



VALY-2017-0001
BILL NO. G-17-03-01

2017020006
RECORDED: 04/19/2017 3:07:04 PM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

GENERAL ORDINANCE NO. G-6-17

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.

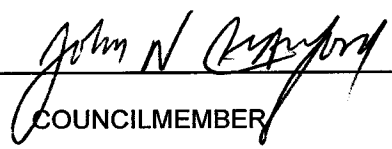
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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:

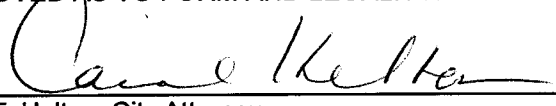
The 12-foot wide east-west alley located between Lot 34 and Lot 35 of Zollars and Swaynes Addition to the City of Fort Wayne, recorded in Deed Book 101, page 561, within the Office of the Recorder of Allen County.


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



nlc
8

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

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2017-0001
Bill Number: G-17-03-01
Council District: 5 – Geoff Paddock

Introduction Date: March 14, 2017
Public Hearing Date: March 28, 2017 (to be held by Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate a 12-foot wide, east-west alley within Zollars and Swaynes Addition to the City of Fort Wayne.
Location: Between Lots 34 and 35 of Zollars and Swaynes Addition (between 2803 and 2727 Fox Avenue).
Reason for Request: To combine into one residential parcel.
Applicant: Juan Carlo Escobar Cetino
Property Owner: Juan Carlo Escobar Cetino and Allen County Community Development Corp

Related Petitions: none

Effect of Passage: Vacation of the unimproved alley right-of-way will allow the property owner to combine his residential lot with the vacant lot to the south to create a larger parcel. The original house was razed and the now-vacant property is being sold by ACCDC.

Effect of Non-Passage: The unimproved alley will inhibit the combination of lots. The vacant parcel is unlikely to redevelop on its own due to the size.

CITY OF FORT WAYNE

FORT WAYNE, INDIANA
FILED
MAR 01 2017
LANA R. KEESLING
CITY CLERK

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:

2803 Fox Ave. Fort Wayne, IN 46807 - N 32' Lot 34
Zeller and S waynes Addition.

(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: 101 PAGE(S) NUMBER(S): 561 (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:

I want to make only one lot property.
with 2727 Fox Ave. Fort Wayne IN 46807

(If additional space is needed please attach separate page.)

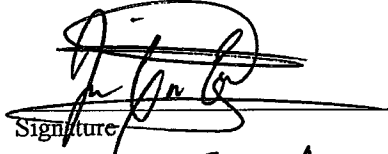
The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). The information on that sheet must be as follows:

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: Juan Carlos Escobar Catino
Street Address: 2610 S. Wayne Ave. Fort Wayne IN 46807
City: Fort Wayne. State: IN Zip: 46807 Phone: (260) 3879891

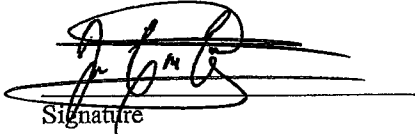
I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City 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.


Signature

Juan Carlos Escobar 3-1-17
Printed Name Date

2727 Fox Ave.
Address

Fort Wayne IN 46807
City/State/Zip


Signature

Juan Carlos Escobar 3-1-17
Printed Name Date

2727 Fox Ave.
Address

Fort Wayne IN 46807
City/State/Zip

If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): Juan Carlos Escobar

Street Address: 2727 Fox Ave Fort Wayne.

City: _____ State: IN Zip: 46807 Phone: (260) 307-9091

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.

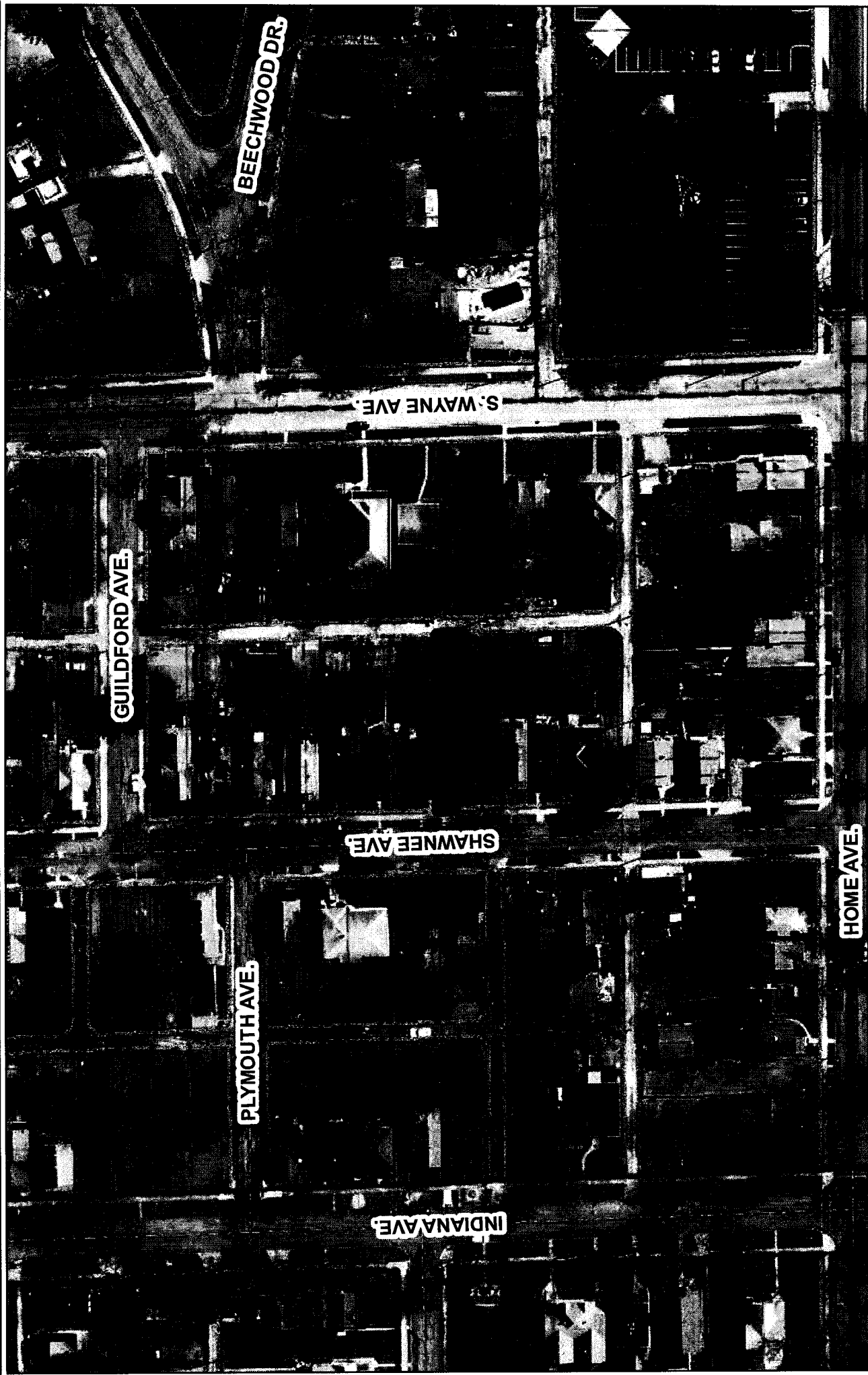
For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____



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
Photo and Contour, Spring 2009
FILE 3339017



1 inch = 100 feet
0 50 100 Feet

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: March 11, 2017

We are sending this notice to let you know the Common Council of Fort Wayne, Indiana will hold a public hearing **Tuesday March 28, 2017 at 5:30 p.m.** The Council will hold the hearing in **Room 030 of the Citizens Square Building at 200 East Berry Street.** Room 030 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

PROPOSAL: VALY-2017-0001
BILL NO: G-17-03-01
APPLICANT: Juan Carlos Escobar Cetino
REQUEST: To vacate the unimproved alley right-of-way between Lot 34 and 35 of Zollars and Swaynes Addition.
LOCATION: Between 2803 and 2727 Fox Avenue. (Section 14 of Wayne Township)
LAND AREA: Approximately 1,620 square feet 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. March 28, 2017. 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.

04/19/2017 3:07:04 PM

VALUED CUSTOMER

0.00

SUEN

TRANSACTION # 4266670

2017020006	ORDINANCE	0.00
2017020007	ORDINANCE	0.00

RECORDING FEES: 0.00

TOTAL: 0.00

CASH: 0.00

THANK YOU

ANITA MATHER
RECORDER
ALLEN COUNTY, IN

The Journal Gazette

Account # 1060008 - 1280645

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

56

COMPUTATION OF CHARGES

56 lines, 1 column(s), wide equals

56 equivalent lines at \$ 0.448 cents per line

\$ 25.09

Additional charges for notices containing rule or tabular work
(50 per cent of above amount)

Charge for extra proofs of publication
(\$2.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 25.09

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:

3/17/2017

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: March 17, 2017

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-17-03-01**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MARCH 28, 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: The unimproved alley right-of-way between Lot 34 and 35 of Zollars and Swaynes Addition, between, 2803 and 2727 Fox Avenue. (Section 14 of Wayne Township)
LAND AREA: Approximately 1,620 square feet 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, MARCH 28, 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

3--17 1280645 hspaxlp

The News-Sentinel

Allen County, Indiana

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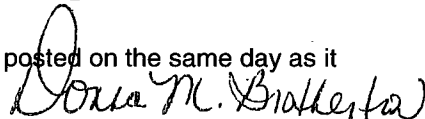
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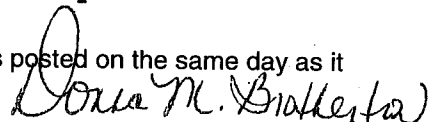
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LANA R. KEESLING
CITY CLERK

3--17

1280645 hspaxlp

REPORT OF COMMITTEE ON REGULATIONS

April 11, 2017

John Crawford Chair

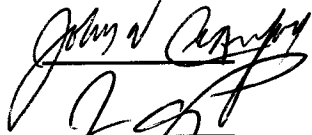
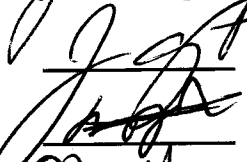

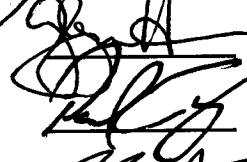
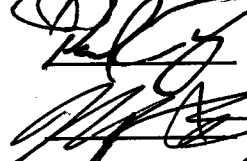
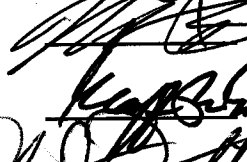

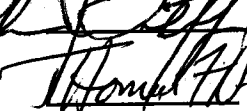
Michael Barranda Co-Chair

All Council Members

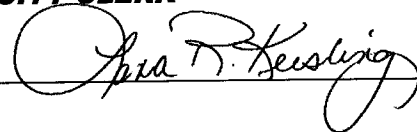
AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way

The 12-foot wide east-west alley located between Lot 34 and Lot 35 of Zollars and Swaynes Addition

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

**LANA R. KEESLING
CITY CLERK**



*She Didnt Vote
Absent from table -*

Public Hearing Date: March 28, 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: April 11, 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-17-03-01 on the 11th day of April, 2017

ATTEST:

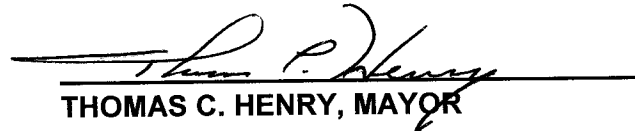

LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of April 2017, at the hour of 10:00 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 12TH day of APRIL 2017, at the hour of 2:00 O'clock Pm E.S.T.


THOMAS C. HENRY, MAYOR