

1 **VEAS-2021-0003**

2 **BILL NO. G-21-06-11**

3
4 **GENERAL ORDINANCE NO. G-_____**

5 **AN ORDINANCE for the purpose of**
6 **Vacating a platted easement.**

7 WHEREAS, a petition to vacate a platted easement within the City of Fort Wayne, Indiana,
8 (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,
9 Indiana; and

10 WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing
11 and approved said petition, as provided in I.C. 36-7-3-12.

12 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
13 FORT WAYNE, INDIANA:

14 SECTION 1. That the petition filed herein to vacate a portion of a platted easement within the
15 City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

16 The fifty-foot wide easement located on Lot 6 of Brames South Side Acres, as dedicated in
17 Deed Book 499, pages 525 and 526 in the Office of the Recorder of Allen County, Indiana.

18 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan
19 and is hereby approved in all respects.

20 SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,
21 any and all necessary approval by the Mayor.

22
23 _____
24 COUNCILMEMBER

25 APPROVED AS TO FORM AND LEGALITY:

26
27 _____
28 Carol T. Helton, City Attorney
29
30

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:

The 50' wide easement located on Lot 6 of Brames
South Side Acres, as dedicated in Deed Book 499,
pages 525-526 8/11/55

(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: 499 PAGE(S) NUMBER(S): 525-26 (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:

To have a complete residential lot with no
encumbrances

(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: Ross Grant
Street Address: 5030 Cloverbrook Dr.
City: Fort Wayne State: IN Zip: 46806 Phone: 260-413-9092

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 Fort 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.

Signature
5030 Cloverbrook Dr
Address

Printed Name
Ross Grant
Fort Wayne, IN 46806
City/State/Zip

Date

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): Ross Grant

Street Address: Same

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:

Receipt #: 212617

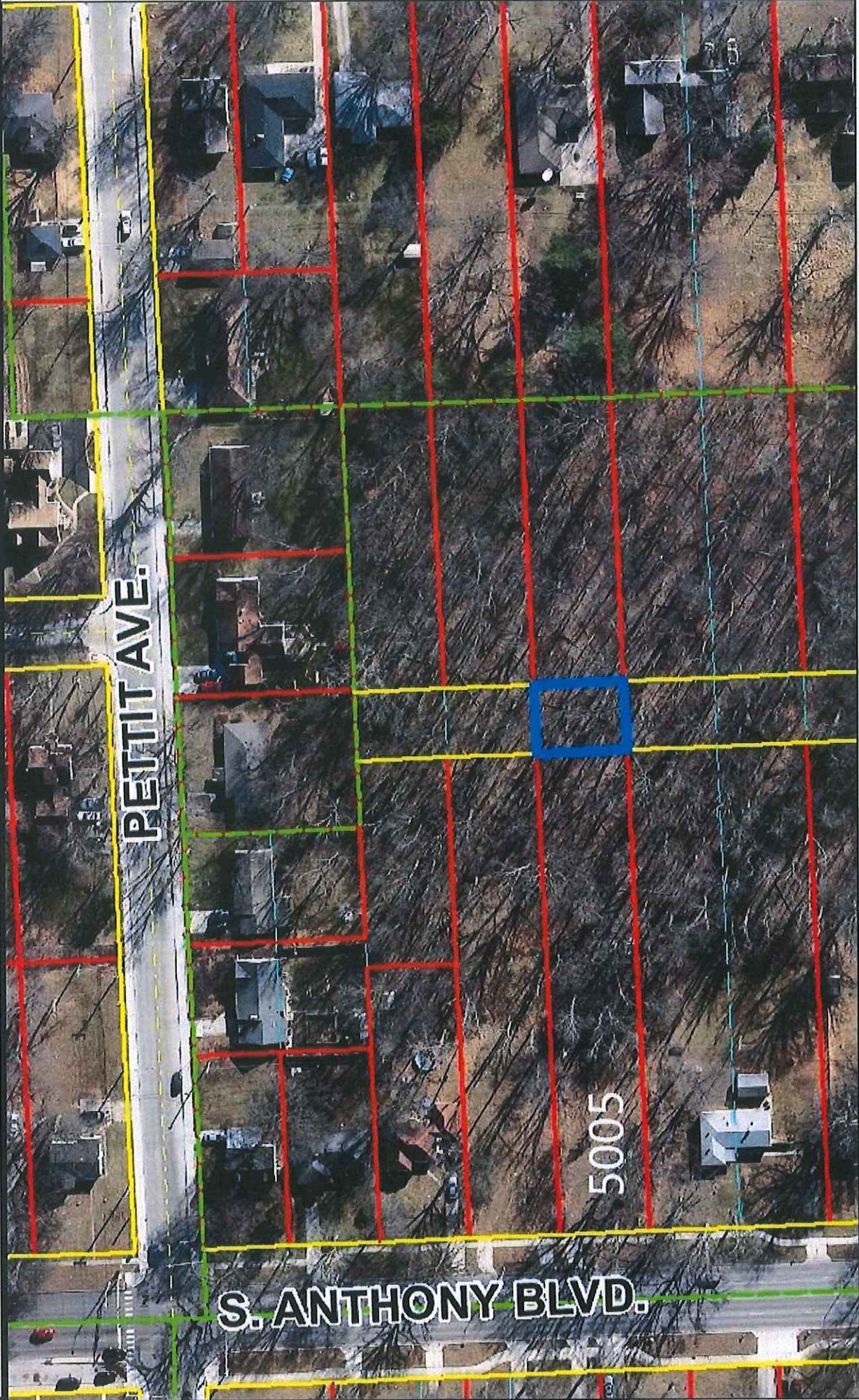
Date Filed: 5/11/21

Map #: AD 19 P-19

Reference #: VEAS-2021-0003

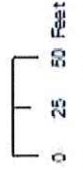


VEAS-2021-0003



Although exact 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: 6/2/2021



1 inch = 94 feet



City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Platted Easement Vacation
Case Number: VEAS-2021-0003
Bill Number: G-21-06-11
Council District: 6 – Sharon Tucker

Introduction Date: June 8, 2021

Plan Commission
Public Hearing Date: June 22, 2021 to be heard by Council

Next Council Action: Ordinance will return to Council after recommendation by reviewing agencies.

Synopsis of Ordinance: To vacate the fifty-foot wide easement located on Lot 6 of Brames South Side Acres.

Location: 5005 South Anthony Boulevard.

Reason for Request: To have a residential lot without encumbrances, for future redevelopment.

Applicant: Ross Grant

Property Owners: Ross Grant

Related Petitions: none

Effect of Passage: The easement was dedicated in 1955 after the plat was recorded. There are no utilities within the easement. Vacation of the easement will allow for more building flexibility on the lot.

Effect of Non-Passage: The easement will remain as platted. No structures will be permitted within the easement.