1	VROW-2024-000
2	BILL NO. G-24-0
3	BILL NO. G-24-0.
4	
5	20
6	
7	WHE
8	more specifica
9	Indiana; and
10	WHEF
11	and approved
12	NOW
13	FORT WAYNE
14	SECT
15	Fort Wayne, Ir
16	, one realition, in
17	PART OF TH
18	RANGE 12 E DESCRIBED
	BEGINNING
19	SUBDIVISION "SAUER" IDE
20	NORTH 58 D
21	SOUTHEAST MARKER FO
22	EAST 50.00 F
23	GRADE ON T DEGREES 17
F1 S	NORTHWEST
24	FEET BELOW
25	WEST 50.00 F MORE OR LE
26	
27	and which vaca
28	and is hereby a
29	
30	

1

2-20

GENERAL ORDINANCE NO. G-

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way.

REAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as ally described below) was duly filed with the City Clerk of the City of Fort Wayne,

REAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing said petition, as provided in I.C. 36-7-3-12.

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF E, INDIANA:

ON 1. That the petition filed herein to vacate a public right-of-way within the City of idiana, more specifically described as follows, to-wit:

E NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, AST, ALLEN COUNTY, INDIANA, AND BEING MORE PARTICULARLY AS FOLLOWS;

AT THE SOUTHWES T CORNER OF SAID LOT 1 IN HOUSER'S N BLOCK NO. 1 AS MONUMENTED BY A 5/8" REBAR WITH ENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE; THENCE EGREES 17 MINUTES 22 SECONDS EAST 231.33 FEET ALONG THE ERLY LINES OF LOTS 1 AND 19 TO A CONCRETE RIGHT OF WAY UND FLUSH; THENCE SOUTH 31 DEGREES 42 MINUTES 57 SECONDS EET TO A RIGHT OF WAY MARKER FOUND 1.2 FEET ABOVE THE NORTHWESTERLY LINE OF LOT 46; THENCE SOUTH 58 MINUTES 22 SECONDS WEST 231. 48 FEET ALONG THE TERLY LINES OF LOTS 46 AND 22 TO A 5/8" REBAR FOUND O...3 V GRADE; THENCE NORTH 31 DEGREES 32 MINUTES 42 SECONDS FEET TO THE POINT OF BEGINNING, CONTAINING 0.266 ACRES, SS.

ating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan approved in all respects.

City of Fort Wayne Common Council **DIGEST SHEET**

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VROW-2024-0001

Bill Number: G-24-02-20

Council District: 3 – Nathan Hartman

Introduction Date: February 27, 2024

Public Hearing Date: March 12, 2024 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 (0.266 acres) of Dunn Street within Houser's

Subdivision, from Arizona Avenue to Lima Road (SR 3). This portion will be relocated to the northern end of the property within the plat of

Houser's Subdivision.

Location: 4500 Block of Dunn Street, from Arizona Avenue to Lima Road (SR 3)

Reason for Request: To accommodate the expansion for Zeigler Subaru dealership at this

location.

Applicant: AJZ Fort Wayne I, LLC

Property Owner: AJZ Fort Wayne I, LLC

Related Petitions: Primary Development Plan – Zeigler Subaru Expansion

Effect of Passage: The relocation of a portion of Dunn Street between Arizona Avenue

and Lima Road (SR 3) will allow for the expansion of Zeigler Subaru.

Effect of Non-Passage: The right of way will remain as platted. Redevelopment of the property

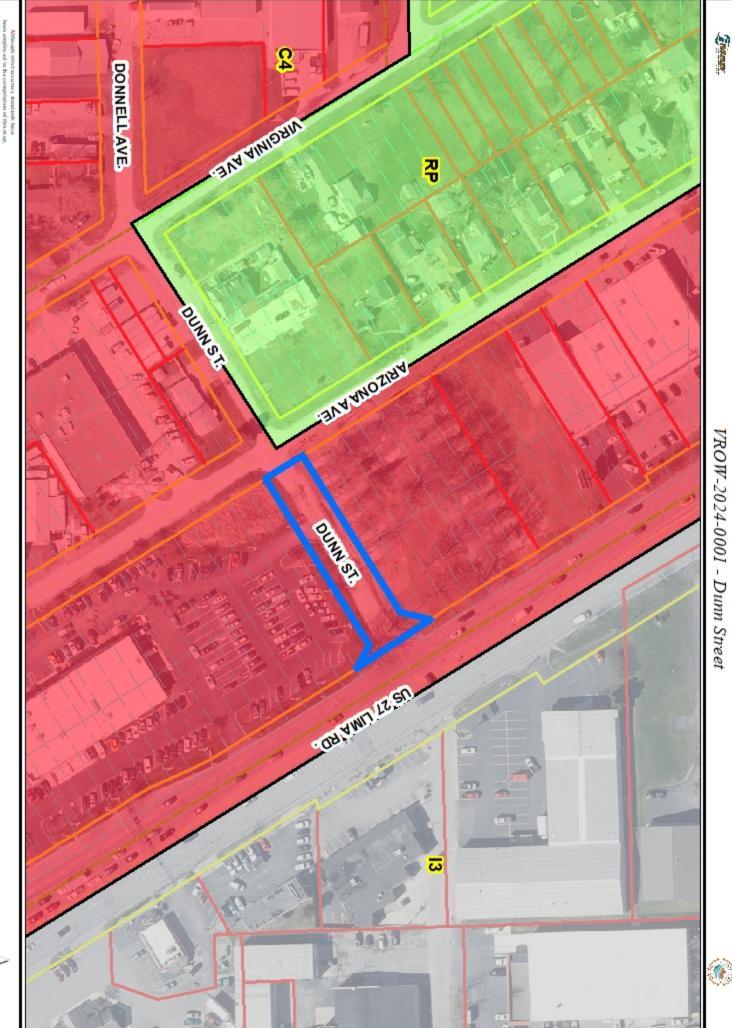
may be hindered by retention of the right-of-way.

Although stret accuracy standards have been employed in the compilation of them as, Allin Courly down not to air air or pastractive for accuracy of the information contained horizontal and affactions any and all liab histy neutring down and officerate and and lital histy neutring down any service or entained in this map. 1004 Bload of Central seasons or the Courly of Al North American Basin 1985.

Shorth American Basin 1985.







Although street accuracy wand such have been employed in the compellation of this mai. After County does not to strate or panning the accuracy of the inflor matters contained her for accuracy of the inflor matters containing the mid-discolation, any and all labelity possibling the mid-discolation, any and all labelity possibling the mid-discolation, and mid-discolation and the form as more of the County of the County of these County and Systems, before East and State States.



CITY OF FORT WAYNE

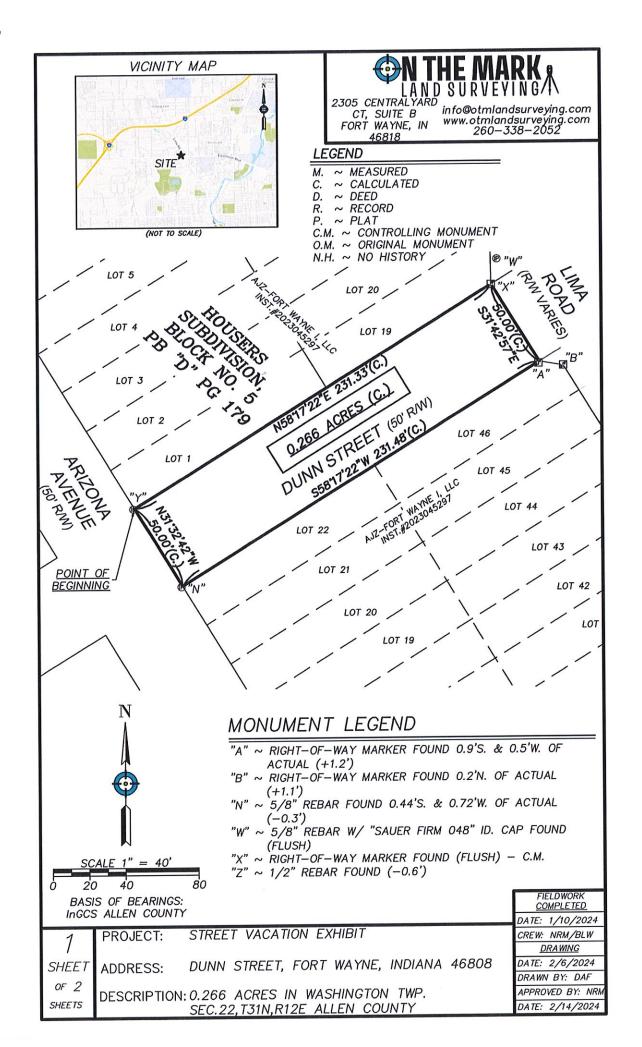
FORT WAYNE, INDIANA
FILED
FEB 15 2024
LANA R. KEESLING
CITY CLERK

Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 /260.427.12
I/We do hereby petition to vacate the following:
EasementXPublic Right of Way (street or alley)
More particularly described as follows:
Vacation of a portion of the public right of way for Dunn Street. See attached legal description.
(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)
Petitioner, AJZ Fort Wayne I, LLC is the owner of property on both sides of Dunn Street pursuant to a Deed recorded in the Office of the Recorder of Allen County, Indiana, Doc. No. 2023045297.
The vacated portion of Dunn Street is located within Housers Subdivision, BD, PG 179, B9B-P66. A copy of the recorded plat of the subdivision is attached hereto.
The reasons for the proposed vacation are as follows: Improvements and renovations to the Subaru dealership located on the corner of Coliseum and Lima commonly known as 502 W Coliseum Blvd.
Fort Wayne, IN 46808. The vacated portion of Dunn Street will be relocated to the northern end of the property as depicted on the Primary Development
Plans associated with and submitted with this Petition.
(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: 4201 Stadium Dr.
City: State: Zip: Phone: C/o Carson LLP; 260-423-9411

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 FortWayne 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.

DrCH	Daniel Scheid, AJZ-Fort Wayne I, LLC	02.15.2024
Signature	Printed Name	Date
4201 Stadium Drive	Kalamazoo, MI 49008	
Address	City/State/Zip	
f additional space is needed for signatu	res please attach a separate page.	
I udditional opace to needed for organia	1.0	
Agent's Name (Print Legibly):Andrew	D. Boxberger	
Street Address: 301 W. Jefferson Blvd., Ste.	200	
	Zip: Phone: 260-4	23-9411
J. J		
NOTICE:		
Legal Description is to be page 200 per licensed survey	the area to be vacated and must be complety or's legal description may be required.	ete ad accurate. If
 Applicant is hereby inform easement, the applicant m replacement easement or 	ned that in the case of a utility being locate ay be required to bear the cost of relocation casement's as needed.	d in a public way or n, or of providing a
		*
For Office Use Only:		
Receipt #:	Date Filed:	
Map #:	Reference #:	





2305 CENTRALYARD CT, SUITE B FORT WAYNE, IN 46818

info@otmlandsurveying.com www.otmlandsurveying.com 260-338-2052

LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

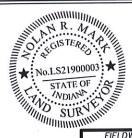
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 IN HOUSER'S SUBDIVISION BLOCK NO. 1 AS MONUMENTED BY A 5/8" REBAR WITH "SAUER" IDENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE; THENCE NORTH 58 DEGREES 17 MINUTES 22 SECONDS EAST 231.33 FEET ALONG THE SOUTHEASTERLY LINES OF LOTS 1 AND 19 TO A CONCRETE RIGHT OF WAY MARKER FOUND FLUSH; THENCE SOUTH 31 DEGREES 42 MINUTES 57 SECONDS EAST 50.00 FEET TO A RIGHT OF WAY MARKER FOUND 1.2 FEET ABOVE GRADE ON THE NORTHWESTERLY LINE OF LOT 46; THENCE SOUTH 58 DEGREES 17 MINUTES 22 SECONDS WEST 231.48 FEET ALONG THE NORTHWESTERLY LINES OF LOTS 46 AND 22 TO A 5/8" REBAR FOUND 0.3 FEET BELOW GRADE; THENCE NORTH 31 DEGREES 32 MINUTES 42 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.266 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

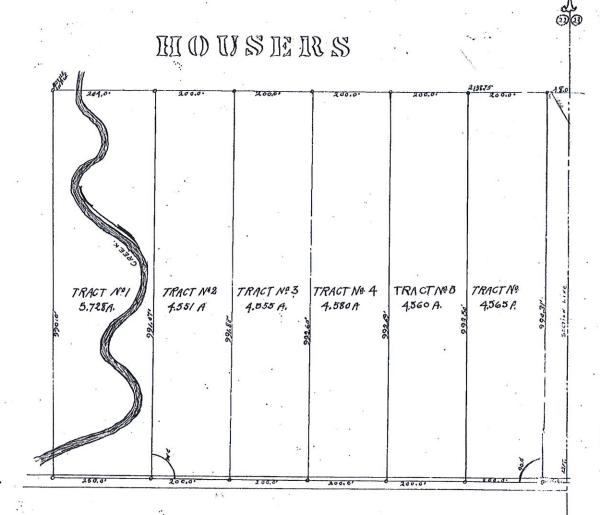
IN WITNESS WHEREOF, I hereunto place my hand and seal this 14th day of February, 2024.

Nolan R. Mark, P.S. No.LS21900003

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 IAC 1-12-1 thru 30.



		FIELDWORK <u>COMPLETED</u>
		DATE: 1/10/2024
2	PROJECT: STREET VACATION EXHIBIT	CREW: NRM/BLW
		<u>DRAWING</u>
SHEET	ADDRESS: DUNN STREET, FORT WAYNE, INDIANA 46808	DATE: 2/6/2024
0		DRAWN BY: DAF
OF 2	DESCRIPTION: 0.266 ACRES IN WASHINGTON TWP.	APPROVED BY: NRM
SHEETS	SEC.22, T31N,R12E ALLEN COUNTY	DATE: 2/14/2024



ADJACENT TO.

THE CITY OF FT YYAYNE

ALLEN COUNTY

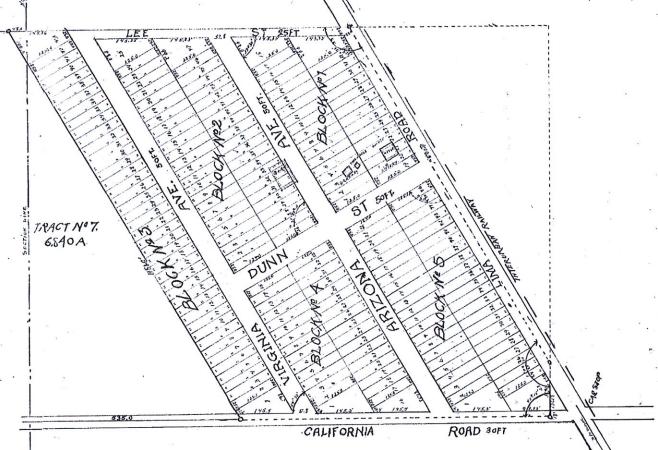
INDIANA

BY

THE LOUISVILLE REALESTATE & DEVELOPEMENT CO. M.B. CASSIN, CHIEF ENGR D.C. CLARKE PRESIDENT. LOUISVILL, KY.

SCALE 1. /N = 100 FT. OCTOBER 1921. SURVEY MADE BY H.B. CASSIN CIVIL ENGR LOUISVILLE, KY.

SUBBUIVISION.



Bevinning of the Southwest corner of the Southeast quarter of the Southeast quarter of section Twenty two (22) in to the Center (12) cast; thence running North sixty (60) rods; thence East 2/38.73 it to the Center it was the south sixty (60) rods; thence East 2/38.73 it to the Center of line of the Lims Rodd; thence with the center line of soid Rodd Southeast 1000.56 It; thence South 137.28 It; to the East corner of line of the Lims Rodd; thence with the center line of soid Rodd Southeast 1000.56 It; thence South 137.28 It; to the East corner of line of the Lims Rodd; thence with Line of Sections Threnty west Holl of the South West quarter of Sections Threnty two (23) and Twenty (23) three, 2638,66 It, to the Place of beginning containing 34,94 Acres more orless.

I have surveyed the above described trace of land and Subdived Same as Shown on this Plat which is correct to the best of my Knowledge and bleif. If B. Cassin Civil Engr. 1315 Mossrose Are. Louisville, Ky. Survey of this Tract is recorded in Book D Page 179.

Oct 29-1921 We the undersigned commissioners hereby in oven court dednowledge execution of the same delia in accordinance vite the order of court made in the case of charles A Houser et.d. y.s. William M Nouser Adm. of the estate of John.M. Houser entered in order book 46 Page 471 of the records of the Superior Court of Allen County State of Indians, for Partition of the rest estate herein Plotted. The said flat having been submitted by such commissioners to William M. Ballou Judge of of the rest estate herein Plotted. The said flat having been submitted by said court. We said Commissioners therefore. Said Court in open Court, and the same having been superored and confirmed by said Court. We said Commissioners therefore. Said Court of acknowledge the execution of said Plat for all furposes and uses and dedicate the streets shown hereon for Public use in as for as they are on the Property Platted.

(b) Commissioner

William M Houser Commissioner

Oct 25-1921 This Plat submitted to me in open Court and by me continued.

William M. Ballow Judge of the Superior Court of Allen County, Indians.

Before me Codna Gliosman & Notory Poblic in onter the Costing of Allen State of Indians, Personally appeared the above Parties who signed this Plot and acknowledged same to be their free act and deed this 25 day of Oct 1921.

Notory Seal Commission expires 8-17-1912.

Ochna Glissman

Notory Applic.

and the state of t

Doly Entered For Taxotion, Oct 25-1921

Angus & Mc Coy., Auditor Allen Coonty,
Indiana.

Recorded Oct 27,-1921-11 20 A.N.
Frank Cumison,
Recorder Allen County

251 18thy finesthatvatus Part Hospi 272 Page 131

Adjacent Prop Owners for Dunn Street:

Dougherty Edward 722 Dunn Ave Fort Wayne, IN 46808

Eib Brandon 707 Dunn Ave Fort Wayne, IN 46808

AJZ-Fort Wayne I LLC 4201 Stadium Dr Kalamazoo, MI 49008

Panel Mart Inc 4602 Lima Rd Fort Wayne, IN 46805

FTW-4520 Lima Rd LLC 5655 Castle Creek Parkway North Indianapolis, IN 46250

City of Fort Wayne 200 E Berry Street Fort Wayne, IN 46802