

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way
Case Number: VROW-2017-0007
Bill Number: G-17-11-01
Council District: 4-Jason Arp

Introduction Date: November 14, 2017
Public Hearing Date: November 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 road right-of-way at the intersection of Bluffton Road and Liberty Drive.

Location: At the point of intersection of Bluffton Road and Liberty Drive, within the plat of Liberty Gardens Addition to the City of Fort Wayne; also known as 6511 Bluffton Road.

Reason for Request: The excess right-of-way is unimproved and has been maintained by the adjacent property owner.

Applicant: Suman Patel

Property Owner: Suman Patel

Related Petitions: none

Effect of Passage: If approved, the platted right-of-way will revert to the adjacent property owner for maintenance.

Effect of Non-Passage: The right-of-way will remain as platted.

VROW-2017-0007

BILL NO. G-17-11-01

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 Liberty Gardens Addition to the City of Fort Wayne as recorded in Plat Book 8, page 61 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at a 5/8-inch diameter iron pin marking the Southeast corner of Lot 23 in Liberty Gardens Addition to the City of Fort Wayne as recorded in Plat Book 8, page 61 in the Office of the Recorder of Allen County, Indiana; thence North 33 degrees 43 minutes 51 seconds West (recorded bearing and basis for this description) along the East line of Lot Number 23 a distance of 176.5 feet to a 5/8-inch diameter iron pin at the Northeast corner of Lot 23, said point being the Point of Beginning; thence South 71 degrees 25 minutes 06 seconds West along the North line of Lot 23 a distance of 68.66 feet (67.0 feet, plat) to a 5/8-inch diameter iron pin located on the East right of way line of Bluffton Road (formerly Indiana State Highway #1 and #3), said point being 50 feet perpendicular to the centerline of Bluffton Road; thence Northeasterly along a line parallel to the centerline of Bluffton Road, on a curve to the right having a radius of 3769.72 feet, a chord bearing of North 11 degrees 36 minutes 44 seconds East, and an arc distance of 93.17 feet to a 5/8-inch diameter iron pin, said point being on the Westerly right of way line of Liberty Drive extended Northerly; thence South 33 degrees 43 minutes 51 seconds East along the Westerly right of way of Liberty Drive extended a distance of 83.42 feet to the point of beginning, containing 0.064 acres.

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

CITY OF FORT WAYNE

Vacation Petition

City Clerk/Room #107/City-County Building/200 East Dear Street/Fort Wayne, IN 46802-2240.427.1221

I/We do hereby petition to vacate the following:

 Easement X Public Right of Way (street or alley)

More particularly described as follows:

the corner of bluffton rd and liberty dr

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

Liberty Gardens Add. Plat Book 8 Page 61

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:

We have been taking care of the property for the past 15 years we would like to acquire the area to build a new hotel in the future.

(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:

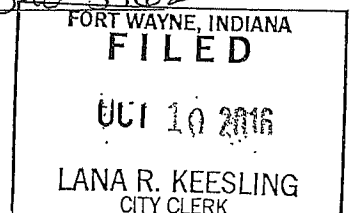
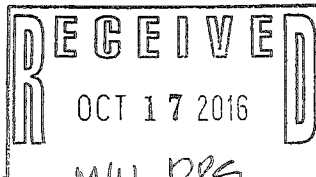
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

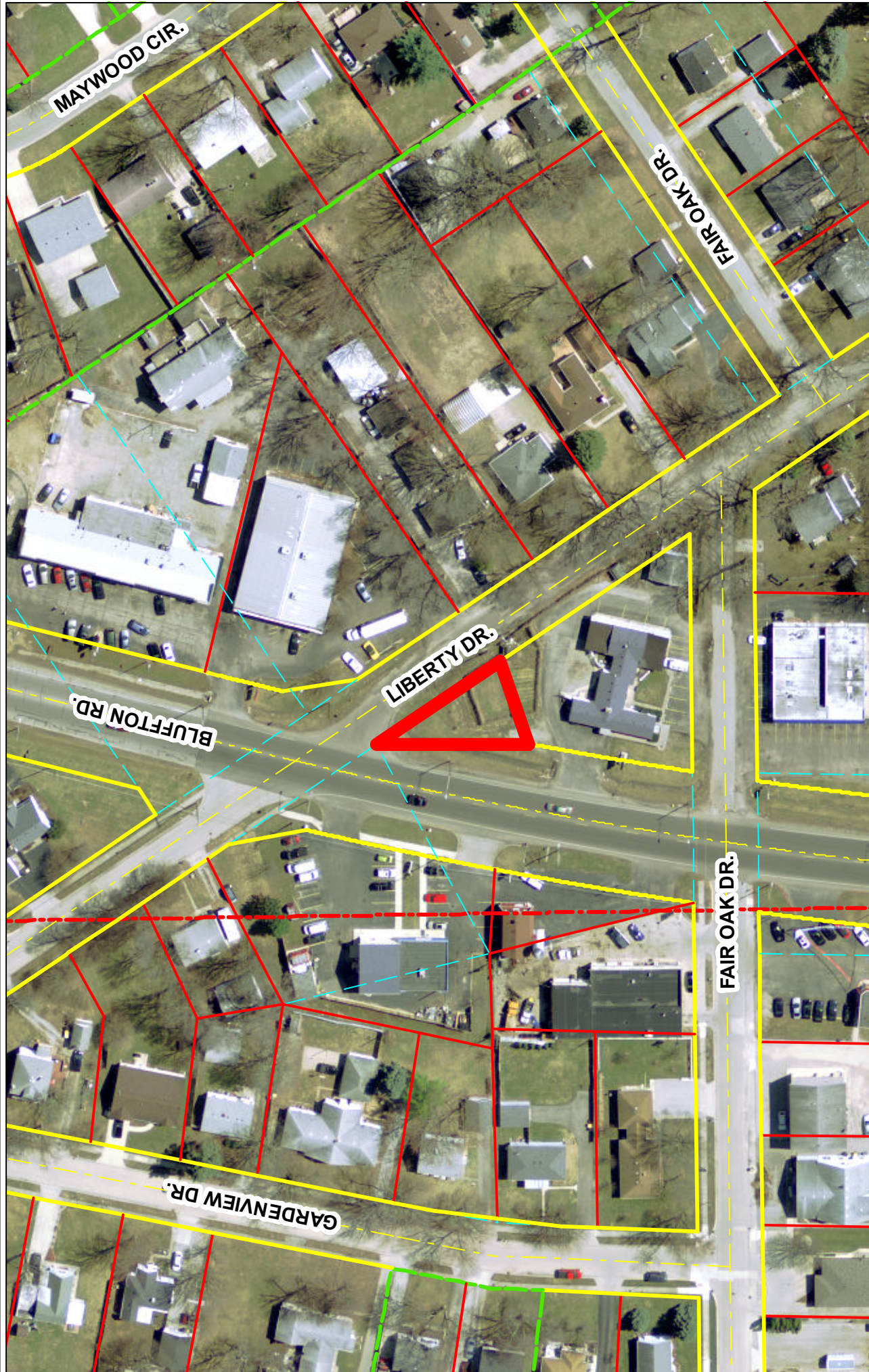
Applicant's name(s) if different from property owner(s):

Name: Suman C. Patel

Street Address: 651 Bluffton RD

City: Fort Wayne State: IN Zip: 46809 Phone: 260-348-3562





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: 08/14/2017

Areas depicted with bold lines are for representational purposes only.



