



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

VEAS-2018-0005

BILL NO. G-18-06-03

**2018041230**  
**RECORDED: 08/15/2018 2:44:52 PM** **Cabinet C**  
**ANITA MATHER** **Page 134**  
**ALLEN COUNTY RECORDER**  
**FORT WAYNE, IN**  
**GENERAL ORDINANCE NO. G-16-18**

**AN ORDINANCE for the purpose of  
Vacating a platted utility easement.**

WHEREAS, a petition to vacate a platted utility easement 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 portion of a platted utility easement within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

Part of that part of Block Number 4 designated as Utility and Surface Drainage Easement, in Baer Field Industrial Park, Section I, as recorded in Plat Cabinet C, page 134, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows, to-wit:

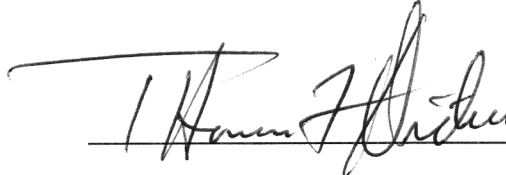
Commencing at the Southeast corner of said Block Number 4, thence North 00 degrees 54 minutes 53 seconds West (GPS Grid basis of bearings), on and along the East line of said Block Number 4, a distance of 30.01 feet to the true point of beginning; thence North 00 degrees 54 minutes 53 seconds West, continuing on and along said East line, a distance of 629.61 feet to a point situated 10.00 feet, South 00 degrees 54 minutes 53 seconds East from the Northeast corner of said Block Number 4; thence South 89 degrees 52 minutes 09 seconds West and parallel with the North line of said Block Number 4, a distance of 50.00 feet; thence South 00 degrees 54 minutes 53 seconds East and parallel with the East line of said Block Number 4, a distance of 629.23 feet; thence South 89 degrees 41 minutes 29 seconds East and parallel with the South line of said Block Number 4, a distance of 50.01 feet to the true point of beginning, containing 0.722 acres of land.

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

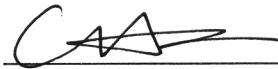
(3) NK

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:

  X   Easement                                 Public Right of Way (street or alley)

More particularly described as follows:

The 50' Utility and Surface Drainage Easement as described in the attached Exhibit "A" along the East Property Line of Block Number 4 in Baer Field Industrial Park, Section I.

(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:** CAB C **PAGE(S) NUMBER(S):** 134 (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:

Vita Nonwovens is proposing to expand their Fort Wayne facility to the east. A 390' wide strip of land adjoining their east property line has been acquired for this purpose. It is desired to remove the easement that now lies along the common property line to allow the expansion to connect to the existing facility.

(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:**

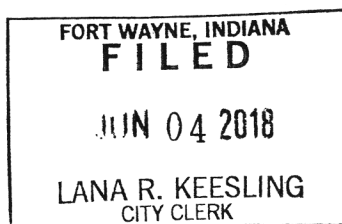
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

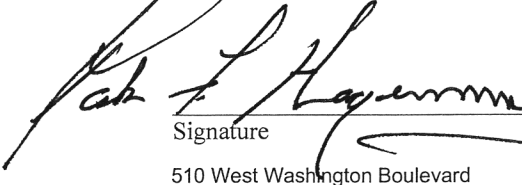
Name: Torrey Ehrman

Street Address: 221 West Baker Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 422-7994



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.



Mark Hagerman, President, HBC Realty Corp. June 4, 2018

Signature Printed Name Date

510 West Washington Boulevard Fort 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): \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

**NOTICE:**

- Legal Description is to be the area to be vacated and must be complete ad 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:**

VEAS-2018-0005

G-18-06-03

Receipt #: \_\_\_\_\_

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

Pleasant 5

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

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

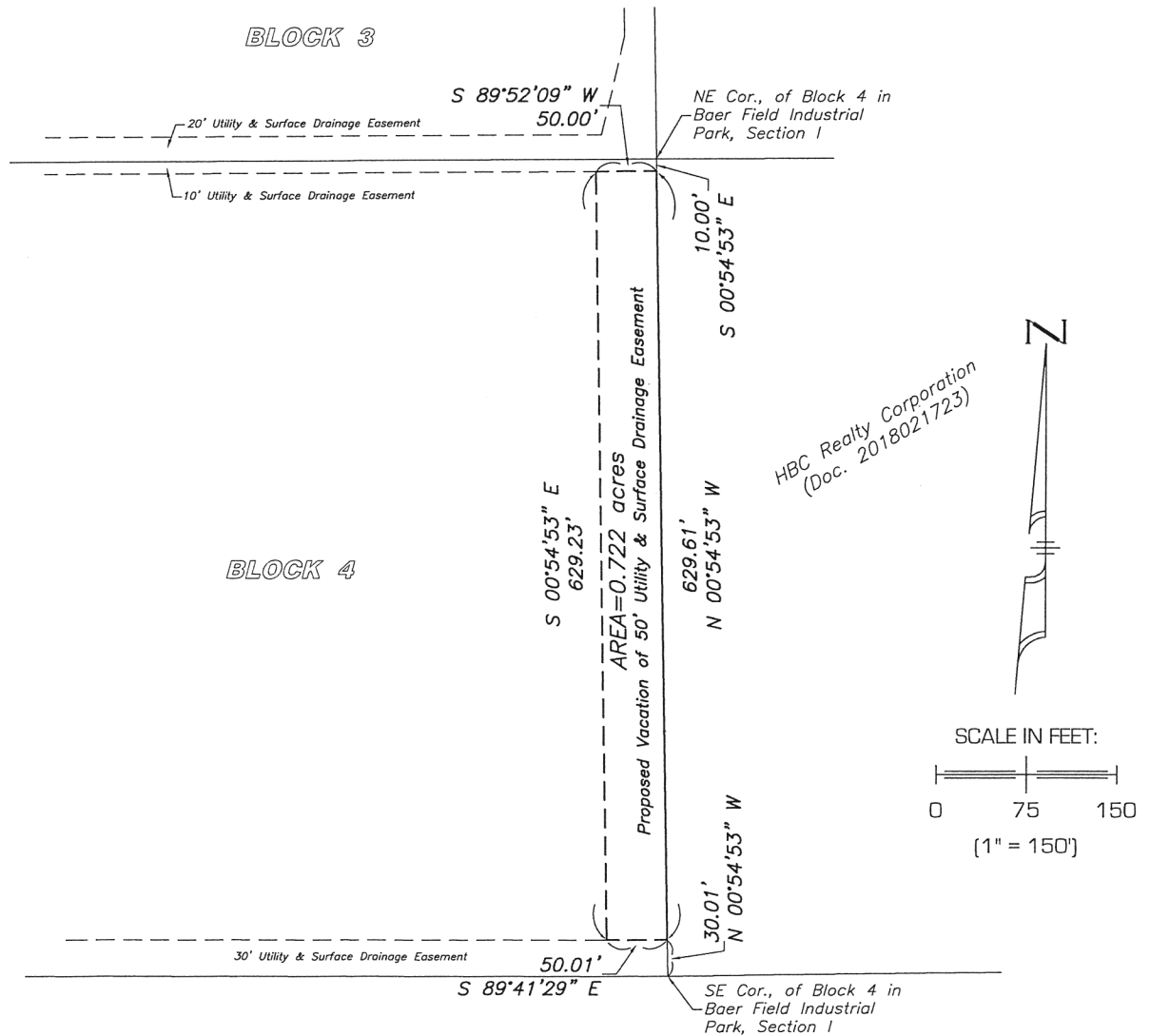
G39

EXHIBIT "A"

**DESCRIPTION:**

Part of that part of Block Number 4 designated as Utility & Surface Drainage Easement, in Baer Field Industrial Park, Section I, as recorded in Plat Cabinet C, page 134, in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of said Block Number 4; thence North 00 degrees 54 minutes 53 seconds West (GPS Grid basis of bearings), on and along the East line of said Block Number 4, a distance of 30.01 feet to the true point of beginning; thence North 00 degrees 54 minutes 53 seconds West, continuing on and along said East line, a distance of 629.61 feet to a point situated 10.00 feet, South 00 degrees 54 minutes 53 seconds East from the Northeast corner of said Block Number 4; thence South 89 degrees 52 minutes 09 seconds West and parallel with the North line of said Block Number 4, a distance of 50.00 feet; thence South 00 degrees 54 minutes 53 seconds East and parallel with the East line of said Block Number 4, a distance of 629.23 feet; thence South 89 degrees 41 minutes 29 seconds East and parallel with the South line of said Block Number 4, a distance of 50.01 feet to the true point of beginning, containing 0.722 acres of land.



Sauer Land Surveying, Inc.

14033 Illinois Road, Suite C Tel: 260/469-3300  
Fort Wayne, IN 46814 Fax: 469-3301

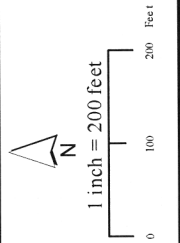


Vacation Petition VEAS-2018-0005



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, to the County of Allen, North American Datum 1983 State Plane Coordinate System, Indiana East Photos and Contours Spring 2009 Date: 5/31/2018

Project Boundaries Represented with Bold Lines are for Representational Purposes Only



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

---

**Department of Planning Services**

Title of Ordinance: Vacation of Platted Easement  
Case Number: VEAS-2018-0005  
Bill Number: G-18-06-03  
Council District: 4-Arp

---

Introduction Date: June 12, 2018  
Public Hearing Date: June 26, 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 portion of the 50-foot wide easement on Block Number 4 in Baer Field Industrial Park, Section I (Also known as Airport Business Center, Section I).

Location: 9403 Avionics Drive

Reason for Request: To vacate an easement for a building expansion.

Applicant: HBC Realty Corp

Property Owner: HBC Realty Corp

---

Related Petitions: Site Plan Review, Vita Nonwovens Expansion

---

Effect of Passage: Vacation of the utility easement will allow the existing industrial business to expand.

Effect of Non-Passage: Maintaining the existing unused easement will prohibit the business from expanding their building on this established site.

**BILL NO. G-18-06-03**

**REPORT OF COMMITTEE ON REGULATIONS**

**June 26, 2018**

**Thomas Didier Chair**

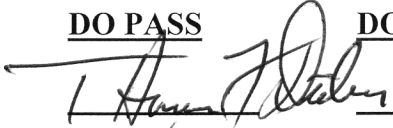
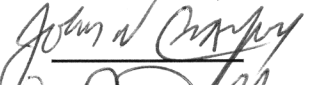





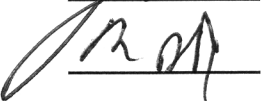
**Paul Ensley Co-Chair**

**All Council Members**

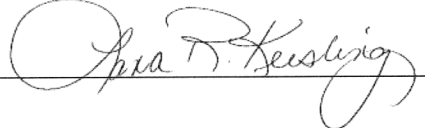
An Ordinance for the purpose of Vacating a platted utility easement.

To vacate a portion of the 50-foot wide easement on Block Number 4 in Baer Field Industrial Park, Section I, 9403 Avionics Drive

COMMITTEE ON REGULATIONS 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**



Public Hearing Date: June 26, 2018

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

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

Read the third time in full and on motion by Councilman Didier, 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"/>

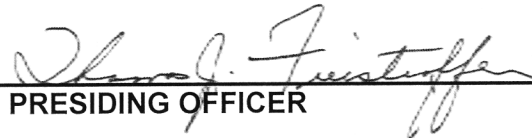
DATED: June 26, 2018

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

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 General Ordinance No. G-18-06-03 on the 26th day of June, 2018

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 June 2018, at the hour of 10:33 o'clock A.M. E.S.T.

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

Approved and signed by me this 28<sup>TH</sup> day of June  
 2018, at the hour of 2:00 O'clock PM . E.S.T.

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

# The Journal Gazette

Account # 1063561 - 1329938

Allen County, Indiana

FW City Clerk's Office

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	53

### COMPUTATION OF CHARGES

<u>53</u> lines, <u>1</u> column(s) wide equals	
<u>53</u> equivalent lines at \$ <u>0.460</u> cents per line	\$ 24.38
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>\$ 24.38</u>

### DATA FOR COMPUTING COST

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

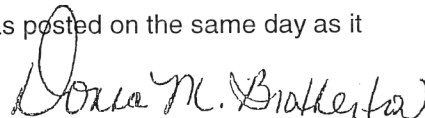
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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>6/15/2018</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.



Donna M. Brotherton  
Legal Clerk

Date: June 15, 2018

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
ORDINANCE NO. G-18-06-03**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 26, 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: A portion of the 50-foot wide easement on Block Number 4 in Baer Field Industrial Park, Section I, 9403 Avionics Drive

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 26, 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

6--15 1329938 hspaxlp



**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
ORDINANCE NO. G-18-06-03**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 26, 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: A portion of the 50-foot wide easement on Block Number 4 in Baer Field Industrial Park, Section 1, 9403 Avionics Drive

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 26, 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

6--15 1329938 hspaxlp

---

08/15/2018 2:44:51 PM  
CITY OF FT WAYNE CLERKS OFFICE  
0.00  
JENNIFERG  
TRANSACTION # 4331823

2018041229	ORDINANCE	0.00
2018041230	ORDINANCE	0.00

RECORDING FEES: 0.00  
TOTAL: 0.00  
CASH: 0.00

THANK YOU

ANITA MATHER  
RECORDER  
ALLEN COUNTY, IN