

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-2023-0005

BILL NO. G-23-03-17

2023017714
RECORDED: 05/03/2023 10:19:45 AM
NICOLE KEESLING
ALLEN COUNTY RECORDER
FORT WAYNE, IN

GENERAL ORDINANCE NO. G- 10-23

**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:

All of the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the alley South of Lot 65 and the East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, page 441 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.

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

MAY 03 2023

[Signature]
AUDITOR OF ALLEN COUNTY #25

14 Call for Pickup

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, pursuant to I.C. 36-7-3-16(b), there are hereby reserved easements in the following described real estate, for the use by public utilities presently occupying and using such real estate for the location and operation of their facilities:

The South 40.7 feet of the East 4 feet of Lot 66, together with the South 40.7 feet of the West 6 feet of Lot 67, together with all of the alley South of Lots 67, 66, and 65, together with the East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, page 441, in the Office of the Recorder of Allen County, Indiana.


SECTION 3. 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 J Freistroffer

APPROVED AS TO FORM AND LEGALITY:



Malak Heiny, City Attorney

Prepared By and
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.
Jill Helfrich
(name printed, stamped or signed w/print)

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VALY-2023-0005
Bill Number: G-23-03-17
Council District: 5 – Geoff Paddock

Introduction Date: March 28, 2023

Public Hearing Date: April 11, 2023 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 alley between Lots 66 and 67, and south of Lots 64 and 65 in Bond's 3rd Addition.

Location: West of 1510 Fairfield Avenue, south of Hendricks Street.

Reason for Request: To accommodate construction of a new parking lot and building access.

Applicant: Vision Property Group, LLC

Property Owner: Vision Property Group, LLC

Related Petitions: SITE-2023-0019

Effect of Passage: The vacation of the alley will allow the property owner to create a new parking lot along Hendricks Street and create a new ADA access for the building at 1510 Fairfield Avenue. New access from the remaining alley to Hendricks Street will be dedicated as part of this development through the new parking lot.

Effect of Non-Passage: The right of way will remain as platted. Redevelopment of the property may be hindered by retention of the right-of-way.

FORT WAYNE, INDIANA
FILED
MAR 06 2023
LANA R. KEESLING
CITY CLERK

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 the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the alley South of Lot 65 and the East 27 feet of the alley South of Lot 64, in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, page 441 in the Office of the Recorder of Allen County, Indiana.

(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: 58 **PAGE(S) NUMBER(S):** 441 (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:

The owner of Lots 63 through 67 is planning on constructing a new entrance (stair/ramp) on the West side of the existing building (Lot 67) and a new parking lot which abuts the alley.

(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: Vision Property Group, LLC c/o David Beer

Street Address: 2115 Calais Road

City: Fort Wayne State: IN Zip: 46814 Phone: _____

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.

N S N S
Signature

Nathan Newport 3/6/22
Printed Name Date

2115 Calais Road
Address

Fort Wayne, IN 46814
City/State/Zip

D Beer
Signature

David Beer 3/6/22
Printed Name Date

7702 Popcorn Dr.
Address

Roanoke, IN 46783
City/State/Zip

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

Agent's Name (Print Legibly): Brooks Construction Co., Inc. c/o Justin Hoffman

Street Address: 6525 Ardmore Avenue

City: Fort Wayne State: IN Zip: 46809 Phone: 260-478-1990

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.

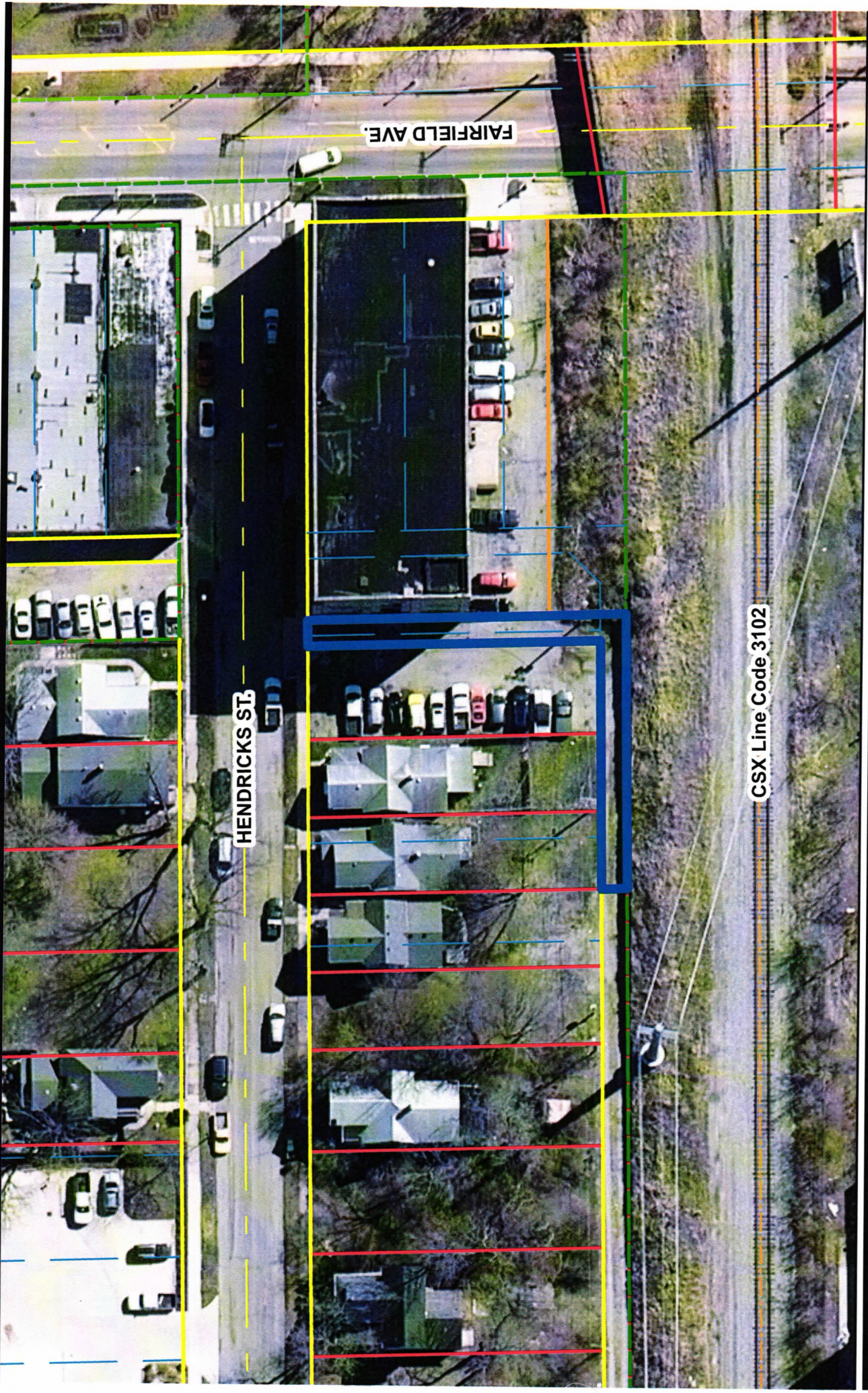
For Office Use Only:

Receipt #: _____

Date Filed: _____

Map #: _____

Reference #: _____

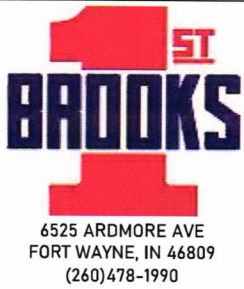


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 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: 3/21/2023



1 inch = 50 feet



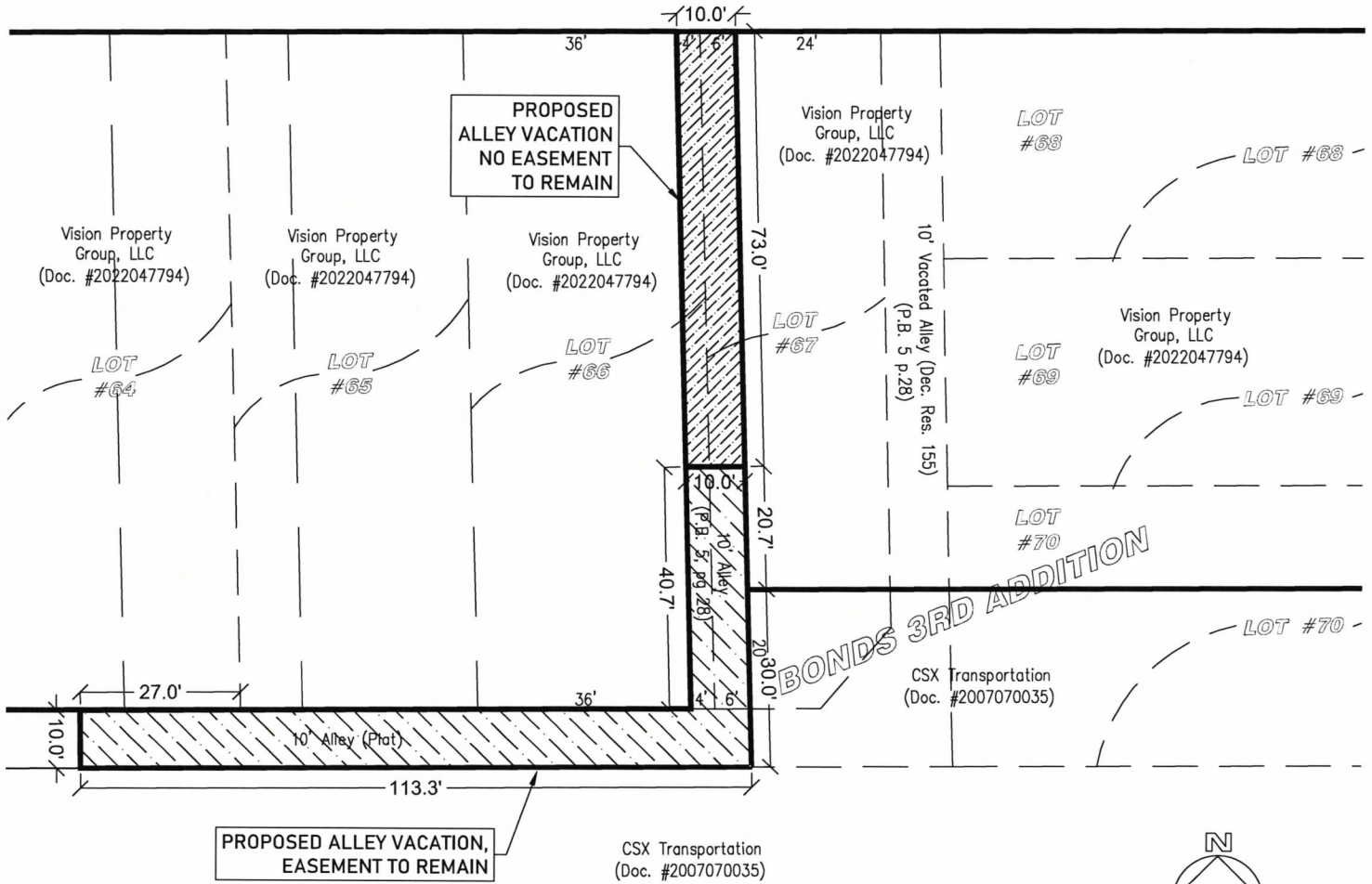
OWNER:	Vision Property Group, LLC
PROJECT:	Parking Lot Expansion
ADDRESS:	521 Hendricks Street, Fort Wayne
DATE:	03/06/2023, rev. 03/22/23
SHEET:	1 of 1

EXHIBIT

Description:

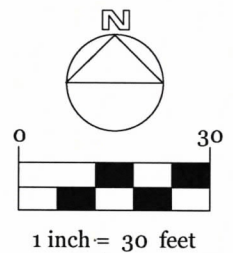
All of the alley West and South of Lot 67, all of the alley East and South of Lot 66, all of the alley South of Lot 65 and the East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.

