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ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

1 VROW-2018-0003

2 BILL NO. G-18-11-05 (corrected)

3
4 GENERAL ORDINANCE NO. G- 34-19

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:

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

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:

MAR 13 2020

17 **Tract 1 – 0.962 Acres**

18 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Fourth Principal
19 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

20 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
21 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
22 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
23 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
24 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
25 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
26 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
27 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
28 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
29 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
30 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
(Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
existing tract described in Document Number 2015016466 in the Office of the said Recorder, said
point also being the POINT OF BEGINNING of the herein described tract; thence North 89 degrees 24
minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939
and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along said centerline being a
non-tangent curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 905.20
feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of 905.11 feet bearing

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AUDITOR OF ALLEN COUNTY
[Signature]

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1 South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller Firm #0095"
2 identification cap set on the Southerly extension of the West line of said Document Number
3 2015016466; thence North 03 degrees 14 minutes 33 seconds West, a distance of 131.87 feet along
4 said extension to a 5/8" steel rebar with a "Anderson" identification cap found at the Southwest corner
5 of said Document Number 2015016466, said point also being the point of curvature of a non-tangent
6 curve concave to the Southeast having a radius of 12347.69 feet; thence Northeasterly along said curve
7 also being parallel with and 70 feet distant from the centerline of Baer Field Expressway being Line
8 P.R. NO.1"B" Per Project Number U-377(12)-1971 a distance of 249.32 feet, having a central angle of
9 01 degrees 09 minutes 25 seconds, and a chord of 249.32 feet bearing North 34 degrees 49 minutes 20
10 seconds East to a 5/8" steel rebar with an "Anderson" identification cap found at the point of curvature
11 of a non-tangent curve concave to the Southeast having a radius of 1502.40 feet; thence Northeasterly
12 along said curve also being parallel with and 70 feet distant from the centerline of said Baer Field
13 Expressway a distance of 93.34 feet, having a central angle of 03 degrees 33 minutes 35 seconds, and a
14 chord of 93.32 feet bearing North 37 degrees 20 minutes 51 seconds East to a 5/8" steel rebar with a
15 "Anderson" identification cap found at the point of curvature of a non-tangent curve concave to the
16 Northwest having a radius of 19058.68 feet; thence Northeasterly along said curve also being parallel
17 with and 40 feet distant from the centerline of Indianapolis Road a distance of 430.69 feet, having a
18 central angle of 01 degrees 17 minutes 41 seconds, and a chord of 430.68 feet bearing North 28
19 degrees 45 minutes 05 seconds East to the Point of Beginning. Containing 0.962 Acres, more or less.
20 Subject to easements of record.

21 **Tract 2 – 1.467 Acres:**

22 **Tract 2A – 1.165 Acres**

23 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
24 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

25 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
26 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
27 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
28 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
29 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
30 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
(Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
"Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971, said point also being the
POINT OF BEGINNING of the herein described tract; thence continuing North 89 degrees 24 minutes
25 seconds East, a distance of 114.95 feet to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set on the Westerly line of an existing 1.27 acre tract described in Document Number
205038902 in the Office of said Recorder; thence South 44 degrees 07 minutes 53 seconds West, a
distance of 17.41 feet along said Westerly line to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set at the point of curvature of a non-tangent curve, concave to the Northwest, having
a radius of 420.00 feet (deed), thence Southwesterly along said curve also being the Westerly line of
said 1.27 acre tract a distance of 160.44 feet, having a central angle of 21 degrees 53 minutes 12
seconds, and a chord of 159.46 feet bearing South 11 degrees 40 minutes 26 seconds West to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Baer Field Expressway
Per Project Number U-377(12)-1971; thence continuing along said curve, concave to the Northwest,

1 having a radius of 420.00 feet (deed), thence Southwesterly a distance of 155.32 feet, having a central
2 angle of 21 degrees 11 minutes 20 seconds, and a chord of 154.44 feet bearing South 33 degrees 12
3 minutes 42 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set; thence
4 South 43 degrees 48 minutes 22 seconds West, a distance of 143.39 feet (deed) along the West line of
5 said 1.27 acre tract to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the
6 Northeasterly line of an existing tract described in Document Number 2015013063 in the Office of the
7 said Recorder; thence North 19 degrees 19 minutes 15 seconds West, a distance of 123.48 feet along
8 said extension to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline
9 of said Indianapolis Road; thence Northeasterly along said centerline being a non-tangent curve,
10 concave to the Northwest, having a radius of 19098.68 feet, a distance of 322.82 feet, having a central
11 angle of 00 degrees 58 minutes 06 seconds, and a chord of 322.81 feet bearing North 28 degrees 31
12 minutes 21 seconds East to the Point of Beginning. Containing 1.165 Acres, more or less. Subject to
13 easements of record.

14 **Tract 2B – 0.302 Acres**

15 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
16 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

17 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
18 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
19 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
20 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
21 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
22 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
23 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
24 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
25 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
26 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
27 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
28 (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
29 West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
30 existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
"Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along
said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a
distance of 905.20 feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of
905.11 feet bearing South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set on the Southerly extension of the West line of said Document
Number 2015016466, said point also being the POINT OF BEGINNING of the herein described tract;
thence Northeasterly along said centerline and along said curve, concave to the Northwest, having a
radius of 19098.68 feet, a distance of 140.75 feet, having central angle of 02 degrees 42 minutes 56
seconds, and a chord of 140.75 feet bearing North 30 degrees 32 minutes 34 seconds East to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the South line of an existing tract
described in Document Number 2015013063 in the Office of the Recorder of Allen County, Indiana;
thence North 88 degrees 32 minutes 10 seconds East, a distance of 85.14 feet along said South line to a
5/8" steel rebar with a "Miller Firm #0095" identification cap set at the Northwest corner of an existing
0.954 acre tract described in Document Number 203071246 in the Office of the Recorder of Allen
County, Indiana, said point also being the point of curvature of a non-tangent curve, concave to the
Southeast, having a radius of 12207.69 feet, thence Southwesterly along said curve also being the
South right-of-way line of said Baer Field Expressway a distance of 269.87 feet, having a central angle
of 01 degrees 16 minutes 00 seconds, and a chord of 269.87 feet bearing South 34 degrees 00 minutes
43 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the
Southerly extension of the West line of said Document Number 2015016466; thence North 03 degrees

1 14 minutes 33 seconds West, a distance of 100.46 feet along said extension to the Point of Beginning.
2 Containing 0.302 Acres, more or less. Subject to easements of record.

3 TOGETHER WITH:

4 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
5 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

6 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
7 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
8 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
9 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
10 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
11 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
12 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
13 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
14 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
15 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
16 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
17 (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
18 West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
19 existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
20 North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
21 "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
22 Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971; thence Southwesterly along
23 said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a
24 distance of 322.82 feet, having a central angle of 00 degrees 58 minutes 06 seconds, and a chord of
25 322.81 feet bearing South 28 degrees 31 minutes 21 seconds West, to a 5/8" steel rebar with a "Miller
26 Firm #0095" identification cap set on the most Northerly point of an existing tract described in
27 Document Number 2015015063 in the Office of the Recorder of Allen County, Indiana, said point also
28 being the POINT OF BEGINNING of the herein described tract; thence South 19 degrees 19 minutes
29 15 seconds East, a distance of 145.95 feet along the Easterly line of said Document Number
30 2015015063 to a point on the South right-of-way line of said Baer Field Expressway, said point being
referenced by a 5/8" steel rebar with a "0027" identification cap found 0.19 feet East and 0.55 feet
South; thence along said right-of-way and along a non-tangent curve, concave to the Southeast, having
a radius of 1362.40 feet, a distance of 143.56 feet, having central angle of 06 degrees 02 minutes 14
seconds, and a chord of 143.49 feet bearing South 38 degrees 35 minutes 41 seconds West to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on a compound curve; thence continuing
along said right-of-way and along a curve, concave to the Southeast, having a radius of 12207.69 feet, a
distance of 160.77 feet, having central angle of 00 degrees 45 minutes 16 seconds, and a chord of
160.77 feet bearing South 35 degrees 01 minutes 21 seconds West to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set on the South line of said Document Number 2015015063; thence
South 88 degrees 32 minutes 10 seconds West, a distance of 85.14 feet along said South line to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the centerline of said Indianapolis
Road; thence along said centerline and along a non-tangent curve, concave to the Northwest, having a
radius of 19098.68 feet, a distance of 441.63 feet, having central angle of 01 degrees 19 minutes 30
seconds, and a chord of 441.62 feet bearing North 29 degrees 40 minutes 09 seconds East to the Point
of Beginning. Containing 0.762 Acres, more or less. Subject to easements of record.

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

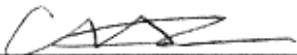
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SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.



Thomas J. Freistoffer
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

1 VROW-2018-0003

2 BILL NO. G-18-11-05 (corrected)

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 **Tract 1 – 0.962 Acres**

18 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
19 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

20 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
21 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
22 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
23 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
24 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
25 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
26 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
27 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
28 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
29 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
30 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
(Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
existing tract described in Document Number 2015016466 in the Office of the said Recorder, said
point also being the POINT OF BEGINNING of the herein described tract; thence North 89 degrees 24
minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939
and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along said centerline being a
non-tangent curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 905.20
feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of 905.11 feet bearing

1 South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller Firm #0095"
2 identification cap set on the Southerly extension of the West line of said Document Number
3 2015016466; thence North 03 degrees 14 minutes 33 seconds West, a distance of 131.87 feet along
4 said extension to a 5/8" steel rebar with a "Anderson" identification cap found at the Southwest corner
5 of said Document Number 2015016466, said point also being the point of curvature of a non-tangent
6 curve concave to the Southeast having a radius of 12347.69 feet; thence Northeasterly along said curve
7 also being parallel with and 70 feet distant from the centerline of Baer Field Expressway being Line
8 P.R. NO.1"B" Per Project Number U-377(12)-1971 a distance of 249.32 feet, having a central angle of
9 01 degrees 09 minutes 25 seconds, and a chord of 249.32 feet bearing North 34 degrees 49 minutes 20
10 seconds East to a 5/8" steel rebar with an "Anderson" identification cap found at the point of curvature
11 of a non-tangent curve concave to the Southeast having a radius of 1502.40 feet; thence Northeasterly
12 along said curve also being parallel with and 70 feet distant from the centerline of said Baer Field
13 Expressway a distance of 93.34 feet, having a central angle of 03 degrees 33 minutes 35 seconds, and a
14 chord of 93.32 feet bearing North 37 degrees 20 minutes 51 seconds East to a 5/8" steel rebar with a
15 "Anderson" identification cap found at the point of curvature of a non-tangent curve concave to the
16 Northwest having a radius of ~~1502.40~~ 19058.68 feet; thence Northeasterly along said curve also being
17 parallel with and 40 feet distant from the centerline of Indianapolis Road a distance of 430.69 feet,
18 having a central angle of 01 degrees 17 minutes 41 seconds, and a chord of 430.68 feet bearing North
19 28 degrees 45 minutes 05 seconds East to the Point of Beginning. Containing 0.962 Acres, more or
20 less. Subject to easements of record.

21 **Tract 2 – 1.467 Acres:**

22 **Tract 2A – 1.165 Acres**

23 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
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25 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
26 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
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29 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
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26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
(Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
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existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
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POINT OF BEGINNING of the herein described tract; thence continuing North 89 degrees 24 minutes
25 seconds East, a distance of 114.95 feet to a 5/8" steel rebar with a "Miller Firm #0095"
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205038902 in the Office of said Recorder; thence South 44 degrees 07 minutes 53 seconds West, a
distance of 17.41 feet along said Westerly line to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set at the point of curvature of a non-tangent curve, concave to the Northwest, having
a radius of 420.00 feet (deed), thence Southwesterly along said curve also being the Westerly line of
said 1.27 acre tract a distance of 160.44 feet, having a central angle of 21 degrees 53 minutes 12
seconds, and a chord of 159.46 feet bearing South 11 degrees 40 minutes 26 seconds West to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Baer Field Expressway
Per Project Number U-377(12)-1971; thence continuing along said curve, concave to the Northwest,

1 having a radius of 420.00 feet (deed), thence Southwesterly a distance of 155.32 feet, having a central
2 angle of 21 degrees 11 minutes 20 seconds, and a chord of 154.44 feet bearing South 33 degrees 12
3 minutes 42 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set; thence
4 South 43 degrees 48 minutes 22 seconds West, a distance of 143.39 feet (deed) along the West line of
5 said 1.27 acre tract to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the
6 Northeasterly line of an existing tract described in Document Number 2015013063 in the Office of the
7 said Recorder; thence North 19 degrees 19 minutes 15 seconds West, a distance of 123.48 feet along
8 said extension to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline
9 of said Indianapolis Road; thence Northeasterly along said centerline being a non-tangent curve,
10 concave to the Northwest, having a radius of 19098.68 feet, a distance of 322.82 feet, having a central
11 angle of 00 degrees 58 minutes 06 seconds, and a chord of 322.81 feet bearing North 28 degrees 31
12 minutes 21 seconds East to the Point of Beginning. Containing 1.165 Acres, more or less. Subject to
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14 **Tract 2B – 0.302 Acres**

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29 West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
30 existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
"Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along
said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a
distance of 905.20 feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of
905.11 feet bearing South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set on the Southerly extension of the West line of said Document
Number 2015016466, said point also being the POINT OF BEGINNING of the herein described tract;
thence Northeasterly along said centerline and along said curve, concave to the Northwest, having a
radius of 19098.68 feet, a distance of 140.75 feet, having central angle of 02 degrees 42 minutes 56
seconds, and a chord of 140.75 feet bearing North 30 degrees 32 minutes 34 seconds East to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the South line of an existing tract
described in Document Number 2015013063 in the Office of the Recorder of Allen County, Indiana;
thence North 88 degrees 32 minutes 10 seconds East, a distance of 85.14 feet along said South line to a
5/8" steel rebar with a "Miller Firm #0095" identification cap set at the Northwest corner of an existing
0.954 acre tract described in Document Number 203071246 in the Office of the Recorder of Allen
County, Indiana, said point also being the point of curvature of a non-tangent curve, concave to the
Southeast, having a radius of 12207.69 feet, thence Southwesterly along said curve also being the
South right-of-way line of said Baer Field Expressway a distance of 269.87 feet, having a central angle
of 01 degrees 16 minutes 00 seconds, and a chord of 269.87 feet bearing South 34 degrees 00 minutes
43 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the
Southerly extension of the West line of said Document Number 2015016466; thence North 03 degrees

1 14 minutes 33 seconds West, a distance of 100.46 feet along said extension to the Point of Beginning.
2 Containing 0.302 Acres, more or less. Subject to easements of record.

3 TOGETHER WITH:

4 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
5 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

6 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
7 Station I+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
8 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
9 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
10 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
11 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
12 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
13 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
14 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
15 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
16 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
17 (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
18 West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
19 existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
20 North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
21 "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
22 Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971; thence Southwesterly along
23 said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a
24 distance of 322.82 feet, having a central angle of 00 degrees 58 minutes 06 seconds, and a chord of
25 322.81 feet bearing South 28 degrees 31 minutes 21 seconds West, to a 5/8" steel rebar with a "Miller
26 Firm #0095" identification cap set on the most Northerly point of an existing tract described in
27 Document Number 2015015063 in the Office of the Recorder of Allen County, Indiana, said point also
28 being the POINT OF BEGINNING of the herein described tract; thence South 19 degrees 19 minutes
29 15 seconds East, a distance of 145.95 feet along the Easterly line of said Document Number
30 2015015063 to a point on the South right-of-way line of said Baer Field Expressway, said point being
referenced by a 5/8" steel rebar with a "0027" identification cap found 0.19 feet East and 0.55 feet
South; thence along said right-of-way and along a non-tangent curve, concave to the Southeast, having
a radius of 1362.40 feet, a distance of 143.56 feet, having central angle of 06 degrees 02 minutes 14
seconds, and a chord of 143.49 feet bearing South 38 degrees 35 minutes 41 seconds West to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on a compound curve; thence continuing
along said right-of-way and along a curve, concave to the Southeast, having a radius of 12207.69 feet, a
distance of 160.77 feet, having central angle of 00 degrees 45 minutes 16 seconds, and a chord of
160.77 feet bearing South 35 degrees 01 minutes 21 seconds West to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set on the South line of said Document Number 2015015063; thence
South 88 degrees 32 minutes 10 seconds West, a distance of 85.14 feet along said South line to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the centerline of said Indianapolis
Road; thence along said centerline and along a non-tangent curve, concave to the Northwest, having a
radius of 19098.68 feet, a distance of 441.63 feet, having central angle of 01 degrees 19 minutes 30
seconds, and a chord of 441.62 feet bearing North 29 degrees 40 minutes 09 seconds East to the Point
of Beginning. Containing 0.762 Acres, more or less. Subject to easements of record.

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

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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



2019066864

RECORDED: 12/27/2019 09:34:51 AM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

VROW-2018-0003
BILL NO. G-18-11-05

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

GENERAL ORDINANCE NO. G- 34-19

DEC 26 2019

**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:

Tract 1 - 0.962 Acres

Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I. Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an existing tract described in Document Number 2015016466 in the Office of the said Recorder, said point also being the POINT OF BEGINNING of the herein described tract; thence North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along said centerline being a non-tangent curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 905.20 feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of 905.11 feet bearing

1 South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller Firm #0095"
2 identification cap set on the Southerly extension of the West line of said Document Number
3 2015016466; thence North 03 degrees 14 minutes 33 seconds West, a distance of 131.87 feet along
4 said extension to a 5/8" steel rebar with a "Anderson" identification cap found at the Southwest corner
5 of said Document Number 2015016466, said point also being the point of curvature of a non-tangent
6 curve concave to the Southeast having a radius of 12347.69 feet; thence Northeasterly along said curve
7 also being parallel with and 70 feet distant from the centerline of Baer Field Expressway being Line
8 P.R. NO.1"B". Per Project Number U-377(12)-1971 a distance of 249.32 feet, having a central angle of
9 01 degrees 09 minutes 25 seconds, and a chord of 249.32 feet bearing North 34 degrees 49 minutes 20
10 seconds East to a 5/8" steel rebar with an "Anderson" identification cap found at the point of curvature
11 of a non-tangent curve concave to the Southeast having a radius of 1502.40 feet; thence Northeasterly
12 along said curve also being parallel with and 70 feet distant from the centerline of said Baer Field
13 Expressway a distance of 93.34 feet, having a central angle of 03 degrees 33 minutes 35 seconds, and a
14 chord of 93.32 feet bearing North 37 degrees 20 minutes 51 seconds East to a 5/8" steel rebar with a
15 "Anderson" identification cap found at the point of curvature of a non-tangent curve concave to the
16 Northwest having a radius of 1502.40 feet; thence Northeasterly along said curve also being parallel
17 with and 40 feet distant from the centerline of Indianapolis Road a distance of 430.69 feet, having a
18 central angle of 01 degrees 17 minutes 41 seconds, and a chord of 430.68 feet bearing North 28
19 degrees 45 minutes 05 seconds East to the Point of Beginning. Containing 0.962 Acres, more or less.
20 Subject to easements of record.

21 **Tract 2 – 1.467 Acres:**

22 **Tract 2A – 1.165 Acres**

23 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
24 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

25 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
26 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
27 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
28 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
29 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
30 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
(Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
"Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971, said point also being the
POINT OF BEGINNING of the herein described tract; thence continuing North 89 degrees 24 minutes
25 seconds East, a distance of 114.95 feet to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set on the Westerly line of an existing 1.27 acre tract described in Document Number
205038902 in the Office of said Recorder; thence South 44 degrees 07 minutes 53 seconds West, a
distance of 17.41 feet along said Westerly line to a 5/8" steel rebar with a "Miller Firm #0095"
identification cap set at the point of curvature of a non-tangent curve, concave to the Northwest, having
a radius of 420.00 feet (deed), thence Southwesterly along said curve also being the Westerly line of
said 1.27 acre tract a distance of 160.44 feet, having a central angle of 21 degrees 53 minutes 12
seconds, and a chord of 159.46 feet bearing South 11 degrees 40 minutes 26 seconds West to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Baer Field Expressway
Per Project Number U-377(12)-1971; thence continuing along said curve, concave to the Northwest,

1 having a radius of 420.00 feet (deed), thence Southwesterly a distance of 155.32 feet, having a central
2 angle of 21 degrees 11 minutes 20 seconds, and a chord of 154.44 feet bearing South 33 degrees 12
3 minutes 42 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set; thence
4 South 43 degrees 48 minutes 22 seconds West, a distance of 143.39 feet (deed) along the West line of
5 said 1.27 acre tract to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the
6 Northeastly line of an existing tract described in Document Number 2015013063 in the Office of the
7 said Recorder; thence North 19 degrees 19 minutes 15 seconds West, a distance of 123.48 feet along
8 said extension to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline
9 of said Indianapolis Road; thence Northeastly along said centerline being a non-tangent curve,
10 concave to the Northwest, having a radius of 19098.68 feet, a distance of 322.82 feet, having a central
11 angle of 00 degrees 58 minutes 06 seconds, and a chord of 322.81 feet bearing North 28 degrees 31
12 minutes 21 seconds East to the Point of Beginning. Containing 1.165 Acres, more or less. Subject to
13 easements of record.

14 **Tract 2B – 0.302 Acres**

15 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
16 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

17 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
18 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
19 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
20 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
21 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
22 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
23 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
24 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
25 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
26 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
27 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
28 (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
29 West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
30 existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
"Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along
said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a
distance of 905.20 feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of
905.11 feet bearing South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set on the Southerly extension of the West line of said Document
Number 2015016466, said point also being the POINT OF BEGINNING of the herein described tract;
thence Northeastly along said centerline and along said curve, concave to the Northwest, having a
radius of 19098.68 feet, a distance of 140.75 feet, having central angle of 02 degrees 42 minutes 56
seconds, and a chord of 140.75 feet bearing North 30 degrees 32 minutes 34 seconds East to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the South line of an existing tract
described in Document Number 2015013063 in the Office of the Recorder of Allen County, Indiana;
thence North 88 degrees 32 minutes 10 seconds East, a distance of 85.14 feet along said South line to a
5/8" steel rebar with a "Miller Firm #0095" identification cap set at the Northwest corner of an existing
0.954 acre tract described in Document Number 203071246 in the Office of the Recorder of Allen
County, Indiana, said point also being the point of curvature of a non-tangent curve, concave to the
Southeast, having a radius of 12207.69 feet, thence Southwesterly along said curve also being the
South right-of-way line of said Baer Field Expressway a distance of 269.87 feet, having a central angle
of 01 degrees 16 minutes 00 seconds, and a chord of 269.87 feet bearing South 34 degrees 00 minutes
43 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the
Southerly extension of the West line of said Document Number 2015016466; thence North 03 degrees

1 14 minutes 33 seconds West, a distance of 100.46 feet along said extension to the Point of Beginning.
2 Containing 0.302 Acres, more or less. Subject to easements of record.

3 TOGETHER WITH:

4 Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal
5 Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

6 Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I.
7 Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the
8 Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees
9 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47
10 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport
11 Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in
12 Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28
13 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South
14 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the
15 Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the
16 Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet
17 (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds
18 West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an
19 existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence
20 North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a
21 "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per
22 Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971; thence Southwesterly along
23 said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a
24 distance of 322.82 feet, having a central angle of 00 degrees 58 minutes 06 seconds, and a chord of
25 322.81 feet bearing South 28 degrees 31 minutes 21 seconds West, to a 5/8" steel rebar with a "Miller
26 Firm #0095" identification cap set on the most Northerly point of an existing tract described in
27 Document Number 2015015063 in the Office of the Recorder of Allen County, Indiana, said point also
28 being the POINT OF BEGINNING of the herein described tract; thence South 19 degrees 19 minutes
29 15 seconds East, a distance of 145.95 feet along the Easterly line of said Document Number
30 2015015063 to a point on the South right-of-way line of said Baer Field Expressway, said point being
referenced by a 5/8" steel rebar with a "0027" identification cap found 0.19 feet East and 0.55 feet
South; thence along said right-of-way and along a non-tangent curve, concave to the Southeast, having
a radius of 1362.40 feet, a distance of 143.56 feet, having central angle of 06 degrees 02 minutes 14
seconds, and a chord of 143.49 feet bearing South 38 degrees 35 minutes 41 seconds West to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on a compound curve; thence continuing
along said right-of-way and along a curve, concave to the Southeast, having a radius of 12207.69 feet, a
distance of 160.77 feet, having central angle of 00 degrees 45 minutes 16 seconds, and a chord of
160.77 feet bearing South 35 degrees 01 minutes 21 seconds West to a 5/8" steel rebar with a "Miller
Firm #0095" identification cap set on the South line of said Document Number 2015015063; thence
South 88 degrees 32 minutes 10 seconds West, a distance of 85.14 feet along said South line to a 5/8"
steel rebar with a "Miller Firm #0095" identification cap set on the centerline of said Indianapolis
Road; thence along said centerline and along a non-tangent curve, concave to the Northwest, having a
radius of 19098.68 feet, a distance of 441.63 feet, having central angle of 01 degrees 19 minutes 30
seconds, and a chord of 441.62 feet bearing North 29 degrees 40 minutes 09 seconds East to the Point
of Beginning. Containing 0.762 Acres, more or less. Subject to easements of record.

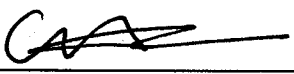
and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
and is hereby approved in all respects.

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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
Tom Freistroffer

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

FORT WAYNE, INDIANA
FILED
OCT 15 2018
LANA R. KEESLING
CITY CLERK

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:

Legal description attached. The right of way to be vacated is along the eastern edge of land parcel 02170410100100007, doc # 2015016466. Referenced as tract 1 in the attached survey. Property address is 8900 Indianapolis Rd, Fort Wayne, IN 46809.

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

Doc # 2015016466

DEED BOOK NUMBER: N/A PAGE(S) NUMBER(S): N/A (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:

Future land development in support of the airport. Removing the unused right of way makes the land desirable for development. Currently the right of way splits undeveloped land into very small sections.

(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: Patrick Dooley Agent for Fort Wayne-Allen County Airport Authority
Street Address: 3801 W Ferguson Rd Ste 209
City: Fort Wayne State: IN Zip: 46809 Phone: 260-446-3447

Adjacent Property Owner

Three parcels are adjacent and are listed below:

02-17-04-102-002.003-080

02-17-04-102-001.000-080

02-17-04-102-004.001-080

All parcels are owned by Absolute LLC

Property Owner: John and Ellen Haifley

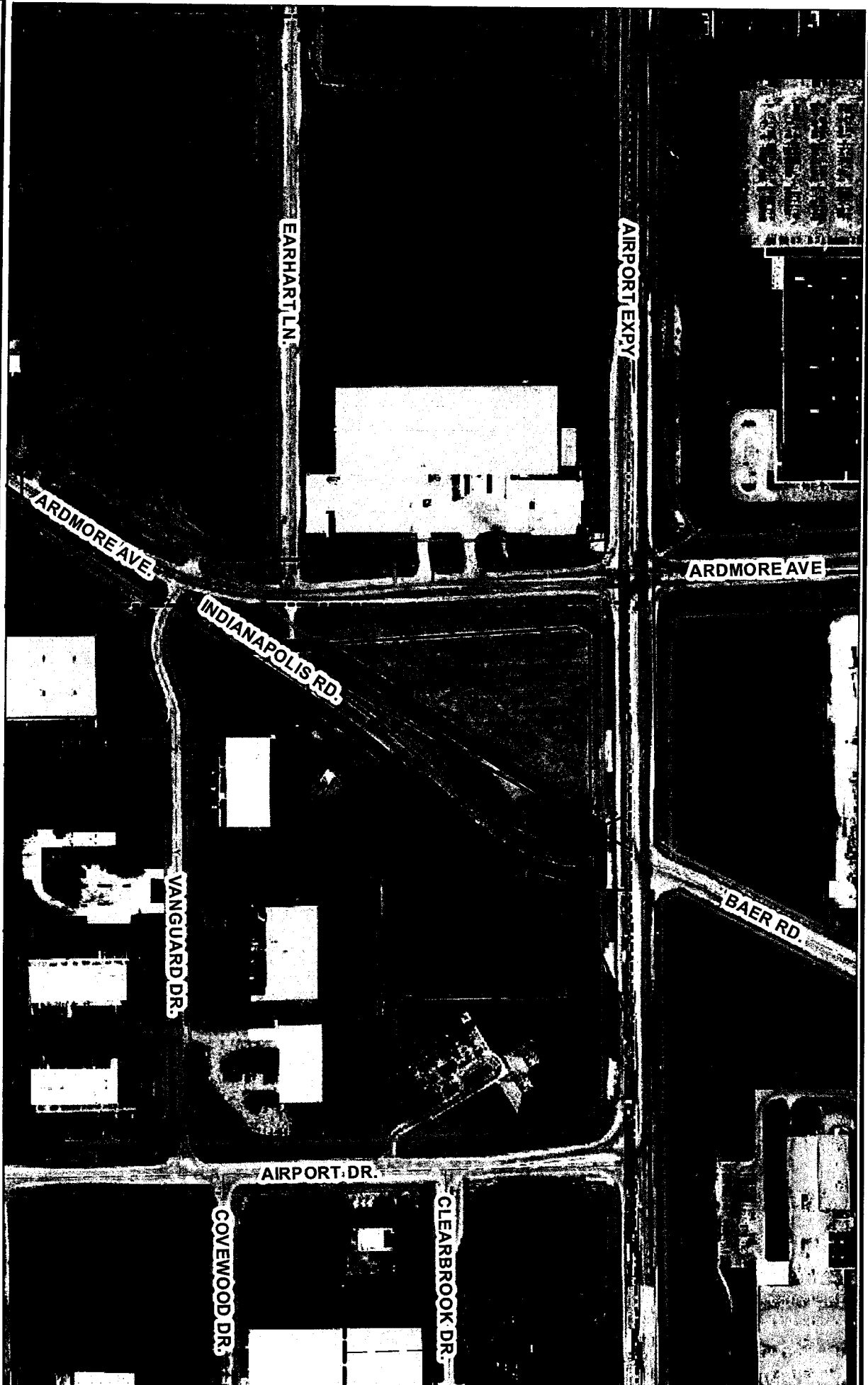
Street Address: 3834 Vanguard Dr

City: Fort Wayne

State: IN

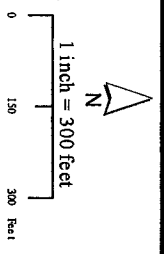
Zip Code: 46809

Phone Number: 260-747-4568



Project Boundaries Represented with Bold Lines are for Representational Purposes Only

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
Phone and Commerce Springs 2009
Date: 10/19/2018





Miller Land Surveying, Inc.

Precision and Professionalism is
Where We Draw the Line.

Brett R. Miller, PS, President
Robert J. Marucci, PS

Legal Description 2 Tracts - 2.623 Acres

Tract 1 – 0.962 Acres

Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I. Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an existing tract described in Document Number 2015016466 in the Office of the said Recorder, said point also being the POINT OF BEGINNING of the herein described tract; thence North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along said centerline being a non-tangent curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 905.20 feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of 905.11 feet bearing South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the Southerly extension of the West line of said Document Number 2015016466; thence North 03 degrees 14 minutes 33 seconds West, a distance of 131.87 feet along said extension to a 5/8" steel rebar with a "Anderson" identification cap found at the Southwest corner of said Document Number 2015016466, said point also being the point of curvature of a non-tangent curve concave to the Southeast having a radius of 12347.69 feet; thence Northeasterly along said curve also being parallel with and 70 feet distant from the centerline of Baer Field Expressway being Line P.R. NO.1"B" Per Project Number U-377(12)-1971 a distance of 249.32 feet, having a central angle of 01 degrees 09 minutes 25 seconds, and a chord of 249.32 feet bearing North 34 degrees 49 minutes 20 seconds East to a 5/8" steel rebar with an "Anderson" identification cap found at the point of curvature of a non-tangent curve concave to the Southeast having a radius of 1502.40 feet; thence Northeasterly along said curve also being parallel with and 70 feet distant from the centerline of said Baer Field Expressway a distance of 93.34 feet, having a central angle of 03 degrees 33 minutes 35 seconds, and a chord of 93.32 feet bearing North 37 degrees 20 minutes 51 seconds East to a 5/8" steel rebar with a "Anderson" identification cap found at the point of curvature of a non-tangent curve concave to the Northwest having a radius of 1502.40 feet; thence Northeasterly along said curve also being parallel with and 40 feet distant from the centerline of Indianapolis Road a distance of 430.69 feet, having a central angle of 01 degrees 17



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Robert J. Marucci, PS

minutes 41 seconds, and a chord of 430.68 feet bearing North 28 degrees 45 minutes 05 seconds East to the Point of Beginning. Containing 0.962 Acres, more or less. Subject to easements of record.

Tract 2 – 1.467 Acres

Tract 2A – 1.165 Acres

Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I. Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971, said point also being the POINT OF BEGINNING of the herein described tract; thence continuing North 89 degrees 24 minutes 25 seconds East, a distance of 114.95 feet to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the Westerly line of an existing 1.27 acre tract described in Document Number 205038902 in the Office of said Recorder; thence South 44 degrees 07 minutes 53 seconds West, a distance of 17.41 feet along said Westerly line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set at the point of curvature of a non-tangent curve, concave to the Northwest, having a radius of 420.00 feet (deed), thence Southwesterly along said curve also being the Westerly line of said 1.27 acre tract a distance of 160.44 feet, having a central angle of 21 degrees 53 minutes 12 seconds, and a chord of 159.46 feet bearing South 11 degrees 40 minutes 26 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Baer Field Expressway Per Project Number U-377(12)-1971; thence continuing along said curve, concave to the Northwest, having a radius of 420.00 feet (deed), thence Southwesterly a distance of 155.32 feet, having a central angle of 21 degrees 11 minutes 20 seconds, and a chord of 154.44 feet bearing South 33 degrees 12 minutes 42 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set; thence South 43 degrees 48 minutes 22 seconds West, a distance of 143.39 feet (deed) along the West line of said 1.27 acre tract to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the Northeasterly line of an existing tract described in Document Number 2015013063 in the Office of the said Recorder; thence North 19 degrees 19 minutes 15 seconds West, a distance of 123.48 feet along said extension to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of said Indianapolis



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Road; thence Northeasterly along said centerline being a non-tangent curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 322.82 feet, having a central angle of 00 degrees 58 minutes 06 seconds, and a chord of 322.81 feet bearing North 28 degrees 31 minutes 21 seconds East to the Point of Beginning. Containing 1.165 Acres, more or less. Subject to easements of record.

Tract 2B – 0.302 Acres

Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I. Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971.; thence Southwesterly along said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a distance of 905.20 feet, having a central angle of 02 degrees 42 minutes 56 seconds, and a chord of 905.11 feet bearing South 29 degrees 23 minutes 46 seconds West, to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the Southerly extension of the West line of said Document Number 2015016466, said point also being the POINT OF BEGINNING of the herein described tract; thence Northeasterly along said centerline and along said curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 140.75 feet, having central angle of 02 degrees 42 minutes 56 seconds, and a chord of 140.75 feet bearing North 30 degrees 32 minutes 34 seconds East to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the South line of an existing tract described in Document Number 2015013063 in the Office of the Recorder of Allen County, Indiana; thence North 88 degrees 32 minutes 10 seconds East, a distance of 85.14 feet along said South line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set at the Northwest corner of an existing 0.954 acre tract described in Document Number 203071246 in the Office of the Recorder of Allen County, Indiana, said point also being the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 12207.69 feet, thence Southwesterly along said curve also being the South right-of-way line of said Baer Field Expressway a distance of 269.87 feet, having a central angle of 01 degrees 16 minutes 00 seconds, and a chord of 269.87 feet bearing South 34 degrees 00 minutes 43 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the Southerly extension of the West line of said Document Number 2015016466; thence North 03 degrees 14



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minutes 33 seconds West, a distance of 100.46 feet along said extension to the Point of Beginning.
Containing 0.302 Acres, more or less. Subject to easements of record.

Survey Job #15103314
Date: November 27, 2017
Revised: May 2, 2018
For: Fort Wayne Airport Authority
Miller Land Surveying, Inc.

Legal Description
0.762 Acres

Part of the Northwest Quarter of Section 4, Township 29 North, Range 12 East of the Second Principal Meridian, Pleasant Township in Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter per Project STP-F024(5) being P.I. Station 1+000.000, Line "S-1-A", said point being referenced by a Harrison marker found at the Northwest corner of said Northwest Quarter 0.6 feet South and 6.1 feet West; thence North 89 degrees 24 minutes 25 seconds East (GPS grid bearing and basis of bearings to follow), a distance of 501.47 feet (Deed) along the North line of said Northwest Quarter and within the right-of-way of Airport Expressway (Former Dalman Road) to the East line of an existing 0.69 acre tract described in Document Number 83-019788 in the Office of the Recorder of Allen County, Indiana; thence South 28 degrees 20 minutes 26 seconds West, a distance of 23.15 feet (Deed) along said East line; thence South 26 degrees 30 minutes 03 seconds East, a distance of 44.18 feet (Deed) along said East line to the Northeast corner of an existing 2.299 acre tract described in Document Number 204066515 in the Office of said Recorder; thence South 27 degrees 23 minutes 19 seconds East, a distance of 5.11 feet (Deed) along the East line of said 2.299 acre tract; thence South 28 degrees 07 minutes 04 seconds West, a distance of 29.00 feet (28.96 feet Deed) along said East line to the Northeast corner of an existing tract described in Document Number 2015016466 in the Office of the said Recorder; thence North 89 degrees 24 minutes 25 seconds East, a distance of 45.59 feet to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of Indianapolis Road being Line "A" per Project No.649-1939 and also Line "B" per Project No.U-377(12)-1971; thence Southwesterly along said centerline being a non-tangent curve, concave to the Southeast, having a radius of 19098.68 feet, a distance of 322.82 feet, having a central angle of 00 degrees 58 minutes 06 seconds, and a chord of 322.81 feet bearing South 28 degrees 31 minutes 21 seconds West, to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the most Northerly point of an existing tract described in Document Number 2015015063 in the Office of the Recorder of Allen County, Indiana, said point also being the POINT OF BEGINNING of the herein described tract; thence South 19 degrees 19 minutes 15 seconds East, a distance of 145.95 feet along the Easterly line of said Document Number 2015015063 to a point on the South right-of-way line of said Baer Field Expressway, said point being referenced by a 5/8" steel rebar with a "0027" identification cap found 0.19 feet East and 0.55 feet South; thence along said right-of-way and along a non-tangent curve, concave to the Southeast, having a radius of 1362.40 feet, a distance of 143.56 feet, having central angle of 06 degrees 02 minutes 14 seconds, and a chord of 143.49 feet bearing South 38 degrees 35 minutes 41 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on a compound curve; thence continuing along said right-of-way and along a curve, concave to the Southeast, having a radius of 12207.69 feet, a distance of 160.77 feet, having central angle of 00 degrees 45 minutes 16 seconds, and a chord of 160.77 feet bearing South 35 degrees 01 minutes 21 seconds West to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the South line of said Document Number 2015015063; thence South 88 degrees 32 minutes 10 seconds West, a distance of 85.14 feet along said South line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the centerline of said Indianapolis Road; thence along said centerline and along a non-tangent curve, concave to the Northwest, having a radius of 19098.68 feet, a distance of 441.63 feet, having central angle of 01 degrees 19 minutes 30 seconds, and a chord of 441.62 feet bearing North 29 degrees 40 minutes 09 seconds East to the Point of Beginning. Containing 0.762 Acres, more or less. Subject to easements of record.

Survey Job #15103314
Date: November 08, 2018
Miller Land Surveying, Inc.

RIGHT OF WAY VACATION – PUBLIC HEARING
Department of Planning Services

VROW 2018 0003	Bill #G-18-11-05	Project Start: 13 November 2018
APPLICANT:	Fort Wayne-Allen County Airport Authority	
REQUEST:	To vacate the portion of Indianapolis Road right-of-way between Airport Expressway and Ardmore Avenue. This portion of roadway has been abandoned.	
LOCATION:	On the east side of the 3900 block of Ardmore Avenue, just south of Airport Expressway. (Section 4 of Pleasant Township)	
COUNCIL DISTRICT:	District 4 – Jason Arp	
LAND AREA:	Approximately 1,000 square feet proposed to be vacated.	
PUBLIC HEARING DATE:	November 27, 2018 (to be held by City Council)	
NEXT COUNCIL ACTION:	Staff will schedule discussion when all comments are received.	

PROJECT SUMMARY

Indianapolis Road, south of Airport Expressway historically extended at a southwest-northeast angle, and became Baer Avenue Road on the north side of Airport Expressway. Between 2006-2008, Ardmore Avenue was extended south and replaced the portion of Indianapolis Road at this intersection. The roadways were abandoned, leaving a triangle of land that could be redeveloped with industrial uses if the right-of-way is vacated. Staff sent the request to all utility agencies with possible interest in this petition and is awaiting responses.

City Plan:	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.
Traffic Engineering:	Approved
Stormwater Engineering:	
Water Engineering:	
WPC Engineering – Sanitary:	
City Parks Department:	Approved
Fire Department:	
Land Acquisition Agent:	
Frontier:	Easement needed
Comcast Cable:	
AEP:	
NIPSCO:	

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.

VROW-2018-0003

Bill No. G-18-11-05

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:

021704101001000071

Fort Wayne-Allen County Airport Authority
3801 W. Ferguson Road, Suite 209
Fort Wayne, IN 46809

021704102002003080

Absolute LLC
3834 Vanguard Drive
Fort Wayne, IN 46809

Representative:

Patrick Dooley
Fort Wayne-Allen County Airport Authority
3801 W. Ferguson Road, Suite 209
Fort Wayne, IN 46809

DPS Staff notified the following by Email:

Community Liaison, Palermo Galindo

FORT WAYNE, INDIANA
FILED
OCT 15 2018
LANA R. KEESLING
CITY CLERK

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:

Legal description attached. The right of way to be vacated is
along the eastern edge of land parcel 021704101001000071, doc
2015016466. Referenced as tract 1 in the attached survey. Property
address is 8900 Indianapolis Rd, Fort Wayne, IN 46809.

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

Doc # 2015016466

DEED BOOK NUMBER: N/A PAGE(S) NUMBER(S): N/A (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:

Future land development in support of the airport. Removing the unused
right of way makes the land desirable for development. Currently the right
of way splits undeveloped land into very small sections.

(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: Patrick Dooley AGENT FOR FORT WAYNE-ALLEN COUNTY AIRPORT AUTHORITY
Street Address: 3801 W Ferguson Rd Ste 209
City: Fort Wayne State: IN Zip: 46809 Phone: 260-446-3447

Adjacent Property Owner

Three parcels are adjacent and are listed below:

02-17-04-102-002.003-080

02-17-04-102-001.000-080

02-17-04-102-004.001-080

All parcels are owned by Absolute LLC

Property Owner: John and Ellen Haifley

Street Address: 3834 Vanguard Dr

City: Fort Wayne

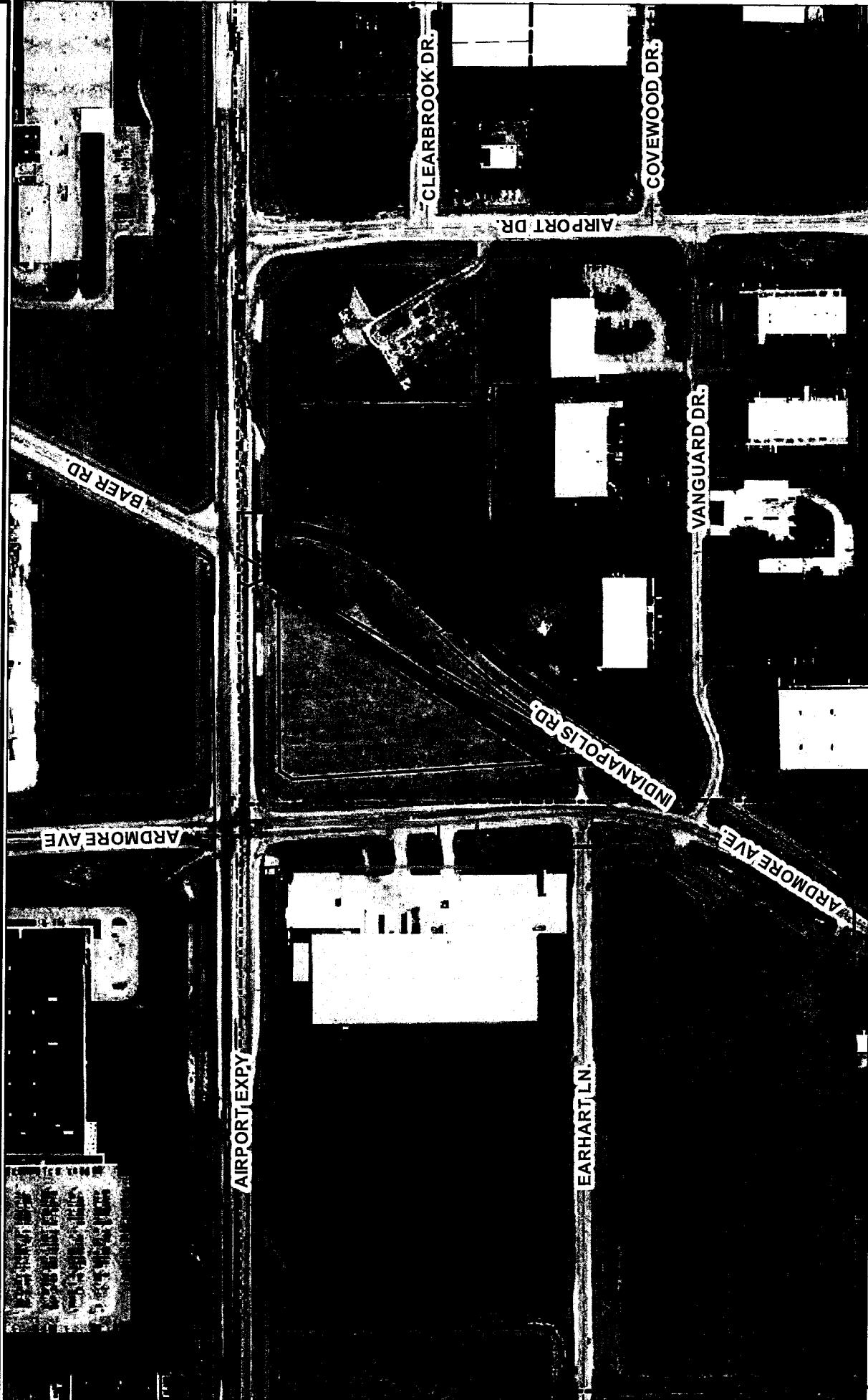
State: IN

Zip Code: 46809

Phone Number: 260-747-4568



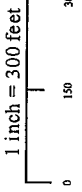
Vacation Petition VROW-2018-0003

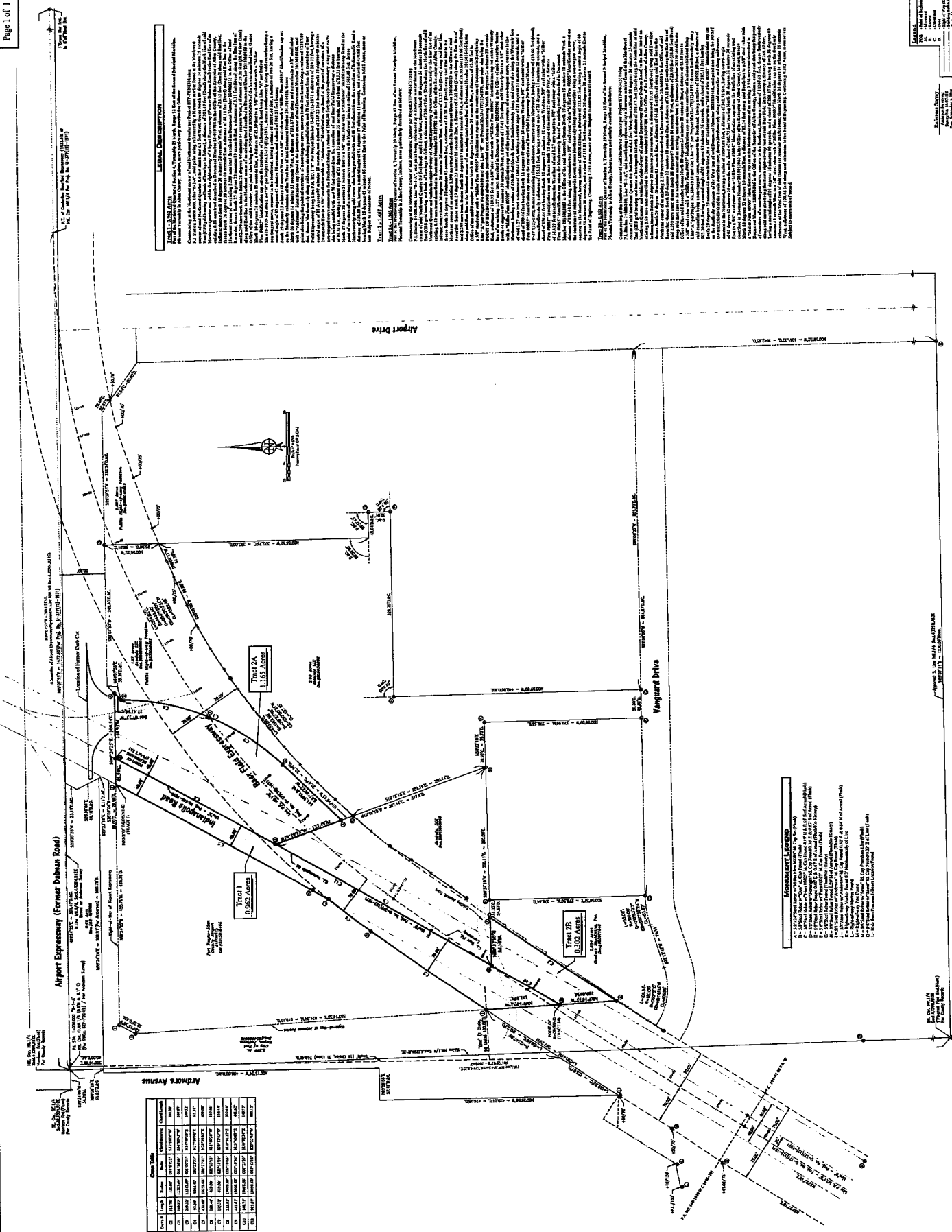


Although this accuracy standard is to be met in the completion of the map, Allen County does not warrant the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 1/01/9/2018

Project Boundaries Represented with Bold Lines are for Representational Purpose Only





ACCOMMODATION LEGEND
 1. 10-foot utility easement for electric, gas, and water.
 2. 10-foot utility easement for electric, gas, and water.
 3. 10-foot utility easement for electric, gas, and water.
 4. 10-foot utility easement for electric, gas, and water.
 5. 10-foot utility easement for electric, gas, and water.
 6. 10-foot utility easement for electric, gas, and water.
 7. 10-foot utility easement for electric, gas, and water.
 8. 10-foot utility easement for electric, gas, and water.
 9. 10-foot utility easement for electric, gas, and water.
 10. 10-foot utility easement for electric, gas, and water.

CHUCKY	DATE	BY	DESCRIPTION	CHUCKY
01	01/02/2018	AS	INITIAL SURVEY	01
02	01/02/2018	AS	REVISIONS	02
03	01/02/2018	AS	REVISIONS	03
04	01/02/2018	AS	REVISIONS	04
05	01/02/2018	AS	REVISIONS	05
06	01/02/2018	AS	REVISIONS	06
07	01/02/2018	AS	REVISIONS	07
08	01/02/2018	AS	REVISIONS	08
09	01/02/2018	AS	REVISIONS	09
10	01/02/2018	AS	REVISIONS	10

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

ORDINANCE NO. G-18-11-05

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON NOVEMBER 27, 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: To vacate the portion of Indianapolis Road right-of-way between Airport Expressway and Ardmore Avenue. This portion of roadway has been abandoned. On the east side of the 3900 block of Ardmore Avenue, just south of Airport Expressway. (Section 4 of Pleasant Township) Approximately 3.38 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, NOVEMBER 27, 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*

The Journal Gazette

Account # 1063561 - 1344823
FW CITY CLERK'S OFFICE

Allen County, Indiana

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	<u>58</u>

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	<u>\$ 26.68</u>

DATA FOR COMPUTING COST

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

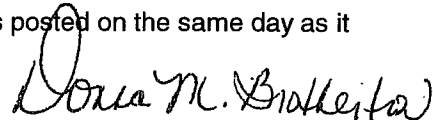
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

11/16/2018

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
Legal Clerk

Date: November 16, 2018

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-18-11-05**

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LANA R. KEESLING
CITY CLERK
11-16 1344823 hspaxlp

The Journal Gazette

Account # 1063561 - 1344823

FW CITY CLERK'S OFFICE

Allen County, Indiana

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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 \$ 26.68

58 equivalent lines at \$ 0.460 cents per line

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

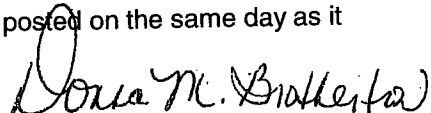
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

11/16/2018

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
Legal Clerk

Date: November 16, 2018

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-18-11-05**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON NOVEMBER 27, 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: To vacate the portion of Indianapolis Road right-of-way between Airport Expressway and Ardmore Avenue. This portion of road-way has been abandoned. On the east side of the 3900 block of Ardmore Avenue, just south of Airport Expressway. (Section 4 of Pleasant Township) Approximately 3.38 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, NOVEMBER 27, 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
11--16 1344823 hspaxlp

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

VROW 2018 0003	Bill #G-18-11-05	Project Start: 13 November 2018
APPLICANT:	Fort Wayne-Allen County Airport Authority	
REQUEST:	To vacate the portion of Indianapolis Road right-of-way between Airport Expressway and Ardmore Avenue. This portion of roadway has been abandoned.	
LOCATION:	On the east side of the 3900 block of Ardmore Avenue, just south of Airport Expressway. (Section 4 of Pleasant Township)	
COUNCIL DISTRICT:	District 4 – Jason Arp	
LAND AREA:	Approximately 1,000 square feet proposed to be vacated.	
PUBLIC HEARING DATE:	November 27, 2018 (to be held by City Council)	
NEXT COUNCIL ACTION:	December 17, 2019.	

PROJECT SUMMARY

Indianapolis Road, south of Airport Expressway historically extended at a southwest-northeast angle, and became Baer Avenue Road on the north side of Airport Expressway. Between 2006-2008, Ardmore Avenue was extended south and replaced the portion of Indianapolis Road at this intersection. The roadways were abandoned, leaving a triangle of land that could be redeveloped with industrial uses if the right-of-way is vacated. Staff sent the request to all utility agencies with possible interest in this petition and all necessary easements have been approved.

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

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.

VROW-2018-0003

Bill No. G-18-11-05

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:

021704101001000071

Fort Wayne-Allen County Airport Authority
3801 W. Ferguson Road, Suite 209
Fort Wayne, IN 46809

021704102002003080

Absolute LLC
3834 Vanguard Drive
Fort Wayne, IN 46809

Representative:

Patrick Dooley
Fort Wayne-Allen County Airport Authority
3801 W. Ferguson Road, Suite 209
Fort Wayne, IN 46809

DPS Staff notified the following by Email:

Community Liaison, Palermo Galindo

FORT WAYNE, INDIANA
FILED
OCT 15 2018
LANA R. KEESLING
CITY CLERK

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:

Legal description attached. The right of way to be vacated is
along the eastern edge of land parcel 0217 04 101 001 00 00 71, doc
2015016466. Referenced as tract 1 in the attached survey. Property
address is 8900 Indianapolis Rd, Fort Wayne, IN 46809.

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

Doc # 2015016466
DEED BOOK NUMBER: N/A PAGE(S) NUMBER(S): N/A (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:
Future land development in support of the airport. Removing the unused
right of way makes the land desirable for development. Currently the right
of way splits undeveloped land into very small sections.

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

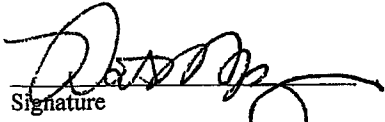
The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). The information on that sheet must be as follows:

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: Patrick Dooley Agent for Fort Wayne-Allea County Airport Authority
Street Address: 3801 W Ferguson Rd Ste 209
City: Fort Wayne State: IN Zip: 46809 Phone: 260-446-3447

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

Patrick Dooley
Printed Name

10/10/18
Date

3801 W Ferguson Rd Ste 209
Address

Fort Wayne, IN 46809
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): Patrick Dooley

Street Address: 3801 W Ferguson Rd Ste 209

City: Fort Wayne State: IN Zip: 46809 Phone: 260-446-3447

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 #: H 39 Pl. 4

Reference #: VROW-2018-0003

G-18-11-02

Adjacent Property Owner

Three parcels are adjacent and are listed below:

02-17-04-102-002.003-080

02-17-04-102-001.000-080

02-17-04-102-004.001-080

All parcels are owned by Absolute LLC

Property Owner: John and Ellen Haifley

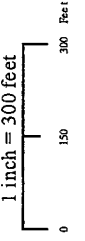
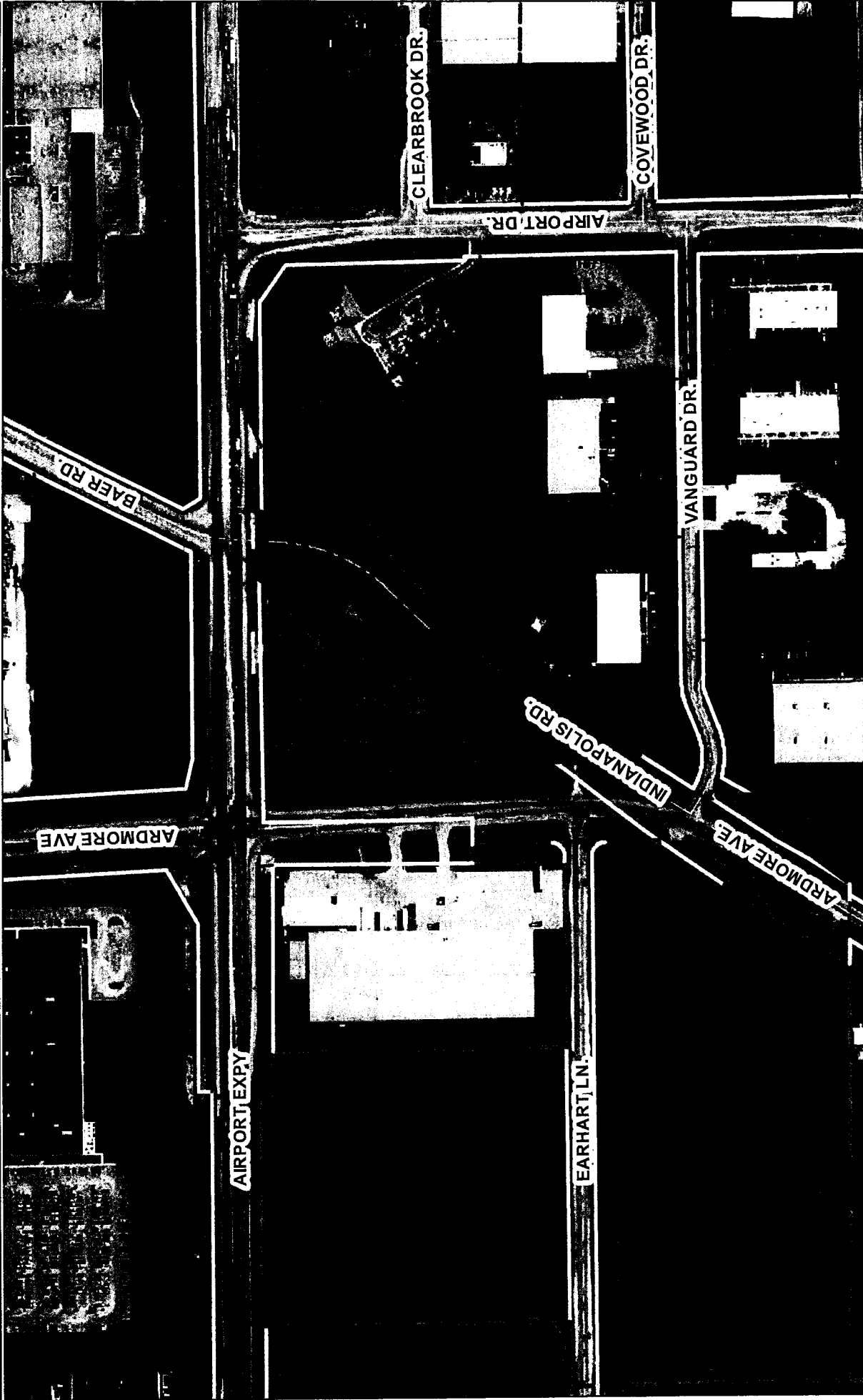
Street Address: 3834 Vanguard Dr

City: Fort Wayne

State: IN

Zip Code: 46809

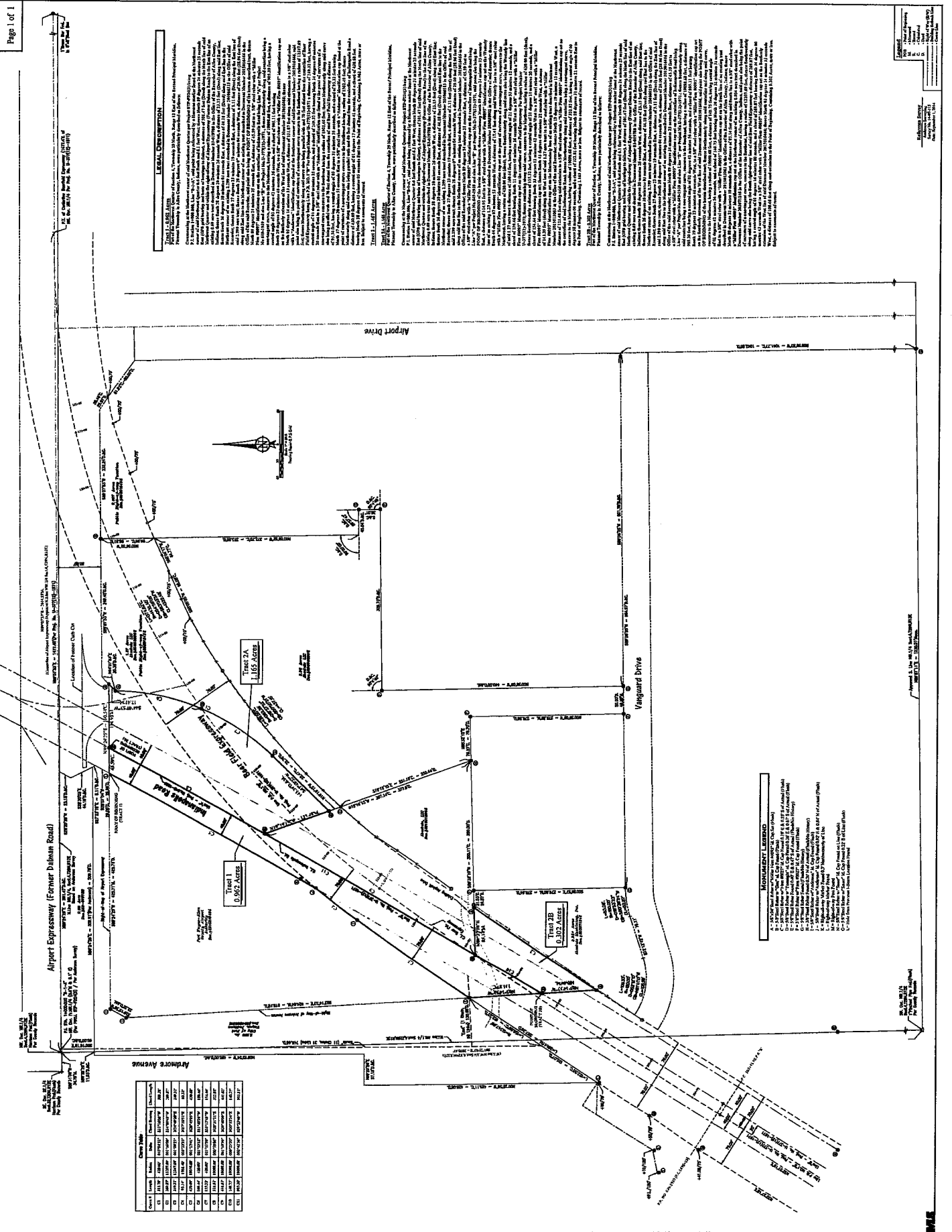
Phone Number: 260-747-4568



Project Boundaries Represented with Bold Lines are for Representational Purposes Only

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.
 © 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photo and Contour, Spring 2009
 Date: 1/15/2018

REV#	DATE	DESCRIPTION
1	05/27/2010	Initial Draft 1 & 2
2		
3		
4		
5		



12/27/2019 9:34:51 AM

VALUED CUSTOMER

0.00

NICOLEK

TRANSACTION # 4400415

DOCUMENT # 2019066864

ORDINANCE

RECORDING FEES: 0.00

TOTAL: 0.00

CASH: 0.00

THANK YOU

ANITA MATHER

RECORDER

ALLEN COUNTY, IN

03/13/2020 8:43:34 AM
CITY OF FT WAYNE CLERKS OFFICE
0.00
JENNIFERG
TRANSACTION # 4411910

2020014341	ORDINANCE	0.00
2020014342	ORDINANCE	0.00
2020014343	ORDINANCE	0.00

RECORDING FEES: 0.00
TOTAL: 0.00
CASH: 0.00

THANK YOU

ANITA MATHER
RECORDER
ALLEN COUNTY, IN

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Vacation of Platted Right-of-Way
Case Number: VROW-2018-0003
Bill Number: G-18-11-05
Council District: 4-Jason Arp

Introduction Date: November 13, 2018
Public Hearing Date: November 27, 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 Indianapolis Road and Baer Field Expressway.
Location: Those portion lying south of Airport Expressway and northeast of Ardmore Avenue.
Reason for Request: To return the abandoned right-of-way to the adjacent land owners.
Applicant: Fort Wayne-Allen County Airport Authority
Property Owner: Fort Wayne-Allen County Airport Authority and

Related Petitions: none

Effect of Passage: Vacation of the unimproved right-of-way will return the land to the two adjacent property owners to the north and south, allowing for effective redevelopment.
Effect of Non-Passage: The platted right-of-way will remain under City jurisdiction. Redevelopment of the surrounding parcels will be hindered. The right-of-way is no longer in use for access.

BILL NO. G-18-11-05

REPORT OF COMMITTEE ON REGULATIONS

December 17, 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.

To vacate a portion of Indianapolis Road and Baer Field Expressway, to return the abandoned right-of-way to the adjacent land owners

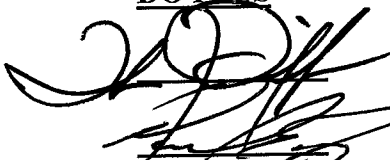
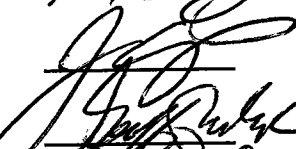
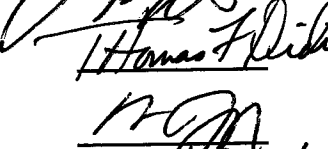
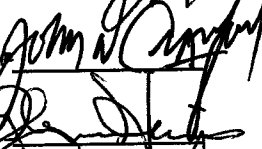

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

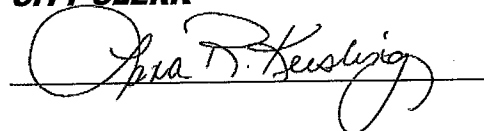
DO NOT PASS

ABSTAIN

NO REC

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

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 11/27/18


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

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

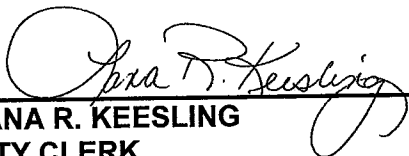
Read the third time in full and on motion by Councilman Freistroffer, placed on passage by the following vote:


<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: December 17, 2019


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
General Ordinance No. G-18-11-05 on the 17th day of December, 2019


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th
of December 2019, at the hour of 10:40 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 18TH day of December
2019, at the hour of 5:00 o'clock PM E.S.T.


THOMAS C. HENRY, MAYOR

