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#REZ-2014-0091

BILL NO. Z-14-09-10

ZONING MAP ORDINANCE NO. Z-26-14

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

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

SECTION 1. That the area described as follows is hereby designated an SC
(Shopping Center) District under the terms of Chapter 157 Title XV of the Code of the City of
Fort Wayne, Indiana:

DESCRIPTION OF REAL ESTATE (per Title Commitment No. 751401360)

PARCEL I:

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING ON THE NORTH LINE OF SAID NORTHEAST QUARTER AT
A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00
SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR
THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER
OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00
MINUTES 1S SECONDS WEST, A DISTANCE OF 45.01 FEET TO THE
SOUTHEAST CORNER OF A 0.039 ACRE TRACT OF LAND CONVEYED TO
THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED DATED
NOVEMBER 21, 1996 AND RECORDED IN DOCUMENT NUMBER 960064S14
IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 90
DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG THE SOUTH
LINE OF SAID 0.039 ACRE TRACT AND PARALLEL TO THE NORTH LINE
OF SAID NORTHEAST QUARTER, A DISTANCE OF 139.00 FEET TO THE
TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 90 DEGREES
00 MINUTES 00 SECONDS WEST, ON AND ALONG SAID SOUTH LINE AND
PARALLEL TO SAID NORTH LINE, A DISTANCE OF 165.12 FEET; THENCE
NORTH 86 DEGREES 07 MINUTES 12 SECONDS WEST, CONTINUING ON
AND ALONG SAID SOUTH LINE, A DISTANCE OF 100.23 FEET TO THE
MOST WESTERLY POINT OF SAID 0.039 ACRE TRACT, THIS BEING A
POINT ON THE SOUTH LINE OF A 0.81 ACRE TRACT CONVEYED TO THE
COUNTY OF ALLEN, STATE OF INDIANA, BY DEED DATED JUNE 3, 1982

1 AND RECORDED IN DOCUMENT NUMBER 82-8905 IN THE OFFICE OF THE
2 RECORDER OF SAID COUNTY; THENCE NORTH 87 DEGREES 08 MINUTES
3 18 SECONDS WEST, ON AND ALONG THE SOUTH LINE OF SAID 0.81
4 ACRE TRACT, A DISTANCE OF 164.60 FEET; THENCE SOUTH 90 DEGREES
5 00 MINUTES 00 SECONDS WEST, CONTINUING ON AND ALONG SAID
6 SOUTH LINE AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST
7 QUARTER, A DISTANCE OF 176.73 FEET; THENCE SOUTH 00 DEGREES 00
8 MINUTES 00 SECONDS WEST, A DISTANCE OF 420.22 FEET TO THE
9 POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A
10 RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY, ON AND ALONG THE
11 ARC OF SAID CURVE, AN ARC DISTANCE OF 23.56 FEET, BEING
12 SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 23.29 FEET AND
13 A BEARING OF SOUTH 15 DEGREES 00 MINUTES 10 SECONDS WEST TO
14 THE POINT OF TANGENCY; THENCE SOUTH 30 DEGREES 00 MINUTES 00
15 SECONDS WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 51.53
16 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO THE
17 LEFT HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHWESTERLY, ON
18 AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 34.04
19 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF
20 33.65 FEET AND A BEARING OF SOUTH 15 DEGREES 00 MINUTES 10
21 SECONDS WEST TO THE POINT OF TANGENCY; THENCE SOUTH 00
22 DEGREES 00 MINUTES 00 SECONDS WEST AND TANGENT TO SAID
23 CURVE, A DISTANCE OF 130.16 FEET; THENCE SOUTH 90 DEGREES 00
24 MINUTES 00 SECONDS WEST AND PARALLEL TO THE NORTH LINE OF
25 SAID NORTHEAST QUARTER, A DISTANCE OF 250.10 FEET TO A POINT
26 ON THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER;
27 THENCE SOUTH 01 DEGREES 05 MINUTES 10 SECONDS WEST, ON AND
28 ALONG SAID WEST LINE, A DISTANCE OF 289.89 FEET; THENCE NORTH
29 90 DEGREES 00 MINUTES 00 SECONDS EAST AND PARALLEL TO SAID
30 NORTH LINE, A DISTANCE OF 880.00 FEET; THENCE NORTH 01 DEGREES
05 MINUTES 10 SECONDS EAST AND PARALLEL TO SAID WEST LINE, A
DISTANCE OF 60.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00
SECONDS EAST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF
145.04 FEET TO A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00
MINUTES 00 SECONDS WEST FROM THE EAST LINE OF SAID
NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 00 MINUTES 15
SECONDS EAST AND PARALLEL TO SAID EAST LINE, A DISTANCE OF
180.00 FEET; THENCE NORTH 51 DEGREES 48 MINUTES 36 SECONDS
EAST, A DISTANCE OF 21.98 FEET; THENCE SOUTHEASTERLY, ON AND
ALONG THE ARC OF A REGULAR CURVE TO THE LEFT, NOT TANGENT
TO THE LAST COURSE, HAVING A RADIUS OF 148.50 FEET, AN ARC
DISTANCE OF 83.17 FEET, BEING SUBTENDED BY A LONG CHORD
HAVING A LENGTH OF 82.09 FEET AND A BEARING OF SOUTH 73
DEGREES 22 MINUTES 19 SECONDS EAST TO THE POINT OF TANGENCY;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, TANGENT
TO SAID CURVE AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF

1 150.86 FEET TO THE WEST LINE OF A 1.187 ACRE TRACT OF LAND
2 CONVEYED TO THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED
3 DATED NOVEMBER 21, 1996 AND RECORDED IN DOCUMENT NUMBER
4 960064914 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE
5 NORTH 01 DEGREES 14 MINUTES 45 SECONDS EAST, ON AND ALONG
6 SAID WEST LINE, A DISTANCE OF 50.00 FEET; THENCE SOUTH 90
7 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO SAID
8 NORTH LINE, A DISTANCE OF 150.44 FEET TO THE POINT OF
9 CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
10 OF 98.50 FEET; THENCE NORTHWESTERLY, ON AND ALONG THE ARC OF
11 SAID CURVE, AN ARC DISTANCE OF 130.11 FEET, BEING SUBTENDED BY
12 A LONG CHORD HAVING A LENGTH OF 120.86 FEET AND A BEARING OF
13 NORTH 52 DEGREES 09 MINUTES 25 SECONDS WEST; THENCE NORTH 01
14 DEGREES 00 MINUTES 15 SECONDS EAST, NOT TANGENT TO THE LAST
15 CURVED COURSE, AND PARALLEL TO SAID EAST LINE, A DISTANCE OF
16 55.14 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST
17 AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 0.70 FEET;
18 THENCE NORTHWESTERLY, ON AND ALONG A REGULAR CURVE TO
19 THE LEFT, NOT TANGENT TO THE LAST COURSE, HAVING A RADIUS OF
20 85.00 FEET, AN ARC DISTANCE OF 115.25 FEET, BEING SUBTENDED BY A
21 LONG CHORD HAVING A LENGTH OF 106.62 FEET AND A BEARING OF
22 NORTH 45 DEGREES 09 MINUTES 00 SECONDS WEST TO THE POINT OF
23 TANGENCY; THENCE NORTH 83 DEGREES 59 MINUTES 31 SECONDS
24 WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 86.96 FEET TO
25 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT
26 HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY, ON AND
27 ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 21.99 FEET,
28 BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 20.07
29 FEET AND A BEARING OF NORTH 41 DEGREES 59 MINUTES 45 SECONDS
30 WEST TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 00
MINUTES 00 SECONDS EAST AND TANGENT TO SAID CURVE, A
DISTANCE OF 144.82 FEET TO THE POINT OF CURVATURE OF A
REGULAR CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET;
THENCE NORTHEASTERLY, ON AND ALONG SAID CURVE, AN ARC
DISTANCE OF 23.83 FEET, BEING SUBTENDED BY A LONG CHORD
HAVING A LENGTH OF 21.40 FEET AND A BEARING OF NORTH 4S
DEGREES 30 MINUTES 34 SECONDS EAST TO THE POINT OF TANGENCY;
THENCE SOUTH 88 DEGREES 59 MINUTES 45 SECONDS EAST AND
TANGENT TO SAID CURVE, A DISTANCE OF 165.45 FEET; THENCE
NORTH 01 DEGREES 00 MINUTES 15 SECONDS EAST, A DISTANCE OF
34.00 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 45 SECONDS
WEST, A DISTANCE OF 156.74 FEET TO THE POINT OF CURVATURE OF A
REGULAR CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET;
THENCE NORTHWESTERLY, ON AND ALONG THE ARC OF SAID CURVE,
AN ARC DISTANCE: OF 38.84 FEET, BEING SUBTENDED BY A LONG
CHORD HAVING A LENGTH OF 35.05 FEET AND A BEARING OF NORTH 44

