

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2017-0003
Bill Number: G-17-04-19
Council District: 6 – Glynn Hines

Introduction Date: April 25, 2017

Public Hearing Date: May 9, 2017 (to be held by Council)

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

Synopsis of Ordinance: To vacate the north-south, 14 foot wide alley located east of Lot 55 in Vordermarks Addition and west of Lot 7 in Fenkers Addition.

Location: At the rear of 1702 Lombard Street, south of Reynolds Street and west of Lombard Street, beginning at Reynolds Street and extending approximately 150 feet to the next east-west alley.

Reason for Request: Approval of the alley vacation will allow the property owner to combine properties.

Applicant: Diocese of Fort Wayne-South Bend

Property Owner: Diocese of Fort Wayne-South Bend

Related Petitions: none

Effect of Passage: Vacation of the alley will allow more flexibility of site improvements.

Effect of Non-Passage: The alley will remain as platted and redevelopment capabilities of the project site may be limited.

1 VALY-2017-0003

2 BILL NO. G-17-04-19

3 Plat Book: 58

4 Page No: 148

5 GENERAL ORDINANCE NO. G-_____

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

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

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

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

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

18 All of the 14 foot wide alley east of Lot 55 of Vordermarks Addition to the City of Fort Wayne,
19 Indiana, the plat of which is recorded in Book 58, page 148 in the Office of the Recorder of
20 Allen County, Indiana.

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

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

25 _____
26 COUNCILMEMBER

27 APPROVED AS TO FORM AND LEGALITY:

28 _____
29 Carol T. Helton, City Attorney
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 X Public Right of Way (street or alley)

More particularly described as follows:

see attached - unused "paper alley" between
lots 7 and 55 on attached map

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

Plat Record

~~DEED~~ BOOK NUMBER: 13 PAGE(S) NUMBER(S): 141 (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:

see attached - alley not used. Trees
growing in it. Considering joining parcels 1, 2, + 3 and
alley needs to be vacated to do that

(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: see attached

Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

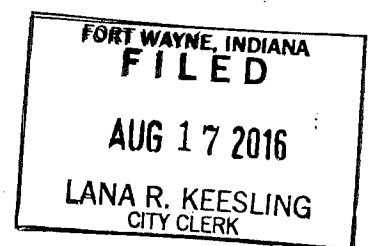
Applicant's name(s) if different from property owner(s):

Name: Madeline Pecora Nugent, CFP

Street Address: 1702 Lombard street

City: Fort Wayne State: IN Zip: 46803 Phone: 260-739-6882

bspenance@hotmail.com



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.

Madelin Pecora Nugent, CFP
Signature

Madelin Pecora Nugent, CFP
Printed Name

8-17-16
Date

1702 Lombard Street
Address

Fort Wayne IN 46803
City/State/Zip

[Signature]
Signature

JG Dunn
Printed Name

8/17/16
Date

915 S. Concord
Address

Fort Wayne IN 46802
City/State/Zip

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

Agent's Name (Print Legibly): ~~XXXXXXXXXX~~ Madelin Pecora Nugent, CFP

Street Address: 1702 Lombard Street

City: Fort Wayne State: IN Zip: 46803 Phone: 260-739-6882

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.

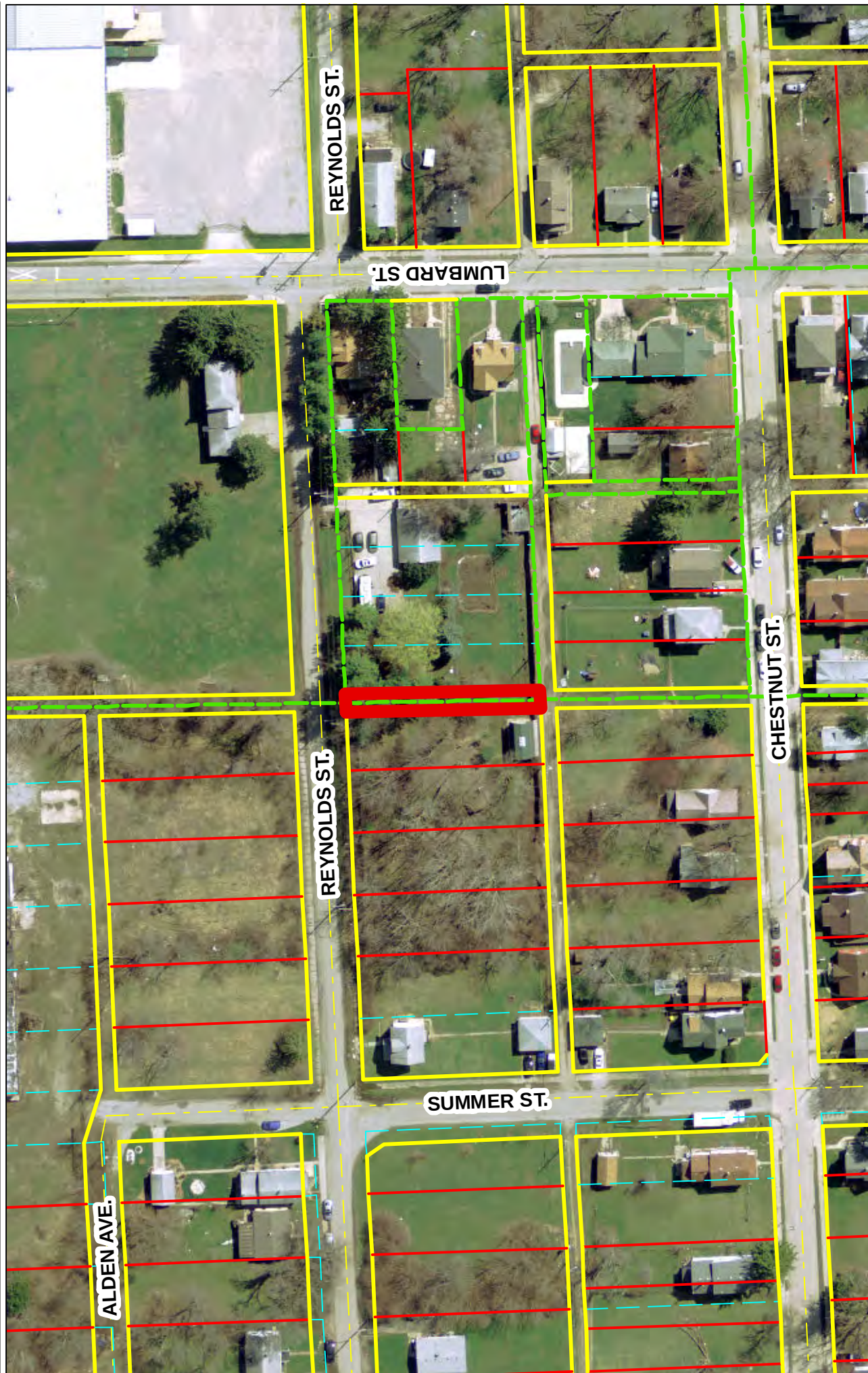
For Office Use Only:

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.

© 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 of Map: 2017

