

1
2 VALY-2025-0002

3 BILL NO. G-25-03-18

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 alley located between Lots 731 and 732 in Hanna Addition (Hannas Amended Plat) per
18 plat DB28, Page105, that was platted and recorded in the Office of the Recorder, of Allen
19 County, Indiana, on December, 5 1861.

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
29
30

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2025-0002
Bill Number: G-25-03-18
Council District: 5 – Geoff Paddock

Introduction Date: March 25, 2025

Public Hearing Date: April 8, 2025 to be heard by Council

Next Council Action: Ordinance will return to Council after recommendation by reviewing agencies.

Synopsis of Ordinance: To vacate the alley located between Lots Numbered 731 and 732 in Hanna Addition (Hannas Amended Plat)

Location: East of 1417 S Hanna St and north of Hayden St (Sec 12 of Wayne Township)

Reason for Request: To unify the commonly owned and adjacent parcels where alleyway is no longer needed or used by such adjacent parcels.

Applicant: Hartzell Realty III, LLC

Property Owner: Hartzell Realty III, LLC

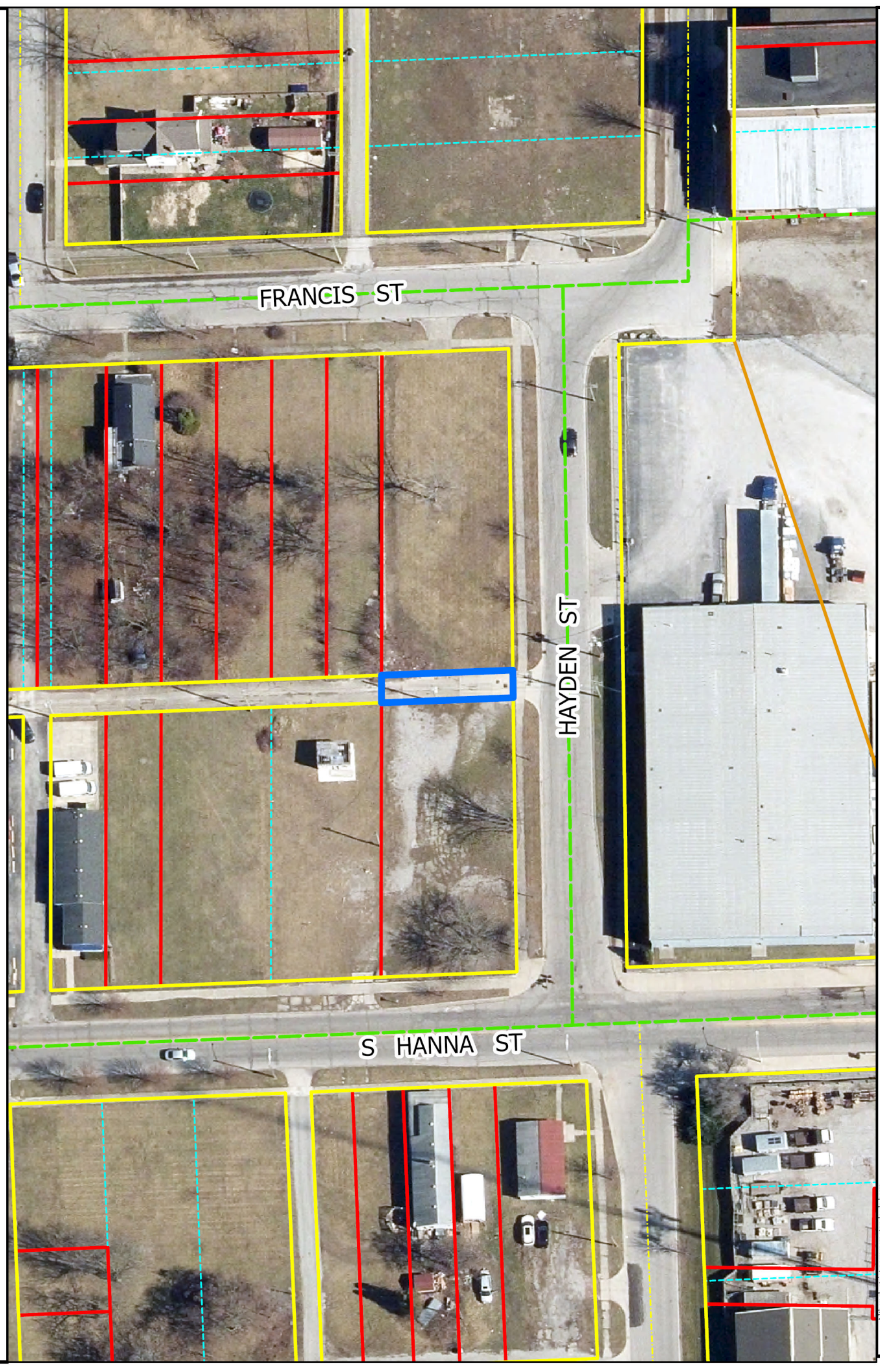
Related Petitions: None

Effect of Passage: The vacated land will be returned to the adjacent property owner. Vacation will allow for allow for site redevelopment.

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.



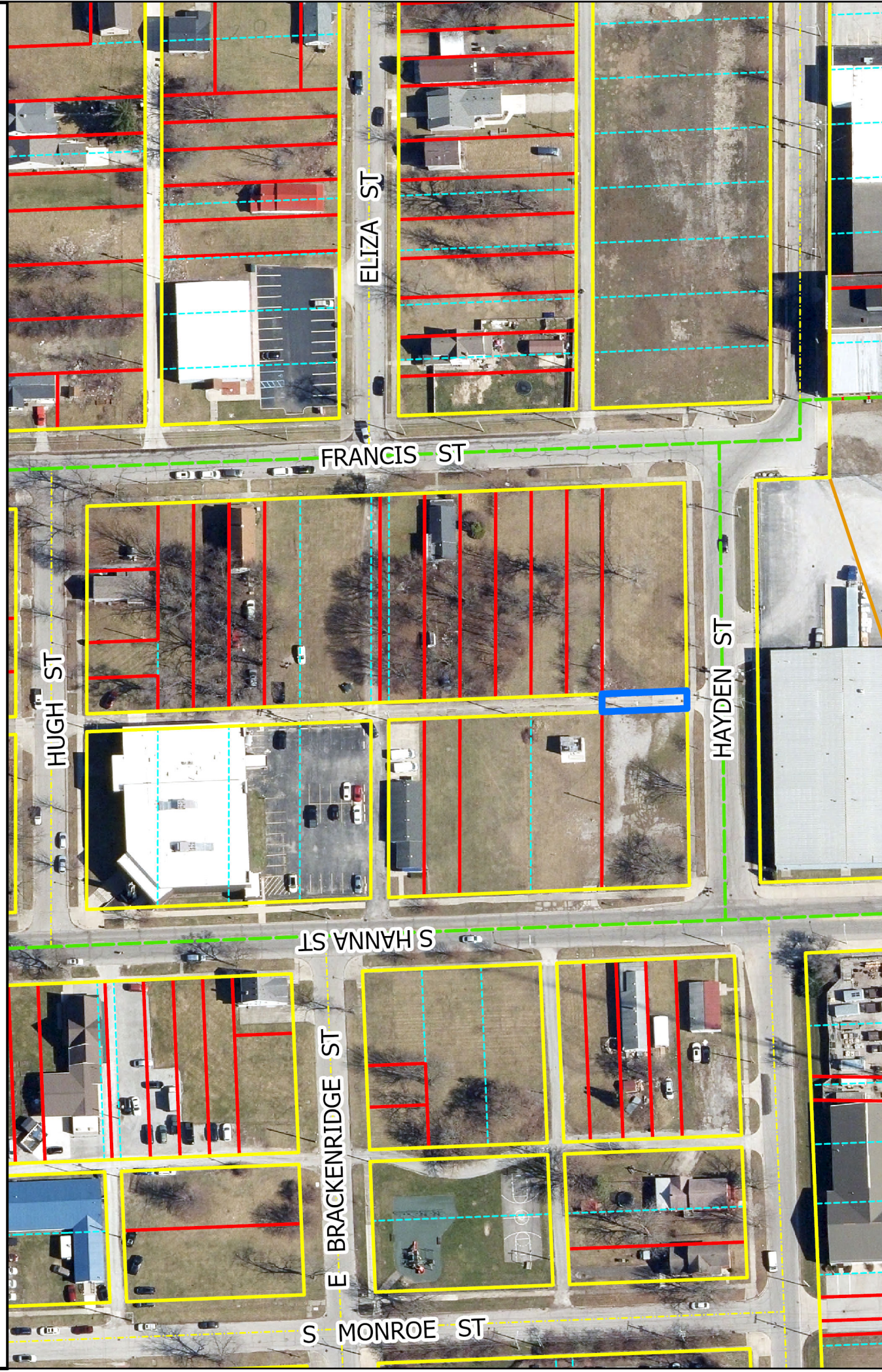
Vacation of Alley VALY-2025-0002 - Alley between lots 731 and 732 of Hanna Addition



Although street 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.

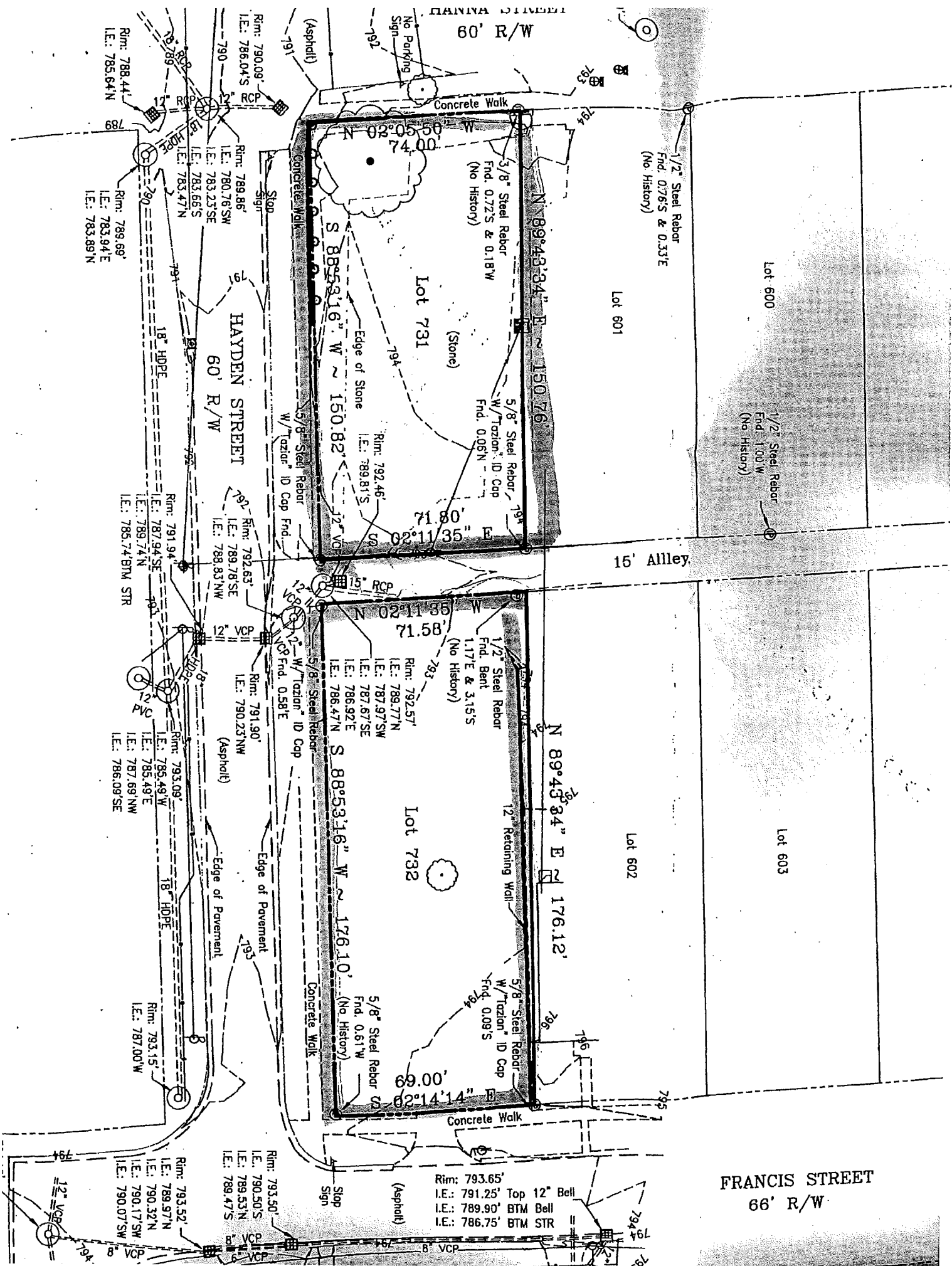
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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 3/14/2025

Vacation of Alley VALY-2025-0002 - Alley between lots 731 and 732 of Hanna Addition



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FRANCIS STREET
66' R/W

LEGAL DESCRIPTION: VALY-2025-0002 – See attached Exhibit

The alley located between Lots 731 and 732 in Hanna Addition (Hannas Amended Plat) per plat DB28, Page105, that was platted and recorded in the Office of the Recorder, of Allen County, Indiana, on December, 5 1861.

VALY-2025-0002
G-25-03-18

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 ☒ Public Right of Way (street or alley)

More particularly described as follows:

The alleyway lying between Lot 731 and Lot 732 of Hanna Addition.

(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: _____ **PAGE(S) NUMBER(S):** _____ (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:

To unify commonly owned and adjacent parcels where alleyway is not longer needed or used by such adjacent parcels.

(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:

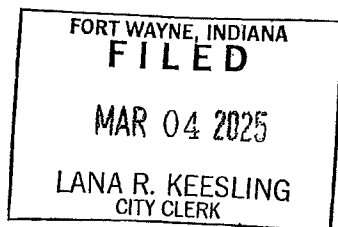
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Hartzell Realty III, LLC, by Jerome F. Henry Jr.

Street Address: 323 E Berry Street

City: Fort Wayne State: IN Zip: 46802 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.

Signed by:

Jerome F. Henry, Jr.

Signature

By: Jerome F. Henry, Jr., Member

3/3/2025

Printed Name

Date

323 E Berry Street

Fort Wayne, IN 46802

Address

City/State/Zip

Signature

Printed Name

Date

Address

City/State/Zip

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

Agent's Name (Print Legibly): Robert C. Kruger

Street Address: 200 E Main Street, Suite 1000

City: Fort Wayne State: IN Zip: 46802 Phone: 460-426-1300

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 #: _____