

# City of Fort Wayne Common Council

## DIGEST SHEET

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### Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way  
Case Number: VALY-2020-0002  
Bill Number: G-20-01-35  
Council District: 5-Geoff Paddock

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Introduction Date: January 28, 2020

Public Hearing Date: February 11, 2020 (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 in Lewis Addition, Amended, in the City of Fort Wayne.

Location: Between Lots 47 and 86 of Lewis Addition, Amended, south of 1312 South Hanna Street.

Reason for Request: To allow for improvements for Miss Virginia's Food Pantry.

Applicants: Inner City Hope Corporation dba Miss Virginia's Food Pantry

Property Owners: Inner City Hope Corporation dba Miss Virginia's Food Pantry

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Related Petitions: Rezoning Petition REZ-2020-0002 and Primary Development Plan, PDP-2020-0001

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Effect of Passage: The alley vacation will allow properties under common ownership to be combined and bring the existing building into conformance with the zoning ordinance, as well as improve traffic safety and allow for improvements to the food pantry.

Effect of Non-Passage: The right-of-way will remain as platted. Leaving the alley intact affects how the food pantry can improve and expand. It will also hinder improvements to the traffic circulation necessary for the clients of Miss Virginia's Food Pantry.

1 VALY-2020-0002

2 BILL NO. G-20-01-35

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

5 AN ORDINANCE amending the Thoroughfare  
6 Plan of the City Comprehensive ("Master")  
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 Part of a 14 foot alley for the purpose of begin vacated between Lot 47 and Lot 86 in  
17 Lewis Addition, according to the plat thereof, as recorded in Deed Record 27, pages  
18 391-393 in the Office of the Recorder of Allen County, Indiana, more particularly  
described as follows:

19 Beginning at the Northeast corner of Lot Number 86 in Lewis Addition; thence South  
20 88 degrees 02 minutes 31 seconds West (assumed bearing and basis of bearing for  
21 all bearings in this description), on the North line of said Lot, a distance of 152.69 feet  
22 to the Northwest corner of said Lot; thence North 01 degree 49 minutes 25 seconds  
23 West a distance of 14.00 feet to the Southwest corner of Lot Number 47 in Lewis  
Addition; thence North 88 degrees 02 minutes 31 seconds East, on the South line of  
said Lot, a distance of 152.68 feet to the Southeast corner of said Lot; thence South  
01 degrees 52 minutes 21 seconds East a distance of 14.00 feet to the Point of  
Beginning, containing 0.049 acres of land, more or less.

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

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

APPROVED AS TO FORM AND LEGALITY:

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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:

\_\_\_\_\_ Easement        X   Public Right of Way (street or alley)

More particularly described as follows:

**East half of the east/west alley between Douglas Avenue and  
Brackenridge Street**

(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: **BOB** PAGE(S) NUMBER(S): **P73** (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:

**Traffic in the alley is a safety hazard on food distribution days.  
Additionally we would like to improve the area for loading and  
unloading trucks.**

(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:

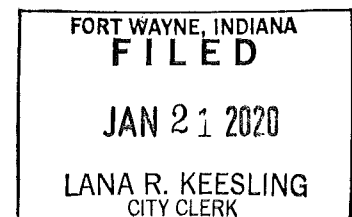
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Inner City Hope Corporation db. Miss Virginia's Food Pantry

Street Address: P.O. Box 12045

City: Fort Wayne State: IN Zip: 46862 Phone: 260-745-6719



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.

Leon A. Youngpeter  
Signature

PO Box 120454

Address

Leon A Youngpeter

Printed Name

Fort Wayne, IN 46862

City/State/Zip

1/6/20  
Date

Anthony m/henry  
Signature

PO Box 120454

Address

Anthony Henry

Printed Name

Fort Wayne, IN 46862

City/State/Zip

1-6-2020  
Date

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

Agent's Name (Print Legibly): Edward Welling

Street Address: 903 W Berry St

City: Fort Wayne State: IN Zip: 46802 Phone: 260-424-5942

**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:**

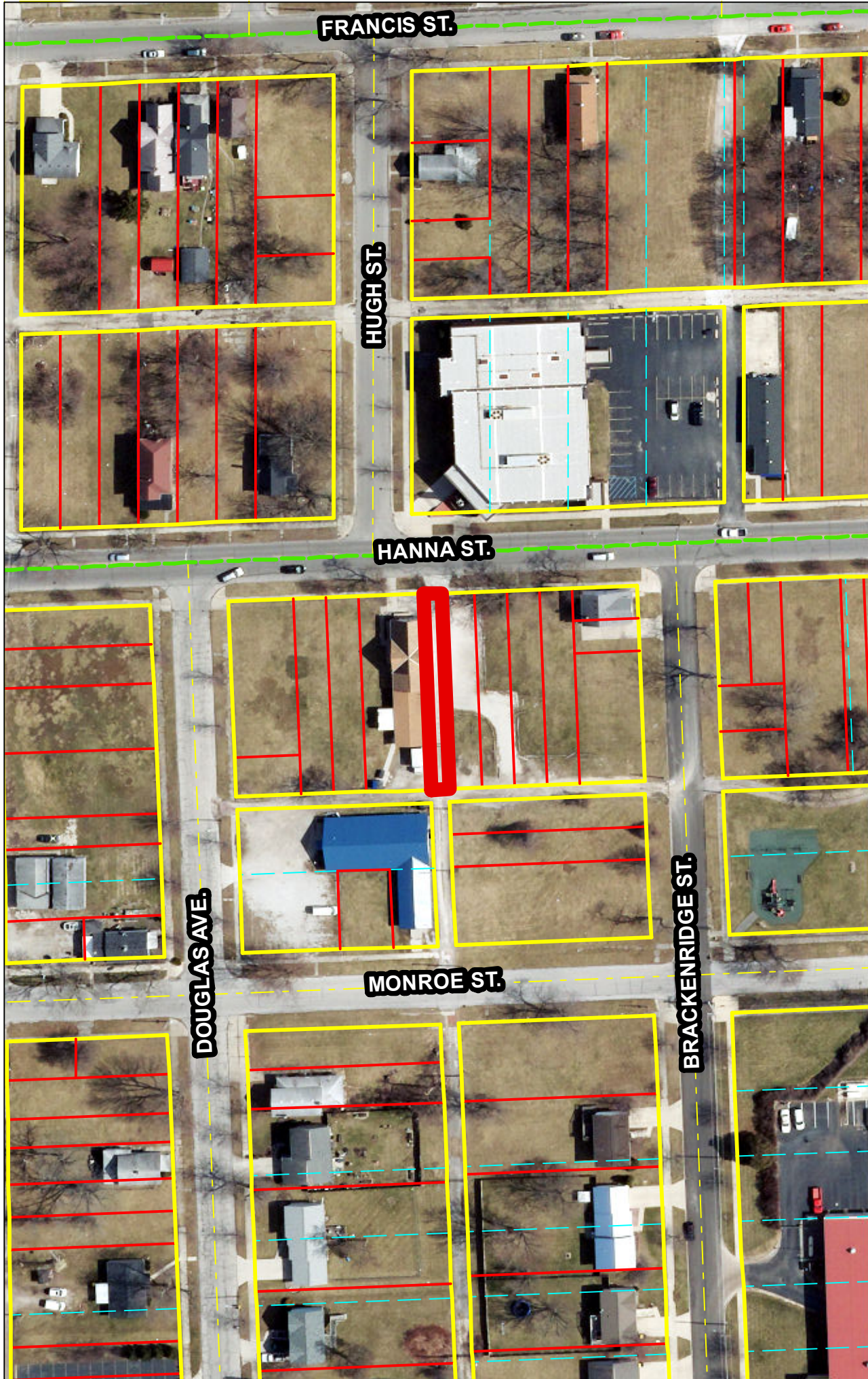
Receipt #: \_\_\_\_\_

Date Filed: rec'd 1/22/20

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

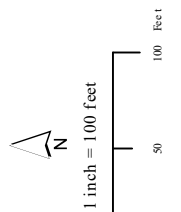
Reference #: VALY-2020-0002



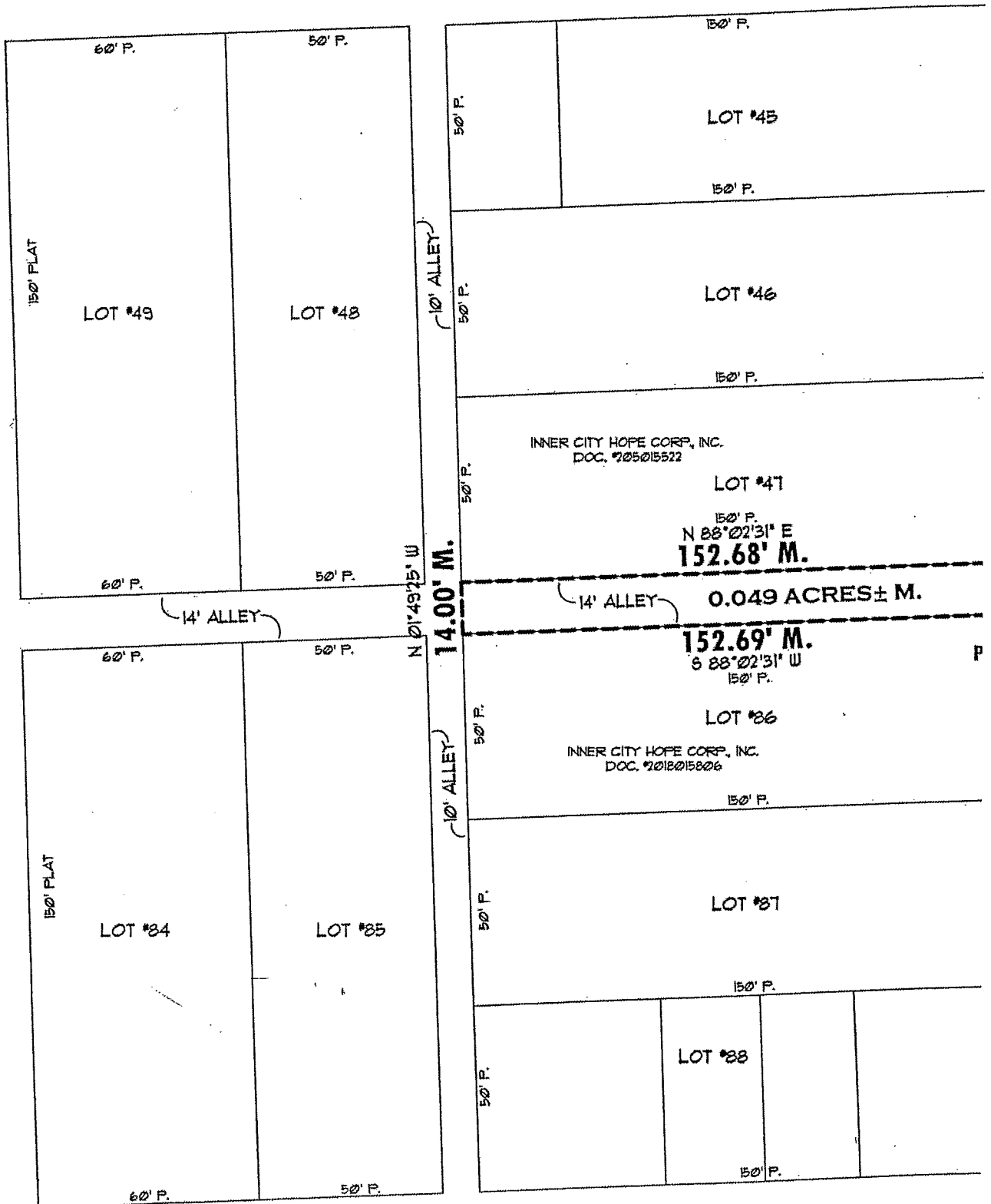


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983  
State Plane Coordinate System, Indiana East  
Photos and Contours: Spring 2009  
Date: 1/22/2020



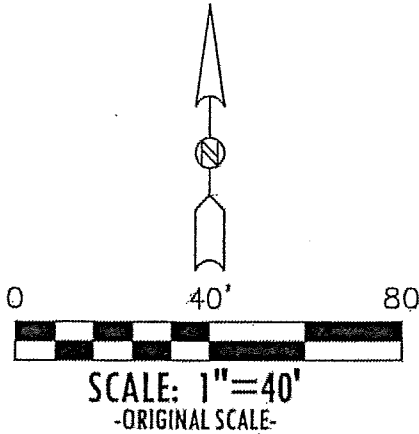
**MONROE STREET**  
(60' R/W - 28' ASPHALT ROADWAY)



## VACATED ALLEY AREA EXHIBIT

Part of an 14 foot alley for the purpose of being vacated between Lot 47 and 86 in Lewis Addition, according to the plat thereof, as recorded in Deed Record 27, pages 391-393 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

**BEGINNING** at the Northeast corner of Lot Number 86 in Lewis Addition; thence South 88 degrees 02 minutes 31 seconds West (assumed bearing and basis of bearing for all bearings in this description), on the North line of said Lot, a distance of 152.69 feet to the Northwest corner of said Lot; thence North 01 degrees 49 minutes 25 seconds West a distance of 14.00 feet to the Southwest corner of Lot Number 47 in Lewis Addition; thence North 88 degrees 02 minutes 31 seconds East, on the South line of said Lot, a distance of 152.68 feet to the Southeast corner of said Lot; thence South 01 degrees 52 minutes 21 seconds East a distance of 14.00 feet to the *Point of Beginning, containing 0.049 acres of land, more or less.*



14.00' M.  
S 01°52'21" E

HANNA STREET  
(60' R/W - 30' ASPHALT ROADWAY)

### JOB DESCRIPTION:

**INNER CITY HOPE CORP., INC., VACATED ALLEY AREA  
PT. OF ALLEY BETWEEN LOTS 47 AND 86  
LEWIS ADDITION, ALLEN CO., IN**

### 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



*Michael C. Volle*

DESCRIPTION NUMBER: 18-03-115