

1 **VEAS-2021-0003**

2 **BILL NO. G-21-06-11**

3
4 **GENERAL ORDINANCE NO. G- Withdrawn**

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

7 WHEREAS, a petition to vacate a platted easement within the City of Fort Wayne, Indiana,
8 (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
9 Indiana; and

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

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

14 SECTION 1. That the petition filed herein to vacate a portion of a platted easement within the
15 City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

16 The fifty-foot wide easement located on Lot 6 of Brames South Side Acres, as dedicated in
17 Deed Book 499, pages 525 and 526 in the Office of the Recorder of Allen County, Indiana.

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

20
21 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
22 any and all necessary approval by the Mayor.

23 _____
24 COUNCILMEMBER

25 APPROVED AS TO FORM AND LEGALITY:

26 Carol T. Helton, City Attorney by VEAS
27 Carol T. Helton, City Attorney
28
29
30

CITY OF FORT WAYNE

Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 / 260.427.1221

I/We do hereby petition to vacate the following:

Easement Public Right of Way (street or alley)

More particularly described as follows:

The 50' wide easement located on Lot 6 of Brames
South Side Acres, as dedicated in Deed Book 499,
pages 525-526 8/11/55

(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: 499 PAGE(S) NUMBER(S): 525-26 (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:

To have a complete residential lot with no
encumbrances

(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: Ross Grant
Street Address: 5030 Cloverbrook Dr.
City: Fort Wayne State: IN Zip: 46806 Phone: 260-413-9092

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

Signature
5030 Cloverbrook Dr
Address

Printed Name
Ross Grant

Date

City/State/Zip
Fort Wayne, IN 46806

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): Ross Grant
Street Address: Same
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 #: 212617 Date Filed: 5/11/21

Map #: AD 19 P-19 Reference #: VEAS-2021-0003

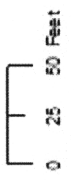


VEAS-2021-0003



Although these 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: 6/2/2021



1 inch = 94 feet

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Platted Easement Vacation
Case Number: VEAS-2021-0003
Bill Number: G-21-06-11
Council District: 6 – Sharon Tucker

Introduction Date: June 8, 2021

Plan Commission
Public Hearing Date: June 22, 2021 to be heard by Council

Next Council Action: Ordinance will return to Council after recommendation by reviewing agencies.

Synopsis of Ordinance: To vacate the fifty-foot wide easement located on Lot 6 of Brames South Side Acres.

Location: 5005 South Anthony Boulevard.

Reason for Request: To have a residential lot without encumbrances, for future redevelopment.

Applicant: Ross Grant

Property Owners: Ross Grant

Related Petitions: none

Effect of Passage: The easement was dedicated in 1955 after the plat was recorded. There are no utilities within the easement. Vacation of the easement will allow for more building flexibility on the lot.

Effect of Non-Passage: The easement will remain as platted. No structures will be permitted within the easement.

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

ORDINANCE NO. G-21-06-11

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 22, 2021 AT 5:30 P.M., IN ROOM 035 – COUNCIL CHAMBERS COURTROOM – GARDEN LEVEL CITIZENS SQUARE , 200 E. BERRY, FORT WAYNE, INDIANA 46802; A REQUEST TO VACATE AN AREA KNOWN AS:

LOCATION: The fifty-foot wide easement located on Lot 6 of Brames South Side Acres at 5005 S Anthony Blvd

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 22, 2021.

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 - 1410091

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 **54**

COMPUTATION OF CHARGES

54 lines, 1 column(s) wide equals _____

54 equivalent lines at \$ 0.499 cents per line \$ 26.95

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 \$ 26.95

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:

6/11/2021

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

Pamela K. Thornton

Pamela K. Thornton
Legal Clerk

Date: June 11, 2021

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6--11 1410091 hspaxlp

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