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#VEAS-2016-0003

BILL NO. G-16-11-14

Doc. #960010694
Plat Cabinet C
Page 63

GENERAL ORDINANCE NO. G- 20-16

**AN ORDINANCE for the purpose of
Vacating a platted utility easement.**

WHEREAS, a petition to vacate a platted utility easement 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 portion of a platted utility easement within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

All that part of a utility and surface drainage easement over, under, and across the lands of TMD, LLC. Per Document No. 960010694 and also being part of Lots 70 and 71 of Centennial Industrial Park, Section 10, per Plat Cabinet C, Page 63, more particularly described as follows:

Commencing at the Northeast corner of Lot 70; thence South 89 degrees 14 minutes 38 seconds West, assumed bearing and basis of bearings to follow, on and along the North line of said Lot 70, 15.00 feet to the point of beginning; thence South 0 degrees 11 minutes 1 second East, parallel with and 15.00 feet distant of the East line of Lot 70, 10.00 feet to a point; thence South 89 degrees 14 minutes 38 seconds West, parallel with and 10.00 feet distant of the North line of Lot 70, 364.84 feet to a point; thence North 0 degrees 12 minutes 2 seconds West, parallel with and 20.00 feet distant to the West line of Lot 70, 10.00 feet to a point on the North line of Lot 70; thence continuing North 0 degrees 12 minutes 2 seconds West, parallel with and 20.00 feet distant to the West line of Lot 71, 10.00 feet to a point; thence North 89 degrees 14 minutes 38 seconds East, parallel with and 10.00 feet distant to the South line of Lot 71, 364.84 feet to a point; thence South 0 degrees 11 minutes 1 second East, parallel with and 15.00 feet distant of the East line of Lot 71, 10.00 feet to the point of beginning, containing 0.167 acres more or less.


Part of parcel Tax I.D. No. 02-07-28-376-002.000-073

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan


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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

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:

(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:

Expansion of parking lot.

(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: Votaw Electric, Inc

Street Address: 3421 Centennial Dr.

City: Fort Wayne State: In Zip: 46898-0158 Phone: 260-482-7099

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.

[Handwritten Signature]

Signature

Dan Notaw

Printed Name

10/12/16

Date

3421 Centennial Dr.

Address

Fort Wayne, IN 46808

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): _____

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:

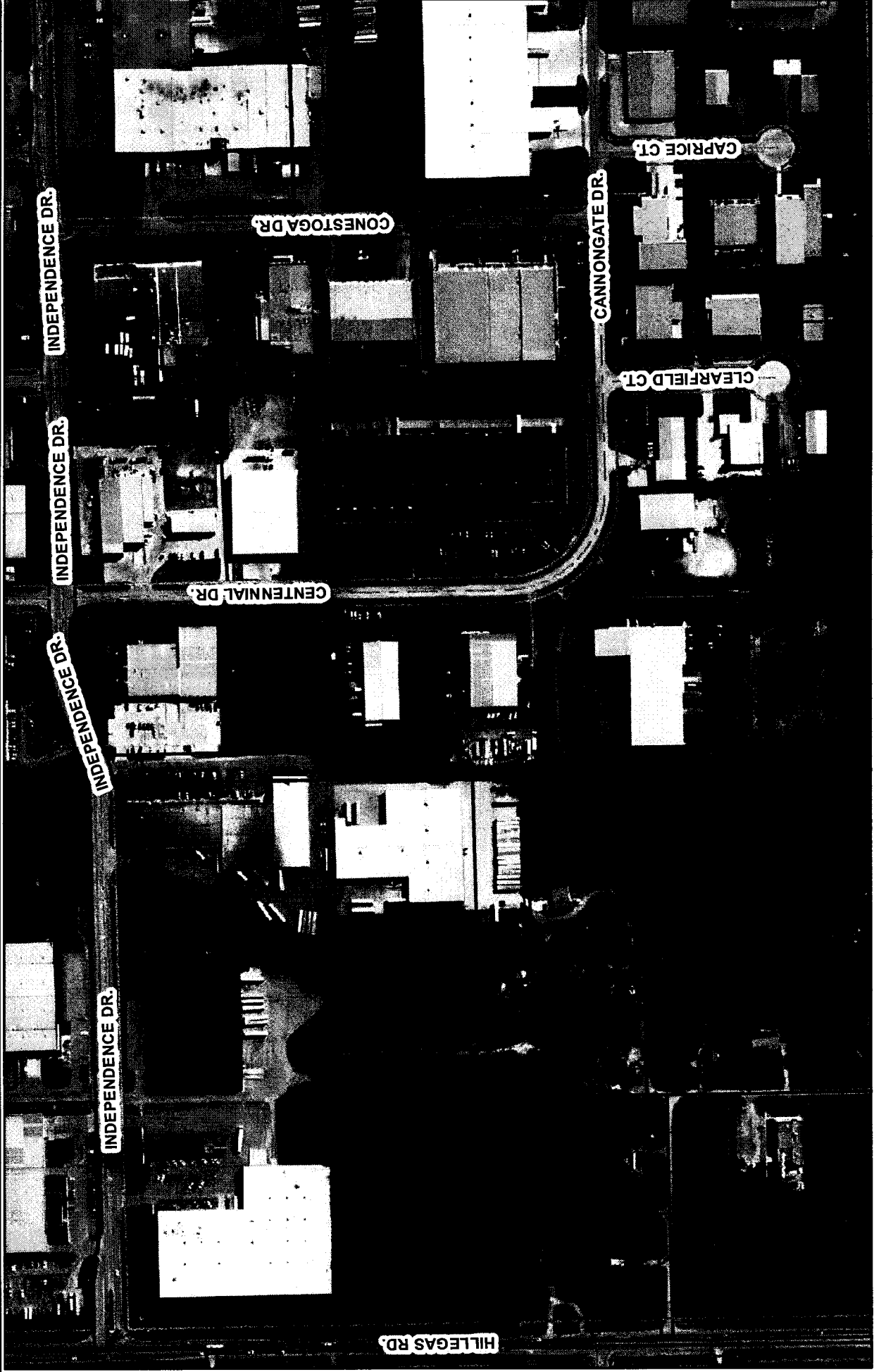
Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____

Vacation Petition VEAS-2016-0003



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

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 the liability and all 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: 11/14/2016

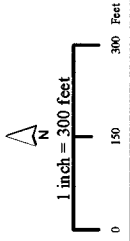


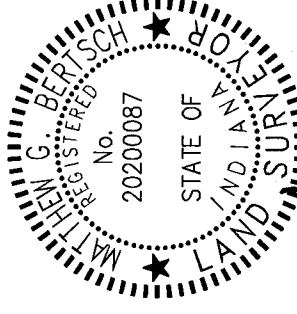
Exhibit "A"

Easement Vacation Description

ALL THAT PART OF A UTILITY AND SURFACE DRAINAGE EASEMENT OVER, UNDER, AND ACROSS THE LANDS OF TMD, LLC. PER DOCUMENT NO. 960010694 AND ALSO BEING PART OF LOTS 70 AND 71 OF CENTENNIAL INDUSTRIAL PARK, SECTION 10, PER PLAT CABINET C, PAGE 63, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 70; THENCE SOUTH 89 DEGREES 14 MINUTES 38 SECONDS WEST, ASSUMED BEARING AND BASIS OF BEARINGS TO FOLLOW, ON AND ALONG THE NORTH LINE OF SAID LOT 70 15.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 11 MINUTES 1 SECOND EAST, PARALLEL WITH AND 15.00 FEET DISTANT OF THE EAST LINE OF LOT 70, 10.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 14 MINUTES 38 SECONDS WEST, PARALLEL WITH AND 10.00 FEET DISTANT OF THE NORTH LINE OF LOT 70, 364.84 FEET TO A POINT; THENCE NORTH 0 DEGREES 12 MINUTES 2 SECONDS WEST, PARALLEL WITH AND 20.00 FEET DISTANT TO THE WEST LINE OF LOT 70, 10.00 FEET TO A POINT ON THE NORTH LINE OF LOT 70; THENCE CONTINUING NORTH 0 DEGREES 12 MINUTES 2 SECONDS WEST, PARALLEL WITH AND 20.00 FEET DISTANT TO THE WEST LINE OF LOT 71, 10.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 14 MINUTES 38 SECONDS EAST, PARALLEL WITH AND 10.00 FEET DISTANT TO THE SOUTH LINE OF LOT 71, 364.84' TO A POINT; THENCE SOUTH 0 DEGREES 11 MINUTES 1 SECOND EAST, PARALLEL WITH AND 15.00 FEET DISTANT OF THE EAST LINE OF LOT 71, 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.167 ACRES MORE OR LESS.

PART OF PARENT PARCEL TAX I.D. No. 02-07-28-376-002-000-073



Matthew G. Bertsch

MATTHEW G. BERTSCH, P.L.S.
INDIANA REGISTERED LAND SURVEYOR NO. 20200087

THIS DESCRIPTION WAS PREPARED FOR TMD, LLC. BY BERTSCH-FRANK & ASSOCIATES, LLC. AND CERTIFIED BY MATTHEW G. BERTSCH, P.L.S. INDIANA REGISTERED LAND SURVEYOR NO. 20200087

BF BERTSCH-FRANK
LAND PLANNING
811 LAWRENCE DRIVE
FORT WAYNE, IN 46804

LAND SURVEYING I LAND PLANNING
LAND SURVEYING
TELEPHONE: (260) 455-9393
FACSIMILE: (260) 455-9303

**TMD, LLC.
Easement Exhibit "A"
Votaw Electric Expansion
3421 Centennial Drive
The City of Fort Wayne**

REVISIONS	
MARK	DATE

CAD FILE:	16128Esmnt.dwg
DRAWN BY:	ARF
CHECKED BY:	MGB
DATE:	10/26/2016
PRJCT. NO.:	16128.100

TMD, LLC.
Easement Exhibit "B"
Votaw Electric Expansion
3421 Centennial Drive
The City of Fort Wayne

REVISIONS	
MARK	DATE DESCRIPTION

CAD FILE: 181288.dwg
 DRAWN BY: ARF
 CHECKED BY: MGB
 DATE: 10/26/2016
 PRCT. NO.: 181288.100

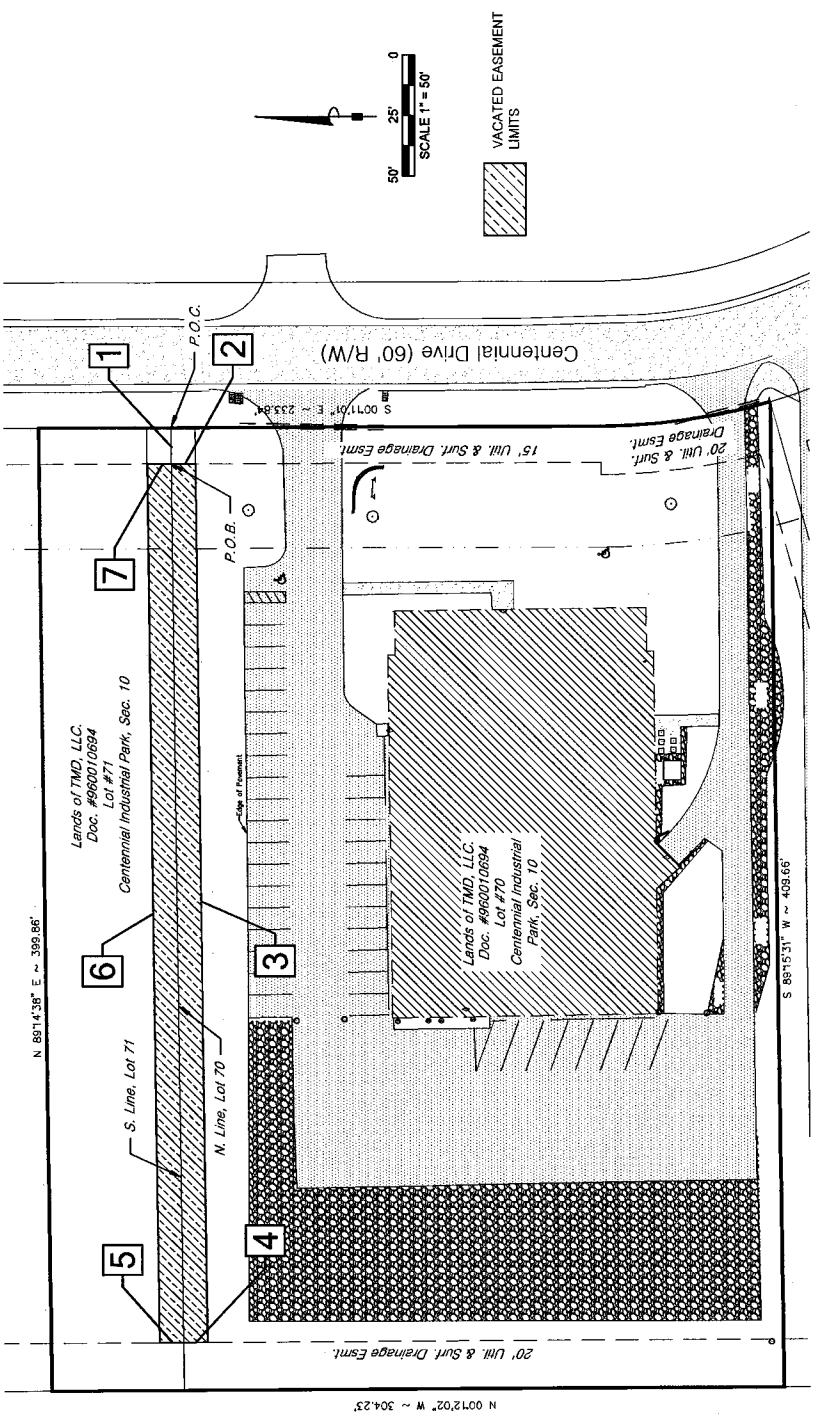
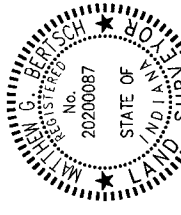


Exhibit "B"
Easement Vacation Limits

Easement Notes:

1. BEING A PART OF THE SAME PROPERTY CONVEYED TO TMD, LLC, PER DOC. #960010694 RECORDED ON FEB. 28, 1996 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.
2. PART OF TAX PARCEL: 02-07-28-376-002.000-073
3. THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY. A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT.

Platted Easement Vacation		
#	Bearing	Length
1	S 88°14'38" W	15.00'
2	S 0°11'01" E	10.00'
3	S 88°14'38" W	364.84'
4	N 0°12'02" W	10.00'
5	N 0°12'02" W	10.00'
6	N 88°14'38" E	364.84'
7	S 0°11'01" E	10.00'



Matthew G. Bertsch
 MATTHEW G. BERTSCH, P.L.S.
 INDIANA REGISTERED LAND SURVEYOR NO. 20200087

I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 AND I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

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: November 22, 2016

We are sending this notice to let you know the Common Council of Fort Wayne, Indiana will hold a public hearing **Tuesday December 6, 2016 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: VEAS-2016-0003
BILL NO: G-16-11-14
APPLICANT: Votaw Electric
REQUEST: To vacate a platted easement
LOCATION: Between Lots 70 and 71 of Centennial Industrial Park, at 3421 Centennial Drive (Section 28 of Washington Township).
LAND AREA: Approximately 0.167 acres proposed to be vacated.

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. December 6, 2016. 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.

EASEMENT VACATION – PUBLIC HEARING
Department of Planning Services

VEAS 2016 0003	Bill #G-16-11-14	Project Start: 22 November 2016
APPLICANT:	Votaw Electric	
REQUEST:	To vacate the 20-foot wide platted easement between Lots 70 and 71 of Centennial Industrial Park.	
LOCATION:	At 3421 Centennial Drive (Section 28 of Washington Township)	
COUNCIL DISTRICT:	District 3 – Tom Didier	
LAND AREA:	Approximately 0.167 acres	
PUBLIC HEARING DATE:	December 6, 2016	

PROJECT SUMMARY

The petitioner is Votaw Electric, property owner of both sides of the platted easement, and of the existing business on Lot 70 in Centennial Industrial Park. Votaw Electric has plans to expand parking, and possibly to expand the building in the future. The location of the easement affects setbacks on the property and limits the ability to expand. Response is requested from city departments and utility agencies and this proposal will be discussed following their review.

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:
Stormwater Engineering:
Water Engineering:
WPC Engineering – Sanitary:
City Parks Department:
Fire Department:
Land Acquisition Agent:
Frontier:
Comcast Cable:
AEP:
NIPSCO:

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.

VEAS-2016-0003

Bill No. G-16-11-14

Easement 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:

020728376002000073
3421 Centennial Drive

TMD LLC
PO Box 80158
Fort Wayne, IN 46898

020728376001000073
3425 Centennial Drive

Driessen Properties, LLP LLC
1104 S State Street
Waseca, MN 56093

020728304001000073
3525 Independence Drive

Premier Bandag #1 Inc.
3525 Independence Drive
Fort Wayne, IN 46808

Representatives:

Nathan Moore
CME Corporation
7235 Vicksburg Pike
Fort Wayne, IN 46804

Dan Votaw
Votaw Electric
3421 Centennial Drive
Fort Wayne, IN 46808

DPS Staff notified the following by Email:

Community Liaison, Palermo Galindo
Northwest Area Partnership

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:

(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:

Expansion of parking lot.

(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: Votaw Electric, Inc

Street Address: 3421 Centennial Dr.

City: Fort Wayne State: In Zip: 46898-0158 Phone: 260-482-7099

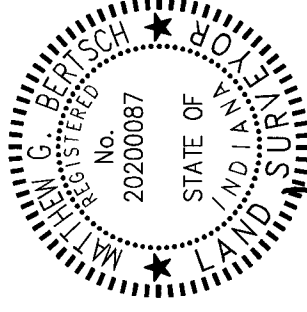
Exhibit "A"

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COMMENCING AT THE NORTHEAST CORNER OF LOT 70; THENCE SOUTH 89 DEGREES 14 MINUTES 38 SECONDS WEST, ASSUMED BEARING AND BASIS OF BEARINGS TO FOLLOW, ON AND ALONG THE NORTH LINE OF SAID LOT 70 15.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 11 MINUTES 1 SECOND EAST, PARALLEL WITH AND 15.00 FEET DISTANT OF THE EAST LINE OF LOT 70, 10.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 14 MINUTES 38 SECONDS WEST, PARALLEL WITH AND 10.00 FEET DISTANT OF THE NORTH LINE OF LOT 70, 364.84 FEET TO A POINT; THENCE NORTH 0 DEGREES 12 MINUTES 2 SECONDS WEST, PARALLEL WITH AND 20.00 FEET DISTANT TO THE WEST LINE OF LOT 70, 10.00 FEET TO A POINT ON THE NORTH LINE OF LOT 70; THENCE CONTINUING NORTH 0 DEGREES 12 MINUTES 2 SECONDS WEST, PARALLEL WITH AND 20.00 FEET DISTANT TO THE WEST LINE OF LOT 71, 10.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 14 MINUTES 38 SECONDS EAST, PARALLEL WITH AND 10.00 FEET DISTANT TO THE SOUTH LINE OF LOT 71, 364.84' TO A POINT; THENCE SOUTH 0 DEGREES 11 MINUTES 1 SECOND EAST, PARALLEL WITH AND 15.00 FEET DISTANT OF THE EAST LINE OF LOT 71, 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.167 ACRES MORE OR LESS.

PART OF PARENT PARCEL TAX I.D. No. 02-07-28-376-002.000-073



Matthew G. Bertsch

MATTHEW G. BERTSCH, P.L.S.
INDIANA REGISTERED LAND SURVEYOR NO. 20200087

THIS DESCRIPTION WAS PREPARED FOR TMD, LLC, BY BERTSCH-FRANK & ASSOCIATES, LLC, AND CERTIFIED BY MATTHEW G. BERTSCH, P.L.S. INDIANA REGISTERED LAND SURVEYOR NO. 20200087

BF BERTSCH-FRANK
LAND SURVEYING | LAND PLANNING
LAND SURVEYING
811 LAWRENCE DRIVE
FORT WAYNE, IN 46804
TELEPHONE: (260) 459-9393
FACSIMILE: (260) 459-9303

TMD, LLC.
Easement Exhibit "A"
Votaw Electric Expansion
3421 Centennial Drive
The City of Fort Wayne

REVISIONS	
MARK	DATE DESCRIPTION

CAD FILE:	16128Esmnt.dwg
DRAWN BY:	ARF
CHECKED BY:	MGB
DATE:	10/26/2016
PRJCT. NO.:	16128.100

BF BERTSCH-FRANK
 LAND SURVEYING & LAND PLANNING
 LAND PLANNING
 811 LAWRENCE DRIVE
 FORT WAYNE, IN 46804
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TMD, LLC.
Easement Exhibit "B"
Votaw Electric Expansion
3421 Centennial Drive
The City of Fort Wayne

REVISIONS	
MARK	DATE DESCRIPTION

CAD FILE: 16128Esmnt
 DRAWN BY: AFB
 CHECKED BY: MGB
 DATE: 10/26/2016
 PRJCT. NO.: 16128.100

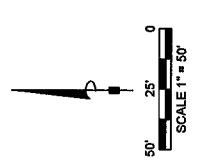
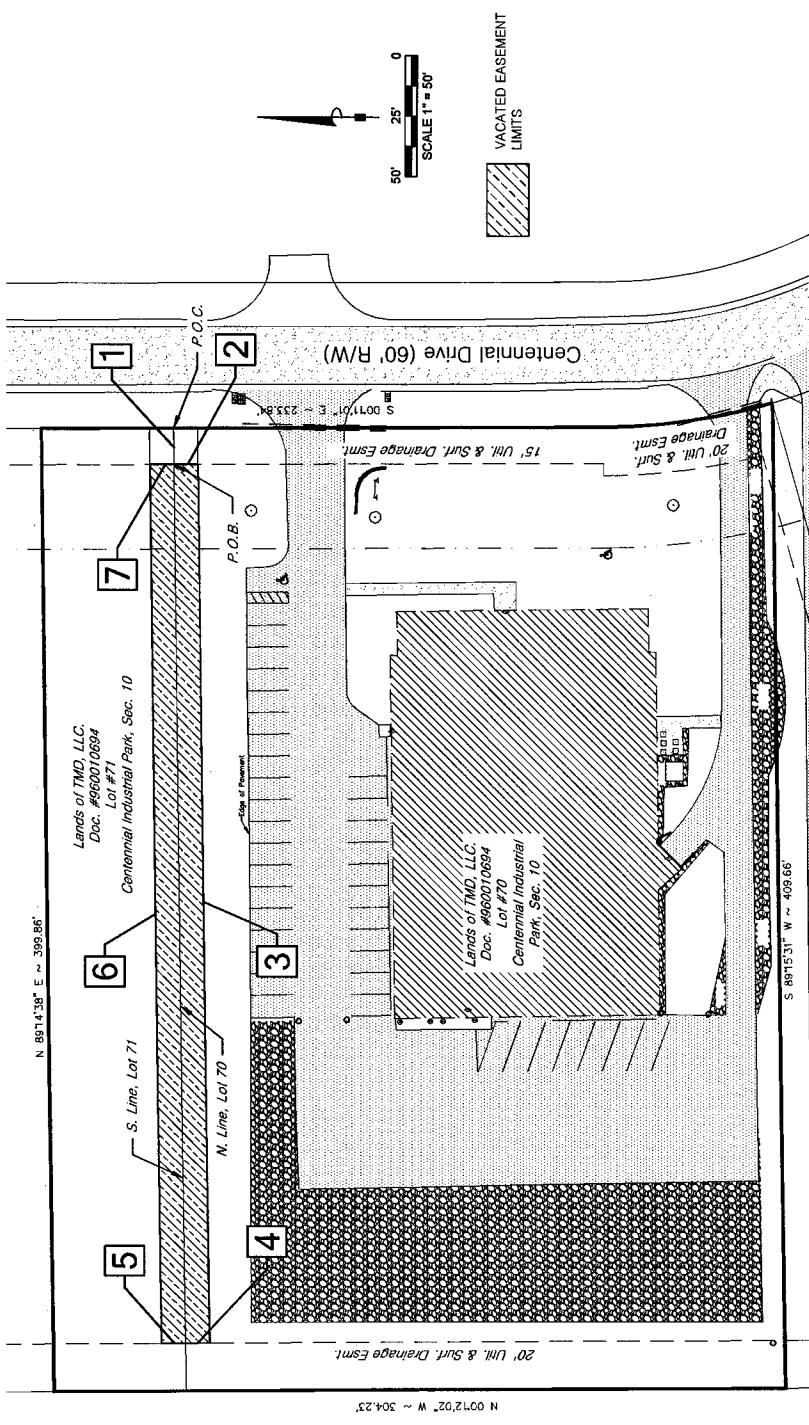


Exhibit "B"

Easement Vacation Limits

Easement Notes:

1. BEING A PART OF THE SAME PROPERTY CONVEYED TO TMD, LLC. PER DOC. #660010694 RECORDED ON FEB. 28, 1996 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.
2. PART OF TAX PARCEL: 02-07-28-376-002.000-073
3. THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT.

Platted Easement Vacation		
#	Bearing	Length
1	S 89°14'38" W	15.00'
2	S 0°11'01" E	10.00'
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5	N 0°12'02" W	10.00'
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7	S 0°11'01" E	10.00'



Matthew G. Bertsch
 MATTHEW G. BERTSCH, P.L.S.
 INDIANA REGISTERED LAND SURVEYOR NO. 202000087

I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. AND I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.



Vacation Petition VEAS-2016-0003



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 in and does not accept all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen, North America, Spring 2009
State Blue Book, State of Indiana, Indiana East
Photos and Contours: Spring 2009

Date: 11/14/2016



1 inch = 300 feet



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

The Journal Gazette

Account # 1060008 - 1267352

Allen County, Indiana

FW Common Council

ATTACH COPY OF ADVERTISEMENT HERE

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 **91**

COMPUTATION OF CHARGES

91 lines, 1 column(s) wide equals
91 equivalent lines at \$ 0.436 cents per line \$ 39.68

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 \$ 39.68

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:

11/26/2016 - - -
 - - -
 - - -

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

Donna M. Brotherton
 Legal Clerk

Date: November 26, 2016

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-16-11-14**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON DECEMBER 6, 2016, AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; A REQUEST TO VACATE AN AREA KNOWN AS:

All that part of a utility and surface drainage easement over, under, and across the lands of TMD, LLC, Per Document No. 960010694 and also being part of Lots 70 and 71, of Centennial Industrial Park, Section 10, per Plat Cabinet C, Page 63, more particularly described as follows:

Commencing at the Northeast corner of Lot 70; thence South 89 degrees 14 minutes 38 seconds West, assumed bearing and basis of bearings to follow, on and along the North line of said Lot 70, 15.00 feet to the point of beginning; thence South 0 degrees 11 minutes 1 second East, parallel with and 15.00 feet distant of the East line of Lot 70, 10.00 feet to a point; thence South 89 degrees 14 minutes 38 seconds West, parallel with and 10.00 feet distant of the North line of Lot 70, 364.84 feet to a point; thence North 0 degrees 12 minutes 2 seconds West, parallel with and 20.00 feet distant to the West line of Lot 70, 10.00 feet to a point on the North line of Lot 70; thence continuing North 0 degrees 12 minutes 2 seconds West, parallel with and 20.00 feet distant to the West line of Lot 70, 10.00 feet to a point; thence North 89 degrees 14 minutes 38 seconds East, parallel with and 10.00 feet distant to the South line of Lot 71, 364.84 feet to a point; thence South 0 degrees 11 minutes 1 second East, parallel with and 15.00 feet distant of the East line of Lot 71, 10.00 feet to the point of beginning, containing 0.167 acres more or less.

Part of parcel Tax I.D. No.
02-07-28-376-002.000-073

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, DECEMBER 6, 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
11-26 1267352 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1267352
FW Common Council

ATTACH COPY OF ADVERTISEMENT HERE

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 **91**

COMPUTATION OF CHARGES

91 lines, 1 column(s) wide equals
91 equivalent lines at \$ 0.436 cents per line \$ 39.68

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 \$ 39.68

DATA FOR COMPUTING COST

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

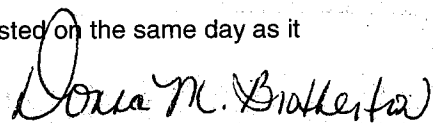
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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 3 times.

The dates of publication being as follows:

<u>11/26/2016</u>	-	-	-
-	-	-	-
-	-	-	-

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



 Donna M. Brotherton
 Legal Clerk

Date: November 26, 2016

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-16-11-14**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON DECEMBER 6, 2016, AT 5:30 P.M., IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; A REQUEST TO VACATE AN AREA KNOWN AS:

All that part of a utility and surface drainage easement over, under, and across the lands of TMD, LLC. Per Document No. 960010694 and also being part of Lots 70 and 71 of Centennial Industrial Park, Section 10, per Plat Cabinet C, Page 63, more particularly described as follows:

Commencing at the Northeast corner of Lot 70; thence South 89 degrees 14 minutes 38 seconds West, assumed bearing and basis of bearings to follow, on and along the North line of said Lot 70, 15.00 feet to the point of beginning; thence South 0 degrees 11 minutes 1 second East, parallel with and 15.00 feet distant of the East line of Lot 70, 10.00 feet to a point; thence South 89 degrees 14 minutes 38 seconds West, parallel with and 10.00 feet distant of the North line of Lot 70, 364.84 feet to a point; thence North 0 degrees 12 minutes 2 seconds West, parallel with and 20.00 feet distant to the West line of Lot 70, 10.00 feet to a point on the North line of Lot 70; thence continuing North 0 degrees 12 minutes 2 seconds West, parallel with and 20.00 feet distant to the West line of Lot 71, 10.00 feet to a point; thence North 89 degrees 14 minutes 38 seconds East, parallel with and 10.00 feet distant to the South line of Lot 71, 364.84 feet to a point; thence South 0 degrees 11 minutes 1 second East, parallel with and 15.00 feet distant of the East line of Lot 71, 10.00 feet to the point of beginning, containing 0.167 acres more or less.

Part of parcel Tax I.D. No.
02-07-28-376-002.000-073

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, DECEMBER 6, 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
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The Journal Gazette

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Allen County, Indiana

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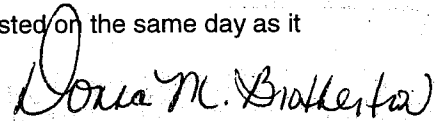
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LANA R. KEESLING
CITY CLERK

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

Department of Planning Services

Title of Ordinance: Vacation of Platted Easement
Case Number: VEAS-2016-0003
Bill Number: G-16-11-14
Council District: 3-Tom Didier

Introduction Date: November 22, 2016
Public Hearing Date: December 6, 2016
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate a platted utility easement.
Location: Between Lots 70 and 71 of Centennial Industrial Park, at 3421 Centennial Drive.
Reason for Request: To allow building and parking expansion of Votaw Electric.
Applicant: Votaw Electric, Inc.
Property Owner: Dan Votaw

Related Petitions: Future site plan routing for building and parking expansion.

Effect of Passage: Vacation of the utility easement will allow the existing business to expand.
Effect of Non-Passage: Under current circumstances, building setbacks will be affected which will limit the business's ability to expand.

REPORT OF COMMITTEE ON REGULATIONS




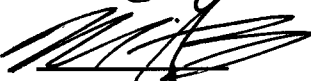
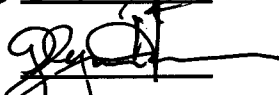
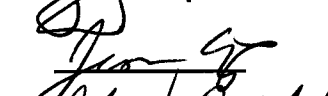
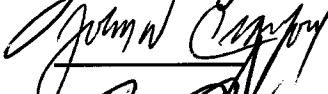


DECEMBER 13, 2016

Tom Freistroffer, Chair
Tom Didier, Co-Chair
All Council Members

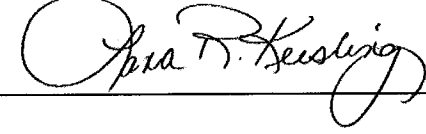
An Ordinance for the purpose of vacating a platted utility easement

Part of parcel Tax I.D. No. 02-07-28-376-002.000-073

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>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

LANA R. KEESLING
CITY CLERK



Public Hearing Date: N/A.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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: December 13, 2016

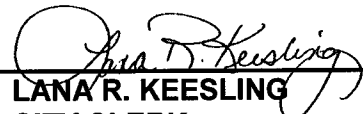


 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. G-16-11-14 on the 13th day of December, 2016

ATTEST:



 LANA R. KEESLING
 CITY CLERK



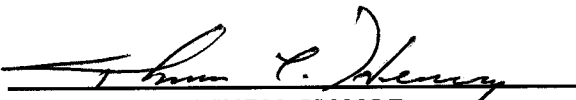
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of December 2016, at the hour of 11:00 o'clock P.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 14TH day of December 2016, at the hour of 12:30 O'clock Pm . E.S.T.



 THOMAS C. HENRY, MAYOR