



1 VEAS-2022-0002

2 BILL NO. G-22-06-04

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

4 GENERAL ORDINANCE NO. G- 12-22

5 JUL 01 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 A PORTION OF A 5 FOOT UTILITY EASEMENT TO BE VACATED AS DESCRIBED IN DOCUMENT
18 NUMBER 205074523 AND IN ACCORDANCE WITH A BOUNDARY RETRACEMENT SURVEY BY
19 FORESIGHT CONSULTING, LLC AS COMMISSION NUMBER 192530 DATED NOVEMBER 22, 2019
20 CERTIFIED BY TODD R. BAUER, INDIANA PROFESSIONAL SURVEYOR NUMBER 29800007,
21 RETRACING THE BOUNDARIES OF SAID 5 FOOT UTILITY EASEMENT WITH BEARINGS BASED
UPON THE INDIANA STATE PLANE COORDINATE SYSTEM, EAST ZONE, GRID FOR THE
FOLLOWING DESCRIBED PORTION TO BE VACATED BEING A PART OF THE NORTHEAST
QUARTER OF SECTION 11, TOWNSHIP 30 NORTH, RANGE 11 EAST OF THE SECOND PRINCIPAL
MERIDIAN IN ALLEN COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-
WIT:

22 COMMENCING AT A HARRISON MONUMENT AT THE NORTHEAST CORNER OF SAID
23 NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 51 MINUTES 55 SECONDS WEST
24 ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE
25 OF 1322.63 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER;
26 THENCE SOUTH 0 DEGREES 17 MINUTES 21 SECONDS EAST ALONG SAID WEST LINE, A
27 DISTANCE OF 59.99 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE ILLINOIS ROAD
28 (STATE ROAD NO. 14); THENCE NORTH 88 DEGREES 51 MINUTES 58 SECONDS EAST
29 ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 26.52 FEET; THENCE SOUTH 46
30 DEGREES 02 MINUTES 55 SECONDS EAST, A DISTANCE OF 35.31 FEET; THENCE NORTH 88
DEGREES 51 MINUTES 58 SECONDS EAST, A DISTANCE OF 80.00 FEET; THENCE NORTH 56
DEGREES 51 MINUTES 30 SECONDS EAST, A DISTANCE OF 2.62 FEET; THENCE SOUTH 0
DEGREES 15 MINUTES 56 SECONDS WEST, A DISTANCE OF 84.44 FEET; THENCE SOUTH 4

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DEGREES 42 MINUTES 22 SECONDS WEST, A DISTANCE OF 163.38 FEET TO THE
SOUTHWEST CORNER OF A 2.144 ACRE PARCEL DESCRIBED IN DOCUMENT NUMBER
2014056236, BEING ALSO THE NORTHWEST CORNER OF SAID 5 FOOT UTILITY EASEMENT
AND THE POINT OF BEGINNING INITIALLY REFERRED TO; THENCE SOUTH 89 DEGREES 44
MINUTES 04 SECONDS EAST ALONG THE SOUTH LINE OF SAID 2.144 ACRES AS
COINCIDENT WITH THE NORTH LINE OF SAID 5 FOOT UTILITY EASEMENT, A DISTANCE OF
361.13 FEET TO THE SOUTHEAST CORNER OF SAID 2.144 ACRES, AS COINCIDENT WITH
THE NORTHEAST CORNER OF A 4.099 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER
2010039075 AS SITUATED ON THE WEST LINE OF THE LANDS OF INVERNESS CENTRE
OWNERS ASSOCIATION AS DESCRIBED IN DOCUMENT NUMBER 206010750, BEING ALSO
THE NORTHEAST CORNER OF SAID 5 FOOT UTILITY EASEMENT; THENCE SOUTH 3
DEGREES 47 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF THE LANDS OF
INVERNESS CENTRE OWNERS ASSOCIATION, INC. AS COINCIDENT WITH THE EAST LINE
OF THE 4.099 ACRES AFORESAID, A DISTANCE OF 5.01 FEET TO THE SOUTH EAST CORNER
OF THE AFORESAID 5 FOOT UTILITY EASEMENT; THENCE NORTH 89 DEGREES 44
MINUTES 04 SECONDS WEST ALONG THE SOUTH LINE OF SAID 5 FOOT UTILITY
EASEMENT, A DISTANCE OF 361.21 FEET TO THE SOUTHWEST CORNER THEREOF AS
SITUATED ON THE WEST LINE OF SAID 4.099 ACRES; THENCE NORTH 4 DEGREES 42
MINUTES 12 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 5.02 FEET TO THE
POINT OF BEGINNING AND CONTAINING 1805.85 SQUARE FEET OR 0.0415 ACRES OF
LAND, MORE OR LESS.


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

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: VEAS-2022-0002
Bill Number: G-22-06-04
Council District: 4 – Jason Arp

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 the 5-foot wide easement running east-west between 8230 and 8202 Glencarin Boulevard.

Location: Between 8230 and 8202 Glencarin Boulevard

Reason for Request: To allow for redevelopment of the site with a Parkview Health facility.

Applicant: Parkview Health System, Inc.

Property Owners: same

Related Petitions: none

Effect of Passage: The vacation of the easement will allow for the redevelopment of the site to provide additional health care resources to the area.

Effect of Non-Passage: The easement will remain as dedicated and will impede the redevelopment of the underutilized site.

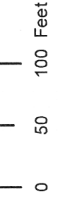


Vacation of Easement Parkview Inverness VEAS-2022-0002



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 = 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 _____ Public Right of Way (street or alley)

More particularly described as follows:

SEE EXHIBIT "A" ATTACHED

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

DOCUMENT NO. 205074523

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:
LAND DEVELOPMENT FOR PARKVIEW SOUTHWEST

(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: PARKVIEW HEALTH SYSTEM, INC.

Street Address: 10501 CORPORATE DRIVE

City: FORT WAYNE State: IN Zip: 46845 Phone: 260-266-9930

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.

BY: _____ PARKVIEW HEALTH SYSTEM, INC. _____
Signature Printed Name Date
10501 CORPORATE DRIVE FORT WAYNE, INDIANA 46845
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): PETER G. MALLERS and JOHN B. ("JACK") BENTZ OF BEERS MALLERS BACKS & SALIN, LLP

Street Address: 110 WEST BERRY STREET, SUITE 1100
City: FORT WAYNE State: IN Zip: 46802 Phone: 260-426-9706

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 #: _____

Adjacent Property Owners:

INVERNESS CENTRE OWNERS' ASSOCIATION, INC.
c/o CBRE STURGES
202 WEST BERRY STREET – SUITE 500
FORT WAYNE, INDIANA 46802

PROPERTY ADDRESS: ILLINOIS ROAD
FORT WAYNE, INDIANA 46804

CITY OF FORT WAYNE
200 EAST BERRY STREET – SUITE 210
FORT WAYNE, INDIANA 46802

PROPERTY ADDRESS: GLENCARIN BOULEVARD
FORT WAYNE, INDIANA 46804

The Journal Gazette

Allen County, Indiana Account Name
Gov: Fort Wayne City Clerk's Office
 Notice ID: 1BfCU1gkqN7IISxMve73

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:

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

Blonde McCre
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-22-06-04

REPORT OF COMMITTEE ON REGULATIONS

June 28, 2022

Tom Freistroffer Chair


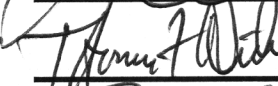

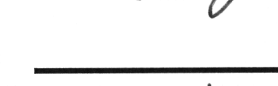

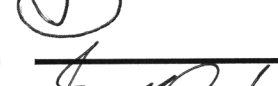
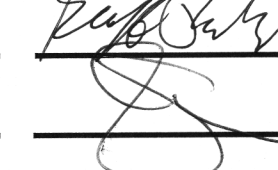
Paul Ensley Co-Chair

All Council Members

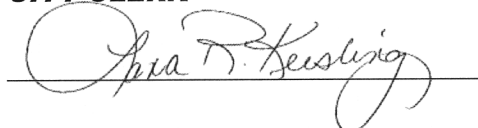
An Ordinance amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way

To vacate the 5-foot wide easement running east-west between 8230 and 8202 Glencarin Boulevard to allow for redevelopment of the site with a Parkview Health facility

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: 06/28/2022

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

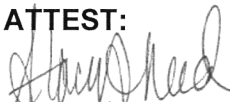


 STACY A. REED, DEPUTY CITY CLERK

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

General Ordinance No. G-22-06-04 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

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