

#1226

BILL NO. G-10-12-04

Deed Book: 31
Page No: 170-171

GENERAL ORDINANCE NO. G- 16-11

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

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

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

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

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

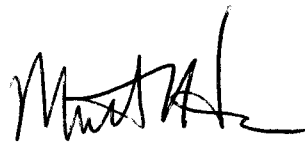
THE INTENT OF THIS ALLEY VACATION REAL ESTATE DESCRIPTION IS TO DEFINE THE EXTENTS OF THE FIRST ALLEY NORTH OF MAUMEE AVENUE BETWEEN THE UNIVERSITY STREET AND COMPARET STREET AS REPRESENTED ON THE PLAT OF COMPARETS ADDITION TO THE CITY OF FORT WAYNE AS RECORDED IN DEED BOOK 31, PAGES 170 AND 171 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF LOT NUMBER 56 WITHIN COMPARETS ADDITION TO THE CITY OF FORT WAYNE AS RECORDED IN DEED BOOK 31, PAGES 170 AND 171 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID POINT OF BEGINNING BEING THE POINT OF INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF A PLATTED ALLEY AND THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET BEING LOCATED NORTH 03 DEGREES 41 MINUTES 18 SECONDS EAST 194.82 FEET FROM THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF MAUMEE AVENUE AND THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET AS REPRESENTED ON SAID PLAT OF COMPARETS ADDITION ; THENCE SOUTH 87 DEGREES 35 MINUTES 28 SECONDS WEST ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF THE FIRST ALLEY NORTH OF MAUMEE AVENUE BETWEEN UNIVERSITY STREET AND COMPARET STREET, SAID SOUTH RIGHT OF WAY LINE ALSO BEING THE NORTH LINE OF LOTS NUMBERED 56 THROUGH 60 INCLUSIVE WITHIN COMPARETS ADDITION, A DISTANCE OF 278.50 FEET TO THE NORTHWEST CORNER OF LOT NUMBER 60 WITHIN COMPARETS ADDITION, SAID NORTHWEST CORNER BEING THE POINT OF INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF THE FOREMENTIONED ALLEY AND THE EAST RIGHT OF WAY LINE OF COMPARET STREET; THENCE NORTH 03 DEGREES 05 MINUTES 09 SECONDS WEST ON AND ALONG THE

1 NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF COMPARET STREET A
2 DISTANCE OF 14.00 FEET TO THE SOUTHEAST CORNER OF LOT NUMBER 50 WITHIN
3 COMPARETS ADDITION, SAID SOUTHEAST CORNER BEING THE POINT OF INTERSECTION
4 OF NORTH RIGHT OF WAY LINE OF THE FIRST ALLEY NORTH OF MAUMEE AVENUE
5 BETWEEN UNIVERSITY STREET AND COMPARET STREET AND THE EAST RIGHT OF WAY
6 LINE OF COMPARET STREET; THENCE NORTH 87 DEGREES 35 MINUTES 28 SECONDS EAST
7 ON AND ALONG THE NORTH RIGHT OF WAY LINE OF THE FIRST ALLEY NORTH OF MAUMEE
8 AVENUE BETWEEN UNIVERSITY STREET AND COMPARET STREET, SAID NORTH RIGHT OF
9 WAY LINE ALSO BEING THE SOUTH LINE OF LOTS NUMBERED 50 THROUGH 55 INCLUSIVE
10 WITHIN COMPARETS ADDITION, A DISTANCE OF 280.16 FEET TO THE SOUTHEAST
11 CORNER OF LOT NUMBER 55 WITHIN COMPARETS ADDITION, SAID SOUTHEAST CORNER
12 BEING THE POINT OF INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF THE
13 AFOREMENTIONED ALLEY AND THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET;
14 THENCE SOUTH 03 DEGREES 41 MINUTES 18 SECONDS WEST ON AND ALONG THE
15 SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF UNIVERSITY STREET A
16 DISTANCE OF 14.08 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES
17 (3,910.65 SQUARE FEET) OF LAND, MORE OR LESS.

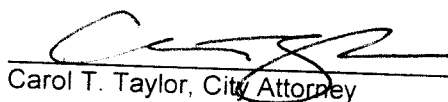
18 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
19 and is hereby approved in all respects.

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

22 

23 COUNCILMEMBER

24 APPROVED AS TO FORM AND LEGALITY:

25 
26 Carol T. Taylor, City Attorney

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Read the first time in full and on motion by Harper and duly adopted, read the second time by title and referred to the Committee on Regulations (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 Monday the 11th day of January, 2010, at 5:30 o'clock P M., E.S.T.

DATED: 12-14-10

Read the third time in full and on motion by Sandra E. Kennedy placed on its passage. PASSED 10-1 and duly adopted, by the following vote:

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

DATED: 4-26-11

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. D-16-11 on the 26th day of April, 2010

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

SEAL
Walter A. Busch
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of April, 2010, 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 28th day of April 2010, at the hour of 2:30 o'clock P M., E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR