

1 VALY-2021-0001

2 BILL NO. G-21-06-12

3 GENERAL ORDINANCE NO. G- Withdrawn

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

7 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as
8 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 public right-of-way within the City of
15 Fort Wayne, Indiana, more specifically described as follows, to-wit:

16 This description, prepared by Aaron J. Carl, Professional Surveyor License Number
17 LS20800123 and employed by T -E Incorporated, was created as part of an Alley Vacation
18 Petition for Job No. 21053 on May 2 8, 2021. A part of the subdivision plat named Harvester
19 Park Addition, recorded in Plat Record 11, page 98, and being in the Southwest Quarter of
20 Section 8, Township 30 North, Range 13 East, of Adams Township, Allen County, Indiana,
21 all recorded documents in this description are recorded in the Office of the Recorder of Allen
22 County, and more particularly described as follows:

23 Beginning at the Northeast corner of Lot 148 in said Harvester Park Addition plat, said point
24 also being on the South Right-of-way line of Felician Street; thence North 89 degrees 05
25 minutes 39 seconds East (being the basis of all bearings this description), on and along the
26 South Right-of-way line of Felician Street, a distance of 14.00 feet to the Northwest corner of
27 Lot 149 in said plat; thence South 00 degrees 24 minutes 44 seconds East, on and along the
28 West lines of Lots 149 and 150 in said plat, a distance of 235.90 feet to the Southwest corner
29 of Lot 150 in said plat, said point also being on the North Right-of-way line of E. Pontiac
30 Street; thence South 89 degrees 08 minutes 28 seconds West, on and along the North Right-of-
way line of E. Pontiac Street, a distance of 14.00 feet to the Southeast corner of Lot 151 in
said plat; thence North 00 degrees 24 minutes 44 seconds West, on and along the East lines of
Lots 151 and 148 in said plat, a distance of 235.89 feet to the Point of Beginning, containing
0.076 acres of land, more or less.

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 *Carol T. Helton, City Attorney*
by *LS*

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 alley between Lots 148, 151 and 149, 150, in Harvester Park Addition, that connects Felician Street
to E. Pontiac Street

(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: 11 **PAGE(S) NUMBER(S):** 98 (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 petitioner is looking to expand their existing facilities and they are interested in additional land acquisition. The existing alley does not meet current City of Fort Wayne street/alley standards and is not used as a regular thoroughfare for vehicular traffic.

(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.

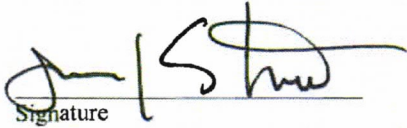
Applicant's name(s) if different from property owner(s):

Name: _____

Street Address: _____

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

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.



James Stout

6-1-21

Signature

Printed Name

Date

3805 E. Pontiac Street

Fort Wayne, IN 46803

Address

City/State/Zip

Signature

Printed Name

Date

Address

City/State/Zip

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

Agent's Name (Print Legibly): _____

Street Address: _____

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

NOTICE:

- Legal Description is to be the area to be vacated and must be complete 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 #: _____

Pinnacle Property Investment Group, LLC

Property address:

2650 S. Coliseum Blvd.

Fort Wayne, IN 46803

Tax Mailing address:

4107 Selkirk Court

Fort Wayne, IN 46816

Property X Holdings, LLC

Property address:

2602 S. Coliseum Blvd.

Fort Wayne, IN 46803

Tax Mailing address:

3108 Lower Huntington Road

Fort Wayne, IN 46809

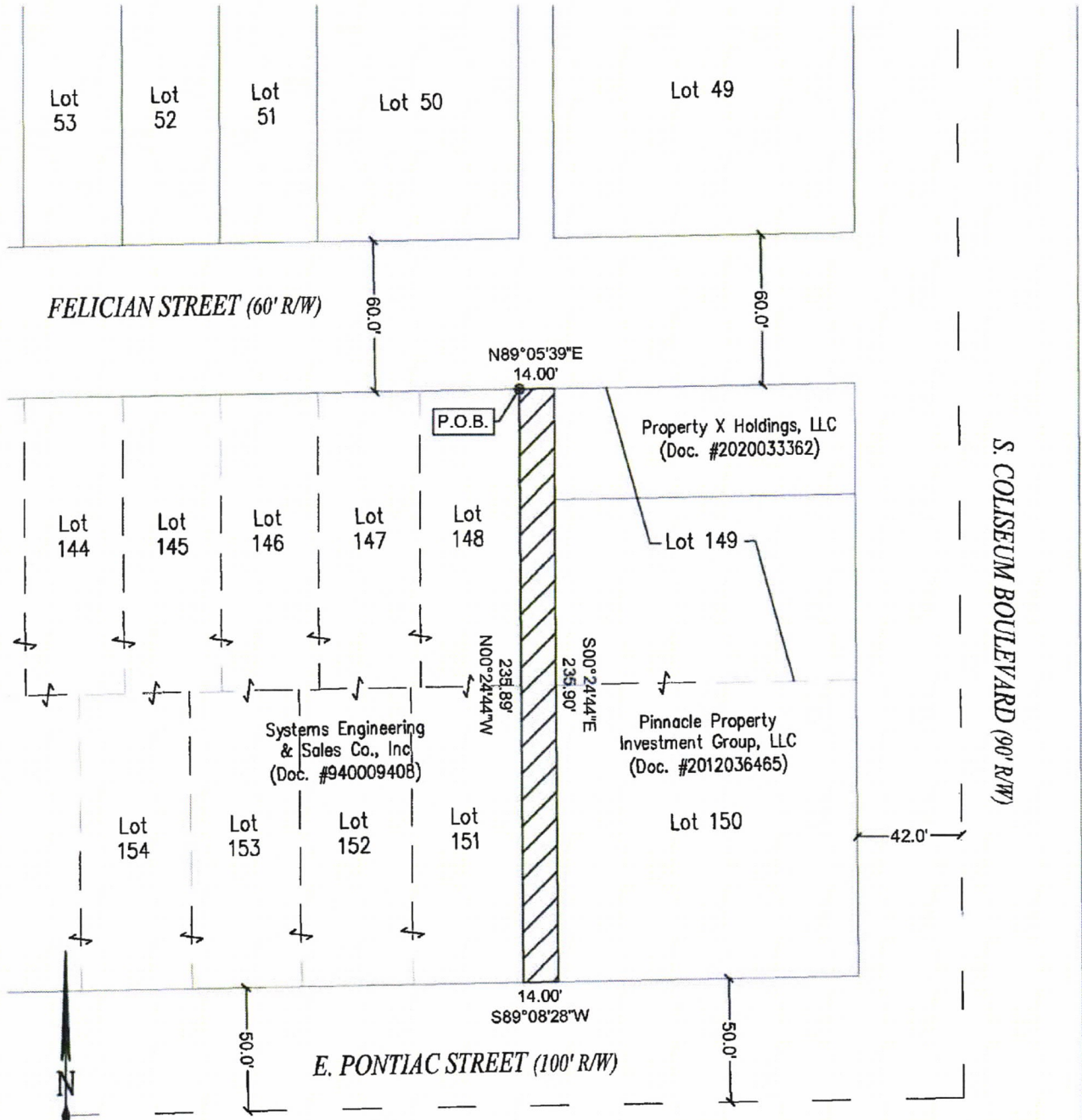


T-E INCORPORATED

8620 Bluffton Road
 Fort Wayne, IN 46809
 Phone (260) 489-5541 FAX (260) 489-3174
 Email TE@t-einc.com

Surveying * Engineering * Asphalt * Utilities * Site Development

PROJECT:	Systems Engineering & Sales Company, Inc.
ADDRESS:	3805 E. Pontiac Street, Fort Wayne, IN
DESCRIPTION:	Alley exhibit
JOB NO.:	21053
DATE:	May 28, 2021
SCALE:	1"=60'



"This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report."



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JOB NO.:	21053
DATE:	May 28, 2021
SCALE:	1"=60'

Alley Description:

This description, prepared by Aaron J. Carl, Professional Surveyor License Number LS20800123 and employed by T-E Incorporated, was created as part of an Alley Vacation Petition for Job No. 21053 on May 28, 2021. A part of the subdivision plat named Harvester Park Addition, recorded in Plat Record 11, page 98, and being in the Southwest Quarter of Section 8, Township 30 North, Range 13 East, of Adams Township, Allen County, Indiana, all recorded documents in this description are recorded in the Office of the Recorder of Allen County, and more particularly described as follows:

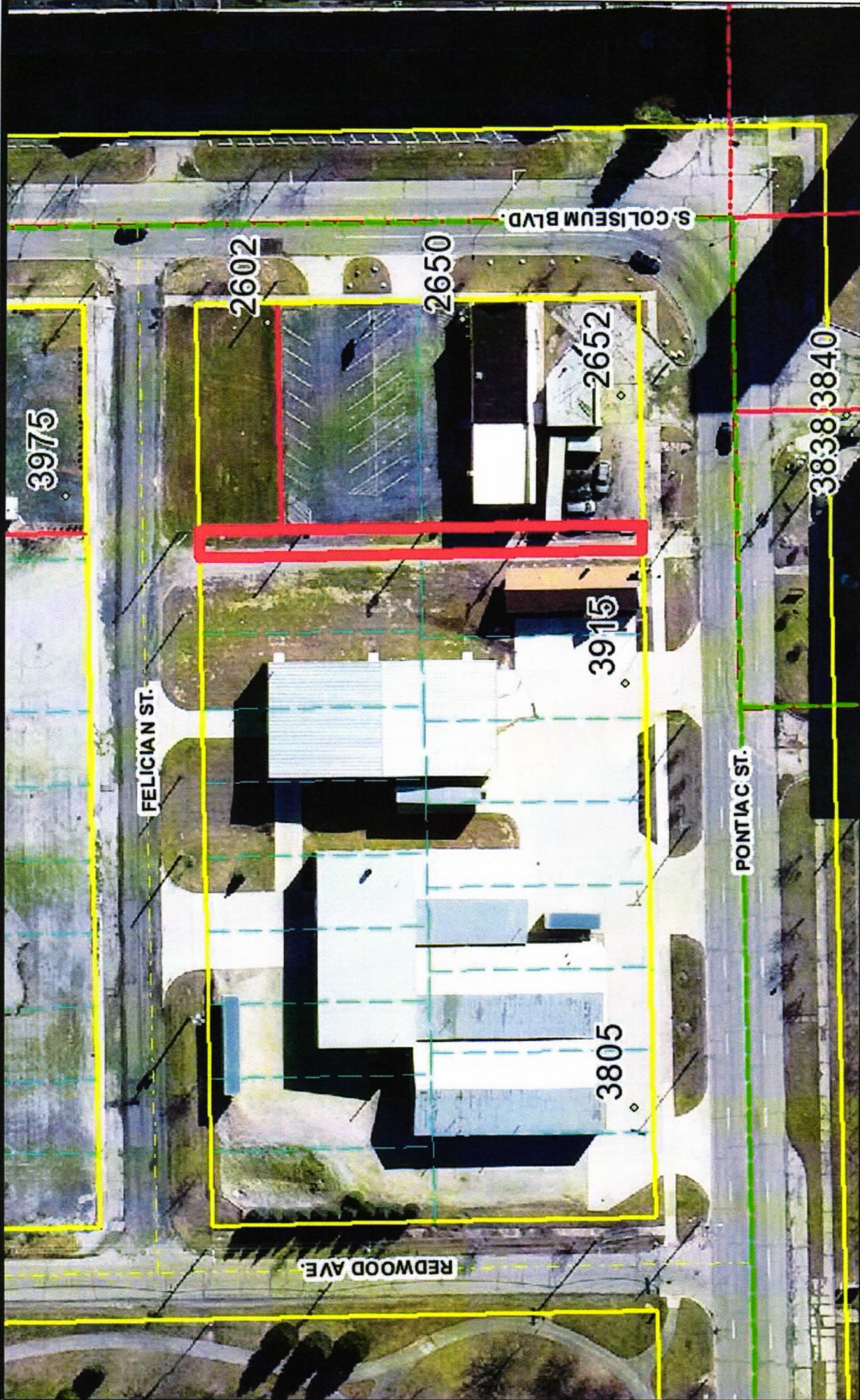
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"This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report."

SHEET: 2 of 2

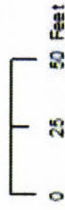


VALY-2021-0001



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: 6/2/2021



1 inch = 68 feet

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Platted Easement Vacation
Case Number: VALY-2021-0001
Bill Number: G-21-06-12
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 fourteen-foot wide alley easement located on between Lots 148 and 151 and 149 and 150 of Harvester Park Addition.

Location: East of 3805 East Pontiac

Reason for Request: To allow for a business expansion for SESCO, 3805 E. Pontiac.

Applicant: James Stout - SESCO

Property Owners: SESCO

Related Petitions: none

Effect of Passage: The alley is undersized and underutilized. The applicant would like the ability to expand and possibly acquire more land. Vacation of the alley will not cause inconvenience to adjoining properties as there is full access to adjacent public streets.

Effect of Non-Passage: The alley will remain as platted. No structures will be permitted within the alley, and setbacks will be measured from the alley boundary.

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

ORDINANCE NO. G-21-06-12

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 fourteen-foot wide alley easement located between Lots 148 and 151 and 149 and 150 of Harvester Park Addition, east of 3805 East Pontiac

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 - 1410090

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 **55**

COMPUTATION OF CHARGES

55 lines, 1 column(s) wide equals _____

55 equivalent lines at \$ 0.499 cents per line **\$ 27.45**

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 **\$ 27.45**

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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