

VALY-2017-0003

2017031347

RECORDED: 06/21/2017 8:44:58 AM

BILL NO. G-17-04-19

Plat Book: 58  
Page No: 148

ANITA MATHER  
ALLEN COUNTY RECORDER  
FORT WAYNE, IN

GENERAL ORDINANCE NO. G- 12-17

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



All of the 14 foot wide alley east of Lot 55 of Vordermarks Addition to the City of Fort Wayne, Indiana, the plat of which is recorded in Book 58, page 148 in the Office of the Recorder of Allen County, Indiana.

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

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

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

  
Carol T. Helton, City Attorney  


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

JUN 20 2017

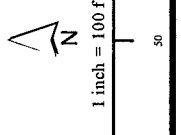
  
AUDITOR OF ALLEN COUNTY

15 N/C



Although stricter 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: 4/20/07



# 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:

see attached - unused "paper alley" between  
lots 7 and 55 on attached map

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

Plat Record

~~DEED BOOK NUMBER:~~ 13 PAGE(S) NUMBER(S): 141 (This information can be obtained from the Allen County Recorder's Office on the 2<sup>nd</sup> Floor, City-County Building, One Main Street, Fort Wayne, IN)

The reasons for the proposed vacation are as follows:

see attached - alley not used. Trees  
growing in it. Considering joining parcels 1, 2, + 3 and  
alley needs to be vacated to do that

(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: see attached

Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

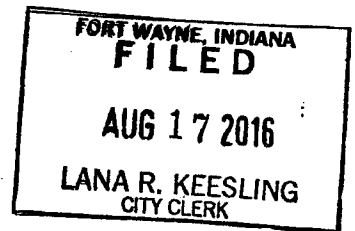
Applicant's name(s) if different from property owner(s):

Name: Madeline Pecora Nugent, CFP

Street Address: 1702 Lombard street

City: Fort Wayne State: IN Zip: 46803 Phone: 260-739-6882

bspenance@hotmail.com



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.

Maddie Power Trust, CFP      Madelini Pecora Nugent, CFP      8-17-16  
 Signature      Printed Name      Date

1702 Lombard Street      Fort Wayne IN 46803  
 Address      City/State/Zip

[Signature]      JG Rynn      8/17/16  
 Signature      Printed Name      Date

915 S. Cleveland      Fort Wayne IN 46802  
 Address      City/State/Zip

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

Agent's Name (Print Legibly): ~~XXXXXXXXXX~~ Madelini Pecora Nugent, CFP

Street Address: 1702 Lombard Street  
 City: Fort Wayne State: IN Zip: 46803 Phone: 260-739-6882

**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 #: \_\_\_\_\_

# The Journal Gazette

Account # 1060008 - 1285498

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	_____
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Tail -- number of lines	_____
Total number of lines in notice	<u>57</u>

### COMPUTATION OF CHARGES

<u>57</u> lines, <u>1</u> column(s) wide equals	
<u>57</u> equivalent lines at <u>\$ 0.448</u> cents per line	\$ 25.54
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	<u>\$ 25.54</u>

### 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:

<u>4/28/2017</u>	-	-	-
-	-	-	-
-	-	-	-

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

Date: April 28, 2017

\_\_\_\_\_  
Donna M. Brotherton  
Legal Clerk

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING**

**FORT WAYNE COMMON COUNCIL  
ORDINANCE NO. G-17-04-19**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 9TH, 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 North-South 14 foot wide alley located west of Lot 55 in Vordermark's Addition and east of Lot 7 Fenker's Addition - Diocese of Fort Wayne-South Bend  
LAND AREA: Approximately 150 feet to the next East-West alley.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 9TH, 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

4--28 1285498 hspaxlp

# The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1285498  
**FW Common Council**

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LANA R. KEESLING  
CITY CLERK

4--28 1285498 hspaxlp

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LANA R. KEESLING  
CITY CLERK

4--28 1285498 hspaxlp

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

---

**Department of Planning Services**

Title of Ordinance: Vacation of Public Right-of-way  
Case Number: VALY-2017-0003  
Bill Number: G-17-04-19  
Council District: 6 – Glynn Hines

---

Introduction Date: April 25, 2017

Public Hearing Date: May 9, 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 north-south, 14 foot wide alley located east of Lot 55 in Vordermarks Addition and west of Lot 7 in Fenkers Addition.

Location: At the rear of 1702 Lombard Street, south of Reynolds Street and west of Lombard Street, beginning at Reynolds Street and extending approximately 150 feet to the next east-west alley.

Reason for Request: Approval of the alley vacation will allow the property owner to combine properties.

Applicant: Diocese of Fort Wayne-South Bend

Property Owner: Diocese of Fort Wayne-South Bend

---

Related Petitions: none

---

Effect of Passage: Vacation of the alley will allow more flexibility of site improvements.

Effect of Non-Passage: The alley will remain as platted and redevelopment capabilities of the project site may be limited.

**REPORT OF COMMITTEE ON REGULATIONS**

**June 13, 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

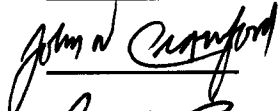

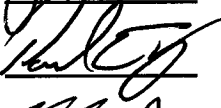
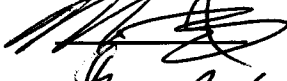


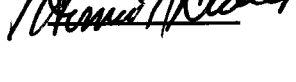
**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: May 9, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: June 13, 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-17-04-19 on the 13th day of June, 2017

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK


  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of June 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 16<sup>th</sup> day of June

2017, at the hour of 12:30 O'clock PM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR

# CITY OF FORT WAYNE

## Vacation Petition

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~~DEED~~ BOOK NUMBER: 13 PAGE(S) NUMBER(S): 141 (This information can be obtained from the Allen County Recorder's Office on the 2<sup>nd</sup> Floor, City-County Building, One Main Street, Fort Wayne, IN)

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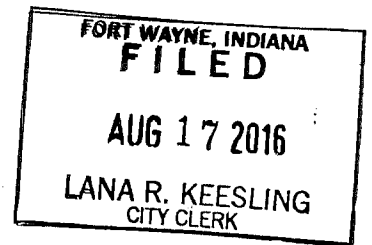
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Madelin Pecora Nugent, CFP  
Signature

Madelin Pecora Nugent, CFP  
Printed Name

8-17-16  
Date

1702 Lombard Street  
Address

Fort Wayne IN 46803  
City/State/Zip

[Signature]  
Signature

JG Run  
Printed Name

8/12/16  
Date

915 S. Clarendon  
Address

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Agent's Name (Print Legibly): ~~XXXXXXXXXX~~ Madelin Pecora Nugent, CFP

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- 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 #: \_\_\_\_\_

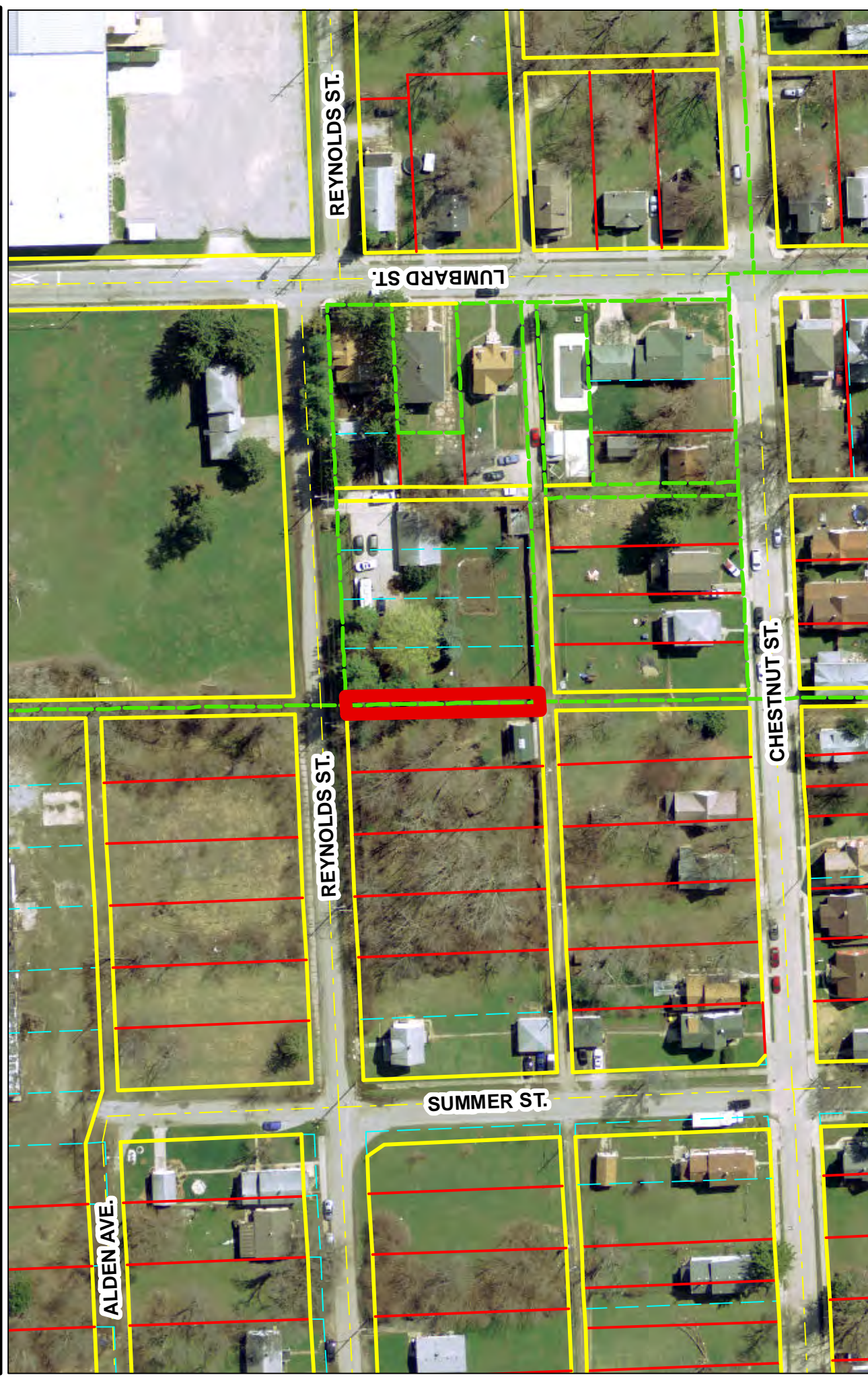
Date Filed: \_\_\_\_\_

Map #: \_\_\_\_\_

Reference #: \_\_\_\_\_

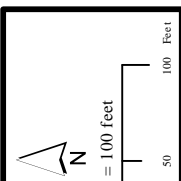


Vacation Petition VALY-2017-0003



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 herein and disclaims any and all liability resulting from any error or omission in this map.

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 North American Datum 1983  
 State Plane Coordinate System, Indiana East  
 Photos and Contours, Spring 2009  
 Patec/AVI/IT



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

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**Department of Planning Services**

Title of Ordinance: Vacation of Public Right-of-way  
Case Number: VALY-2017-0003  
Bill Number: G-17-04-19  
Council District: 6 – Glynn Hines

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Introduction Date: April 25, 2017

Public Hearing Date: May 9, 2017 (to be held by Council)

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

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Synopsis of Ordinance: To vacate the north-south, 14 foot wide alley located east of Lot 55 in Vordermarks Addition and west of Lot 7 in Fenkers Addition.

Location: At the rear of 1702 Lumbar Street, south of Reynolds Street and west of Lumbar Street, beginning at Reynolds Street and extending approximately 150 feet to the next east-west alley.

Reason for Request: Approval of the alley vacation will allow the property owner to combine properties.

Applicant: Diocese of Fort Wayne-South Bend

Property Owner: Diocese of Fort Wayne-South Bend

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Related Petitions: none

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Effect of Passage: Vacation of the alley will allow more flexibility of site improvements.

Effect of Non-Passage: The alley will remain as platted and redevelopment capabilities of the project site may be limited.