



8 6 6 0 4 8 4

Tx:4397010

2019062546

RECORDED: 12/03/2019 03:52:47 PM

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

1 VALY-2018-0002

2 BILL NO. G-18-01-01

3
4 GENERAL ORDINANCE NO. G- 29-19

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 The alley opened by Declaratory Resolution No. 260-1913 lying between Lots 62 and 63 in
18 Fox's Addition to Fort Wayne (Plat Record 3, page 57 in the Office of the Recorder of Allen
19 County).

20 Together with:

21 The remainder of the 12 feet wide alley, not heretofore vacated, lying east of and adjacent to
22 Lot 1 and Lot 2 in the Plat of Broadway Place, recorded in Deed Book 89, page 72, in the
23 Office of the Recorder of Allen County.

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

26 ALLEN COUNTY OFFICE
Duty of Sheriff or Treasurer
Signed by and
addressed to the Treasurer

27 DEC -3 2019

28
29
30

city clerk to pick up

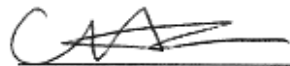
AK
N/C

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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:

See Exhibit A

(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:

I own the property on both sides of the alley and would like to modify the alley into green space for continuity of the other two pieces of property. Utility easement will be maintained.

(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:

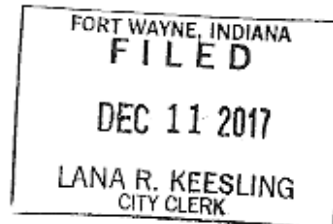
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Diana

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____



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.

[Signature] Diana D. R. Hart, trustee 12/8/17
Signature Printed Name Date
2107 Broadway Ft. Wayne, IN 46802
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): Diana D. R. Hart, trustee

Street Address: 2107 Broadway
City: Ft. Wayne State: IN Zip: 46802 Phone: 260-409-5901

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 #: _____

DESCRIPTION OF ALLEY VACATION

The alley opened by Declaratory Resolution No. 260-1913 lying between Lots 62 and 63 in Fox's Addition to Fort Wayne (Plat Record 3, page 57 in the Office of the Recorder of Allen County).

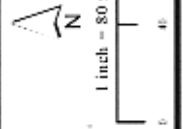
TOGETHER WITH:

The remainder of the 12 feet wide alley, not heretofore vacated, lying east of and adjacent to Lot 1 and Lot 2 in the Plat of Broadway Place, recorded in Deed Book 89, page 72 in the Office of the Recorder of Allen County.



Areas depicted with bold lines are for representational purposes only.

All other areas are not to be used in the creation of the map. This City is not responsible for any errors or omissions. The accuracy of the information contained herein is not guaranteed. All other areas are not to be used in the map. © 2008, Board of Commissioners of the County of Alton, North American Bank, 1985. State Plane, Fossil Fuel System, Johnson, 2000. W. and C. 2000, Spring 2009. Page 13/2018



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

ORDINANCE NO. G-18-01-01

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 23, 2018, 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: Between Lots 62 and 63 of Fox's Addition at 2104 Miner St and along the east side of Lots 1-2 of Broadway Place, east of 2107 Broadway

LAND AREA: Approximately 3,768 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 JANUARY 23, 2018.

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*

Prescribed by State Board of Accounts

The Journal Gazette

Account # 1063561 - 1314478
FW City Clerk's Office

Allen County, Indiana

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

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 \$ 0.460 cents per line

\$ 26.68

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

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

TOTAL AMOUNT OF CLAIM

\$ 26.68

DATA FOR COMPUTING COST

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

Number of Insertions 1

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

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

1/12/2018

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. Bratter

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

ORDINANCE NO. G-18-01-01

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA WILL CONDUCT A PUBLIC HEARING ON JANUARY 23, 2018, 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: Between Lots 62 and 63 of Fox's Addition at 2104 Miner St and along the east side of Lots 1, 2 of Broadway Place, east of 2107 Broadway

LAND AREA: Approximately 3,768 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 JANUARY 23, 2018.

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) 422-1120, TTY (260) 427-1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK

1--12 1314478 hscaxlp

The Journal Gazette

Account # 1063561 - 1314478

Allen County, Indiana

FW City Clerk's Office

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

<u>58</u> lines; <u>1</u> column(s) wide equals	
<u>58</u> equivalent lines at \$ <u>0.460</u> cents per line	\$ 26.68
Additional charges for notices containing rule or tabular work (50 per cent of above amount)	-
Charge for extra proofs of publication (\$2.00 for each proof in excess of two)	-
TOTAL AMOUNT OF CLAIM	\$ 26.68

DATA FOR COMPUTING COST

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

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

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

1/12/2018

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

Donna M. Brotherton

Donna M. Brotherton
Legal Clerk

Date: January 12, 2018

ATTACH COPY OF ADVERTISEMENT HERE

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

ORDINANCE NO. G-18-01-01

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 23, 2018, 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: Between Lots 62 and 63 of Fox's Addition at 2104 Miner St and along the east side of Lots 1, 2 of Broadway Place, east of 2107 Broadway

LAND AREA: Approximately 3,768 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 JANUARY 23, 2018.

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--12 1314478 hsoaxlp

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

VALY 2018 0002	Bill #G-18-01-01	Project Start: 9 January 2018
APPLICANT: REQUEST: LOCATION: COUNCIL DISTRICT: LAND AREA: PUBLIC HEARING DATE:	Diane Hart To vacate the 12-foot wide east-west alley between Lots 62 and 63 of Fox's Addition, and the 12-foot wide alley east of Lots 1 and 2 of Broadway Place. East of 2107 Broadway, west side of Miner Street (Section 11 of Wayne Township) District 5 – Geoff Paddock Approximately 3,768 square feet proposed to be vacated. January 23, 2018 (held by City Council)	

PROJECT SUMMARY

The petitioner is making this request to allow the combination of her residential lot at 2107 Broadway with the vacant lots at 2104 and 2114 Miner Street. Ms. Hart resides at 2107 Broadway. The northern portion of the alley currently does not serve any occupied lots other than Ms. Hart's lot. The southern portion of the alley does serve residential parcels and is proposed to remain open for vehicular travel. At the public hearing the neighbors to the south did not want northern access closed, if it meant all traffic would come from the south alley. Ms. Hart has agreed to keep the northern access open until such time a new access to her property is built. Furthermore, she will not impede trash pickup or emergency access. An agreement was made with City Transportation to this affect. Easements have been prepared for City Utilities and for NIPSCO.

City Plan: Traffic Engineering: Stormwater Engineering: Water Engineering: WPC Engineering – Sanitary: City Parks Department: Fire Department: Land Acquisition Agent: Frontier: Comcast Cable: AEP: NIPSCO:	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. Approved with agreement Approved with easement Approved with easement Approved with easement Approved Approved with agreement Approved with agreement Approved Approved Approved Approved with easement
---	---

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.

VALY-2018-0002

Bill No. G-18-01-01

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:

02121130401000074
2107 Broadway

Diane Hart, Trustee
2107 Broadway
Fort Wayne, IN 46802

021211304001000074
2115 Broadway

Paul and Kimberly Davoli
2115 Broadway
Fort Wayne, IN 46802

021211304008000074
2104 Miner Street

New World Church Inc.
4720 Speedway Drive
Fort Wayne, IN 46825

021211304009000074
2114 Miner Street

New World Church Inc.
4720 Speedway Drive
Fort Wayne, IN 46825

021211304010000074
2134 Miner Street

Shawn Bartels
2121 Broadway
Fort Wayne, IN 46802

021211304011000074
2136 Miner Street

Emerson Investment Group L.L.C
3525 Willowdale Road
Fort Wayne, IN 46802

021211304012000074
2140 Miner Street

Efrain Camargo
2140 Miner Street
Fort Wayne, IN 46802

021211304013000074
2144 Miner Street

Frank and Charlene Mazziotti
2144 Miner Street
Fort Wayne, IN 46802

021211304003000074
2121 Broadway

Shawn Bartels
2121 Broadway
Fort Wayne, IN 46802

DPS Staff notified the following by Email:

Community Liaison, Palermo Galindo
Southwest Area Partnership

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2018-0002
Bill Number: G-18-01-01
Council District: 5 – Geoff Paddock

Introduction Date: January 9, 2018
Public Hearing Date: January 23, 2018 (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 Fox's Addition and the north 164 feet of a 12-foot wide, north-south alley within Broadway Place.

Location: Between Lots 62 and 63 of Fox's Addition, at 2104 Miner Street, and along the east side of Lots 1-2 of Broadway Place, east of 2107 Broadway.

Reason for Request: To combine lots into one residential parcel.

Applicant: Diana Hart

Property Owner: Diana Hart

Related Petitions: none

Effect of Passage: Vacation of the alley right-of-way will allow the property owner to combine her residential lots to create a larger parcel. She has agreed to grant an access easement for emergency vehicles and trash pick-up.

Effect of Non-Passage: The alley right-of-way will prohibit the combination of lots. Any development of the vacant lots will need to meet setbacks from the existing right-of-way.

1 VALY-2018-0002

2 BILL NO. G-18-01-01

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 The alley opened by Declaratory Resolution No. 260-1913 lying between Lots 62 and 63 in
18 Fox's Addition to Fort Wayne (Plat Record 3, page 57 in the Office of the Recorder of Allen
County).

19 Together with:

20 The remainder of the 12 feet wide alley, not heretofore vacated, lying east of and adjacent to
21 Lot 1 and Lot 2 in the Plat of Broadway Place, recorded in Deed Book 89, page 72, in the
Office of the Recorder of Allen County.

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

24
25
26
27
28
29
30

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

3
4 _____
5 COUNCILMEMBER

6
7 APPROVED AS TO FORM AND LEGALITY:

8
9 _____
10 Carol T. Helton, City Attorney
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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 Exhibit A

(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:

I own the property on both sides of the alley and would like to modify the alley into green space for continuity of the other two pieces of property. Utility easement will be maintained.

(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: Diana

Street Address:

City: State: Zip: Phone:

FORT WAYNE, INDIANA
FILED
DEC 11 2017
LANA R. KEESLING
CITY CLERK

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] Diana D.R. Hart, trustee 12/8/17
Signature Printed Name Date
2107 Broadway Ft. Wayne, IN 46802
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): Diana D.R. Hart, trustee

Street Address: 2107 Broadway
City: Ft. Wayne State: IN Zip: 46802 Phone: 260-409-5901

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 #: _____

DESCRIPTION OF ALLEY VACATION

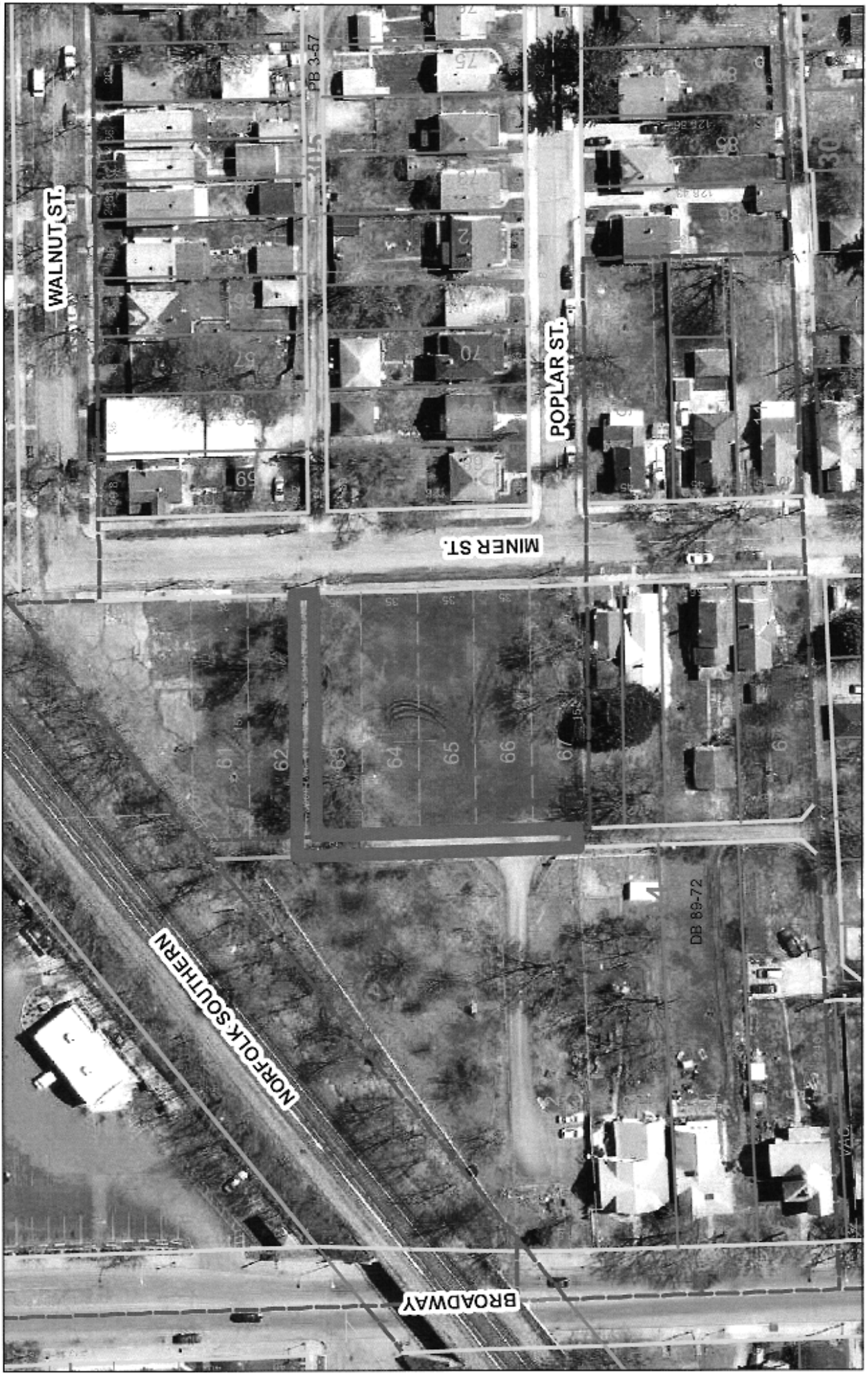
The alley opened by Declaratory Resolution No. 260-1913 lying between Lots 62 and 63 in Fox's Addition to Fort Wayne (Plat Record 3, page 57 in the Office of the Recorder of Allen County).

TOGETHER WITH:

The remainder of the 12 feet wide alley, not heretofore vacated, lying east of and adjacent to Lot 1 and Lot 2 in the Plat of Broadway Place, recorded in Deed Book 89, page 72 in the Office of the Recorder of Allen County.



Vacation Petition VALY-2018-0002



Areas depicted with bold lines are for representational purposes only.

Always check actual source materials before plotting the location of this map. All rights reserved. All information is provided for informational purposes only and does not constitute an offer of any financial product or service. All information is provided for informational purposes only and does not constitute an offer of any financial product or service.

© 2018 The City of Dallas. All rights reserved. The City of Dallas is not responsible for any errors or omissions in this map. All information is provided for informational purposes only and does not constitute an offer of any financial product or service.

City of Dallas, Planning Department, 1000 Main Street, Suite 1000, Dallas, Texas 75202

DB 89-72

1 inch = 80 feet

0 40 80 Feet

VALY-2018-0002

Good afternoon Mr. Winling and all other involved parties:

I will attempt to address your concerns regarding the alley vacation petition that I have submitted. If there is missing information or if something is unclear, please contact me by email or by phone. My contact information is at the bottom of this letter.

- I agree to maintain and leave in place the current access onto Minor St that currently serves my home/business @2107 Broadway.
- Trash and fire department vehicles will/can continue to use the current ROW
- I have received bids on paving an alternate access point onto Miner St that will serve my home/business@ 2107 Broadway when completed. Only then would I close the current access point.
- Since there are no plans to build on this property, all green space will be available as needed for easements by utilities. There is no plan to use this property involved in any commercial use.
- Paving of the new access point would include an area for turn around of trash and fire department vehicles
- As the landowner, I would secure and pay for my chosen surveyor to do any additional survey work that is needed to determine a turn around.

Please keep me informed of any further actions I need to take regarding this issue.

Kind Regards,

A handwritten signature in black ink, appearing to read "Diana D. R. Hart", followed by the date "4/5/19". The signature is written in a cursive style.

Diana D. R. Hart, BSW

broadwaydc@frontier.com

260-409-5901

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Public Right-of-way
Case Number: VALY-2018-0002
Bill Number: G-18-01-01
Council District: 5 – Geoff Paddock

Introduction Date: January 9, 2018
Public Hearing Date: January 23, 2018 (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 Fox's Addition and the north 164 feet of a 12-foot wide, north-south alley within Broadway Place.

Location: Between Lots 62 and 63 of Fox's Addition, at 2104 Miner Street, and along the east side of Lots 1-2 of Broadway Place, east of 2107 Broadway.

Reason for Request: To combine lots into one residential parcel. }

Applicant: Diana Hart

Property Owner: Diana Hart

Related Petitions: none

Effect of Passage: Vacation of the alley right-of-way will allow the property owner to combine her residential lots to create a larger parcel. She has agreed to grant an access easement for emergency vehicles and trash pick-up.

Effect of Non-Passage: The alley right-of-way will prohibit the combination of lots. Any development of the vacant lots will need to meet setbacks from the existing right-of-way.

12/03/2019 3:52:47 PM
VALUED CUSTOMER
0.00
SUEN

TRANSACTION # 4397010
DOCUMENT # 2019062546

ORDINANCE

RECORDING FEES:	0.00
TOTAL:	0.00
CASH:	0.00 0

THANK YOU

ANITA MATHER
RECORDER
ALLEN COUNTY, IN

BILL NO. G-18-01-01

REPORT OF COMMITTEE ON REGULATIONS

November 26, 2019

Tom Freistroffer 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

Between Lots 62 and 63 of Fox's Addition at 2104 Miner St and along the east side of Lots 1-2 of Broadway Place, east of 2107 Broadway


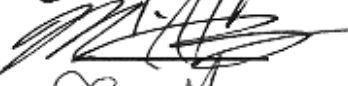
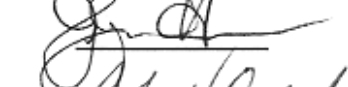
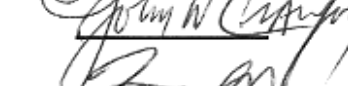
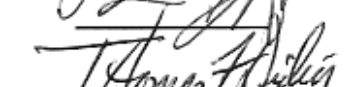

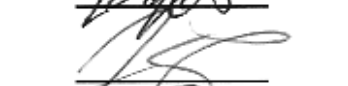

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

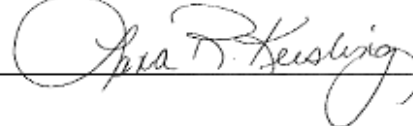
DO NOT PASS

ABSTAIN

NO REC

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

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: January 23, 2018

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

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

Read the third time in full and on motion by Councilman Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: November 26, 2019


STACY A. REED, DEPUTY CITY CLERK

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

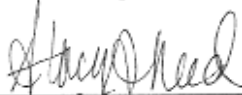
General Ordinance No. G-18-01-01 on the 26th day of November, 2019



STACY A. REED
DEPUTY CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th
of November 2019, at the hour of 9:15 o'clock A.M. E.S.T.



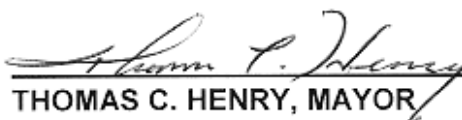
STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 2ND day of December
2019, at the hour of 12:30 o'clock PM E.S.T.

FORT WAYNE, INDIANA
RECEIVED

DEC 02 2019

LANA R. KEESLING
CITY CLERK


THOMAS C. HENRY, MAYOR