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1 #1234

2 BILL NO. G-11-03-02

3
4 GENERAL ORDINANCE NO. G- 3311

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 Beginning at the intersection of the East right-of-way line of Beach Street and the North right-of-
18 way line of Spring Street; thence South 89 degrees 35 minutes 40 seconds West, a distance of
19 40.00 feet along the North right-of-way line of Spring Street to the West right-of-way line of Beach
20 Street; thence North 00 degrees 00 minutes 00 seconds East, a distance of 254.46 feet along
21 said West right-of-way line to the South right-of-way line of a 10 foot alley; thence North 89
22 degrees 41 minutes 04 seconds East, a distance of 40.00 feet along said South right-of-way line
23 to the East right-of-way line of Beach Street; thence South 00 degrees 00 minutes 00 seconds
24 West, a distance of 254.40 feet along said East right-of-way line to the Point of Beginning.
25 Containing 0.234 acres, more or less. Subject to easements of record.


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

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

30

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


Carol T. Taylor, City Attorney

Read the first time in full and on motion by Didier (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-Court Building, Fort Wayne, Indiana, on Monday, the 22nd day of March, 2011, at 5:30 o'clock P. M.E.S.T.

DATED: 3-8-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Didier placed on its passage. PASSED lost and duly adopted, by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|--------------------|-------------|-------------|------------------|---------------|
| <u>TOTAL VOTES</u> | <u>8</u> | <u>—</u> | <u>—</u> | <u>1</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: 8-23-11

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. R 37-11 on the 23rd day of August, 2011

ATTEST:

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mitchell Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 2011, at the hour of 2:00 o'clock P. M.E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of August 2011, at the hour of 9:30 o'clock A. M.E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR