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RECORDED: 07/15/2019 03:10:06 PM

ANITA MATHER

ALLEN COUNTY RECORDER
FORT WAYNE, IN

VALY-2019-0003

BILL NO. G-19-05-34

GENERAL ORDINANCE NO. G- 12-19

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

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

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

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

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

All of the 15 foot wide alley lying north of Lot 14 and south of Lot 13 in John H. Jacob's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.

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

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

COUNCILMEMBER

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

APPROVED AS TO FORM AND LEGALITY:

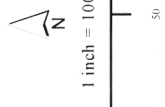
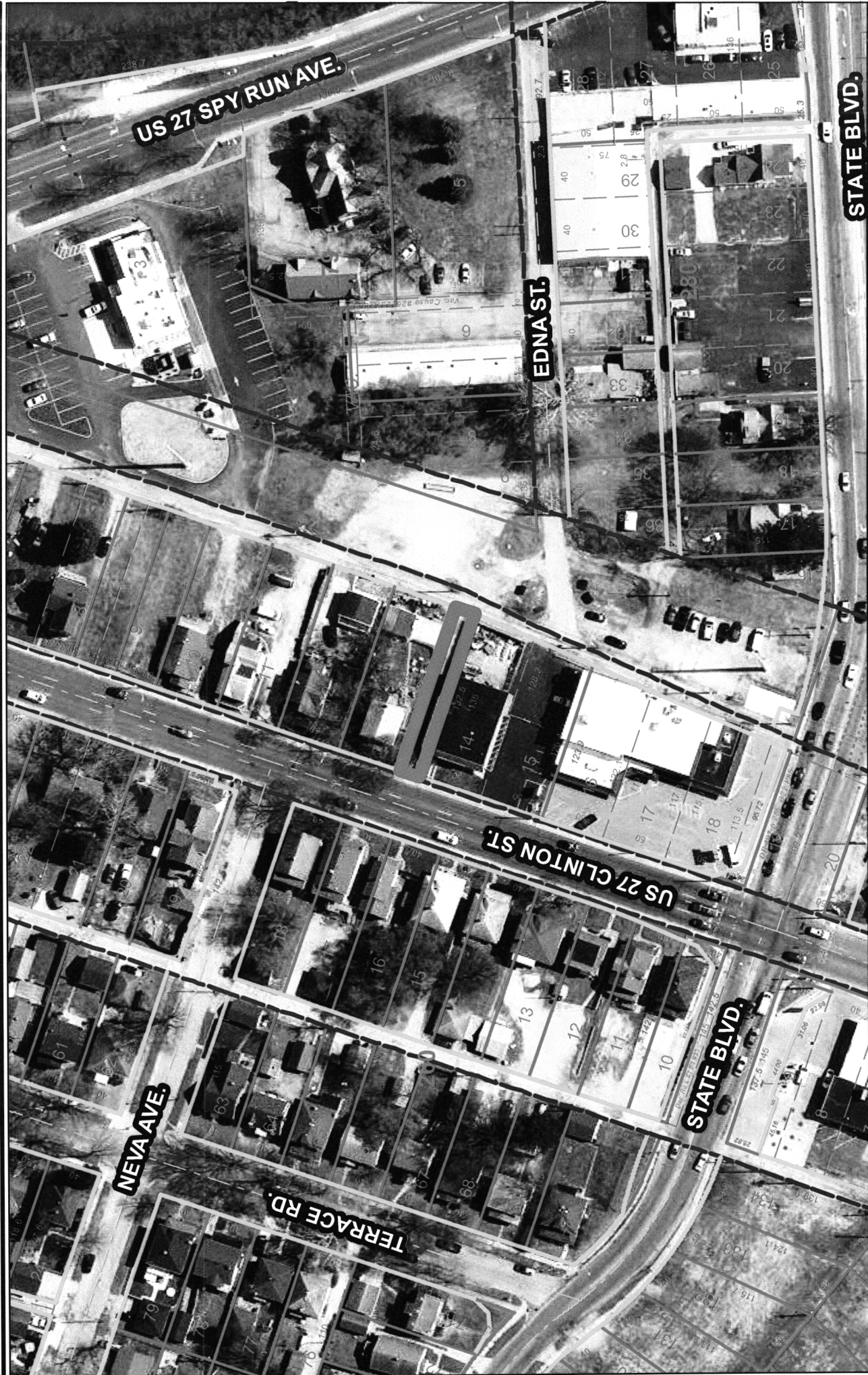
Carol T. Helton, City Attorney

JUL 15 2019

AUDITOR OF ALLEN COUNTY

①

AKC



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009
 Date: 5/16/2019

CITY OF FORT WAYNE

FORT WAYNE, INDIANA
FILED
MAY 15 2019
LANA R. KEESLING
CITY CLERK

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:

VACATE 15' ALLEY BETWEEN LOT 13 &
14 OF JACOBS ADDITION

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

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

The reasons for the proposed vacation are as follows:

THE ALLEY IS NEVER USED
BECAUSE GETTING OUT ON TO
CLINTO STREET IS DANGEROUS

(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):

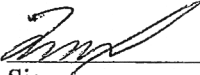
Name: TIM RYAN

Street Address: 2332 N. CLINTON ST.

City: FORT WAYNE State: IN Zip: 46805 Phone: 260 615 5637

02
1987.5 sq. ft.
Wash 35

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.

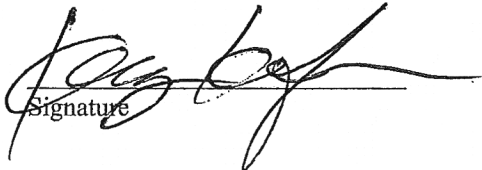

Signature

TIMOTHY P. RYAN
Printed Name

5/14/19
Date

2332 N. CLINTON ST.
Address

FT. WAYNE IN 46805
City/State/Zip


Signature

Kerry Kaufmann
Printed Name

5-14-19
Date

2338 N Clinton
Address

Ft. Wayne IN 46805
City/State/Zip

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

Agent's Name (Print Legibly): _____

Street Address: _____

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

NOTICE:

- Legal Description is to be the area to be vacated and must be complete and accurate. If necessary a licensed surveyor's legal description may be required.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicant may be required to bear the cost of relocation, or of providing a replacement easement or easement's as needed.

For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____

The Journal Gazette

Account # 1063561 - 1360888

Allen County, Indiana

FW City Clerk's Office

ATTACH COPY OF ADVERTISEMENT HERE

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines	_____
Head -- number of lines	_____
Body -- number of lines	_____
Tail -- number of lines	_____
Total number of lines in notice	56

COMPUTATION OF CHARGES

<u>56</u> lines, <u>1</u> column(s) wide equals	
<u>56</u> equivalent lines at \$ <u>0.473</u> cents per line	\$ 26.49
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>26.49</u>

DATA FOR COMPUTING COST

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

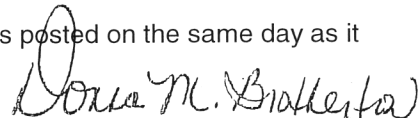
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

5/31/2019

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: May 31, 2019

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-19-05-34**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 11, 2019, 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 a 15 foot wide alley between Lots 14 and 15 of J.H. Jacob's Addition, Between 2332 and 2338 North Clinton Street (Section 35 of Washington Township) Approximately 1,988 square feet proposed to be vacated

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 11, 2019.

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

5--31 1360888 hspaxlp

The Journal Gazette

Account # 1063561 - 1360888

Allen County, Indiana

FW City Clerk's Office

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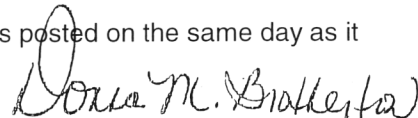
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LANA R. KEESLING
CITY CLERK
5--31 1360888 hspaxlp

07/15/2019 3:10:01 PM
CITY OF FT WAYNE CLERKS OFFICE

0.00

JENNIFERG

TRANSACTION # 4374390

2019033653	ORDINANCE	0.00
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2019033658	ORDINANCE	0.00
2019033659	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: VALY-2019-0003
Bill Number: G-19-05-34
Council District: 5-Geoff Paddock

Introduction Date: May 28, 2019
Public Hearing Date: June 11, 2019 (to be held by Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate a 15 foot wide alley right-of-way within Jacob's Addition.
Location: Between Lots 14 and 15 of J.H. Jacob's Addition, also between 2332 and 2338 North Clinton Street.
Reason for Request: The applicant requests the vacation for disuse and traffic safety.
Applicants: Tim Ryan and Kerry Kaufman
Property Owners: Tim Ryan, 2332 North Clinton and Kerry Kaufman, 2338 North Clinton

Related Petitions: none

Effect of Passage: Vacation of the right-of-way will return the land to the adjacent property owners. If there are no easements needed, the vacated alley may be closed off.
Effect of Non-Passage: The right-of-way will remain under City jurisdiction. The alley will remain open for utilities and vehicular traffic.

BILL NO. G-19-05-34

REPORT OF COMMITTEE ON REGULATIONS

June 25, 2019

Michael Barranda Chair




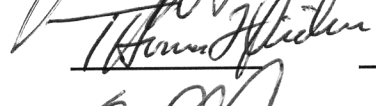
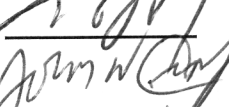
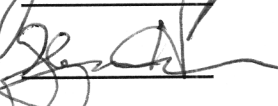
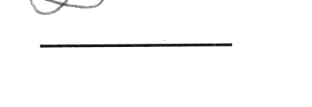
Tom Freistroffer Co-Chair

All Council Members

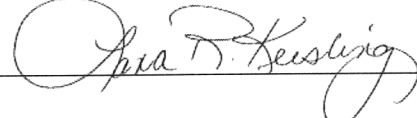
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To vacate a 15 foot wide alley right-of-way within Jacob's Addition - Between Lots 14 and 15 of J.H. Jacob's Addition, also between 2332 and 2338 North Clinton Street

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

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 06/11/2019

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

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

Read the third time in full and on motion by Councilman 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

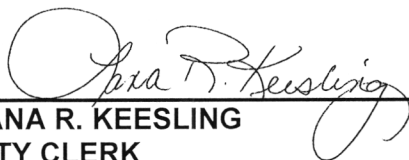
DATED: June 25, 2019




 LANA R. KEESLING, CITY CLERK

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

General Ordinance No. G-19-05-34 on the 25th day of June, 2019



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th of June 2019, at the hour of 10:30 o'clock A.M. E.S.T.




 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 4TH day of JULY

2019, at the hour of 11:30 o'clock AM E.S.T.

FORT WAYNE, INDIANA
RECEIVED
 JUL 05 2019
 LANA R. KEESLING
 CITY CLERK



 THOMAS C. HENRY, MAYOR