



1 VROW-2019-0012

2 BILL NO. G-19-11-20 (corrected)

3
4 GENERAL ORDINANCE NO. G- 1-20

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 Parts of Sequayah Pass and Cloverbrook Drive, a 50 foot public right-of-way in
18 Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-
19 131 in the Office of the Recorder of Allen County, Indiana, said portion being
20 bounded to the West by a 50 foot Southerly extension of the West line of Lot 137 to
21 the South right-of-way line of said Sequayah Pass and bounded to the South by a 25
22 foot Southwesterly extension of the South line of Lot 129 to the centerline of said
23 Cloverbrook Drive and by a 25 foot Northeasterly extension of the South line of Lot
24 98 to the centerline of said Cloverbrook Drive, all in said Colonial Heritage Place.

25 Also:

26 All of April Court, a 50 foot public right-of-way in Colonial Heritage Place Second
27 Addition as recorded in Plat Book 29, pages 139-131 in the Office of the Recorder of
28 Allen County, Indiana.

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

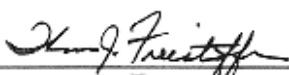
AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance by the Auditor.

MAR 13 2020

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.


AUDITOR OF ALLEN COUNTY

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Thomas J. Freistroffer
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

1 VROW-2019-0012

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26 Addition as recorded in Plat Book 29, pages 139-131 in the Office of the Recorder of
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28 Trail (recorded as Woodcrest Lane) and between Lots 32, 33, 34, and 35 of Forest
29 Ridge Estates, Section A, as recorded in Plat Book 23, Pages 44-45 in the Office of
30 the Recorder of Allen County, Indiana.~~

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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney



8 6 7 0 5 1 3

Tx: 4403555

2020003627

RECORDED: 01/17/2020 11:18:07 AM

~~ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN~~

1 VROW-2019-0012

2 BILL NO. G-19-11-20

3 GENERAL ORDINANCE NO. G- 1-20

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24 Trail (recorded as Woodcrest Lane) and between Lots 32, 33, 34, and 35 of Forest
25 Ridge Estates, Section A, as recorded in Plat Book 23, Pages 44-45 in the Office of
26 the Recorder of Allen County, Indiana.

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

29 JAN 17 2020

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AUDITOR OF ALLEN COUNTY

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Freistroffer

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Carol T. Helton, City Attorney by 



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RECORDED: 01/17/2020 11:18:07 AM

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

VROW-2019-0012

BILL NO. G-19-11-20

GENERAL ORDINANCE NO. G- 1-20

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

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Also:

All of April Court, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 139-131 in the Office of the Recorder of Allen County, Indiana. All of the platted right-of-way lying north and west of Arbor Trail (recorded as Woodcrest Lane) and between Lots 32, 33, 34, and 35 of Forest Ridge Estates, Section A, as recorded in Plat Book 23, Pages 44-45 in the Office of the Recorder of Allen County, Indiana.

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JAN 17 2020


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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


Carol T. Helton, City Attorney *by LET*

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:

Colonial Heritage Place Second Addition - Lots 94-98 & Lots 129-137

Adams Township, Section 20

Record Document Number: 2018061186

.94 acres total

(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: 39 **PAGE(S) NUMBER(S):** 129-131 (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 creation of a stormwater detention basin.

(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: City of Fort Wayne, Indiana

Street Address: 200 E. Berry St.

City: Fort Wayne State: IN Zip: 46802 Phone: (260)427-1330

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.



Seth Weinglass - Program Manager - Capital Project Services 10/21/2019

Signature

Printed Name

Date

200 E. Berry St. Ste. 250

Fort Wayne, Indiana 46802

Address

City/State/Zip

Signature

Printed Name

Date

Address

City/State/Zip

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

Agent's Name (Print Legibly): City of Fort Wayne, Indiana

Street Address: 200 E. Berry St.

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 427-1330

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 #: _____

LEGAL DESCRIPTION

613 W. Breckenridge St.
Fort Wayne, IN 46802
Phone: (260) 755-5993
Fax: (888) 808-4177

APEX Consulting & Surveying

Prepared for the City of Fort Wayne

EXHIBIT A

Nana A. Opoku, PLS No. LS21200012

ADAMS TOWNSHIP

Parcel #02-13-20-301-007.000-070

RIGHT-OF-WAY VACATION – LEGAL DESCRIPTION


Parts of Sequayah Pass and Cloverbrook Drive, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-131 in the Office of the Recorder of Allen County, Indiana, said portion being bounded to the West by a 50 foot Southerly extension of the West line of Lot 137 to the South right-of-way line of said Sequayah Pass and bounded to the South by a 25 foot Southwesterly extension of the South line of Lot 129 to the centerline of said Cloverbrook Drive and by a 25 foot Northeasterly extension of the South line of Lot 98 to the centerline of said Cloverbrook Drive, all in said Colonial Heritage Place.

Also:

All of April Court, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-131 in the Office of the Recorder of Allen County, Indiana.



To the best of my knowledge and belief, this description is prepared in accordance with Indiana Administrative Code Title 865, Article 1, Rule 12, Sections 20-25.


Nana A. Opoku, PLS No. 21200012

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."
Nana A. Opoku

County: Allen
Section 20
Township 30 North
Range 13 East

R/W VACATION PLAT

613 W. Brockenridge St.
 Fort Wayne, IN 46802
 Phone: (280) 755-5993
 Fax: (888) 808-4177

APEX Consulting & Surveying

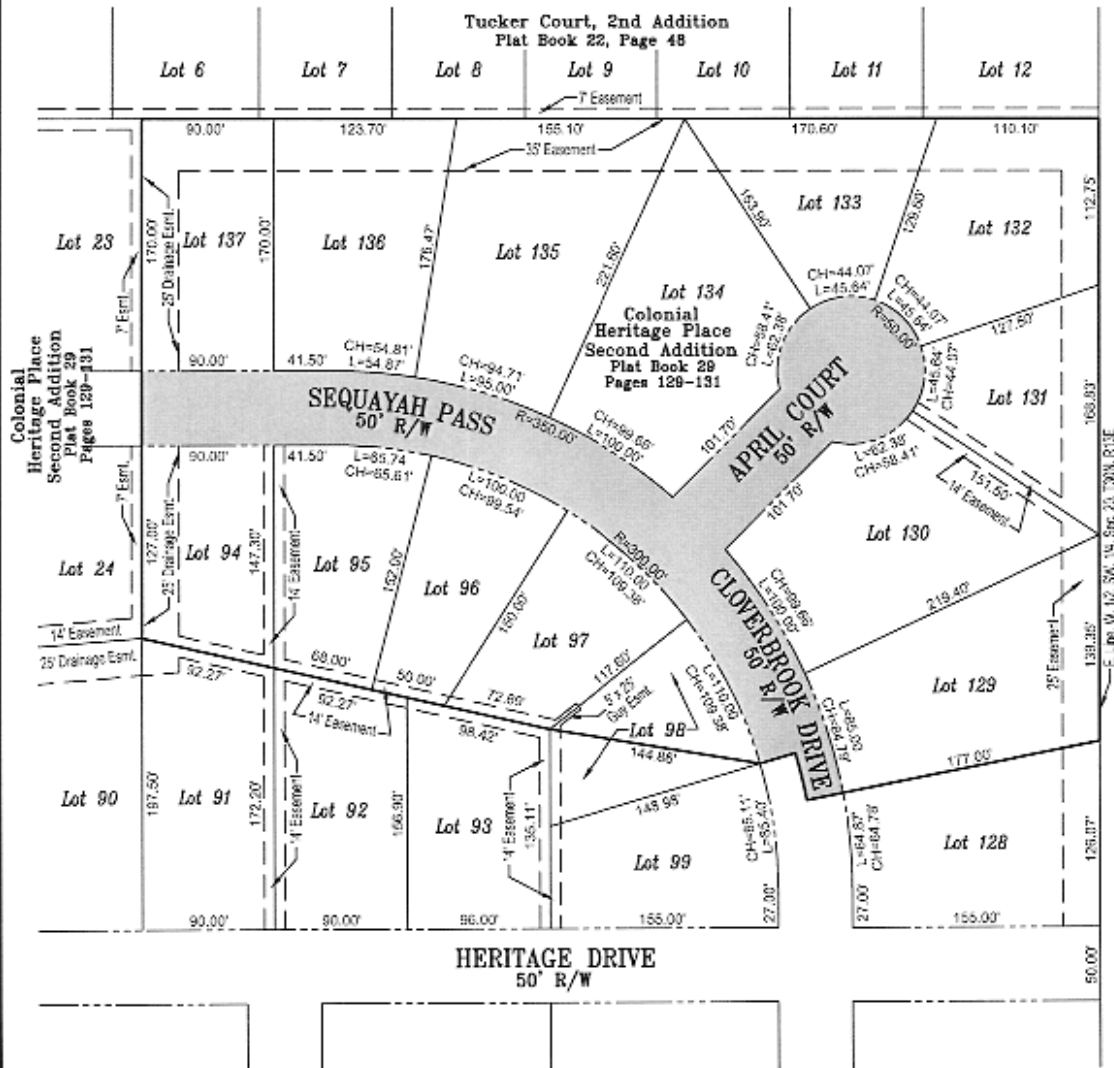
Prepared for the City of Fort Wayne

EXHIBIT B

Nana A. Opoku, PLS No. LS21200012

ADAMS TOWNSHIP

Parcel #02-13-20-301-007.000-070



Legend

- P.O.E. - Point of Beginning
- P.B. - Plat Book
- Prop. - Proposed
- Temp. - Temporary

County: Allen
 Section 20
 Township 30 North
 Range 13 East

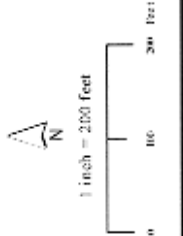
"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."
 Nana A. Opoku



Vacation Petition VROW-2019-0012



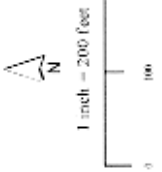
Although every measure is taken to ensure the accuracy of the information contained herein, the City of Allen does not warrant or guarantee the accuracy of the information contained herein and the user assumes all liability resulting from any use or reliance on this work.
Mark A. Johnson, Director
City of Allen
State Park Coordinating System, Services Unit
Photograph Courtesy: Spring 2019
Date: 11/14/2019





All information necessary for this map has been provided in the compilation of this map. All are County maps for use in the planning and zoning process and do not constitute an official map of the County. All information is for informational purposes only and does not constitute an official map of the County.

© 2012 Board of Commissioners of the County of Alameda
 North American Datum 1983
 State Plane Coordinate System, NAD 83 East
 North and South Zones, Spheroid 2011
 Date: 11/15/2019



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

ORDINANCE NO. G-19-11-20

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON DECEMBER 10, 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 platted, unimproved right-of-way in Colonial Heritage Place Second Addition for a regional stormwater project. Between 3327 Sequayah Pass and 4929 Cloverbrook Drive, and all of April Court (Section 20 of Adams Township)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, DECEMBER 10, 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*

DEPARTMENT OF PLANNING SERVICES

SUITE 150, CITIZENS SQUARE
200 EAST BERRY
FORT WAYNE, IN 46802

260-449-7607
260-449-7682
WWW.ALLENCOUNTY.US

TO: All interested persons
FROM: Michelle Wood, RLA
Senior Land Use Planner
RE: Public Hearing Notice
DATE: November 25, 2019

We are sending this notice to let you know the Common Council of Fort Wayne, Indiana will hold a public hearing **Tuesday December 10, 2019 at 5:30 p.m.** The Council will hold the hearing in **Room 030 of the Citizens Square Building at 200 East Berry Street.** Room 030 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

PETITION: G-19-11-20 (VROW-2019-0012)
APPLICANT: The City of Fort Wayne Board of Public Works
REQUEST: To vacate platted, unimproved right-of-way in Colonial Heritage Place Second Addition for a regional stormwater project.
LOCATION: Between 3327 Sequayah Pass and 4929 Cloverbrook Drive, and all of April Court (Section 20 of Adams Township)
COUNCIL DISTRICT: District 6 – Glynn Hines

We have additional information regarding this application at our office at Suite 150, Citizens Square, 200 East Berry Street.

We are sending you this notice because you own property that is adjacent to the above request. This public hearing is your chance to offer input you may have regarding the request.

If you are unable to attend the hearing but want to be heard, or are planning to attend and want to submit information for the Council to review at the hearing, please have 11 copies of your written comments to our office before 12:00 p.m. December 10, 2019. You may also email comments to michelle.wood@allencounty.us.

Correspondence may also be hand delivered to staff or the Council at the hearing. Please include your name and mailing address on all correspondence. Thank you for your attention to this matter. Please call this office if you have any questions.

Lisa Harris

From: fwn legals <fwnlegals@fwn.fortwayne.com>
Sent: Tuesday, November 26, 2019 9:22 AM
To: Lisa Harris
Subject: RE: Public Hearing Bill

Please note below is your requested schedule and cost.
If there is a discrepancy, please let me know soon as possible.

AD#1374917

Date:11--29

Publication:JG

Total Cost: \$26.96

PLEASE READ: URGENT! Invoices-Receipt/Proof of Pubs/Affidavits are mailed out on Thursday a week after the last/ONLY run date...

Donna M. Brotherton

Legal Clerk

Fort Wayne Newspapers

260-461-8246

From: Lisa Harris <Lisa.Harris@cityoffortwayne.org>
Sent: Tuesday, November 26, 2019 8:30 AM
To: fwn legals <fwnlegals@fwn.fortwayne.com>; Donna Brotherton <dbrotherton@fwn.fortwayne.com>
Cc: Stacy A. Reed <Stacy.Reed@cityoffortwayne.org>
Subject: Public Hearing Bill

Good morning.

Please give the attached full coverage on Friday, November 29, 2019 in the Journal Gazette newspaper.

1. Bill #G-19-11-20

Please send two copies of the publisher's affidavit from the newspaper.

Our account number is 1063561.

Thanks for your assistance.

Lisa M. Petretta-Harris
Assistant Deputy Clerk
City Clerk's Office
200 E Berry Street
Fort Wayne, IN 46802

RIGHT OF WAY VACATION – PUBLIC HEARING
Department of Planning Services

VROW 2019 0012	Bill #G-19-11-20	Project Start: 26 November 2019
APPLICANTS: REQUEST: LOCATION: COUNCIL DISTRICT: PUBLIC HEARING DATE: NEXT COUNCIL ACTION:	City of Fort Wayne Board of Public Works (property owners) To vacate platted, unimproved right-of-way in Colonial Heritage Place Second Addition. Between 3327 Sequayah Pass and 4929 Colverbrook Drive, and all of April Court (Section 20 of Adams Township) District 6 – Glynn Hines December 10, 2019 (to be held by City Council) Petition will return to Council for action following responses from utility agencies.	

PROJECT SUMMARY

The petitioner is the City of Fort Wayne Board of Public Works. A portion of the Colonial Heritage Place Second Addition plat has not developed. It is located at the eastern end of Sequayah Pass and the northern end of Cloverbrook Drive, and also includes April Court. This portion includes 14 platted lots, public right-of-way, and easements. The City of Fort Wayne Board of Public Works has purchased this property to construct a regional stormwater project. The right-of-way vacation request is being heard by Common Council, and the plat vacation is being heard by the Fort Wayne Plan Commission on December 9, 2019. The easements are proposed to remain. Requests were sent to all appropriate utility agencies for their 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, request turn-around for garbage and emergency
Stormwater Engineering:	Approved
Water Engineering:	Approved
WPC Engineering – Sanitary:	Approved
Fire Department:	Approved
Land Acquisition Agent:	Approved
Frontier:	Approved
Comcast Cable:	No comment
AEP:	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-2019-0012

Bill No. G-19-11-20

Right-of-Way Vacation – Notifications

The Clerk's Office placed legal notification in the Fort Wayne Newspapers.

DPS Staff notified the following adjacent property owners by Certified Mail:

PIN/Property Address:

0213203010060000070

3327 Sequayah Pass

Property Owner of Record:

Alisa Abrams

3327 Sequayah Pass

Fort Wayne, IN 46806

0213203020070000070

3324 Sequayah Pass

Carl Woods and Pamela Ledford

3324 Sequayah Pass

Fort Wayne, IN 46806

0213203010080000070

4929 Cloverbrook Drive

Jessie Johnson

4929 Cloverbrook Drive

Fort Wayne, IN 46806

0213203020180000070

3425 Heritage Drive

Larry and Bernice Hamilton

3425 Heritage Drive

Fort Wayne, IN 46806

0213203060010000070

5009 Cloverbrook Drive

Rumainah Omar

5009 Cloverbrook Drive

Fort Wayne, IN 46806

0213203050090000070

3424 Heritage Drive

Lee Nathan & Kimberly Griggs

3424 Heritage Drive

Fort Wayne, IN 46806

DPS Staff notified the following by Email as a Courtesy:

Community Liaison, Palermo Galindo

Southeast Area Partnership, Colonial Heritage Place

DEPARTMENT OF PLANNING SERVICES

SUITE 150, CITIZENS SQUARE
200 EAST BERRY
FORT WAYNE, IN 46802

260-449-7607
260-449-7682
WWW.ALLENCOUNTY.US

TO: All interested persons
FROM: Michelle Wood, RLA
Senior Land Use Planner
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DATE: November 25, 2019

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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:

Colonial Heritage Place Second Addition - Lots 94-98 & Lots 129-137

Adams Township, Section 20

Record Document Number: 2018061186

.94 acres total

(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: 39 **PAGE(S) NUMBER(S):** 129-131 (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 creation of a stormwater detention basin.

(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: City of Fort Wayne, Indiana

Street Address: 200 E. Berry St.

City: Fort Wayne State: IN Zip: 46802 Phone: (260)427-1330

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.



Seth Weinglass - Program Manager - Capital Project Services 10/21/2019

Signature

Printed Name

Date

200 E. Berry St. Ste. 250

Fort Wayne, Indiana 46802

Address

City/State/Zip

Signature

Printed Name

Date

Address

City/State/Zip

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

Agent's Name (Print Legibly): City of Fort Wayne, Indiana

Street Address: 200 E. Berry St.

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 427-1330

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 #: _____

LEGAL DESCRIPTION

613 W. Brockenridge St.
Fort Wayne, IN 46802
Phone: (260) 755-5993
Fax: (888) 808-4177

APEX Consulting & Surveying

Prepared for the City of Fort Wayne

EXHIBIT A

Nana A. Opoku, PLS No. LS21200012

ADAMS TOWNSHIP

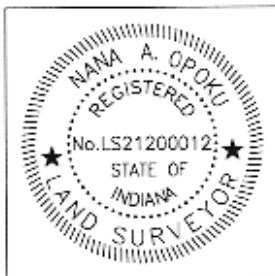
Parcel #02-13-20-301-007.000-070

RIGHT-OF-WAY VACATION – LEGAL DESCRIPTION


Parts of Sequayah Pass and Cloverbrook Drive, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-131 in the Office of the Recorder of Allen County, Indiana, said portion being bounded to the West by a 50 foot Southerly extension of the West line of Lot 137 to the South right-of-way line of said Sequayah Pass and bounded to the South by a 25 foot Southwesterly extension of the South line of Lot 129 to the centerline of said Cloverbrook Drive and by a 25 foot Northeasterly extension of the South line of Lot 98 to the centerline of said Cloverbrook Drive, all in said Colonial Heritage Place.

Also:

All of April Court, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-131 in the Office of the Recorder of Allen County, Indiana.



To the best of my knowledge and belief, this description is prepared in accordance with Indiana Administrative Code Title 86S, Article 1, Rule 12, Sections 20-25.


Nana A. Opoku, PLS No. 21200012

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."
Nana A. Opoku

County: Allen
Section 20
Township 30 North
Range 15 East

R/W VACATION PLAT

813 W. Brackenridge St.
Fort Wayne, IN 46802
Phone: (260) 755-5993
Fax: (888) 808-4177

APEX Consulting & Surveying

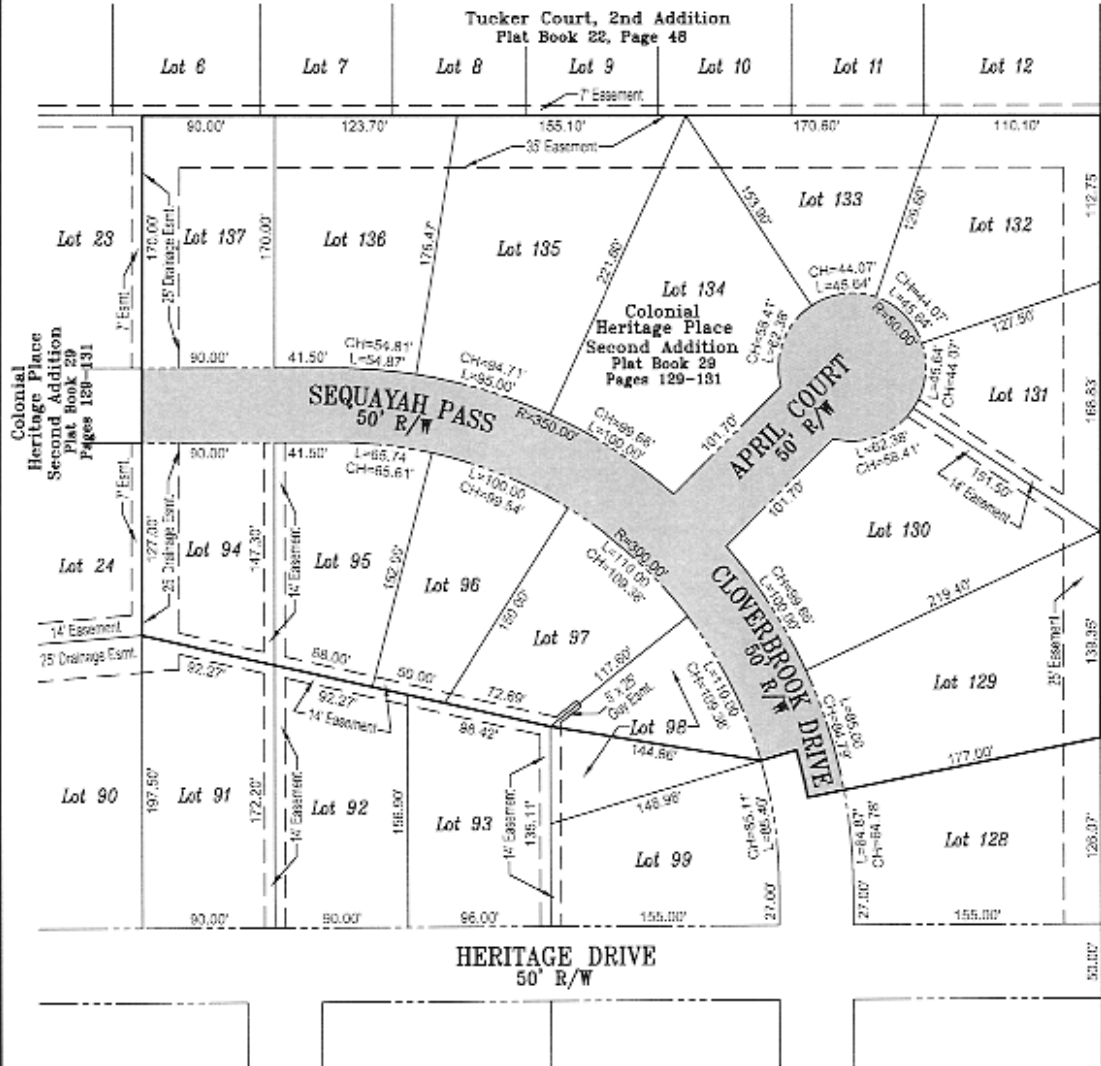
Prepared for the City of Fort Wayne

EXHIBIT B

Nana A. Opoku, PLS No. L521200012

ADAMS TOWNSHIP

Parcel #02-13-20-301-007.000-070





Although every reasonable attempt has been made to provide an accurate depiction of the map, the City does not warrant the accuracy or completeness of the information. The City is not responsible for any errors or omissions, including but not limited to, those resulting from the use of third party data, or any other cause. The City is not responsible for any errors or omissions, including but not limited to, those resulting from the use of third party data, or any other cause.

City of Columbia, South Carolina
Public Works Department
1000 North Main Street, Columbia, SC 29201
June 11, 2019

The Journal Gazette

Account # 1063561 - 134917

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>57</u>

COMPUTATION OF CHARGES

<u>57</u> lines, <u>1</u> column(s) wide equals	
<u>57</u> equivalent lines at <u>\$ 0.473</u> cents per line	\$ 26.96
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>\$ 26.96</u>

DATA FOR COMPUTING COST

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

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

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

The dates of publication being as follows:

<u>11/29/2019</u>	-	-	-
-	-	-	-

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

 Donna M. Brotherton
 Legal Clerk

Date: November 29, 2019

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-19-11-20**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON DECEMBER 10, 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 platted, unimproved right-of-way in Colonial Heritage Place Second Addition for a regional stormwater project. Between 4327 Sequayah Pass and 4929 Cloverbrook Drive and all of April Court (Section 20 of Adams Township)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, DECEMBER 10, 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

11--29 1374917 hspaxlp

The Journal Gazette

Account # 1063561 - 134917

Allen County, Indiana

FW City Clerk's Office

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines	_____
Head -- number of lines	_____
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Tail -- number of lines	_____
Total number of lines in notice	<u>57</u>

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 Legal Clerk

Date: November 29, 2019

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LOCATION: To vacate platted, unimproved right-of-way in Colonial Heritage Place Second Addition for a regional stormwater project. Between 3327 Sequayah Pass and 4929 Cloverbrook Drive, and all of April Court (Section 20 of Adams Township)

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LANA R. KEESLING
CITY CLERK

11--29 1374917 hspaxlp

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

VROW 2019 0012	Bill #G-19-11-20	Project Start: 26 November 2019
APPLICANTS: REQUEST: LOCATION: COUNCIL DISTRICT: PUBLIC HEARING DATE: NEXT COUNCIL ACTION:	City of Fort Wayne Board of Public Works (property owners) To vacate platted, unimproved right-of-way in Colonial Heritage Place Second Addition. Between 3327 Sequayah Pass and 4929 Colverbrook Drive, and all of April Court (Section 20 of Adams Township) District 6 – Glynn Hines December 10, 2019 (to be held by City Council) Petition will return to Council for action following responses from utility agencies.	

PROJECT SUMMARY

The petitioner is the City of Fort Wayne Board of Public Works. A portion of the Colonial Heritage Place Second Addition plat has not developed. It is located at the eastern end of Sequayah Pass and the northern end of Cloverbrook Drive, and also includes April Court. This portion includes 14 platted lots, public right-of-way, and easements. The City of Fort Wayne Board of Public Works has purchased this property to construct a regional stormwater project. The right-of-way vacation request was heard by Common Council, and the plat vacation was heard by the Fort Wayne Plan Commission on December 9, 2019. Requests were sent to all appropriate utility agencies for their responses and there are no requests for an easement over the right-of-way. All platted easements will remain.

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, request turn-around for garbage and emergency
Stormwater Engineering:	Approved
Water Engineering:	Approved
WPC Engineering – Sanitary:	Approved
Fire Department:	Approved
Land Acquisition Agent:	Approved
Frontier:	Approved
Comcast Cable:	No comment
AEP:	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-2019-0012

Bill No. G-19-11-20

Right-of-Way Vacation – Notifications

The Clerk's Office placed legal notification in the Fort Wayne Newspapers.

DPS Staff notified the following adjacent property owners by Certified Mail:

PIN/Property Address:

0213203010060000070

3327 Sequayah Pass

Property Owner of Record:

Alisa Abrams

3327 Sequayah Pass

Fort Wayne, IN 46806

0213203020070000070

3324 Sequayah Pass

Carl Woods and Pamela Ledford

3324 Sequayah Pass

Fort Wayne, IN 46806

0213203010080000070

4929 Cloverbrook Drive

Jessie Johnson

4929 Cloverbrook Drive

Fort Wayne, IN 46806

0213203020180000070

3425 Heritage Drive

Larry and Bernice Hamilton

3425 Heritage Drive

Fort Wayne, IN 46806

0213203060010000070

5009 Cloverbrook Drive

Rumainah Omar

5009 Cloverbrook Drive

Fort Wayne, IN 46806

0213203050090000070

3424 Heritage Drive

Lee Nathan & Kimberly Griggs

3424 Heritage Drive

Fort Wayne, IN 46806

DPS Staff notified the following by Email as a Courtesy:

Community Liaison, Palermo Galindo

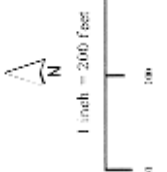
Southeast Area Partnership, Colonial Heritage Place



Vacation Petition VROW-2019-0012



All rights reserved. Accuracy not guaranteed.
 This map is for informational purposes only.
 The City of Alameda does not warrant or guarantee
 the accuracy of the information contained herein.
 The City of Alameda is not responsible for any
 errors or omissions in this map.
 © 2019 Board of Commissioners of the County of Alameda
 North American Station, 1993
 San Jose, CA 95131
 Printed on 100% Recycled Paper, 100%
 Recycled Ink, 100% Recycled Paper



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:

Colonial Heritage Place Second Addition - Lots 94-98 & Lots 129-137

Adams Township, Section 20

Record Document Number: 2018061186

.94 acres total

(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: 39 **PAGE(S) NUMBER(S):** 129-131 (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 creation of a stormwater detention basin.

(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: City of Fort Wayne, Indiana

Street Address: 200 E. Berry St.

City: Fort Wayne State: IN Zip: 46802 Phone: (260)427-1330

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.



Seth Weinglass - Program Manager - Capital Project Services 10/21/2019

Signature

Printed Name

Date

200 E. Berry St. Ste. 250

Fort Wayne, Indiana 46802

Address

City/State/Zip

Signature

Printed Name

Date

Address

City/State/Zip

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

Agent's Name (Print Legibly): City of Fort Wayne, Indiana

Street Address: 200 E. Berry St.

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 427-1330

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 #: _____

LEGAL DESCRIPTION

613 W. Brackenridge St.
Fort Wayne, IN 46802
Phone: (260) 755-5993
Fax: (888) 808-4177

APEX Consulting & Surveying

Prepared for the City of Fort Wayne

EXHIBIT A

Nana A. Opoku, PLS No. LS21200012

ADAMS TOWNSHIP

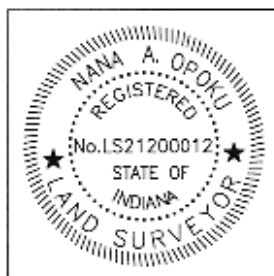
Parcel #02-13-20-301-007.000-070

RIGHT-OF-WAY VACATION – LEGAL DESCRIPTION

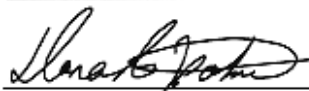
Parts of Sequayah Pass and Cloverbrook Drive, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-131 in the Office of the Recorder of Allen County, Indiana, said portion being bounded to the West by a 50 foot Southerly extension of the West line of Lot 137 to the South right-of-way line of said Sequayah Pass and bounded to the South by a 25 foot Southwesterly extension of the South line of Lot 129 to the centerline of said Cloverbrook Drive and by a 25 foot Northeasterly extension of the South line of Lot 98 to the centerline of said Cloverbrook Drive, all in said Colonial Heritage Place.

Also:

All of April Court, a 50 foot public right-of-way in Colonial Heritage Place Second Addition as recorded in Plat Book 29, pages 129-131 in the Office of the Recorder of Allen County, Indiana.



To the best of my knowledge and belief, this description is prepared in accordance with Indiana Administrative Code Title 865, Article 1, Rule 12, Sections 20-25.


Nana A. Opoku, PLS No. 21200012

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."
Nana A. Opoku

County: Allen
Section 20
Township 30 North
Range 13 East

01/17/2020 11:18:07 AM
CITY OF FT WAYNE CLERKS OFFICE
0.00
NICOLEK

TRANSACTION # 4403555
DOCUMENT # 2020003627

ORDER

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

202001431	ORDINANCE	0.00
202001432	ORDINANCE	0.00
202001433	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 Public Right-of-Way
Case Number: VROW-2019-0012
Bill Number: G-19-11-20
Council District: 6-Glynn Hines

Introduction Date: November 26, 2019
Public Hearing Date: December 10, 2019 (to be held by Council)
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

Synopsis of Ordinance: To vacate platted, undeveloped road right-of-way in Colonial Heritage Place Second Addition.

Location: Between 3327 Sequayah Pass and 4929 Cloverbrook Drive, and all of April Court.

Reason for Request: The City of Fort Wayne is planning a regional stormwater detention basin in this location.

Applicants: City of Fort Wayne Board of Public Works

Property Owners: City of Fort Wayne Board of Public Works

Related Petitions: none

Effect of Passage: If approved, the platted right-of-way will revert to the City and be used for stormwater maintenance and control.

Effect of Non-Passage: The right-of-way will remain as platted and will inhibit the development of a stormwater project to improve drainage conditions for neighborhoods in the area.

BILL NO. G-19-11-20

REPORT OF COMMITTEE ON REGULATIONS

January 14, 2020

Tom Freistroffer Chair

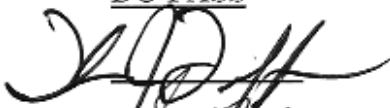






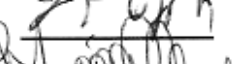


Glynn Hnes Co-Chair

All Council Members

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

To vacate platted, undeveloped road right-of-way in Colonial Heritage Place Second Addition, between 3327 Sequayah Pass and 4929 Cloverbrook Drive, and all of April Court because the City of Fort Wayne is planning a regional stormwater detention basin in this location

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: December 10, 2019

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

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

Read the third time in full and on motion by Councilperson 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"/>
CHAMBERS	<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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: January 14, 2020


LANA R. KEESLING, CITY CLERK

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

General Ordinance No. G-19-11-20 on the 14th day of January, 2020

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th of January 2020, at the hour of 9:20 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of JANUARY 2020, at the hour of 10:00 o'clock AM E.S.T.


THOMAS C. HENRY, MAYOR

