



VROW-2016-0010

2017009844

RECORDED: 02/17/2017 4:21:27 PM

BILL NO. G-17-01-02

ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

AUDITOR OF ALLEN COUNTY

FEB 17 2017

AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.

GENERAL ORDINANCE NO. G- 2-17

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

That portion of Tilden Avenue east of White Oak Drive, in White Oak Park Addition to the City of Fort Wayne, as recorded in Plat Book 7B, page 52 in the Office of the Recorder of Allen County Indiana; more particularly described as follows:

Beginning at the Southwest corner of Lot 9 in said White Oak Park Addition, thence easterly, along the South line of Lots 9 through 16 in said White Oak Park Addition a distance of 400 feet to the Southeast corner of Lot 16 in said White Oak Park Addition; thence southerly, a distance of 60 feet, to the Northeast corner of Lot 17 in said White Oak Park Addition; thence westerly along the North line of Lots 17 through 24 to the Northwest corner of Lot 24, a distance of 400 feet; thence northerly to the Southwest corner of Lot 9 of said White Oak Park Addition, a distance of 60 feet, to the point of beginning.

Along with:

That portion of Columbia Avenue east of White Oak Drive, in White Oak Park Addition to the City of Fort Wayne, as recorded in Plat Book 7B, page 52 in the Office of the Recorder of Allen County Indiana; more particularly described as follows:

Beginning at the Southwest corner of Lot 25 in said White Oak Park Addition, thence easterly, along the South line of Lots 25 through 32 in said White Oak Park Addition, a distance of 475 feet to the Southeast corner of Lot 32 in said White Oak Park Addition; thence southerly, a distance of 60 feet, to the Northeast corner of Lot 33 in said White Oak Park Addition; thence westerly along the North line of Lots 33 through 41 to the Northwest corner of Lot 41, a distance of 475 feet; thence northerly to the Southwest corner of Lot 25 of said White Oak

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1 Park Addition, a distance of 60 feet, to the point of beginning.

2 Along with:

3 All of Eckley Avenue in White Oak Park Addition to the City of Fort Wayne, as recorded in Plat
4 Book 7B, page 52 in the Office of the Recorder of Allen County Indiana; more particularly
described as follows:

5 Beginning at the Southwest corner of Lot 42 in said White Oak Park Addition, thence easterly,
6 along the South line of Lots 42 through 50 in said White Oak Park Addition, a distance of 475
7 feet to the Southeast corner of Lot 50 in said White Oak Park Addition; thence southerly, a
8 distance of 50 feet, to the Northeast corner of Lot 165 in said White Oak Park Addition;
thence westerly along the North line of Lots 165 and 164 to the Northwest corner of Lot 164,
a distance of 475 feet; thence northerly to the Southwest corner of Lot 42 of said White Oak
Park Addition, a distance of 50 feet, to the point of beginning.

9 Along with:

10 All of Creston Avenue in White Oak Park Addition to the City of Fort Wayne, as recorded in
11 Plat Book 7B, page 52 in the Office of the Recorder of Allen County Indiana; more particularly
described as follows:

12 Beginning at the Southeast corner of Lot 139 in said White Oak Park Addition, thence
13 northerly, along the east line of Lots 139 through 164 in said White Oak Park Addition, a
14 distance of 2600 feet, to the Northeast corner of Lot 164 in said White Oak Park Addition;
thence easterly along the South line of Eckley Avenue in said White Oak Park Addition to the
Northwest corner of Lot 165 in said White Oak Park Addition, a distance of 40 feet; thence
15 southerly along the West line of Lots 165 through 190 to the Southwest corner of Lot 190, a
16 distance of 2600 feet; thence westerly to the Southeast corner of Lot 139 in said White Oak
Park Addition, a distance of 40 feet, to the point of beginning.

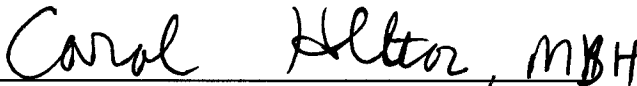
17 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan

18 and is hereby approved in all respects.

