

1 VALY-2022-0004

2 BILL NO. G-22-08-02

3
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 All of the north-south 12-foot wide alley located between Lots 70 and Lots 67 through 69 in Lewis
17 Addition, Amended to the City of Fort Wayne, as platted in Deed Record 27, Page 391, in the Office of
the Recorder of Allen County, Indiana.

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

20
21 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
22 any and all necessary approval by the Mayor.

23
24 _____
COUNCILMEMBER

25 APPROVED AS TO FORM AND LEGALITY:

26
27 _____
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-2022-0004
Bill Number: G-22-08-02
Council District: 5 – Geoff Paddock

Introduction Date: August 9, 2022

Public Hearing Date: August 23, 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 12-foot wide alley between lots 70 and 67 through 69 in Lewis Addition, Amended.

Location: East of Lots 67 through 69, and east of 1325 Lafayette Street

Reason for Request: To allow for the combination of lots for an existing business.

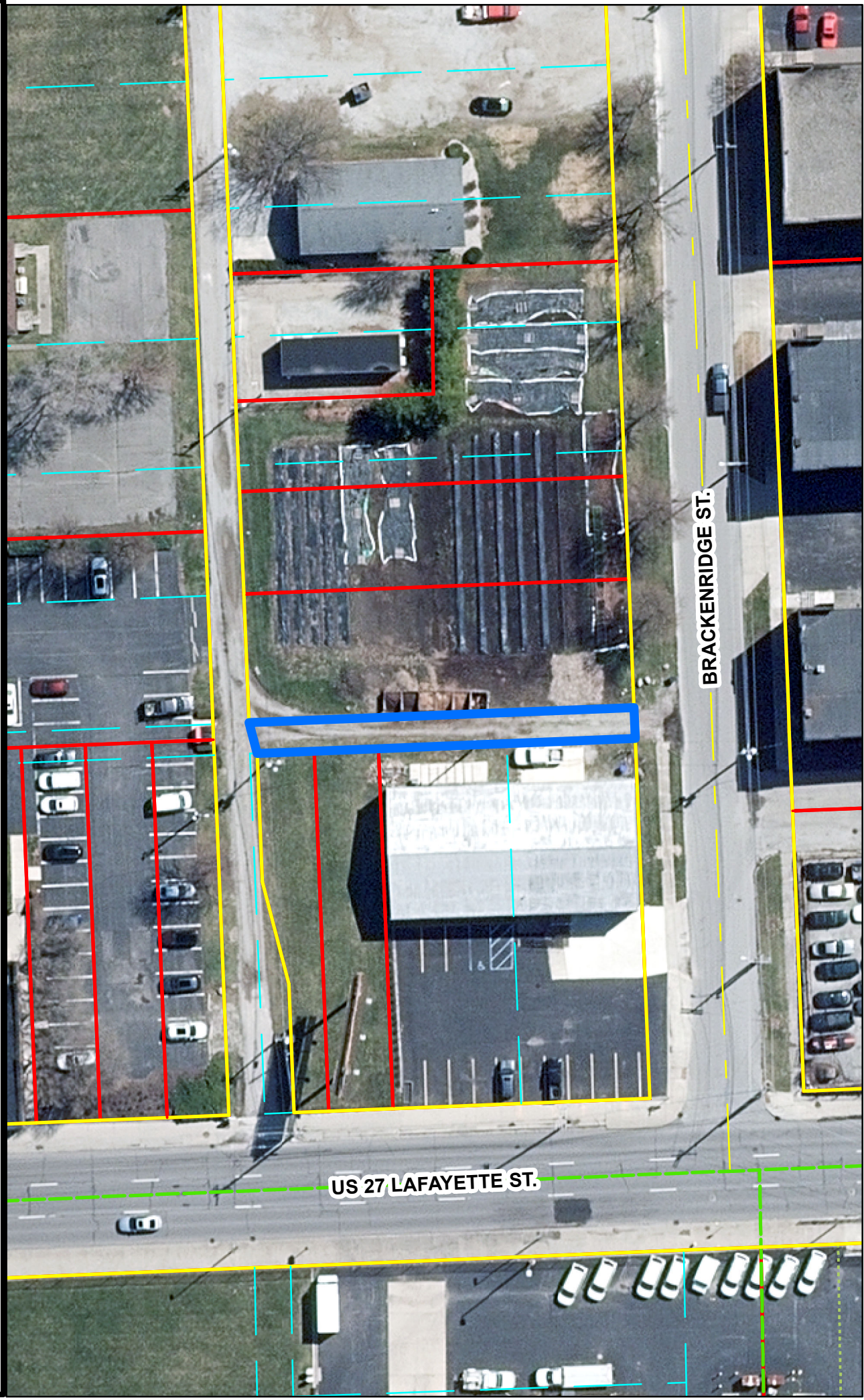
Applicant: Windrose Learning Center, Inc.

Property Owners: Windrose Learning Center, Inc.

Related Petitions: none

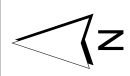
Effect of Passage: The vacation of the alley will allow for the combination of lots and the use of the alley by the existing business.

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: 8/3/2022



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 X Public Right of Way (street or alley)

More particularly described as follows:

This is the alley between 1325 Lafayette St (Parcel # 02-12-12-104-008.000-074) and 419 Brackenridge St. (Parcel 02-12-12-104-015.017-00074). This alley is not an active alley. Property is own by Windrose Learning and Leona Works. Both businesses are owned by petitioner.

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

The reasons for the proposed vacation are as follows:

Windrose Learning has submitted a proposal to obtain an external cooler that will be located on the west side of the 1325 Lafayette property. Additionally, the alley is frequently trafficked by employees of Windrose Learning going to the 419 property which is a community garden.

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:

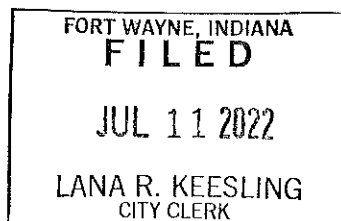
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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.

<u>Stacey E Smith</u> Signature	<u>Stacey E Smith</u> Printed Name	<u>07.08.2022</u> Date
<u>1325 Lafayette St</u> Address	<u>Fort Wayne, IN 46802</u> City/State/Zip	
<u>Stacey E Smith</u> Signature	<u>Stacey E Smith</u> Printed Name	<u>07.08.2022</u> Date
<u>419 Brackenridge St</u> Address	<u>Fort Wayne, IN 46802</u> 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 #: _____