

1 VALY-2023-0005

2 BILL NO. G-23-03-17

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
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 Wayne,
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 3rd 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 Thoroughfare Plan of the City Comprehensive ("Master") Plan
22 and is hereby approved in all respects.
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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
5 6 feet of Lot 67, together with all of the alley South of Lots 67, 66, and 65, together with the
6 East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as
7 recorded in Deed Record 58, page 441, in the Office of the Recorder of Allen County, Indiana.

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 Mayor.

10 _____
11 COUNCILMEMBER

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14 APPROVED AS TO FORM AND LEGALITY:

15 _____
16 Malak Heiny, City Attorney
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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 3rd 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

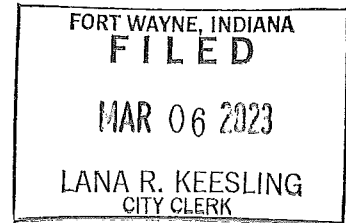
Property Owner: Vision Property Group, LLC

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.

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:

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 2nd 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.

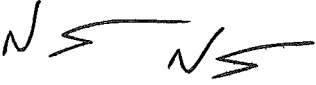
Applicant's name(s) if different from property owner(s):

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 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.


Signature

2115 Calais Road

Address

Nathan Newport

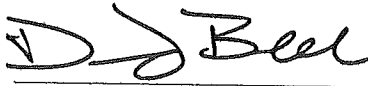
Printed Name

3/6/22

Date

Fort Wayne, IN 46814

City/State/Zip


Signature

David Beer

Printed Name

3/6/22

Date

7702 Popcorn Dr.

Address

Roanoke, IN 46783

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 #: _____

HENDRICKS ST.

FAIRFIELD AVE.

CSX Line Code 3102

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

0 25 50 Feet



1 inch = 50 feet



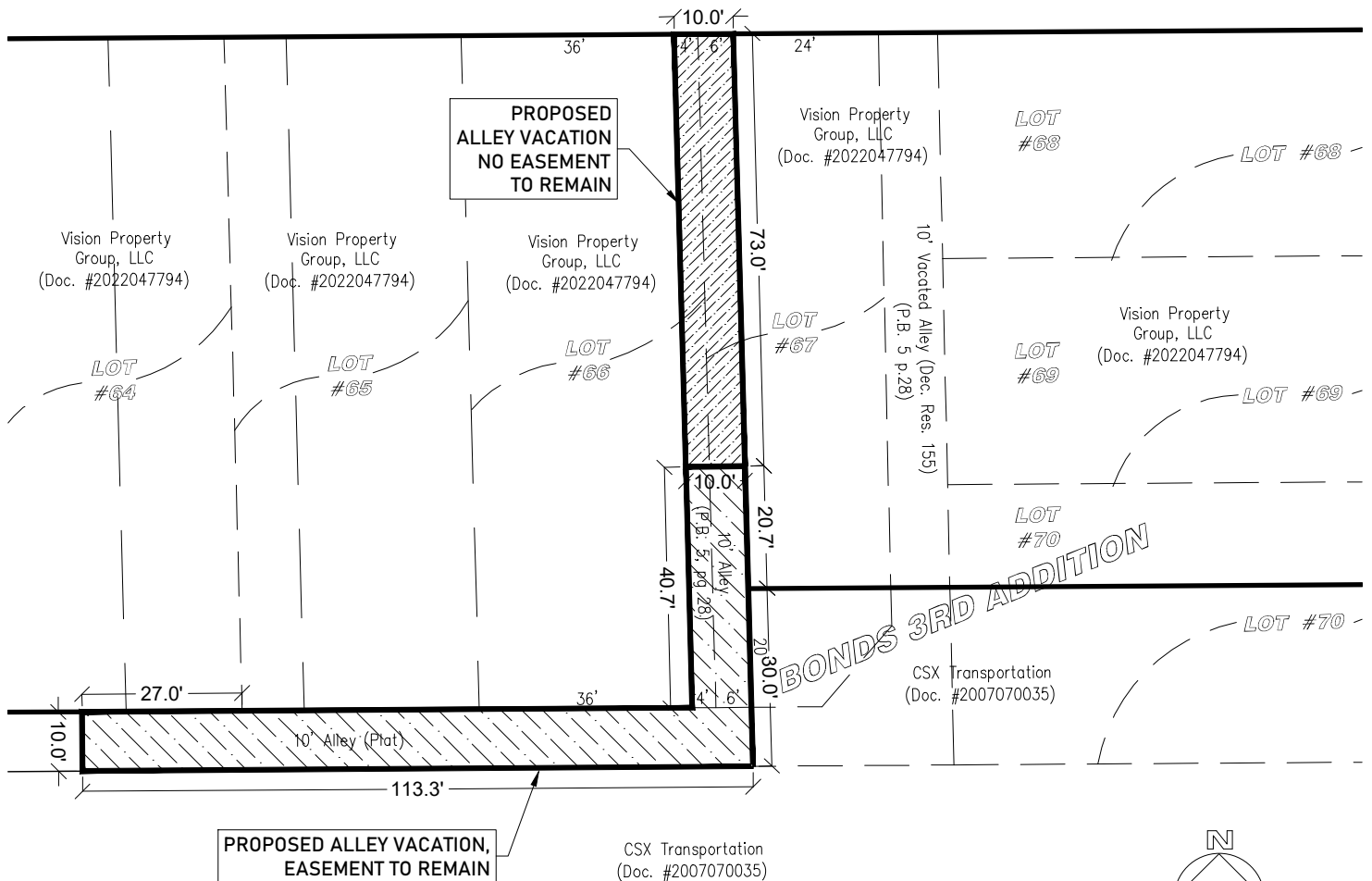
OWNER:	Vision Property Group, LLC
PROJECT:	Parking Lot Expansion
ADDRESS:	521 Hendricks Street, Fort Wayne
DATE:	03/06/2023, rev. 03/22/23
SHEET:	1 of 1

EXHIBIT

Description:

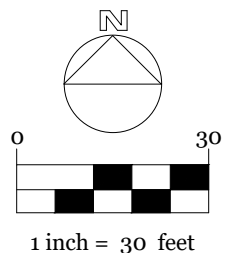
All of the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the alley South of Lot 65 and the East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, Page 441 in the Office of the Recorder of Allen County,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

Hendricks Street (50' R/W)



Description of Easement to Remain:

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.



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

