

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way
Case Number: VROW-2019-0011
Bill Number: G-19-09-01
Council District: 4-Jason Arp

Introduction Date: September 10, 2019

Public Hearing Date: September 24, 2019 (to be held by Council)

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

Synopsis of Ordinance: To vacate platted, unnamed, undeveloped road right-of-way in Forest Ridge Estates, Section A.

Location: Between Lots 32 and 35 of Forest Ridge Estates, on the north side of the 10100 block of Arbor Trail.

Reason for Request: The right-of-way is unimproved and will be split between the adjacent neighbors.

Applicants: Joe and Elaine Kain, Jake and Lisa Domonkos, and Jaye B. Marshall

Property Owners: Joe and Elaine Kain, Jake and Lisa Domonkos, and Jaye B. Marshall

Related Petitions: none

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

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

VROW-2019-0011

BILL NO. G-19-09-01

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:

All of the platted right-of-way lying north and west of Arbor Trail (recorded as Woodcrest Lane) and between Lots 32, 33, 34, and 35 of Forest Ridge Estates, Section A, as recorded in Plat Book 23, Pages 44-45 in the Office of the Recorder of Allen County, Indiana.

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

FILED

AUG 19 2019

LANA R. KEESLING
CITY CLERK

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:

(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:

(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: Joe and Elaine KainStreet Address: 1005 Circlewood DriveCity: Ft. Wayne State: IN Zip: 46804 Phone: (260) 436-3192

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 _____ Public Right of Way (street or alley)

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The reasons for the proposed vacation are as follows:

(If additional space is needed please attach separate page.)

- pge 2 -

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: Jack and Lisa Domonkos

Street Address: 10020 Arbor Trail

City: Ft. Wayne State: IN Zip: 46804 Phone: (574) 807-2761

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.

Jaye B Marshall Jaye B Marshall 8-19-17
Signature Printed Name Date
10116 Arbor Trail FT. Wayne, IN 46804
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:

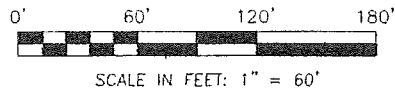
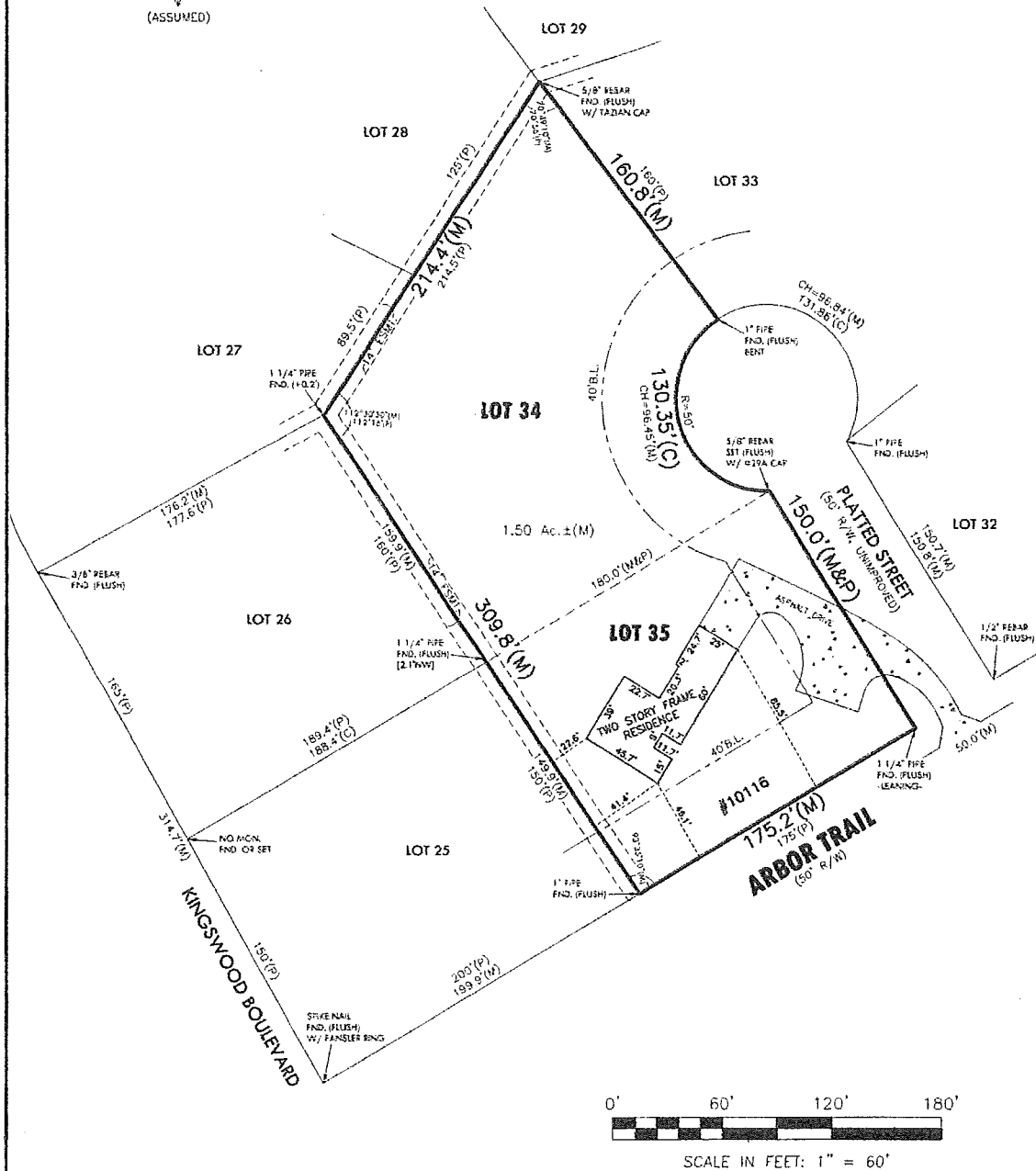
Receipt #: _____ Date Filed: _____

Map #: _____ Reference #: _____

PLAT OF SURVEY

Page 1 of 2

This document is a Retracement Survey of a parcel of land located in Allen County, Indiana.
SEE PAGE 2 OF 2 FOR THE SURVEYOR'S REPORT AND LEGAL DESCRIPTION.



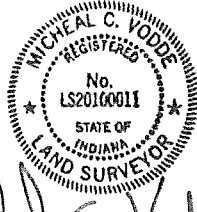
I hereby certify that the above Plat of Survey was prepared under my direct supervision and that to the best of my knowledge and belief was executed in accordance with the requirements of the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code.

Fieldwork completed on the 23rd day of OCTOBER, 2018.

Certified this 26th day of OCTOBER, 2018.

Prepared exclusively for: DONNELL / MARSHALL

Survey Number: 18-10-134



Michael C. Vodde
MICHAEL C. VODDE, L.S. #20100011

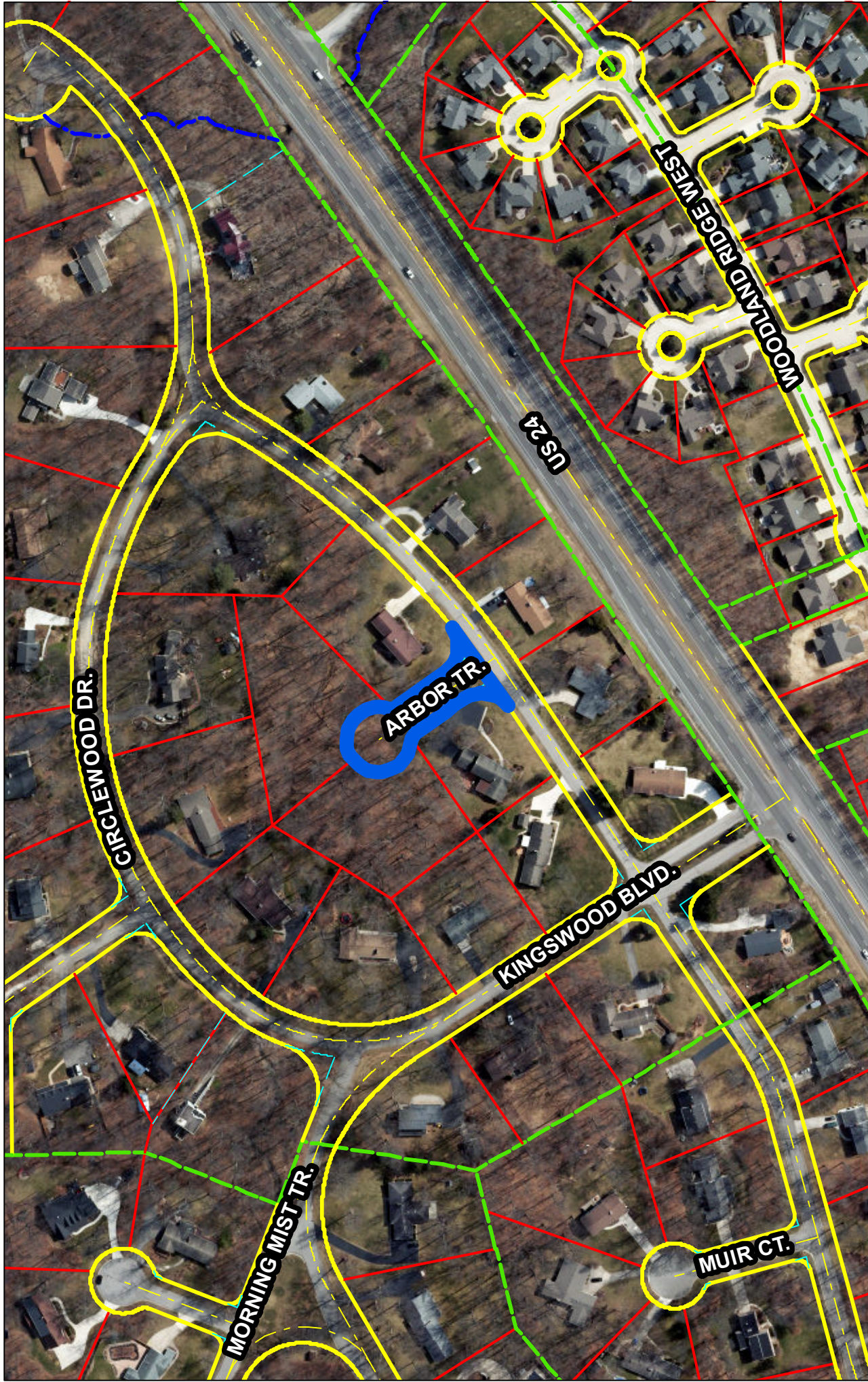


ANDERSON SURVEYING, INC.

Registered Professional Engineers and Land Surveyors
Indiana Land Surveying Firm Identification Number: 29A

1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
Toll Free: (888) 483-1724

1947 E. Schug Road
Columbia City, IN 46725
Phone: (260) 691-3425
Fax: (260) 482-6855



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.

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/3/2019



1 inch = 200 feet

