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VROW-2015-0045

BILL NO. G-15-09-15

GENERAL ORDINANCE NO. G- 11-16

**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:

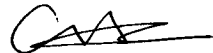
The fifty foot wide right-of-way of Orchard Lane between Lots 49 and 50 of Highland Garden Addition, as recorded in Plat Book 8B, page 62, in the Office of the Recorder of Allen County, Indiana, and also between Lots 5 and 6 in Country Club Gardens Addition as recorded in Plat Book 8B, page 58, in the 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.

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

PAID
AUG 31 2015
RECEIVED
AUG 31 2015
SANDRA E. KENNEDY
CITY CLERK

Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802/260005 FORT WAYNE, IND.

I/We do hereby petition to vacate the following:

 Easement X Public Right of Way (street or alley)

More particularly described as follows:

Unimproved, strict right-of-way west of Coleman Ave
between Lots 5 (Five) and 6 (Six) and East of Woodhill Dr.
between Lots 49 (Forty Nine) and 50 (Fifty) of Country
Club Gardens Sub Division. Area is bordered by 3616 Coleman Dr
and 3702 Coleman Drive on the East and Spl. to 3623 Woodhill Dr on West.
(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

DOC. #86-006492
DEED BOOK NUMBER: PAGE(S) NUMBER(S): (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:

This paper Street Dead ends on the Property's
Listed above. It is maintained by the Homeowners

(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: John E Clark

Street Address: 3702 Coleman Ave

City: Fort Wayne State: In Zip: 46804 Phone: 260-436-2027

436-2027

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.

John E Clark
Signature
3702 Coleman Ave
Address

John E Clark 8/28/2015
Printed Name Date
Fort Wayne Ind 46804
City/State/Zip

[Signature]
Signature
3623 Woodhill Dr
Address

Mike Blukowsky 8-29-15
Printed Name Date
Fort Wayne Ind 46804
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 #: _____

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Edwin R. Christman
Signature

Edwin R. CHRISTMAN 8-30-15
Printed Name Date

3616 Coleman Ave
Address

Fort Wayne Ind 46804
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): _____

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Map #: _____

Reference #: _____

Vacation Petition VROW-2015-0045

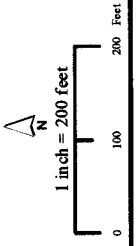


Project boundaries represented by bold colored lines are for representational purposes only.

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

Date 9/4/2015

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.



The Journal Gazette

Account # 1060008 - 1208101

Allen County, Indiana

FW Common Council

PUBLISHER'S CLAIM

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

65

COMPUTATION OF CHARGES

65 lines, 1 column(s) wide equals

65 equivalent lines at \$ 0.424 cents per line

\$ 27.56

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

\$ 27.56

DATA FOR COMPUTING COST

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

Number of Insertions 1

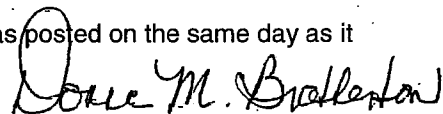
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

9/30/2015

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: September 30, 2015

ATTACH COPY OF ADVERTISEMENT HERE

NOTICE OF PUBLIC HEARING

The Common Council of the City of Fort Wayne, Indiana will hold a public hearing Tuesday October 13, 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: VROW-2015-0045

BILL NO: G-15-09.15

APPLICANT: John E. Clark, Edwin R. Christian

REQUEST: To vacate an unimproved portion of the right-of-way of Orchard Lane, Located between Woodhill Drive and Coleman Avenue. (Section 18 of Wayne Township)

LAND AREA: Approximately 0.39 acres proposed to be vacated.

PRESENT ZONING: R1-Single Family Residential

Additional information can be obtained at Planning Services in Suite 150, Citizens Square, 200 East Berry Street.

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, provide 11 copies of your written comments to Planning Services before 12:00 p.m. October 13, 2015. You may also email comments to michelle.wood@allencounty.us.

Correspondence may be hand delivered to staff or the Council at the hearing. Be sure to 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 PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 427-1200, AT LEAST 24 HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

9--30

1208101 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1208101
FW Common Council

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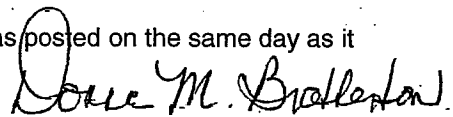
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SANDRA E. KENNEDY
CITY CLERK
1208101 hspaxlp

**City of Fort Wayne Common Council
DIGEST SHEET**

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VROW-2015-0045
Bill Number: G-15-09-15
Council District: 4 – Mitch Harper

Introduction Date: September 22, 2015

Public Hearing Date: October 13, 2015

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

Synopsis of Ordinance: To vacate an unimproved portion of the right-of-way of Orchard Lane.

Location: Between Woodhill Drive and Coleman Avenue.

Reason for Request: This portion of Orchard Lane is unbuilt and the adjacent property owners maintain the right-of-way.

Applicants: John E. Clark, Edwin R. Christian

Property Owner: John E. Clark, Edwin R. Christian

Related Petitions: none

Effect of Passage: The right-of-way of Orchard Lane will revert to the adjacent property owners.

Effect of Non-Passage: The property will remain as right-of-way and a street connection between Woodhill Drive and Coleman Avenue could be built.

Public Hearing Date, if applicable OCTOBER 13TH 2015

Read the first time in full and on motion by Councilman Freistroffer.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CRAWFORD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: July 12, 2016



 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General No. G-15-09-15 on the 12th day of July, 2016

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of July 2016, at the hour of 9:00 o'clock P.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of July
 2016, at the hour of 2:00 O'clock P.M. E.S.T.



 THOMAS C. HENRY, MAYOR

BILL NO. G-15-09-15

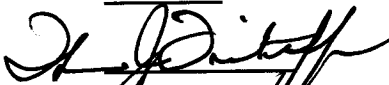


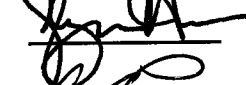

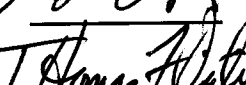
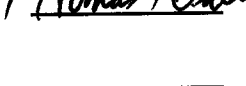
REPORT OF COMMITTEE ON REGULATIONS

JULY 12, 2016

Tom Didier, Chair
Tom Freistroffer, Chair
All Council Members

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

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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**LANA R. KEESLING
CITY CLERK**