1 DEGREES 30 MINUTES 17 SECONDS WEST TO THE POINT OF TANGENCY;
2 THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST AND
3 TANGENT TO SAID CURVE, A DISTANCE OF 9.53 FEET TO THE POINT OF
4 CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
5 OF 65.00 FEET; THENCE NORTHEASTERLY, ON AND ALONG THE ARC OF
6 SAID CURVE, AN ARC DISTANCE OF 34.61 FEET, BEING SUBTENDED BY
7 A LONG CHORD HAVING A LENGTH OF 34.20 FEET AND A BEARING OF
8 NORTH 15 DEGREES 15 MINUTES 30 SECONDS EAST TO THE POINT OF
9 TANGENCY; THENCE NORTH 30 DEGREES 30 MINUTES 40 SECONDS
10 EAST AND TANGENT TO SAID CURVE, A DISTANCE OF 46.04 FEET TO
11 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE LEFT,
12 HAVING A RADIUS OF 100.00 FEET; THENCE NORTHEASTERLY, ON AND
13 ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 53.26 FEET,
14 BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 52.63
15 FEET AND A BEARING OF NORTH 15 DEGREES 15 MINUTES 10 SECONDS
16 EAST TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 00
17 MINUTES 00 SECONDS EAST AND TANGENT TO SAID CURVE, A
18 DISTANCE OF 64.63 FEET TO THE TRUE POINT OF BEGINNING,
19 CONTAINING 16.415 ACRES OF LAND.

20 PARCEL II:

21 PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
22 21, TOWNSHIP 31NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
23 MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

24 COMMENCING ON THE NORTH LINE OF SAID NORTHEAST QUARTER AT
25 A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00
26 SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR
27 THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER
28 OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00
29 MINUTES 15 SECONDS WEST, A DISTANCE OF 45.01 FEET TO THE
30 SOUTHEAST CORNER OF A 0.039 ACRE TRACT OF LAND CONVEYED TO
THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED DATED
NOVEMBER 21, 1996 AND RECORDED IN DOCUMENT #960064914 IN THE
OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 90
DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG THE SOUTH
LINE OF SAID 0.039 ACRE TRACT AND PARALLEL TO THE NORTH LINE
OF SAID NORTHEAST QUARTER, A DISTANCE OF 304.12 FEET; THENCE
NORTH 86 DEGREES 07 MINUTES 12 SECONDS WEST, CONTINUING ON
AND ALONG SAID SOUTH LINE, A DISTANCE OF 100.23 FEET TO THE
MOST WESTERLY POINT OF SAID 0.039 ACRE TRACT, THIS BEING A
POINT ON THE SOUTH LINE OF AN 0.81 ACRE TRACT OF LAND
CONVEYED TO THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED
DATED JUNE 3, 1982 AND RECORDED IN DOCUMENT #82-8905 IN THE
OFFICE OF THE RECORDER OF SAID COUNTY; THENCE NORTH 87

1 DEGREES 08 MINUTES 18 SECONDS WEST, ON AND ALONG THE SOUTH
2 LINE OF SAID 0.81 ACRE TRACT, A DISTANCE OF 164.00 FEET; THENCE
3 SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ON
4 AND ALONG SAID SOUTH LINE AND PARALLEL TO THE NORTH LINE OF
5 SAID NORTHEAST QUARTER, A DISTANCE OF 176.73 FEET TO THE TRUE
6 POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00
7 SECONDS WEST, A DISTANCE OF 420.22 FEET TO THE POINT OF
8 CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
9 OF 45.00 FEET; THENCE SOUTHWESTERLY, ON AND ALONG THE ARC OF
10 SAID CURVE, AN ARC DISTANCE OF 23.56 FEET, BEING SUBTENDED BY
11 A LONG CHORD HAVING A LENGTH OF 23.29 FEET AND A BEARING OF
12 SOUTH 15 DEGREES 00 MINUTES 10 SECONDS WEST TO THE POINT OF
13 TANGENCY; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS
14 WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 51.53 FEET TO
15 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE LEFT
16 HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHWESTERLY, ON AND
17 ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 34.04 FEET,
18 BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 33.65
19 FEET AND A BEARING OF SOUTH 15 DEGREES 00 MINUTES 10 SECONDS
20 WEST TO THE POINT OF TANGENCY; THENCE SOUTH 00 DEGREES 00
21 MINUTES 00 SECONDS WEST AND TANGENT TO SAID CURVE, A
22 DISTANCE OF 130.16 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00
23 SECONDS WEST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF
24 250.10 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID
25 NORTHEAST QUARTER, SAID POINT BEING SITUATED SOUTH 01
26 DEGREES 05 MINUTES 10 SECONDS WEST, A DISTANCE OF 680.11 FEET
27 FROM THE NORTHWEST CORNER OF THE EAST HALF OF SAID
28 NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 05 MINUTES 10
29 SECONDS EAST, ON AND ALONG SAID WEST LINE, A DISTANCE OF
30 650.11 FEET TO THE SOUTHWEST CORNER OF SAID 0.81 ACRE TRACT OF
LAND; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ON
AND ALONG THE SOUTH LINE OF SAID 0.81 ACRE TRACT AND
PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A
DISTANCE OF 278.27 FEET TO THE TRUE POINT OF BEGINNING,
CONTAINING 4.075 ACRES OF LAND.

EXCEPT:

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF
THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTH 01
DEGREES 05 MINUTES 10 SECONDS WEST (ADJOINING BEARING AND IS
USED AS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION), ALONG
THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, A

1 DISTANCE OF 60.01 FEET TO THE SOUTHWEST CORNER OF A 0.192 ACRE
2 TRACT OF LAND CONVEYED TO THE CITY OF FORT WAYNE, INDIANA,
3 BY DEED RECORDED IN DOCUMENT NUMBER 200000729, THIS BEING
4 THE TRUE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 05
5 MINUTES 10 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A
6 DISTANCE OF 257.04 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00
7 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID
8 NORTHEAST QUARTER, A DISTANCE OF 283.72 FEET; THENCE NORTH 00
9 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 116.95 FEET;
10 THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST AND
11 PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A
12 DISTANCE OF 54.00 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00
13 SECONDS WEST, A DISTANCE OF 19.47 FEET TO THE POINT OF
14 CURVATURE OF A REGULAR CURVE TO THE LEFT HAVING A RADIUS
15 OF 88.00 FEET; THENCE SOUTHWESTERLY, ON AND ALONG THE ARC OF
16 SAID CURVE, AN ARC DISTANCE OF 142.65 FEET, BEING SUBTENDED BY
17 A LONG CHORD HAVING A LENGTH OF 127.54 FEET AND A BEARING OF
18 SOUTH 88 DEGREES 33 MINUTES 36 SECONDS WEST; THENCE SOUTH 90
19 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO THE
20 NORTH LINE OF SAID NORTHEAST QUARTER, NOT TANGENT TO THE
21 LAST CURVE, A DISTANCE OF 61.02 FEET; THENCE NORTH 01 DEGREES
22 05 MINUTES 10 SECONDS EAST AND PARALLEL TO THE WEST LINE OF
23 THE EAST HALF OF SAID NORTHEAST QUARTER, A DISTANCE OF 102.50
24 FEET; THENCE NORTH 45 DEGREES 32 MINUTES 36 SECONDS EAST, A
25 DISTANCE OF 31.41 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00
26 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID
27 NORTHEAST QUARTER, A DISTANCE OF 203.93 FEET; THENCE SOUTH 36
28 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 25.00 FEET;
29 THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A
30 DISTANCE OF 30.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00
SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID
NORTHEAST QUARTER, A DISTANCE OF 13.00 FEET; THENCE NORTH 00
DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 55.00 FEET TO
THE SOUTHEAST CORNER OF SAID 0.192 ACRE TRACT OF LAND;
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND
ALONG THE SOUTH LINE OF SAID 0.192 ACRE TRACT OF LAND MD
PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A
DISTANCE OF 278.84 FEET TO THE TRUE POINT OF BEGINNING,
CONTAINING 1.000 ACRES OF LAND.

ALSO EXCEPT:

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

1 COMMENCING ON THE NORTH LINE OF SAID NORTH-EAST QUARTER
2 AT A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00
3 SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR
4 THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER
5 OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00
6 MINUTES 15 SECONDS WEST AND PARALLEL TO THE EAST LINE OF
7 SAID NORTHEAST QUARTER, A DISTANCE OF 45.01 FEET TO THE
8 SOUTHEAST CORNER OF A 0.039 ACRE TRACT OF LAND CONVEYED TO
9 THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED DATED
10 NOVEMBER 21, 1996 AND RECORDED IN DOCUMENT #960064914 IN THE
11 OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 90
12 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG THE SOUTH
13 LINE OF SAID 0.039 ACRE TRACT AND PARALLEL TO THE NORTH LINE
14 OF SAID NORTHEAST QUARTER, A DISTANCE OF 304.12. FEET; THENCE
15 NORTH 86 DEGREES 07 MINUTES 12 SECONDS WEST, CONTINUING ON
16 AND ALONG SAID SOUTH LINE, A DISTANCE OF 100.23 FEET TO THE
17 MOST WESTERLY POINT OF SAID 0.039 ACRE TRACT, THIS BEING A
18 POINT ON THE SOUTH LINE OF AN 0.81 ACRE TRACT OF LAND
19 CONVEYED TO THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED
20 DATED JUNE 3, 1982 AND RECORDED IN DOCUMENT #82-8905 IN THE
21 ONCE OF THE RECORDER OF SAID COUNTY; THENCE NORTH 87
22 DEGREES 08 MINUTES 18 SECONDS WEST, ON AND ALONG THE SOUTH
23 LINE OF SAID 0.81 ACRE TRACT, A DISTANCE OF 164.60 FEET; THENCE
24 SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ON
25 AND ALONG SAID SOUTH LINE AND PARALLEL TO THE NORTH LINE OF
26 SAID NORTHEAST QUARTER, A DISTANCE OF 176.73 FEET TO THE TRUE
27 POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00
28 SECONDS WEST, CONTINUING ON AND ALONG SAID SOUTH LINE AND
29 PARALLEL TO SAID NORTH LINE, A DISTANCE OF 278.27 FEET TO THE
30 SOUTHWEST CORNER OF SAID 0.81 ACRE TRACT, THIS BEING A POINT
ON THE WEST LINE OF THE EAST

HALF OF SAID NORTHEAST QUARTER, SAID POINT BEING SITUATED
SOUTH 01 DEGREES 05 MINUTES 10 SECONDS WEST, A DISTANCE OF
30.01 FEET FROM THE NORTHWEST CORNER OF THE EAST HALF OF
SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 05 MINUTES
10 SECONDS WEST, ON AND ALONG THE WEST LINE OF THE EAST HALF
OF SAID NORTHEAST QUARTER, A DISTANCE OF 30.00 FEET TO A POINT
SITUATED 60 FEET NORMALLY DISTANT SOUTHWARD FROM SAID
NORTH LINE; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS
EAST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 278.84
FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A
DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING,
CONTAINING 0.192 ACRES OF LAND (8357 SQUARE FEET).

PARCEL III:

1 PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
2 21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
3 MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

4 COMMENCING ON THE NORTH LINE OF SAID NORTHEAST QUARTER AT
5 A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00
6 SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR
7 THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER
8 OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00
9 MINUTES 15 SECONDS WEST, A DISTANCE OF 304.43 FEET TO THE TRUE
10 POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 00
11 MINUTES 15 SECONDS WEST, A DISTANCE OF 256.17 FEET; THENCE
12 SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO
13 SAID NORTH LINE, A DISTANCE OF 0.70 FEET; THENCE
14 NORTHWESTERLY, ON AND ALONG A REGULAR CURVE TO THE LEFT,
15 NOT TANGENT TO THE LAST COURSE, HAVING A RADIUS OF 85.00 FEET,
16 AN ARC DISTANCE OF 115.25 FEET, BEING SUBTENDED BY A LONG
17 CHORD HAVING A LENGTH OF 106.62 FEET AND A BEARING OF NORTH
18 45 DEGREES 09 MINUTES 00 SECONDS WEST TO THE POINT OF
19 TANGENCY; THENCE NORTH 83 DEGREES 59 MINUTES 31 SECONDS
20 WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 86.96 FEET TO
21 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT
22 HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY, ON AND
23 ALONG SAID CURVE, AN ARC DISTANCE OF 21.99 FEET, BEING
24 SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 20.07 FEET AND
25 A BEARING OF NORTH 41 DEGREES 59 MINUTES 45 SECONDS WEST TO
26 THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 00 MINUTES 00
27 SECONDS EAST AND TANGENT TO SAID CURVE, A DISTANCE OF 144.82
28 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO THE
29 RIGHT HAVING A RADIUS OF 15.00 FEET; THENCE NORTHEASTERLY, ON
30 AND ALONG SAID CURVE, AN ARC DISTANCE OF 23.83 FEET, BEING
SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 21.40 FEET AND
A BEARING OF NORTH 45 DEGREES 30 MINUTES 34 SECONDS EAST TO
THE POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 59 MINUTES 45
SECONDS EAST AND TANGENT TO SAID CURVE, A DISTANCE OF 165.45
FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.773 ACRES OF
LAND.

and the symbols of the City of Fort Wayne Zoning Map No. U-34 (Sec. 21 of St. Joseph
Township), as established by Section 157.082 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

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passage and approval by the Mayor.


Council Member

APPROVED AS TO FORM AND LEGALITY:


Carol T. Helton, City Attorney

**City of Fort Wayne Common Council
DIGEST SHEET**

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2014-0091
Bill Number: Z-14-09-10
Council District: 1-Tom Smith

Introduction Date: September 9, 2014

Plan Commission
Public Hearing Date: September 8, 2014

Next Council Action: Ordinance will return to Council after recommendation by the
Plan Commission

Synopsis of Ordinance: To rezone approximately 20.07 acres of property from NC-Neighborhood
Center District to SC-Shopping Center District

Location: 6002 St. Joe Center Road

Reason for Request: To accommodate the proposed square footage of the expansion of the existing
St. Joe Village Kroger store.

