

1 #1209

2 BILL NO. G-10-06-15

3 Deed Book: 35

4 Page No: 163

5 GENERAL ORDINANCE NO. G- 15-11

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

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 A PORTION OF UNIVERSITY STREET AS REPRESENTED ON THE PLAT OF COLLEGE ADDITION AS
19 RECORDED IN DEED BOOK 35, PAGE 163 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,
20 INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

21 BEGINNING AT THE NORTHWEST CORNER OF LOT NUMBER 42 OF COLLEGE ADDITION AS
22 RECORDED IN DEED BOOK 35, PAGE 163 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY,
23 INDIANA, SAID POINT OF BEGINNING BEING THE POINT OF INTERSECTION OF THE SOUTH RIGHT
24 OF WAY LINE OF WASHINGTON BOULEVARD AND THE EAST RIGHT OF WAY LINE OF UNIVERSITY
25 STREET; THENCE SOUTH 03 DEGREES 41 MINUTES 18 SECONDS WEST ON AND ALONG THE
26 EAST RIGHT OF WAY LINE OF UNIVERSITY STREET, SAID EAST RIGHT OF WAY LINE ALSO BEING
27 THE WEST LINE OF LOTS NUMBERED 15, 16 AND 42 WITHIN COLLEGE ADDITION, A DISTANCE OF
28 373.67 FEET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF MAUMEE
29 AVENUE AND THE EAST RIGHT OF WAY LINE OF UNIVERSITY STREET, SAID POINT OF
30 INTERSECTION BEING THE SOUTHWEST CORNER OF LOT NUMBER 15 IN COLLEGE ADDITION;
THENCE NORTH 76 DEGREES 02 MINUTES 46 SECONDS WEST ON AND ALONG THE WESTERLY
EXTENSION OF THE NORTH RIGHT OF WAY LINE OF MAUMEE AVENUE A DISTANCE OF 50.81
FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF UNIVERSITY
STREET AND THE NORTH RIGHT OF WAY LINE OF MAUMEE STREET, SAID POINT OF
INTERSECTION BEING THE SOUTHEAST CORNER OF LOT NUMBER 56 WITHIN COMPARET'S
ADDITION TO THE CITY OF FORT WAYNE AS RECORDED IN DEED BOOK 31, PAGE 170-171 IN THE
OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE NORTH 03 DEGREES 41
MINUTES 18 SECONDS EAST ON AND ALONG THE WEST RIGHT OF WAY LINE OF UNIVERSITY
STREET, SAID WEST RIGHT OF WAY LINE ALSO BEING THE EAST LINE OF LOTS NUMBERED 55
AND 56 WITHIN COMPARET'S ADDITION, A DISTANCE OF 359.28 FEET TO THE POINT OF
INTERSECTION OF THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET AND THE SOUTH
RIGHT OF WAY LINE OF WASHINGTON BOULEVARD, SAID POINT OF INTERSECTION BEING THE
NORTHEAST CORNER OF LOT NUMBER 55 WITHIN COMPARET'S ADDITION; THENCE NORTH 87
DEGREES 35 MINUTES 44 SECONDS EAST ON AND ALONG THE EASTERLY EXTENSION OF THE

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SOUTH RIGHT OF WAY LINE OF WASHINGTON BOULEVARD A DISTANCE OF 50.28 FEET TO THE POINT OF BEGINNING, CONTAINING 0.42 ACRES (18,324 SQUARE FEET) OF LAND, MORE OR LESS.

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

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:


Carol T. Taylor, City Attorney

Read the first time in full and on motion by Didier and duly adopted, read the second time by title and referred to the Committee on Regulators (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, the 13th day of July, 2011 at 5:30 o'clock P. M.E.S.T.

DATED: 6-22-10

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
and duly adopted,

Read the third time in full and on motion by _____ PASSED
placed on its passage.
by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>BROWN</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>PAPE</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 4-12-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. G15-11 on the 12th day of April, 2011

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Matthew Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of April, 2011, at the hour of 11:00 o'clock A. M.E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of April, 2011, at the hour of 4:00 o'clock P. M.E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR