



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

VALY-2022-0001 (rev)
BILL NO. G-22-06-02

2022042688
RECORDED: 08/03/2022 10:59:04 AM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

GENERAL ORDINANCE NO. G- 13-22

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

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

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:

The north-south alley located west of Lot 383 in Hanna's Addition East Part to the City of Fort Wayne recorded in Deed Book C, Page 526, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the northwest corner of said Lot 383 thence southerly along the west line of said Lot 383, a distance of 150 feet to the southwest corner of said Lot 383; thence westerly along the north right-of-way line of East Berry Street a distance of 10 feet to the southeast corner of Lot 3 in Skinners Subdivision recorded in Deed Book 52, Page 379, in the Office of the Recorder of Allen County, Indiana; thence northerly a distance of 150 feet to a point on the east line of Lot 4 in said Skinners Subdivision; thence easterly a distance of 10 feet to the point of beginning.

Together with:
All of the 5-foot wide east-west alley located within Skinners Subdivision (384 Hanna's Addition) of the City of Wayne recorded in Deed Book 52, Page 379, in the Office of the Recorder of Allen County, Indiana.

Note: The above described property, after vacation, shall be subject to a utility, drainage and access easement.

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

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


AUG 03 2022

AUDITOR OF ALLEN COUNTY 25

10


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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:



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-2022-0001 (revised)
Bill Number: G-22-06-02
Council District: 5 – Geoff Paddock

Introduction Date: June 14, 2022

Public Hearing Date: June 28, 2022 to be heard by Council

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

Synopsis of Ordinance: To vacate a portion of the north-south alley west of Lot 383 in Hanna's Addition East Part, along with all of the east-west alley in Skinners Subdivision of Hanna's Lot 384.

Location: Along the east boundary of 817 East Berry and north of 817 and 801 East Berry.

Reason for Request: To allow for use as a private driveway and aid in redevelopment of the adjacent vacant parcel. *Revised from May to include east-west alley.*

Applicant: Juan Williams

Property Owners: Juan and Demeta Williams

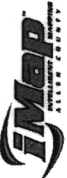
Related Petitions: none

Effect of Passage: The vacation of the unimproved alleys will allow for greater land to redevelop into housing options, and provide driveway space for the existing residence.

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-2022-0001 Berry Street



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 6/7/2022



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:

Refer to file

(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 have been taking care of the alley for decades (keep grass cut, picking up trash)
We also own the land on both sides of the alley (which is no longer used.)
We would also like to use it as a driveway.

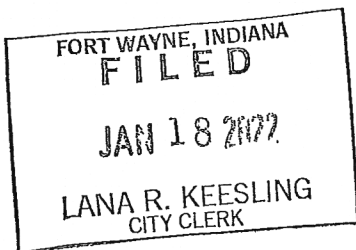
(If additional space is needed please attach separate page.)

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: Juan Williams
Street Address: 817 E Berry St.
City: Fort Wayne State: IN Zip: 46803 Phone: (260) 418-6528



VALY-2022-0001

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.

Juan Williams
Signature

Juan Williams
Printed Name

1/18/22
Date

817 E Berry St.
Address

Fort Wayne, IN 46803
City/State/Zip

[Signature]
Signature

Dameta Williams
Printed Name

1-18-22
Date

817 E. Berry St.
Address

Fort Wayne IN. 46803
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 #: _____

The Journal Gazette

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: lWiE0gKIwLPx0WXE0smI

Allen County, Indiana

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 62

COMPUTATION OF CHARGES

62 lines, 1 column(s) wide equal:

62 equivalent lines at \$ 0.4990 cents per line \$30.94

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

Electronic processing fee \$ 0.00

TOTAL AMOUNT OF CLAIM \$30.94

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:

6/17/22 _____

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: 6/17/2022

Bunda McCune
Legal Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL

ORDINANCE NO. G-22-06-02

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE HEARING ON JUNE 28, 2022 AT 5:30 P.M. IN ROOM 1325 - COUNCIL CHAMBERS COURTCOM GARDEN BERRY, FORT WAYNE, INDIANA 46802, A REQUEST TO VACATE AN

LOCATION: To vacate a portion of the north-south alley west of lot 383, in Hanna's Addition East Park, along with all of Hanna's Lot 384, Hanna's Subdivision of Hanna's Lot 384.

To allow for use as a private driveway to be used in redevelopment of the adjacent vacant parcel. Revised from G-22-05-05 to include east-west alley

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE ADOPTED, AMENDED, MODIFIED AND CONFIRMED OR RESCINDED ON TUESDAY, JUNE 28, 2022.

ADDITIONAL INFORMATION CAN BE VIEWED AT THE DEPARTMENT OF PLANNING SERVICES OFFICE, 200 E. BERRY ST. SUITE 160.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWINGLY ABILITY CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (260) AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK
6-17 hspaidp

08/03/2022 10:59:04 AM
CITY OF FT. WAYNE CLERKS OFFICE
0.00
NICOLEK

TRANSACTION # 4576851
DOCUMENT # 2022042688

ORDINANCE

RECORDING FEES: 25.00
TOTAL: 25.00
CREDIT CARD: 25.00

THANK YOU

ANITA MATHER
RECORDER
ALLEN COUNTY, IN

BILL NO. G-22-06-02

REPORT OF COMMITTEE ON REGULATIONS

July 26, 2022

Paul Ensley Chair

Tom Freistroffer Co-Chair


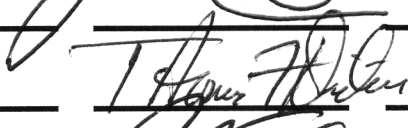
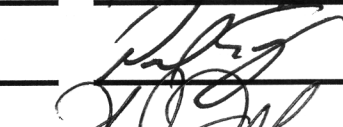
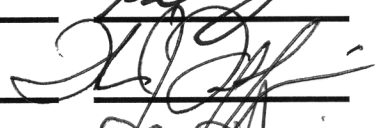
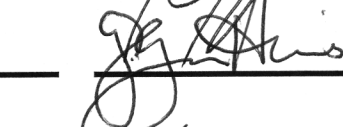

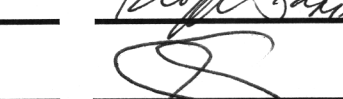
All Council Members

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

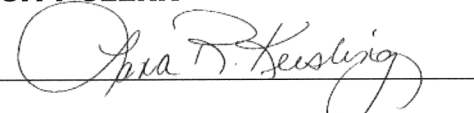
To vacate a portion of the north-south alley west of Lot 383 in Hanna's Addition East Part, along with all of the east-west alley in Skinners Subdivision of Hanna's Lot 384

To allow for use as a private driveway and aid in redevelopment of the adjacent vacant parcel. Revised from G-22-05-05 to include east-west alley

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: June 28, 2022

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

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

Read the third time in full and on motion by Councilperson Ensley, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: July 26, 2022



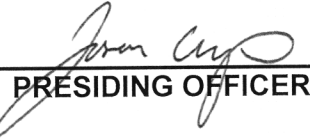
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General Ordinance No. G-22-06-02 on the 26th day of July, 2022

ATTEST:



 LANA R. KEESLING
 CITY CLERK



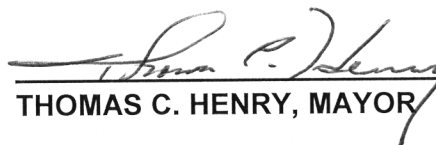
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th
 of July 2022, at the hour of 10:20 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 28TH day of JULY 2022, at the
 hour of 3:30 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
 JUL 29 2022
 LANA R. KEESLING
 CITY CLERK