

1 VALY-2023-0002

2 BILL NO. G-23-02-45

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 73 feet of the alley between Lots 66 and 67 in Bond's 3rd Addition to the City of
18 Fort Wayne, as recorded in Deed Record 58, Page 441 in the Office of the Recorder of Allen
19 County, Indiana.

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

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

24 _____
25 COUNCILMEMBER

26 APPROVED AS TO FORM AND LEGALITY:

27 _____
28 Malak Heiny, City Attorney
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2023-0002
Bill Number: G-23-02-45
Council District: 5 – Geoff Paddock

Introduction Date: February 28, 2023

Public Hearing Date: March 14, 2023 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 alley lying west of 1510 Fairfield Avenue

Location: West of 1510 Fairfield Avenue, south of Hendricks Street.

Reason for Request: To accommodate construction of a new parking lot and building access.

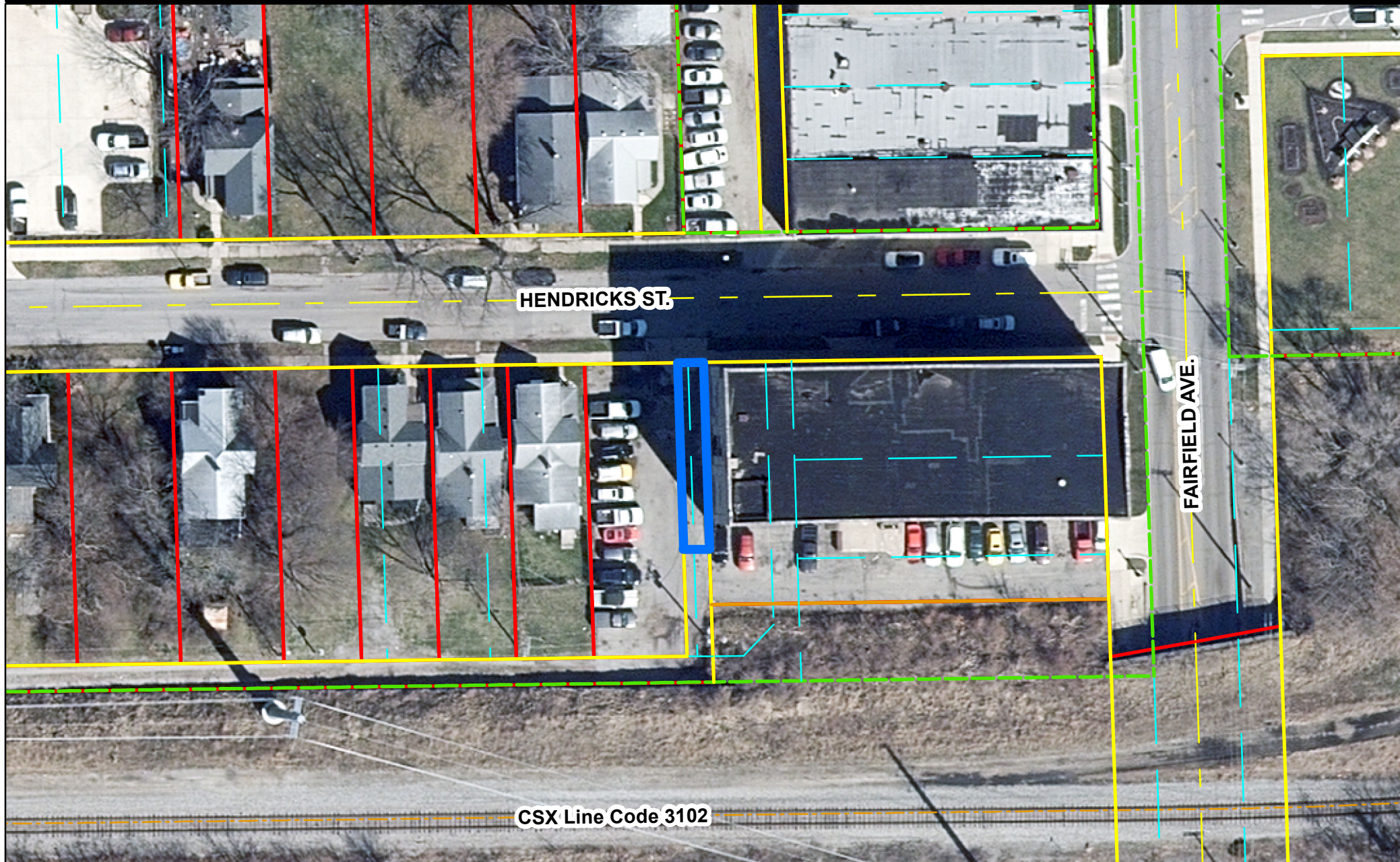
Applicant: Vision Property Group, LLC

Property Owner: Vision Property Group, LLC

Related Petitions: SITE-2023-0019

Effect of Passage: The vacation of the alley will allow the property owner to create a new parking lot along Hendricks Street and create a new ADA access for the building at 1510 Fairfield Avenue.

Effect of Non-Passage: The right of way will remain as platted. Redevelopment of the property may be hindered by retention of the 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: 2/23/2023

0 50 100 Feet



1 inch = 50 feet

CITY OF FORT WAYNE

FORT WAYNE, INDIANA

FILED

JAN 3 2023

LANA R. KEESLING
CITY CLERK

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:

The North 73 feet of the alley between Lots 66 and 67 in Bond's 3rd Addition,
South of Hendricks Street and West of Fairfield Avenue.

(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: 58 PAGE(S) NUMBER(S): 441 (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:

The owner of Lots 66 and 67 is planning on constructing a new entrance
(stair/ramp) on the West side of the existing building (Lot 67) which abuts the
alley.

(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.

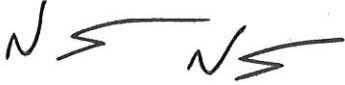
Applicant's name(s) if different from property owner(s):

Name: Vision Property Group, LLC c/o David Beer

Street Address: 2115 Calais Road

City: Fort Wayne State: IN Zip: 46814 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 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.

	<u>Nathan Newport</u>	<u>1/12/22</u>
Signature	Printed Name	Date
<u>2115 Calais Road</u>	<u>Fort Wayne, IN 46814</u>	
Address	City/State/Zip	
	<u>David Beer</u>	<u>1/12/22</u>
Signature	Printed Name	Date
<u>7702 Popcorn Dr.</u>	<u>Roanoke, IN 46783</u>	
Address	City/State/Zip	

If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): Brooks Construction Co., Inc. c/o Justin Hoffman

Street Address: 6525 Ardmore Avenue

City: Fort Wayne State: IN Zip: 46809 Phone: 260-478-1990

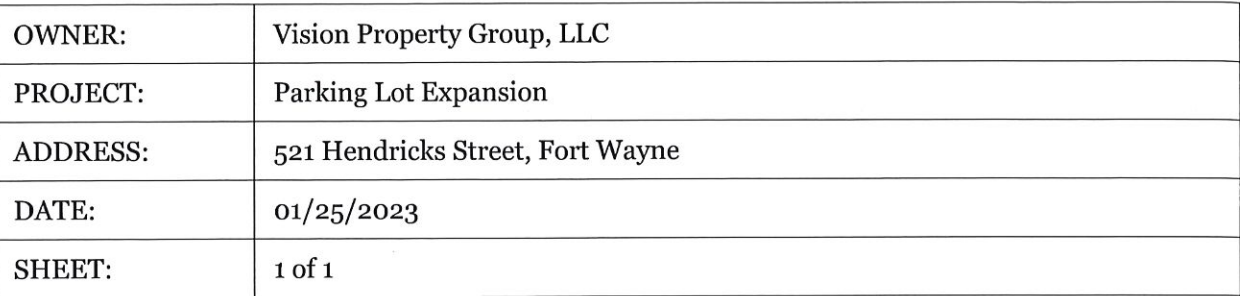
NOTICE:

- 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:

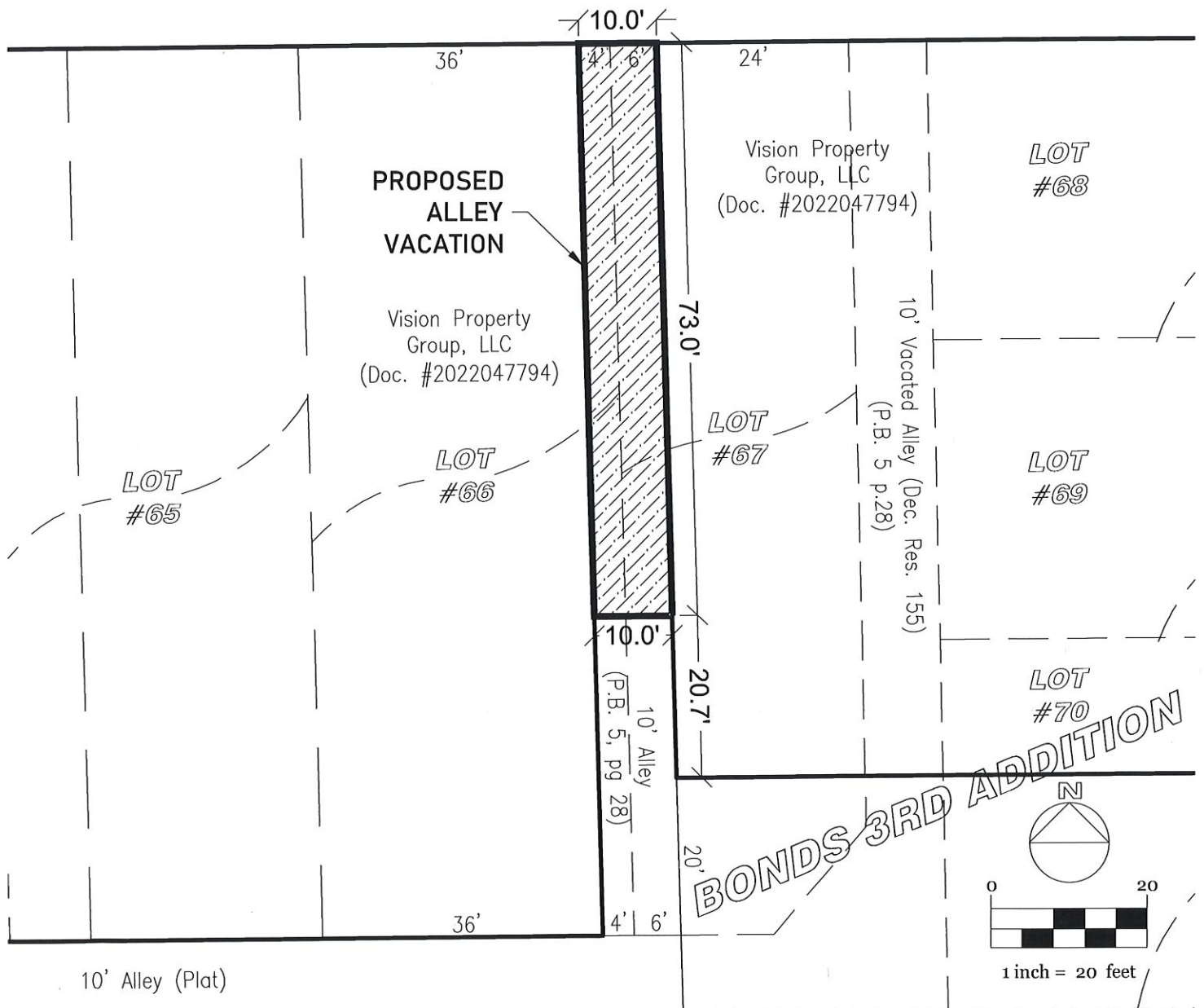
Receipt #: _____ Date Filed: _____

Map #: _____ Reference #: _____

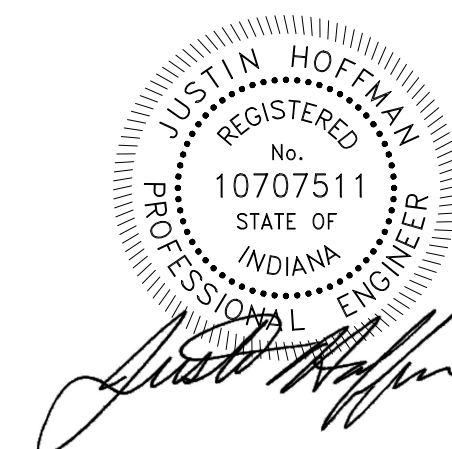


The North 73 feet of the alley between Lots 66 and 67 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.

Hendricks Street (50' R/W)



This drawing is not intended to be represented as a retracement or original survey, a route survey or a Surveyor Location Report.



C-1.0

RECEIPT

Violations Bureau

City of Fort Wayne
200 East Berry St, Suite 110
Ft Wayne, IN 46802
Phone (260) 427-1208

Receipt # 249501

Issued By Toni
Date Issued January 30, 2023

Alley Vacation

Qty: 1	\$200.00
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Subtotal	\$200.00
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Total Payments	\$200.00
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Payment Description	Check
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Change Due	\$0.00
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Approved by St Board of Acct for the
City of Ft Wayne