

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Platted Easement VEAS-2018-0004 G-18-06-01 3-Tom Didier	
Case Number: G-18-06-01	
Bill Number: G-18-06-01	
Council District: 3-Tom Didier	
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 8-foot wide easement on Lots 2, 3, 7, and 8 in Rudisill Heights Addition. 720 East Coliseum To vacate an easement for an abandoned sewer line. Azar Incorporated Azar Incorporated Property Owner:	
Related Petitions: None	
Effect of Passage: Vacation of the utility easement will help clear the title for the existing building, which is built over the abandoned line. Sanitary sewer service has been relocated.	
Effect of Non-Passage: Under current circumstances, there is a commercial building located over the easement, which could cause title issues for the property owner. There is no need for the easement, as the sewer line has been relocated.	

1 **VEAS-2018-0004**

2 **BILL NO. G-18-06-01**

3
4 **Deed Book 10B**
5 **Page 78A**

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

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

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

18 Part of Lot Number 2, Lot Number 3, Lot Number 7, and Lot Number 8 in Rudisill Heights
19 Addition to the City of Fort Wayne, Indiana, being more particularly described as follows:

20 Beginning at the Southeast corner of Lot Number 3 in Rudisill Heights Addition to the City of
21 Fort Wayne, Indiana; thence North 01 degrees 53 minutes 03 seconds West (GS bearing and
22 basis for this description) along the East line of Lot Number 3 a distance of 4.51 feet; thence
23 South 60 degrees 31 minutes 23 seconds West parallel to the Southeasterly line of Lot
24 Number 2 and 3, also parallel to the Northwesterly line of Lot Number 7 and 8 a distance of
166.1 feet; thence South 29 degrees 28 minutes 37 seconds East a distance of 8.0 feet;
thence North 60 degrees 31 minutes 23 seconds East parallel to the Southeasterly line of Lot
Number 2 and 3, also parallel to the Northwesterly line of Lot Number 7 and 8 a distance of
155.1 feet; thence North 36 degrees 20 minutes 57 seconds East a distance of 9.77 feet to
the point of beginning, containing 1284.72 square feet.

25 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
26 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 / 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:

See attached legal description and survey

(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: 10B PAGE(S) NUMBER(S): 78A (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:

Vacate easement due to abandoned sewer.

(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: Azar Incorporated

Street Address: 3400 E Coliseum Blvd, Suite 100

City: Fort Wayne State: IN Zip: 46805 Phone: 260-424-1972

intro 6/12/18
P.H. 6/26/18
VEAS-2018-0001
G-18-06-04

FORT WAYNE, INDIANA
FILED

MAY 22 2018

LANA R. KEESLING
CITY CLERK

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 For 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.

 Azar Incorporated 05/16/2018
Signature Yogesh S. Parikh Printed Name President Date
3400 E Coliseum Blvd, Suite 100 Fort Wayne, IN 46805
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 ad 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 #: _____

EASEMENT PLAT VACATION

DONOVAN ENGINEERING, INC.

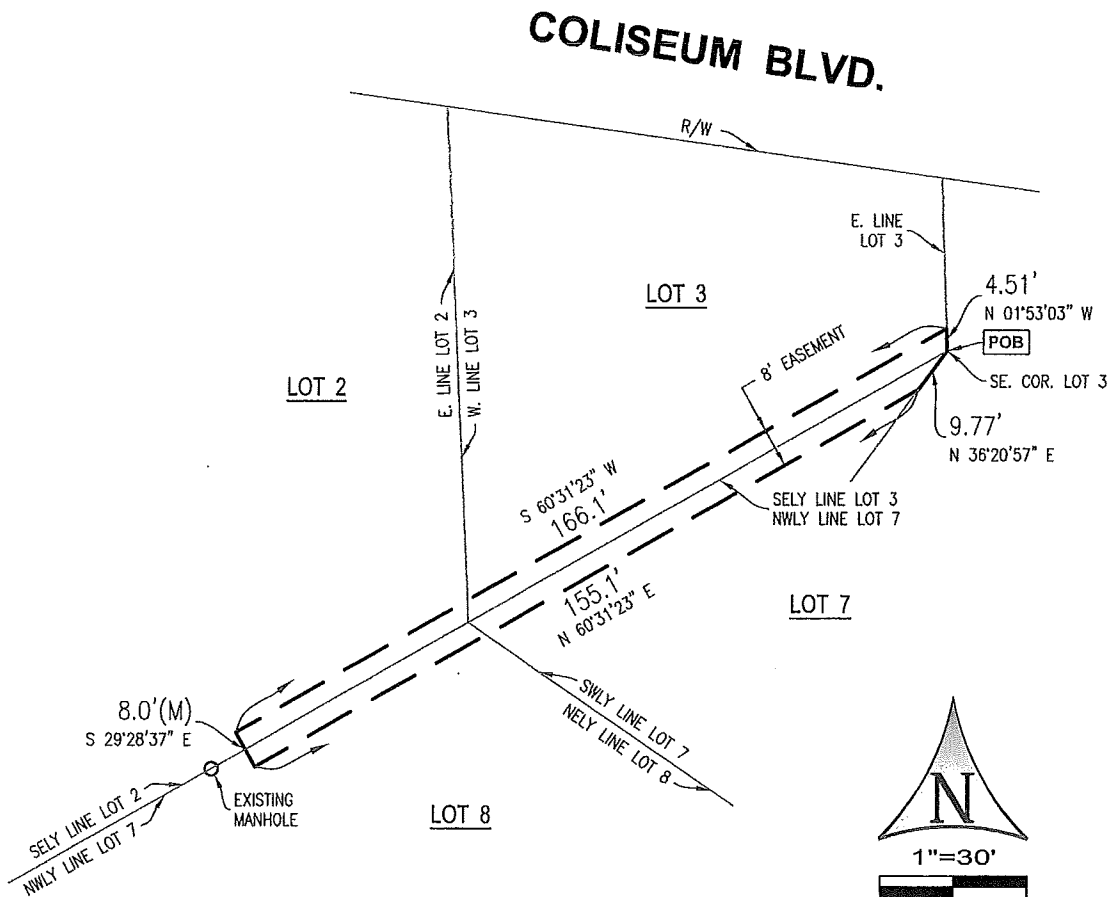
3521 LAKE AVENUE, SUITE 2
FORT WAYNE, INDIANA 46805
260.424.7418
www.donovan-eng.com

KENNETH W. HARRIS PLS 29500021 IN

MICHAEL W. HARRIS PLS 21100018 IN

Part of Lot Number 2, Lot Number 3, Lot Number 7, and Lot Number 8 in Rudisill Heights Addition to the City of Fort Wayne, Indiana, being more particularly described as follows:

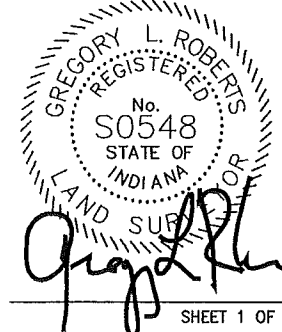
Beginning at the Southeast corner of Lot Number 3 in Rudisill Heights Addition to the City of Fort Wayne, Indiana; thence North 01 degrees 53 minutes 03 seconds West (GPS bearing and basis for this description) along the East line of Lot Number 3 a distance of 4.51 feet; thence South 60 degrees 31 minutes 23 seconds West parallel to the Southeasterly line of Lot Number 2 and 3, also parallel to the Northwesternly line of Lot Number 7 and 8 a distance of 166.1 feet; thence South 29 degrees 28 minutes 37 seconds East a distance of 8.0 feet; thence North 60 degrees 31 minutes 23 seconds East parallel to the Southeasterly line of Lot Number 2 and 3, also parallel to the Northwesternly line of Lot Number 7 and 8 a distance of 155.1 feet; thence North 36 degrees 20 minutes 57 seconds East a distance of 9.77 feet to the point of beginning, containing 1284.72 square feet.

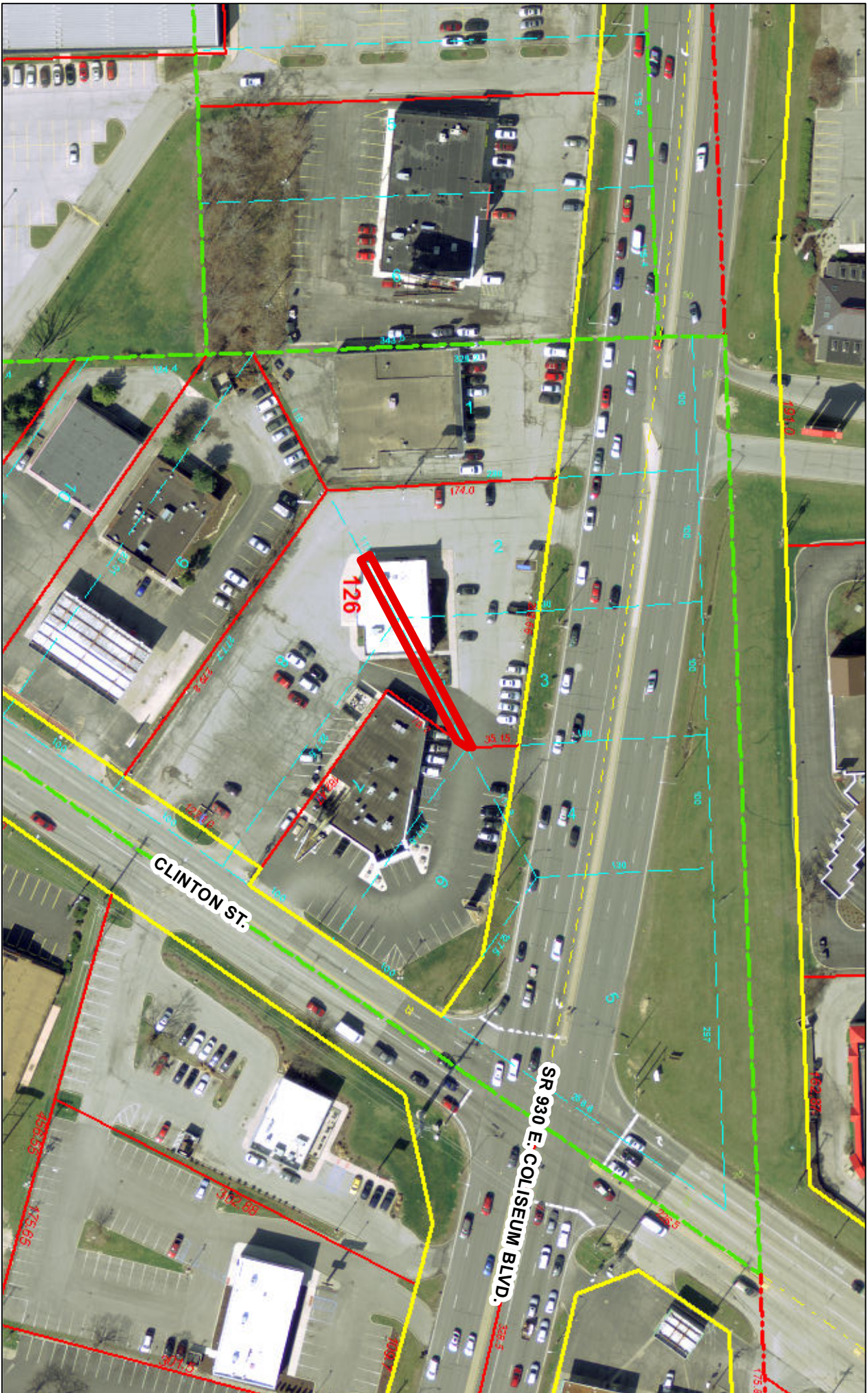


Date of latest field work: 5-4-18

L:\AutoCAD\Lot Surveys\2, 3, 7 & 8 Rudisill Heights,
8' Easement, Coliseum Blvd.dwg, 5/8/2018 10:37:10 AM

Date: 5-7-18





Project Boundaries Represented with Bold Lines are for Representational Purposes Only

A thorough, strict accuracy standard has 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