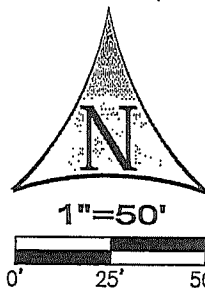
1 inch = 100 feet
0 50 100 Feet

DONOVAN ENGINEERING, INC.
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
www.donovan-eng.com

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 29500021 IN
MICHAEL W. HARRIS PLS 21100018 IN

JOHN R. DONOVAN PE, PLS (RETIRED)

The undersigned has made a survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows: SEE ATTACHED SHEET



Job No.: 17-1174
Job for: PATEL

Date: 3-16-17

LEGEND

IPF	Iron Pin (Rebar) Found
PF	Pipe Found
RRF	Railroad Spike Found
PKF	P.K. Nail Found
MNF	Mag Nail Found
MNS	Mag Nail Set
IPS	5/8" rebar set w/cap stamped "DEI FIRM #0027"

(M) Measured (P) Plotted
(R) Recorded (C) Calculated

All monuments are at grade except as noted.
All Property line distances are recorded
dimensions, except as noted. Monuments found
have no documented history except as noted.

L:\AutoCAD\Lot Surveys\23 Liberty Gardens, 0.064 Ac, Liberty Dr.dwg,
3/21/2017 8:34:47 AM

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according the requirements set forth in 865 IAC 1-12.

Date of latest field work: 3-10-17



PLAT OF SURVEY

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 29500021 IN
MICHAEL W. HARRIS PLS 21100018 IN

DONOVAN ENGINEERING, INC.
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
www.donovan-eng.com

JOHN R. DONOVAN PE, PLS (RETIRED)

Part of Liberty Gardens Addition to the City of Fort Wayne as recorded in Plat Book 8, page 61 in the Office of the Recorder of Allen County, Indiana more particularly described as follows:

Commencing at a 5/8-inch diameter iron pin marking the Southeast corner of Lot Number 23 in Liberty Gardens Addition to the City of Fort Wayne as recorded in Plat Book 8, page 61 in the Office of the Recorder of Allen County, Indiana; thence North 33 degrees 43 minutes 51 seconds West (recorded bearing and basis for this description) along the East line of Lot Number 23 a distance of 176.5 feet to a 5/8-inch diameter iron pin at the Northeast corner of Lot 23, said point being the POINT OF BEGINNING; thence South 71 degrees 25 minutes 06 seconds West along the North line of Lot 23 a distance of 68.66 feet (67.0 feet, plat) to a 5/8-inch diameter iron pin located on the East right of way line of Bluffton Road (formerly Indiana State Highway #1 and #3), said point being 50 ft. perpendicular to the centerline of Bluffton Road; thence Northeasterly along a line parallel to the centerline of Bluffton Road, on a curve to the right having a radius of 3769.72 feet, a chord bearing of North 11 degrees 36 minutes 44 seconds East, and an arc distance of 93.17 feet to a 5/8-inch diameter iron pin, said point being on the Westerly right of way line of Liberty Drive extended Northerly; thence South 33 degrees 43 minutes 51 seconds East along the Westerly right of way line of Liberty Drive extended a distance of 83.42 feet to the point of beginning, containing 0.064 acres.

Job No.: 17-1174
Job for: PATEL

Date: 3-16-17

LEGEND

- IPF Iron Pin (Rebar) Found
 - PF Pipe Found
 - RRF Railroad Spike Found
 - PKF P.K. Nail Found
 - MNF Mag Nail Found
 - MNS Mag Nail Set
 - IPS 5/8" rebar set w/cap stamped "DEI FIRM #0027"
- (M) Measured (P) Platted
(R) Recorded (C) Calculated

All monuments are at grade except as noted.
All Property line distances are recorded
dimensions, except as noted. Monuments found
have no documented history except as noted.

Date of latest field work: 3-10-17

L:\AutoCAD\Lot Surveys\23 Liberty Gardens, 0.064 Ac, Liberty Dr.dwg,
3/16/2017 11:43:00 AM

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according the requirements set forth in 865 IAC 1-12.