Applicant: Topvalco Inc., and Ohio Company

Property Owner: Topvalco Inc., and Ohio Company

Related Petitions: Primary Development Plan, Kroger, St. Joe Village Shopping Center

Effect of Passage: Property will be rezoned to SC-Shopping Center, which will allow the
increased square footage (113,180 s.f. total) for the Kroger expansion.

Effect of Non-Passage: The property will remain zoned NC-Neighborhood Center and the proposed
Kroger expansion will not be permitted because the size will exceed the
allowance (80,000 s.f. total building size) in the NC district.

**Department of Planning Services
Rezoning Petition Application**

Kroger Company (J-973)
St. Joe Village Shopping Center

Applicant
Applicant Topvalco, Inc., an Ohio Company
Address 1014 Vine Street
City Cincinnati State Ohio Zip 45202
Telephone 513-698-1821 Fax _____ E-mail Ross.Beyer@Kroger.com

Property Ownership
Property Owner Topvalco, Inc., an Ohio Company
Address 1014 Vine Street
City Cincinnati State Ohio Zip 45202
Telephone 513-698-1821 Fax _____ E-mail Ross.Beyer@Kroger.com

Contact Person
Contact Person Jon A. Bomberger, Faegre Baker Daniels LLP
Address 111 E. Wayne Street, Suite 800
City Fort Wayne State Indiana Zip 46802
Telephone 260-460-1658 Fax _____ E-mail jon.bomberger@FaegreBD.com

All staff correspondence will be sent only to the designated contact person.

Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
Address of the property 6002 St. Joe Center Road, Fort Wayne, Indiana 46835
Present Zoning NC Proposed Zoning SC Acreage to be rezoned 20.071
Proposed density n/a units per acre
Township name St. Joseph Township section # 21
Purpose of rezoning (attach additional page if necessary) Rezoning from NC to SC to accommodate expansion of Kroger Company Grocery Store. See description attached as Exhibit A.
Sewer provider Fort Wayne Water provider Fort Wayne

Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.
 Applicable filing fee
 Applicable number of surveys showing area to be rezoned (plans must be folded)
 Legal Description of parcel to be rezoned
 Rezoning Questionnaire (original and 10 copies) County Rezoning Only

I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

Topvalco, Inc. _____ 7.30, 2014
(printed name of applicant) (signature of applicant) (date)
By: TERRY M. EVANS, PRESIDENT _____ 7.30.2014
(printed name of property owner) (signature of property owner) (date)

(printed name of property owner) (signature of property owner) (date)

(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
8/6/14	115851	9/8/14	

202-2014-0091



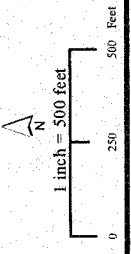
Rezoning Petition REZ-2014-0091 and Primary Development Plan - Kroger St. Joe Village



Project boundaries represented by bold colored lines are for representational purposes only.

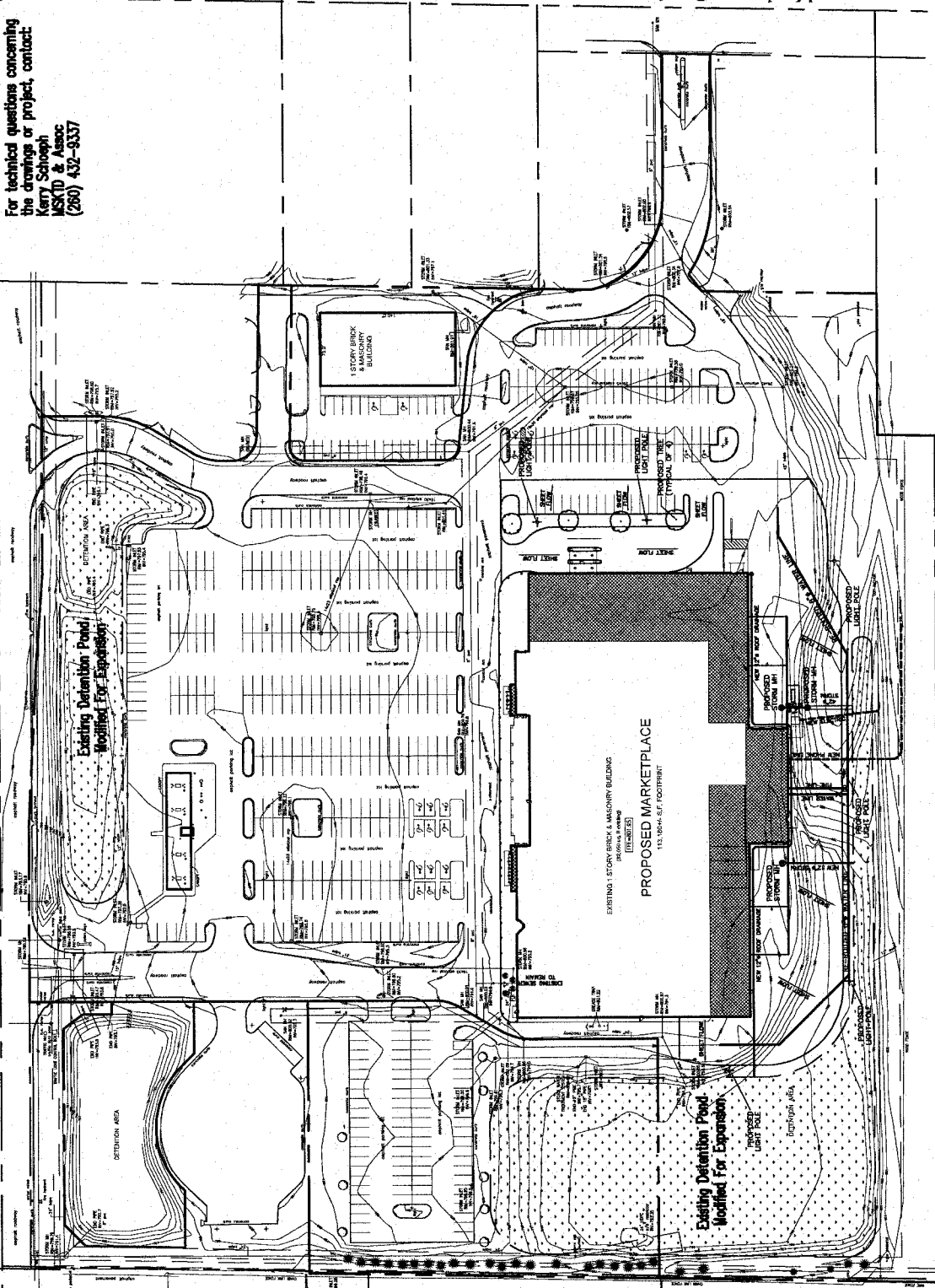
© 2014 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System - Kansas East
Photos and Contours: Spring 2009
Date: 8/29/2014

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St. Joe Center Road (Public Roadway)

For technical questions concerning the drawings or project, contact:
Kerry Schoepf
MSKTD & Assoc
(260) 432-9357



Primary Development Plan
11-2007



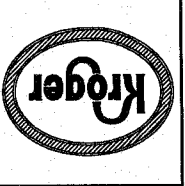
MSKTD & Associates, Inc.
ARCHITECTURE ENGINEERING INTERIOR DESIGN
1014 VINE STREET
COLUMBUS, OHIO 43202
TEL: 614-452-3277
FAX: 614-452-3278
http://www.msktd.com



Kerry Schoepf
Professional Engineer
No. 10000
State of Ohio

THIS CONTRACT AND ALL RIGHTS HEREIN ARE HEREBY ASSIGNED TO THE CLIENT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

The Kroger Company
A New Building Expansion for:
St. Joe Village Kroger Store - J-973
Fort Wayne, Indiana
Project Developer:
Tropacore, Inc. an Ohio Corp.
1014 Vine Street
Columbus, Ohio 43202
ph. 614.698.1821



REVISIONS	DATE	BY

PROJECT TITLE
Primary Development Plan

CONTRACT NUMBER
6546

DATE
7-30-14

PROJECT NUMBER
C4.1

Public Hearing Date, if applicable 9-8-2014

Read the first time in full and on motion by Councilman Mitch Harper
Read the second time by title and referred to the Regulations Committee
Committee Read the third time in full and on motion by Councilman
Mitch Harper, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 10-14-14 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. 2-26-14 on the 14th day of
October, 2014

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

Jeffrey A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day
of October, 2014, at the hour of _____ o'clock _____ E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of OCTOBER
2014, at the hour of 1:00 o'clock PM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. Z-14-09-10

REPORT OF COMMITTEE ON REGULATIONS

OCTOBER 7, 2014

*Mitch Harper, Chair
Tom Didier, Co-Chair
All Council Members*

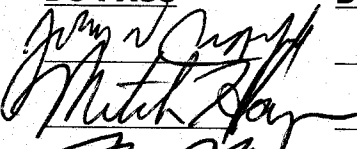
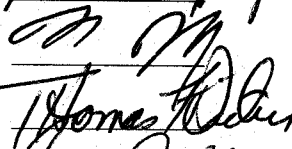
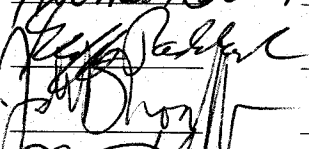
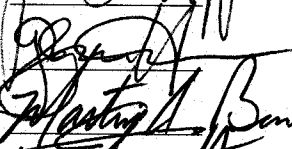
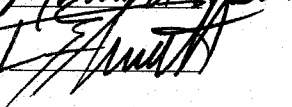


