

VALY-2024-0008

BILL NO. G-25-01-01

GENERAL ORDINANCE NO. G- 3-25

**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 remaining right-of-way of Riedmiller Avenue (platted as Lavinia Avenue), 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 and remaining portions of Riedmiller Avenue (platted as Lavinia Avenue) 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 after vacation the platted right-of-way shall be subject to a utility easement for providers of utility services to the general public, described as follows:

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

FEB 14 2025

[Signature]
AUDITOR OF ALLEN COUNTY

[Signature]
CITY CLERK



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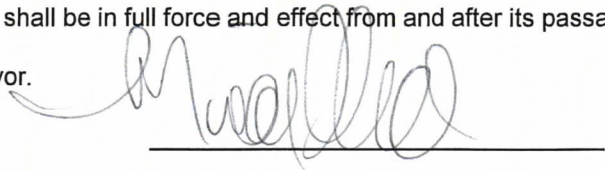
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SECTION 3. That after vacation the above described property shall become the property of parcel # 02-12-10-256-001.000-074.

SECTION 4. 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

RIGHT-OF-WAY VACATION – DISCUSS and PASS
Department of Planning Services

VALY-2024-0008	Bill #G-25-01-01	Project Start: January 2025
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APPLICANT:	Andrew Sanders
REQUEST:	To vacate the remaining 15 feet of Riedmiller Avenue and the 10-foot platted alley located north of Lot 161 and Riedmiller Avenue (platted as Lavinia Avenue in Swinney's Addition)
LOCATION:	East and north of 1506 Wall Street, Fort Wayne, Indiana
COUNCIL DISTRICT:	5 – Geoff Paddock
PUBLIC HEARING DATE:	January 28, 2025

PROJECT SUMMARY

The petitioner, Sanders and Sons BC, LLC, wishes to vacate the remainder of Riedmiller Avenue, on the eastern edge of 1506 Wall Street. Sanders recently rehabilitated the structure and installed a new parking lot. Only 15 feet of Riedmiller Avenue remains as right-of-way, and this portion would serve as the drive to access the parking stalls. The street was not built and the right-of-way dead ends into the CSX Railroad right-of-way. Staff has sent requests for comment from all affected utility agencies. The vacation ordinance was written with a general utility and access easement, which satisfied all agencies needed easements.

City Plan:	Indiana Code (36-7-3-16 (b)) states that any public utility occupying a public way or easement shall not be deprived of the use of the public way for the location and operation of existing facilities. The petitioner shall provide all necessary easements (as approved) at the time the vacation petition is recorded.
Public Works (Trans Eng, Traffic, ROW):	Approved
Stormwater Engineering:	Approved with easement
Water Engineering:	Approved with easement
WPC Engineering – Sanitary:	Approved with easement
Fire Department:	No comment
Land Acquisition Agent:	Approved
Frontier:	Approved with easement
Comcast:	Approved with easement
AEP:	Approved with easement
NIPSCO:	Approved

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 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 1st Floor, Rousseau Center, One Main Street, Fort Wayne, IN)

The reasons for the proposed vacation are as follows:

To complete parking lot project.

(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: Andrew Sanders / Sanders and Sons BC

Street Address: 1506 Wall St.

City: Fort Wayne State: IN Zip: 46805 Phone: 260-797-1413.

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 12-26-24
Signature Printed Name Date
6405 Birch Park 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): Same as above

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:

FORT WAYNE, INDIANA
FILED
DEC 26 2024
LANA R. KEESLING
CITY CLERK

Receipt #: _____

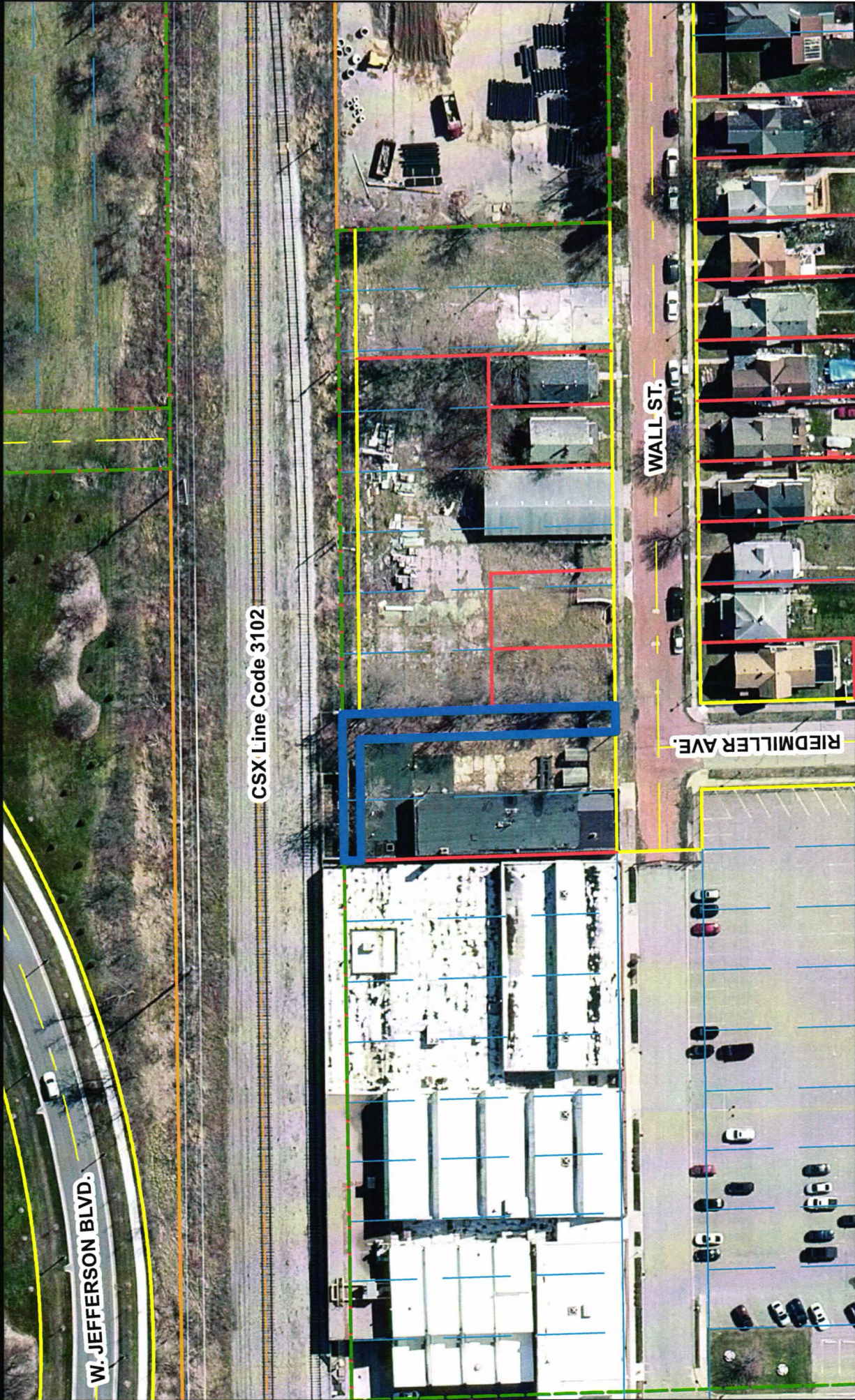
Date Filed: _____

Map #: _____

Reference #: _____

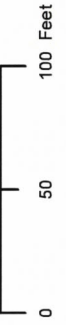


Alley Vacation VALY-2024-0008 - Wall Street Alley



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



1 inch = 75 feet

EXHIBIT "A"
Legal Description of right-of-way to be vacated

The north-south 15-foot wide remaining right-of-way of Reidmiller Street (platted as Lavinia Avenue), 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;

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EXHIBIT "B"
Grant of General Utility Easement

The north-south 15-foot wide remaining right-of-way of Reidmiller Street (platted as Lavinia Avenue), 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;

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INTERIM AD DRAFT

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

Notice ID: pXtMJj16L14jVzFvLj1 | **Proof Updated: Jan. 15, 2025 at 08:31am EST**
Notice Name: G-25-01-01

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

Iliana Phillips
iliana.phillips@cityoffortwayne.org
(260) 427-1221

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

01/17/2025: Government Notice 30.51

Subtotal	\$30.51
Tax %	0
Processing Fee	\$0.00
Total	\$30.51

See Proof on Next Page

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

ORDINANCE NO. G-25-01-06

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 28, 2025 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 remaining 15 feet of Riedmiller Street and the 10-foot platted alley located north of Lot 161 and Riedmiller Street (platted as Lavina Avenue) in Swinney's Addition, east and north of 1506 Walf Street

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JANUARY 28, 2025.

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

1--17 hspaxlp

The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office

Notice ID: pXtMJj16L14jVzFvLj1

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 \$ 0.5260 cents per line

\$ 30.51

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

\$ _____

Electronic processing fee

\$ 0.00

TOTAL AMOUNT OF CLAIM

\$ 30.51

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:

1/17/25 _____

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: 1/17/2025


Legal Clerk

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

ORDINANCE NO. G-25-01-06

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LANA R. KEESLING
CITY CLERK
1-17 hspaxlp

RIGHT-OF-WAY VACATION – DISCUSS and PASS
Department of Planning Services

VALY-2024-0008	Bill #G-25-01-01	Project Start: January 2025
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PROPOSAL:	VALY-2025-0008
BILL NO:	G-25-01-01
APPLICANT:	Andrew Sanders
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COUNCIL DISTRICT:	5 – Geoff Paddock
PUBLIC HEARING DATE:	January 28, 2025

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- | | |
|---|--|
| City Plan: | Indiana Code (36-7-3-16 (b)) states that any public utility occupying a public way or easement shall not be deprived of the use of the public way for the location and operation of existing facilities. The petitioner shall provide all necessary easements (as approved) at the time the vacation petition is recorded. |
| Public Works (Trans Eng, Traffic, ROW): | Approved |
| Stormwater Engineering: | Approved with easement |
| Water Engineering: | Approved with easement |
| WPC Engineering – Sanitary: | Approved with easement |
| Fire Department: | No comment |
| Land Acquisition Agent: | Approved |
| Frontier: | Approved with easement |
| Comcast: | Approved with easement |
| AEP: | Approved with easement |
| NIPSCO: | Approved |

02/14/2025 3:55:27 PM
CITY OF FT WAYNE
0.00
EMMA

TRANSACTION # 4708638
DOCUMENT # 2025007308

ORDINANCE

RECORDING FEES: 25.00
TOTAL: 25.00
CREDIT CARD: 25.00

THANK YOU

NICOLE KEESLING
RECORDER
ALLEN COUNTY, IN


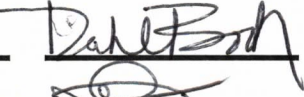




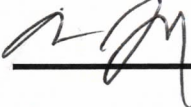

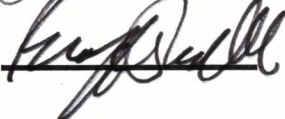
**REPORT OF COMMITTEE ON REGULATIONS
February 11, 2025**

Michelle Chambers Chair
Thomas Freistroffer Co-Chair
All Council Members

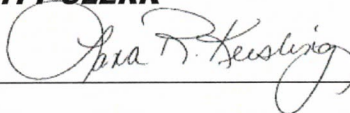
An Ordinance amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way

To vacate the remaining 15 feet of Riedmiller Street and the 10-foot platted alley located north of Lot 161 and Riedmiller Street (platted as Lavinia Avenue) in Swinney's Addition, east and north of 1506 Wall 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>
<u>BENDER</u>			
<u>BOOKER</u>			
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 1-28-2025

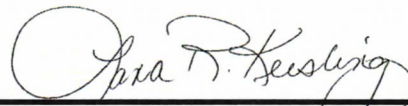
Read the first time in full and on motion by Councilperson Chambers.

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

Read the third time in full and on motion by Councilperson Chambers, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<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"/>
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"/>
HARTMAN	<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"/>
MYERS	<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"/>

DATED: February 11, 2025



LANA R. KEESLING, CITY CLERK

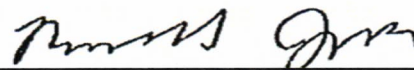
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. G-25-01-01 on the 11th day of February, 2025

ATTEST:



LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of February 2025, at the hour of 11:05 o'clock P.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 12th day of February 2025, at the hour of 5:13 o'clock p.m. E.S.T.



SHARON TUCKER, MAYOR

