

1 #1279

2 BILL NO. Z-12-05-04

3 ZONING MAP ORDINANCE NO. Z- 13-12

4 AN ORDINANCE amending the City of Fort Wayne
5 Zoning Map Nos. K-62 and K-66 (Sec. 32 of Perry Township)

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

8 SECTION 1. That the area described as follows is hereby designated a CM1

9 (Professional Offices and Personal Services) District under the terms of Chapter 157 Title
10 XV of the Code of the City of Fort Wayne, Indiana:

11 Part of the South Half of the Northwest Quarter of Section 32, Township 32 North, Range 12
12 East, Allen County, Indiana, more particularly described as follows:

13 BEGINNING at a 5/8-inch rebar [Tazian cap] set at the intersection of the Northerly right-
14 of-way line of Winnsboro Pass and the Easterly right-of-way line of Lima Road (State Road
15 #3), this being a Westerly corner of Windsor Woods, Section V, as recorded in Plat Cabinet
16 "B", page 106 in the Office of the Recorder of Allen County, Indiana; thence North 01
17 degrees 09 minutes 30 seconds West (South 01 degrees 07 minutes East plat), along the
18 apparent Easterly right-of-way line of Lima Road (State Road #3) as established by Indiana
19 Project "S" 419(4) 1959, 503.22 feet to a found concrete right-of-way monument; thence
20 Northwesterly, continuing along said Easterly right-of-way line, as defined by a curve to the
21 left having a radius of 9628.30 feet, an arc distance of 150.27 feet, being subtended by a long
22 chord having a length of 150.27 feet and a bearing of North 01 degrees 36 minutes 20
23 seconds West to the point of intersection of said Easterly right-of-way line with the Westerly
24 projection of the Southerly line of Holly Ridge, Section I, as recorded in Plat Cabinet "B",
25 page 182 in the Office of the Recorder of Allen County, Indiana [1/2-inch rebar found 0.25
26 feet West of point]; thence North 88 degrees 17 minutes 55 seconds East, along the
27 Southerly line of said Holly Ridge, Section I, 607.87 feet to a set 5/8-inch rebar [Tazian cap]
28 at the Northwest corner of the aforesaid Windsor Woods, Section V; thence Southerly and
29 Westerly, along the boundary line of said Windsor Woods, Section V, on the following
30 courses and distances:

South 01 degrees 07 minutes 00 seconds East, 676.82 feet (677.55 feet plat) to a set
5/8-inch rebar [Tazian cap]; thence South 88 degrees 02 minutes 45 seconds West, 222.41
feet to a set 5/8-inch rebar [Tazian cap]; thence South 88 degrees 11 minutes 00 seconds
West, 79.11 feet to a set 5/8-inch rebar [Tazian cap]; thence North 79 degrees 07 minutes 00
seconds West, 48.48 feet to a set 5/8-inch rebar [Tazian cap] at the point of curvature of a
curve to the left having a radius of 515.72 feet; thence Northwesterly, along said curve, an
arc distance of 108.01 feet, being subtended by a long chord having length of 107.81 feet
and a bearing of North 85 degrees 07 minutes 00 seconds West to a set 5/8-inch rebar
[Tazian cap] at the point of tangency; thence South 88 degrees 53 minutes 00 seconds West
and tangent to said curve, 150.08 feet (150.0 feet plat) to the Point of Beginning, containing
9.30 acres of land, more or less, subject to a preserve area as recorded in Document Number

95-003019, subject to an I. & M. easement as recorded in Document Number 88-18384, and subject to and/or together with all easements of record.

TOGETHER WITH:

