

1 VALY-2022-0005

2 BILL NO. G-22-09-05

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 15-foot wide alley located west of Lot 162 in Swinney's Addition, Plat of Lots
18 98 through 169 and 206 through 217, recorded in Deed Book 2B, Page 84B, in the Office of
19 the Recorder of Allen County;

20 TOGETHER WITH:

21 The east-west 10-foot wide alley north of Lot 161 and north of the vacated Lavinia Street in
22 Swinney's Addition, Plat of Lot 98 through 169 and 206 through 217, recorded in Deed Book 2B,
23 Page 84B, in the Office of the Recorder of Allen County, Indiana.

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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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 of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2022-0005
Bill Number: G-22-09-05
Council District: 5 – Geoff Paddock

Introduction Date: September 13, 2022

Public Hearing Date: September 27, 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 north-south alley between Lots 161 and 162 in Swinney's Addition, along with the east-west alley on the north side of Lot 161.

Location: Along the east and north boundaries of 1506 Wall Street.

Reason for Request: To combine with the parcel at 1506 Wall Street.

Applicant: Sanders and Son BC, LLC

Property Owners: Sanders and Son BC, LLC

Related Petitions: none

Effect of Passage: The vacation of the unimproved alley will allow the land to be adjoined with the parcel to the west, increasing parking area, and allowing for maintenance.

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.

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:

See Documentation 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:

increased parking, property maintenance
closing on property Aug 10th @ 11 with
Allen county Development corp.
(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:

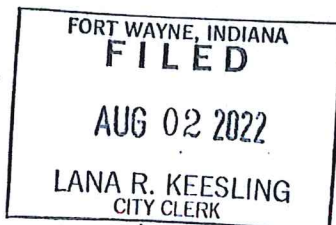
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Harold Sanders Buying as Sanders and Sons BC

Street Address: 1506 Wall St.

City: Fort Wayne State: IN Zip: 46803 Phone: 260 797-1413



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.

Andrew SANDERS Andrew Sanders 8-2-22
Signature Printed Name Date
6405 Birchdale Dr Fort Wayne, IN 46815
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): _____

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.

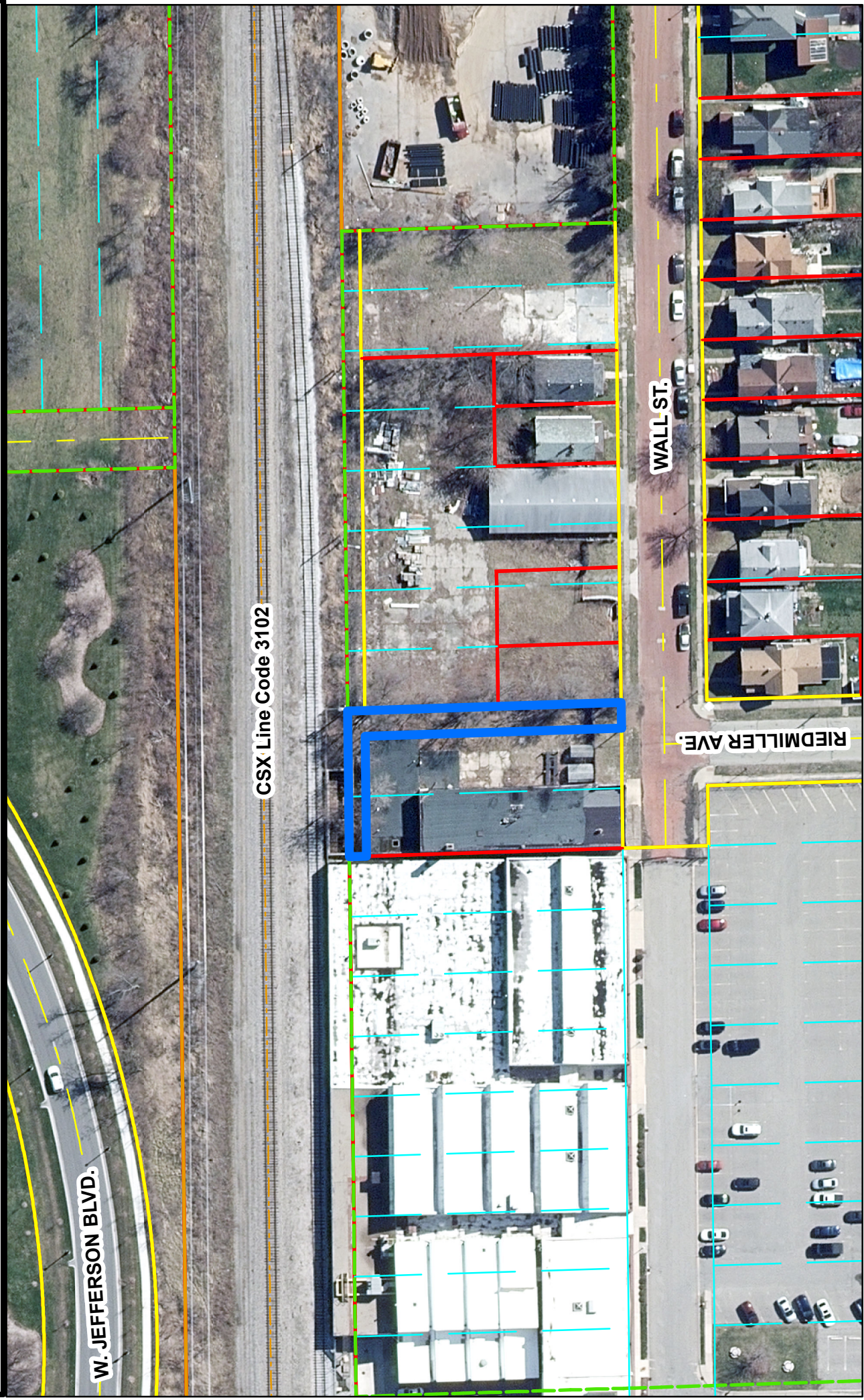
For Office Use Only:

Receipt #: _____ Date Filed: _____

Map #: _____ Reference #: _____

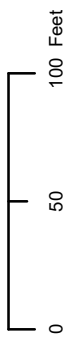


Alley Vacation VALY-2022-0005 - Wall Street Alley

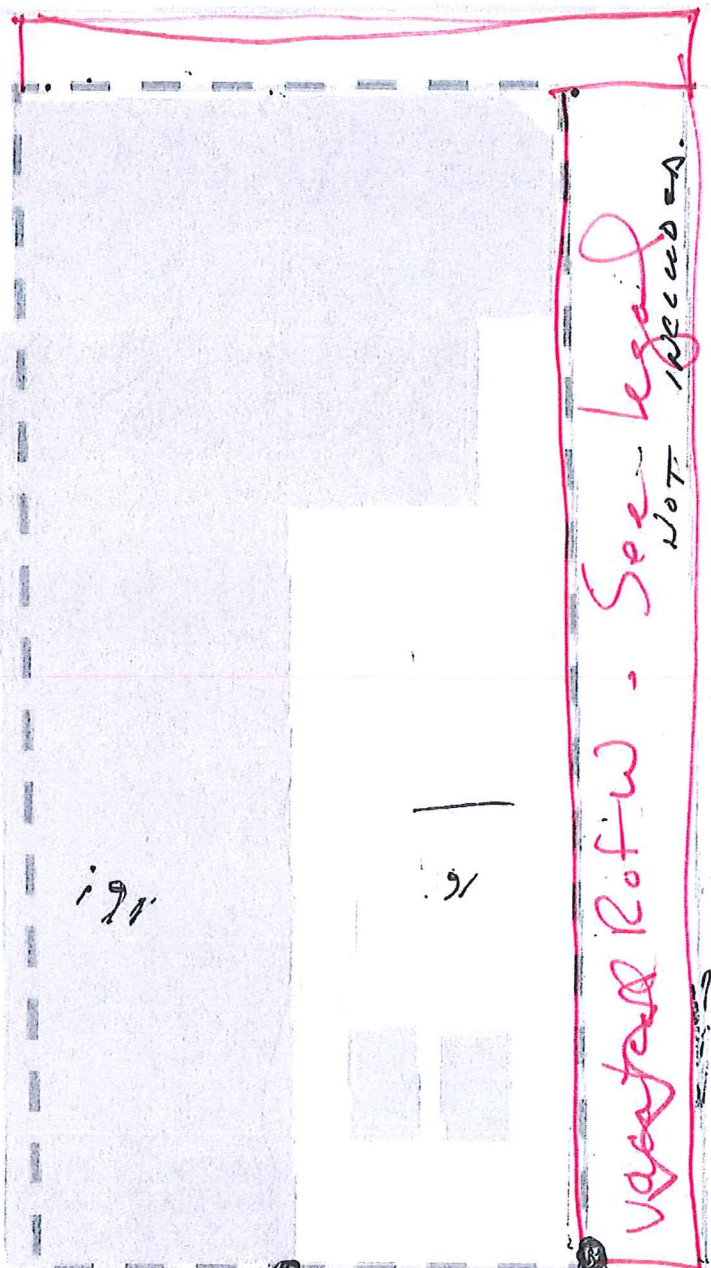


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/6/2022



1 inch = 75 feet



petition
rev. by plan
City Council
quaker hwy

WALL ST