

1 VALY-2022-0001 (rev)

2 BILL NO. G-22-06-02

3
4 GENERAL ORDINANCE NO. G-_____

5 AN ORDINANCE amending the Thoroughfare
6 Plan of the City Comprehensive ("Master")
7 Plan by vacating public right-of-way.

8 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
9 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
10 Indiana; and

11 WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing
12 and approved said petition, as provided in I.C. 36-7-3-12.

13 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
14 FORT WAYNE, INDIANA:

15 SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of
16 Fort Wayne, Indiana, more specifically described as follows, to-wit:

17 The north-south alley located west of Lot 383 in Hanna's Addition East Part to the City of Fort
18 Wayne recorded in Deed Book C, Page 526, in the Office of the Recorder of Allen County,
19 Indiana, more particularly described as follows:

20 Beginning at the northwest corner of said Lot 383 thence southerly along the west line of said Lot
21 383, a distance of 150 feet to the southwest corner of said Lot 383; thence westerly along the
22 north right-of-way line of East Berry Street a distance of 10 feet to the southeast corner of Lot 3 in
23 Skinners Subdivision recorded in Deed Book 52, Page 379, in the Office of the Recorder of Allen
24 County, Indiana; thence northerly a distance of 150 feet to a point on the east line of Lot 4 in said
25 Skinners Subdivision; thence easterly a distance of 10 feet to the point of beginning.

26 Together with:

27 All of the 5-foot wide east-west alley located within Skinners Subdivision (384 Hanna's Addition)
28 of the City of Wayne recorded in Deed Book 52, Page 379, in the Office of the Recorder of Allen
29 County, Indiana.

30 Note: The above described property, 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.

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: VALY-2022-0001 (revised)
Bill Number: G-22-06-02
Council District: 5 – Geoff Paddock

Introduction Date: June 14, 2022

Public Hearing Date: June 28, 2022 to be heard by Council

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

Synopsis of Ordinance: To vacate a portion of the north-south alley west of Lot 383 in Hanna's Addition East Part, along with all of the east-west alley in Skinners Subdivision of Hanna's Lot 384.

Location: Along the east boundary of 817 East Berry and north of 817 and 801 East Berry.

Reason for Request: To allow for use as a private driveway and aid in redevelopment of the adjacent vacant parcel. *Revised from May to include east-west alley.*

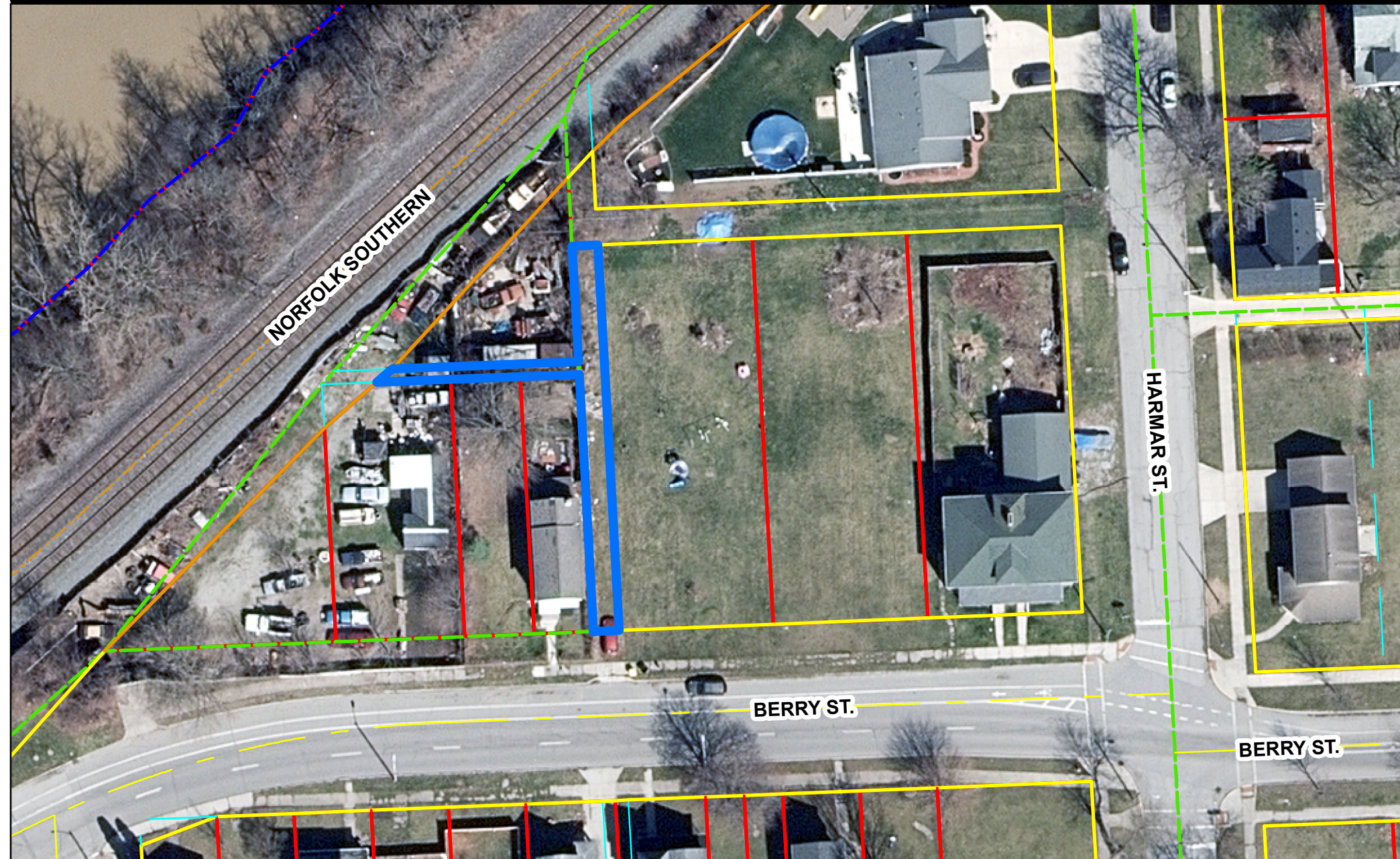
Applicant: Juan Williams

Property Owners: Juan and Demeta Williams

Related Petitions: none

Effect of Passage: The vacation of the unimproved alleys will allow for greater land to redevelop into housing options, and provide driveway space for the existing residence.

Effect of Non-Passage: The right of way will remain as platted. Any new development will need to conform to setbacks from the existing right-of-way.



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: 6/7/2022

0 50 100 Feet



1 inch = 50 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:

Refer to file

(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:

We have been taking care of the alley for decades (keep grass cut, picking up trash)
We also own the land on both sides of the alley (which is no longer used.)
We would also like to use it as a driveway.

(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:

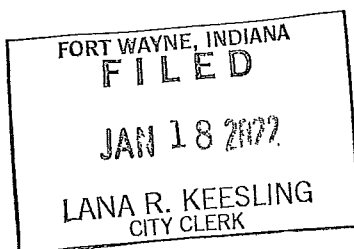
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Juan Williams

Street Address: 817 E Berry St.

City: Fort Wayne State: IN Zip: 46803 Phone: (260) 418-6528



VALY-2022-0001

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.

Juan Williams
Signature

Juan Williams
Printed Name

1/18/22
Date

817 E Berry St.
Address

Fort Wayne, IN 46803
City/State/Zip

[Signature]
Signature

Dameta Williams
Printed Name

1-18-22
Date

817 E. Berry St.
Address

Fort Wayne IN. 46803
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 #: _____