

1 VROW-2017-0005

2 BILL NO. G-17-08-04

3
4 GENERAL ORDINANCE NO. G-_____

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

8 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
9 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
10 Indiana; and

11 WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing
12 and approved said petition, as provided in I.C. 36-7-3-12.

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

15 SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of
16 Fort Wayne, Indiana, more specifically described as follows, to-wit:

17 Parcel A

18 A part of Maumee Avenue lying southerly of Lots 61 through 66 in Comparets Addition,
19 recorded Deed Book 31, Pages 170-171 in the Office of the Recorder of Allen County, Indiana; a
20 part of Division Street lying east of Lot 7 in Hanna Partition Addition, recorded in Deed Book 45,
21 page 20 in the Office of the Recorder of Allen County, Indiana and west of Lot 95 in Chutes
22 Homestead Addition, recorded in Deed Book 26, Pages 61-62 in the Office of the Recorder of
23 Allen County, Indiana; a part of said Lot 7 and part of Lots 95, 96 and 97 in said Chutes
24 Homestead Addition, all as situated in the South one-half Section 1, Township 30 North, Range
25 12 East, Allen County, Indiana and more particularly described as follows:

26 Beginning at the southwesterly corner of Lot 66 in said Comparets Addition and being the
27 intersection of the east right of way line of King Street with the northerly right of way line of
28 Maumee Avenue as marked by a five-eighths inch diameter steel pin set with CITY OF FORT
29 WAYNE identification cap; thence South 76 degrees 02 minutes 19 seconds East (bearings
30 based upon the Indiana State Plane Coordinate System, East Zone) along said northerly right of
way line of Maumee Avenue and being the southerly line of Lots 61 through 66 in said
Comparets Addition, a distance of 313.64 feet to a five-eighths inch diameter steel pin with
CITY OF FORT WAYNE identification cap set at the southeasterly corner of Lot 61 in said
Comparets Addition and being the intersection of the west right of way line of Comparget Street
with said northerly right of way line of Maumee Avenue; thence South 03 degrees 00 minutes 38
seconds East, a distance of 25.87 feet to a five-eighths inch diameter steel pin with CITY OF
FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00
feet; thence southwesterly along said curve, an arc length of 31.72 feet and subtended by a



8 4 9 7 0 9 3
Tx:4290090

VROW-2017-0005

2017052100

RECORDED: 10/02/2017 4:13:02 PM

BILL NO. G-17-08-04

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

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

GENERAL ORDINANCE NO. G- 21-17

OCT 02 2017

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

[Signature]
AUDITOR OF ALLEN COUNTY

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:

Parcel A

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Beginning at the southwesterly corner of Lot 66 in said Comparets Addition and being the intersection of the east right of way line of King Street with the northerly right of way line of Maumee Avenue as marked by a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 76 degrees 02 minutes 19 seconds East (bearings based upon the Indiana State Plane Coordinate System, East Zone) along said northerly right of way line of Maumee Avenue and being the southerly line of Lots 61 through 66 in said Comparets Addition, a distance of 313.64 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the southeasterly corner of Lot 61 in said Comparets Addition and being the intersection of the west right of way line of Comparet Street with said northerly right of way line of Maumee Avenue; thence South 03 degrees 00 minutes 38 seconds East, a distance of 25.87 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00 feet; thence southwesterly along said curve, an arc length of 31.72 feet and subtended by a

21 IIO City Clerk

n/c

1 chord of 28.50 feet bearing South 42 degrees 25 minutes 47 seconds West to a five-eighths inch
2 diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 87
3 degrees 52 minutes 13 seconds West, a distance of 260.01 feet to a five-eighths inch diameter
4 steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right
5 having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of 31.11 feet
6 and subtended by a chord of 28.07 feet bearing North 47 degrees 34 minutes 13 seconds West to
7 a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap;
8 thence North 03 degrees 00 minutes 38 seconds West, a distance of 113.43 feet to the point of
9 beginning, containing 0.613 acres, more or less, (26722.39 square feet).

6 Parcel B

7 A part of Maumee Avenue lying southerly of Lots 56 through 60 in Comparets Addition, recorded
8 Deed Book 31, Pages 170-171 in the Office of the Recorder of Allen County, Indiana, and also
9 being situated in the South one-half Section 1, Township 30 North, Range 12 East, Allen County,
10 Indiana and more particularly described as follows:

11 Beginning at the southwesterly corner of Lot 60 in said Comparets Addition and being the
12 intersection of the east right of way line of Comparet Street with the northerly right of way line of
13 Maumee Avenue as marked by a Mag nail set; thence South 76 degrees 02 minutes 19 seconds
14 East (bearings based upon the Indiana State Plane Coordinate System, East Zone) along said
15 northerly right of way line of Maumee Avenue and being the southerly line of Lots 56 through 60
16 in said Comparets Addition, a distance of 220.07 feet to a five-eighths inch diameter steel pin with
17 CITY OF FORT WAYNE identification cap set at the point of curve to the left having a radius of
18 1048.00 feet; thence northwesterly along said curve, an arc length of 194.57 feet and subtended by
19 a chord of 194.29 feet bearing North 83 degrees 52 minutes 02 seconds West to a five-eighths
20 inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve
21 to the right having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of
22 30.08 feet and subtended by a chord of 27.32 feet bearing North 46 degrees 05 minutes 54
23 seconds West to a Mag nail set; thence North 03 degrees 00 minutes 38 seconds West, a distance
24 of 13.41 feet to the point of beginning, containing 0.059 acres, more or less, (2553.85 square feet).

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

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

29 
30 COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

31 
32 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:

All of right of way as depicted as "Parcel A" & Parcel "B" on Exhibit A, located at
King Street and Comparet Street along Jefferson Boulevard. This includes
public right of way along Jefferson Boulevard, Maumee Avenue and Division Street.

(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:

City Sponsored Vacation:

City of Fort Wayne Public Works re-aligned Maumee/Jefferson and has
terminated use/need of old right of way.

(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: Kyle Winling

Street Address: 200 E Berry St, Suite 210

City: Fort Wayne State: IN Zip: 46818 Phone: 260-427-2781

FORT WAYNE, INDIANA
FILED

JUN 21 2017

LANA R. KEESLING
CITY CLERK

KING STREET
50' RIGHT OF WAY

COMPARET STREET
50' RIGHT OF WAY

PARCEL A
0.613 ACRES

JEFFERSON BOULEVARD
(PROPOSED VARYING RIGHT OF WAY WIDTH)

DIVISION STREET
60' RIGHT OF WAY

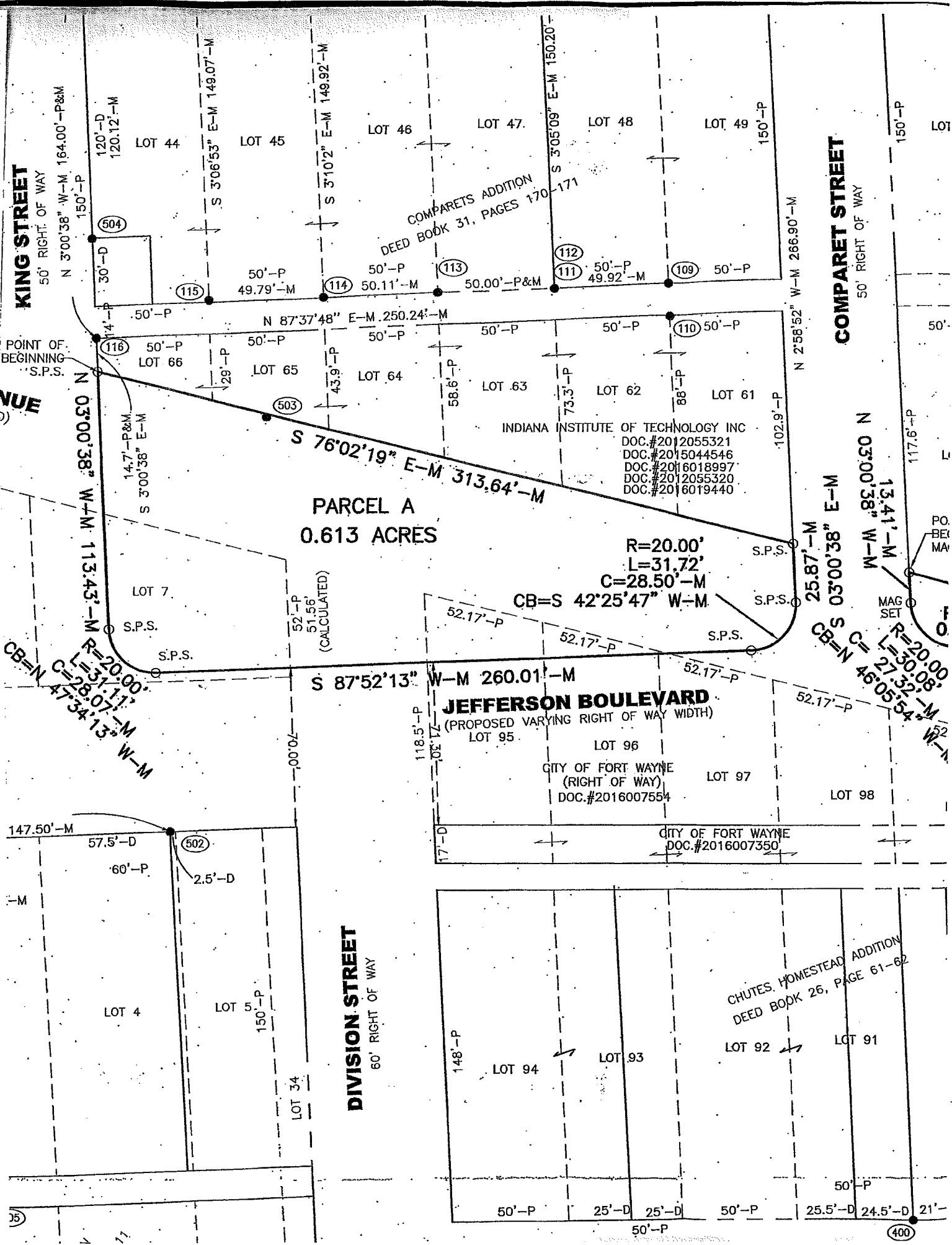
COMPARETS ADDITION
DEED BOOK 31, PAGES 170-171

CHUTES, HOMESTEAD ADDITION
DEED BOOK 26, PAGE 61-62

INDIANA INSTITUTE OF TECHNOLOGY INC
DOC.#2012055321
DOC.#2015044546
DOC.#2016018997
DOC.#2012055320
DOC.#2016019440

R=20.00'
L=31.72'
C=28.50'-M
CB=S 42°25'47" W-M

R=20.00'
L=50.08'
C=27.32'-M
CB=N 46°05'54" W-M



POINT OF BEGINNING S.P.S.

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THIS DOCUMENT IS A REPRESENTATION OF A RETRACEMENT OR ORIGINAL SURVEY OF LAND IN WAYNE TOWNSHIP
ALLEN COUNTY, INDIANA, MADE IN ACCORDANCE WITH THE RECORDS ON FILE IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

NEW PARCEL DESCRIPTION

Parcel A

A part of Maumee Avenue lying southerly of Lots 61 through 66 in Comparets Addition, recorded Deed Book 31, Pages 170-171 in the Office of the Recorder of Allen County, Indiana; a part of Division Street lying east of Lot 7 in Hanna Partition Addition, recorded in Deed Book 45, page 20 in the Office of the Recorder of Allen County, Indiana and west of Lot 95 in Chutes Homestead Addition, recorded in Deed Book 26, Pages 61-62 in the Office of the Recorder of Allen County, Indiana; a part of said Lot 7 and part of Lots 95, 96 and 97 in said Chutes Homestead Addition, all as situated in the South one-half Section 1, Township 30 North, Range 12 East, Allen County, Indiana and more particularly described as follows:

Beginning at the southwesterly corner of Lot 66 in said Comparets Addition and being the intersection of the east right of way line of King Street with the northerly right of way line of Maumee Avenue as marked by a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 76 degrees 02 minutes 19 seconds East (bearings based upon the Indiana State Plane Coordinate System, East Zone) along said northerly right of way line of Maumee Avenue and being the southerly line of Lots 61 through 66 in said Comparets Addition, a distance of 313.64 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the southeasterly corner of Lot 61 in said Comparets Addition and being the intersection of the west right of way line of Comparet Street with said northerly right of way line of Maumee Avenue; thence South 03 degrees 00 minutes 38 seconds East, a distance of 25.87 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00 feet; thence southwesterly along said curve, an arc length of 31.72 feet and subtended by a chord of 28.50 feet bearing South 42 degrees 25 minutes 47 seconds West to a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 87 degrees 52 minutes 13 seconds West, a distance of 260.01 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of 31.11 feet and subtended by a chord of 28.07 feet bearing North 47 degrees 34 minutes 13 seconds West to a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence North 03 degrees 00 minutes 38 seconds West, a distance of 113.43 feet to the point of beginning, containing 0.613 acres, more or less, (26722.39 square feet).

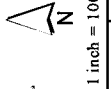
Parcel B

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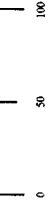
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Although strict accuracy cannot be guaranteed, the information shown on this map is based on the best available data. Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting 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: 7/24/2017.



1 inch = 100 feet



The Journal Gazette

Account # 1060008 - 1297761

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 **58**

COMPUTATION OF CHARGES

58 lines, 1 column(s) wide equals
58 equivalent lines at \$ 0.448 cents per line \$ 25.98

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 \$ 25.98

DATA FOR COMPUTING COST

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

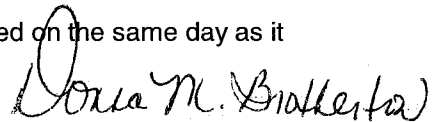
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

8/11/2017 - - -
 - - -
 - - -

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: August 11, 2017

ATTACH COPY OF ADVERTISEMENT HERE

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

ORDINANCE NO. G-17-08-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 22, 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: Portions of East Jefferson Boulevard, Maumee Avenue and Division Street, Within the 900 to 1100 blocks of East Jefferson and Maumee Avenue, in the location of the relocated Maumee Avenue. (Section 1 of Wayne Township)

LAND AREA: Approximately 0.67 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, AUGUST 22, 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

8-11 1297761 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1297761
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 58

COMPUTATION OF CHARGES

58 lines, 1 column(s) wide equals _____

58 equivalent lines at \$ 0.448 cents per line \$ 25.98

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 \$ 25.98

DATA FOR COMPUTING COST

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

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Donna M. Brotherton

Date: August 11, 2017

Donna M. Brotherton
Legal Clerk

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The Journal Gazette

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FW Common Council

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Charge for extra proofs of publication (\$2.00 for each proof in excess of two)	-
TOTAL AMOUNT OF CLAIM	<u>\$ 25.98</u>

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ORDINANCE NO. G-17-08-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 22, 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: Portions of East Jefferson Boulevard, Maumee Avenue and Division Street, Within the 900 to 1100 blocks of East Jefferson and Maumee Avenue, in the location of the relocated Maumee Avenue. (Section 1 of Wayne Township)

LAND AREA: Approximately 0.67 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, AUGUST 22, 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

8--11 1297761 hspaxlp

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way
Case Number: VROW-2017-0005
Bill Number: G-17-08-04
Council District: 5-Geoff Paddock

Introduction Date: August 8, 2017
Public Hearing Date: August 22, 2017 (to be held by Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate portions of East Jefferson Boulevard, Maumee Avenue and Division Street.

Location: Within the 900 to 1100 blocks of East Jefferson and Maumee Avenue, in the location of the relocated Maumee Avenue.

Reason for Request: To clean-up right-of-way descriptions following the Maumee Avenue relocation project.

Applicant: City of Fort Wayne Transportation Department

Property Owner: City of Fort Wayne Transportation Department

Related Petitions: none

Effect of Passage: Vacation of the platted right-of-way will allow the now-unused right-of-way to be returned to the adjacent property owner for possible development and general beautification and maintenance.

Effect of Non-Passage: The City of Fort Wayne will retain responsibility for the unused right-of-way, including maintenance. New right-of-way was dedicated for the relocated Maumee Avenue project.

1 chord of 28.50 feet bearing South 42 degrees 25 minutes 47 seconds West to a five-eighths inch
2 diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 87
3 degrees 52 minutes 13 seconds West, a distance of 260.01 feet to a five-eighths inch diameter
4 steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right
5 having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of 31.11 feet
6 and subtended by a chord of 28.07 feet bearing North 47 degrees 34 minutes 13 seconds West to
7 a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap;
8 thence North 03 degrees 00 minutes 38 seconds West, a distance of 113.43 feet to the point of
9 beginning, containing 0.613 acres, more or less, (26722.39 square feet).

10 Parcel B

11 A part of Maumee Avenue lying southerly of Lots 56 through 60 in Comparets Addition, recorded
12 Deed Book 31, Pages 170-171 in the Office of the Recorder of Allen County, Indiana, and also
13 being situated in the South one-half Section 1, Township 30 North, Range 12 East, Allen County,
14 Indiana and more particularly described as follows:

15 Beginning at the southwesterly corner of Lot 60 in said Comparets Addition and being the
16 intersection of the east right of way line of Comparet Street with the northerly right of way line of
17 Maumee Avenue as marked by a Mag nail set; thence South 76 degrees 02 minutes 19 seconds
18 East (bearings based upon the Indiana State Plane Coordinate System, East Zone) along said
19 northerly right of way line of Maumee Avenue and being the southerly line of Lots 56 through 60
20 in said Comparets Addition, a distance of 220.07 feet to a five-eighths inch diameter steel pin with
21 CITY OF FORT WAYNE identification cap set at the point of curve to the left having a radius of
22 1048.00 feet; thence northwesterly along said curve, an arc length of 194.57 feet and subtended by
23 a chord of 194.29 feet bearing North 83 degrees 52 minutes 02 seconds West to a five-eighths
24 inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve
25 to the right having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of
26 30.08 feet and subtended by a chord of 27.32 feet bearing North 46 degrees 05 minutes 54
27 seconds West to a Mag nail set; thence North 03 degrees 00 minutes 38 seconds West, a distance
28 of 13.41 feet to the point of beginning, containing 0.059 acres, more or less, (2553.85 square feet).

29 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
30 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:

All of right of way as depicted as "Parcel A" & Parcel "B" on Exhibit A, located at
King Street and Comparet Street along Jefferson Boulevard. This includes
public right of way along Jefferson Boulevard, Maumee Avenue and Division Street.

(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:

City Sponsored Vacation:

City of Fort Wayne Public Works re-aligned Maumee/Jefferson and has
terminated use/need of old right of way.

(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:

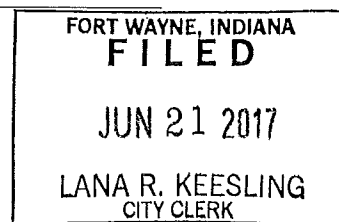
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Kyle Winling

Street Address: 200 E Berry St, Suite 210

City: Fort Wayne State: IN Zip: 46818 Phone: 260-427-2781



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.

Daniel A. Brenner Daniel A. Brenner 6-21-17
Signature Printed Name Date

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): Kyle Winling, City of Fort Wayne Traffic Engineer

Street Address: 200 E Berry St, Suite 210
City: Fort Wayne State: IN Zip: 46818 Phone: 260-427-2781

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 #: _____

KING STREET

50' RIGHT OF WAY

N 3°00'38" W-M 164.00' -P&M

120'-D
120.12'-M

LOT 44

LOT 45

LOT 46

LOT 47

LOT 48

LOT 49

150'-P

S 3°06'53" E-M 149.07'-M

S 3°10'2" E-M 149.92'-M

S 3°05'09" E-M 150.20'-M

COMPARETS ADDITION
DEED BOOK 31, PAGES 170-171

50'-P
49.79'-M

50'-P
50.11'-M

50'-P
50.00'-P&M

50'-P
49.92'-M

50'-P

50'-P

POINT OF BEGINNING
S.P.S.

VUE

N 03°00'38" W-M 113.43'-M

50'-P
LOT 66

50'-P
LOT 65

50'-P
LOT 64

50'-P
LOT 63

50'-P
LOT 62

50'-P
LOT 61

LOT 7

S.P.S.

S.P.S.

52'-P
51.56'

(CALCULATED)

PARCEL A
0.613 ACRES

N 87°37'48" E-M 250.24'-M

S 76°02'19" E-M 313.64'-M

INDIANA INSTITUTE OF TECHNOLOGY INC
DOC.#2012055321
DOC.#2015044546
DOC.#2016018997
DOC.#2012055320
DOC.#2016019440

R=20.00'
L=31.72'
C=28.50'-M
CB=S 42°25'47" W-M

S.P.S.

S.P.S.

S.P.S.

25.87'-M

CB=S 03°00'38" E-M

N 03°00'38" W-M

13.41'-M

MAGO SET

PO. BEI MA

POINT OF BEGINNING

R=20.00'
L=31.72'
C=28.50'-M
CB=N 46°05'54" W-M

117.6'-P

S 87°52'13" W-M 260.01'-M

JEFFERSON BOULEVARD

(PROPOSED VARYING RIGHT OF WAY WIDTH)

LOT 95

LOT 96

CITY OF FORT WAYNE
(RIGHT OF WAY)
DOC.#2016007554

LOT 97

LOT 98

CITY OF FORT WAYNE
DOC.#2016007350

147.50'-M

57.5'-D

60'-P

502

2.5'-D

LOT 4

LOT 5

150'-P

LOT 34

DIVISION STREET

60' RIGHT OF WAY

148'-P

LOT 94

LOT 93

LOT 92

LOT 91

CHUTES, HOMESTEAD ADDITION
DEED BOOK 26, PAGE 61-62

50'-P

25'-D

25'-D

50'-P

25.5'-D

24.5'-D

21'-D

50'-P

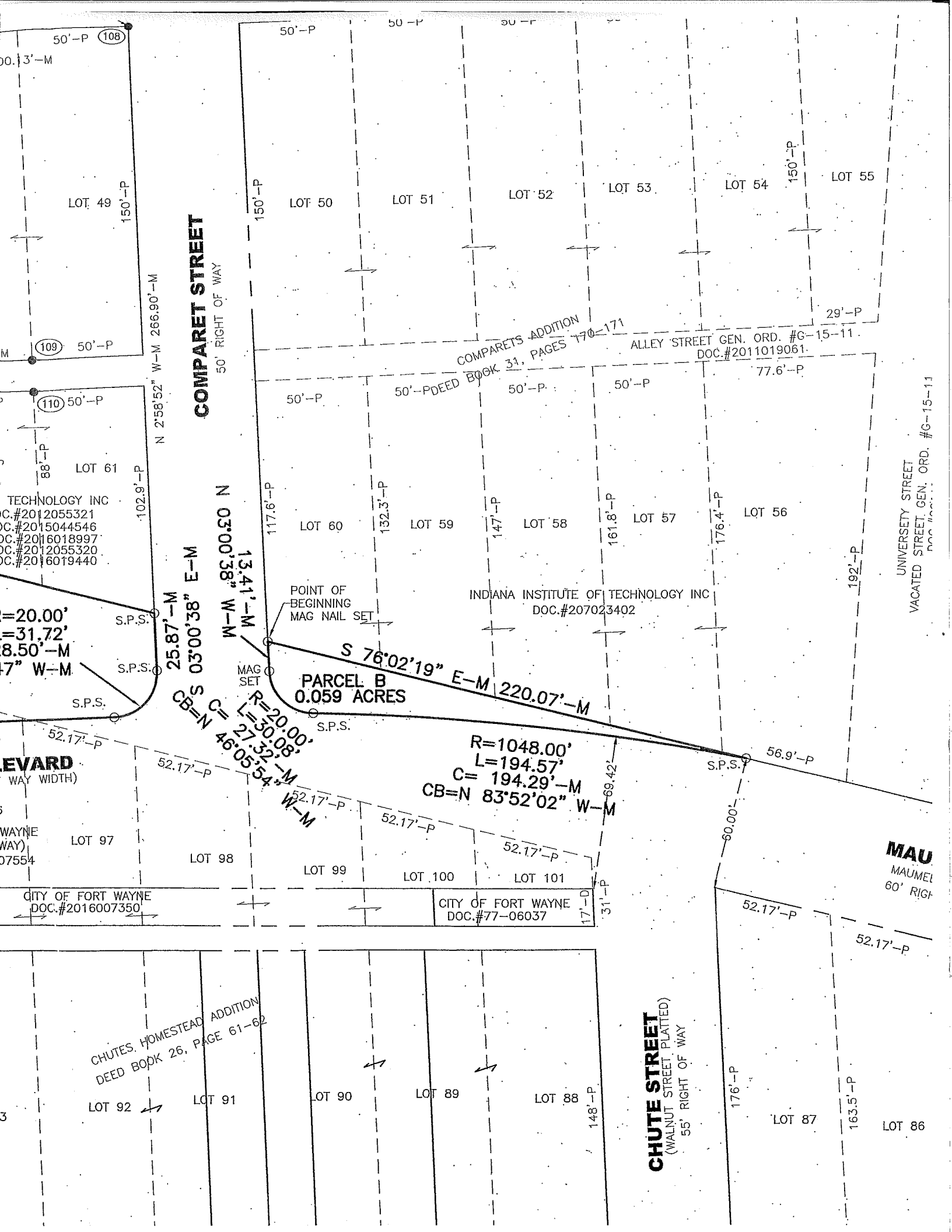
400

NEW PARCEL DESCRIPTION

Parcel A

A part of Maumee Avenue lying southerly of Lots 61 through 66 in Comparets Addition, recorded Deed Book 31, Pages 170-171 in the Office of the Recorder of Allen County, Indiana; a part of Division Street lying east of Lot 7 in Hanna Partition Addition, recorded in Deed Book 45, page 20 in the Office of the Recorder of Allen County, Indiana and west of Lot 95 in Chutes Homestead Addition, recorded in Deed Book 26, Pages 61-62 in the Office of the Recorder of Allen County, Indiana; a part of said Lot 7 and part of Lots 95, 96 and 97 in said Chutes Homestead Addition, all as situated in the South one-half Section 1, Township 30 North, Range 12 East, Allen County, Indiana and more particularly described as follows:

Beginning at the southwesterly corner of Lot 66 in said Comparets Addition and being the intersection of the east right of way line of King Street with the northerly right of way line of Maumee Avenue as marked by a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 76 degrees 02 minutes 19 seconds East (bearings based upon the Indiana State Plane Coordinate System, East Zone) along said northerly right of way line of Maumee Avenue and being the southerly line of Lots 61 through 66 in said Comparets Addition, a distance of 313.64 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the southeasterly corner of Lot 61 in said Comparets Addition and being the intersection of the west right of way line of Comparet Street with said northerly right of way line of Maumee Avenue; thence South 03 degrees 00 minutes 38 seconds East, a distance of 25.87 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00 feet; thence southwesterly along said curve, an arc length of 31.72 feet and subtended by a chord of 28.50 feet bearing South 42 degrees 25 minutes 47 seconds West to a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence South 87 degrees 52 minutes 13 seconds West, a distance of 260.01 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of 31.11 feet and subtended by a chord of 28.07 feet bearing North 47 degrees 34 minutes 13 seconds West to a five-eighths inch diameter steel pin set with CITY OF FORT WAYNE identification cap; thence North 03 degrees 00 minutes 38 seconds West, a distance of 113.43 feet to the point of beginning, containing 0.613 acres, more or less, (26722.39 square feet).



COMPARET STREET
50' RIGHT OF WAY

N 2°58'52" W-M 266.90'-M

25.87'-M
S 03°00'38" E-M

W-M 83°00'50" N
13.41'-M

MAG NAIL SET

PARCEL B
0.059 ACRES

S 76°02'19" E-M 220.07'-M

R=1048.00'
L=194.57'
C=194.29'-M
CB=N 83°52'02" W-M

TECHNOLOGY INC
OC.#2012055321
OC.#2015044546
OC.#2016018997
OC.#2012055320
OC.#2016019440

COMPARETS ADDITION
BOOK 31, PAGES 170-171

ALLEY STREET GEN. ORD. #G-15-11
DOC.#2011019061

UNIVERSEY STREET
VACATED STREET GEN. ORD. #G-15-11
DOC.#2011019061

EVARD
WAY WIDTH)

WAYNE
WAY)
07554

CITY OF FORT WAYNE
DOC.#2016007350

CITY OF FORT WAYNE
DOC.#77-06037

MAU
MAUMEL
60' RIGH

CHUTES HOMESTEAD ADDITION
DEED BOOK 26, PAGE 61-62

CHUTE STREET
(WALNUT STREET PLATTED)
55' RIGHT OF WAY

50'-P (108)
00.13'-M
LOT 49
150'-P
50'-P (109)

88'-P
LOT 61
102.9'-P

20.00'
31.72'
8.50'-M
7'-M W-M
S.P.S.

52.17'-P
LOT 97
LOT 98

LOT 92
LOT 91

50'-P
LOT 50
150'-P

50'-P
LOT 60
117.6'-P

52.17'-P
LOT 99

52.17'-P
LOT 98

LOT 90

50'-P
LOT 51
50'-P

50'-P
LOT 59
132.3'-P

52.17'-P
LOT 99

52.17'-P
LOT 98

LOT 89

50'-P
LOT 52
50'-P

50'-P
LOT 58
147'-P

52.17'-P
LOT 99

52.17'-P
LOT 98

LOT 89

50'-P
LOT 53
50'-P

50'-P
LOT 57
161.8'-P

52.17'-P
LOT 99

52.17'-P
LOT 98

LOT 88

50'-P
LOT 54
150'-P

50'-P
LOT 56
176.4'-P

52.17'-P
LOT 99

52.17'-P
LOT 98

LOT 87

50'-P
LOT 55
29'-P

50'-P
LOT 58
176.4'-P

52.17'-P
LOT 99

52.17'-P
LOT 98

LOT 86

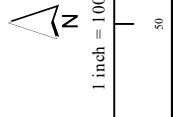
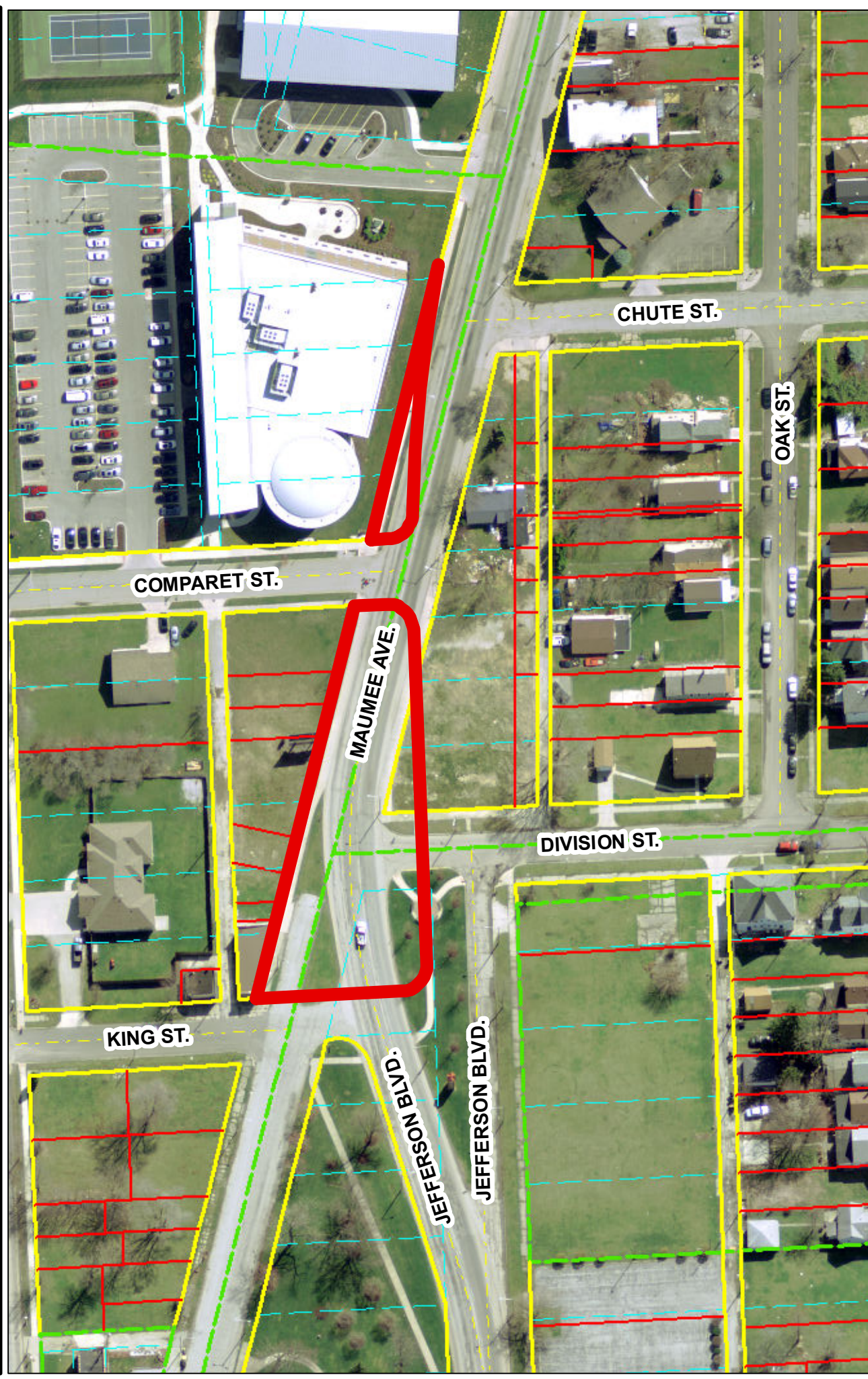
Parcel B

A part of Maumee Avenue lying southerly of Lots 56 through 60 in Comparets Addition, recorded Deed Book 31, Pages 170-171 in the Office of the Recorder of Allen County, Indiana, and also being situated in the South one-half Section 1, Township 30 North, Range 12 East, Allen County, Indiana and more particularly described as follows:

Beginning at the southwesterly corner of Lot 60 in said Comparets Addition and being the intersection of the east right of way line of Comparet Street with the northerly right of way line of Maumee Avenue as marked by a Mag nail set; thence South 76 degrees 02 minutes 19 seconds East (bearings based upon the Indiana State Plane Coordinate System, East Zone) along said northerly right of way line of Maumee Avenue and being the southerly line of Lots 56 through 60 in said Comparets Addition, a distance of 220.07 feet to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the left having a radius of 1048.00 feet; thence northwesterly along said curve, an arc length of 194.57 feet and subtended by a chord of 194.29 feet bearing North 83 degrees 52 minutes 02 seconds West to a five-eighths inch diameter steel pin with CITY OF FORT WAYNE identification cap set at the point of curve to the right having a radius of 20.00 feet; thence northwesterly along said curve, an arc length of 30.08 feet and subtended by a chord of 27.32 feet bearing North 46 degrees 05 minutes 54 seconds West to a Mag nail set; thence North 03 degrees 00 minutes 38 seconds West, a distance of 13.41 feet to the point of beginning, containing 0.059 acres, more or less, (2553.85 square feet).



Vacation Petition VROW-2017-0005



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
 Page 2 of 2

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-Way
Case Number: VROW-2017-0005
Bill Number: G-17-08-04
Council District: 5-Geoff Paddock

Introduction Date: August 8, 2017
Public Hearing Date: August 22, 2017 (to be held by Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate portions of East Jefferson Boulevard, Maumee Avenue and Division Street.

Location: Within the 900 to 1100 blocks of East Jefferson and Maumee Avenue, in the location of the relocated Maumee Avenue.

Reason for Request: To clean-up right-of-way descriptions following the Maumee Avenue relocation project.

Applicant: City of Fort Wayne Transportation Department

Property Owner: City of Fort Wayne Transportation Department

Related Petitions: none

Effect of Passage: Vacation of the platted right-of-way will allow the now-unused right-of-way to be returned to the adjacent property owner for possible development and general beautification and maintenance.

Effect of Non-Passage: The City of Fort Wayne will retain responsibility for the unused right-of-way, including maintenance. New right-of-way was dedicated for the relocated Maumee Avenue project.

BILL NO. G-17-08-04

**REPORT OF COMMITTEE ON REGULATIONS
September 26, 2017**

Michael Barranda Chair

John Crawford Co-Chair

All Council Members

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


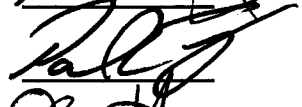
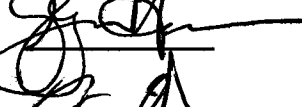
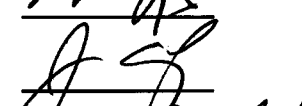
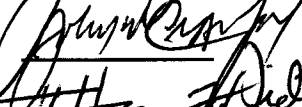
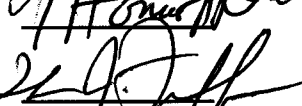
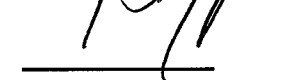
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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



**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 08/22/17


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

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

Read the third time in full and on motion by Councilman Barranda, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DATED: September 26, 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-17-08-04 on the 26th day of September, 2017

ATTEST:



 LANA R. KEESLING
 CITY CLERK




 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th of September 2017, at the hour of 9:15 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 27TH day of SEPTEMBER 2017, at the hour of 3:00 O'clock PM . E.S.T.



 THOMAS C. HENRY, MAYOR