

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2017-0001
Bill Number: G-17-03-01
Council District: 5 – Geoff Paddock

Introduction Date: March 14, 2017

Public Hearing Date: March 28, 2017 (to be held by Council)

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

Synopsis of Ordinance: To vacate a 12-foot wide, east-west alley within Zollars and Swaynes Addition to the City of Fort Wayne.

Location: Between Lots 34 and 35 of Zollars and Swaynes Addition (between 2803 and 2727 Fox Avenue.

Reason for Request: To combine into one residential parcel.

Applicant: Juan Carlo Escobar Cetino

Property Owner: Juan Carlo Escobar Cetino and Allen County Community Development Corp

Related Petitions: none

Effect of Passage: Vacation of the unimproved alley right-of-way will allow the property owner to combine his residential lot with the vacant lot to the south to create a larger parcel. The original house was razed and the now-vacant property is being sold by ACCDC.

Effect of Non-Passage: The unimproved alley will inhibit the combination of lots. The vacant parcel is unlikely to redevelop on its own due to the size.

1 VALY-2017-0001

2 BILL NO. G-17-03-01

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 The 12-foot wide east-west alley located between Lot 34 and Lot 35 of Zollars and Swaynes
18 Addition to the City of Fort Wayne, recorded in Deed Book 101, page 561, within the Office of
19 the Recorder of Allen County.

20 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
21 and is hereby approved in all respects.

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

24 _____
25 COUNCILMEMBER

26 APPROVED AS TO FORM AND LEGALITY:

27 _____
28 Carol T. Helton, City Attorney
29
30

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:

2803 Fox Ave. Fort Wayne, IN 46807 - N 32' Lot 34
Zollner and Swaynes 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: 101 PAGE(S) NUMBER(S): 561 (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:

I want to make only one lot property.
with 2727 Fox Ave. Fort Wayne IN 46807

(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.

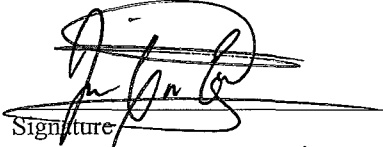
Applicant's name(s) if different from property owner(s):

Name: Juan Carlos Escobar Catino

Street Address: 2610 S. Wayne Ave. Fort Wayne IN 46807

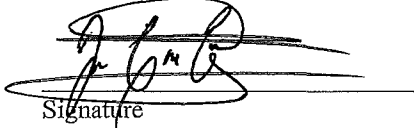
City: Fort Wayne. State: IN Zip: 46807 Phone: (260) 3879891

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

2727 Fox Ave.
Address

Juan Carlos Escobar 3-1-17
Printed Name Date
Fort Wayne IN 46807
City/State/Zip


Signature

2727 Fox Ave.
Address

Juan Carlos Escobar 3-1-17
Printed Name Date
Fort Wayne IN 46807
City/State/Zip

If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): Juan Carlos Escobar

Street Address: 2727 Fox Ave Fort Wayne

City: _____ State: IN Zip: 46807 Phone: (260) 387-9891

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.

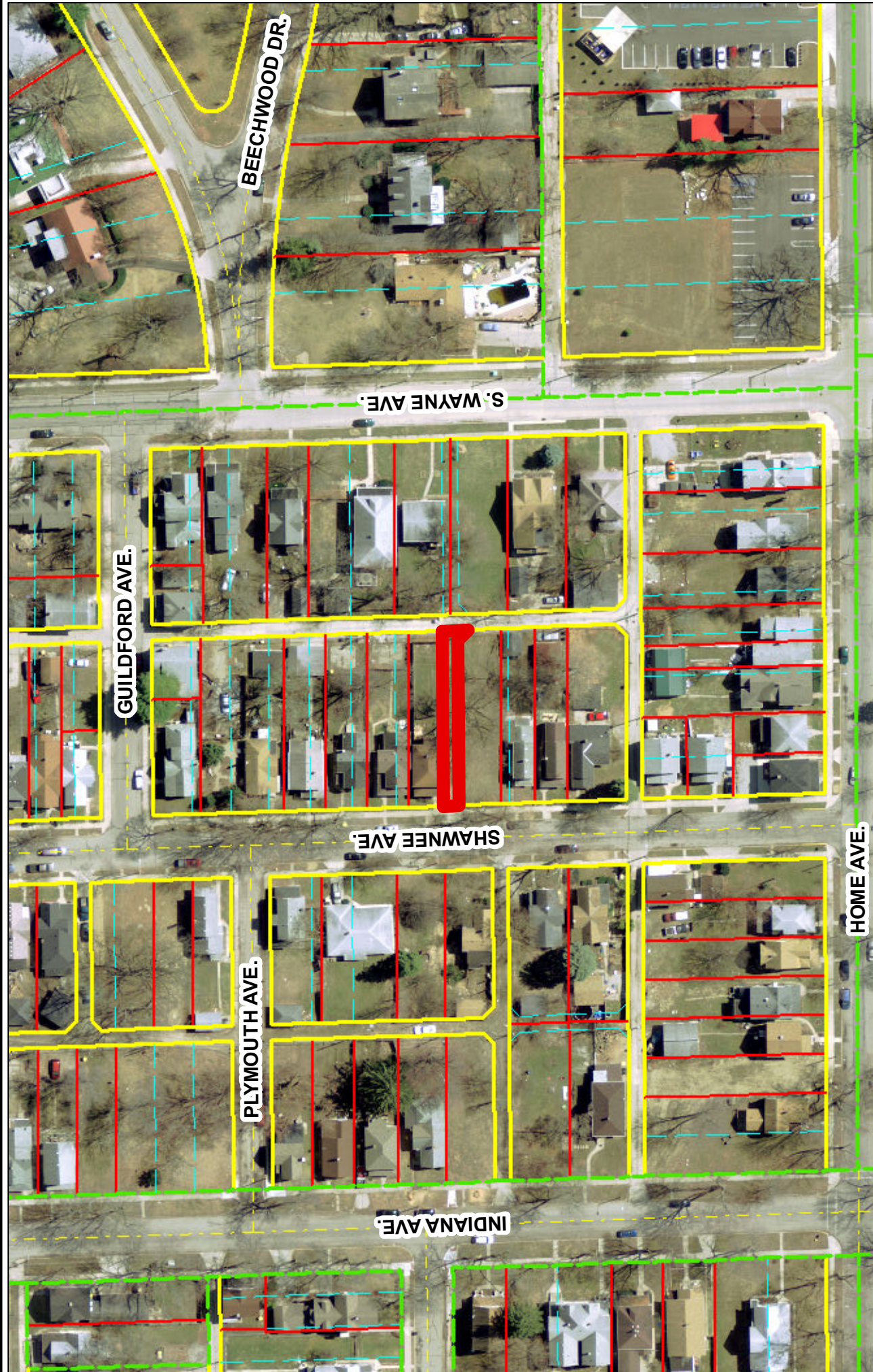
For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____



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
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