

1 VROW-2022-0005

2 BILL NO. G-22-05-04

3 Duly entered for taxation. Subject
to final acceptance for transfer.

4 GENERAL ORDINANCE NO. G-8-22

5 JUN 16 2022

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

7 AUDITOR OF ALLEN COUNTY

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 THE INTENT OF THIS REAL ESTATE DESCRIPTION IS TO DESCRIBE THE VACATION
18 OF A PORTION OF THE DEDICATED RIGHT OF WAY OF INSURANCE AVENUE AS
19 SHOWN ON THE SECONDARY PLAT OF BROTHERHOOD PLACE AS RECORDED IN
20 PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN
21 COUNTY, INDIANA BEING WITHIN THE SOUTHEAST QUARTER OF SECTION 14,
22 TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA AND BEING BASED
23 UPON A BOUNDARY RETRACEMENT SURVEY COMPLETED BY FORESIGHT
24 CONSULTING, LLC AS COMMISSION NUMBER 111092 DATED DECEMBER 5TH, 2011
25 AND CERTIFIED BY TODD R. BAUER, INDIANA PROFESSIONAL SURVEYOR NUMBER
26 29800007, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27 BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBER ONE WITHIN
28 BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE
29 OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID SOUTHWEST
30 CORNER BEING COINCIDENT WITH THE SOUTHEAST CORNER OF LOT NUMBER SIX
WITHIN SAID BROTHERHOOD PLACE AND BEING ON THE NORTH RIGHT OF WAY
LINE OF INSURANCE AVENUE; THENCE NORTH 88 DEGREES 07 MINUTES 33
SECONDS EAST (INDIANA STATE PLANE COORDINATE ZONE EAST BEARING AND
BASIS TO FOLLOW) ON AND ALONG THE NORTH RIGHT OF WAY LINE OF
INSURANCE AVENUE A DISTANCE OF 235.95 FEET TO A POINT OF CURVATURE OF A
CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET; THENCE NORTHEASTERLY
ON AND ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT OF
WAY LINE OF INSURANCE AVENUE, AN ARC DISTANCE OF 83.36 FEET AND BEING
SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 01 MINUTES 16 SECONDS
EAST A CHORD DISTANCE OF 81.82 FEET TO A POINT; THENCE SOUTH 40 DEGREES
05 MINUTES 01 SECONDS EAST RADIAL TO THE CENTER OF THE AFOREMENTIONED



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Tx:4569061

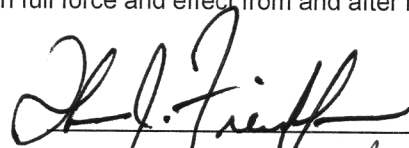
36

25

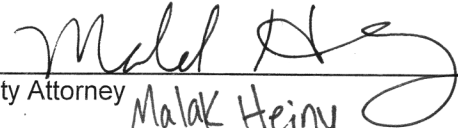
1 CURVE TO THE LEFT A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT
2 OF WAY LINE OF INSURANCE AVENUE; THENCE SOUTHWESTERLY ON AND ALONG
3 THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE BEING A CURVE TO THE
4 RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC DISTANCE OF 116.71 FEET AND
5 BEING SUBTENDED BY A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 16
6 SECONDS WEST A CHORD DISTANCE OF 114.55 FEET TO A POINT OF TANGENCY;
7 THENCE SOUTH 88 DEGREES 07 MINUTES 33 SECONDS WEST ON AND ALONG THE
8 SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 586.93 FEET
9 TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00
10 FEET; THENCE SOUTHWESTERLY ON AND ALONG SAID CURVE TO THE LEFT AN
11 ARC DISTANCE OF 29.06 FEET AND BEING SUBTENDED BY A CHORD BEARING
12 SOUTH 46 DEGREES 30 MINUTES 04 SECONDS WEST A CHORD DISTANCE OF 26.57
13 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT
14 HAVING A RADIUS OF 150.00 FEET, SAID POINT OF CURVATURE BEING A POINT ON
15 THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE; THENCE NORTHEASTERLY ON
16 AND ALONG SAID CURVE TO THE LEFT, BEING THE NORTHERLY EXTENSION OF THE
17 EAST RIGHT OF WAY LINE OF MUTUAL DRIVE, AN ARC DISTANCE OF 17.67 FEET AND
18 BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 30 MINUTES 04
19 SECONDS EAST A CHORD DISTANCE OF 17.66 FEET TO A POINT OF TANGENCY;
20 THENCE NORTH 01 DEGREES 52 MINUTES 27 SECONDS WEST ON AND ALONG THE
21 SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE A
22 DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE
23 TO THE LEFT HAVING A RADIUS OF 20.00 FEET, SAID POINT BEING THE POINT OF
24 INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL
25 DRIVE AND THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE; THENCE
26 SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT BEING THE NORTH RIGHT OF
27 WAY LINE OF INSURANCE AVENUE AN ARC DISTANCE OF 31.42 FEET AND BEING
28 SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 52 MINUTES 27 SECONDS
29 EAST A CHORD DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY; THENCE
30 NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST ON AND ALONG THE NORTH
POINT OF BEGINNING, CONTAINING 0.814 ACRES OF LAND, MORE OR LESS, AND
BEING SUBJECT TO ALL EASEMENTS OF RECORD.

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 *Thomas Freistraffer*

APPROVED AS TO FORM AND LEGALITY:


City Attorney *Malak Heiny*

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VROW-2022-0005
Bill Number: G-22-05-04
Council District: 3 – Tom Didier

Introduction Date: May 10, 2022

Public Hearing Date: May 24, 2022 to be heard by Council

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

Synopsis of Ordinance: To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.

Location: At 309 Insurance Avenue, north of Brotherhood Mutual Campus.

Reason for Request: To expand parking facilities for recent growth at the Brotherhood Mutual Insurance Company campus.

Applicant: Brotherhood Mutual Insurance Company

Property Owner: Brotherhood Mutual Insurance Company

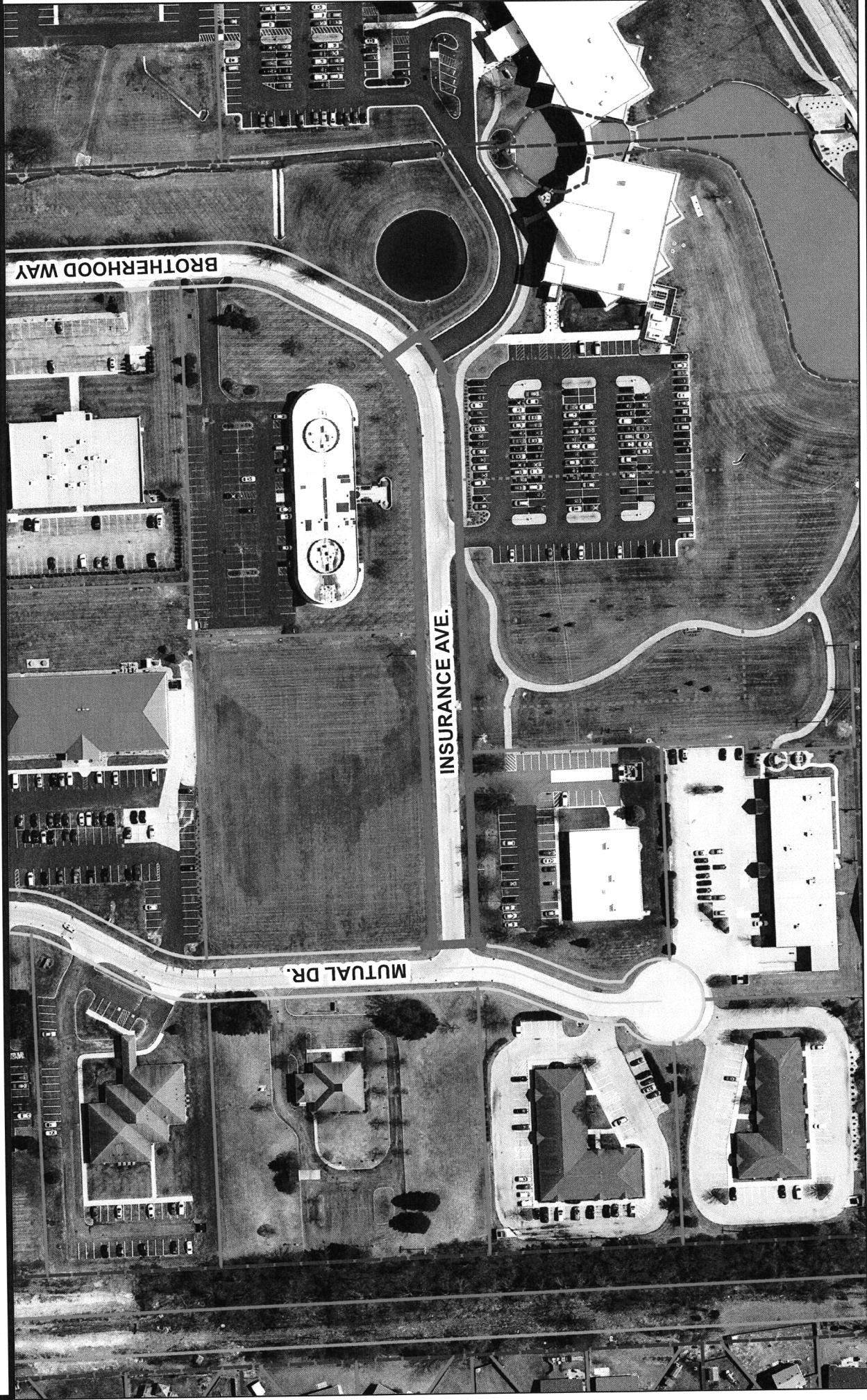
Related Petitions: none

Effect of Passage: The vacation of Insurance Avenue will allow Brotherhood Mutual to expand parking facilities and combine properties. Vacation of the street will not affect access to any other property.

Effect of Non-Passage: The right of way will remain as platted. Amount of new available parking will be reduced due to setbacks from right-of-way.

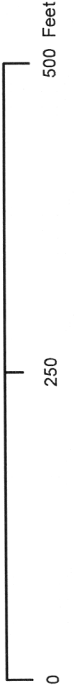


Vacation of Right of Way VROW-2022-0005 Insurance Avenue



Although strict accuracy standards have been employed in the completion 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: 4/27/2022



1 inch = 150 feet

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 X Public Right of Way (street or alley)

More particularly described as follows:

All of Insurance Avenue between Mutual Drive and Brotherhood Way as legally
described on the attached Exhibit A and depicted on the attached Exhibit B.

(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: Cabinet B PAGE(S) NUMBER(S): 58 (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:
See attached Exhibit C.

(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: See attached Exhibit D.

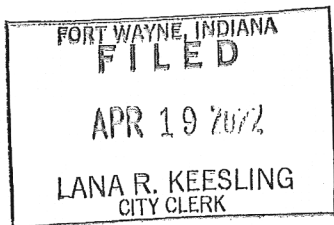
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Brotherhood Mutual Insurance Company

Street Address: 6400 Brotherhood Way

City: Fort Wayne State: IN Zip: 46825 Phone: 260-481-9943



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.

See attached Exhibit E.

Signature _____

Printed Name _____

Date _____

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): Thomas M. Niezer

Street Address: 215 E. Berry Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 423-8898

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 #: _____

Exhibit A

Legal Description

THE INTENT OF THIS REAL ESTATE DESCRIPTION IS TO DESCRIBE THE VACATION OF A PORTION THE DEDICATED RIGHT OF WAY OF INSURANCE AVENUE AS SHOWN ON THE SECONDARY PLAT OF BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA BEING WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA AND BEING BASED UPON A BOUNDARY RETRACEMENT SURVEY COMPLETED BY FORESIGHT CONSULTING, LLC AS COMMISSION NUMBER 111092 DATED DECEMBER 5TH, 2011 AND CERTIFIED BY TODD R. BAUER, INDIANA PROFESSIONAL SURVEYOR NUMBER 29800007, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBER ONE WITHIN BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID SOUTHWEST CORNER BEING COINCIDENT WITH THE SOUTHEAST CORNER OF LOT NUMBER SIX WITHIN SAID BROTHERHOOD PLACE AND BEING ON THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST (INDIANA STATE PLANE COORDINATE ZONE EAST BEARING AND BASIS TO FOLLOW) ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 235.95 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET;

THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF INSURANCE AVENUE, AN ARC DISTANCE OF 83.36 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 01 MINUTES 16 SECONDS EAST A CHORD DISTANCE OF 81.82 FEET TO A POINT;

THENCE SOUTH 40 DEGREES 05 MINUTES 01 SECONDS EAST RADIAL TO THE CENTER OF THE AFOREMENTIONED CURVE TO THE LEFT A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE SOUTHWESTERLY ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC DISTANCE OF 116.71 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 16 SECONDS WEST A CHORD DISTANCE OF 114.55 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 88 DEGREES 07 MINUTES 33 SECONDS WEST ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 586.93 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;

THENCE SOUTHWESTERLY ON AND ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 29.06 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 30 MINUTES 04 SECONDS WEST A CHORD DISTANCE OF 26.57 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, SAID POINT OF CURVATURE BEING A POINT ON THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE;

THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, BEING THE NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE, AN ARC DISTANCE OF 17.67 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 30 MINUTES 04 SECONDS EAST A CHORD DISTANCE OF 17.66 FEET TO A POINT OF TANGENCY;

THENCE NORTH 01 DEGREES 52 MINUTES 27 SECONDS WEST ON AND ALONG THE SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE A DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, SAID POINT BEING THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE AND THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT BEING THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE AN ARC DISTANCE OF 31.42 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 52 MINUTES 27 SECONDS EAST A CHORD DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 349.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.814 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

Exhibit C

Reasons for Proposed Vacation

Applicant: Brotherhood Mutual Insurance Company (“Company”)

Street: All of Insurance Avenue between Mutual Drive and Brotherhood Way. References to lot numbers in this document relate to the plat for Brotherhood Place, as recorded in Cabinet B, page 58.

Reason for Request: For over 100 years, the Company has provided insurance and risk management resources for America’s churches and related ministries. The Company currently insures more than 65,000 organizations in 47 states. In 1980, the Company acquired property off Ludwig Road that now serves as the Company’s national headquarters.

The Company is a major employer in the Northeast Indiana region. It currently employs 570 people and expects continued growth in the coming years. To accommodate this growth, the Company desires to add additional parking within its campus.

The Company owns a vacant lot east of Mutual Drive and North of Insurance Avenue that will serve as a prime location for a new parking lot. It is anticipated that this new parking lot will provide up to 268 additional parking spaces, increasing total parking capacity within the campus to over 900. The plans for the parking lot are attached hereto as Exhibit C-1. Vacating Insurance Avenue will allow the Company to maximize the use of this space. As part of the plans, the existing access drive to the building located on Lot 10 (which is also owned by the Company) will be maintained, and a new access drive will be established off Mutual Drive. The Company will re-dedicate a portion of the vacated right-of-way to the City of Fort Wayne (“City”) for the proposed round-a-bout at the end of Brotherhood Way.

Affected Property Owners: The Company currently owns all the lots contiguous to Insurance Avenue except Lot 1. This lot, commonly known as 220 Insurance Avenue, is owned by Peterson Equity Investments LLC. The Company has contacted this owner and has been advised that the owner does not object to this petition. There is also public right of way adjacent to Insurance Avenue that is owned by the City. The Company does not believe the City will be negatively impacted by this petition.

Utilities: The Company will be granting utility easements to the City, Frontier Communications, Northern Indiana Public Service Company, and AEP as part of this request.

Exhibit D

Names and Addresses of Adjacent Property Owners

Property owner(s) Name(s)	Street Address	City	State	Zip Code	Phone Number
Brotherhood Mutual Insurance Company	6400 Brotherhood Way	Fort Wayne	IN	46825	(260) 481-9943
Petersen Equity Investments, LL	1520 Shoreview Drive	Fort Wayne	IN	46819	(260) 385-0547
City of Fort Wayne	200 E. Berry St., Ste. 210	Fort Wayne	IN	46802	(260) 427-6155
Bulldog Property LLC	PO Box 65	Leo	IN	46765	(260) 209-3800
D C L Scott Corp	12813 Chadsford Cir	Fort Myers	FL	33913	(239) 693-3969

Nearby Properties Owned

- Brotherhood Mutual Insurance Company
 - 6412 Mutual Drive (Lot 6)
 - 309 Insurance Avenue (Lot 10)
 - 6400 Brotherhood Way (vacated lots 13 and 15 & Lot 14)
 - Brotherhood Way (the Green)

- Peterson Equity Investments LLC
 - 220 Insurance Avenue (Lot 1)

- City of Fort Wayne
 - Mutual Drive
 - Brotherhood Way

- Bulldog Property LLC
 - 6415 Mutual Drive (Lot 7)

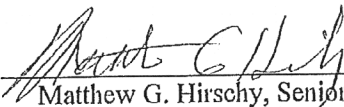
- D C L Scott Corp
 - 6319 Mutual Drive (Lot 9)

Exhibit E

Signature Page to Vacation Petition

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 policies and procedures 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.

BROTHERHOOD MUTUAL INSURANCE COMPANY

By: 
Matthew G. Hirschy, Senior VP & Treasurer

4/18/2022
(date)

Address: 6400 Brotherhood Way
Fort Wayne, IN 46824

Professional Engineers & Surveyors
 1910 St. Joe Center Road, Suite #61
 Fort Wayne, Indiana 46825
 260.484.9900 phone
 260.484.9980 fax
 www.fseil.biz



Foreight Consulting, LLC

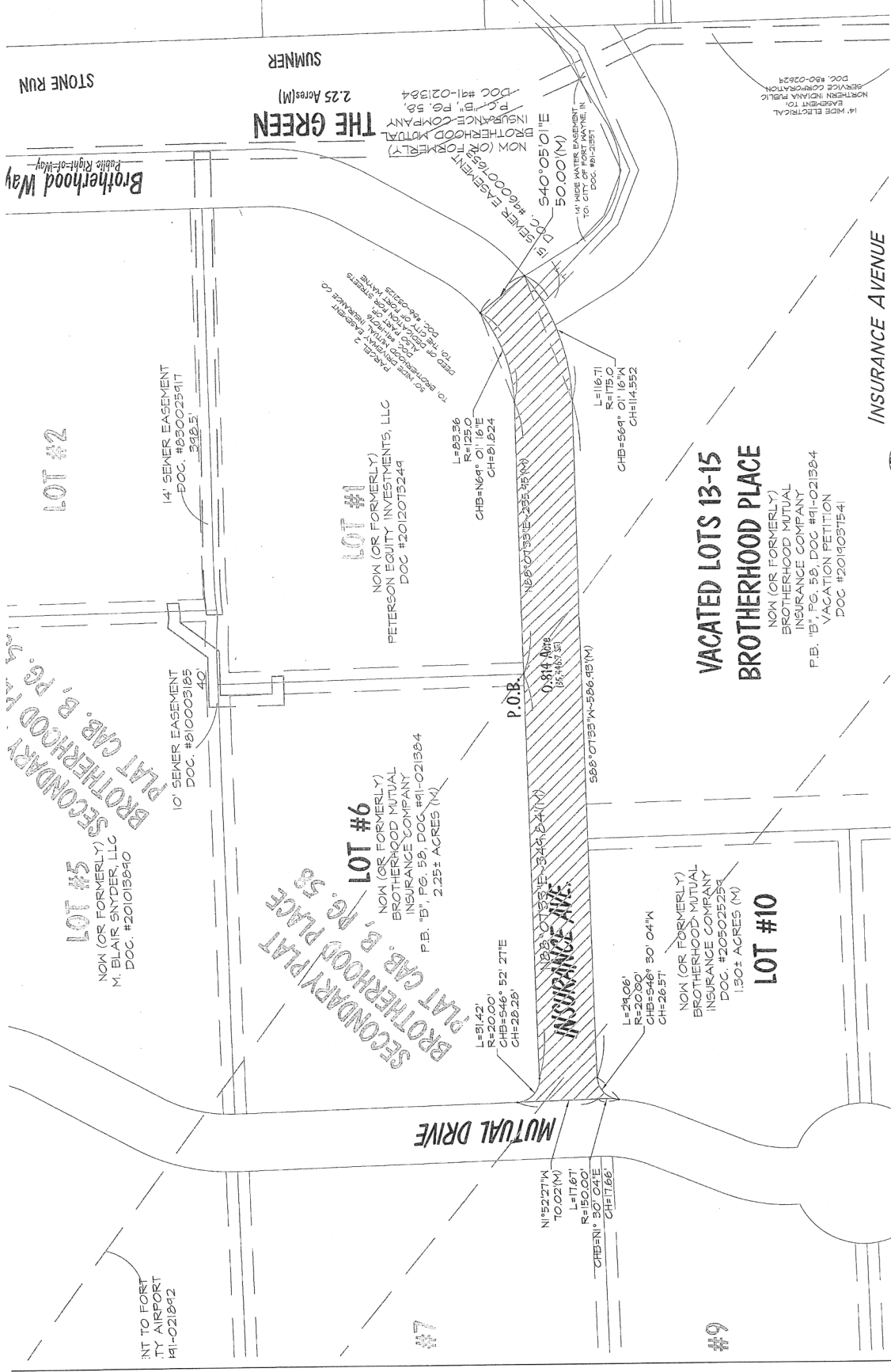
EXPERIENCE. INNOVATION. RESULTS.

Performed for:
 Right of Way Vacation Exhibit for:
Insurance Avenue
 Fort Wayne, Indiana

Commission Number
 213143
 Date
 March 28th, 2022
 Title
 Insurance Avenue

Drawing Revisions

Sheet Number
S1.1
 SHEET 1 OF 1



INSURANCE AVENUE
 RIGHT OF WAY VACATION EXHIBIT
 SCALE: 1" = 80'
 NORTH

Exhibit B
 Depiction of Public Right of Way
 Proposed to be Vacated

STONE RUN
 2.25 Acres (M)
 THE GREEN
 2.25 Acres (M)

Brotherhood Way
 Public Right-of-Way

LOT #2

LOT #5
 SECONDARY PLAT
 BROTHERHOOD PLACE
 PLAT C&B, B, PG. 58
 M. BLAIR SNYDER, LLC
 DOC. #201015890

LOT #6
 SECONDARY PLAT
 BROTHERHOOD PLACE
 PLAT C&B, B, PG. 58
 NOM (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 P.B. 'B', PG. 58, DOC #41-021384
 2.25± ACRES (M)

LOT #1
 NOM (OR FORMERLY)
 PETERSON EQUITY INVESTMENTS, LLC
 DOC #2012015249

LOT #7

LOT #10
 NOM (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 DOC. #205025258
 1.30± ACRES (M)

VACATED LOTS 13-15
 BROTHERHOOD PLACE
 NOM (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 P.B. 'B', PG. 58, DOC #41-021384
 VACATION PETITION
 DOC #2019037154

#9

14' WIDE ELECTRICAL
 SERVICE CORPORATION
 EASEMENT TO
 NORTON MIKE PHILLIP
 TO CITY OF FORT WAYNE, IN
 DOC #41-021384

14' WIDE WATER EASEMENT
 TO CITY OF FORT WAYNE, IN
 DOC #41-021384

L=116.71
 R=175.0
 CH=114.952

L=85.36
 R=125.0
 CH=81.624

L=51.42
 R=80.0
 CH=28.26

L=29.06'
 R=20.00'
 CH=5.48' 50' 04"

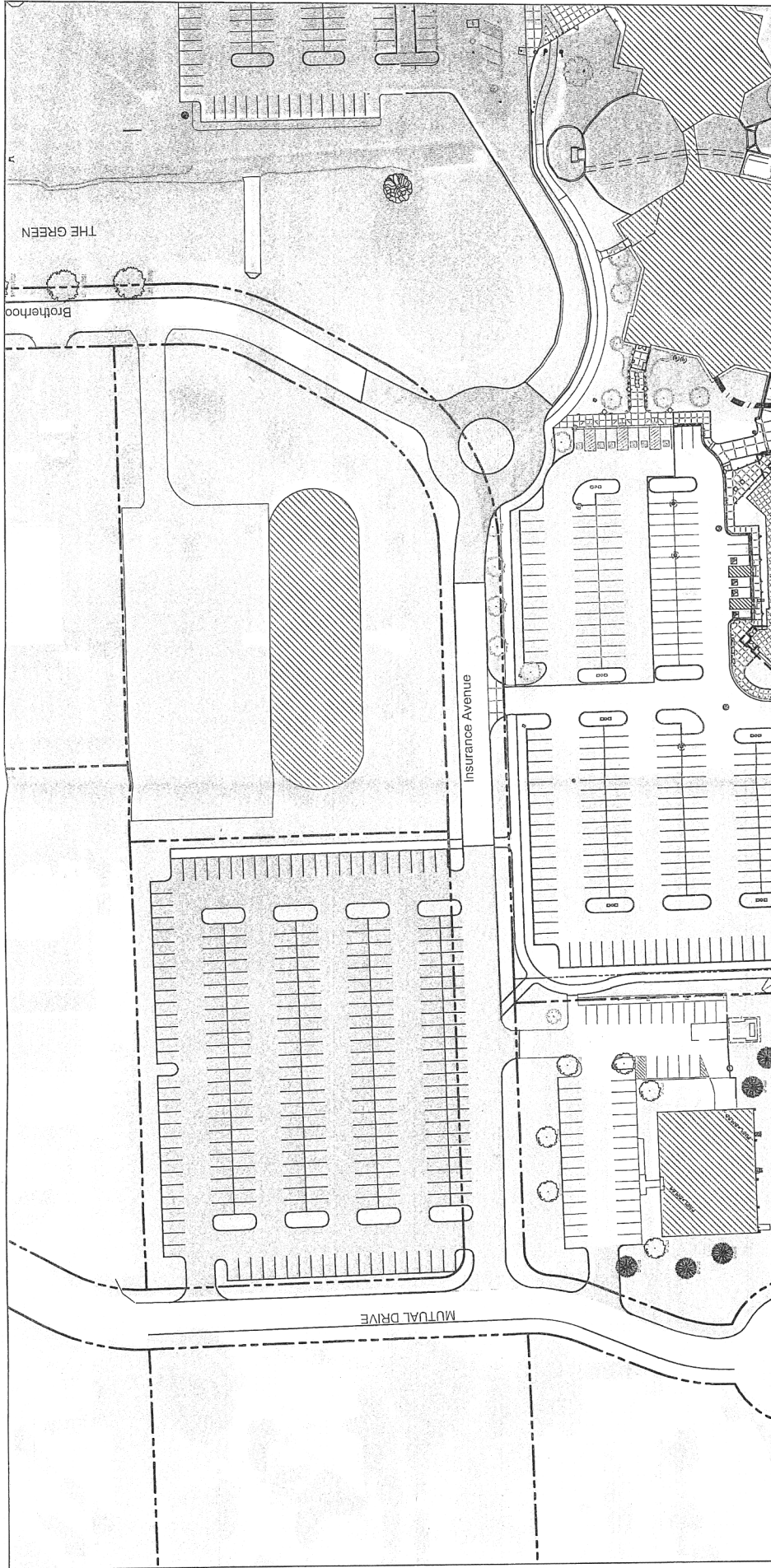
N152.27°M
 TO 021°M
 L=117.67'
 R=150.00'
 CH=17.66'

CHB=N1° 30' 04"E
 CH=17.66'

CHB=N64° 01' 16"E
 CH=21.624

L=116.71
 R=175.0
 CH=114.952

Exhibit C-1



INSURANCE AVENUE REDESIGN - OPTION A



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: Applicants/Adjacent Property Owners
FROM: Michelle Wood, RLA
Senior Land Use Planner
RE: Public Hearing Notice
DATE: May 9, 2022

We are sending this courtesy notice to let you know the Common Council of Fort Wayne, Indiana will hold a public hearing **Tuesday May 24, 2022 at 5:30 p.m.** The Council will hold the hearing in **Room 035 of the Citizens Square Building at 200 East Berry Street.** Room 035 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

PROPOSAL: VROW-2022-0005
BILL NO: G-22-05-04
APPLICANTS: Brotherhood Mutual Insurance Company
REQUEST: To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.
LOCATION: North of 309 Insurance Avenue and the Brotherhood Mutual Campus.
COUNCIL DISTRICT: 3-Tom Didier

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 near to the above request. This public hearing is your chance to offer input you may have regarding the request.

Thank you for your attention to this matter. Please call this office if you have any questions.

**Department of Planning Services
200 East Berry, Suite 150
Fort Wayne, IN 46802
260-449-7607**

The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office

Notice ID: iF4jkWSCc4btkffjE0B8

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT

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 equal:
55 equivalent lines at \$ 0.4990 cents per line \$27.45

Additional charges for notices containing rule or tabular work
(50 percent of above amount) \$ _____

Electronic processing fee \$ 0.00

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.

The dates of publication being as follows:

5/13/22 _____ _____
_____ _____ _____

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

Date: 5/13/2022

Bhinda McAure
Legal Clerk

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

ORDINANCE NO. G-22-05-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 24, 2022 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: All of Insurance Avenue between Mutual Dr and Brotherhood Way at 309 Insurance Avenue

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 24, 2022.

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--13 hspaxlp

ALLEY VACATION – PUBLIC HEARING
Department of Planning Services

VROW 2022 0005	Bill #G-22-05-04	Project Start: May 2022
APPLICANT: REQUEST: LOCATION: COUNCIL DISTRICT: PUBLIC HEARING DATE:	Brotherhood Mutual Insurance Company To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way. North of 309 Insurance Avenue and the Brotherhood Mutual Campus. 3-Tom Didier May 24, 2022	

PROJECT SUMMARY

The petitioner owns property on both sides of Insurance Avenue. As Brotherhood Mutual has expanded their services on the campus, they are in need of additional parking. Insurance Avenue is the southern connection between Mutual Drive and Brotherhood Way. With this proposal Mutual Drive will remain and end in the existing cul-de-sac, and Brotherhood Way will end in a new cul-de-sac, from land to be dedicated by Brotherhood Mutual. No existing access to other businesses will be affected. Staff has sent requests for comment from all affected utility agencies. When all responses are received, staff will return to Council for discussion.

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:
- Stormwater Engineering:
- Water Engineering:
- WPC Engineering – Sanitary:
- City Parks Department:
- Fire Department:
- Land Acquisition Agent:
- Frontier:
- 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-2022-0005

Bill No. G-22-05-04

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 or Hand Delivery:**

PIN/Property Address:

Property Owner of Record:

020714426005000073
6400 Brotherhood Way

Brotherhood Mutual Insurance Co, LLC
6400 Brotherhood Way
Fort Wayne, IN 46825

020714402006000073
220 Insurance Avenue

Petersen Equity Investments LLC
1520 Shoreview Drive
Fort Wayne, IN 46819

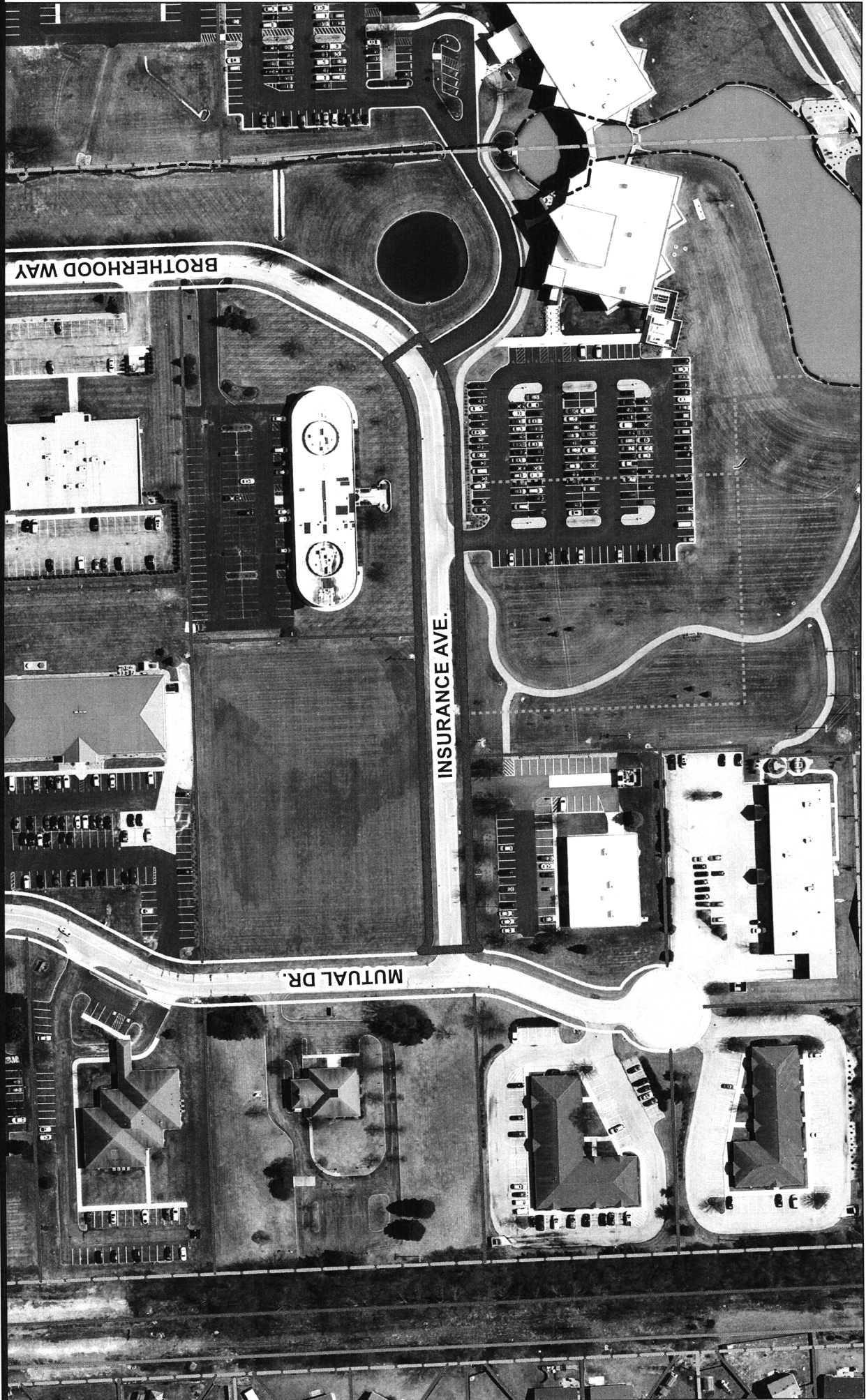
DPS Staff notified the following by Email as a courtesy:

NWAP

Dan Baisden, Neighborhood Activation

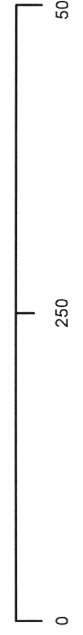


Vacation of Right of Way VROW-2022-0005 Insurance Avenue



Although strict accuracy standards have been employed in the completion 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: 4/27/2022



1 inch = 150 feet

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 X Public Right of Way (street or alley)

More particularly described as follows:

All of Insurance Avenue between Mutual Drive and Brotherhood Way as legally
described on the attached Exhibit A and depicted on the attached Exhibit B.

(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: Cabinet B PAGE(S) NUMBER(S): 58 (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:

See attached Exhibit C.

(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: See attached Exhibit D.

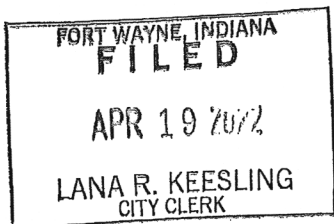
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Brotherhood Mutual Insurance Company

Street Address: 6400 Brotherhood Way

City: Fort Wayne State: IN Zip: 46825 Phone: 260-481-9943



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.

See attached Exhibit E.
Signature _____ Printed Name _____ Date _____

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): Thomas M. Niezer

Street Address: 215 E. Berry Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 423-8898

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 #: _____

Exhibit A

Legal Description

THE INTENT OF THIS REAL ESTATE DESCRIPTION IS TO DESCRIBE THE VACATION OF A PORTION THE DEDICATED RIGHT OF WAY OF INSURANCE AVENUE AS SHOWN ON THE SECONDARY PLAT OF BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA BEING WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA AND BEING BASED UPON A BOUNDARY RETRACEMENT SURVEY COMPLETED BY FORESIGHT CONSULTING, LLC AS COMMISSION NUMBER 111092 DATED DECEMBER 5TH, 2011 AND CERTIFIED BY TODD R. BAUER, INDIANA PROFESSIONAL SURVEYOR NUMBER 29800007, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBER ONE WITHIN BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID SOUTHWEST CORNER BEING COINCIDENT WITH THE SOUTHEAST CORNER OF LOT NUMBER SIX WITHIN SAID BROTHERHOOD PLACE AND BEING ON THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;
THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST (INDIANA STATE PLANE COORDINATE ZONE EAST BEARING AND BASIS TO FOLLOW) ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 235.95 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET;
THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF INSURANCE AVENUE, AN ARC DISTANCE OF 83.36 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 01 MINUTES 16 SECONDS EAST A CHORD DISTANCE OF 81.82 FEET TO A POINT;
THENCE SOUTH 40 DEGREES 05 MINUTES 01 SECONDS EAST RADIAL TO THE CENTER OF THE AFOREMENTIONED CURVE TO THE LEFT A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE;
THENCE SOUTHWESTERLY ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC DISTANCE OF 116.71 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 16 SECONDS WEST A CHORD DISTANCE OF 114.55 FEET TO A POINT OF TANGENCY;
THENCE SOUTH 88 DEGREES 07 MINUTES 33 SECONDS WEST ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 586.93 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ON AND ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 29.06 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 30 MINUTES 04 SECONDS WEST A CHORD DISTANCE OF 26.57 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, SAID POINT OF CURVATURE BEING A POINT ON THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE;
THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, BEING THE NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE, AN ARC DISTANCE OF 17.67 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 30 MINUTES 04 SECONDS EAST A CHORD DISTANCE OF 17.66 FEET TO A POINT OF TANGENCY;
THENCE NORTH 01 DEGREES 52 MINUTES 27 SECONDS WEST ON AND ALONG THE SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE A DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, SAID POINT BEING THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE AND THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;
THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT BEING THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE AN ARC DISTANCE OF 31.42 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 52 MINUTES 27 SECONDS EAST A CHORD DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;
THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 349.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.814 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

Exhibit C

Reasons for Proposed Vacation

Applicant: Brotherhood Mutual Insurance Company (“Company”)

Street: All of Insurance Avenue between Mutual Drive and Brotherhood Way. References to lot numbers in this document relate to the plat for Brotherhood Place, as recorded in Cabinet B, page 58.

Reason for Request: For over 100 years, the Company has provided insurance and risk management resources for America’s churches and related ministries. The Company currently insures more than 65,000 organizations in 47 states. In 1980, the Company acquired property off Ludwig Road that now serves as the Company’s national headquarters.

The Company is a major employer in the Northeast Indiana region. It currently employs 570 people and expects continued growth in the coming years. To accommodate this growth, the Company desires to add additional parking within its campus.

The Company owns a vacant lot east of Mutual Drive and North of Insurance Avenue that will serve as a prime location for a new parking lot. It is anticipated that this new parking lot will provide up to 268 additional parking spaces, increasing total parking capacity within the campus to over 900. The plans for the parking lot are attached hereto as Exhibit C-1. Vacating Insurance Avenue will allow the Company to maximize the use of this space. As part of the plans, the existing access drive to the building located on Lot 10 (which is also owned by the Company) will be maintained, and a new access drive will be established off Mutual Drive. The Company will re-dedicate a portion of the vacated right-of-way to the City of Fort Wayne (“City”) for the proposed round-a-bout at the end of Brotherhood Way.

Affected Property Owners: The Company currently owns all the lots contiguous to Insurance Avenue except Lot 1. This lot, commonly known as 220 Insurance Avenue, is owned by Peterson Equity Investments LLC. The Company has contacted this owner and has been advised that the owner does not object to this petition. There is also public right of way adjacent to Insurance Avenue that is owned by the City. The Company does not believe the City will be negatively impacted by this petition.

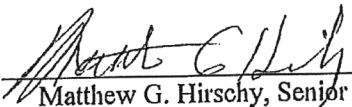
Utilities: The Company will be granting utility easements to the City, Frontier Communications, Northern Indiana Public Service Company, and AEP as part of this request.

Exhibit E

Signature Page to Vacation Petition

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 policies and procedures 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.

BROTHERHOOD MUTUAL INSURANCE COMPANY

By: 
Matthew G. Hirschy, Senior VP & Treasurer

4/18/2022
(date)

Address: 6400 Brotherhood Way
Fort Wayne, IN 46824

Professional Engineers & Surveyors
 1910 St. Joe Center Road, Suite #151
 Fort Wayne, Indiana 46825
 260.484.9900 phone
 260.484.9980 fax
 www.4site.biz

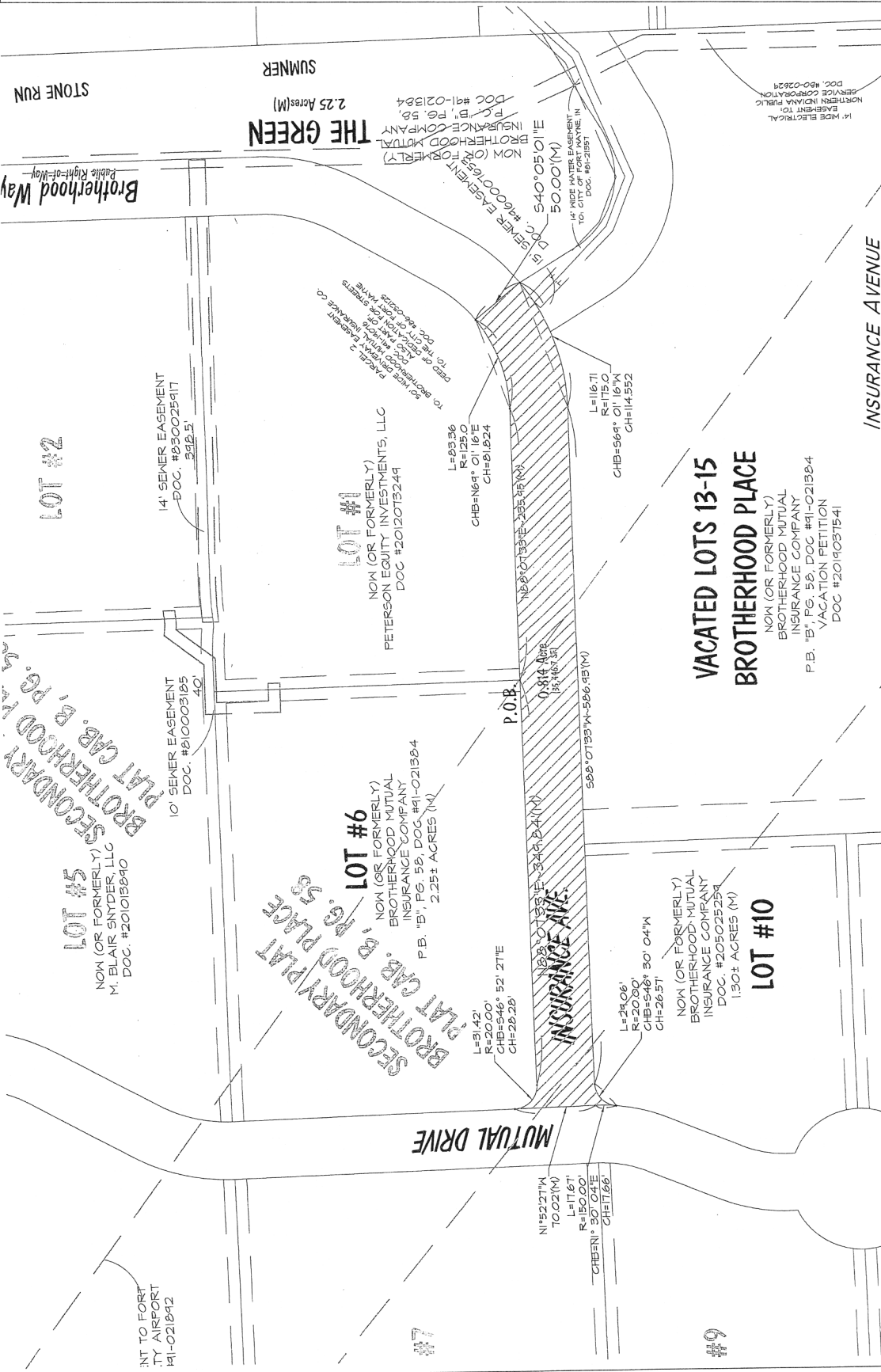


Certification:

Performed for:
 Right of Way Vacation Exhibit for:
Insurance Avenue
 Fort Wayne, Indiana

Commission Number
 215145
 Date
 March 28th, 2022
 Title

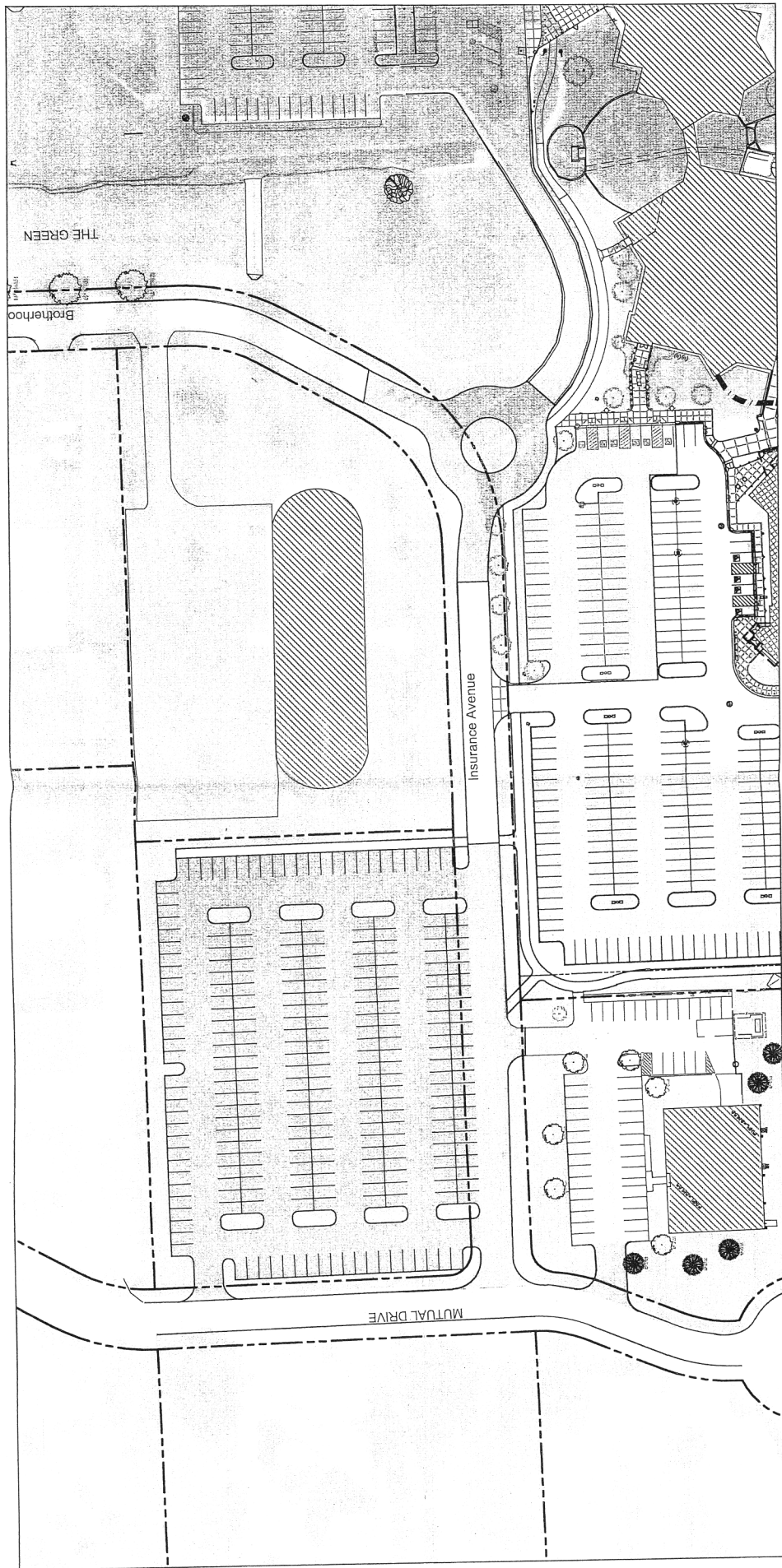
Sheet Number
SI.1
 SHEET 1 OF 7



**VACATED LOTS 13-15
 BROTHERHOOD PLACE**
 NOW (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 VACATION PETITION
 DOC #2019031541

Exhibit B
 Depiction of Public Right of Way
 Proposed to be Vacated

Exhibit C-1



INSURANCE AVENUE REDESIGN - OPTION A

SCALE: 1" = 80'



NORTH

PARKING LOT INFORMATION	264
NEW PARKING SPACES	



Brotherhood Mutual[®]

Insurance Company

ENGINEERING
RESOURCES, INC.

ALLEY VACATION – DISCUSSION and PASSAGE
Department of Planning Services

VROW 2022 0005	Bill #G-22-05-04	Project Start: May 2022
----------------	------------------	-------------------------

APPLICANT:	Brotherhood Mutual Insurance Company
REQUEST:	To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.
LOCATION:	North of 309 Insurance Avenue and the Brotherhood Mutual Campus.
COUNCIL DISTRICT:	3-Tom Didier
PUBLIC HEARING DATE:	May 24, 2022

PROJECT SUMMARY

The petitioner owns property on both sides of Insurance Avenue. As Brotherhood Mutual has expanded their services on the campus, they are in need of additional parking. Insurance Avenue is the southern connection between Mutual Drive and Brotherhood Way. With this proposal Mutual Drive will remain and end in the existing cul-de-sac, and Brotherhood Way will end in a new cul-de-sac, from land to be dedicated by Brotherhood Mutual. No existing access to other businesses will be affected. Staff has sent requests for comment from all affected utility agencies. A new easement will be placed over the entire area to be vacated to accommodate all existing utilities.

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:	New cul-de-sac required.
Stormwater Engineering:	Easement required.
Water Engineering:	Easement required.
WPC Engineering – Sanitary:	Easement required.
City Parks Department:	Approved
Fire Department:	No comment
Land Acquisition Agent:	Follow Traffic comments.
Frontier:	Easement required.
Comcast Cable:	Easement required.
AEP:	Easement required.
NIPSCO:	Easement required.

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.

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- (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-2022-0005

Bill No. G-22-05-04

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 or Hand Delivery:**

PIN/Property Address:

Property Owner of Record:

020714426005000073
6400 Brotherhood Way

Brotherhood Mutual Insurance Co, LLC
6400 Brotherhood Way
Fort Wayne, IN 46825

020714402006000073
220 Insurance Avenue

Petersen Equity Investments LLC
1520 Shoreview Drive
Fort Wayne, IN 46819

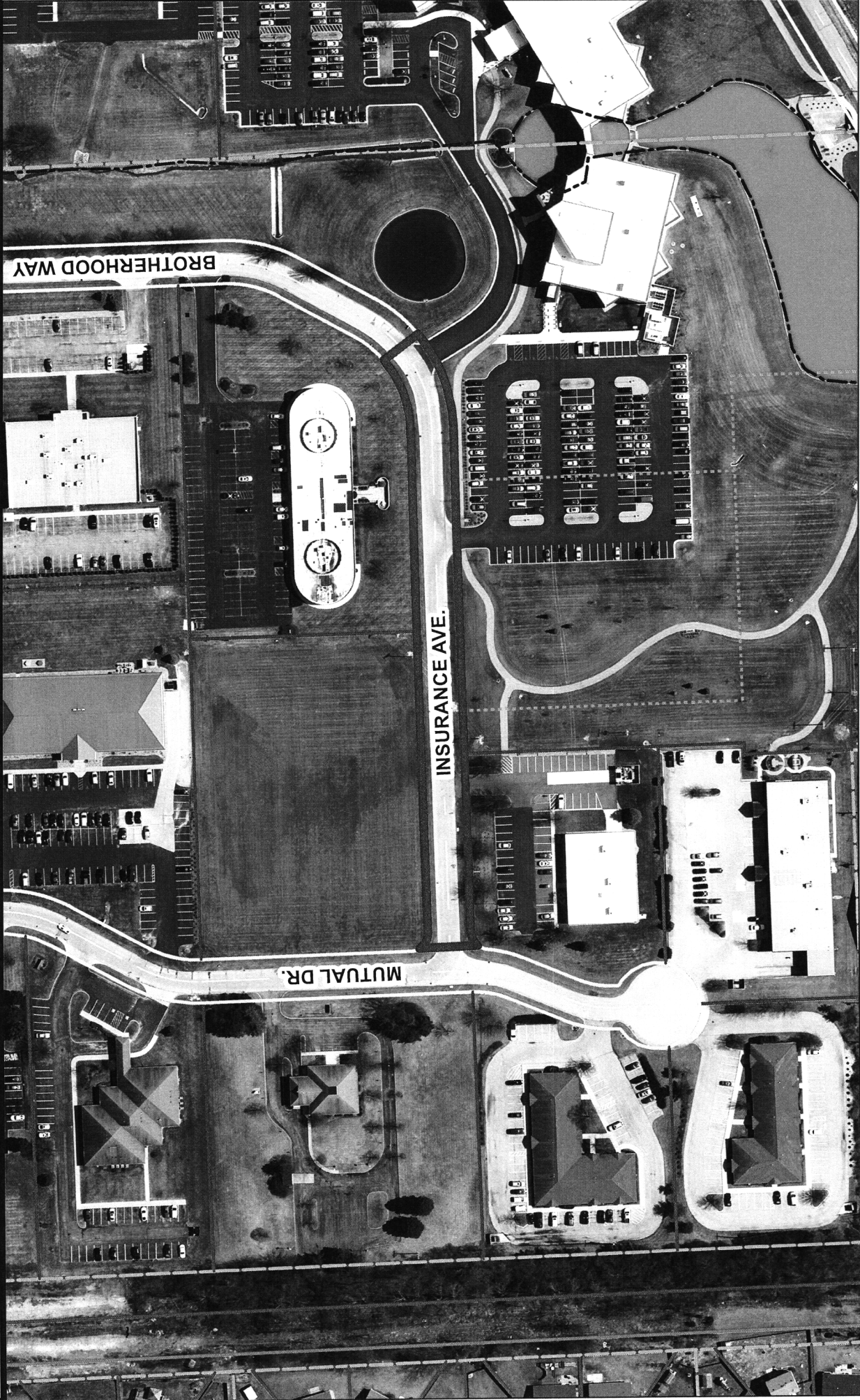
DPS Staff notified the following by Email as a courtesy:

NWAP

Dan Baisden, Neighborhood Activation



Vacation of Right of Way VROW-2022-0005 Insurance Avenue

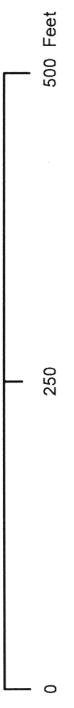


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© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 4/27/2022



1 inch = 150 feet



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 X Public Right of Way (street or alley)

More particularly described as follows:

All of Insurance Avenue between Mutual Drive and Brotherhood Way as legally
described on the attached Exhibit A and depicted on the attached Exhibit B.

(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: Cabinet B PAGE(S) NUMBER(S): 58 (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:

See attached Exhibit C.

(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: See attached Exhibit D.

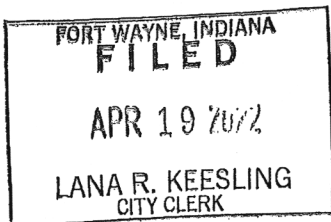
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Brotherhood Mutual Insurance Company

Street Address: 6400 Brotherhood Way

City: Fort Wayne State: IN Zip: 46825 Phone: 260-481-9943



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.

See attached Exhibit E.
Signature _____ Printed Name _____ Date _____
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): Thomas M. Niezer

Street Address: 215 E. Berry Street
City: Fort Wayne State: IN Zip: 46802 Phone: (260) 423-8898

NOTICE:

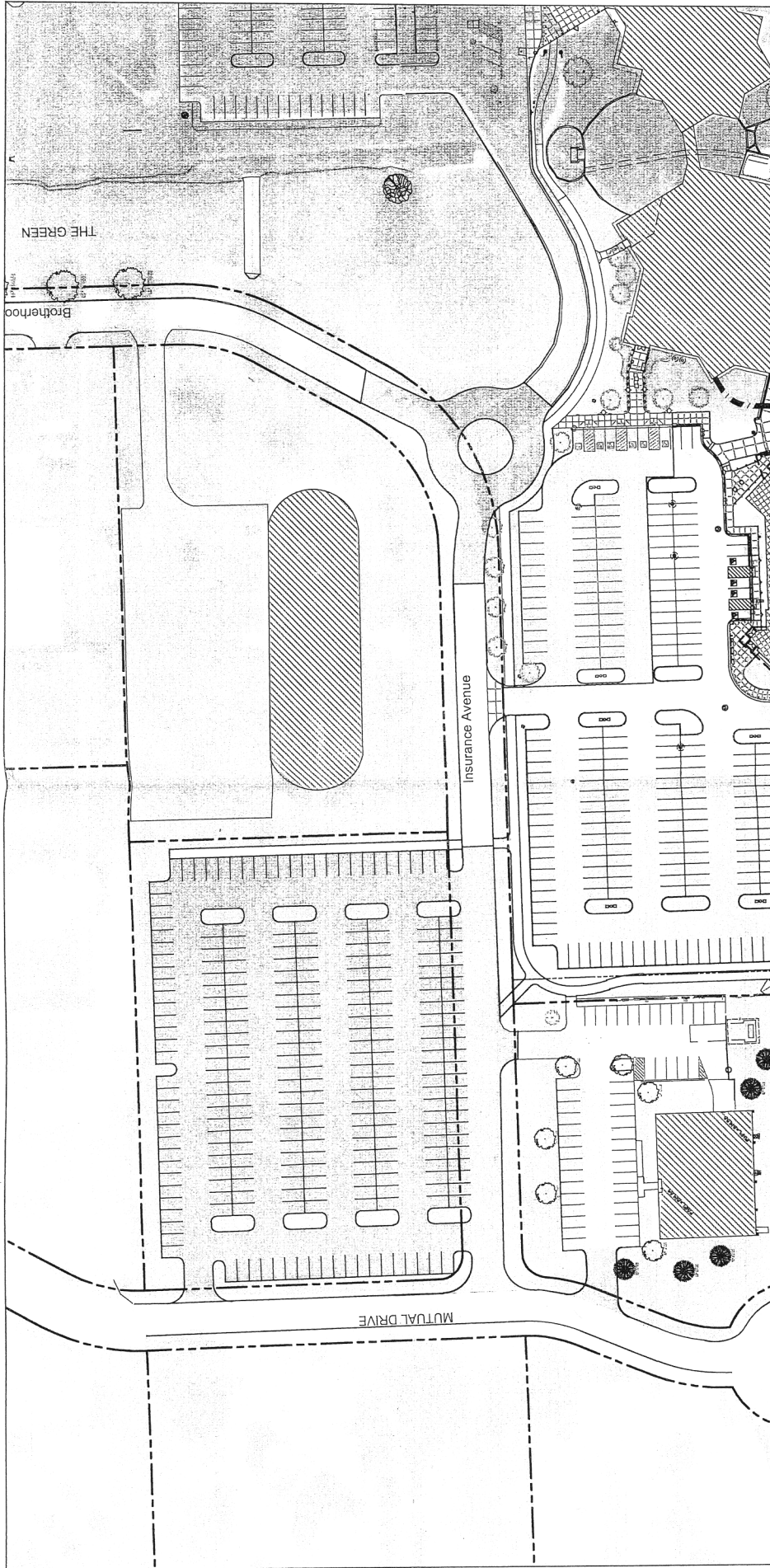
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For Office Use Only:

Receipt #: _____ Date Filed: _____

Map #: _____ Reference #: _____

Exhibit C-1



INSURANCE AVENUE REDESIGN - OPTION A

SCALE: 1" = 80'



PARKING LOT INFORMATION	264
NEW PARKING SPACES	



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

ORDINANCE NO. G-22-05-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 24, 2022 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: All of Insurance Avenue between Mutual Dr and Brotherhood Way at 309 Insurance Avenue

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON TUESDAY, MAY 24, 2022.

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
5-13 hspaxlp

0202400003574



The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: iF4jkWSCc4btckffjE0B8

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT

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 equal:

55 equivalent lines at \$ 0.4990 cents per line

\$ 27.45

Additional charges for notices containing rule or tabular work
(50 percent of above amount)

\$ _____

Electronic processing fee

\$ 0.00

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.

The dates of publication being as follows:

5/13/22 _____

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

Date: 5/13/2022

Bunda McAure
Legal Clerk

BILL NO. G-22-05-04

REPORT OF COMMITTEE ON REGULATIONS

June 14, 2022

Tom Freistroffer Chair

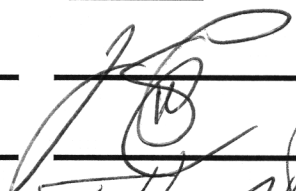
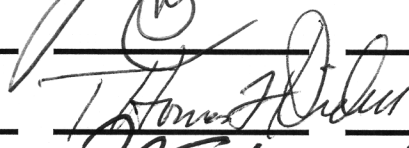
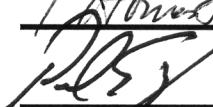



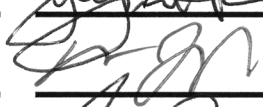
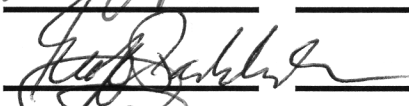

Paul Ensley Co-Chair

All Council Members

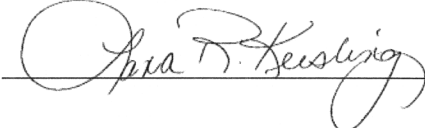
An Ordinance amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way

To vacate all of Insurance Avenue between Mutual Dr and Brotherhood Way at 309 Insurance Avenue

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: May 24, 2022

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: June 14, 2022



 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-05-04 on the 14th day of June, 2022

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 June 2022, at the hour of 11:20 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of June 2022, at the hour of 3:00 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
 JUN 16 2022
 LANA R. KEESLING
 CITY CLERK

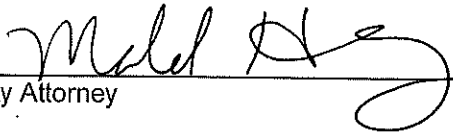
1 CURVE TO THE LEFT A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT
2 OF WAY LINE OF INSURANCE AVENUE; THENCE SOUTHWESTERLY ON AND ALONG
3 THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE BEING A CURVE TO THE
4 RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC DISTANCE OF 116.71 FEET AND
5 BEING SUBTENDED BY A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 16
6 SECONDS WEST A CHORD DISTANCE OF 114.55 FEET TO A POINT OF TANGENCY;
7 THENCE SOUTH 88 DEGREES 07 MINUTES 33 SECONDS WEST ON AND ALONG THE
8 SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 586.93 FEET
9 TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00
10 FEET; THENCE SOUTHWESTERLY ON AND ALONG SAID CURVE TO THE LEFT AN
11 ARC DISTANCE OF 29.06 FEET AND BEING SUBTENDED BY A CHORD BEARING
12 SOUTH 46 DEGREES 30 MINUTES 04 SECONDS WEST A CHORD DISTANCE OF 26.57
13 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT
14 HAVING A RADIUS OF 150.00 FEET, SAID POINT OF CURVATURE BEING A POINT ON
15 THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE; THENCE NORTHEASTERLY ON
16 AND ALONG SAID CURVE TO THE LEFT, BEING THE NORTHERLY EXTENSION OF THE
17 EAST RIGHT OF WAY LINE OF MUTUAL DRIVE, AN ARC DISTANCE OF 17.67 FEET AND
18 BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 30 MINUTES 04
19 SECONDS EAST A CHORD DISTANCE OF 17.66 FEET TO A POINT OF TANGENCY;
20 THENCE NORTH 01 DEGREES 52 MINUTES 27 SECONDS WEST ON AND ALONG THE
21 SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE A
22 DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE
23 TO THE LEFT HAVING A RADIUS OF 20.00 FEET, SAID POINT BEING THE POINT OF
24 INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL
25 DRIVE AND THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE; THENCE
26 SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT BEING THE NORTH RIGHT OF
27 WAY LINE OF INSURANCE AVENUE AN ARC DISTANCE OF 31.42 FEET AND BEING
28 SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 52 MINUTES 27 SECONDS
29 EAST A CHORD DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY; THENCE
30 NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST ON AND ALONG THE NORTH
RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 349.84 FEET TO THE
POINT OF BEGINNING, CONTAINING 0.814 ACRES OF LAND, MORE OR LESS, AND
BEING SUBJECT TO ALL EASEMENTS OF RECORD.

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

APPROVED AS TO FORM AND LEGALITY:



City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VROW-2022-0005
Bill Number: G-22-05-04
Council District: 3 – Tom Didier

Introduction Date: May 10, 2022

Public Hearing Date: May 24, 2022 to be heard by Council

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

Synopsis of Ordinance: To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.

Location: At 309 Insurance Avenue, north of Brotherhood Mutual Campus.

Reason for Request: To expand parking facilities for recent growth at the Brotherhood Mutual Insurance Company campus.

Applicant: Brotherhood Mutual Insurance Company

Property Owner: Brotherhood Mutual Insurance Company

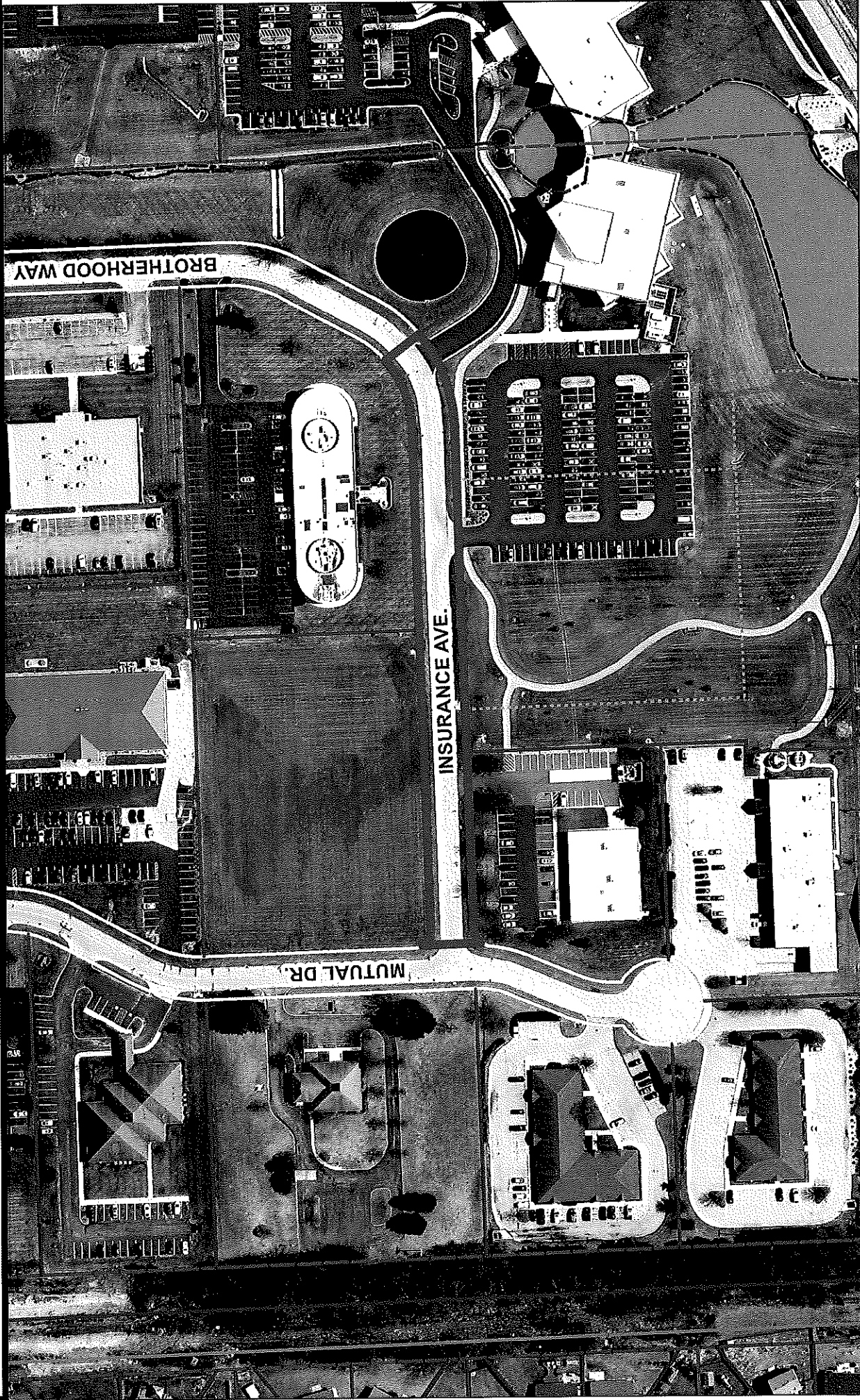
Related Petitions: none

Effect of Passage: The vacation of Insurance Avenue will allow Brotherhood Mutual to expand parking facilities and combine properties. Vacation of the street will not affect access to any other property.

Effect of Non-Passage: The right of way will remain as platted. Amount of new available parking will be reduced due to setbacks from right-of-way.

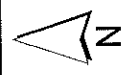


Vacation of Right of Way VROW-2022-0005 Insurance Avenue



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: 4/27/2022



1 inch = 150 feet

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 X Public Right of Way (street or alley)

More particularly described as follows:

All of Insurance Avenue between Mutual Drive and Brotherhood Way as legally
described on the attached Exhibit A and depicted on the attached Exhibit B.

(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: Cabinet B PAGE(S) NUMBER(S): 58 (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:

See attached Exhibit C.

(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: See attached Exhibit D.

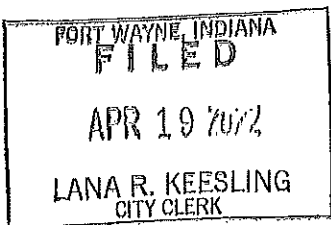
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Brotherhood Mutual Insurance Company

Street Address: 6400 Brotherhood Way

City: Fort Wayne State: IN Zip: 46825 Phone: 260-481-9943



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.

See attached Exhibit E.

Signature _____ Printed Name _____ Date _____

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): Thomas M. Niezer

Street Address: 215 E. Berry Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 423-8898

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 #: _____

Exhibit A

Legal Description

THE INTENT OF THIS REAL ESTATE DESCRIPTION IS TO DESCRIBE THE VACATION OF A PORTION THE DEDICATED RIGHT OF WAY OF INSURANCE AVENUE AS SHOWN ON THE SECONDARY PLAT OF BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA BEING WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA AND BEING BASED UPON A BOUNDARY RETRACEMENT SURVEY COMPLETED BY FORESIGHT CONSULTING, LLC AS COMMISSION NUMBER 111092 DATED DECEMBER 5TH, 2011 AND CERTIFIED BY TODD R. BAUER, INDIANA PROFESSIONAL SURVEYOR NUMBER 29800007, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBER ONE WITHIN BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID SOUTHWEST CORNER BEING COINCIDENT WITH THE SOUTHEAST CORNER OF LOT NUMBER SIX WITHIN SAID BROTHERHOOD PLACE AND BEING ON THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST (INDIANA STATE PLANE COORDINATE ZONE EAST BEARING AND BASIS TO FOLLOW) ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 235.95 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET;

THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF INSURANCE AVENUE, AN ARC DISTANCE OF 83.36 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 01 MINUTES 16 SECONDS EAST A CHORD DISTANCE OF 81.82 FEET TO A POINT;

THENCE SOUTH 40 DEGREES 05 MINUTES 01 SECONDS EAST RADIAL TO THE CENTER OF THE AFOREMENTIONED CURVE TO THE LEFT A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE SOUTHWESTERLY ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC DISTANCE OF 116.71 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 16 SECONDS WEST A CHORD DISTANCE OF 114.55 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 88 DEGREES 07 MINUTES 33 SECONDS WEST ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 586.93 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;

THENCE SOUTHWESTERLY ON AND ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 29.06 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 30 MINUTES 04 SECONDS WEST A CHORD DISTANCE OF 26.57 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, SAID POINT OF CURVATURE BEING A POINT ON THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE;

THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, BEING THE NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE, AN ARC DISTANCE OF 17.67 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 30 MINUTES 04 SECONDS EAST A CHORD DISTANCE OF 17.66 FEET TO A POINT OF TANGENCY;

THENCE NORTH 01 DEGREES 52 MINUTES 27 SECONDS WEST ON AND ALONG THE SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE A DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, SAID POINT BEING THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE AND THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT BEING THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE AN ARC DISTANCE OF 31.42 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 52 MINUTES 27 SECONDS EAST A CHORD DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 349.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.814 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

Exhibit C

Reasons for Proposed Vacation

Applicant: Brotherhood Mutual Insurance Company ("Company")

Street: All of Insurance Avenue between Mutual Drive and Brotherhood Way. References to lot numbers in this document relate to the plat for Brotherhood Place, as recorded in Cabinet B, page 58.

Reason for Request: For over 100 years, the Company has provided insurance and risk management resources for America's churches and related ministries. The Company currently insures more than 65,000 organizations in 47 states. In 1980, the Company acquired property off Ludwig Road that now serves as the Company's national headquarters.

The Company is a major employer in the Northeast Indiana region. It currently employs 570 people and expects continued growth in the coming years. To accommodate this growth, the Company desires to add additional parking within its campus.

The Company owns a vacant lot east of Mutual Drive and North of Insurance Avenue that will serve as a prime location for a new parking lot. It is anticipated that this new parking lot will provide up to 268 additional parking spaces, increasing total parking capacity within the campus to over 900. The plans for the parking lot are attached hereto as Exhibit C-1. Vacating Insurance Avenue will allow the Company to maximize the use of this space. As part of the plans, the existing access drive to the building located on Lot 10 (which is also owned by the Company) will be maintained, and a new access drive will be established off Mutual Drive. The Company will re-dedicate a portion of the vacated right-of-way to the City of Fort Wayne ("City") for the proposed round-a-bout at the end of Brotherhood Way.

Affected Property Owners: The Company currently owns all the lots contiguous to Insurance Avenue except Lot 1. This lot, commonly known as 220 Insurance Avenue, is owned by Peterson Equity Investments LLC. The Company has contacted this owner and has been advised that the owner does not object to this petition. There is also public right of way adjacent to Insurance Avenue that is owned by the City. The Company does not believe the City will be negatively impacted by this petition.

Utilities: The Company will be granting utility easements to the City, Frontier Communications, Northern Indiana Public Service Company, and AEP as part of this request.

Exhibit D

Names and Addresses of Adjacent Property Owners

Property owner(s) Name(s)	Street Address	City	State	Zip Code	Phone Number
Brotherhood Mutual Insurance Company	6400 Brotherhood Way	Fort Wayne	IN	46825	(260) 481-9943
Peterson Equity Investments, LL	1520 Shoreview Drive	Fort Wayne	IN	46819	(260) 385-0547
City of Fort Wayne	200 E. Berry St., Ste. 210	Fort Wayne	IN	46802	(260) 427-6155
Bulldog Property LLC	PO Box 65	Leo	IN	46765	(260) 209-3800
D C L Scott Corp	12813 Chadsford Cir	Fort Myers	FL	33913	(239) 693-3969

Nearby Properties Owned

- Brotherhood Mutual Insurance Company
- 6412 Mutual Drive (Lot 6)
 - 309 Insurance Avenue (Lot 10)
 - 6400 Brotherhood Way (vacated lots 13 and 15 & Lot 14)
 - Brotherhood Way (the Green)

- Peterson Equity Investments LLC
- 220 Insurance Avenue (Lot 1)

- City of Fort Wayne
- Mutual Drive
 - Brotherhood Way

- Bulldog Property LLC
- 6415 Mutual Drive (Lot 7)


- D C L Scott Corp
- 6319 Mutual Drive (Lot 9)

Exhibit E

Signature Page to Vacation Petition

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 policies and procedures 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.

BROTHERHOOD MUTUAL INSURANCE COMPANY

By: 
Matthew G. Hirschy, Senior VP & Treasurer

4/18/2022
(date)

Address: 6400 Brotherhood Way
Fort Wayne, IN 46824

ForeSight Consulting, LLC
 Professional Engineers & Surveyors
 1910 St. Joe Center Road, Suite #61
 Fort Wayne, Indiana 46825
 260.484.9980 phone
 260.484.9980 fax
 www.fs1b.com
 FORESIGHT CONSULTING, LLC
 EXPERIENCE. INNOVATION. RESULTS.



