

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Platted Easement
Case Number: VEAS-2018-0005
Bill Number: G-18-06-03
Council District: 4-Arp

Introduction Date: June 12, 2018

Public Hearing Date: June 26, 2018 (to be held by Council)

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

Synopsis of Ordinance: To vacate a portion of the 50-foot wide easement on Block Number 4 in Baer Field Industrial Park, Section I (Also known as Airport Business Center, Section I).

Location: 9403 Avionics Drive

Reason for Request: To vacate an easement for a building expansion.

Applicant: HBC Realty Corp

Property Owner: HBC Realty Corp

Related Petitions: Site Plan Review, Vita Nonwovens Expansion

Effect of Passage: Vacation of the utility easement will allow the existing industrial business to expand.

Effect of Non-Passage: Maintaining the existing unused easement will prohibit the business from expanding their building on this established site.

1 **VEAS-2018-0005**

2 **BILL NO. G-18-06-03**

3
4 **Cabinet C**
Page 134

5 **GENERAL ORDINANCE NO. G-_____**

6 **AN ORDINANCE for the purpose of**
7 **Vacating a platted utility easement.**

8 WHEREAS, a petition to vacate a platted utility easement within the City of Fort Wayne,
9 Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort
10 Wayne, 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 portion of a platted utility easement
16 within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

17 Part of that part of Block Number 4 designated as Utility and Surface Drainage Easement, in
18 Baer Field Industrial Park, Section I, as recorded in Plat Cabinet C, page 134, in the Office of
the Recorder of Allen County, Indiana, being more particularly described as follows, to-wit:

19 Commencing at the Southeast corner of said Block Number 4, thence North 00 degrees 54
20 minutes 53 seconds West (GPS Grid basis of bearings), on and along the East line of said
21 Block Number 4, a distance of 30.01 feet to the true point of beginning; thence North 00
22 degrees 54 minutes 53 seconds West, continuing on and along said East line, a distance of
23 629.61 feet to a point situated 10.00 feet, South 00 degrees 54 minutes 53 seconds East
24 from the Northeast corner of said Block Number 4; thence South 89 degrees 52 minutes 09
seconds West and parallel with the North line of said Block Number 4, a distance of 50.00
25 feet; thence South 00 degrees 54 minutes 53 seconds East and parallel with the East line of
said Block Number 4, a distance of 629.23 feet; thence South 89 degrees 41 minutes 29
seconds East and parallel with the South line of said Block Number 4, a distance of 50.01 feet
to the true point of beginning, containing 0.722 acres of land.

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

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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:

 X Easement Public Right of Way (street or alley)

More particularly described as follows:

The 50' Utility and Surface Drainage Easement as described in the attached Exhibit "A" along the
East Property Line of Block Number 4 in Baer Field Industrial Park, Section I.

(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: CAB C PAGE(S) NUMBER(S): 134 (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:

Vita Nonwovens is proposing to expand their Fort Wayne facility to the east. A 390' wide strip of
land adjoining their east property line has been acquired for this purpose. It is desired to remove
the easement that now lies along the common property line to allow the expansion to connect to
the existing facility.

(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:

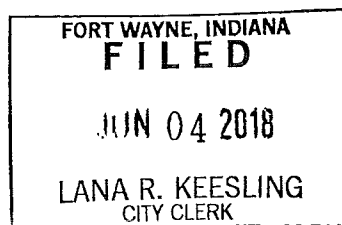
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Torrey Ehrman

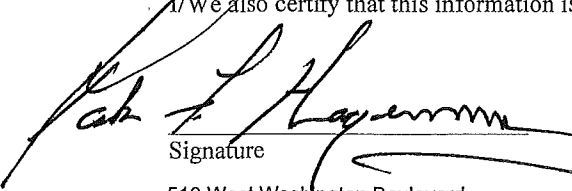
Street Address: 221 West Baker Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 422-7994



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 _____ Mark Hagerman, President, HBC Realty Corp. _____ June 4, 2018
Printed Name _____ Date _____
510 West Washington Boulevard _____ Fort Wayne / IN / 46802
Address _____ 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): _____

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: _____

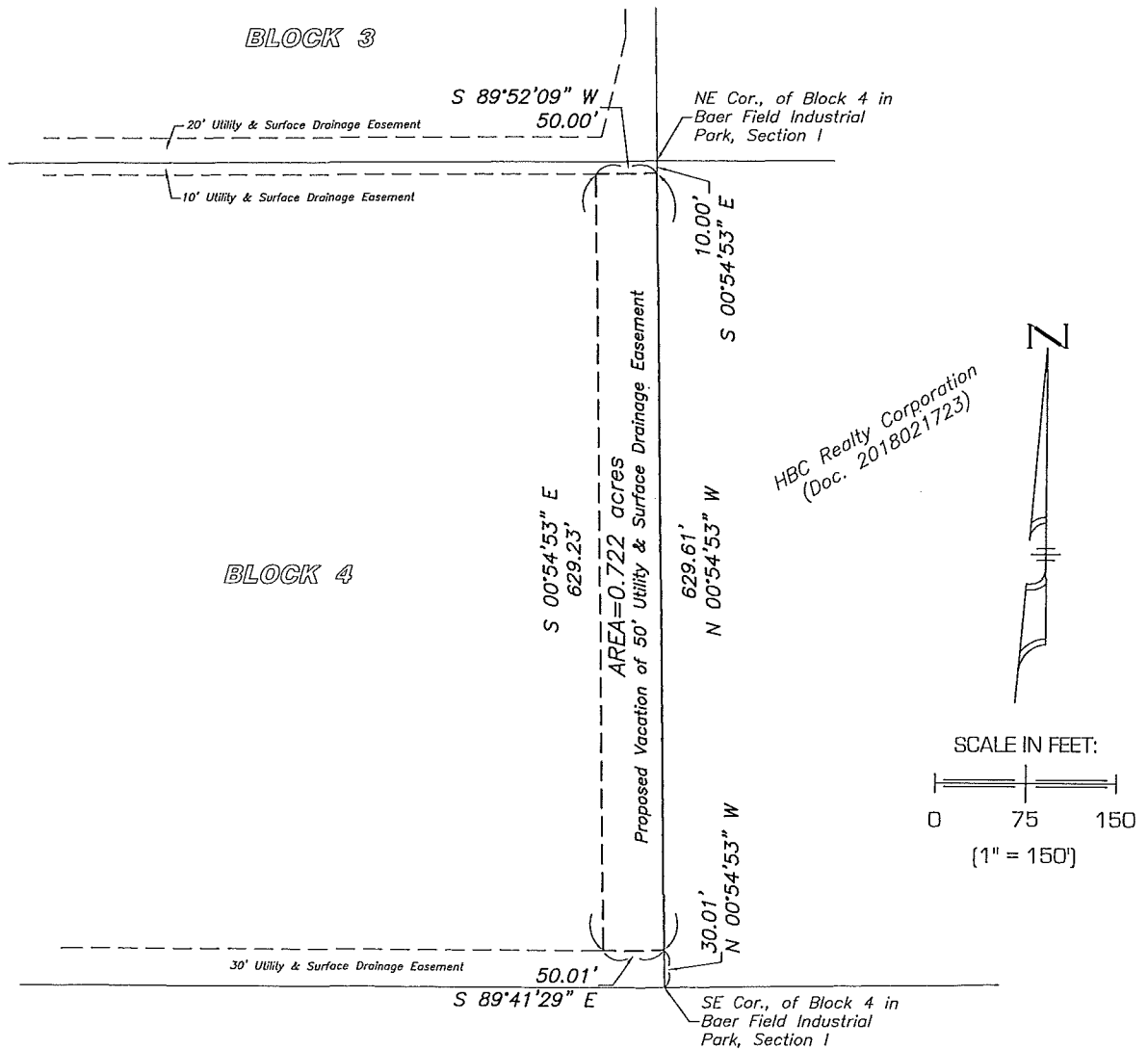
Map #: _____ Reference #: _____

EXHIBIT "A"

DESCRIPTION:

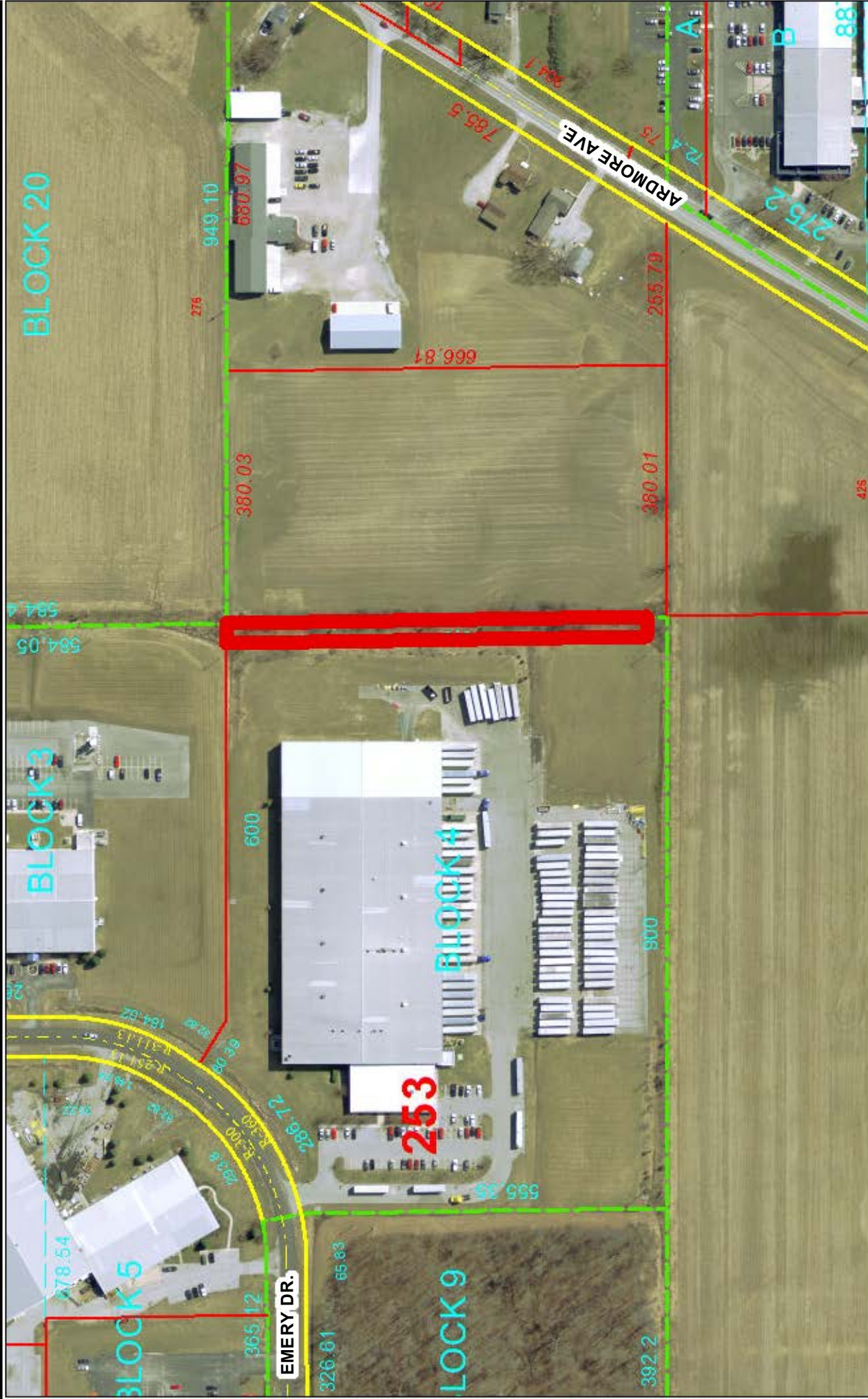
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Sauer Land Surveying, Inc.

14033 Illinois Road, Suite C Tel: 260/469-3300
Fort Wayne, IN 46814 Fax: 469-3301



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: 5/31/2018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only



1 inch = 200 feet

Feet	0	100	200
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