VALY-2022-0005

BILL NO. G-22-09-05

GENERAL ORDINANCE NO. G-_____

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 15-foot wide alley located west of Lot 162 in Swinney's Addition, Plat of Lots 98 through 169 and 206 through 217, recorded in Deed Book 2B, Page 84B, in the Office of the Recorder of Allen County;

TOGETHER WITH:

The east-west 10-foot wide alley north of Lot 161 and north of the vacated Lavinia Street in Swinney's Addition, Plat of Lot 98 through 169 and 206 through 217, recorded in Deed Book 2B, Page 84B, 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.

_____

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny by VES

Malak Heiny

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance:	Right of Way Vacation
Case Number:	VALY-2022-0005
Bill Number:	G-22-09-05
Council District:	5 – Geoff Paddock
Introduction Date:	September 13, 2022
Public Hearing Date:	September 27, 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 north-south alley between Lots 161 and 162 in Swinney's Addition.
Location:	Along the east boundary of 1506 Wall Street, between Wall Street and the railroad.
Reason for Request:	To combine with the parcel at 1506 Wall Street.
Applicant:	Sanders and Son BC, LLC
Property Owners:	Sanders and Son BC, LLC
Related Petitions:	none
Effect of Passage:	The vacation of the unimproved alley will allow the land to be adjoined with the parcel to the wet, increasing parking area, and allowing for maintenance.
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.

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:

See Documentation attached.

(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:

increased parking, property maintenance-
closing on property Aug 10th @ 11 with
Allen county Delvelopment corp.

(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: Thomas Sanders Buying as Sandersand Sons BC

Street Address: 1506 Wall St.

City: Fort Wayne State: IN Zip: 46803 Phone: 260 797-1413

FORT WAYNE, INDIANA
FILED
AUG 02 2022
LANA R. KEESLING
CITY CLERK

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.

Andrew Sanders — Andrew Sanders — 8-2-22

Signature — Printed Name — Date

6405 Birchdale Dr — Fort Wayne, IN 46815

Address — City/State/Zip

Signature — Printed Name — Date

Address — City/State/Zip

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

Agent's Name (Print Legibly): _____

Street Address: _____

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

NOTICE:

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

Alley Vacation VALY-2022-0005 - Wall Street Alley



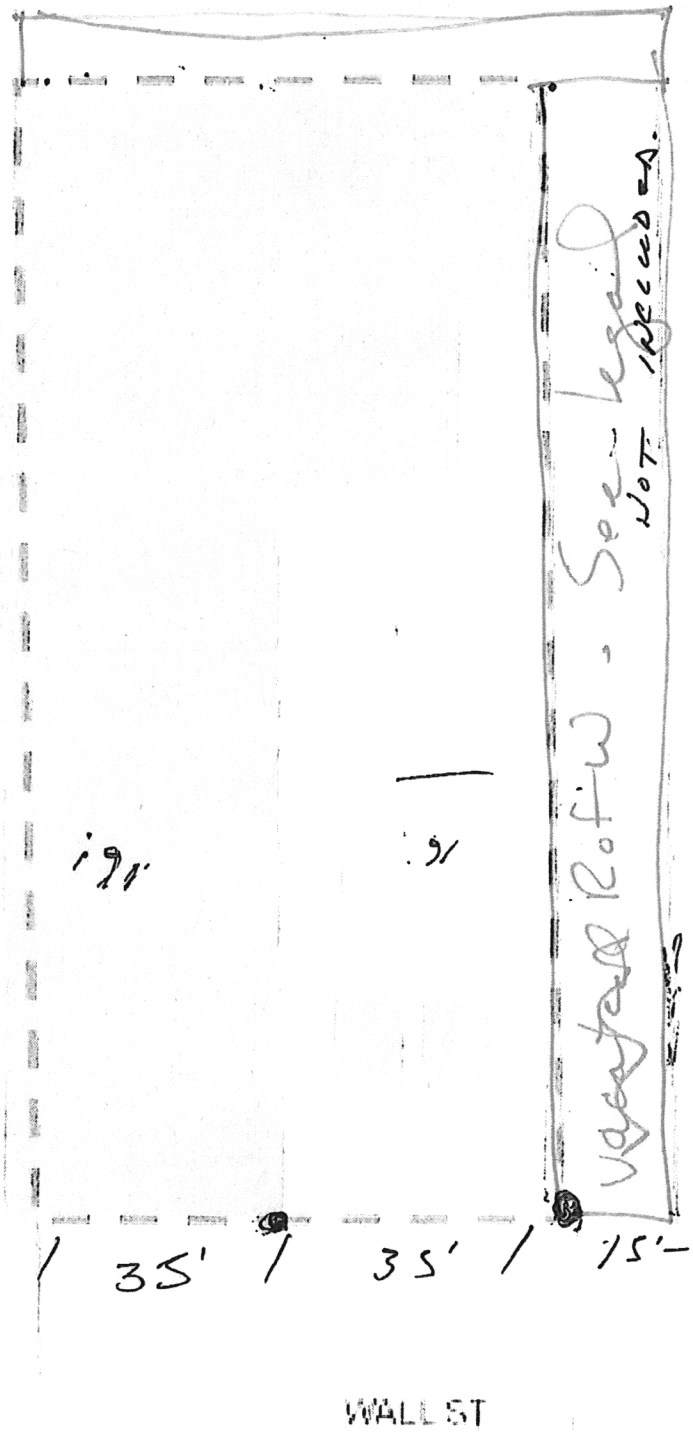
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 9/6/2022

0 50 100 Feet

N

1 inch = 75 feet



petition
rev. by plan
City Council
public hrg

Column

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Journal Gazette**.

Notice ID: 5nP1jnRTBlx0edY9KGJ6 | **Proof Updated: Sep. 14, 2022 at 08:12am EDT**
Notice Name: G-22-09-05

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Shirrell Richardson
shirrell.richardson@cityoffortwayne.org
(260) 427-1221

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

09/16/2022: Other	28.94
Subtotal	$28.94
Tax %	0.00
Total	**$28.94**

See Proof on Next Page

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL

ORDINANCE NO. G-22-09-05

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON SEPTEMBER 27, 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: To vacate the north-south alley between Lots 161 and 162 in Swinney's Addition, along with the east-west alley on the north side of Lot 161, along the east and north boundaries of 1506 Wall Street

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, SEPTEMBER 27, 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
9--16 hspaxlp

Prescribed by State Board of Accounts

General Form No. 99P
(Rev. 2009A)

The Journal Gazette

Allen County, Indiana

Account **Name**
Gov: Fort Wayne City Clerk's Office
Notice ID: 5nP1jnRTBlx0edY9KGJ6

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 58

COMPUTATION OF CHARGES

58 lines, 1 column(s) wide equal:
58 equivalent lines at $ 0.4990 cents per line $28.94

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

Electronic processing fee $0.00

TOTAL AMOUNT OF CLAIM $28.94

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:

9/16/22 ____ ____

____ ____ ____

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: 9/16/2022

Brenda McClure
Legal Clerk

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