

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way
Case Number: VROW-2020-0001
Bill Number: G-20-01-13
Council District: 5-Geoff Paddock

Introduction Date: January 14, 2020

Public Hearing Date: January 28, 2020 (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 Randall Street within Whites 1st Addition.

Location: Between Lots 17 and 62 of Whites 1st Addition, west of Grant Avenue and east of Concordia Lutheran Cemetery.

Reason for Request: To allow for enough building setback to expand the existing business. Utility and vehicular access within the right-of-way area will remain.

Applicants: Doslak Squared, LLC

Property Owners: Doslak Squared, LLC

Related Petitions: Site Plan Routing Review

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-2020-0001

BILL NO. G-20-01-13

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:

Part of Randall Street for the purpose of being vacated between Lots 17 and 62 in Whites 1st Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed Book 55, Page 528 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot Number 62 in Whites 1st Addition; thence South 01 degrees 10 minutes 57 seconds East (assumed bearing and basis of bearing for all bearings in this description) a distance of 50.71 feet to the Northeast corner of Lot Number 17 in said addition; thence South 89 degrees 20 minutes 25 seconds West, on the North line of Lot Number 17, a distance of 121.93 feet to the Northwest corner of said Lot; thence North 00 degrees 31 minutes 02 seconds West a distance of 50.73 feet to the Southwest corner of Lot Number 62; thence North 89 degrees 20 minutes 53 seconds East, on the South line of said Lot, a distance of 121.35 feet to the Point of Beginning, containing 0.142 acres of land, more or less.

Note: The above described portion of Randall Street, after vacation shall be subject to a utility, drainage and access easement.

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

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

3 _____
4 COUNCILMEMBER

5 APPROVED AS TO FORM AND LEGALITY:

6
7 _____
8 Carol T. Helton, City Attorney
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
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:

RANDALL ST. WEST OF GRANT AVE.
SEE ATTACHED EXHIBIT

(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:

TO ALLOW FOR SETBACK ON REPLACEMENT WAREHOUSE
BLDG. PETITIONER OWNS ON BOTH SIDES OF STREET &
WILL GRANT UTILITY & ACCESS ESMT. W/ VACATION

(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: DOSLAK SQUARED, LLC (OWNER & PETITIONER)

Street Address: 15830 FAIRBANKS CT.

City: GRANGER State: IN Zip: 46530 Phone:

FORT WAYNE, INDIANA
FILED
JAN 07 2020
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.

William J. Dosla Jr. William J. Dosla Jr 12/21/2019
Signature Printed Name Date
1927 MAUMEE AVE FORT WAYNE, IN 46803
Address City/State/Zip

Signature Printed Name Date

Address City/State/Zip

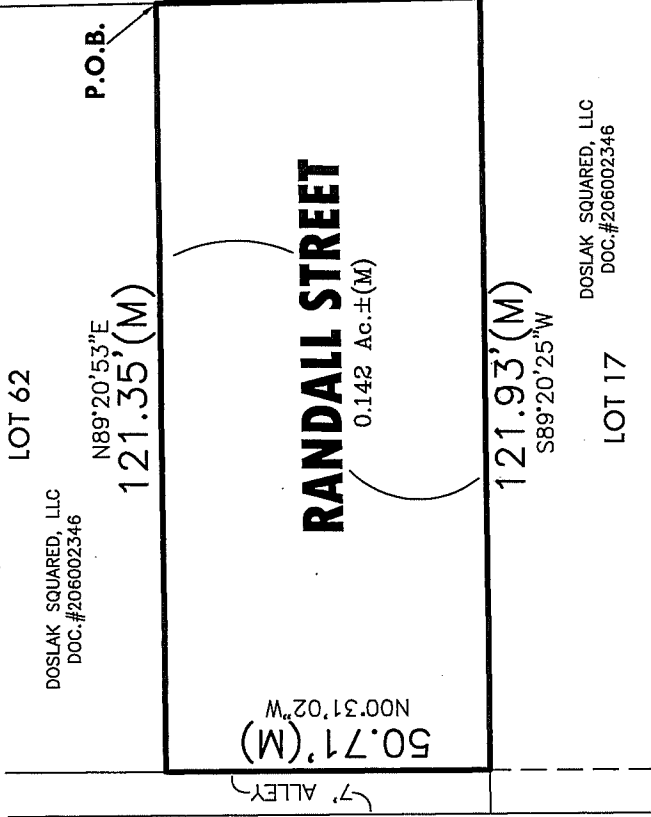
If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): MICHAEL C. VODDE, P.E., P.S.
Street Address: 1324 HENRY AVE.
City: FORT WAYNE State: IN Zip: 46808 Phone: 260-483-1724

- 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 #: 191316 (Clerk) Date Filed: 1/7/20
Map #: Adams 6 / P-06 Reference #: VR0W-2020-0001



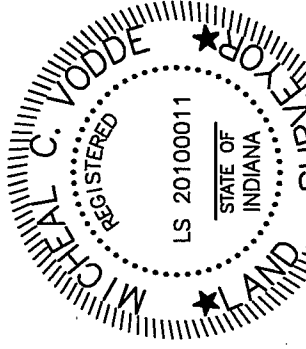
VACATED STREET AREA EXHIBIT

Part of Randall Street for the purpose of being vacated between Lots 17 and 62 in Whites 1st Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed Book 55, Page 528 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

BEGINNING at the Southeast corner of Lot Number 62 in Whites 1st Addition; thence South 01 degrees 10 minutes 57 seconds East (assumed bearing and basis of bearing for all bearings in this description) a distance of 50.71 feet to the Northeast corner of Lot Number 17 in said addition; thence South 89 degrees 20 minutes 25 seconds West, on the North line of Lot Number 17, a distance of 121.93 feet to the Northwest corner of said Lot; thence North 00 degrees 31 minutes 02 seconds West a distance of 50.73 feet to the Southwest corner of Lot Number 62; thence North 89 degrees 20 minutes 53 seconds East, on the South line of said Lot, a distance of 121.35 feet to the Point of Beginning, **containing 0.142 acres or land, more or less.**

NOTE: The above described portion of Randall Street, after vacation shall be subject to a utility, drainage and access easement.

JOB DESCRIPTION:
VACATED ROAD AREA
PT. OF RANDALL STREET BETWEEN LOTS 17 AND 62
WHITES 1ST ADDITION, ALLEN CO., IN



Michael C. Voth

DESCRIPTION NUMBER: 19-E-14 STREET VAC.

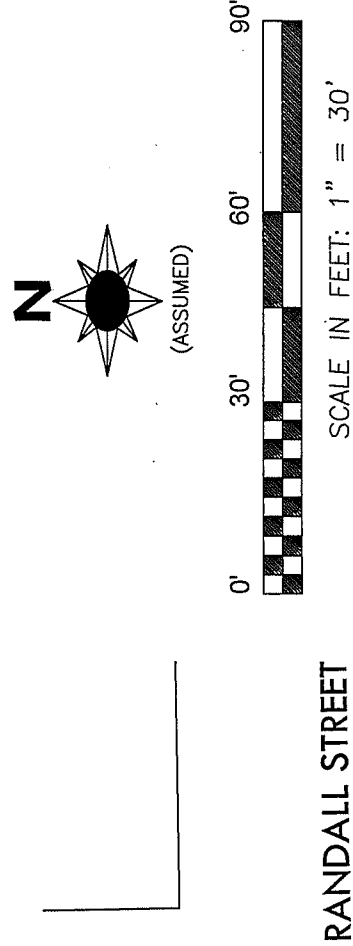
(DECEMBER 2019 / ENGINEERING 2019 / 19-E-14 TOPO)

AS INC.
EST. 1978
CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING
WWW.ANDERSONSURVEYING.COM

ANDERSON SURVEYING, INC.
Registered Professional Engineers and Land Surveyors
Indiana Land Surveying Firm Identification Number: 29A

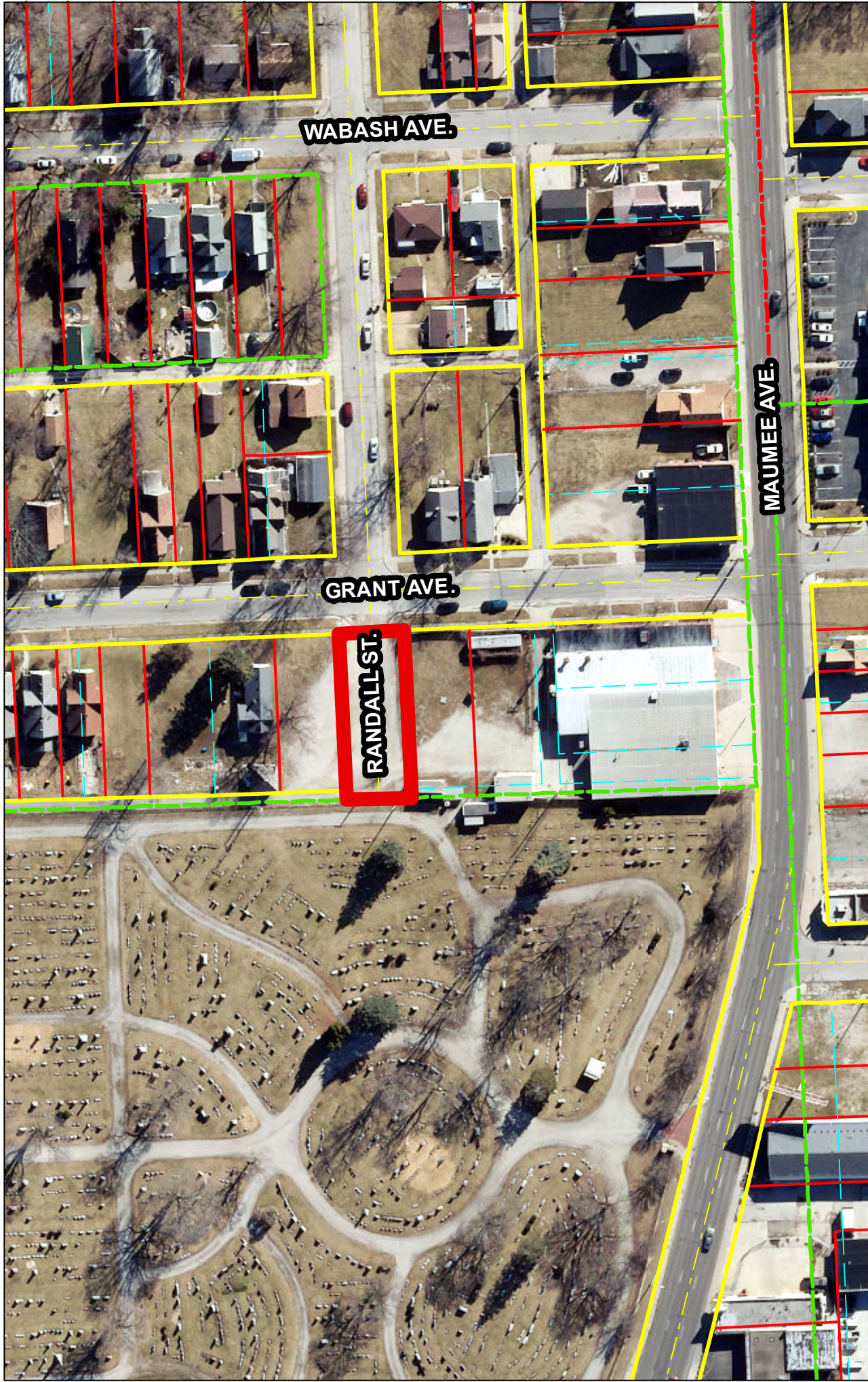
1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
Toll Free: (888) 483-1724

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



GRANT AVENUE
(60' R/W)

RANDALL STREET
(50' R/W)



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: 1/8/2020

1 inch = 100 feet

0 50 100 Feet