Part of the Southwest Quarter of Section 32, Township 32 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at the intersection of the Southerly right-of-way line of Winnsboro Pass and the Easterly right-of-way line of Lima Road (State Road #3), this being a Westerly corner of Windsor Woods, Section V, as recorded in Plat Cabinet "B", page 106 in the Office of the Recorder of Allen County, Indiana; thence Easterly, along the Southerly line of said Windsor Woods, Section V, North 88 degrees 53 minutes 00 seconds East (plat bearing and is used as the basis for the bearings in this description), 150.02 feet (150.0 feet plat) to the point of curvature of a curve to the right having a radius of 435.72 feet; thence Southeasterly, continuing along the Southerly line of said Windsor Woods, Section V, along the arc of said curve, an arc distance of 91.26 feet, being subtended by a long chord having a length of 91.09 feet and a bearing of South 85 degrees 07 minutes 00 seconds East to the point of tangency; thence South 79 degrees 07 minutes 00 seconds East and tangent to said curve, continuing along the Southerly line of said Windsor Woods, Section V, 48.48 feet to the point of curvature of a curve to the left having a radius of 202.79 feet; thence Southeasterly, continuing along the Southerly line of said Windsor Woods, Section V, along the arc of said curve, an arc distance of 73.91 feet, being subtended by a long chord having a length of 73.51 feet and a bearing of South 89 degrees 33 minutes 30 seconds East to the point of tangency; thence North 75 degrees 19 minutes 40 seconds East and tangent to said curve, continuing along the Southerly line of said Windsor Woods, Section V, 121.03 feet to the POINT OF BEGINNING; thence continuing North 75 degrees 19 minutes 40 seconds East, along the Southerly line of said Windsor Woods, Section V, 19.24 feet; thence North 88 degrees 02 minutes 45 seconds East, continuing along the Southerly line of said Windsor Woods, Section V, 151.02 feet to the point of curvature of a curve to the left having a radius of 211.33 feet; thence Northeasterly, continuing along the Southerly line of said Windsor Woods, Section V, along the arc of said curve, an arc distance of 125.07 feet, being subtended by a long chord having a length of 123.25 feet and a bearing of North 71 degrees 05 minutes 29 seconds East; thence South 42 degrees 39 minutes 26 seconds East, continuing along the Southerly line of said Windsor Woods, Section V, 93.45 feet to the point of curvature of a curve to the left having a radius of 261.16 feet; thence Southeasterly, continuing along the Southerly line of said Windsor Woods, Section V and the Southerly line of Windsor Woods, Section IV, as recorded in Plat Cabinet "A", page 106 in the Office of the Recorder of Allen County, Indiana, along the arc of said curve, an arc distance of 101.84 feet, being subtended by a long chord having a length of 101.19 feet and a bearing of South 53 degrees 49 minutes 40 seconds East to the point of tangency; thence South 65 degrees 00 minutes 00 seconds East and tangent to said curve, along the Southerly line of said Windsor Woods, Section IV, 20.00 feet; thence South 30 degrees 41 minutes 40 seconds West, along the Westerly line of said Windsor Woods, Section IV, 450.93 feet to the Southwest corner of said Windsor Woods, Section IV; thence South 11 degrees 30 minutes 00 seconds West, along the Northerly line of Windsor Woods, Section III, the plat of which is recorded in Plat Book 48, page 174 in the Office of the Recorder of Allen County, Indiana, 105.00 feet to a Northerly corner of said Windsor Woods, Section III; thence North 84 degrees 00 minutes 00 seconds West, along the Northerly line of said Windsor Woods, Section III, 73.22 feet; thence North 01 degrees 09 minutes 30 seconds West, leaving said

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Northerly line, 277.78 feet; thence South 88 degrees 02 minutes 45 seconds West, 97.05 feet; thence North 04 seconds 24 minutes 18 seconds West, 296.31 feet to the Point of Beginning, containing 3.46 acres of land, more or less.

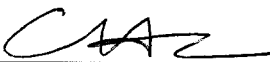
and the symbols of the City of Fort Wayne Zoning Map Nos. K-62 and K-66 (Sec. 32 of Perry Township), as established by Section 157.201(B) of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

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



Council Member

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

Read the first time in full and on motion by Crawford, and duly adopted, read the second time by title and referred to the Committee on Regulations, (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at Room 030 - Council Discussion Garden Level - Citizens Square, Fort Wayne, Indiana, on _____, the _____ day of _____, 2012, at _____ o'clock _____ M.,E.S.T.

DATED: 5-8-12

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

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

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|--------------------|-------------|-------------|------------------|---------------|
| <u>TOTAL VOTES</u> | <u>6</u> | <u>2</u> | _____ | <u>1</u> |
| <u>BENDER</u> | _____ | _____ | _____ | <u>✓</u> |
| <u>CRAWFORD</u> | <u>✓</u> | _____ | _____ | _____ |
| <u>DIDIER</u> | _____ | <u>✓</u> | _____ | _____ |
| <u>HARPER</u> | <u>✓</u> | _____ | _____ | _____ |
| <u>HINES</u> | <u>✓</u> | _____ | _____ | _____ |
| <u>JEHL</u> | <u>✓</u> | _____ | _____ | _____ |
| <u>PADDOCK</u> | _____ | <u>✓</u> | _____ | _____ |
| <u>SHOAF</u> | <u>✓</u> | _____ | _____ | _____ |
| <u>SMITH</u> | <u>✓</u> | _____ | _____ | _____ |

DATED: 6-12-12

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. 2-13-12 on the 12th day of June, 2012

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

SEAL
[Signature]
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 2012, at the hour of 1:30 o'clock P M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of June, 2012, at the hour of 3:00 o'clock P. M.,E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR