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

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way

Case Number: VALY-2020-0003

Bill Number: G-20-02-01

Council District: 5-Geoff Paddock

Introduction Date: February 11, 2020

Public Hearing Date: February 25, 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 14 foot wide alley in Hanna's Addition to the City of Fort Wayne.

Location: Between Lots 520, 521, and 522 and Lots 534, 535, and 536 of Hanna's

Addition, north of 222 West Berry Street.

Reason for Request: To allow for new parking garage and commercial space.

Applicants: Ashberry Eight, LLC

Property Owners: Ashberry Eight, LLC

Related Petitions: Previously approved Primary Development Plan, Ashberry Eight

Effect of Passage: The alley vacation will allow the property to redevelop with a mixed use

commercial building with integrated parking garage.

Effect of Non-Passage: The right-of-way will remain as platted. Leaving the alley intact affects the

development possibilities of this parcel. The Plan Commission conditionally

approved a Primary Development Plan dependent on clearing up any

encumbrances on the property.

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VALY-2020-0003 BILL NO. G-20-02-01

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:

Part of a 14 foot alley for the purpose of begin vacated between Lots 520, 521, 522, 534, 535, and 536 in Hanna's Addition, according to the plat thereof, as recorded in Deed Book A, page 17 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of Lot 522 in Hanna's Addition; thence North 11 degrees 56 minutes 43 seconds West (assumed bearing and basis of bearing for all bearings in this description), a distance of 14.00 feet to the Southwest corner of Lot 534; thence North 78 degrees 08 minutes 17 seconds East, on the Southeast line of Lots 534, 535, and 536, a distance of 129.58 feet; thence South 11 degrees 56 minutes 43 seconds East a distance of 14.00 feet to the Northwest line of Lot 520; thence South 78 degrees 08 minutes 17 seconds West, on the Northwest lines of lots 520, 521, and 522, a distance of 129.58 feet to the Point of Beginning, containing 0.042 acres of land, more or less.

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.

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2		COUNCILMEMBER
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4	APPROVED AS TO FORM AND LEGALITY:	
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6	Carol T. Helton, City Attorney	
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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:
Basement X Public Right of Way (street or alley)
More particularly described as follows:
Part of an 14 foot alley for the purpose of being vacated between Lots 520, 521, 522, 534, 535, and 536 in Hannas Addition, according to the plat thereof recorded in Deed Book A, Page 17 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:
BEGINNING at the Northwest corner of Lot 522 in Hannas Addition; thence North 11 degrees 56 minutes 43 seconds West (assumed bearing and basis of all bearings in this description) a distance of 14.00 feet to the Southwest corner of Lot 534; thence North 78 degrees 08 minutes 17 seconds East, on the Southeast line of Lots 534, 535, and 536, a distance of 129.58 feet; thence South 11 degrees 56 minutes 43 seconds East a distance of 14.00 feet to the Northwest line of Lot 520; thence South 78 degrees 08 minutes 17 seconds West, on the Northwest lines of Lots 520, 521, and 522, a distance of 129.58 feet to the Point of Beginning, containing 0.042 acres of land, more or less.
DEED BOOK NUMBER: A PAGE(S) NUMBER(S): 17 (This information can be obtained from the Allen County Recorder's Office on the 2 nd Floor, City-County Building, One Main Street, Fort Wayne, IN)
The reasons for the proposed vacation are as follows: Proposed downtown development including parking garage and commercial space.
(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: Ashberry Eight, LLC
Street Address: 888 South Harrison Street; Suite 900
City: Fort Wayne State: IN Zip: 46802 Phone: 260-341-0365

FORT WAYNE, INDIANA
FILED

JAN 30 2020

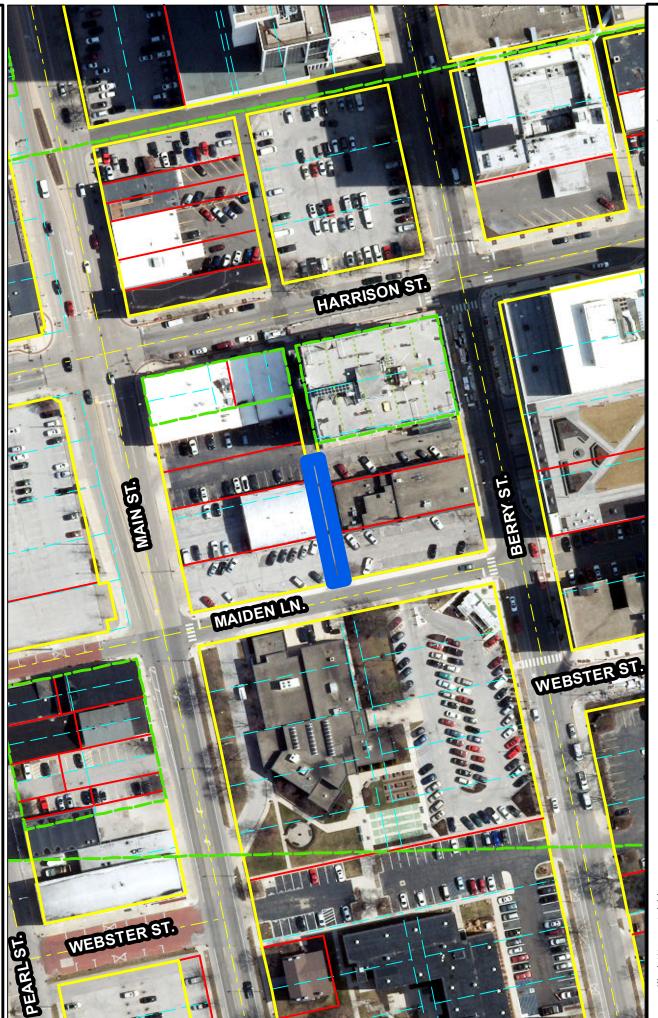
LANA R. KEESLING CITY CLERK

VALY-2020-0003

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.

1 / h	-	Tony Brita, Mar	nager	1/20/20
Signature		Printed Name		Date
888 South Harrison Street; Suite 900 Address		Fort Wayne, IN 46802 City/State/Zip		!
Signature		Printed Name		Date
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Agent's Name (Print Legibly	/}·			
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or Office Use Only:				
Leceipt #:		Date Filed	: 1/20/20)
Map#: Wayne	02			
Лар #: IV I - U (В		Reference	#: VALY -	2020-0007





been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the inform ation contained hereis and disclaim sany and all liability resulting from

any error to consiston in this map.

2004 Board of Commissioners of the County of Alle
North American Daam 1983
State Planc Coordinate System, Indiana East
Photos and Contoures Spring 2009
Date (1902020)

1 inch = 100 feet

January 29, 2020

City of Fort Wayne Alley Vacation Petition Adjacent Property Owner Attachment Sheet

The following are adjacent property owner's:

Owner: R & D Stoner

Contact Information:

Dick Stoner

c/o Stoner's Funstore 712 South Harrison Street Fort Wayne, IN 46802

260/426-1100

The only other property within the same block is the Metro Building, and it is owner by Ashberry Eight, LLC, the same ownership as the project.

#520, 522, 534, 535, 536 & port of 520 in Honna's Addition of the City of Fort Wayne, Wayne Twp., Allen County, IN The Lands of Ashberry Eight, LLC & Raze 222, LLC

RETRACEMENT SURVEY

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J.M.J.	N.C.V.		
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