

1 #1262

2 BILL NO. Z-11-11-02

3  
4 ZONING MAP ORDINANCE NO. Z- 25-11

5 AN ORDINANCE amending the City of Fort Wayne  
6 Zoning Map No. U-34 (Sec. 21 of St. Joseph Township)

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
8 INDIANA:

9 SECTION 1. That the area described as follows is hereby designated a CM2  
10 (Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code  
11 of the City of Fort Wayne, Indiana:

12 A tract of land located in the Northeast Quarter of Section 21, T31N, R13E, in Allen County,  
13 the State of Indiana, more fully described as follows:

14 **COMMENCING** at an Iron Rod in a Monument Box situated in the Northeast corner of  
15 said Northeast Quarter; Thence South 86 Degrees 55 Minutes 22 Seconds West (Indiana  
16 State Plane Coordinate System East Zone-GPS Grid Basis of Bearings), a distance of  
17 1318.85 feet along the North line of said Northeast Quarter to the point of intersection with  
18 the West line extended of the tract of land described in the conveyance to Star Financial  
19 Bank in Allen County Document No. 201007897; Thence South 86 Degrees 55 Minutes 22  
20 Seconds West, a distance of 200.00 feet along the North line of said Northeast Quarter to a  
21 Marker Spike with tag (FIRM 0042) in the Northwest corner of the tract of land described in  
22 the conveyance to General Telephone Company of Indiana, Inc. (now Verizon North, Inc.)  
23 in Allen County Deed Record 678, page 164 [said Marker Spike being 1116.94 feet North 86  
24 Degrees 55 Minutes 22 Seconds East from a Rebar stake with cap (FIRM 0042 situated in  
25 the Northwest corner of said Northeast Quarter]; Thence South 01 Degrees 59 Minutes 28  
26 Seconds East, a distance of 40.01 feet along the West line of said General Telephone tract to  
27 a Rebar stake with cap (FIRM 0042) in the Southeast corner of the tract of land described in  
28 the conveyance to the County of Allen in Allen County Document No. 82-006354, the  
29 **TRUE POINT OF BEGINNING**; Thence South 01 Degrees 59 Minutes 28 Seconds East, a  
30 distance of 260.02 feet along the West line of said General Telephone tract; Thence South 86  
Degrees 55 Minutes 22 Seconds West, a distance of 839.33 feet along a line parallel with the  
North line of said Northeast Quarter to a Rebar stake with cap (FIRM 0042) in the Southeast  
corner of the tract of land described in the conveyance to I&M Electric Company in Allen  
County Deed Record 559, page 47; Thence North 02 Degrees 17 Minutes 49 Seconds West,  
a distance of 260.00 feet along the East line of said I&M tract to a Rebar stake with cap  
(FIRM 0042) in the Southwest corner of the County of Allen tract referenced above; Thence  
North 86 Degrees 55 Minutes 22 Seconds East, a distance of 840.72 feet along the South line  
of said County of Allen tract [said South line being parallel with and Forty (40) feet South of  
the North line of said Northeast Quarter] to the **POINT OF BEGINNING**, said tract  
containing 5.01 Acres, more or less, and being subject to all public road rights-of-way and to  
all easements of record.

1 and the symbols of the City of Fort Wayne Zoning Map No. U-34 (Sec. 21 of St. Joseph  
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
3 Wayne, Indiana is hereby changed accordingly.

4  
5 SECTION 2. That this Ordinance shall be in full force and effect from and after its  
6 passage and approval by the Mayor.

7 Elyse Brown  
8 Council Member

9 APPROVED AS TO FORM AND LEGALITY:

10 Carol T. Helton, City Attorney  
11 Carol T. Helton, City Attorney  
12 by LEJ

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

Read the first time in full and on motion by Didier and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.E.S.T.

DATED: 11-15-11

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_ and duly adopted, placed on its passage. PASSED by the following vote:

Widener

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>BROWN</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>PAPE</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 12-13-11

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. 2-25-11 on the 13<sup>th</sup> day of December, 2011

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Matthew Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14<sup>th</sup> day of December, 2011, at the hour of 11:30 o'clock A. M.E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15<sup>th</sup> day of December 2011, at the hour of 9:00 o'clock A. M.E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR