

1 VROW-2016-0002

2 BILL NO. G-16-06-24

3
4 GENERAL ORDINANCE NO. G- 10-16

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 Part of the South Half of the Northeast Quarter of Section 21, Township 30 North, Range 12
18 East, Allen County, Indiana, more particularly described as follows, to wit:

19 Beginning at the Northeast corner of Lot 86 in the Plat of Sand Point Gardens, Section A, as
20 recorded in Plat Book 13A, Page 38, in the Office of the Recorder of Allen County, Indiana,
21 thence Westerly along the North line of Lots 86, 85, 84, 83, 82, 81, 80, 79, 78 and 77, a
22 distance of 500 feet to the Northwest corner of Lot 77; thence Northerly to the North line of
23 the right-of-way of Vernon Avenue, a distance of 50 feet; thence Easterly along the north
24 right-of-way line of Vernon Avenue, a distance of 500 feet; thence Southerly, a distance of 50
25 feet to the point of beginning, containing 0.57 acres of land, more or less.


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.
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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:



Carol Helton, City Attorney

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:

platted road - not paved or started to be built.

(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: 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:

preserve "wild life", ensure no road will be built.

(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: Ann Hatfield

Street Address: 2711 Vernon Ave

City: Ft. Wayne State: IN Zip: 46809 Phone: 260-704-0445

VROW-2016-0002

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

Dan Hatfield
Printed Name

6.10.16
Date

2711 Vernon Ave
Address

Ft. Wayne, IN 46809
City/State/Zip


Signature

Jake Hatfield
Printed Name

6.10.16
Date

2711 Vernon Ave
Address

Ft. Wayne, IN 46809
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 #: _____



2711 Vernon Ave



Find on Map

De Wolfe

De Wolfe

De Wolfe

Wood

Wood

wendell

Hartfield

2711

Hartfield

2610

2606

2602

2730

2730

2728

2720

2720

2718

2700

2708

2620

GRIENVIEW AV

2802

2800

2801

2731

2727

2715

**Michael Dewolfe
2802 Greenview Ave
Fort Wayne, IN 46809**

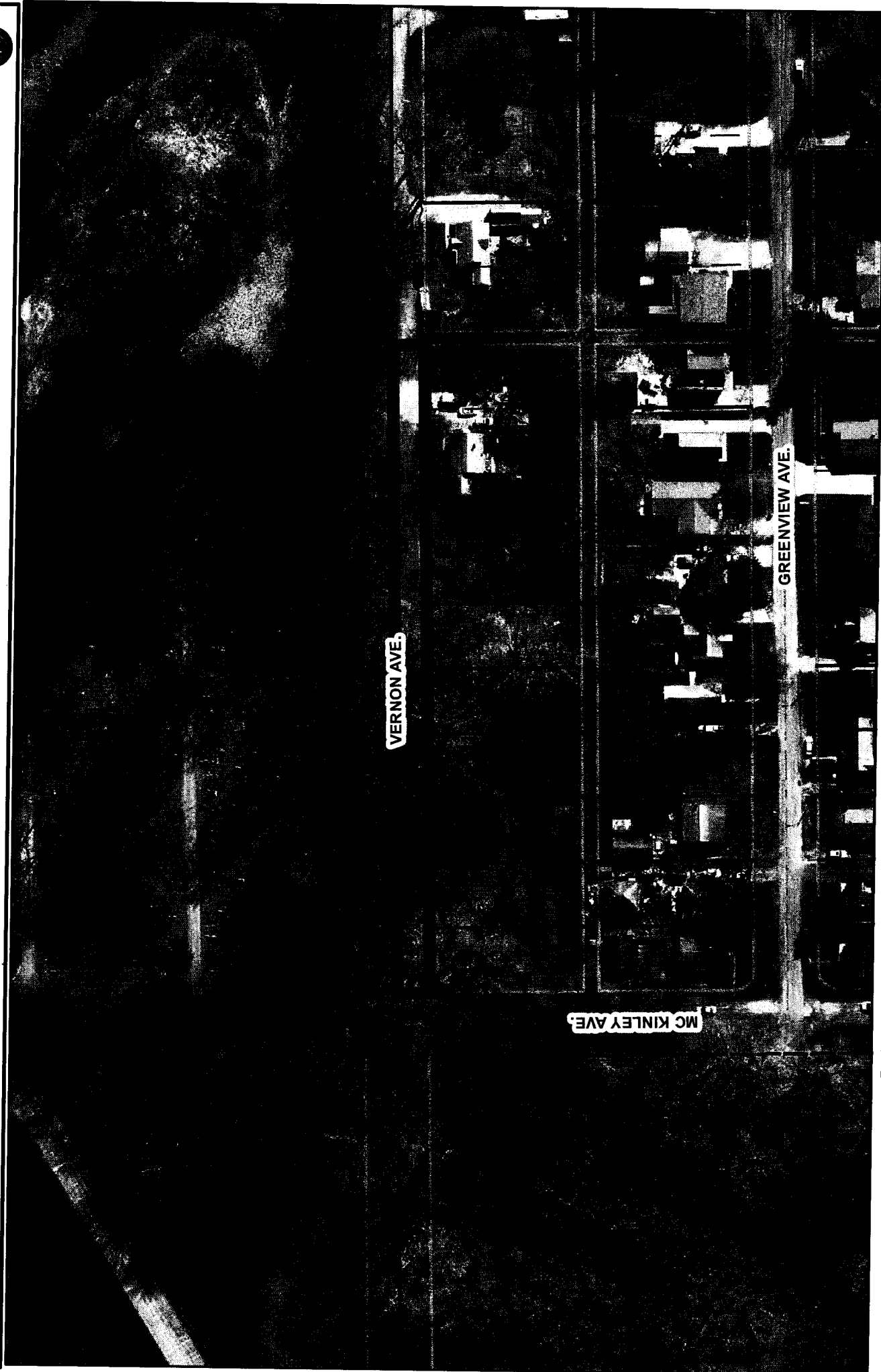
**Allen and Roberta and Kenneth Wood
2907 Genessee Ave
Fort Wayne, IN 46809**

**Robert and Lila Wendell
2728 Greenview Ave
Fort Wayne, IN 46809**

**St John Evangelical Lutheran Church (cemetery)
2507 Engle Rd
Fort Wayne, IN 46809**



Vacation Petition VROW-2016-0002 - Vernon Ave



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 assume the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



1 inch = 100 feet
0 50 100 Feet

Date: 6/17/2016

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

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VROW-2016-0002
Bill Number: G-16-06-24
Council District: 4 – Jason Arp

Introduction Date: June 28, 2016

Public Hearing Date: July 12, 2016

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

Synopsis of Ordinance: To vacate a portion of the unbuilt Vernon Avenue.

Location: Beginning at 2711 Vernon Avenue and continuing west to Lot 77 of Sand Point Gardens, Section A (approximately 500 feet in length).

Reason for Request: Applicant's reasoning is to preserve wildlife by ensuring the road will never be built.

Applicant: Ann Hatfield

Property Owner: Ann Hatfield

Related Petitions: none

Effect of Passage: Vacation of the unimproved Vernon Avenue right-of-way will place the property back on the tax roll, adding the property to the adjacent owners' properties.

Effect of Non-Passage: This portion of Vernon Avenue will remain as platted and could be completed by the City of Fort Wayne or a private developer to serve adjacent development.

The Journal Gazette

Account # 1060008 - 1247370
FW Common Council

Allen County, Indiana

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

51

COMPUTATION OF CHARGES

51 lines, 1 column(s) wide equals

51 equivalent lines at \$ 0.436 cents per line

\$ 22.24

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

\$ 22.24

DATA FOR COMPUTING COST

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

Number of Insertions 1

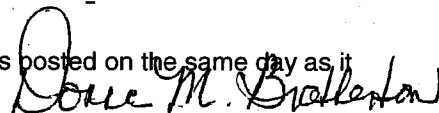
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

7/1/2016

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: July 1, 2016

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-16-06-24**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JULY 12, 2016, AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE - 200 E. BERRY, FORT WAYNE, INDIANA 46802;

To Vacate a Portion of the Unbuilt
Vernon Avenue
(Section 21 of Wayne Township)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JULY 12, 2016.

ADDITIONAL INFORMATION CAN BE VIEWED AT THE DEPARTMENT OF PLANNING SERVICES OFFICE IN CITIZEN'S SQUARE: 200 E. BERRY ST, SUITE 150

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"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 SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK

7--1

1247370 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1247370
FW Common Council

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LANA R. KEESLING
CITY CLERK

7--1

1247370 hspaxlp

Public Hearing Date, if applicable JULY 12TH 2016

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-16-06-24 on the 12th day of July, 2016

ATTEST:



LANA R. KEESLING
CITY CLERK



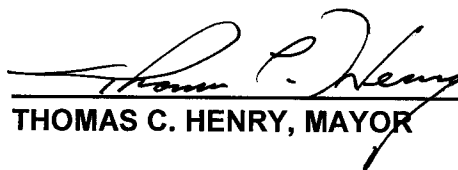
PRESIDING OFFICER

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 PM E.S.T.



THOMAS C. HENRY, MAYOR

BILL NO. G-16-06-24

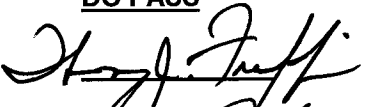


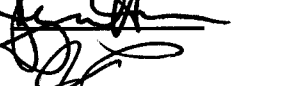
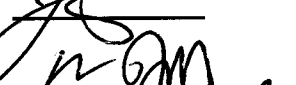
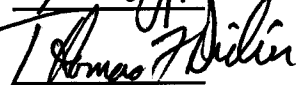

REPORT OF COMMITTEE ON REGULATIONS

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**

