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RECORDED: 06/02/2015 3:47:00 PM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

VALY-2015-0018

BILL NO. G-15-04-09

Plat Book: T
Page No: 49
Misc. Record: 10
Page 583

GENERAL ORDINANCE NO. G- 9-15

**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 partially vacate a public right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

The 16-1/2 foot wide alley lying East of Lots 1 through 15 in William G. Ewing's Administrators Addition to Fort Wayne, as recorded in Deed Record 29, page 522, and West of Lots 1 through 13 in Bonds Subdivision of Outlot 2 of East 1/2, NW 1/4, Sec. 11, T 30 N, R 12 E, as recorded in Deed Record "T", page 49, according to the plats thereof in the Office of the Recorder of Allen County, Indiana.

Together with the 16-1/2 foot wide ally, opened in Miscellaneous Record 10, page 583 and again in miscellaneous Record 15, page 635, off of the West side of Lot 4 in Block 33 of Ewing Addition to Fort Wayne as recorded in Plat Record 2, Page 40, all in the Office of the Recorder of Allen County, Indiana.

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

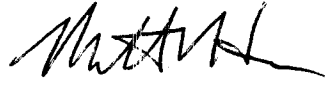
ANITA MATHER
Duty of the Recorder
Allen County, Indiana

JUN -3 2015

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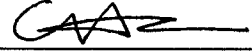
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SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
any and all necessary approval by the Mayor.



COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2015-0018
Bill Number: G-15-04-09
Council District: 5-Geoff Paddock

Introduction Date: April 28, 2015

Public Hearing Date: May 12, 2015

Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate the north-south, 16.5 foot wide alley located between William G. Ewing's Administrators Addition and Bond's Subdivision of Outlot 2.

Location: Between Fairfield Avenue and Ewing Street, extending from West Jefferson Boulevard to West Brackenridge Street.

Reason for Request: Approval of the alley vacation will allow the construction of CityScape Flats, a 167-unit multiple family residential development, proposed to be located between Fairfield, Ewing, West Jefferson, and Brackenridge.

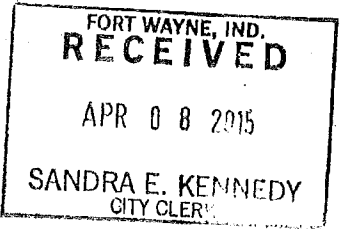
Applicant: City of Fort Wayne, Redevelopment Commission

Property Owner: City of Fort Wayne, Redevelopment Commission

Related Petitions: Primary Development Plan, CityScape Flats

Effect of Passage: Vacation of the alley will allow the proposed multiple family residential development to be constructed as planned.

Effect of Non-Passage: The alley will remain as platted and redevelopment capabilities of the project site will be limited. The alley bisects the site and the CityScape Flats project, as planned, will not be permitted.



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:

See attached legal description

(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: "T" PAGE(S) NUMBER(S): 49 (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:

Redevelopment of the site. Construction of parking garage and +/- 150 dwelling units
167 ymb

(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: Community Development Division - Redevelopment Comm.
Street Address: 200 East Berry suite 320
City: FW State: IN Zip: 46802 Phone: 427-

400 block Brackenridge
1100 to 1300 blocks Ewing & Fairfield

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 For 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]
Signature

Justin Brugger
Printed Name

4/6/15
Date

200 E. Berry Suite 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): P.J. Thuringer

Street Address: 200 E Berry, Suite 320

City: FW State: IN Zip: 46802 Phone: 427-

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: 4/8/15

Map #: Wayne 11 L02

Reference #: VALY-2015-

district 5 - Paddock
zoning DE

DESCRIPTION OF ALLEY VACATION

The 16 - 1/2 feet wide alley lying East of Lots 1 through 15 in William G. Ewing's Administrators Addition to Fort Wayne, as recorded in Deed Record 29, page 522, and West of Lots 1 through 13 in Bonds Subdivision of Out Lot 2 of East 1/2, NW ¼, Sec. 11, T 30 N, R 12 E, as recorded in Deed Record "T", page 49, according to the plats thereof in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH the 16 - 1/2 feet wide alley, opened in Miscellaneous Record 10, page 583 and again in Miscellaneous Record 15, page 635, off of the West side of Lot 4 in Block 33 of Ewing Addition to Fort Wayne, as recorded in Plat Record 2, page 40, all in the Office of the Recorder of Allen County, Indiana.



GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.

1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

Alley Vacation Exhibit
City of Fort Wayne, IN

16 - 1/2' alley opened in
MR 10, page 583
and MR 15, page 635
to be vacated

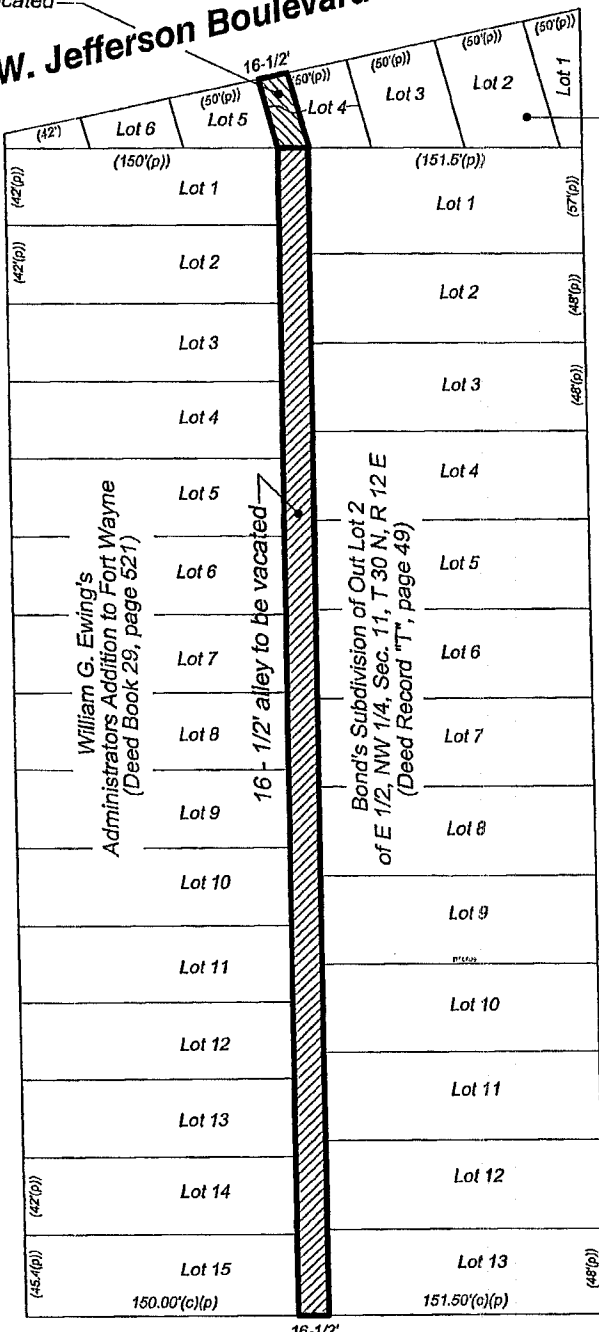
W. Jefferson Boulevard

66' public right-of-way (p)

Block 33
Ewing Addition
to Fort Wayne
(Plat Record 2, page 40)

Fairfield Avenue

66' public right-of-way (p)

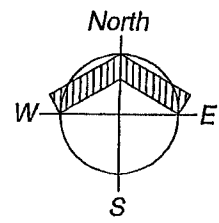
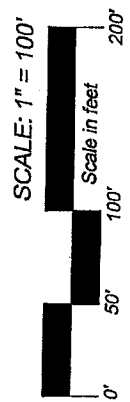


Ewing Street

60' public right-of-way (p)

W. Brackenridge Street

60' public right-of-way (p)



Date: April 3, 2015
Job No.: 20130057

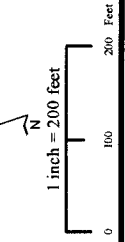


Project boundaries represented by bold colored lines are for representational purposes only.

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

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.

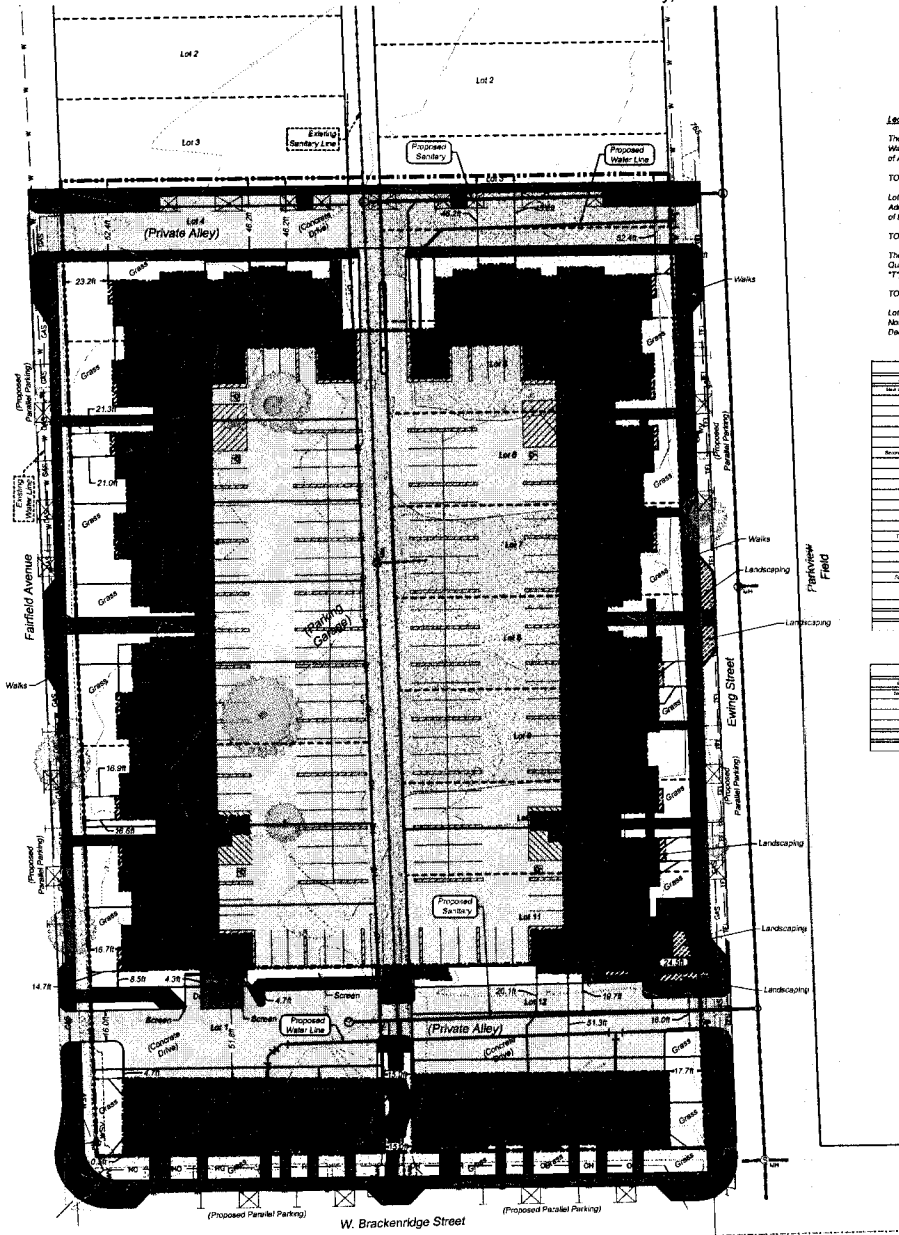
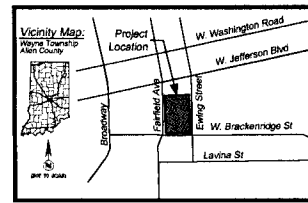
Date: 4/21/2015



Primary Development Plan Cityscape Flats

A Site Located in Section 11, Township 30 North, Range 12 East.

Allen County, Indiana



Legal Description:

The South 29 feet of Lot 4 in William G. Ewing's Administrative Addition in Fort Wayne, as recorded in Deed Record 26, pages 521-522 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH:

Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 in William G. Ewing's Administrative Addition to Fort Wayne, as recorded in Deed Record 29, pages 521-522 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH:

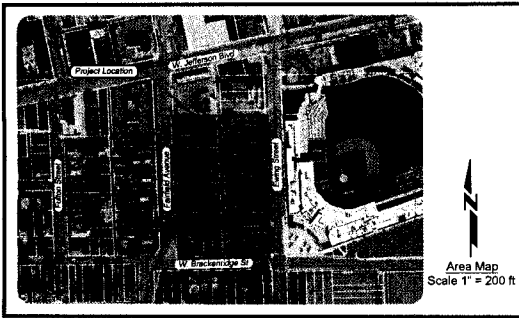
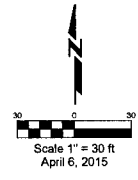
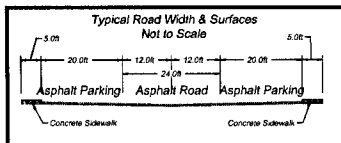
The South 13.4 feet of Lot 3 in Bonds Subdivision of Out Lot 2 of East Half, Northwest Quarter, Section 11, Township 30 North, Range 12 East, as recorded in Deed Record **T, page 49 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Bonds Subdivision of Out Lot 2 of East Half, Northwest Quarter, Section 11, Township 30 North, Range 12 East, as recorded in Deed Record **T, page 49 in the Office of the Recorder of Allen County, Indiana.

| Area Schedule (Three Buildings) | | | | | |
|---------------------------------|----------------------|------------|----------|------|------------|
| Location | Description | Area | Estimate | Unit | Notes |
| West Wing Building | Building | 87,177 SFT | | | |
| | North Level (1B) | 16,070 SFT | | | |
| | North Level (2B) | 17,660 SFT | | | |
| | Other | 1,357 SFT | | | |
| | | | | | 62,147 SFT |
| Central Wing Building | Building Level (1) | 14,502 SFT | | | |
| | Building Level (2) | 16,002 SFT | | | |
| | Building Level (3) | 14,502 SFT | | | |
| | Building Level (4) | 14,502 SFT | | | |
| | Garage | 1,987 SFT | | | |
| | Roof Deck | 1,278 SFT | | | |
| | | | | | 62,973 SFT |
| West Wing | Building Level (1B) | 16,070 SFT | | | |
| | Building Level (2B) | 20,000 SFT | | | |
| | | | | | 2,487 SFT |
| North Wing | North Level (1B) | 16,750 SFT | | | |
| | Interior - Cold Room | 811 SFT | | | |
| | | | | | 18,561 SFT |
| | Roof Deck | 22,772 SFT | | | 10 |

| Area Schedule (Three Buildings) | | | | | |
|---------------------------------|-------------|------------|----------|------|------------|
| Location | Description | Area | Estimate | Unit | Notes |
| Level 1 | | 16,070 SFT | | | |
| Level 2 | | 16,070 SFT | | | |
| | | | | | 32,140 SFT |
| | | | | | 10 |



General Contractor:
Sunstone Construction Company, LLC
6455 Brauer Lane
Carmel, IN 46033
Tel: (317) 418-2200

Developer:
DOMO Development Company, LLC
8830 Noteline Road
Fort Wayne, IN 46835
Tel: (260) 413-6342

Project Jurisdiction Summary:

Sanitary Sewer Utility:
Fort Wayne Utilities
200 E. Berry Street
Fort Wayne, IN 46802
(260) 427-5064

Water Utility:
Fort Wayne Utilities
200 E. Berry Street
Fort Wayne, IN 46802
(260) 427-5064

Drainage Approval:
Fort Wayne Utilities
200 E. Berry Street
Suite 350
Fort Wayne, IN 46802
(260) 449-7825

Planning/Development Approval:
Allen County Department of Planning Services
200 E. Berry Street
Suite 150
Fort Wayne, IN 46802
(260) 444-7607

Traffic, Easement & Right-of-way Approval:
Fort Wayne Utilities
200 E. Berry Street
Suite 425
Fort Wayne, IN 46802
(260) 427-1111

| Revisions | |
|-----------|-------------|
| Date | Description |
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Engineer:
D.A. Swann Engineering Consultants
5419 Country Road 227, Suite C, Auburn, IN 46706
Phone: (260) 925-2020 Fax: (260) 925-1212
www.daswannengineering.com

| Date | Drawn By |
|--------------|------------|
| 04/06/2015 | |
| Scale | Checked By |
| As Noted | |
| Job No. | Sheet No. |
| 14111-03-001 | 1 of 1 |

Sarah A. Rogers

From: fwn legals <fwnlegals@fwn.fortwayne.com>
Sent: Wednesday, April 29, 2015 10:16 AM
To: Sarah A. Rogers
Subject: RE: PUBLIC HEARINGS

**Please note below is your requested schedule and cost.
If there is a discrepancy, please let me know soon as possible.**

Ad #: 1183874;1183877

Date: 5--1

Publication: JG & NS

Total Cost: \$51.72;\$51.72

Please Read: URGENT! Invoices-Receipt/Proof of Pubs/Affidavits are mailed out on Thursday a week after the last/ONLY run date...

Donna M. Brotherton
Legal Sales Coordinator 260-461-8246

From: Sarah A. Rogers [<mailto:Sarah.Rogers@cityoffortwayne.org>]
Sent: Wed 4/29/15 8:49 AM
To: fwn legals
Subject: PUBLIC HEARINGS

Please provide the attached ads with full coverage on the date of Friday, May 1, 2015, in both the News Sentinel and Journal Gazette Newspapers.

Bill No. G-15-04-09

Bill No. G-15-04-13

Please send us two copies of the Publisher's Affidavit from both newspapers.

Thank you.

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

BILL NO. G-15-04-09

The Common Council of Fort Wayne, Indiana will hold a public hearing Tuesday May 12, 2015 at 5:30 p.m. The Council will hold the hearing in Room 030 of the Citizens Square Building at 200 East Berry Street. Room 030 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

PROPOSAL: VALY-2015-0018
BILL NO: G-15-04-09
APPLICANT: City of Fort Wayne Redevelopment Commission
REQUEST: To vacate the north-south 16.5 foot wide alley between Fairfield Avenue and Ewing Street, extending from West Jefferson Boulevard to West Brackenridge Street. (Section 11 of Wayne Township)
LAND AREA: Approximately 0.24 acres proposed to be vacated.
PRESENT ZONING: DE-Downtown Edge

This public hearing is your chance to offer input you may have regarding the request. If you are unable to attend the hearing but want to be heard, or are planning to attend and want to submit information for the Council to review at the hearing, please have 11 copies of your written comments to The Planning Department Office before 12:00 Noon, May 12, 2015. You may also email comments to michelle.wood@allencounty.us. Correspondence may be hand delivered to staff or the Council at the hearing. Please include your name and mailing address on all correspondence.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE AT (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

**SANDRA E. KENNEDY
CITY CLERK**

ALLEY VACATION – PUBLIC HEARING
Department of Planning Services

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| VALY 2015 0018 | Bill #G-15-04-09 | Project Start: 28 April 2015 |
| APPLICANT: REQUEST: LOCATION: COUNCIL DISTRICT: LAND AREA: PUBLIC HEARING DATE: | City of Fort Wayne Redevelopment Commission To vacate a 16.5 foot wide north-south alley right-of-way Between Fairfield and Ewing, extending from West Jefferson to Brackenridge (Section 11 of Wayne Township) District 5 – Geoff Paddock Approximately 0.24 acres May 12, 2015 | |

PROJECT SUMMARY

The petitioner is the Fort Wayne Redevelopment Commission as current property owner surrounding most of the alley right-of-way in this request. The alley proposed to be vacated extends from West Jefferson to Brackenridge, and bisects the site of the proposed CityScapes Flats development.

The proposed development plan shows the new multiple-family building and parking garage located over the alley. The vacation of the alley will require relocation of some utilities, including electrical lines and a combination sewer line. The request has been sent to all utility agencies with possible interest in this petition for their responses:

- | | |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City Plan: | Indiana Code (36-7-3-16 (b)) states that any public utility occupying a public way or easement shall not be deprived of the use of the public way for the location and operation of existing facilities. The petitioner shall provide all necessary easements (as approved) at the time the vacation petition is recorded. |
| Traffic Engineering: | Alley vacation presents no issue to public transportation and pending development. Approved. |
| Stormwater Engineering: | Combined sewer service needs to be relocated. |
| Water Engineering: | Approved |
| WPC Engineering – Sanitary: | Combined sewer service needs to be relocated. |
| City Parks Department: | Approved |
| Fire Department: | Approved |
| Land Acquisition Agent: | Approved with comments from agencies resolved. |
| Frontier: | Approved with final easements/relocation of existing utilities. Okay for Council vote prior to final paperwork. |
| Comcast Cable: | No comments received |
| AEP: | Approved with final easements/relocation of existing utilities. Okay for Council vote prior to final paperwork. |
| NIPSCO: | Approved |

Grounds for Remonstrance for Vacation Requests (I.C. 36-7-3-13):

- (1) The vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation would hinder the public's access to a church, school, or other public building or place.
- (4) The vacation would hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

VALY-2015-0018

Bill No. G-15-04-09

Right-of-Way Vacation – Notifications

The Clerk's Office placed legal notification in the Fort Wayne Newspapers.

DPS Staff notified the following by Certified Mail:

PIN/Property Address:

Property Owner of Record:

021202390002000074
021211130001000074
437 W Jefferson Blvd

Three Brothers LLC
6322 Millhollow Lane
Fort Wayne, IN 46815

021202390003000074
409 W Jefferson Blvd

City of Fort Wayne Redevelopment
200 E Berry, Suite 320
Fort Wayne, IN 46802

021202390004000074
405 W Jefferson Blvd

021211130017000074
1112 Ewing Street

021211130018000074
1116 Ewing Street

021211130019000074
1118 Ewing Street

021211130020000074
1122 Ewing Street

021211130021000074
1124 Ewing Street

021211130022000074

1126 Ewing Street

021211130023000074
1130 Ewing Street

021211130024000074
1226 Ewing Street

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1228 Ewing Street

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1230 Ewing Street

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1232 Ewing Street

021211130029000074
1234 Ewing Street

021211130030000074
1240 Ewing Street

021211130032000074
1244 Ewing Street

021211130033000074
1302 Ewing Street

021211130034000074
1306 Ewing Street

021211130035000074
1308 Ewing Street

021211130036000074
1310 Ewing Street

021211130037000074
1312 Ewing Street

021211130016000074
412 W Brackenridge

021211130014000074
420 W Brackenridge

021211130013000074

424 W Brackenridge

021211130012000074
1235 Fairfield

021211130011000074
1231 Fairfield

021211130010000074
1223 Fairfield

021211130009000074
1221 Fairfield

021211130008000074
1217 Fairfield

021211130007000074
1213 Fairfield

021211130006000074
1211 Fairfield

021211130005000074
1205 Fairfield

021211130004000074
1201 Fairfield

021211130003000074
1125 Fairfield

021211130002000074
1121 Fairfield

021211135012000074
401 W Brackenridge

021211135011000074
407 W Brackenridge

021211135009000074
415 W Brackenridge

021211135008000074
419 W Brackenridge

Neal and Pamela Jordan
4501 Newyago Rd
Fort Wayne, IN 46808

| | |
|----------------------------------------------------|----------------------------------------------------------------------------------------|
| 021211135010000074 409 W Brackenridge | Machuras LLC 4646 W Jefferson Blvd, Suite 185 Fort Wayne, IN 46804 |
| 021211135007000074 425 W Brackenridge | HAP Investments LLC PO Box 11311 46857 |
| 021211135006000074 429 W Brackenridge | Ameritrust Lending LLC 2042 Broadway 46802 |
| 021211135005000074 433 W Brackenridge | Rudolph Mahara 2811 Covington Woods Blvd Fort Wayne, IN 46804 |
| 021211135004000074 437 W Brackenridge | Rudolph Mahara 437 W Brackenridge Fort Wayne, IN 46802 |
| 021211135003000074 441 W Brackenridge | Scott Stellhorn 5516 Albany Court Fort Wayne, IN 46835 |
| 021211135002000074 447 W Brackenridge | Harvey and Patricia Milligan 447 W Brackenridge Fort Wayne, IN 46802 |
| 021211135001000074 447 W Brackenridge (west of) | City of Fort Wayne Board of Works 200 East Berry, Suite 470 Fort Wayne, IN 46802 |
| 021202388003000074 427 W Washington | Salvation Army 427 W Washington Fort Wayne, IN 46802 |

DPS Staff notified the following by Hand-delivery:

Representatives:

P.J. Thuringer, City of Fort Wayne Redevelopment
200 East Berry Street, Suite 320
Fort Wayne, IN 46802

DPS Staff notified the following by Email:

Community Liaison, Palermo Galindo
Southwest Area Partnership
West Central Neighborhood

DEPARTMENT OF PLANNING SERVICES

SUITE 150, CITIZENS SQUARE
200 EAST BERRY
FORT WAYNE, IN 46802

260-449-7607
260-449-7682
WWW.ALLENCOUNTY.US

TO: All interested persons
FROM: Michelle Wood, RLA
Senior Land Use Planner
RE: Public Hearing Notice
DATE: April 24, 2015

We are sending this notice to let you know the Common Council of Fort Wayne, Indiana will hold a public hearing **Tuesday May 12, 2015 at 5:30 p.m.** The Council will hold the hearing in **Room 030 of the Citizens Square Building at 200 East Berry Street.** Room 030 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

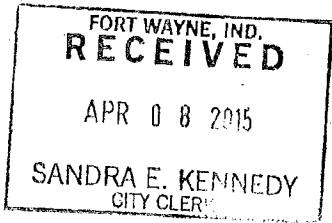
PROPOSAL: VALY-2015-0018
BILL NO: G-15-04-09
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LAND AREA: Approximately 0.24 acres proposed to be vacated.
PRESENT ZONING: DE-Downtown Edge
SEWER PROVIDER: City of Fort Wayne
WATER PROVIDER: City of Fort Wayne

We have additional information regarding this application at our office at Suite 150, Citizens Square, 200 East Berry Street.

We are sending you this notice because you own property that is adjacent to the above request. This public hearing is your chance to offer input you may have regarding the request.

If you are unable to attend the hearing but want to be heard, or are planning to attend and want to submit information for the Council to review at the hearing, please have 11 copies of your written comments to our office before 12:00 p.m. May 12, 2015. You may also email comments to michelle.wood@allencounty.us.

Correspondence may also be hand delivered to staff or the Council at the hearing. Please include your name and mailing address on all correspondence. Thank you for your attention to this matter. Please call this office if you have any questions.



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:

See attached legal description

(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: "T" PAGE(S) NUMBER(S): 49 (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:

Redevelopment of the site. Construction of parking garage and +/- 150 dwelling units
167 jobs

(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: Community Development Division - Redevelopment Comm.
Street Address: 200 East Berry suite 320
City: FW State: IN Zip: 46802 Phone: 427-

400 block Brackenridge
1100 to 1300 blocks Ewing & Fairfield

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 For 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]
Signature

Justin Brugger
Printed Name

4/8/15
Date

200 E. Berry Suite 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): P.J. Thuringer

Street Address: 200 E. Berry, Suite 320

City: FW State: IN Zip: 46802 Phone: 427-

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: 4/8/15

Map #: Wayne 11 L02

Reference #: VALY-2015-

district 5 - Paddock
Zoning DE

DESCRIPTION OF ALLEY VACATION

The 16 - 1/2 feet wide alley lying East of Lots 1 through 15 in William G. Ewing's Administrators Addition to Fort Wayne, as recorded in Deed Record 29, page 522, and West of Lots 1 through 13 in Bonds Subdivision of Out Lot 2 of East 1/2, NW ¼, Sec. 11, T 30 N, R 12 E, as recorded in Deed Record "T", page 49, according to the plats thereof in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH the 16 - 1/2 feet wide alley, opened in Miscellaneous Record 10, page 583 and again in Miscellaneous Record 15, page 635, off of the West side of Lot 4 in Block 33 of Ewing Addition to Fort Wayne, as recorded in Plat Record 2, page 40, all in the Office of the Recorder of Allen County, Indiana.



GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.

1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

Alley Vacation Exhibit
City of Fort Wayne, IN

16 - 1/2' alley opened in
MR 10, page 583
and MR 15, page 635
to be vacated

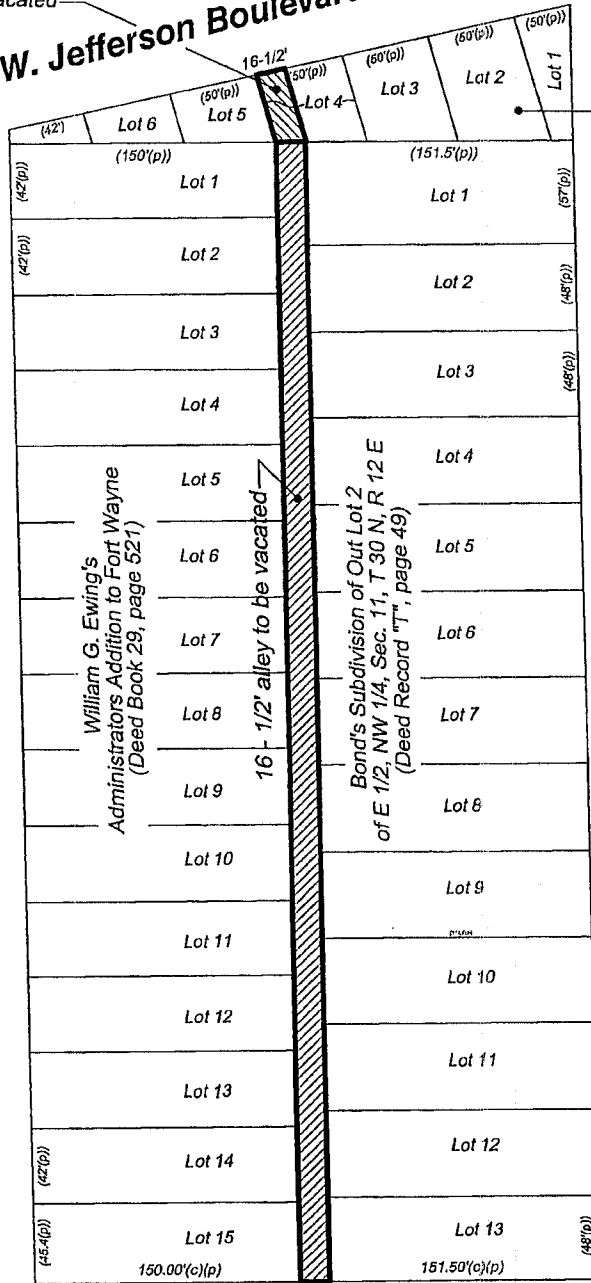
W. Jefferson Boulevard

66' public right-of-way (p)

Block 33
Ewing Addition
to Fort Wayne
(Plat Record 2, page 40)

Fairfield Avenue

66' public right-of-way (p)

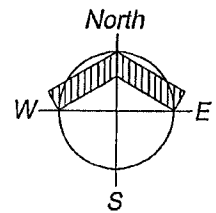
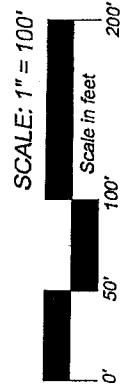


Ewing Street

60' public right-of-way (p)

W. Brackenridge Street

60' public right-of-way (p)



Date: April 3, 2015
Job No.: 20130057

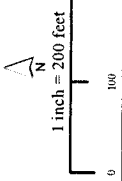
Vacation Petition VALY-2015-0018



Project boundaries represented by bold colored lines are for representational purposes only.

Although stated 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 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: 4/21/2015

Public Hearing Date, if applicable 5-12-15

Read the first time in full and on motion by Councilman Mitch Harper
Read the second time by title and referred to the Regulations
Committee. Read the third time in full and on motion by Councilman
Mitch Harper, placed on passage by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|--------------------|-------------|-------------|------------------|---------------|
| <u>TOTAL VOTES</u> | <u>9</u> | _____ | _____ | _____ |
| BENDER | <u>✓</u> | _____ | _____ | _____ |
| CRAWFORD | <u>✓</u> | _____ | _____ | _____ |
| DIDIER | <u>✓</u> | _____ | _____ | _____ |
| HARPER | <u>✓</u> | _____ | _____ | _____ |
| HINES | <u>✓</u> | _____ | _____ | _____ |
| JEHL | <u>✓</u> | _____ | _____ | _____ |
| PADDOCK | <u>✓</u> | _____ | _____ | _____ |
| SHOAFF | <u>✓</u> | _____ | _____ | _____ |
| SMITH | <u>✓</u> | _____ | _____ | _____ |

DATED: 5-26-15 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. B-9-15 on the 26th day of
May, 2015

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

John W. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day
of May, 2015, at the hour of 4:00 O'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of MAY
2015, at the hour of 4:00 O'clock P.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

The Journal Gazette

Account # 1060008 - 1183877

Allen County, Indiana

FW Common Council

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

LINE COUNT

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines | _____ |
| Head -- number of lines | _____ |
| Body -- number of lines | _____ |
| Tail -- number of lines | _____ |
| Total number of lines in notice | 61 |

COMPUTATION OF CHARGES

| | |
|-------------------------------------------------------------------------------------------------|-----------------|
| <u>61</u> lines, <u>1</u> column(s) wide equals | |
| <u>61</u> equivalent lines at <u>\$ 0.424</u> cents per line | \$ 25.86 |
| Additional charges for notices containing rule or tabular work (50 per cent of above amount) | - |
| Charge for extra proofs of publication (\$2.00 for each proof in excess of two) | - |
| TOTAL AMOUNT OF CLAIM | \$ 25.86 |

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
Number of Insertions 1

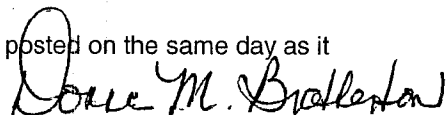
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

| | | | |
|-----------------|---|---|---|
| <u>5/1/2015</u> | - | - | - |
| - | - | - | - |
| - | - | - | - |

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.



Donna M. Brotherton
Legal Clerk

Date: May 1, 2015

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-15-04-09**

The Common Council of Fort Wayne, Indiana will hold a public hearing Tuesday May 12, 2015 at 5:30 p.m. The Council will hold the hearing in Room 030 of the Citizens Square Building at 200 East Berry Street. Room 030 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

PROPOSAL: VALY-2015-0018
BILL NO: G-15-04-09
APPLICANT: City of Fort Wayne Redevelopment Commission
REQUEST: to vacate the north-south 16.5 foot wide alley between Fairfield Avenue and Ewing Street, extending from West Jefferson Boulevard to West Brackenridge Street. (Section 11 of Wayne Township)
LAND AREA: Approximately 0.24 acres proposed to be vacated.
PRESENT ZONING: DE-Downtown Edge

This public hearing is your chance to offer input you may have regarding the request. If you are unable to attend the hearing but want to be heard, or are planning to attend and want to submit information for the Council to review at the hearing, please have 11 copies of your written comments to The Planning Department Office before 12:00 Noon, May 12, 2015. You may also email comments to michelle.wood@allencounty.us. Correspondence may be hand delivered to staff or the Council at the hearing. Please include your name and mailing address on all correspondence.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE AT (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

5--1 1183877 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1183877
FW Common Council

PUBLISHER'S CLAIM

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SANDRA E. KENNEDY
CITY CLERK

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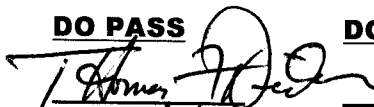


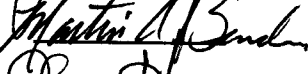
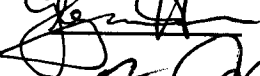
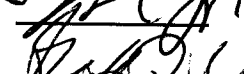

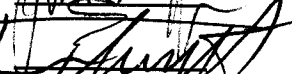
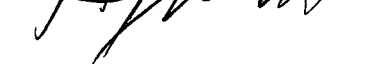
BILL NO. G-15-04-09

REPORT OF COMMITTEE ON REGULATIONS

MAY 26, 2015

*Mitch Harper, Chair
Glynn Hines, Co-Chair
All Council Members*

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way. The location is between Fairfield Avenue and Ewing Street, extending from West Jefferson Boulevard to West Brackenridge Street. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

| <u>DO PASS</u> | <u>DO NOT PASS</u> | <u>ABSTAIN</u> | <u>NO REC</u> |
|-------------------------------------------------------------------------------------|--------------------|----------------|---------------|
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**SANDRA E. KENNEDY
CITY CLERK**