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

21
22 
23 _____
COUNCILMEMBER

24 APPROVED AS TO FORM AND LEGALITY:

25 
26 _____
27 Carol T. Helton, City Attorney

28

29

30

FORT WAYNE, INDIANA
FILED
DEC 09 2016
LANA R. KEESLING
CITY CLERK

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:

1. Tilden Ave. East of White Oak Dr.
2. Columbia Ave. East of White Oak Dr.
3. Eckley Ave. South of Eckley Ave.
4. Creston Ave. South of Eckley Ave.

(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: 7B PAGE(S) NUMBER(S): 52 (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:

Burial Spaces for Catholic Cemetery

(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: Diocese of Fort Wayne-South Bend, Inc.

Street Address: 915 S. Ginton St.

City: Fort Wayne State: IN Zip: 46802 Phone: 260/426-2044

✓ P.O.W. - 2016 - 0010

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.

Diocese of Fort Wayne-South Bend, Inc.
Catholic Cemetery

By: *Charles Miller* Charles Miller _____
Signature Superintendent Printed Name Date

3500 Lake Ave. Fort Wayne, IN 46805
Address 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): Norbert J. Schenkel, Jr., Esq., Schenkel Tirpak & Kowalczyk

Street Address: 520 S. Calhoun Street

City: Fort Wayne State: IN Zip: 46802 Phone: 260/424-1333

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 #: VPow-2016-0010



Vacation Petition VROW-2016-0010



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.

©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: 1/4/2017



1 inch = 500 feet

**MAKE CHECKS PAYABLE TO:
Fort Wayne Newspapers, Inc.**

**LEGAL
INVOICE**

Account #

Invoice Date

1060008

1/18/2017

Terms: Upon Receipt

FW Common Council
200 East Berry Street Ste 110
Citizens Square
Fort Wayne IN 46802-1804

ORDER NO.	BALANCE
0001272728	\$53.76

AMT DUE

\$53.76

AMOUNT PAID

CHECK NO.

← Please Return Top Portion With Payment →

PUBLICATION OF LEGAL NOTICES

DATE	ORDER NUMBER	DESCRIPTION	LINES 6 PT.	RATE	COST
1/13/17-1/13/17	0001272728	Journal Gazette Ordinance No. G-17-01-02	61	0.441	26.88
1/13/17-1/13/17	0001272728	News-Sentinel Ordinance No. G-17-01-02	61	0.441	26.88

**FORT WAYNE
NEWSPAPERS**

CUSTOMER ACCOUNT # 1060008

FW Common Council
1/13/2017

\$53.76

**TOTAL
AMT DUE**

TO PLACE A LEGAL AD, PLEASE CALL (260) 461-8246; DIRECT BILLING QUESTIONS TO (260) 461-8246

The Journal Gazette

Account # 1060008 - 1272728

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

60

COMPUTATION OF CHARGES

60 lines, 1 column(s) wide equals

60 equivalent lines at \$ 0.448 cents per line

\$ 26.88

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)

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DATA FOR COMPUTING COST

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Number of Insertions 1

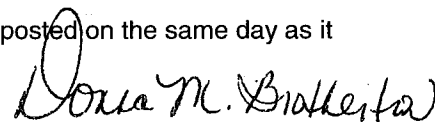
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

1/13/2017

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: January 13, 2017

ATTACH COPY OF ADVERTISEMENT HERE

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

ORDINANCE NO. G-17-01-02

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 24, 2017, 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:

LOCATION: Unimproved street rights-of-way between 3124 and 3500 Lake Avenue - the rights-of-way of the streets east of White Oak Drive within White Oak Park Addition, including portions of Tilden Avenue, Columbia Avenue, Eckley Avenue and Creston Avenue. (Section 6 of Adams Township)
LAND AREA: Approximately 4.14 acres proposed to be vacated.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JANUARY 24, 2017.

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

1--13 1272728 hspaxlp

The Journal Gazette

Account # 1060008 - 1272728

Allen County, Indiana

FW Common Council

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\$ 26.88

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(50 per cent of above amount)

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(\$2.00 for each proof in excess of two)

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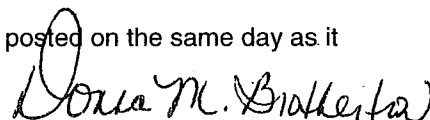
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Legal Clerk

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1-13

1272728 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1272728
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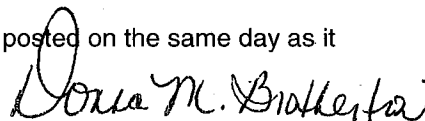
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LANA R. KEESLING
CITY CLERK

1-13 1272728 hspaxlp

RIGHT OF WAY VACATION – DISCUSSION AND PASSAGE
Department of Planning Services

VROW 2016 0010	Bill #G-17-01-02	Project Start: 10 Jan 2017
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APPLICANT:	Diocese of Fort Wayne-South Bend, Inc.
REQUEST:	To vacate unimproved street rights-of-way
LOCATION:	Between 3124 and 3500 Lake Avenue – the rights-of-way of the streets east of White Oak Drive within White Oak Park Addition, including Tilden Avenue, Columbia Avenue, Eckley Avenue and Creston Avenue. (Section 6 of Adams Township)
COUNCIL DISTRICT:	District 1 – Paul Ensley
LAND AREA:	Approximately 4.14 acres proposed to be vacated.
PUBLIC HEARING DATE:	January 24, 2017 (to be held by City Council)
NEXT COUNCIL ACTION:	Staff will schedule discussion when all comments are received.

PROJECT SUMMARY

The petitioner is making this request to allow for the expansion of the Catholic Cemetery. The western edge of the cemetery land is within the White Oak Park platted subdivision. The eastern and southern portions of White Oak Park Addition never developed into single-family home lots, as planned. The southwestern portion is part of the City’s water treatment facility. Some of the developed cemetery is already within the platted area, and they are planning to expand into the southern area. To clean up title work and aid development, the unimproved rights-of-way and platted lots should be vacated. The applicant has applied to the Fort Wayne Plan Commission to vacate the platted lots and the public hearing for that petition will be on February 13, 2017. None of the streets have been constructed and vacation of the rights-of-way will not impede access to any lots or property. There is a companion request to vacate the unbuilt alleyways in this same area. Certified legal notices and this information have been sent to all adjacent property owners as listed below. The request has been sent to all utility agencies with possible interest in this petition for their responses. All agencies have approved the request and no neighbors opposed the petition.

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

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.

VROW-2016-0010

Bill No. G-17-01-02

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:

021305151001000070
3500 Lake Avenue

Diocese of Fort Wayne-South Bend, Inc.
3500 Lake Avenue
Fort Wayne, IN 46805

021306229005000070
1225 White Oak Avenue

S and S Commercial Cleaning, Inc.
9704 Skipjack Cove
Fort Wayne, IN 46835

021306229006000070
1217 White Oak Avenue

S and S Commercial Cleaning, Inc.
9704 Skipjack Cove
Fort Wayne, IN 46835

021305301001000070
South of 3500 Lake Avenue

City of Fort Wayne Property Management
200 East Berry, Suite 470
Fort Wayne, IN 46802

021306229007000070
021306229008000070
021306229009000070
021306277003000070
021306277002000070
021306277003000070
021306277004000070
021306277003000070

City of Fort Wayne Property Management
200 East Berry, Suite 470
Fort Wayne, IN 46802

021306426001000070
West of 3500 Lake Avenue
Representative:

Norbert J. Schenkel, Jr., Esq.
Schenkel, Tirpak and Kowalczyk
520 South Calhoun
Fort Wayne, IN 46802

DPS Staff notified the following by Email:

Community Liaison, Palermo Galindo
Northeast Area Partnership, David Kohli

1 VROW-2016-0010

2 BILL NO. G-17-01-02

3
4 GENERAL ORDINANCE NO. G-_____

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6 Plan of the City Comprehensive ("Master")
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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 That portion of Tilden Avenue east of White Oak Drive, in White Oak Park Addition to the City
18 of Fort Wayne, as recorded in Plat Book 7B, page 52 in the Office of the Recorder of Allen
19 County, Indiana; more particularly described as follows:

20 Beginning at the Southwest corner of Lot 9 in said White Oak Park Addition, thence easterly,
21 along the South line of Lots 9 through 16 in said White Oak Park Addition a distance of 400
22 feet to the Southeast corner of Lot 16 in said White Oak Park Addition; thence southerly, a
23 distance of 60 feet, to the Northeast corner of Lot 17 in said White Oak Park Addition; thence
24 westerly along the North line of Lots 17 through 24 to the Northwest corner of Lot 24, a
25 distance of 400 feet; thence northerly to the Southwest corner of Lot 9 of said White Oak
26 Park Addition, a distance of 60 feet, to the point of beginning.

27 Along with:

28 That portion of Columbia Avenue east of White Oak Drive, in White Oak Park Addition to the
29 City of Fort Wayne, as recorded in Plat Book 7B, page 52 in the Office of the Recorder of
30 Allen County, Indiana; more particularly described as follows:

Beginning at the Southwest corner of Lot 25 in said White Oak Park Addition, thence easterly,
along the South line of Lots 25 through 32 in said White Oak Park Addition, a distance of 475
feet to the Southeast corner of Lot 32 in said White Oak Park Addition; thence southerly, a
distance of 60 feet, to the Northeast corner of Lot 33 in said White Oak Park Addition; thence
westerly along the North line of Lots 33 through 41 to the Northwest corner of Lot 41, a
distance of 475 feet; thence northerly to the Southwest corner of Lot 25 of said White Oak

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Park Addition, a distance of 60 feet, to the point of beginning.

Along with:

All of Eckley Avenue in White Oak Park Addition to the City of Fort Wayne, as recorded in Plat Book 7B, page 52 in the Office of the Recorder of Allen County Indiana; more particularly described as follows:

Beginning at the Southwest corner of Lot 42 in said White Oak Park Addition, thence easterly, along the South line of Lots 42 through 50 in said White Oak Park Addition, a distance of 475 feet to the Southeast corner of Lot 50 in said White Oak Park Addition; thence southerly, a distance of 50 feet, to the Northeast corner of Lot 165 in said White Oak Park Addition; thence westerly along the North line of Lots 165 and 164 to the Northwest corner of Lot 164, a distance of 475 feet; thence northerly to the Southwest corner of Lot 42 of said White Oak Park Addition, a distance of 50 feet, to the point of beginning.

Along with:

All of Creston Avenue in White Oak Park Addition to the City of Fort Wayne, as recorded in Plat Book 7B, page 52 in the Office of the Recorder of Allen County Indiana; more particularly described as follows:

Beginning at the Southeast corner of Lot 139 in said White Oak Park Addition, thence northerly, along the east line of Lots 139 through 164 in said White Oak Park Addition, a distance of 2600 feet, to the Northeast corner of Lot 164 in said White Oak Park Addition; thence easterly along the South line of Eckley Avenue in said White Oak Park Addition to the Northwest corner of Lot 165 in said White Oak Park Addition, a distance of 40 feet; thence southerly along the West line of Lots 165 through 190 to the Southwest corner of Lot 190, a distance of 2600 feet; thence westerly to the Southeast corner of Lot 139 in said White Oak Park Addition, a distance of 40 feet, to the point of beginning.

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

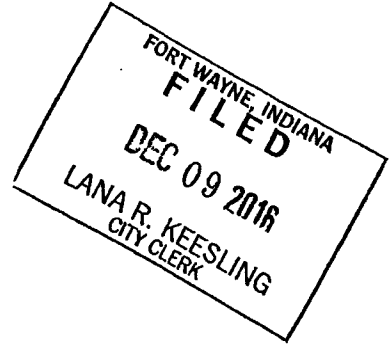
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

CITY OF FORT WAYNE



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 X Public Right of Way (street or alley)

More particularly described as follows:

1. Tilden Ave. East of White Oak Dr.
2. Columbia Ave. East of White Oak Dr.
3. Eckley Ave. South of Eckley Ave.
4. Creston Ave. South of Eckley Ave.

(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: 7B PAGE(S) NUMBER(S): 52 (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:

Burial Spaces for Catholic Cemetery

(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: Diocese of Fort Wayne-South Bend, Inc.

Street Address: 915 S. Ginton St.

City: Fort Wayne State: IN Zip: 46802 Phone: 260/426-2044

VPW-2016-0010

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.

Diocese of Fort Wayne-South Bend, Inc.
Catholic Cemetery

By: [Signature] Charles Miller _____
Signature Superintendent Printed Name Date

3500 Lake Ave. Fort Wayne, IN 46805
Address 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): Norbert J. Schenkel, Jr., Esq., Schenkel Tirpak & Kowalczyk

Street Address: 520 S. Calhoun Street

City: Fort Wayne State: IN Zip: 46802 Phone: 260/424-1333

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 #: YPAW-2016-0010



Vacation Petition VROW-2016-0010



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.

© 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: 1/4/2017



1 inch = 500 feet

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

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VROW-2016-0010
Bill Number: G-17-01-02
Council District: 1 – Paul Ensley

Introduction Date: January 10, 2017

Public Hearing Date: January 24, 2017 (to be held by Council)

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

Synopsis of Ordinance: To vacate the public right-of-way for Tilden Avenue, a portion of Columbia Avenue, Eckley Avenue, and Creston Avenue within White Oak Park Addition.

Location: Between 3124 and 3500 Lake Avenue. All rights-of way to be vacated are located south of Lake Avenue and east of White Oak Drive.

Reason for Request: To expand the Catholic Cemetery.

Applicant: Diocese of Fort Wayne-South Bend, Inc.

Property Owner: Diocese of Fort Wayne-South Bend, Inc.

Related Petitions: none

Effect of Passage: Vacation of the unimproved roadways will allow the Cemetery to expand to the west.

Effect of Non-Passage: The existence of the unimproved right-of-way will inhibit the expansion of burial plots.

BILL NO. G-17-01-02

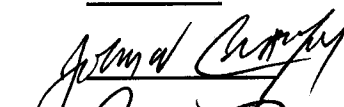

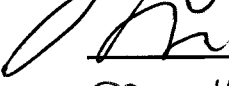

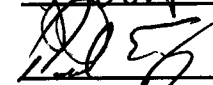
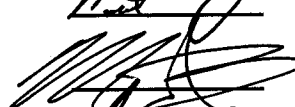
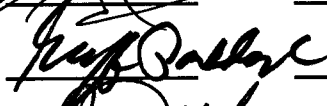

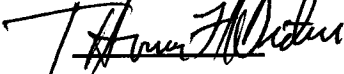
REPORT OF COMMITTEE ON REGULATIONS
February 7, 2017

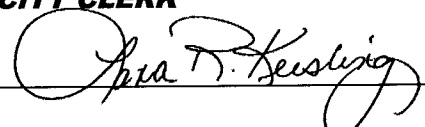
John Crawford Chair
Michael Barranda Co-Chair
All Council Members

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

That portion of Tilden Avenue east of White Oak Drive, in White Oak Park Addition to the City of Fort Wayne

COMMITTEE ON FINANCE 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


Public Hearing Date: January 24th 2017

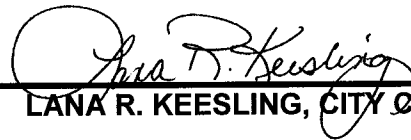
Read the first time in full and on motion by Councilman Crawford.

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

Read the third time in full and on motion by Councilman Crawford, 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: February 14, 2017



 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General Ordinance No. G-17-01-02 on the 14th day of February, 2017

ATTEST:



 LANA R. KEESLING
 CITY CLERK



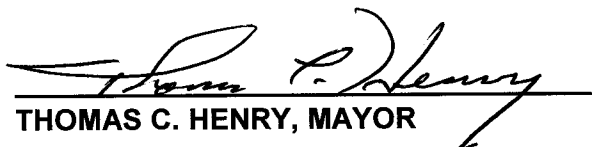
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th
 of February 2017, at the hour of 9:45 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of FEBRUARY
 2017, at the hour of 10:00 O'clock AM. E.S.T.



 THOMAS C. HENRY, MAYOR