Hendricks Street (50' R/W)



Description of Easement to Remain:

The South 40.7 feet of the East 4 feet of Lot 66, together with the South 40.7 feet of the West 6 feet of Lot 67, together with all of the alley South of Lots 67, 66 and 65, together with the East 27 feet of the alley South of Lot 64 in Bond's 3rd Addition to the City of Fort Wayne, as recorded in Deed Record 58, Page 441 in the Office of the Recorder of Allen County, Indiana.



This drawing is not intended to be represented as a retracement or original survey, a route survey or a Surveyor Location Report.



INTERIM AD DRAFT

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

Notice ID: mmWahFsmj6ZrSH692DbA | **Proof Updated: Mar. 29, 2023 at 08:13am EDT**
Notice Name: G-23-03-17

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	FILING FOR
Iliana Phillips iliana.phillips@cityoffortwayne.org (260) 427-1221	Journal Gazette

Columns Wide: 1	Ad Class: Legals
-----------------	------------------

03/31/2023: Other	28.44
-------------------	-------

Subtotal	\$28.44
Tax %	0
Total	\$28.44

See Proof on Next Page

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

ORDINANCE NO. G-23-03-17

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON APRIL 11, 2023 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 alley between Lots 66 and 67, and south of Lots 64 and 65 in Bond's 3rd Addition; west of 1510 Fairfield Avenue, south of Hendricks Street

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, APRIL 11, 2023.

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

3--31 hspaxlp

The Journal Gazette

Allen County, Indiana

PUBLISHERS CLAIM

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: mmWahFsmj6ZrSH692DbA

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

ATTACH COPY OF ADVERTISEMENT

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 5-1-1-10-1, 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:

3/31/23 _____

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: 3/31/2023


Legal Clerk

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

ORDINANCE NO. G-23-03-17

NOTICE IS HEREBY GIVEN THAT THE CITY OF FORT WAYNE, INDIANA WILL CONDUCT A PUBLIC HEARING ON PROPOSED ORDINANCE NO. G-23-03-17, CHAMBERS COURTROOM MODIFICATION PROJECT, 200 E. BERRY COURSE, FORT WAYNE, INDIANA. AREAS AFFECTED BY THIS PROJECT ARE KNOWN AS:

LOCATION: A portion of the alley between Lots 66 and 67, south of Lot 64 and 65 in Block 3, 3rd Addition, west of 1510 Fairfield Avenue, south of Hendricks Street.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE PROPOSED ORDINANCE SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, APRIL 11, 2023.

ADDITIONAL INFORMATION CAN BE OBTAINED FROM THE CLERK OF PLANNING SERVICES OFFICE IN CITY CLERK'S SQUARE, 200 E. BERRY ST., SUITE 190.

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 PROVIDED TO THE PUBLIC HEARING WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD CONTACT THE PUBLIC HEARING OFFICE AT (260) 427-1120, TTY (260) 427-1298, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK

3--31 bspaidp

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

ORDINANCE NO. G-23-03-17

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON APRIL 11, 2023 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 alley between Lots 66 and 67, and south of Lots 64 and 65 in Bond's 3rd Addition.; west of 1510 Fairfield Avenue, south of Hendricks Street

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, APRIL 11, 2023.

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*

BILL NO. G-23-03-17

REPORT OF COMMITTEE ON REGULATIONS
April 11, 2023

Tom Freistroffer Chair

Sharon Tucker Co-Chair

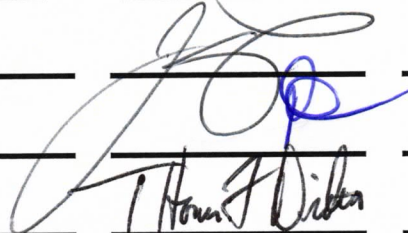
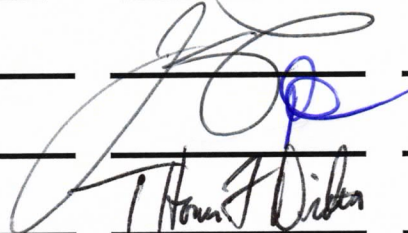

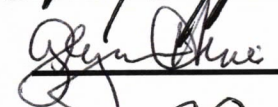



All Council Members

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

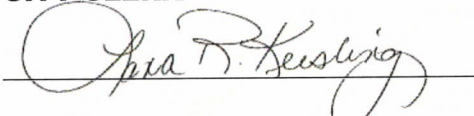
To vacate a portion of the alley between Lots 66 and 67, and south of Lots 64 and 65 in Bond's 3rd Addition, west of 1510 Fairfield Avenue, south of Hendricks Street

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

Hold 2 weeks

<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



05/03/2023 10:19:45 AM
CITY OF FT WAYNE CLERKS OFFICE

0.00

JESSIF

TRANSACTION # 4615406

2023017714	ORDINANCE	25.00
2023017715	ORDINANCE	25.00

RECORDING FEES: 50.00

TOTAL: 50.00

CREDIT CARD: 50.00

THANK YOU

NICOLE KEESLING
RECORDER
ALLEN COUNTY, IN

BILL NO. G-23-03-17

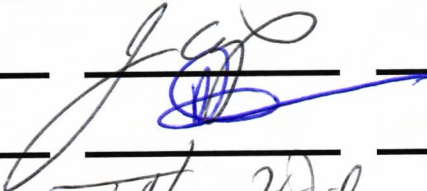
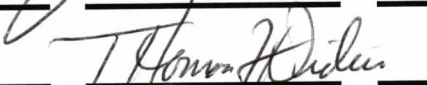
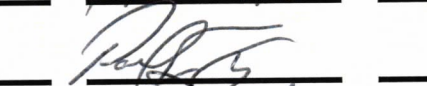





REPORT OF COMMITTEE ON REGULATIONS
April 25, 2023

Tom Freistroffer Chair
Sharon Tucker Co-Chair
All Council Members

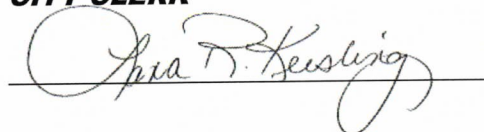
An Ordinance amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public Right-of-Way

To vacate a portion of the alley between Lots 66 and 67, and south of Lots 64 and 65 in Bond's 3rd Addition, west of 1510 Fairfield Avenue, south of Hendricks Street

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: April 11, 2023

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"/>

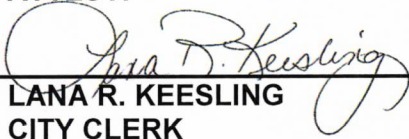
DATED: April 25, 2023



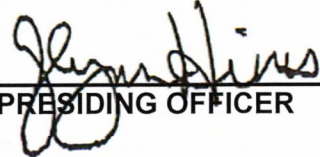
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 General Ordinance No. G-23-03-17 on the 25th day of April, 2023

ATTEST:




 LANA R. KEESLING
 CITY CLERK



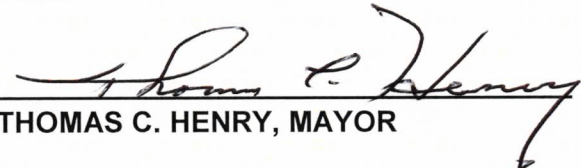
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th
 of April 2023, at the hour of 8:55 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 27TH day of APRIL 2023, at the
 hour of 2:30 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
 APR 28 2023
 LANA R. KEESLING
 CITY CLERK