

VROW-2022-0007

BILL NO. G-22-05-21

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:

The entirety of Scotswolde Drive, located between Lots 6 through 8 and Lots 9 through 11 of Woodlawn Park Addition, as recorded in Plat Book 28A, page 33, 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:

Malak Heiny, City Attorney

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VROW-2022-0007
Bill Number: G-22-05-21
Council District: 3 – Tom Didier

Introduction Date: May 24, 2022

Public Hearing Date: June 14, 2022 to be heard by Council

Next Council Action: Ordinance will return to Council after recommendation by reviewing agencies.

Synopsis of Ordinance: To vacate the remaining right-of-way of Scotswolde Drive.

Location: West of Goshen Road, to the western terminus of Scotswolde Drive.

Reason for Request: To allow for combination of properties and future development.

Applicant: Dave Baldwin

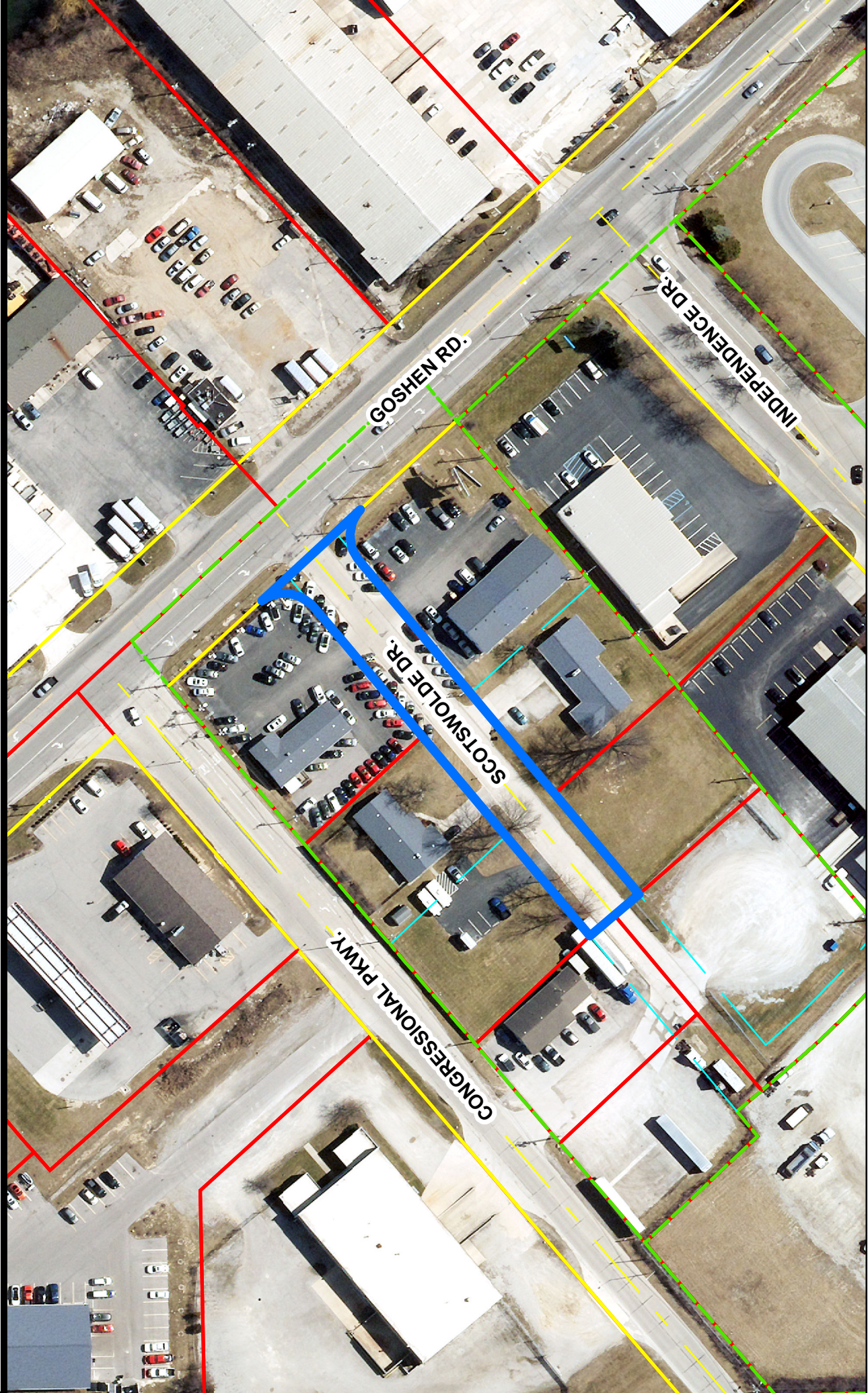
Property Owners: Dave Baldwin

Related Petitions: none

Effect of Passage: The vacation of the right-of-way will allow for existing parcels to be combined and aid in redevelopment of the property.

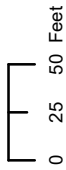
Effect of Non-Passage: The right of way will remain as platted. The applicant owns the property on both sides of the right-of-way and the road is no longer used by the public. Maintaining the right-of-way may hinder future development of the property.

Vacation of Right of Way VROW-2022-0007 Scotswolde Drive



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: 5/13/2022



1 inch = 100 feet

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)

More particularly described as follows:

SCOTSWOLDE DRIVE (PICTURE 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:

1. SCOTSWOLDE DRIVE IS RARELY TRAVELED EXCEPT FOR THE USE OF OUR BUSINESS, BEST DEAL AUTO SALES & OUR CUSTOMERS.
2. WE OWN 6 OF 9 LOTS ON SCOTSWOLDE DRIVE.
3. WE HAVE MAINTAINED SCOTSWOLDE DRIVE AND THE R-O-W SINCE 2004.
4. WE WOULD LIKE TO MAKE IMPROVEMENTS & MAINTAIN USE OF THE R-O-W NECESSARY FOR CURRENT AND FUTURE IMPROVMENTS.
5. WE OWN ROUGHLY 364' OF THE 464' OF ROAD FRONTAGE ON SCOTSWOLDE DRIVE.

(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:

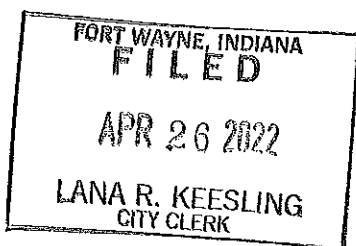
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

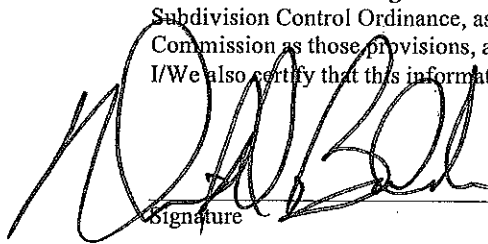
Name: _____

Street Address: _____

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



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.



Signature _____ Printed Name DAVID D. BALDWIN Date 04/25/2022

Address 13442 TONKEL ROAD City/State/Zip FORT WAYNE, IN 46808

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 #: _____