Performed for:
 Insurance Avenue
 Fort Wayne, Indiana

Insurance Avenue
 Right of Way Vacation Exhibit for:
 Fort Wayne, Indiana

Drawing Revisions:
 25145
 Date: March 23rd, 2022
 Title:

Sheet Number
SI.1
 SHEET 1 OF 1

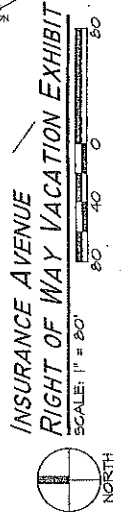
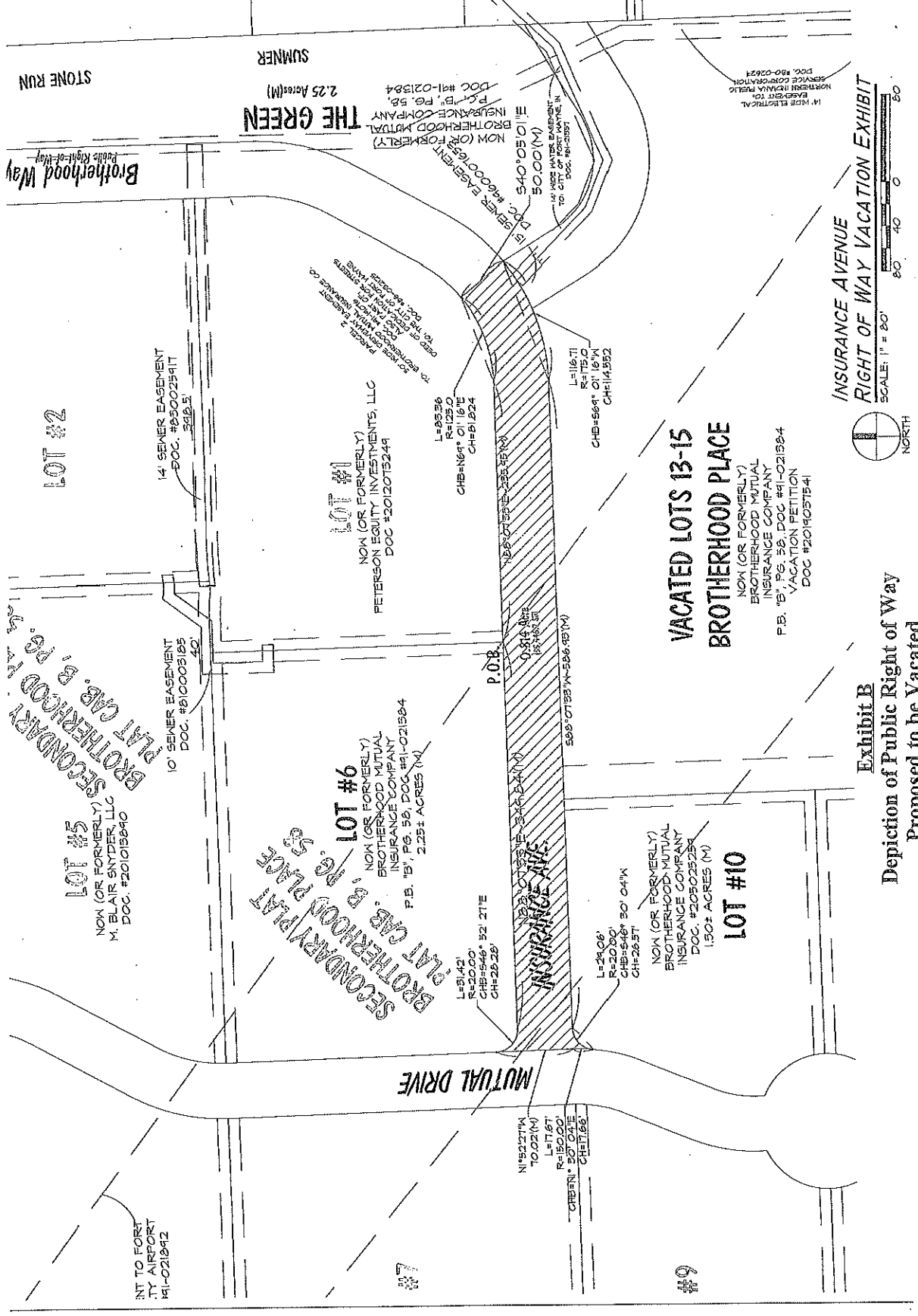
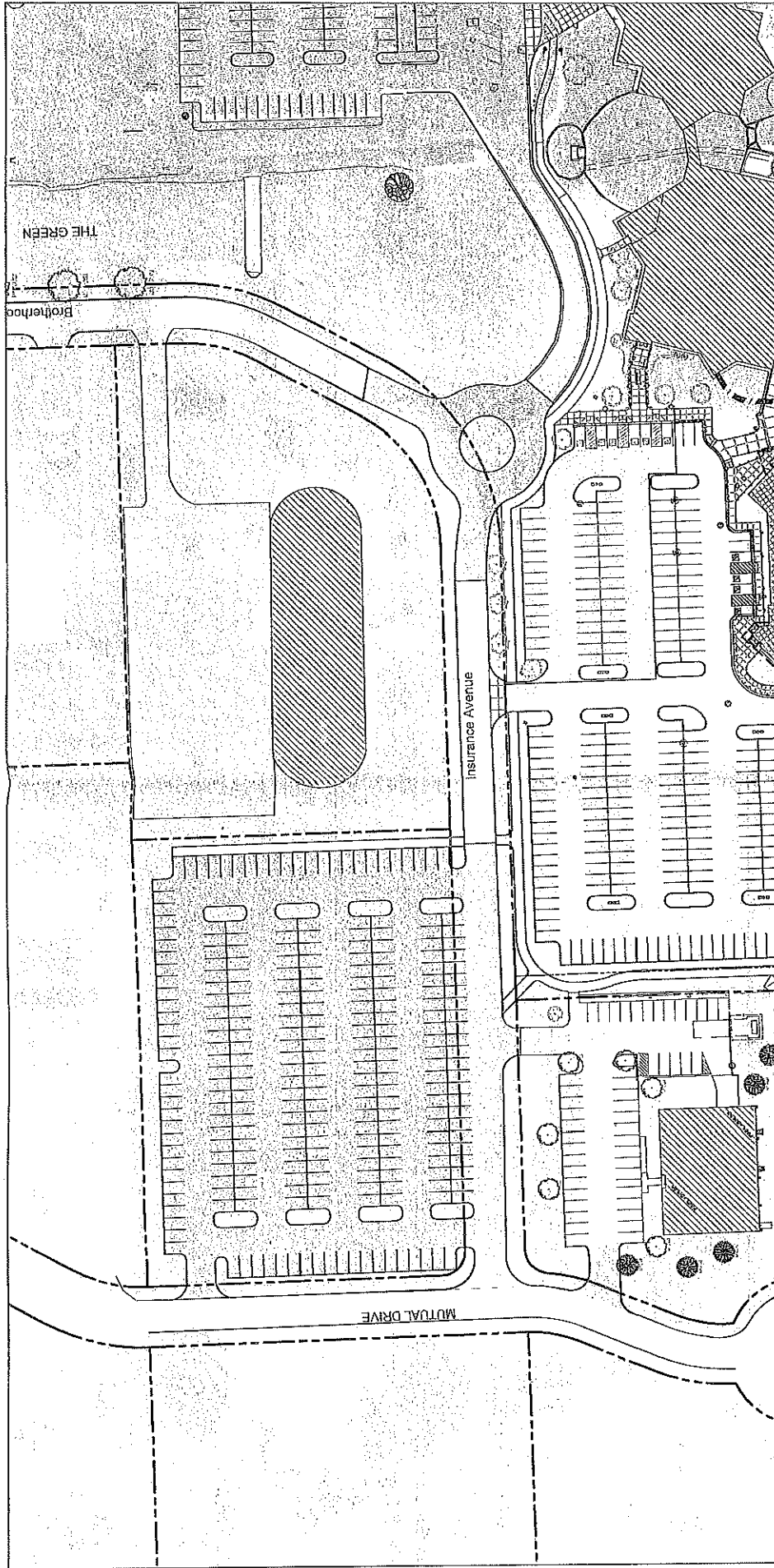


Exhibit B
 Depiction of Public Right of Way
 Proposed to be Vacated

Exhibit C-1



INSURANCE AVENUE REDESIGN - OPTION A

SCALE: 1" = 40'



PARKING LOT INFORMATION
NEW PARKING SPACES
264



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: Applicants/Adjacent Property Owners
FROM: Michelle Wood, RLA
Senior Land Use Planner
RE: Public Hearing Notice
DATE: May 9, 2022

We are sending this courtesy notice to let you know the Common Council of Fort Wayne, Indiana will hold a public hearing **Tuesday May 24, 2022 at 5:30 p.m.** The Council will hold the hearing in **Room 035 of the Citizens Square Building at 200 East Berry Street.** Room 035 is on the Garden Level (basement) of the building. The agenda for the hearing includes the following request.

PROPOSAL: VROW-2022-0005
BILL NO: G-22-05-04
APPLICANTS: Brotherhood Mutual Insurance Company
REQUEST: To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.
LOCATION: North of 309 Insurance Avenue and the Brotherhood Mutual Campus.
COUNCIL DISTRICT: 3-Tom Didier

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 near to the above request. This public hearing is your chance to offer input you may have regarding the request.

Thank you for your attention to this matter. Please call this office if you have any questions.

**Department of Planning Services
200 East Berry, Suite 150
Fort Wayne, IN 46802
260-449-7607**

The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: iF4jkWSCc4btkffjE0B8

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT

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 equal:
55 equivalent lines at \$ 0.4990 cents per line \$27.45

Additional charges for notices containing rule or tabular work
(50 percent of above amount) \$ _____

Electronic processing fee \$0.00

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.

The dates of publication being as follows:

5/13/22 _____ _____
_____ _____ _____

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

Date: 5/13/2022

Bhinda McCreure
Legal Clerk

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

ORDINANCE NO. G-22-05-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 24, 2022 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: All of Insurance Avenue between Mutual Dr and Brotherhood Way at 309 Insurance Avenue

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 24, 2022.

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--13 hspaxfp

ALLEY VACATION – PUBLIC HEARING
Department of Planning Services

VROW 2022 0005	Bill #G-22-05-04	Project Start: May 2022
APPLICANT:	Brotherhood Mutual Insurance Company	
REQUEST:	To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.	
LOCATION:	North of 309 Insurance Avenue and the Brotherhood Mutual Campus.	
COUNCIL DISTRICT:	3-Tom Didier	
PUBLIC HEARING DATE:	May 24, 2022	

PROJECT SUMMARY

The petitioner owns property on both sides of Insurance Avenue. As Brotherhood Mutual has expanded their services on the campus, they are in need of additional parking. Insurance Avenue is the southern connection between Mutual Drive and Brotherhood Way. With this proposal Mutual Drive will remain and end in the existing cul-de-sac, and Brotherhood Way will end in a new cul-de-sac, from land to be dedicated by Brotherhood Mutual. No existing access to other businesses will be affected. Staff has sent requests for comment from all affected utility agencies. When all responses are received, staff will return to Council for discussion.

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:
Stormwater Engineering:
Water Engineering:
WPC Engineering – Sanitary:
City Parks Department:
Fire Department:
Land Acquisition Agent:
Frontier:
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-2022-0005

Bill No. G-22-05-04

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 or Hand Delivery:**

PIN/Property Address:

Property Owner of Record:

020714426005000073
6400 Brotherhood Way

Brotherhood Mutual Insurance Co, LLC
6400 Brotherhood Way
Fort Wayne, IN 46825

020714402006000073
220 Insurance Avenue

Petersen Equity Investments LLC
1520 Shoreview Drive
Fort Wayne, IN 46819

DPS Staff notified the following by Email as a courtesy:

NWAP

Dan Baisden, Neighborhood Activation

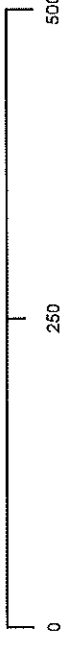


Vacation of Right of Way VROW-2022-0005 Insurance Avenue



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: 4/27/2022



1 inch = 150 feet

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 X Public Right of Way (street or alley)

More particularly described as follows:

All of Insurance Avenue between Mutual Drive and Brotherhood Way as legally
described on the attached Exhibit A and depicted on the attached Exhibit B.

(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: Cabinet B PAGE(S) NUMBER(S): 58 (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:

See attached Exhibit C.

(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: See attached Exhibit D.

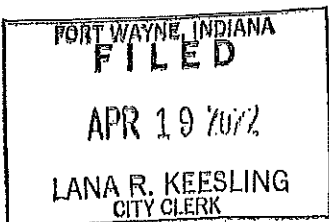
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Brotherhood Mutual Insurance Company

Street Address: 6400 Brotherhood Way

City: Fort Wayne State: IN Zip: 46825 Phone: 260-481-9943



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.

See attached Exhibit E.

Signature

Printed Name

Date

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): Thomas M. Niezer

Street Address: 215 E. Berry Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 423-8898

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 #: _____

Exhibit A

Legal Description

THE INTENT OF THIS REAL ESTATE DESCRIPTION IS TO DESCRIBE THE VACATION OF A PORTION THE DEDICATED RIGHT OF WAY OF INSURANCE AVENUE AS SHOWN ON THE SECONDARY PLAT OF BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA BEING WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA AND BEING BASED UPON A BOUNDARY RETRACEMENT SURVEY COMPLETED BY FORESIGHT CONSULTING, LLC AS COMMISSION NUMBER 111092 DATED DECEMBER 5TH, 2011 AND CERTIFIED BY TODD R. BAUER, INDIANA PROFESSIONAL SURVEYOR NUMBER 29800007, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBER ONE WITHIN BROTHERHOOD PLACE AS RECORDED IN PLAT CABINET B, PAGE 58 WITHIN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, SAID SOUTHWEST CORNER BEING COINCIDENT WITH THE SOUTHEAST CORNER OF LOT NUMBER SIX WITHIN SAID BROTHERHOOD PLACE AND BEING ON THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST (INDIANA STATE PLANE COORDINATE ZONE EAST BEARING AND BASIS TO FOLLOW) ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 235.95 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET;

THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF INSURANCE AVENUE, AN ARC DISTANCE OF 83.36 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 01 MINUTES 16 SECONDS EAST A CHORD DISTANCE OF 81.82 FEET TO A POINT;

THENCE SOUTH 40 DEGREES 05 MINUTES 01 SECONDS EAST RADIAL TO THE CENTER OF THE AFOREMENTIONED CURVE TO THE LEFT A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE SOUTHWESTERLY ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET AN ARC DISTANCE OF 116.71 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 69 DEGREES 01 MINUTES 16 SECONDS WEST A CHORD DISTANCE OF 114.55 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 88 DEGREES 07 MINUTES 33 SECONDS WEST ON AND ALONG THE SOUTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 586.93 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET;

THENCE SOUTHWESTERLY ON AND ALONG SAID CURVE TO THE LEFT AN ARC DISTANCE OF 29.06 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 30 MINUTES 04 SECONDS WEST A CHORD DISTANCE OF 26.57 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, SAID POINT OF CURVATURE BEING A POINT ON THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE;

THENCE NORTHEASTERLY ON AND ALONG SAID CURVE TO THE LEFT, BEING THE NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE, AN ARC DISTANCE OF 17.67 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 30 MINUTES 04 SECONDS EAST A CHORD DISTANCE OF 17.66 FEET TO A POINT OF TANGENCY;

THENCE NORTH 01 DEGREES 52 MINUTES 27 SECONDS WEST ON AND ALONG THE SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE A DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, SAID POINT BEING THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MUTUAL DRIVE AND THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE;

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT BEING THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE AN ARC DISTANCE OF 31.42 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 46 DEGREES 52 MINUTES 27 SECONDS EAST A CHORD DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE NORTH 88 DEGREES 07 MINUTES 33 SECONDS EAST ON AND ALONG THE NORTH RIGHT OF WAY LINE OF INSURANCE AVENUE A DISTANCE OF 349.84 FEET TO THE POINT OF BEGINNING, CONTAINING 0.814 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

Exhibit C

Reasons for Proposed Vacation

Applicant: Brotherhood Mutual Insurance Company ("Company")

Street: All of Insurance Avenue between Mutual Drive and Brotherhood Way. References to lot numbers in this document relate to the plat for Brotherhood Place, as recorded in Cabinet B, page 58.

Reason for Request: For over 100 years, the Company has provided insurance and risk management resources for America's churches and related ministries. The Company currently insures more than 65,000 organizations in 47 states. In 1980, the Company acquired property off Ludwig Road that now serves as the Company's national headquarters.

The Company is a major employer in the Northeast Indiana region. It currently employs 570 people and expects continued growth in the coming years. To accommodate this growth, the Company desires to add additional parking within its campus.

The Company owns a vacant lot east of Mutual Drive and North of Insurance Avenue that will serve as a prime location for a new parking lot. It is anticipated that this new parking lot will provide up to 268 additional parking spaces, increasing total parking capacity within the campus to over 900. The plans for the parking lot are attached hereto as Exhibit C-1. Vacating Insurance Avenue will allow the Company to maximize the use of this space. As part of the plans, the existing access drive to the building located on Lot 10 (which is also owned by the Company) will be maintained, and a new access drive will be established off Mutual Drive. The Company will re-dedicate a portion of the vacated right-of-way to the City of Fort Wayne ("City") for the proposed round-a-bout at the end of Brotherhood Way.

Affected Property Owners: The Company currently owns all the lots contiguous to Insurance Avenue except Lot 1. This lot, commonly known as 220 Insurance Avenue, is owned by Peterson Equity Investments LLC. The Company has contacted this owner and has been advised that the owner does not object to this petition. There is also public right of way adjacent to Insurance Avenue that is owned by the City. The Company does not believe the City will be negatively impacted by this petition.

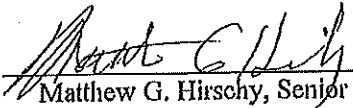
Utilities: The Company will be granting utility easements to the City, Frontier Communications, Northern Indiana Public Service Company, and AEP as part of this request.

Exhibit E

Signature Page to Vacation Petition

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 policies and procedures 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.

BROTHERHOOD MUTUAL INSURANCE COMPANY

By: 
Matthew G. Hirschy, Senior VP & Treasurer

4/18/2022
(date)

Address: 6400 Brotherhood Way
Fort Wayne, IN 46824

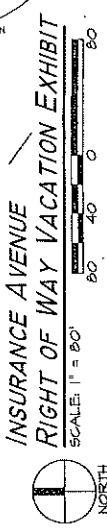
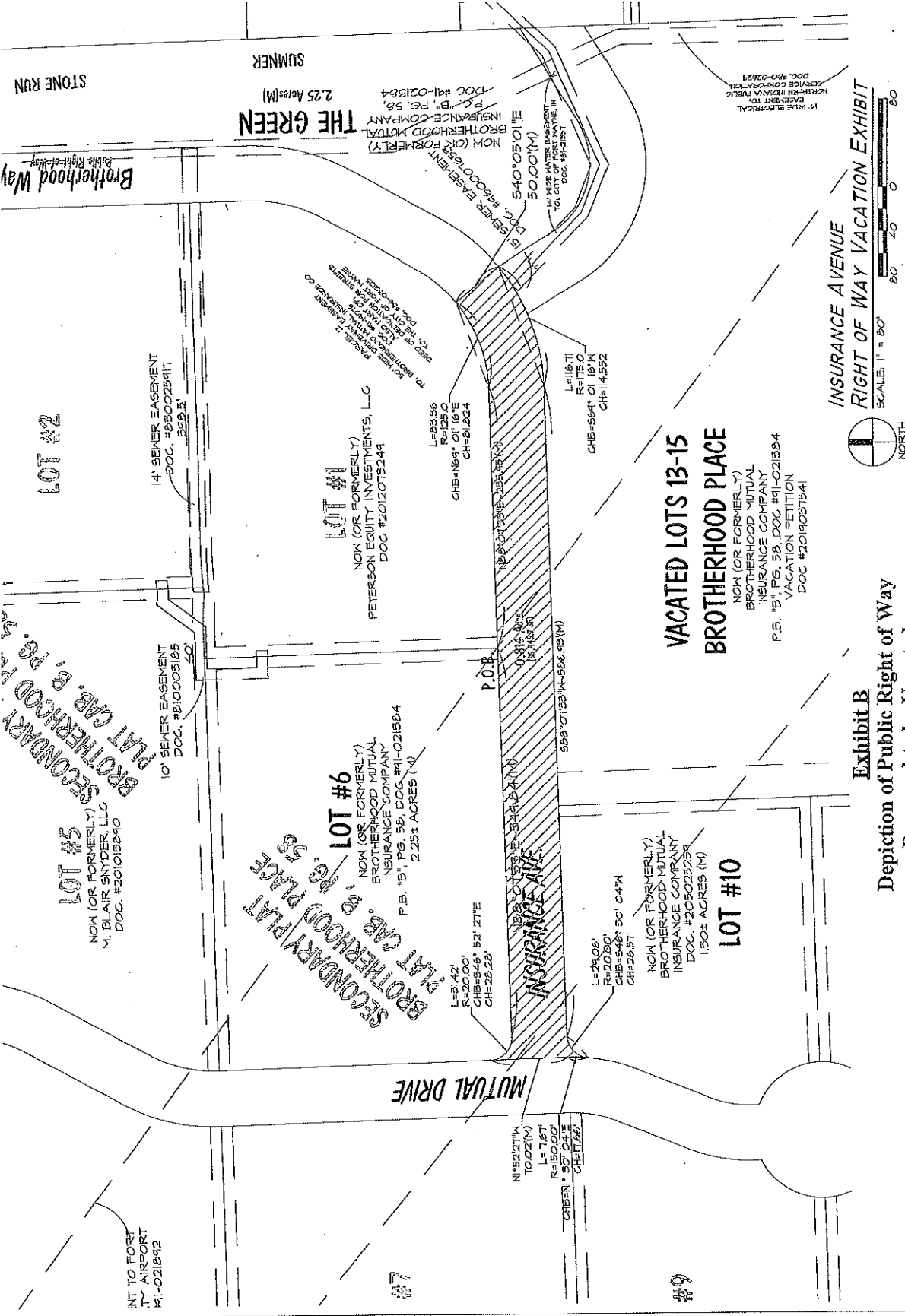
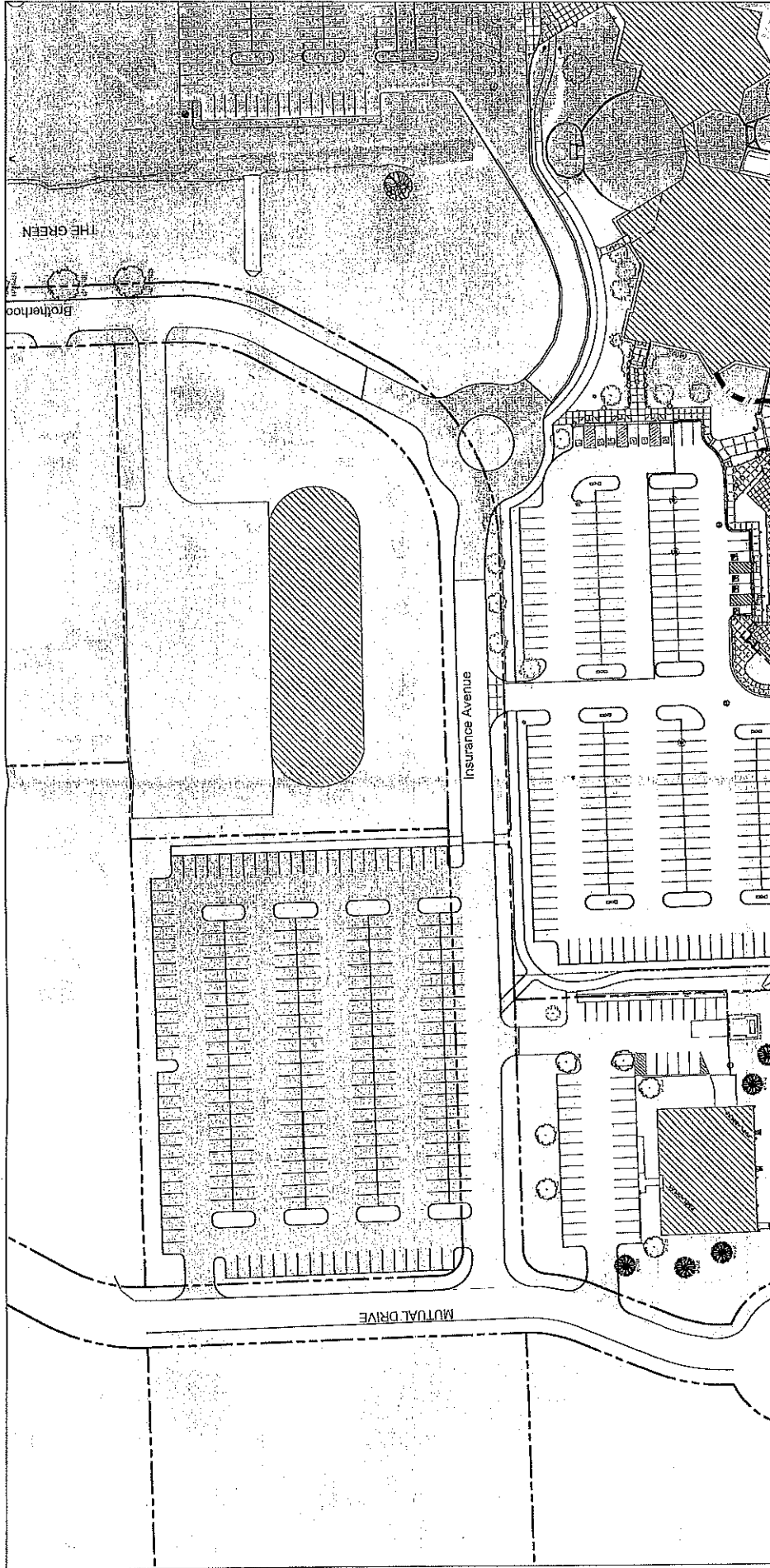


Exhibit B
 Depiction of Public Right of Way
 Proposed to be Vacated

Exhibit C-1



INSURANCE AVENUE REDESIGN - OPTION A

SCALE: 1" = 60'



PARKING LOT INFORMATION
NEW PARKING SPACES
264



ALLEY VACATION – DISCUSSION and PASSAGE
Department of Planning Services

VROW 2022 0005	Bill #G-22-05-04	Project Start: May 2022
----------------	------------------	-------------------------

APPLICANT:	Brotherhood Mutual Insurance Company
REQUEST:	To vacate all of Insurance Avenue between Mutual Drive and Brotherhood Way.
LOCATION:	North of 309 Insurance Avenue and the Brotherhood Mutual Campus.
COUNCIL DISTRICT:	3-Tom Didier
PUBLIC HEARING DATE:	May 24, 2022

PROJECT SUMMARY

The petitioner owns property on both sides of Insurance Avenue. As Brotherhood Mutual has expanded their services on the campus, they are in need of additional parking. Insurance Avenue is the southern connection between Mutual Drive and Brotherhood Way. With this proposal Mutual Drive will remain and end in the existing cul-de-sac, and Brotherhood Way will end in a new cul-de-sac, from land to be dedicated by Brotherhood Mutual. No existing access to other businesses will be affected. Staff has sent requests for comment from all affected utility agencies. A new easement will be placed over the entire area to be vacated to accommodate all existing utilities.

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:	New cul-de-sac required.
Stormwater Engineering:	Easement required.
Water Engineering:	Easement required.
WPC Engineering – Sanitary:	Easement required.
City Parks Department:	Approved
Fire Department:	No comment
Land Acquisition Agent:	Follow Traffic comments.
Frontier:	Easement required.
Comcast Cable:	Easement required.
AEP:	Easement required.
NIPSCO:	Easement required.

Grounds for Remonstrance for Vacation Requests (L.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-2022-0005

Bill No. G-22-05-04

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 or Hand Delivery:**

PIN/Property Address:

Property Owner of Record:

020714426005000073
6400 Brotherhood Way

Brotherhood Mutual Insurance Co, LLC
6400 Brotherhood Way
Fort Wayne, IN 46825

020714402006000073
220 Insurance Avenue

Petersen Equity Investments LLC
1520 Shoreview Drive
Fort Wayne, IN 46819

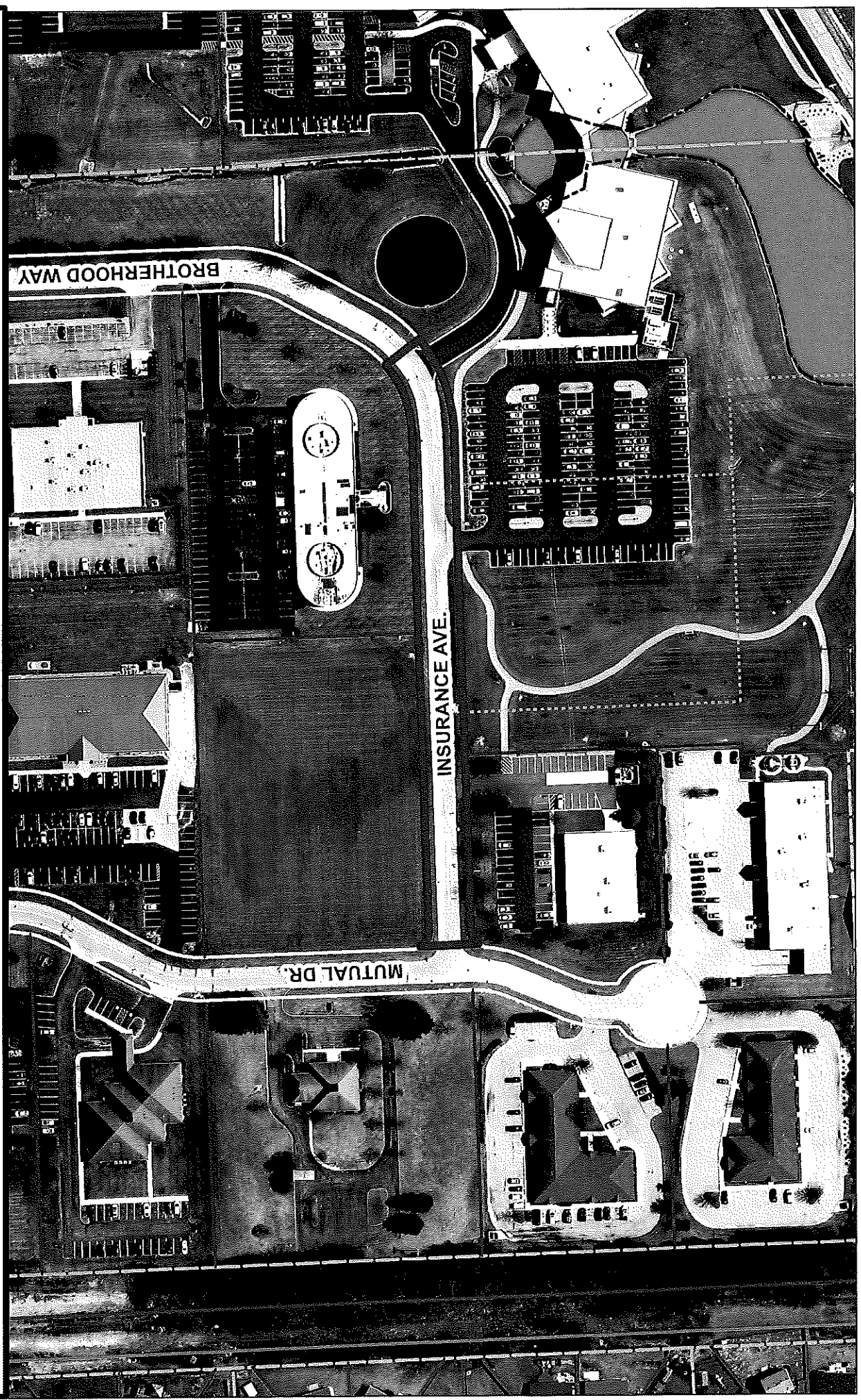
DPS Staff notified the following by Email as a courtesy:

NWAP

Dan Baisden, Neighborhood Activation

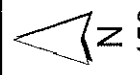


Vacation of Right of Way VROW-2022-0005 Insurance Avenue



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: 4/27/02



1 inch = 150 feet

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 X Public Right of Way (street or alley)

More particularly described as follows:

All of Insurance Avenue between Mutual Drive and Brotherhood Way as legally
described on the attached Exhibit A and depicted on the attached Exhibit B.

(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: Cabinet B PAGE(S) NUMBER(S): 58 (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)

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

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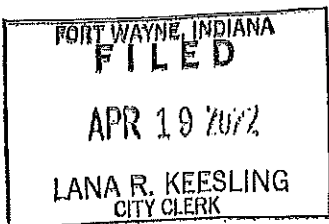
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: Brotherhood Mutual Insurance Company

Street Address: 6400 Brotherhood Way

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See attached Exhibit E.
Signature _____ Printed Name _____ Date _____

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): Thomas M. Niezer

Street Address: 215 E. Berry Street

City: Fort Wayne State: IN Zip: 46802 Phone: (260) 423-8898

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For Office Use Only:

Receipt #: _____ Date Filed: _____

Map #: _____ Reference #: _____

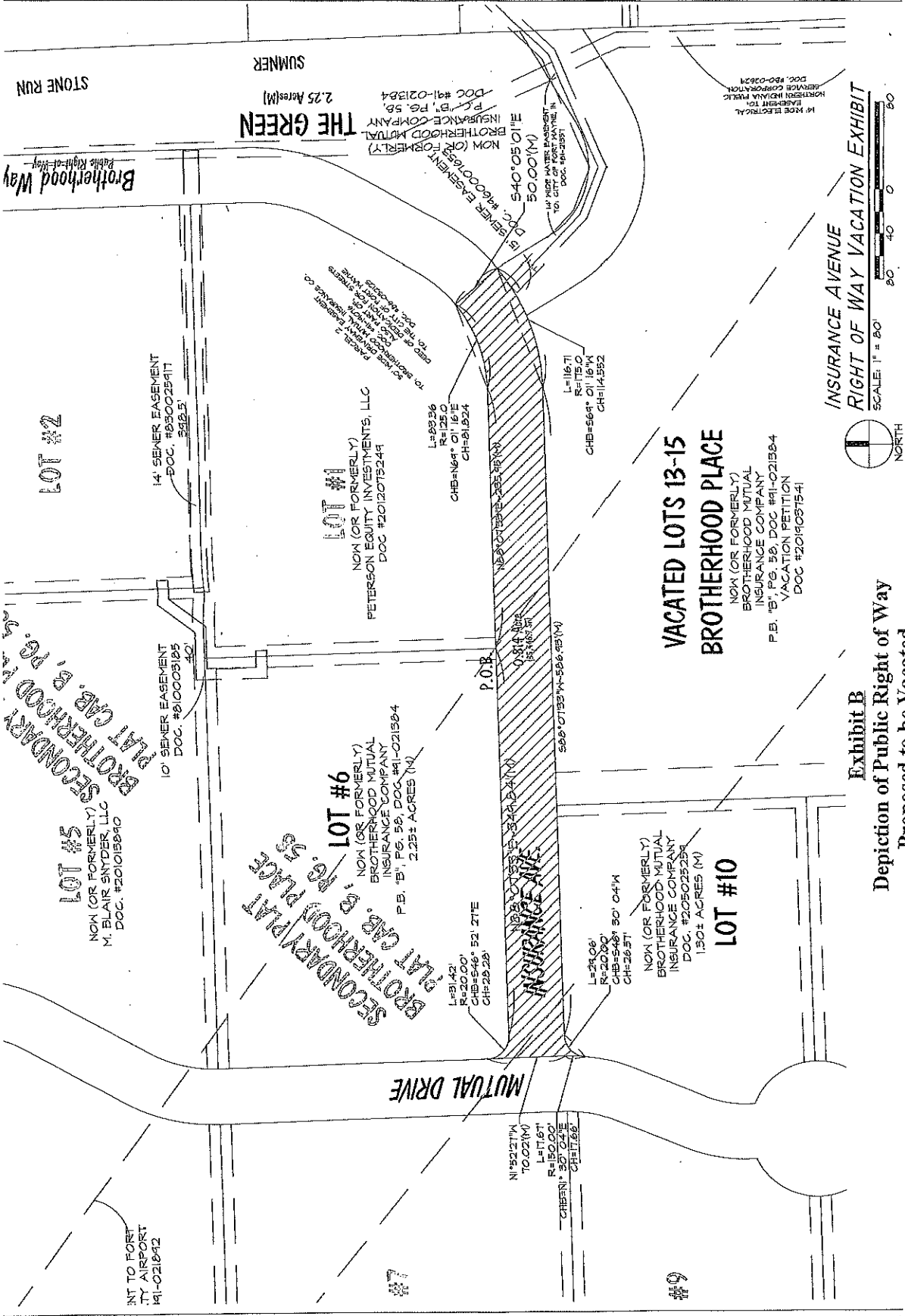
Professional Engineers & Surveyors
 1910 St. Joe Center Road, Suite #61
 Fort Wayne, Indiana 46825
 260.484.9900 phone
 260.484.9980 fax
 www.1stie.biz



Forisight Consulting, LLC
 EXPERIENCE. INNOVATION. RESULTS.

Performed for:
 Right of Way Vacation Exhibit for:
Insurance Avenue
 Fort Wayne, Indiana

Drawn By:
 Consultation Number: 215143
 Date: March 28th, 2022
 Title:
 Sheet Number: **SI.1**
 Sheet 1 of 1



INSURANCE AVENUE
 RIGHT OF WAY VACATION EXHIBIT
 SCALE: 1" = 80'
 NORTH

Exhibit B
 Depiction of Public Right of Way
 Proposed to be Vacated

SECONDARY PLAT
 BROTHERHOOD PLACE
 PLAT C&B, P. PG. 53
 LOT #5
 NOM (OR FORMERLY)
 M. BLAIR SNYDER, LLC
 DOC. #201018840

SECONDARY PLAT
 BROTHERHOOD PLACE
 PLAT C&B, P. PG. 53
 LOT #6
 NOM (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 P.B. 'B', PG. 56, DOC. #1-021584
 2.25± ACRES (M)

LOT #11
 NOM (OR FORMERLY)
 PETERSON EQUITY INVESTMENTS, LLC
 DOC #2012075244

LOT #10
 NOM (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 DOC. #2050252384
 1.30± ACRES (M)

VACATED LOTS 13-15
 BROTHERHOOD PLACE
 NOM (OR FORMERLY)
 BROTHERHOOD MUTUAL
 INSURANCE COMPANY
 P.B. 'B', PG. 56, DOC. #11-021584
 VACATION PETITION
 DOC #2019037541

THE GREEN
 2.25 Acres (M)

STONE RUN

LOT #2

14' SEWER EASEMENT
 DOC. #230025417
 548.5'

10' SEWER EASEMENT
 DOC. #100005125
 50'

LOT #7
 L=21.42'
 R=20.00'
 CHB=546' 52.27E
 CH=28.28'

LOT #9
 N=50.27M
 TO 022(M)
 L=11.6T
 R=10.00
 CHB=548' 30' 04'M
 CH=26.5T
 CH=11.68

LOT #12
 L=116.71
 R=175.0
 CH=114.582

LOT #13
 L=89.26
 R=123.0
 CHB=164' 01.16'E
 CH=21.534

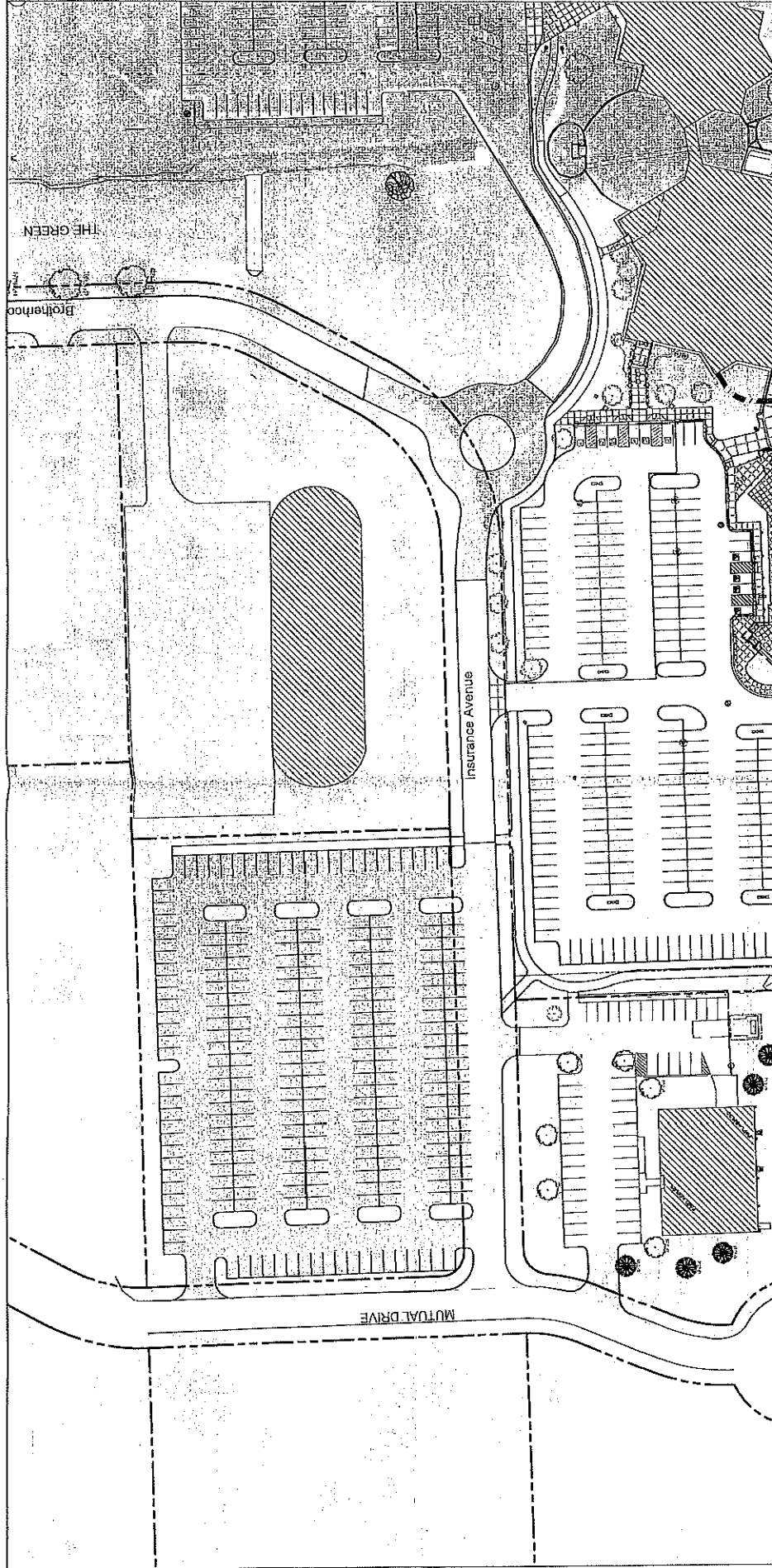
LOT #14
 L=540.05(1)
 R=50.00(M)
 CH=114.582

LOT #15
 L=540.05(1)
 R=50.00(M)
 CH=114.582

LOT #16
 L=540.05(1)
 R=50.00(M)
 CH=114.582

LOT #17
 L=540.05(1)
 R=50.00(M)
 CH=114.582

Exhibit C-1



INSURANCE AVENUE REDESIGN - OPTION A

SCALE: 1" = 60'



NORTH

PARKING LOT INFORMATION
NEW PARKING SPACES 394



NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
ORDINANCE NO. G-22-05-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 24, 2022 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: All of Insurance Avenue between Mutual Dr and Brotherhood Way at 309 Insurance Avenue

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 24, 2022.

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
5-13 hspaxlp

0202400003574



The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: iF4jkWSCc4btckffjE0B8

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT

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 equal
55 equivalent lines at \$ 0.4990 cents per line \$27.45

Additional charges for notices containing rule or tabular work
(50 percent of above amount) \$ _____

Electronic processing fee \$0.00

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.

The dates of publication being as follows:

5/13/22 _____

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

Date: 5/13/2022

Blunda McAure
Legal Clerk

06/16/2022 4:14:02 PM
CITY OF FT WAYNE CLERKS OFFICE
0.00
NICOLEK

TRANSACTION # 4569061
DOCUMENT # 2022032909

ORDINANCE

RECORDING FEES: 25.00
TOTAL: 25.00
CREDIT CARD: 25.00

THANK YOU

ANITA MATHER
RECORDER
ALLEN COUNTY, IN

BILL NO. G-22-05-04

REPORT OF COMMITTEE ON REGULATIONS

June 14, 2022

Tom Freistroffer Chair

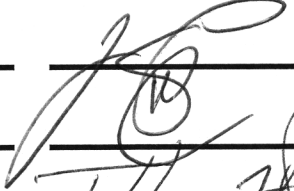
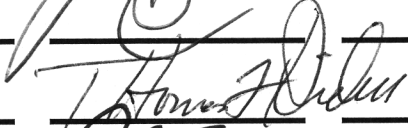




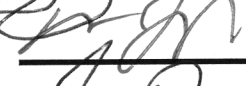


Paul Ensley Co-Chair

All Council Members

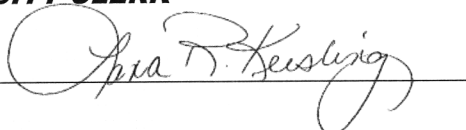
An Ordinance amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way

To vacate all of Insurance Avenue between Mutual Dr and Brotherhood Way at 309 Insurance Avenue

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: May 24, 2022

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: June 14, 2022



 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-05-04 on the 14th day of June, 2022

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 June 2022, at the hour of 11:10 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of June 2022, at the hour of 3:00 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

