

1
2 VALY-2025-0003

3 BILL NO. G-26-01-09

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 12 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 61 TROUGH 67 IN
18 NORTHSIDE ADDITION, RECORDED IN DEED BOOK 30, PAGE 514 ON APRIL 20, 1863 IN THE
19 OFFICE OF THE ALLEN COUNTY RECORDER, AND AS SHOWN ON A RIGHT-OF-WAY
20 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:

21 BEGINNING AT THE NORTHEAST CORNER OF LOT 65 OF SAID NORTHSIDE ADDITION;
22 THENCE NORTH 88 DEGREES 05 MINUTES 51 SECONDS EAST, 12.00 FEET TO THE
23 NORTHWEST CORNER OF LOT 66; THENCE SOUTH 01 DEGREES 21 MINUTES 59 SECONDS
24 EAST, 233.16 FEET ALONG THE WEST LINE OF LOT 66 AND LOT 67 TO THE NORTH LINE OF
25 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.

26
27 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
28 and is hereby approved in all respects.
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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

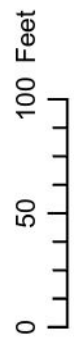
Related Petitions: VROW-2025-0005, VROW-2025-0006, and VROW-2025-0007

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.

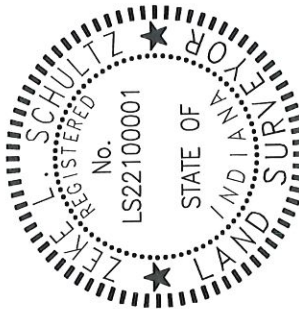
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/14/2025

Exhibit "A"

12 Foot Alley Right-of-way Vacation Legal Description

THE 12 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 61 TROUGH 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 Schultz
ZEKE L. SCHULTZ, P.L.S.
INDIANA REGISTERED LAND SURVEYOR NO. 22100001

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. 222100001.



BERTSCH-FRANK & ASSOCIATES
LAND SURVEYING & CONSULTING

LAND PLANNING | LAND SURVEYING

811 LAWRENCE DRIVE
FORT WAYNE, IN 46804

PHONE: (260) 459-9393
FAX: (260) 459-9303

Treeline District
R/W Vacation Ex. "A"

12 foot Alley
Fort Wayne, Allen County, IN

REVISIONS	
MARK	DESCRIPTION

CAD FILE: 24365.2_RW Vac.dwg

DRAWN BY: ZLS

CHECKED BY: MGB

DATE: 06/10/2025

PROJECT NO.: 24365.200

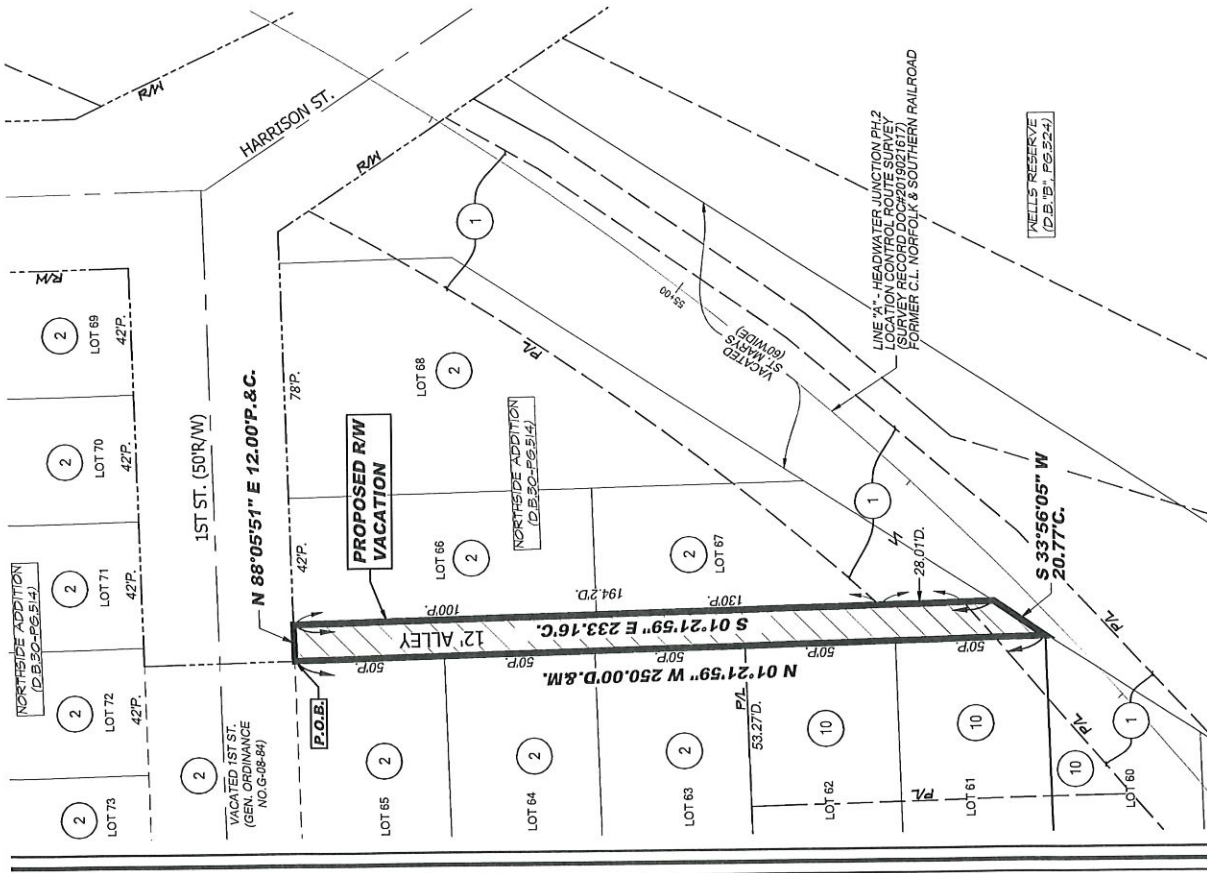


Exhibit "B"

Right-of-way Vacation Limits

OWNERSHIP LEGEND

- 1 LANDS OF THE CITY OF FORT WAYNE, INDIANA, DEPARTMENT OF REDEVELOPMENT PER DOC. #2020073898, RECORDED NOV. 23, 2020.
- 2 LANDS OF THE CITY OF FORT WAYNE, DEPARTMENT OF REDEVELOPMENT PER DOC. #2020060874, RECORDED NOV. 15, 2022.
- 10 LANDS OF HEADWATERS JUNCTION PER DOC. #2021020032, RECORDED MARCH 25, 2021.



Right-of-way Vacation Exhibit

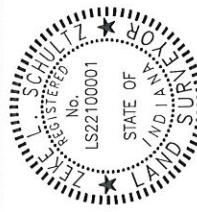
SCALE: 1" = 40'

40' 20' 0 40'

SCALE 1" = 40'

Right-of-way Vacation Notes:

1. BEING A PART OF THE EXISTING RIGHT-OF-WAY OF THE 12 FOOT ALLEY LYING BETWEEN LOTS 61-67 PER THE PLAT OF NORTH SIDE ADDITION RECORDED IN DEED BOOK 30, PAGE 514 ON APRIL 20, 1863 IN THE OFFICE OF ALLEN COUNTY RECORDER.
 2. THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RE-TRACEMENT OR ORIGINAL BOUNDARY SURVEY. A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT.
- I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- AND I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.



Zeke Schultz

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

BERTSCH-FRANK & ASSOCIATES
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Treeline District

12' Alley

Exhibit "B"

Fort Wayne, Allen County, IN

REVISIONS

MARK	DATE	DESCRIPTION

CAD FILE: 24365.2_RW Vac

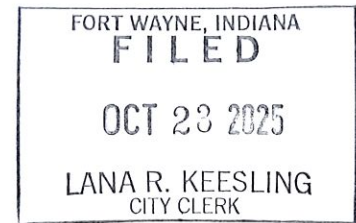
DRAWN BY: ZLS

CHECKED BY: MGB

DATE: 06/10/2025

PRJCT. NO.: 24365.200

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:

THE 12 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 61
TROUGH 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.

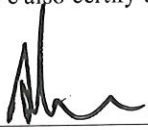
Applicant's name(s) if different from property owner(s):

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

9/29/2025
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 #: _____