1	VALY-2023-0005		
2	BILL NO. G-23-03-17		
3			
4	GENERAL ORDINANCE NO. G		
5	AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master")		
6	Plan by vacating public right-of-way.		
7			
8			
9	WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as		
10	more specifically described below) was duly filed with the City Clerk of the City of Fort Wayn		
11	Indiana; and		
12	WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing		
13	and approved said petition, as provided in I.C. 36-7-3-12.		
14	NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF		
15	FORT WAYNE, INDIANA:		
16	SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of		
17	Fort Wayne, Indiana, more specifically described as follows, to-wit:		
18	All of the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the		
19	alley South of Lot 65 and the East 27 feet of the alley South of Lot 64 in Bond's 3 <sup>rd</sup> Addition		
20	to the City of Fort Wayne, as recorded in Deed Record 58, page 441 in the Office of the Recorder of Allen County, Indiana.		
21	and which vacating amends the Thoroughfore Plan of the Oit Community (1944 1977)		
22	and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.		
23			
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	11		
1	SECTION 2. That, pursuant to I.C. 36-7-3-16(b), there are hereby reserved easements in		
2	the following described real estate, for the use by public utilities presently occupying and using		
3	such real estate for the location and operation of their facilities:		
4	The South 40.7 feet of the East 4 feet of Lot 66, together with the South 40.7 feet of the West 6 feet of Lot 67, together with all of the alley South of Lots 67, 66, and 65, together with the East 27 feet of the alley South of Lot 64 in Bond's 3 <sup>rd</sup> 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.		
5			
6			
7			
8	SECTION 3. That this Ordinance shall be in full force and effect from and after its		
9	passage, any and all necessary approval by the Ma	ayor.	
10		OOUNGUMENDED	
11		COUNCILMEMBER	
12			
13			
14	APPROVED AS TO FORM AND LEGALITY:		
15			
16	Malak Heiny, City Attorney		
17			
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# City of Fort Wayne Common Council **DIGEST SHEET**

#### **Department of Planning Services**

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2023-0005

Bill Number: G-23-03-17

Council District: 5 – Geoff Paddock

Introduction Date: March 28, 2023

Public Hearing Date: April 11, 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 between Lots 66 and 67, and south of

Lots 64 and 65 in Bond's 3<sup>rd</sup> Addition.

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. New access from the remaining alley to Hendricks Street will be dedicated as part of this development

through the new parking lot.

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.

# FORT WAYNE, INDIANA FILED

MAR 06 2023

LANA R. KEESLING CITY CLERK

## CITY OF FORT WAYNE

#### **Vacation Petition**

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 /260.427.122					
I/We do hereby petition to vacate the following:					
Easement X Public Right of Way (street or alley)					
More particularly described as follows:					
All of the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the alley South of Lot 65 and the East 27 feet of the alley South of Lot 64, 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.					
(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 2 <sup>nd</sup> Floor, City-County Building, One Main Street, Fort Wayne, IN)					
The reasons for the proposed vacation are as follows:  The owner of Lots 63 through 67 is planning on constructing a new entrance (stair/ramp) on the West side of the existing building (Lot 67) and a new					
parking lot 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.

NSVS	Nathan Newport	3/6/22
Signature	Printed Name	Date
2115 Calais Road	Fort Wayne, IN 46	814
Address	City/State/Zip	
Be	C David Beer	3/6/22
Signature	Printed Name	
7702 Popcorn Dr.	Roanoke, IN 4678	3
Address	City/State/Zip	
	signatures please attach a separate page.	andin 11.00
Agent's Name (Print Legibly): _	Brooks Construction Co., Inc. c/o Ju	usun Hollman
Street Address: 6525 Ardmo	re Avenue	
City: Fort Wayne State: IN Zip: 46809 Phone: 260-478-1		60-478-1990
Applicant is hereby easement, the applicant	s to be the area to be vacated and must be comed surveyor's legal description may be required.  Informed that in the case of a utility being located and may be required to bear the cost of relocated to reasement's as needed.	ated in a public way o
For Office Use Only:	Date Filed:	
Map #:	Reference #:	



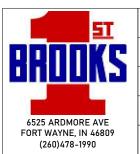




Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 3/21/2023





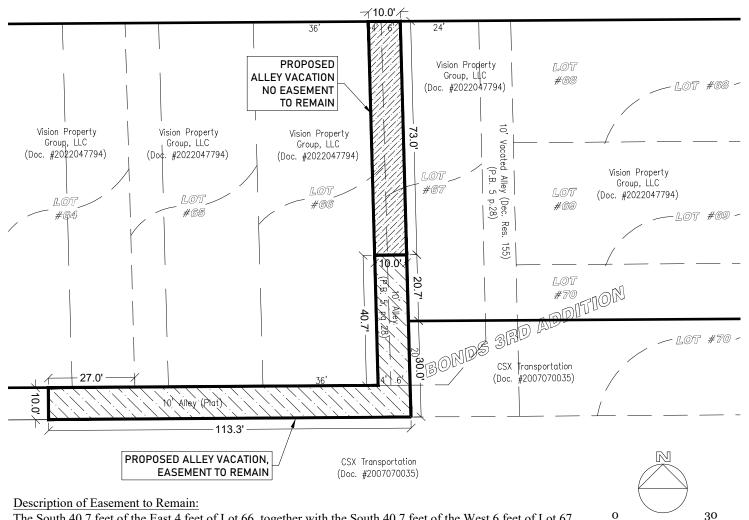
OWNER:	Vision Property Group, LLC
PROJECT:	Parking Lot Expansion
ADDRESS:	521 Hendricks Street, Fort Wayne
DATE:	03/06/2023, rev. 03/22/23
SHEET:	1 of 1

#### **EXHIBIT**

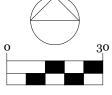
#### Description:

All of the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the alley South of Lot 65 and the East 27 feet of the alley South of Lot 64 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)

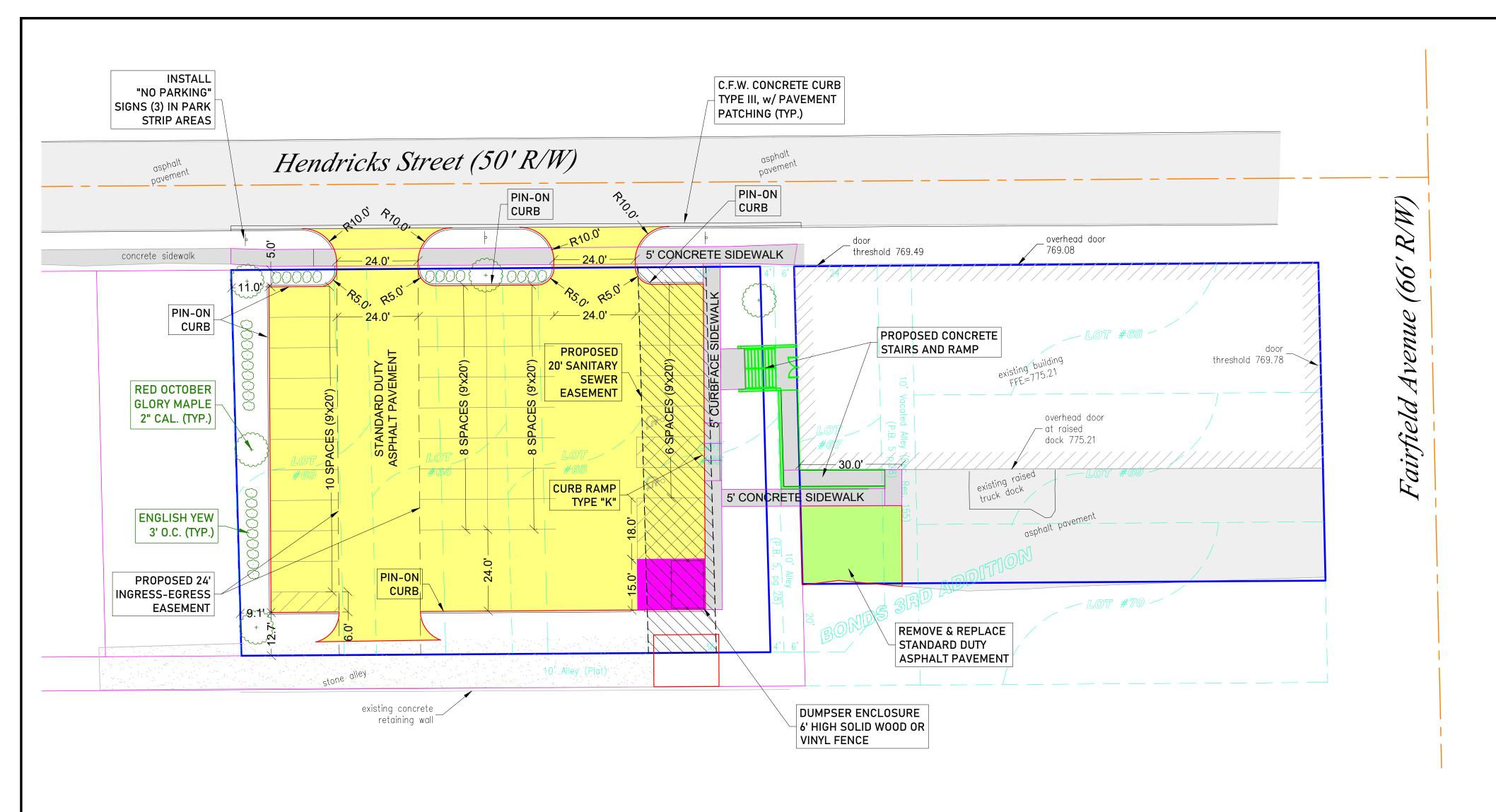


The South 40.7 feet of the East 4 feet of Lot 66, together with the South 40.7 feet of the West 6 feet of Lot 67, together with all of the alley South of Lots 67, 66 and 65, together with the East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.



1 inch = 30 feet

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



Legal Description Per Document Number 2023004530:

The East 20 feet of Lot 64 and the West 10 feet of Lot 65 in the Bond's Third Addition to the City of Fort Wayne, as recorded in the Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.

### Dua v. a v. ta 2.

The East 10 feet of Lot 63 and the West 20 feet of Lot 64 in the Bond's Third Addition to the City of Fort Wayne, as recorded in the Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.

### of Allen County,

The East 30 feet of Lot 65 in Bond's Third 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.

## Commonly known as: 521 Hendricks St., Fort Wayne, IN 46802 Tax ID Number : 02-12-11-134-011.000-074

### Property 4:

The West 30 feet of Lot 63 in Bond's Third Addition to the City of Fort Wayne, as described in Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.

Commonly known as: 603 Hendricks St., Fort Wayne, IN 46802 Tax ID Number : 02-12-11-134-008.000-074

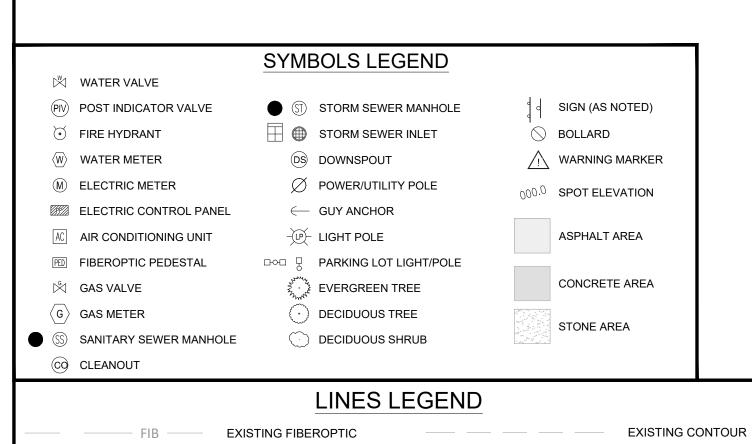
### Property 5:

The West 36 feet of Lot 66, and the East 24 feet of Lot 67, EXCEPT the South 20 feet thereof, and all of Lots 68 and 69 and the North 17.33 feet of Lot 70, all in Bond's Third Addition to the City of Fort Wayne, according to the recorded plat thereof, and all that part of the vacated alley between Lot 67 and Lots 68, 69 and 70 which abuts on the aforesaid Lots and parts of Lots, said alley having been vacated under Declaration Resolution 155, appearing in Declaratory Resolution Record 1, page 324 of the records in the Departments of public works of the City of Fort Wayne, as set out in Plat Book 5, page 28, in the Office of the Recorder of Allen County, Indiana.

PROPOSED FLOW LINE

PROPOSED CONTOUR

PROPOSED SANITARY

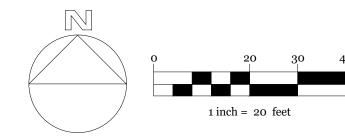


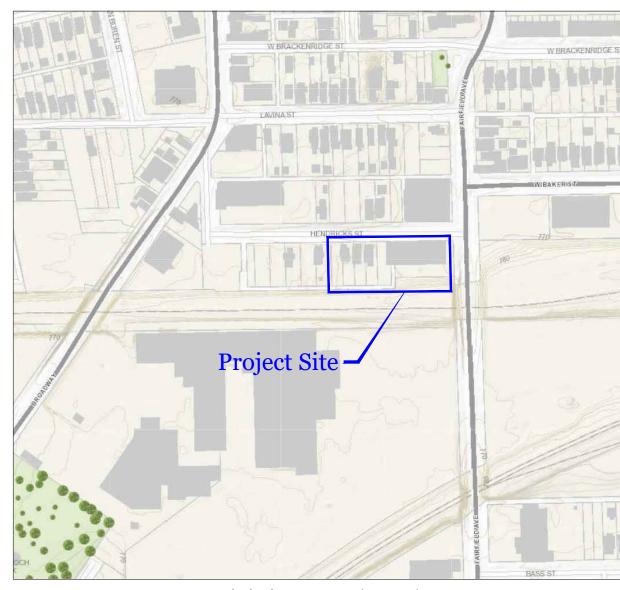
**EXISTING SANITARY** 

EXISTING STORM

—— OH —— EXISTING OVERHEAD

- G —— EXISTING GAS





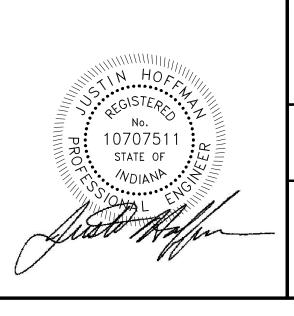
Vicinity Map (n.t.s.)

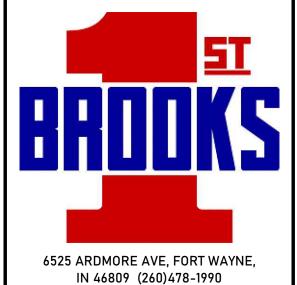


Location Map (n.t.s.)

### Drawing Index: 02/24/2023

Drawing Index: 02/24/2023			
Sheet	Title	Last Revised	
C-1.0	Site Plan	02/24/2023	
C-1.1	Site Details	02/13/2023	
C-2.0	<b>Existing Conditions &amp; Demolition Plan</b>	02/24/2023	
C-3.0	Storm & Sanitary Sewer Plan	02/24/2023	
C-3.0	Grading & Erosion Control Plan	02/13/2023	
C-3.1	Storm Sewer Profiles & Details	02/13/2023	
C-3.2	Sanitary Sewer Profiles & Details	02/24/2023	





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Hendricks Street Parking Lot
521 Hendricks Street, Fort Wayne, Indiana
Michael Kinder & Sons, Inc.

Location.
Prepared for:

JOB NUMBER:	722015
DRAWN BY:	DLM
CHECKED BY:	JWH
SCALE:	As Shown
DATE:	01/19/2023
REVISION	DATE

1-add "No Parking" signs, dumpster area 02/13/2023 2-remove 2 parking stalls 02/24/2023

Site Plan

C-1.0