

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VROW-2016-0008
Bill Number: G-16-11-15
Council District: 3 – Tom Didier

Introduction Date: November 22, 2016
Public Hearing Date: December 6, 2016 (to be held by City Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate approximately 600 feet of unimproved right-of-way.
Location: Between Hillegas Road and Moore Drive, South of Lots south of Lots 16 and 29, and north of Lots 30 and 15 of Pierce Park Addition.
Reason for Request: The right-of-way is unimproved. The applicants would like to landscape the area and return it to private ownership.
Applicants: Michele Slain, Sharron Peterson, Brenda Brockway

Related Petitions: none

Effect of Passage: Vacation of the alley right-of-way will place the property back on the tax roll, adding the land to the adjacent owner's properties.
Effect of Non-Passage: This portion of the right-of-way will remain as platted and will need to be maintained by the City.

VROW-2016-0008

BILL NO. G-16-11-15

Plat Book: 10B
Page: 88

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:

A Part of the Northwest Quarter of the Northwest Quarter of Section 33, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

All of the portion of the platted right-of-way of Sheafer Avenue lying East of the East right-of-way line of Hillegas Road and West of the West right-of-way line of Moore Drive, in Pierce Park Addition, as recorded in Plat Book 10B, Page 88 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.

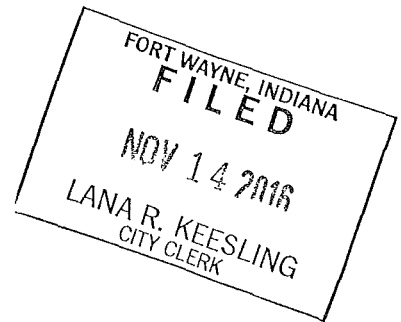
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

public hrg. Dec 6th



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:

In Pierce Park Addition:

That part of Sheaffer Avenue between Hillgas Road &
Moore Drive, located between Lots 16 and 29, and Lots
15 and 30 of Pierce Park Addition.

(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: 10 B PAGE(S) NUMBER(S): 88 (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:

R/W is unimproved. To return property to adjacent
property owners for personal use.

(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: MICHELE M SLAIN

Street Address: 2723 MOORE DR.

City: FT. WAYNE State: IN Zip: 46808 Phone: 260-483-0725

VROW-2016-0008

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.

Sharroon E. Peterson
Signature

SHARROON E. PETERSON
Printed Name

8/2/16
Date

2625 MOORE DR.
Address

FORT WAYNE, IN. 46808
City/State/Zip

Brenda Brockway
Signature

Brenda Brockway
Printed Name

8-1-16
Date

2630 MOORE DR
Address

FORTWAYNE, IN, 46808
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 #: _____

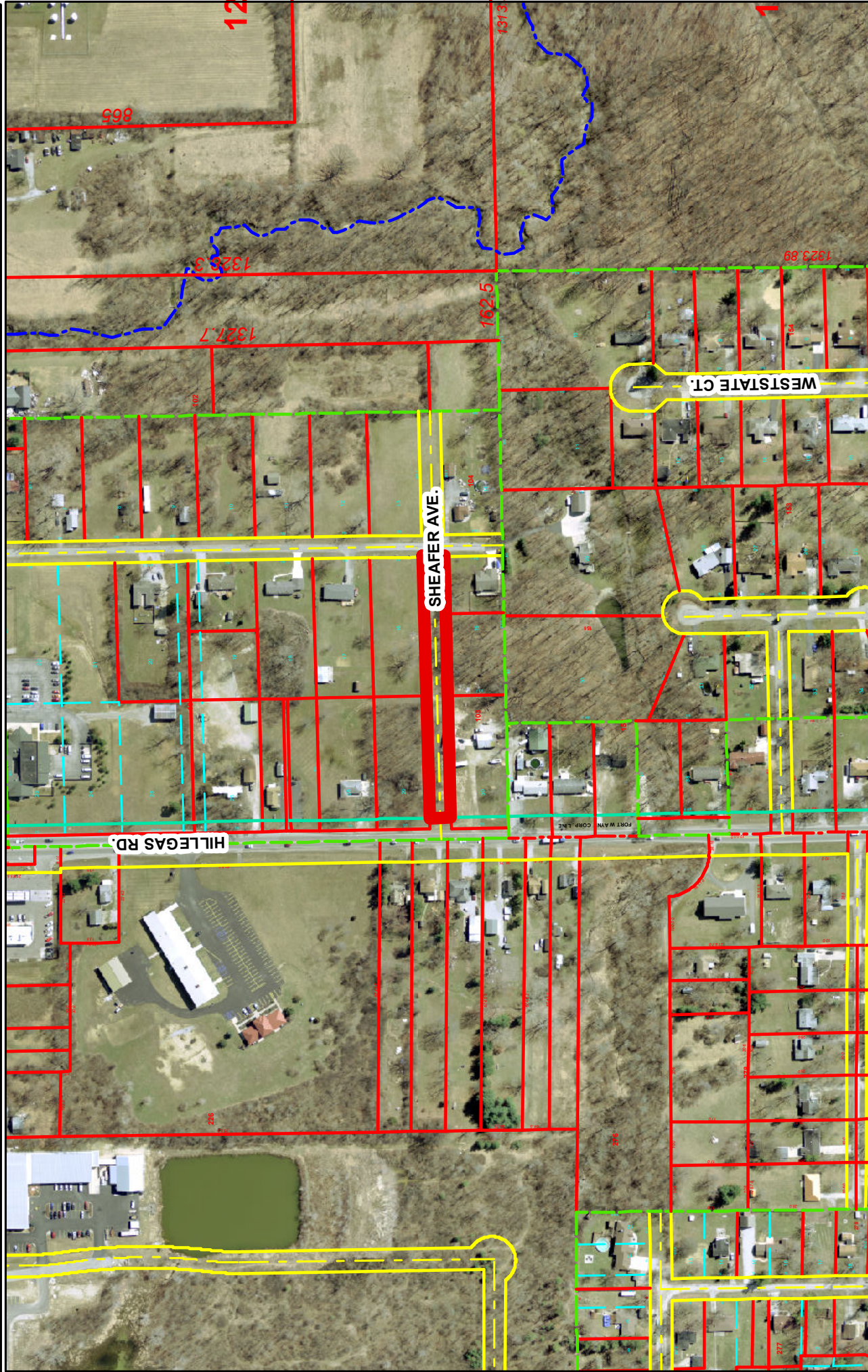
Date Filed: _____

Map #: _____

Reference #: _____



Vacation Petition VROW-2016-0008



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

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

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.

Date: 11/15/2016

