

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Platted Road Right-of-Way Vacation
Case Number: VROW-2021-0005
Bill Number: G-21-09-03
Council District: 5 – Geoff Paddock

Introduction Date: September 14, 2021
Public Hearing Date: September 28, 2021 to be heard by Council
Next Council Action: Ordinance will return to Council after recommendation by reviewing agencies.

Synopsis of Ordinance: To vacate portions of the right-of-way for Nelson Street, outside of the existing roadway, as recorded in Miscellaneous Record 2, page 508, part of Rockhill and Nelson Addition.

Location: The portions to be vacated run between West Jefferson Street and Wilt Street, with one portion south of Wilt Street, adjacent to Moody Park.

Reason for Request: To return excess road right-of-way to the adjacent property owners for their use.

Applicants: Thomas Cain, Jocelyn Pfeifer, Anna West, Judy Anderson, Hans Property Group, Jeffrey Markley and Darryll Adams

Property Owners: same

Related Petitions: none

Effect of Passage: Nelson Street was platted with an atypical right-of-way width of 66 feet. Most neighborhood City streets contain 50 feet of right-of-way. Vehicular and pedestrian access will continue as it exists today. Returning the excess right-of-way to the adjacent property owners will allow more opportunity for improvements to be made.

Effect of Non-Passage: The street right-of-way will remain as dedicated. Improvements to adjacent properties may be limited due to the excess width of the right-of-way.

VROW-2021-0005

BILL NO. G-21-09-03

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:

DESCRIPTION OF PROPOSED LEYKAUF STREET RIGHT-OF-WAY VACATION:

Part of Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, being a parcel of land surveyed by Gregory L. Roberts, Professional Surveyor #80040548 and shown on the Plat of Survey certified on July 30, 2021 as Donovan Surveying, Inc. Job Number 21-5305, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot Number 49 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the West right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the West right of way line of Nelson Street and the East line of Lot Number 49 a distance of 150.0 feet to a 5/8-inch diameter iron pin at the Southeast corner of Lot Number 49; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and of 8.0 feet East of the West right of way line of Nelson Street a distance of 150.0 feet to a 5/8-inch diameter iron pin; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 feet to the point of beginning, containing 1200 square feet.

TOGETHER WITH:

Commencing at the Northeast corner of Lot Number 49 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the West right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the West right of way line of Nelson Street a distance of 164.0 feet to a 5/8-inch diameter iron pin at the Northeast corner of Lot Number 63, said point being the POINT OF BEGINNING; thence South 11 degrees 41

minutes 01 seconds East along the West right of way line of Nelson Street and the East line of Lot Number 59, 60, 61, 62, and 63 a distance of 237.0 feet to a ½-inch diameter iron pin at the Southeast corner of Lot Number 59; thence North 89 degrees 03 minutes 26 seconds East a distance of 8.14 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet East of the West right of way line of Nelson Street a distance of 238.6 feet to a 5/8-inch diameter iron pin; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 ft. to the point of beginning, containing 1902 square feet.

TOGETHER WITH:

BEGINNING at the Northwest corner of Lot Number 48 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the East right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the East right of way line of Nelson Street and the West line of Lot Number 48 a distance of 150.0 feet to a 5/8-inch diameter iron pin at the Southwest corner of Lot Number 48; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 ft. West of the East right of way line of Nelson Street a distance of 150.0 feet to a 5/8-inch diameter iron pin; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 ft. to the point of beginning, containing 1200 square feet.

TOGETHER WITH:

Commencing at the Northwest corner of Lot Number 48 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the East right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the East right of way line of Nelson Street a distance of 164.0 feet to a 5/8-inch diameter iron pin at the Northwest corner of Lot Number 64 said point being the POINT OF BEGINNING; thence South 11 degrees 41 minutes 01 seconds East along the East right of way line of Nelson Street and the West line of Lot Number 64 a distance of 130.0 feet to a ½-inch diameter iron pin; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet West of the East right of way line of Nelson Street a distance of 130.0 feet to a 5/8-inch diameter iron pin; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 feet to the point of beginning, containing 1040 square feet.

TOGETHER WITH:

Commencing at the Northwest corner of Lot Number 48 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the East right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the East right of way line of Nelson Street a distance of 334.0 feet to a 5/8-inch diameter iron pin at the Northwest of Lot Number 85 being the Point of Beginning, said point being on the South right of way line of Wilt Street; thence South 11 degrees 41 minutes 01 seconds East along the East right of way line of Nelson Street and the West line of Lot Number 85 a distance of 70.0 feet to a 5/8-inch diameter iron pin; thence South 89 degrees 03 minutes 26 seconds West a distance of 8.14 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet West of the East right of way line of Nelson Street a distance of 68.48 feet to a 5/8-inch diameter iron pin; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 feet to the point of beginning, containing 537 square feet.

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

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

(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: _____ 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:

See attached letter

(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:

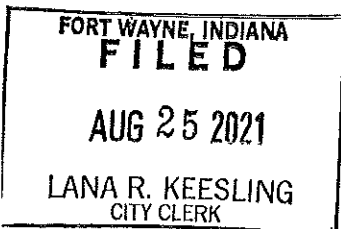
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____



V20W-2021-0005
G-21-09-03

See attached petitions

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.

Signature _____ Printed Name _____ Date _____

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 #: _____

Thomas Cain 1301 W. Jefferson Boulevard Fort Wayne, In 46802

Lana Keesling, City Clerk
200 E. Berry Street, Suite 110
Fort Wayne, IN 46802

August 25, 2021

Dear Ms Keesling:

Attached is a collective petition from property owners abutting the 1100 and 1200 blocks of Nelson Street in Fort Wayne, requesting partial vacation of the street right of way, to be then deeded to the adjacent property owners.

In the mid-19th century, when the plat for this area of West Central was created, the right of way width for Nelson Street was established as 66 feet in width, common for major streets in central Fort Wayne. However, during the last 150 years, only 50 feet of this 66 feet has been needed for construction of road, curb, parkstrip, and sidewalk improvements, and this is a common right of way width for residential streets, such as this segment of Nelson Street. The 8 feet of current right of way on the homeowners' sides of the public sidewalks has been used as front or side yards for the past 150 or more years. Nelson Street is classified as a local, residential street. The adjacent Wilt Street can accommodate only one travel lane, shared between both east and westbound traffic. It permanently limits traffic capacity on Wilt and Nelson. As a local historic district, the pattern of residential development on these blocks is highly unlikely to change to anything requiring a wider street. We feel that the City will never have need of this surplus right of way width for public use, and therefore should be ceded to the adjacent property owners.

The City and County can enjoy an increase in tax revenue, as the vacated land will become privately owned and subject to property tax. The adjacent owners will have more latitude in how they can use their new front yards. Complications with setbacks and other property regulations will be simplified.

It is recognized that there exists a public sidewalk on the east side of Nelson, north of Wilt Street, extending to the alley. This sidewalk would be on a vacated portion of the right of way. The owner of the two adjacent parcels has agreed to execute an agreement with the City to allow public access on this vacated space until such time as the sidewalk is rebuilt on the remaining right of way, should this vacation of right of way be granted.

I look forward to a positive resolution to this request. Please advise me of any questions or concerns, as I am representing the collective petitioners.

Sincerely,



Thomas Cain
260 426 7075 voice and text tcainres@gmail.com

Petition

Reduce Width of Right of Way of Nelson Street, 1100-1200 Blocks, Fort Wayne, Indiana

The undersigned owners of property adjacent to the 1100 and 1200 blocks of Nelson Street hereby petition the City of Fort Wayne to vacate portions of the street right of way of these blocks of Nelson Street, reducing the present 66 foot wide right of way to 50 feet, centering the remaining right of way within the present right of way, with vacated portions of the present right of way being equally divided on each side of the right of way and then deeded to adjacent property owners.

Adjacent Parcels and Property Owners

1. 1301 W. Jefferson Boulevard

Owner: Thomas Cain

02-12-10-234.007-000-074

N. 112' lot 49 & E. 15' of N. 33.25' of S. 70.5' lot 50 Rockhill and Nelsons Addition

To be vacated:

112.75' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234.007-000-074

2. 1112 Nelson Street

Owner: Thomas Cain

02-12-10-234-022.000-074

S. 37.25' lot 49 & S 37.25 Ex W. 34.5' lot 50 Rockhill and Nelson Addition

To be vacated:

37.25' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234.022-000-074

9. 1233 W. Jefferson Boulevard

Owner: Thomas Cain

02-12-10-235-001.000-074

W. 30 1/4' Lot 48 Rockhill and Nelson Addition

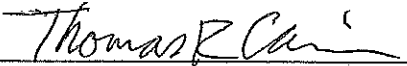
To be vacated:

150' of the E. 8' of Nelson St right of way adjacent to parcel 02-12-10-235-001.000-074

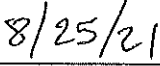
All parcels are in City of Fort Wayne, Wayne Township, Allen County

Signatures of Owners of Adjacent Parcels

1. 1301 W. Jefferson Boulevard
02-12-10-234.007-000-074
N. 112' lot 49 & E. 15' of N. 33.25' of S. 70.5' lot 50 Rockhill and Nelsons Addition
2. 1112 Nelson Street
02-12-10-234-022.000-074
S. 37.25' lot 49 & S 37.25 Ex W. 34.5' lot 50 Rockhill and Nelson Addition
9. 1233 W. Jefferson Boulevard
02-12-10-235-001.000-074
W. 30 ¼' Lot 48 Rockhill and Nelson Addition



Thomas Cain
1301 W. Jefferson Boulevard
Fort Wayne, IN 46802


Date

Petition

Reduce Width of Right of Way of Nelson Street, 1100-1200 Blocks, Fort Wayne, Indiana

The undersigned owners of property adjacent to the 1100 and 1200 blocks of Nelson Street hereby petition the City of Fort Wayne to vacate portions of the street right of way of these blocks of Nelson Street, reducing the present 66 foot wide right of way to 50 feet, centering the remaining right of way within the present right of way, with vacated portions of the present right of way being equally divided on each side of the right of way and then deeded to adjacent property owners.

Adjacent Parcels and Property Owners

3. 1120 Nelson Street

Owner: Jocelyn Pfeiffer and Anna West

02-12-10-234-023.000-074

Lot 63 Rockhill and Nelson Addition

To be vacated:

50' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234-023.000-074

All parcels are in City of Fort Wayne, Wayne Township, Allen County, Indiana

Signatures of Owners of Adjacent Parcels

3. 1120 Nelson Street

02-12-10-234-023.000-074

Lot 63 Rockhill and Nelson Addition


Jocelyn Pfeiffer

250 W. Wayne Street
Fort Wayne, IN 46802


Anna West

5.10.2021
Date

Petition

Reduce Width of Right of Way of Nelson Street, 1100-1200 Blocks, Fort Wayne, Indiana

The undersigned owners of property adjacent to the 1100 and 1200 blocks of Nelson Street hereby petition the City of Fort Wayne to vacate portions of the street right of way of these blocks of Nelson Street, reducing the present 66 foot wide right of way to 50 feet width, centering the remaining right of way within the present right of way, with vacated portions of the present right of way being equally divided on each side of the right of way and then deeded to adjacent property owners.

Adjacent Parcels and Property Owners

4. 1122-1124 Nelson Street

Owner: Judy Anderson

02-12-10-234-024.000-074

N. 25' lot 62 Rockhill and Nelson Addition

To be vacated:

25' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234-024.000-074

5. 1126-1128 Nelson Street

Owner: Judy Anderson

02-12-10-234-025.000-074

S. 25' lot 62 Rockhill and Nelson Addition

To be vacated:

25' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234-025.000-074

10. 1117-1119 Nelson Street

Owner: Judy Anderson

02-12-10-235-010.000-074

N. 50' Lot 64 Rockhill and Nelson Addition

To be vacated:

50' of the E. 8' of Nelson St right of way adjacent to parcel 02-12-10-235-001.000-074

11. 1236 Wilt Street

Owner: Judy Anderson

02-12-10-235-011.000-074

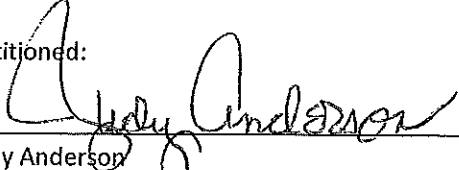
S. 80' Lot 64 Rockhill and Nelson Addition

To be vacated:

80' of the E. 8' of Nelson St right of way adjacent to parcel 02-12-10-235-001.000-074

All parcels are in City of Fort Wayne, Wayne Township, Allen County, Indiana

Petitioned:


Judy Anderson
719 Union Street

Fort Wayne, IN 46802

5/6/21
Date

Petition

Reduce Width of Right of Way of Nelson Street, 1100-1200 Blocks, Fort Wayne, Indiana

The undersigned owners of property adjacent to the 1100 and 1200 blocks of Nelson Street hereby petition the City of Fort Wayne to vacate portions of the street right of way of these blocks of Nelson Street, reducing the present 66 foot wide right of way to 50 feet, centering the remaining right of way within the present right of way, with vacated portions of the present right of way being equally divided on each side of the right of way and then deeded to adjacent property owners.

Adjacent Parcels and Property Owners

6. 1130 Nelson Street

Owner: Hans Property Group LLC

02-12-10-234-026.000-074

N. ½ lot 61 Rockhill and Nelson Addition

To be vacated:

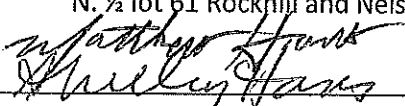
25' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234-026.000-074

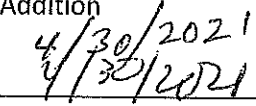
Signatures of Owners of Adjacent Parcels

6. 1130 Nelson Street

02-12-10-234-026.000-074

N. ½ lot 61 Rockhill and Nelson Addition


Matthew Hank


Matthew Hank

Hans Property Group LLC

Date

5716 Coventry Lane

Fort Wayne, IN 46804

Petition

Reduce Width of Right of Way of Nelson Street, 1100-1200 Blocks, Fort Wayne, Indiana

The undersigned owners of property adjacent to the 1100 and 1200 blocks of Nelson Street hereby petition the City of Fort Wayne to vacate portions of the street right of way of these blocks of Nelson Street, reducing the present 66 foot wide right of way to 50 feet, centering the remaining right of way within the present right of way, with vacated portions of the present right of way being equally divided on each side of the right of way and then deeded to adjacent property owners.

Adjacent Parcels and Property Owners

7. 1134 Nelson Street

Owner: Jeffrey Markley

02-12-10-234-027.000-074

N. 18.5' lot 62 and S. ½ lot 61 Rockhill and Nelson Addition

To be vacated:

43.5' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234-027.000-074

All parcels are in City of Fort Wayne, Wayne Township, Allen County, Indiana

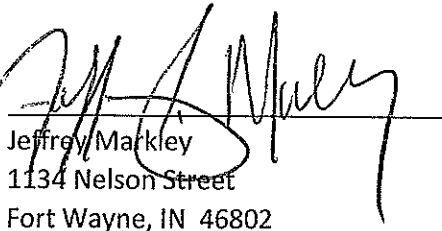
Signatures of Owners of Adjacent Parcels

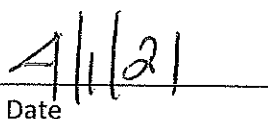
7. 1134 Nelson Street

Owner: Jeffrey Markley

02-12-10-234-027.000-074

N. 18.5' lot 62 and S. ½ lot 61 Rockhill and Nelson Addition


Jeffrey Markley
1134 Nelson Street
Fort Wayne, IN 46802


Date

Petition

Reduce Width of Right of Way of Nelson Street, 1100-1200 Blocks, Fort Wayne, Indiana

The undersigned owners of property adjacent to the 1100 and 1200 blocks of Nelson Street hereby petition the City of Fort Wayne to vacate portions of the street right of way of these blocks of Nelson Street, reducing the present 66 foot wide right of way to 50 feet, centering the remaining right of way within the present right of way, with vacated portions of the present right of way being equally divided on each side of the right of way and then deeded to adjacent property owners.

Adjacent Parcels and Property Owners

8. 1206 Nelson Street

Owner: Darrell Adams

02-12-10-234-028.000-074

Lot 59 and 10' alley & S 31 ½' lot 60 Rockhill and Nelson Addition

To be vacated:

68.5' of the W. 8' of Nelson St right of way adjacent to parcel 02-12-10-234-028.000-074

Signatures of Owners of Adjacent Parcel

8. 1206 Nelson Street

02-12-10-234-028.000-074

Lot 59 and 10' alley & S 31 ½' lot 60 Rockhill and Nelson Addition

Darrell Adams

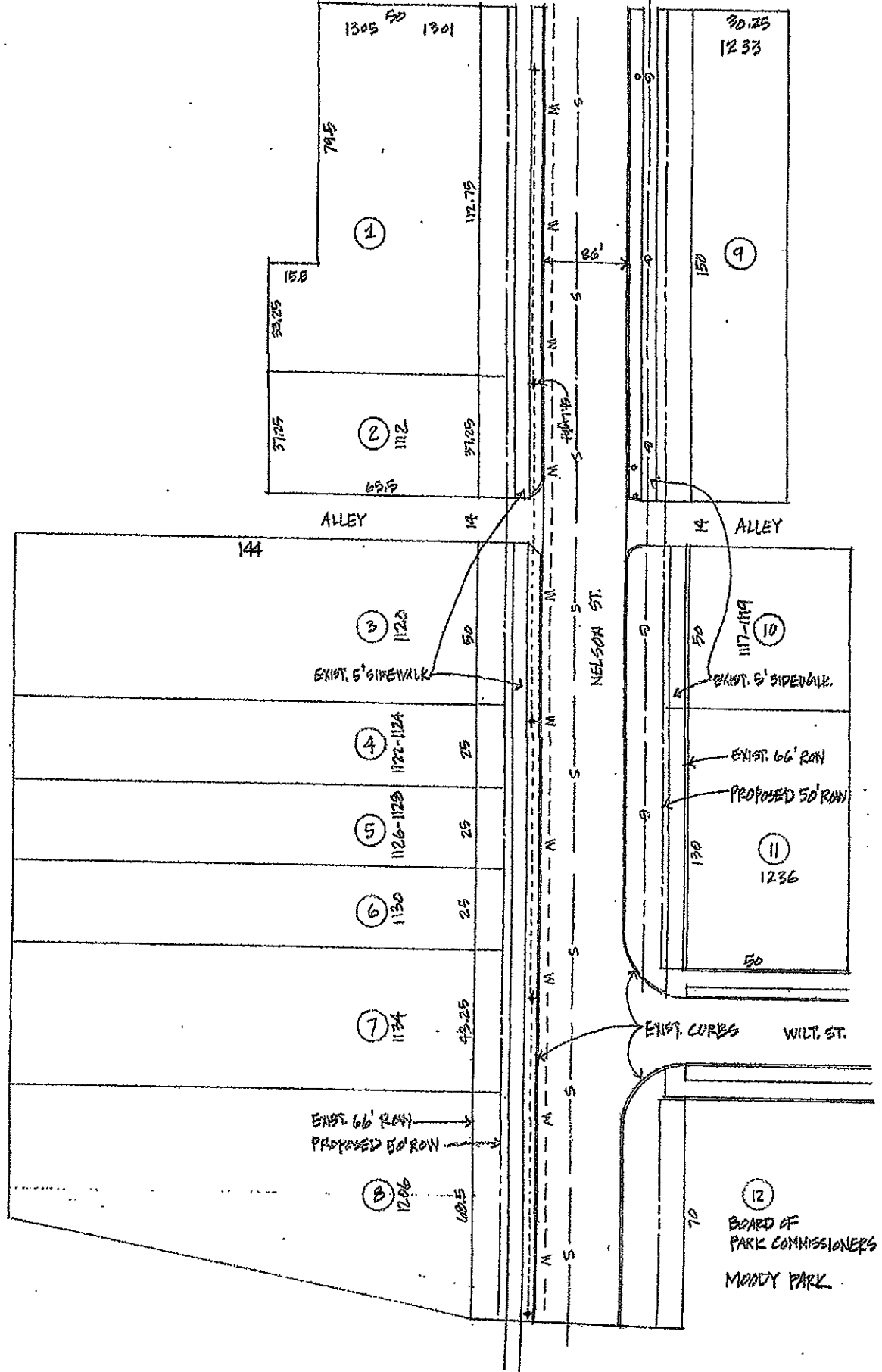
Darrell Adams

7620 Aboite Center Road

Fort Wayne, IN 46804

4/14/21

Date

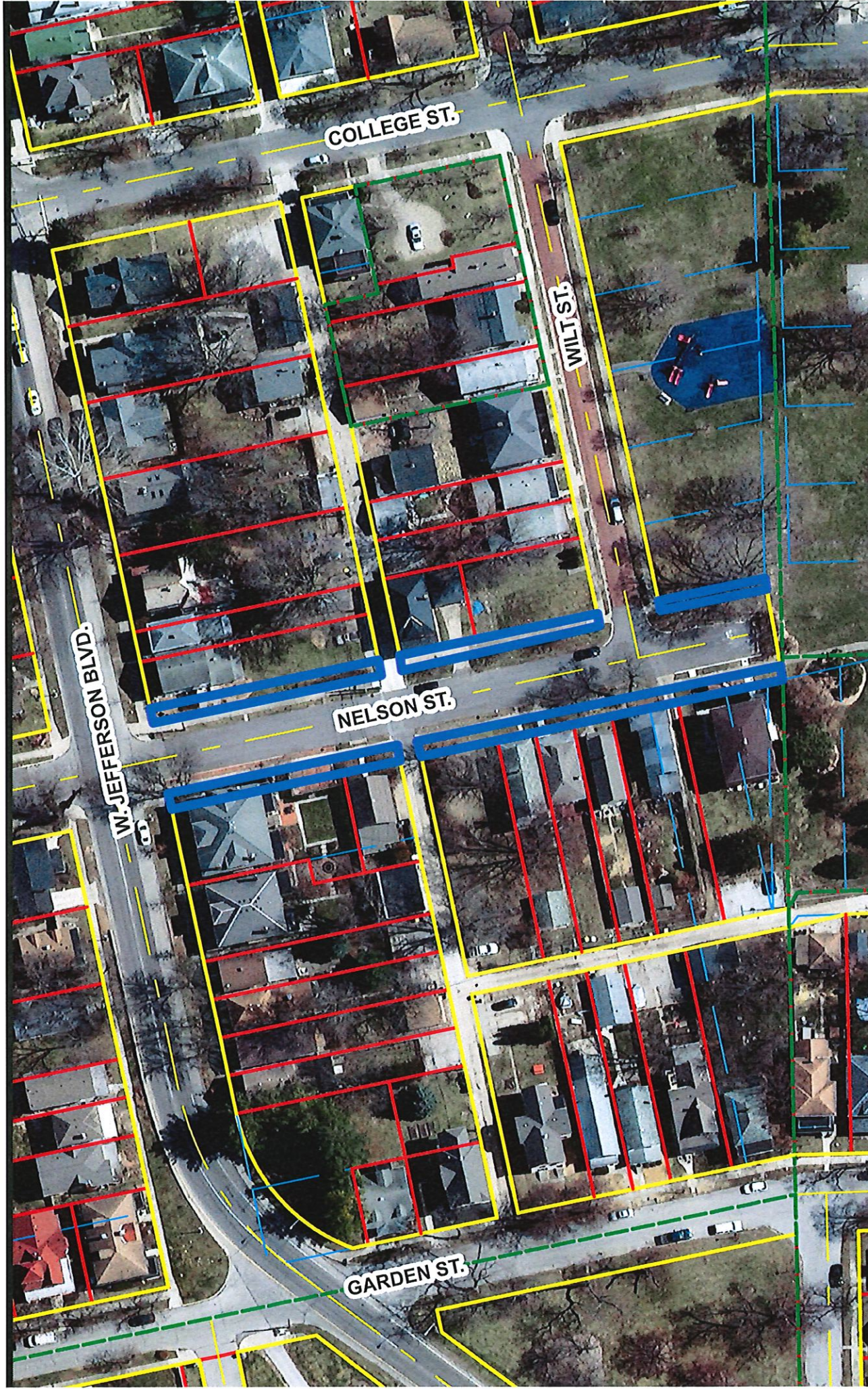


1100 BLOCK NELSON ST.
 PREPARED BY THOMAS GAIN, P.L.A., A.S.L.A.

3.31.21



0 5 10 20 30 60 90
 FEET



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: 9/8/2021



1 inch = 83 feet

NAME _____
ADDRESS _____
CITY _____

[illegible]

DRAWN BY: MCR
JOB NUMBER: XXX
DATE: 08/29/74

1
SHEET:

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LEGAL DESCRIPTION:

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TOGETHER WITH:

35031 in the Office of the Northwest corner of Lot Number 40, in Block and Name Address as recorded in Subdivision Plans 2, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-33, 2-34, 2-35, 2-36, 2-37, 2-38, 2-39, 2-40, 2-41, 2-42, 2-43, 2-44, 2-45, 2-46, 2-47, 2-48, 2-49, 2-50, 2-51, 2-52, 2-53, 2-54, 2-55, 2-56, 2-57, 2-58, 2-59, 2-60, 2-61, 2-62, 2-63, 2-64, 2-65, 2-66, 2-67, 2-68, 2-69, 2-70, 2-71, 2-72, 2-73, 2-74, 2-75, 2-76, 2-77, 2-78, 2-79, 2-80, 2-81, 2-82, 2-83, 2-84, 2-85, 2-86, 2-87, 2-88, 2-89, 2-90, 2-91, 2-92, 2-93, 2-94, 2-95, 2-96, 2-97, 2-98, 2-99, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10, 3-11, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-24, 3-25, 3-26, 3-27, 3-28, 3-29, 3-30, 3-31, 3-32, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-42, 3-43, 3-44, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-54, 3-55, 3-56, 3-57, 3-58, 3-59, 3-60, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71, 3-72, 3-73, 3-74, 3-75, 3-76, 3-77, 3-78, 3-79, 3-80, 3-81, 3-82, 3-83, 3-84, 3-85, 3-86, 3-87, 3-88, 3-89, 3-90, 3-91, 3-92, 3-93, 3-94, 3-95, 3-96, 3-97, 3-98, 3-99, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 4-11, 4-12, 4-13, 4-14, 4-15, 4-16, 4-17, 4-18, 4-19, 4-20, 4-21, 4-22, 4-23, 4-24, 4-25, 4-26, 4-27, 4-28, 4-29, 4-30, 4-31, 4-32, 4-33, 4-34, 4-35, 4-36, 4-37, 4-38, 4-39, 4-40, 4-41, 4-42, 4-43, 4-44, 4-45, 4-46, 4-47, 4-48, 4-49, 4-50, 4-51, 4-52, 4-53, 4-54, 4-55, 4-56, 4-57, 4-58, 4-59, 4-60, 4-61, 4-62, 4-63, 4-64, 4-65, 4-66, 4-67, 4-68, 4-69, 4-70, 4-71, 4-72, 4-73, 4-74, 4-75, 4-76, 4-77, 4-78, 4-79, 4-80, 4-81, 4-82, 4-83, 4-84, 4-85, 4-86, 4-87, 4-88, 4-89, 4-90, 4-91, 4-92, 4-93, 4-94, 4-95, 4-96, 4-97, 4-98, 4-99, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 5-14, 5-15, 5-16, 5-17, 5-18, 5-19, 5-20, 5-21, 5-22, 5-23, 5-24, 5-25, 5-26, 5-27, 5-28, 5-29, 5-30, 5-31, 5-32, 5-33, 5-34, 5-35, 5-36, 5-37, 5-38, 5-39, 5-40, 5-41, 5-42, 5-43, 5-44, 5-45, 5-46, 5-47, 5-48, 5-49, 5-50, 5-51, 5-52, 5-53, 5-54, 5-55, 5-56, 5-57, 5-58, 5-59, 5-60, 5-61, 5-62, 5-63, 5-64, 5-65, 5-66, 5-67, 5-68, 5-69, 5-70, 5-71, 5-72, 5-73, 5-74, 5-75, 5-76, 5-77, 5-78, 5-79, 5-80, 5-81, 5-82, 5-83, 5-84, 5-85, 5-86, 5-87, 5-88, 5-89, 5-90, 5-91, 5-92, 5-93, 5-94, 5-95, 5-96, 5-97, 5-98, 5-99, 6-1, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 6-11, 6-12, 6-13, 6-14, 6-15, 6-16, 6-17, 6-18, 6-19, 6-20, 6-21, 6-22, 6-23, 6-24, 6-25, 6-26, 6-27, 6-28, 6-29, 6-30, 6-31, 6-32, 6-33, 6-34, 6-35, 6-36, 6-37, 6-38, 6-39, 6-40, 6-41, 6-42, 6-43, 6-44, 6-45, 6-46, 6-47, 6-48, 6-49, 6-50, 6-51, 6-52, 6-53, 6-54, 6-55, 6-56, 6-57, 6-58, 6-59, 6-60, 6-61, 6-62, 6-63, 6-64, 6-65, 6-66, 6-67, 6-68, 6-69, 6-70, 6-71, 6-72, 6-73, 6-74, 6-75, 6-76, 6-77, 6-78, 6-79, 6-80, 6-81, 6-82, 6-83, 6-84, 6-85, 6-86, 6-87, 6-88, 6-89, 6-90, 6-91, 6-92, 6-93, 6-94, 6-95, 6-96, 6-97, 6-98, 6-99, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-22, 7-23, 7-24, 7-25, 7-26, 7-27, 7-28, 7-29, 7-30, 7-31, 7-32, 7-33, 7-34, 7-35, 7-36, 7-37, 7-38, 7-39, 7-40, 7-41, 7-42, 7-43, 7-44, 7-45, 7-46, 7-47, 7-48, 7-49, 7-50, 7-51, 7-52, 7-53, 7-54, 7-55, 7-56, 7-57, 7-58, 7-59, 7-60, 7-61, 7-62, 7-63, 7-64, 7-65, 7-66, 7-67, 7-68, 7-69, 7-70, 7-71, 7-72, 7-73, 7-74, 7-75, 7-76, 7-77, 7-78, 7-79, 7-80, 7-81, 7-82, 7-83, 7-84, 7-85, 7-86, 7-87, 7-88, 7-89, 7-90, 7-91, 7-92, 7-93, 7-94, 7-95, 7-96, 7-97, 7-98, 7-99, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, 8-14, 8-15, 8-16, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-29, 8-30, 8-31, 8-32, 8-33, 8-34, 8-35, 8-36, 8-37, 8-38, 8-39, 8-40, 8-41, 8-42, 8-43, 8-44, 8-45, 8-46, 8-47, 8-48, 8-49, 8-50, 8-51, 8-52, 8-53, 8-54, 8-55, 8-56, 8-57, 8-58, 8-59, 8-60, 8-61, 8-62, 8-63, 8-64, 8-65, 8-66, 8-67, 8-68, 8-69, 8-70, 8-71, 8-72, 8-73, 8-74, 8-75, 8-76, 8-77, 8-78, 8-79, 8-80, 8-81, 8-82, 8-83, 8-84, 8-85, 8-86, 8-87, 8-88, 8-89, 8-90, 8-91, 8-92, 8-93, 8

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• **PLATE 13: THE PLATEAU**

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1"=30'

Fox 260.424.1918

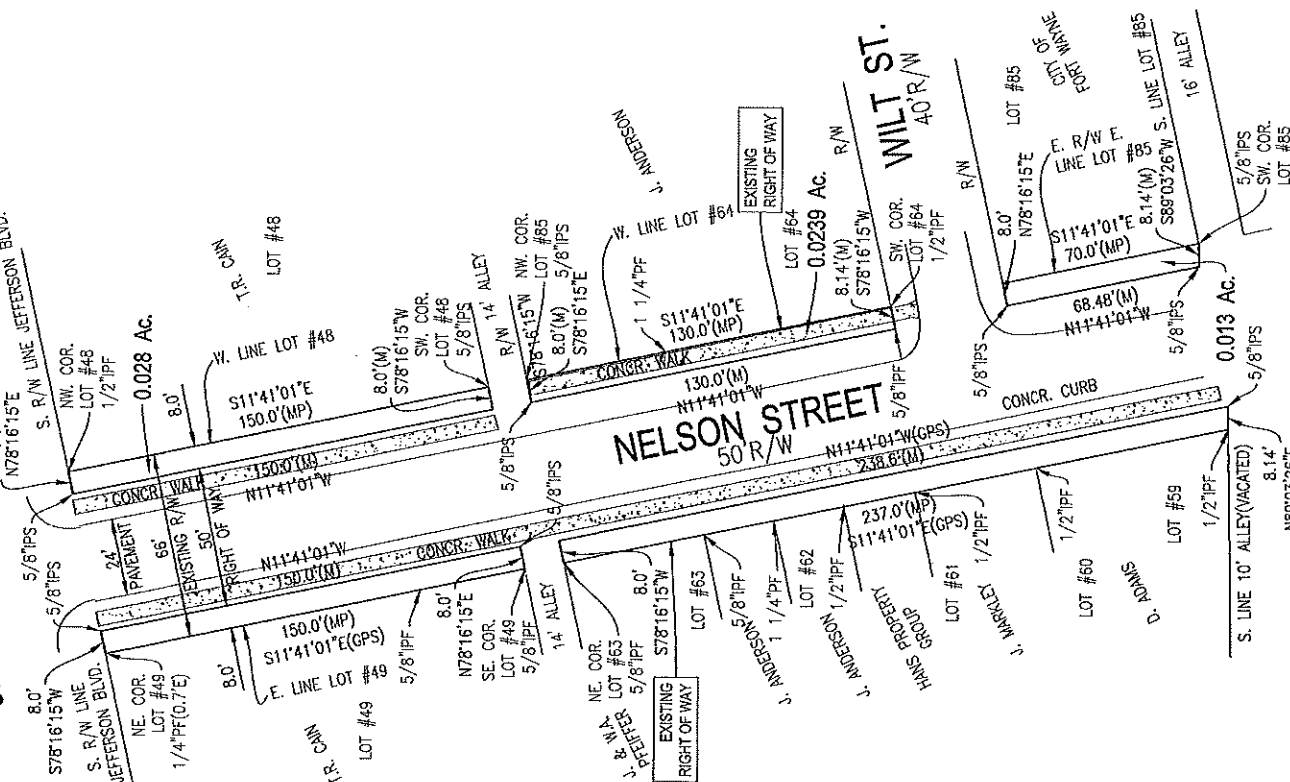
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RECEIVED BY THE SECRETARY OF THE ARMY 17 MAR 1964

Figure 1

JEFFERSON DE
8.0'(M)



Part of Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, being a parcel of land surveyed by Gregory L. Roberts, Professional Surveyor #80040548 and shown on the Plat of Survey certified on July 30, 2021 as Donovan Surveying, Inc. Job Number 21-5305, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot Number 49 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the West right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the West right of way line of Nelson Street and the East line of Lot Number 49 a distance of 150.0 feet to a 5/8-inch diameter iron pin at the Southeast corner of Lot Number 49; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and of 8.0 feet East of the West right of way line of Nelson Street a distance of 150.0 feet to a 5/8-inch diameter iron pin; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 feet to the point of beginning, containing 1200 square feet.

TOGETHER WITH:

Commencing at the Northeast corner of Lot Number 49 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the West right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the West right of way line of Nelson Street a distance of 164.0 feet to a 5/8-inch diameter iron pin at the Northeast corner of Lot Number 63, said point being the POINT OF BEGINNING; thence South 11 degrees 41 minutes 01 seconds East along the West right of way line of Nelson Street and the East line of Lot Number 59, 60, 61, 62, and 63 a distance of 237.0 feet to a 1/2-inch diameter iron pin at the Southeast corner of Lot Number 59; thence North 89 degrees 03 minutes 26 seconds East a distance of 8.14 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet East of the West right of way line of Nelson Street a distance of 238.6 feet to a 5/8-inch diameter iron pin; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 ft. to the point of beginning, containing 1902 square feet.

TOGETHER WITH:

BEGINNING at the Northwest corner of Lot Number 48 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the East right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the East right of way line of Nelson Street and the West line of Lot Number 48 a distance of 150.0 feet to a 5/8-inch diameter iron pin at the Southwest corner of Lot Number 48; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 ft. West of the East right of way line of Nelson Street a distance of 150.0 feet to a 5/8-inch diameter iron pin; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 ft. to the point of beginning, containing 1200 square feet.

TOGETHER WITH:

Commencing at the Northwest corner of Lot Number 48 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the East right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the East right of way line of Nelson Street a distance of 164.0 feet to a 5/8-inch diameter iron pin at the Northwest corner of Lot Number 64 said point being the POINT OF BEGINNING; thence South 11 degrees 41 minutes 01 seconds East along the East right of way line of Nelson Street and the West line of Lot Number 64 a distance of 130.0 feet to a 1/2-inch diameter iron pin; thence South 78 degrees 16 minutes 15 seconds West a distance of 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41

minutes 01 seconds West parallel with and 8.0 feet West of the East right of way line of Nelson Street a distance of 130.0 feet to a 5/8-inch diameter iron pin; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 feet to the point of beginning, containing 1040 square feet.

TOGETHER WITH:

Commencing at the Northwest corner of Lot Number 48 in Rockhill and Nelson Addition as recorded in Miscellaneous Record 2, page 508 in the Office of the Recorder of Allen County, Indiana, said point being the intersection of the South right of way line of Jefferson Blvd. with the East right of way line of Nelson Street; thence South 11 degrees 41 minutes 01 seconds East (INDOT INCORS GPS datum and basis for this description) along the East right of way line of Nelson Street a distance of 334.0 feet to a 5/8-inch diameter iron pin at the Northwest of Lot Number 85 being the Point of Beginning, said point being on the South right of way line of Wilt Street; thence South 11 degrees 41 minutes 01 seconds East along the East right of way line of Nelson Street and the West line of Lot Number 85 a distance of 70.0 feet to a 5/8-inch diameter iron pin; thence South 89 degrees 03 minutes 26 seconds West a distance of 8.14 feet to a 5/8-inch diameter iron pin; thence North 11 degrees 41 minutes 01 seconds West parallel with and 8.0 feet West of the East right of way line of Nelson Street a distance of 68.48 feet to a 5/8-inch diameter iron pin; thence North 78 degrees 16 minutes 15 seconds East a distance of 8.0 feet to the point of beginning, containing 537 square feet.

LOT 48-49 ROCKHILL AND NELSON ADD LEGAL 7-29-21, 8-23-2021