTS 47 THROUGH 51 OF SAID HIRON'S ADDITION 244.64 FEET TO THE SOUTHWEST CORNER OF SAID LOT 51; THENCE SOUTH $74^{\circ} 31' 37''$ WEST ON THE SOUTH LINE OF SAID HIRON'S ADDITION 12.51 FEET TO THE SOUTHEAST CORNER OF LOT 52 OF SAID HIRON'S ADDITION; THENCE NORTH $33^{\circ} 46' 35''$ WEST ON THE EAST LINE OF LOTS 52 THROUGH 57 OF SAID HIRON'S ADDITION 248.12 FEET TO THE POINT OF BEGINNING.

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VICINITY MAP
NOT TO SCALE



BRIAN P. LIEBERG
LS - 20800148

DATE

HILLCREST - PETTIT AVENUE
AEP INDIANA MICHIGAN TRANSMISSION COMPANY, INC.

INDIANA STATE PLANE COORDINATE SYSTEM
(EAST ZONE) U.S. SURVEY FEET.

LINE: TLN385:94-147

WO:

DRAWN BY: BKG

CHECKED BY:

EASEMENT: 015

MAP NO: 2006

SCALE: 1" = 60'

W&A JOB#: 150212

DATE CREATED: 05/09/2016

REVISIONS: 07/22/2016

EXHIBIT "A" PREPARED BY:
WIGHTMAN & ASSOCIATES, INC
2303 PIPESTONE ROAD
BENTON HARBOR, MI 49022
269-927-0100



Vacation Petition VALY-2016-0001



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: 7/22/2016