AN ORDINANCE amending the City of Fort Wayne Zoning Map No. U-34 (Sec. 21 St. Joseph Township). The Location is 6002 St. Joe Center Road. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

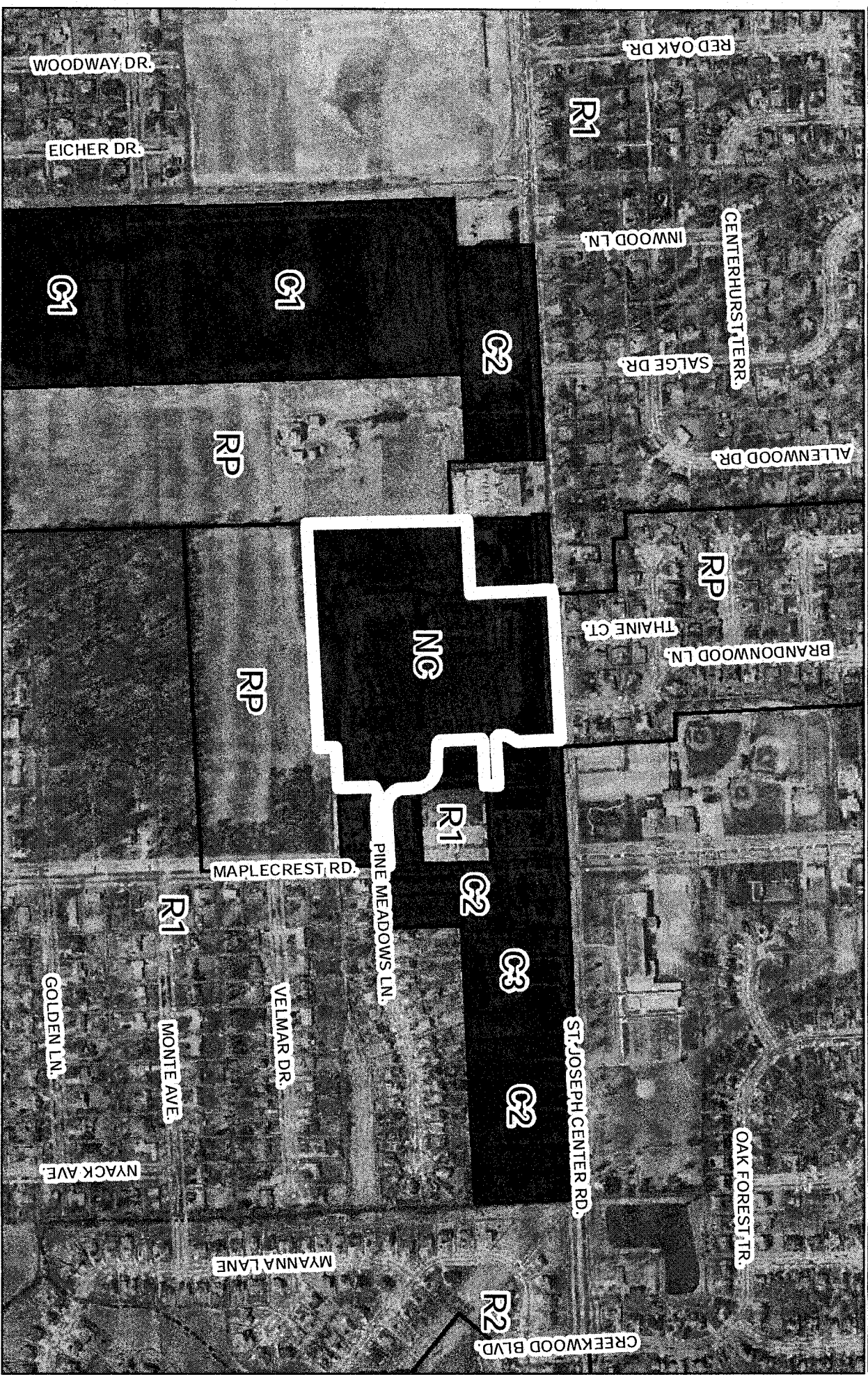
NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**SANDRA E. KENNEDY
CITY CLERK**



Rezoning Petition REZ-2014-0091 and Primary Development Plan - Kroger St. Joe Village



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