

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Vacation of Platted Right-of-Way  
Case Number: VALY-2019-0004  
Bill Number: G-19-06-28  
Council District: 6-Glynn Hines

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Introduction Date: June 25, 2019

Public Hearing Date: July 9, 2019 (to be held by Council)

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

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Synopsis of Ordinance: To vacate a 14 foot wide alley right-of-way within Lassellesville Addition.

Location: Between Lots 78 and 79 of Lassellesville Addition, in the 2100 block of South Hanna Street.

Reason for Request: The applicant requests the vacation for the construction of a mixed use development.

Applicant: Model Group – Tim Westrich

Property Owners: SPZP, Inc.

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Related Petitions: future development plan

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Effect of Passage: Vacation of the right-of-way will return the land to the adjacent property owners. If there are no easements needed, or utilities are relocated, the two parcels may be redeveloped as one.

Effect of Non-Passage: The right-of-way will remain under City jurisdiction. The alley will remain open for utilities and vehicular traffic. Redevelopment of the site may be hindered by the presence of the alley.

1 VALY-2019-0004

2 BILL NO. G-19-06-28

3 GENERAL ORDINANCE NO. G-\_\_\_\_\_

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

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

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

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

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

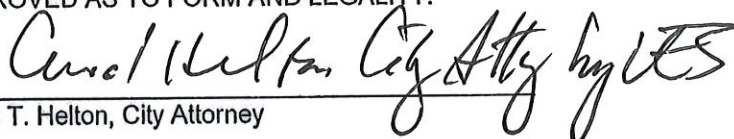
16 All of the 14 foot wide alley lying between Lots 78 and 79 in Lasellesville Addition  
17 as recorded in Deed Book 38, pages 485 and 486 in the Office of the Recorder of  
18 Allen County, Indiana.

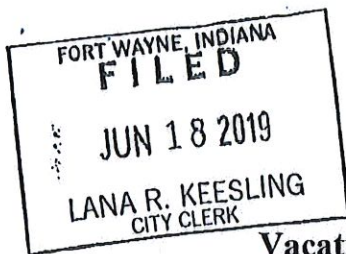
19 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan  
20 and is hereby approved in all respects.

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

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      X Public Right of Way (street or alley)

More particularly described as follows:

Alley paralleling Hanna St, between Buchanan St. and St. Martins St.

Legal Description: Laselles Addition to Lasallesville  
between lots 78 & 79, 14 feet open alley way

(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: 38 PAGE(S) NUMBER(S): 485, 486 (This information can be obtained from the Allen County Recorder's Office on the 2<sup>nd</sup> Floor, City-County Building, One Main Street, Fort Wayne, IN)

The reasons for the proposed vacation are as follows:

SPZP, Inc. owns the property to the north and south of the alley. See site plan attached. We are

proposing a 48-unit senior affordable housing building with 4500 SF of ground floor retail there.

Obtaining the alley is a critical part of our plan.

(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: Same

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_



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.

Douglas P. Panke  
Signature

1719 Forest Park Blvd

Address

Douglas P. Panke  
Nicole Ridley

Printed Name

Fort Wayne, IN 46805

City/State/Zip

6/18/2019  
Date

(N/A)  
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): (N/A)

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: \_\_\_\_\_

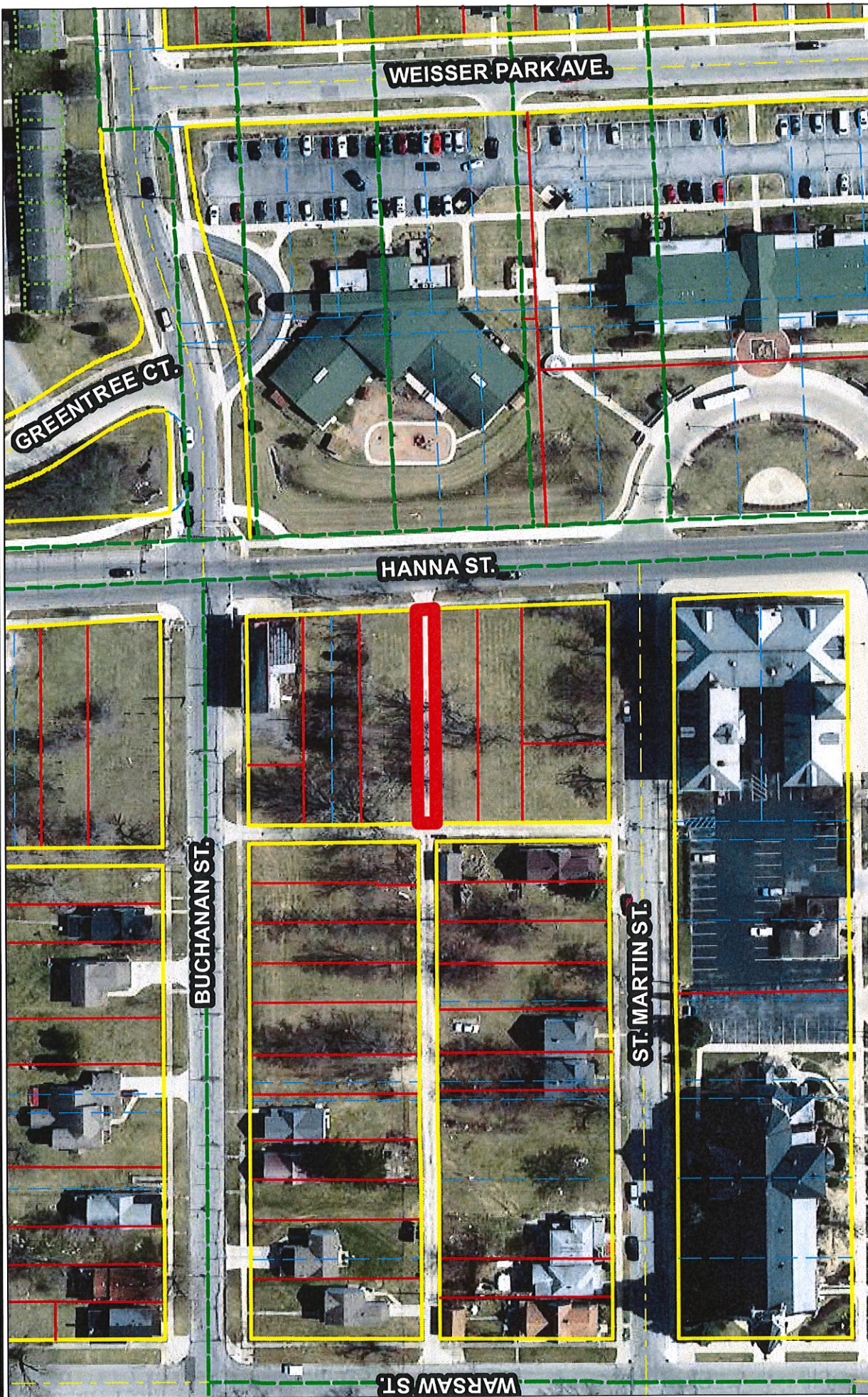
Map #: \_\_\_\_\_

Reference #: \_\_\_\_\_





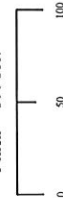
Vacation Petition VALY-2019-0004



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 the user assumes all liability resulting from any use of this map. This map was prepared by the County of Allen, Indiana, under the direction of the Board of Commissioners of the County of Allen, North American Datum 1983, State Plane Coordinate System, Indiana East. Photos and Contours: Spring 2009. Date: 6/17/2019.



1 inch = 100 feet







SP2P, INC  
1719 FOREST PARK BLVD  
FORT WAYNE, IN 46805  
Nicole Ridley, 260-403-0214

Alley  
to  
be vacated

WASAW

ST MARINS