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VALY-2022-0002

BILL NO. G-22-05-22

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



DocId:8900395
Tx:4571402

2022036445

RECORDED: 07/01/2022 01:05:07 PM

ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

GENERAL ORDINANCE NO. G- 9-22

JUL 01 2022

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

AUDITOR OF ALLEN COUNTY

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

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

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

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

All of the 10-foot wide east-west alley located between Lots 2 and 3 of Sordelet's Addition, according to the plat thereof, as recorded in Plat Book 9A, page 47 in the Office of the Recorder of Allen County, Indiana.

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

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

Paul Ensley
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2022-0002
Bill Number: G-22-05-22
Council District: 5 – Geoff Paddock

Introduction Date: May 24, 2022

Public Hearing Date: June 14, 2022 to be heard by Council

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

Synopsis of Ordinance: To vacate the 10-foot wide alley between Lots 2 and 3 of Sordelet’s Addition.

Location: Between 2022 and 2030 Bevel Avenue

Reason for Request: To allow for use as a private driveway.

Applicant: AG Rentals and Management, LLC

Property Owners: Brenda and Thomas Woodard

Related Petitions: none

Effect of Passage: The vacation of the unimproved alley will allow for the existing private driveway and garage built over the alley.

Effect of Non-Passage: The right of way will remain as platted. Any new development will need to conform to setbacks from the existing right-of-way.

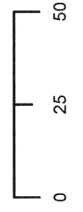


Vacation of Alley VALY-2022-0002 Bevel Avenue



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: 5/13/2022



1 inch = 50 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 Public Right of Way (street or alley)

More particularly described as follows:

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

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

The reasons for the proposed vacation are as follows:

We would like to combine 2080 and 2022 Bevel Ave
Properties together.

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

The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). The information on that sheet must be as follows:

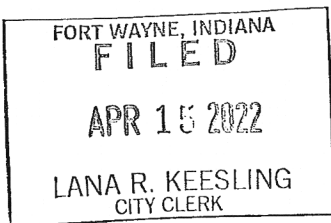
Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

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

Name: AG Rentals & Management LLC

Street Address: 4915 Illinois Rd.

City: Ft. Wayne State: In Zip: 46804 Phone: 260-206-6948



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.

Brendal Woodard Brendal Woodard 04-16-2007
Signature Printed Name Date

2030 Bevel Ave Ft. Wayne, In. 46802
Address City/State/Zip

Thomas Woodard THOMAS WOODARD 04-16-2007
Signature Printed Name Date

2030 Bevel Ave FT WAYNE IN 46802
Address City/State/Zip

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

Agent's Name (Print Legibly): _____

Street Address: _____

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

NOTICE:

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

For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____

Doc. No.	201041345
Receipt No.	17417
DCFD	3.00
DEED	6.00
SCSF	5.00
Total	14.00

THIS FORM HAS BEEN PREPARED FOR USE IN THE STATE OF INDIANA BY LAWYERS ONLY. SELECTING A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTING SPECIAL CLAUSES MAY CONSTITUTE THE PRACTICE OF LAW, WHICH SHOULD BE PERFORMED ONLY BY A LAWYER.

MAIL TAX BILLS TO:
2030 Bevel Avenue
Fort Wayne, IN 46802

QUITCLAIM DEED

RECORDED
06/18/2001 12:04:37
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

THIS INDENTURE WITNESSETH, that Donna Bieber

GRANTOR(S) of Tyler County in the State of West Virginia
QUITCLAIM(S) to Brenda Woodard

GRANTEE(S) of Allen County in the State of Indiana
in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana:

Lot 3 in Sordelet's Addition to the City of Fort Wayne, according to the recorded plat thereof, together with an easement for a private driveway over and along a strip of ground 10 feet in width adjoining said Lot 3 on the South.

AND

Lot 4 in Sordelet's Sub Addition to the City of Fort Wayne.

Dated this 26 day of March, 2001.

(Signature) Donna Bieber
(Printed Name) Donna Bieber
(Signature) _____
(Printed Name) _____

STATE OF INDIANA, COUNTY OF Tyler SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 26 day of March, 2001, personally appeared: Donna Bieber and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

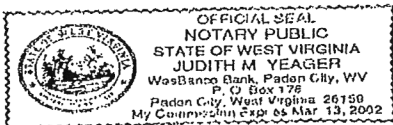
My commission expires: March 18, 2002 Signature: Judith M Yeager
Resident of West Virginia, Tyler County Printed: Judith M Yeager Notary Public
This instrument prepared by Rick L. Sprunger, Attorney at Law
Attorney No. 2269-84

5353
AUDITORS NUMBER

MAIL TO: Rick L. Sprunger, 1218 W. Water St., Berne, IN 46711



© COPYRIGHT 1997, THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC. (REV. 2/97, 6/99)



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

JUN 18 2001

AUDITOR OF ALLEN COUNTY

FILED

JUN 18 2001

SALES DISCLOSURE
FORM

14
C

Doc. No.	201041346
Receipt No.	17417
DCFB	3.00
DEED	6.00
SCSF	5.00
Total	14.00

THIS FORM HAS BEEN PREPARED FOR USE IN THE STATE OF INDIANA BY LAWYERS ONLY. SELECTING A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTING SPECIAL CLAUSES MAY CONSTITUTE THE PRACTICE OF LAW, WHICH SHOULD BE PERFORMED ONLY BY A LAWYER.

MAIL TAX BILLS TO:

2030 Bevel Avenue
Fort Wayne, IN 46802

QUITCLAIM DEED

RECORDED
06/18/2001 12:04:38
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

THIS INDENTURE WITNESSETH, that Nancy Veatch

GRANTOR(S) of Dubois County in the State of Indiana

QUITCLAIM(S) to Brenda Woodard

GRANTEE(S) of Allen County in the State of Indiana

in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana:

Lot 3 in Sordelet's Addition to the City of Fort Wayne, according to the recorded plat thereof, together with an easement for a private driveway over and along a strip of ground 10 feet in width adjoining said Lot 3 on the South.

AND

Lot 4 in Sordelet's Sub Addition to the City of Fort Wayne.

Dated this 04 day of April, 2001.

(Signature) Nancy Veatch
(Signature) Nancy Veatch

(Printed Name) _____
(Printed Name) _____

(Signature) _____
(Signature) _____

(Printed Name) _____
(Printed Name) _____

STATE OF INDIANA, COUNTY OF Dubois SS [REDACTED]

Before me, the undersigned, a Notary Public in and for said County and State, this 4th day of April 2001, personally appeared: Nancy Veatch

and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: January 26, 2008 Signature Eileen M. Holz

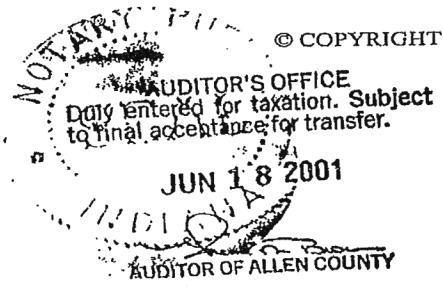
Resident of Spencer County Printed Eileen M. Holz Notary Public

This instrument prepared by Rick L. Sprunger, Attorney at Law
Attorney No. 2269-84

MAIL TO: Rick L. Sprunger, 1218 W. Water St., Berne, IN 46711



© COPYRIGHT 1997, THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC. (REV. 2/97, 6/99)



FILED

JUN 18 2001

SALES DISCLOSURE FORM

01 5353
AUDITORS NUMBER

LC

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

ORDINANCE NO. G-22-05-22

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 14, 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: A portion of the 10-foot wide alley between Lots 2 and 3 of Sordelet's Addition, between 2022 and 2030 Bevel Ave for use as a private driveway

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 14, 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*

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

ORDINANCE NO. G-22-05-22

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING IN ROOM 035 - COUNCIL CHAMBERS, COURTHOUSE, 400 E. BERRY, FORT WAYNE, INDIANA 46802, A REQUEST TO VACATE AN

LOCATION: A portion of the 10-foot wide alley between Lots 2 and 3 of Sordelet's Addition, between 2022 and 10350 Berel Ave for use as a private driveway

COMMON COUNCIL WILL CONDUCT THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, RECORDED AND CONFIRMED, OR REPEALED ON TUESDAY, JUNE 14, 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 PHYSICALLY HANDICAPPED ACCESSIBILITY WILL BE PROVIDED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING AN ACCOMMODATION SHOULD CONTACT THE PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 427-1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK

rspar4ip



The Journal Gazette

Allen County, Indiana Account Name
Gov: Fort Wayne City Clerk's Office
 Notice ID: KZjVzKb3XR9jT2BFLFnU

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 57

COMPUTATION OF CHARGES

57 lines, 1 column(s) wide equal _____

57 equivalent lines at \$ 0.4990 cents per line \$28.44

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

Electronic processing fee \$0.00

TOTAL AMOUNT OF CLAIM \$28.44

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:

5/27/22 _____

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: 5/27/2022

Brenda McCreary
 Legal Clerk

CALL FOR PICK UP
CITY CLERK OFFICE
427-2915

07/01/2022 1:05:07 PM
CITY OF FT WAYNE CLERKS OFFICE

0.00

JENNIFERG

TRANSACTION # 4571402

2022036445	ORDINANCE	25.00
2022036446	ORDINANCE	25.00
2022036447	ORDINANCE	25.00
2022036448	ORDINANCE	25.00

RECORDING FEES: 100.00

TOTAL: 100.00

CREDIT CARD: 100.00

THANK YOU

ANITA MATHER
RECORDER
ALLEN COUNTY, IN

BILL NO. G-22-05-22

**REPORT OF COMMITTEE ON REGULATIONS
June 28, 2022**

Tom Freistroffer Chair

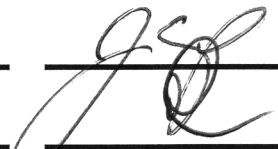
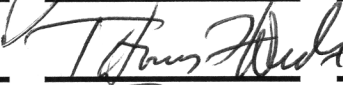

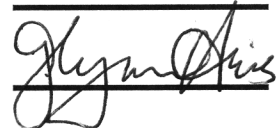
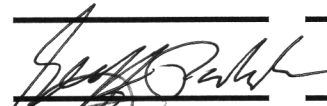

Paul Ensley Co-Chair

All Council Members

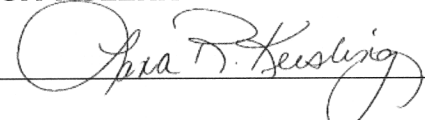
An Ordinance amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way

To vacate a portion of the 10-foot wide alley between Lots 2 and 3 of Sordelet's Addition, between 2022 and 2030 Bevel Ave for use as a private driveway

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>
<u>ARP</u>			
<u>CHAMBERS</u>			
<u>DIDIER</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HINES</u>			
<u>JEHL</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 06/14/2022

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 28, 2022

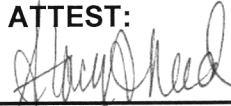


 STACY A. REED, DEPUTY CITY CLERK

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

General Ordinance No. G-22-05-22 on the 28th day of June, 2022

ATTEST:



 STACY A. REED
 DEPUTY CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th of June 2022, at the hour of 9:10 o'clock A.M. E.S.T.



 STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 29th day of June 2022, at the hour of 12:30 o'clock Pm E.S.T.



 THOMAS C. HENRY, MAYOR

