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2 **VALY-2025-0003**
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5 **BILL NO. G-26-01-09**
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8 **GENERAL ORDINANCE NO. G-_____**
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11 **AN ORDINANCE amending the Thoroughfare**
12 **Plan of the City Comprehensive ("Master")**
13 **Plan by vacating public right-of-way.**

14 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
15 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
16 Indiana; and

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

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
20 FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of
22 Fort Wayne, Indiana, more specifically described as follows, to-wit:

23 THE 12 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 61 TROUGH 67 IN
24 NORTHSIDE ADDITION, RECORDED IN DEED BOOK 30, PAGE 514 ON APRIL 20, 1863 IN THE
25 OFFICE OF THE ALLEN COUNTY RECORDER, AND AS SHOWN ON A RIGHT-OF-WAY
26 VACATION EXHIBIT PREPARED BY BERTSCH FRANK & ASSOCIATES, AND CERTIFIED BY
27 ZEKE L. SCHULTZ (P.S.#22100001) ON JUNE 10, 2025 UNDER PROJECT NUMBER 24365.200;
28 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

29 BEGINNING AT THE NORTHEAST CORNER OF LOT 65 OF SAID NORTHSIDE ADDITION;
30 THENCE NORTH 88 DEGREES 05 MINUTES 51 SECONDS EAST, 12.00 FEET TO THE
1 NORTHWEST CORNER OF LOT 66; THENCE SOUTH 01 DEGREES 21 MINUTES 59 SECONDS
2 EAST, 233.16 FEET ALONG THE WEST LINE OF LOT 66 AND LOT 67 TO THE NORTH LINE OF
3 VACATED ST. MARY'S STREET; THENCE SOUTH 33 DEGREES 56 MINUTES 05 SECONDS
4 WEST, 20.77 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF LOT 61;
5 THENCE NORTH 01 DEGREES 21 MINUTES 59 SECONDS WEST, 250.00 FEET ALONG THE EAST
6 LINE OF LOTS 61, 62, 63, 64, AND 65 TO THE POINT OF BEGINNING, CONTAINING 0.067
7 ACRES MORE OR LESS.

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

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2025-0003
Bill Number: G-26-01-09
Council District: 5 – Geoff Paddock

Introduction Date: January 13, 2026

Public Hearing Date: January 27, 2026 to be heard by Council

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

Synopsis of Ordinance: To vacate the 12-foot alley (0.067 acres) running north and south between lots 61 through 67 in Northside Addition

Location: The 12-foot alley running south of 1st Street and north of a vacated portion of St. Mary's Street in Northside Addition (Section 2 of Wayne Township)

Reason for Request: To vacate public right-of-way as part of a mixed-use development project

Applicant: City of Fort Wayne Community Development

Property Owner: City of Fort Wayne

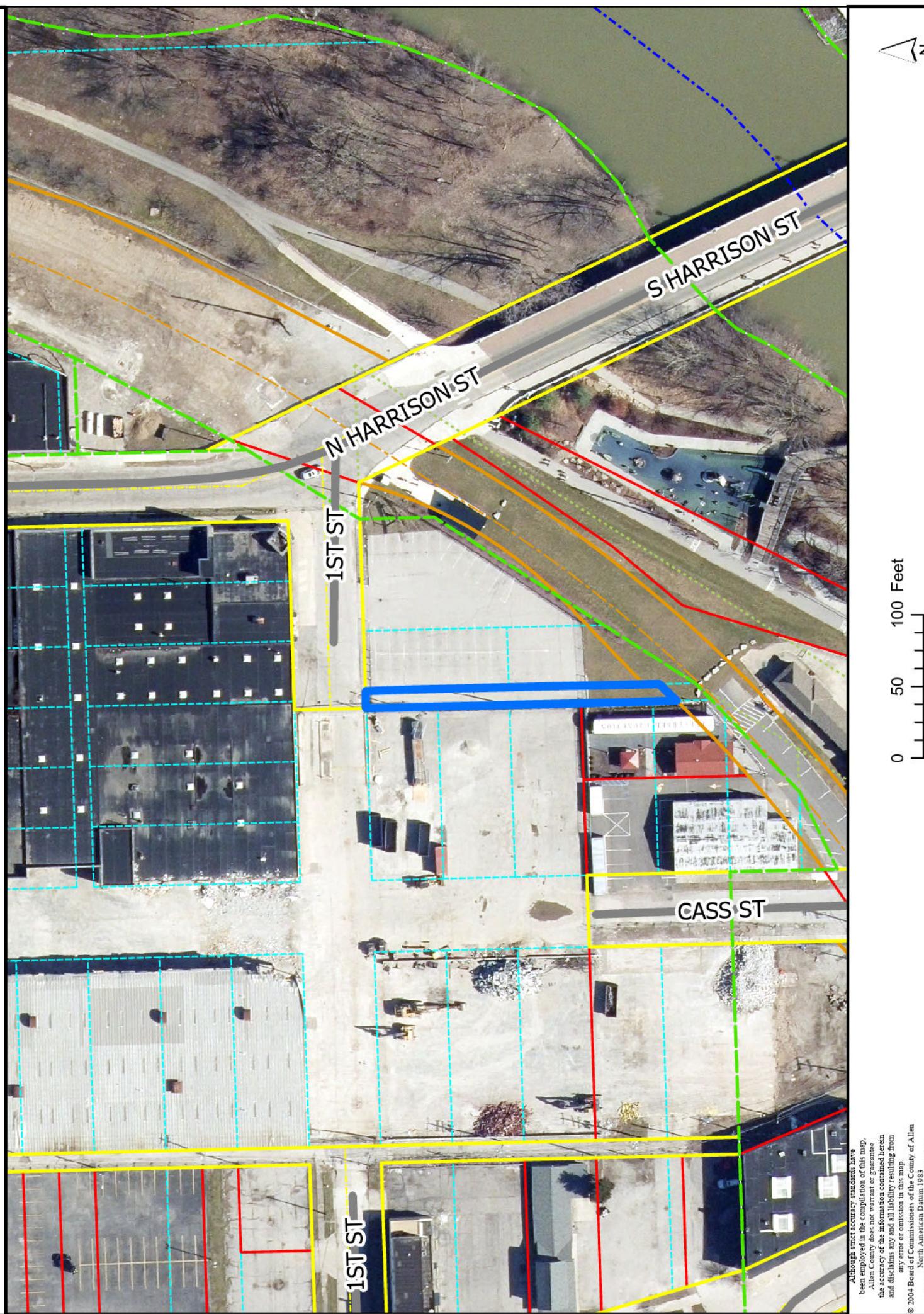
Related Petitions: VROW-2025-0005, VROW-2025-0006, and VROW-2025-0007

Effect of Passage: Vacation of right-of-way will allow the underutilized ground to be available for development.

Effect of Non-Passage: The right-of-way will remain as mapped. Redevelopment of the property may be hindered by retention of the right-of-way.



Vacation Petition - VALY-2025-0003 - Alley (Btwn Lots 61-67 in NS Addn)



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
StatePlane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/4/2005

Exhibit "A"

12 Foot Alley Right-of-way Vacation Legal Description

THE 12 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 61 THROUH 67 IN NORTHSIDE ADDITION, RECORDED IN DEED BOOK 30, PAGE 514 ON APRIL 20, 1863 IN THE OFFICE OF THE ALLEN COUNTY RECORDER, AND AS SHOWN ON A RIGHT-OF-WAY VACATION EXHIBIT PREPARED BY BERTSCH FRANK & ASSOCIATES, AND CERTIFIED BY ZEKE L. SCHULTZ (P.S.#22100001) ON JUNE 10, 2025 UNDER PROJECT NUMBER 24365.200; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 65 OF SAID NORTHSIDE ADDITION; THENCE NORTH 88 DEGREES 05 MINUTES 51 SECONDS EAST, 12.00 FEET TO THE NORTHWEST CORNER OF LOT 66; THENCE SOUTH 01 DEGREES 21 MINUTES 59 SECONDS EAST, 233.16 FEET ALONG THE WEST LINE OF LOT 66 AND LOT 67 TO THE NORTH LINE OF VACATED ST. MARY'S STREET; THENCE SOUTH 33 DEGREES 56 MINUTES 05 SECONDS WEST, 20.77 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF LOT 61; THENCE NORTH 01 DEGREES 21 MINUTES 59 SECONDS WEST, 250.00 FEET ALONG THE EAST LINE OF LOTS 61, 62, 63, 64, AND 65 TO THE POINT OF BEGINNING, CONTAINING 0.067 ACRES MORE OR LESS.



Zeke L. Schultz

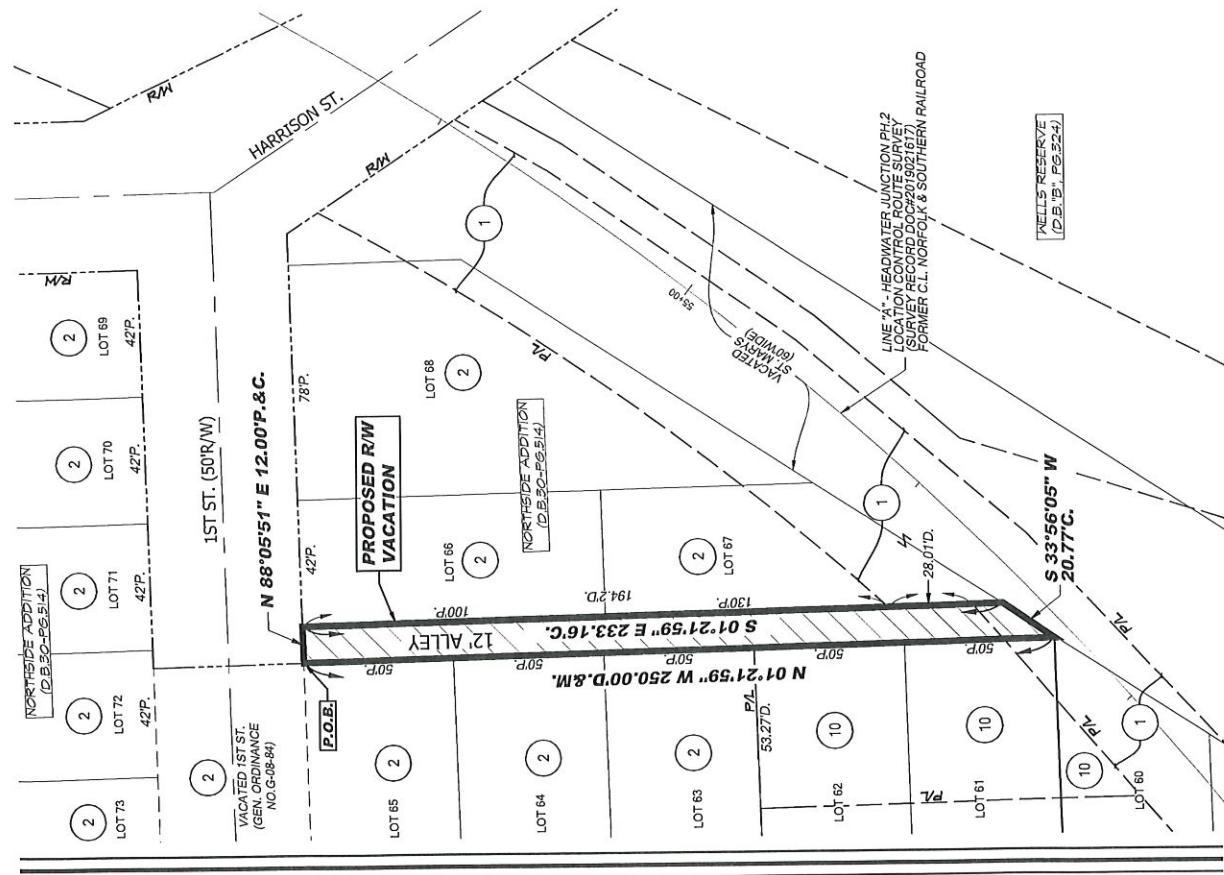
This description was prepared for Engineering Resources by Bertsch-Frank & Associates, LLC, and certified by Zeke L. Schultz, P.L.S., Indiana Registered Land Surveyor No. 22100001.

Treeline District R/W Vacation Ex. "A"		
12 foot Alley		
Fort Wayne, Allen County, IN		
REVISIONS		
MARK	DATE	DESCRIPTION
CAD FILE: 24365.2.RW Vac.dwg		
DRAWN BY: ZLS		
CHECKED BY: MGB		
DATE: 06/10/2025		
PROJ. NO.: 24365.200		
BERTSCH-FRANK ASSOCIATES LAND SURVEYING & CONSULTING		
LAND PLANNING	LAND SURVEYING	PHONE: (260) 459-9393 FAX: (260) 459-9303
811 LAWRENCE DRIVE FORT WAYNE, IN 46804		



Exhibit "B"

Right-of-way Vacation Limits



Right-of-way Vacation Exhibit

SCALE: 1" = 40'



Right-of-way Vacation Notes:

Right-of-Way valuation notes:



111

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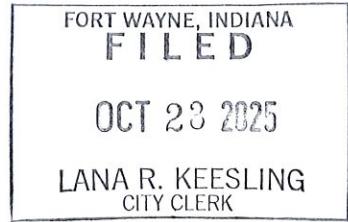
REVISIONS		
MARK	DATE	DESCRIPTION

CAD FILE:	24365_2_FW Vac
DRAWN BY:	ZLS
CHECKED BY:	MGB
DATE:	06/01/2025
PRJCT. NO.:	24365_200

ZEKEL SCHULTZ, P.L.S.
INDIANA REGISTERED LAND SURVEYOR NO. 22100001

ZEKEL SCHULTZ, P.L.S.
INDIANA REGISTERED LAND SURVEYOR NO. 22100001

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 12 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 61
THROUGH 67 IN NORTHSIDE ADDITION, RECORDED IN DEED BOOK 30,
PAGE 514 ON APRIL 20, 1863 IN THE OFFICE OF THE ALLEN COUNTY
RECORDER (See Attached)

(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: 30 PAGE(S) NUMBER(S): 514 (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:

Treeline District Development

(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: Fort Wayne City of Department of Redevelopment (Attn: Alec Johnson)

Street Address: 200 E. Berry St, STE 320

City: Fort Wayne State: IN Zip: 46802 Phone: (260)427-1127

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

Alec Johnson

Printed Name

9/19/1025

Date

200 E. Berry St, STE 320
Address

Fort Wayne, IN 46802
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): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

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 #: _____