

1 VALY-2021-0001

2 BILL NO. G-21-06-12

3  
4 GENERAL ORDINANCE NO. G-\_\_\_\_\_

5 AN ORDINANCE amending the Thoroughfare  
6 Plan of the City Comprehensive ("Master")  
7 Plan by vacating public right-of-way.

8 WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as  
9 more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne,  
10 Indiana; and

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

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

15 SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of  
16 Fort Wayne, Indiana, more specifically described as follows, to-wit:

17 This description, prepared by Aaron J. Carl, Professional Surveyor License Number  
18 LS20800123 and employed by T -E Incorporated, was created as part of an Alley Vacation  
19 Petition for Job No. 21053 on May 2 8, 2021. A part of the subdivision plat named Harvester  
20 Park Addition, recorded in Plat Record 11, page 98, and being in the Southwest Quarter of  
21 Section 8, Township 30 North, Range 13 East, of Adams Township, Allen County, Indiana,  
22 all recorded documents in this description are recorded in the Office of the Recorder of Allen  
23 County, and more particularly described as follows:

24 Beginning at the Northeast corner of Lot 148 in said Harvester Park Addition plat, said point  
25 also being on the South Right-of-way line of Felician Street; thence North 89 degrees 05  
26 minutes 39 seconds East (being the basis of all bearings this description), on and along the  
27 South Right-of-way line of Felician Street, a distance of 14.00 feet to the Northwest corner of  
28 Lot 149 in said plat; thence South 00 degrees 24 minutes 44 seconds East, on and along the  
29 West lines of Lots 149 and 150 in said plat, a distance of 235.90 feet to the Southwest corner  
30 of Lot 150 in said plat, said point also being on the North Right-of-way line of E. Pontiac  
Street; thence South 89 degrees 08 minutes 28 seconds West, on and along the North Right-of-  
way line of E. Pontiac Street, a distance of 14.00 feet to the Southeast corner of Lot 151 in  
said plat; thence North 00 degrees 24 minutes 44 seconds West, on and along the East lines of  
Lots 151 and 148 in said plat, a distance of 235.89 feet to the Point of Beginning, containing  
0.076 acres of land, more or less.

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

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SECTION 2. 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:

\_\_\_\_\_  
Carol T. Helton, City Attorney

# 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 alley between Lots 148, 151 and 149, 150, in Harvester Park Addition, that connects Felician Street  
to E. Pontiac Street

(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:** 11      **PAGE(S) NUMBER(S):** 98      (This information can be obtained from the Allen County Recorder's Office on the 2<sup>nd</sup> Floor, City-County Building, One Main Street, Fort Wayne, IN)

The reasons for the proposed vacation are as follows:

The petitioner is looking to expand their existing facilities and they are interested in additional land acquisition. The existing alley does not meet current City of Fort Wayne street/alley standards and is not used as a regular thoroughfare for vehicular traffic.

(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: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

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.

  
Signature  
3805 E. Pontiac Street  
Address

James Stout  
Printed Name  
6-1-21  
Date  
Fort Wayne, IN 46803  
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): \_\_\_\_\_

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:**

Receipt #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Map #: \_\_\_\_\_

Reference #: \_\_\_\_\_

**Pinnacle Property Investment Group, LLC**

**Property address:**

**2650 S. Coliseum Blvd.**

**Fort Wayne, IN 46803**

**Tax Mailing address:**

**4107 Selkirk Court**

**Fort Wayne, IN 46816**

**Property X Holdings, LLC**

**Property address:**

**2602 S. Coliseum Blvd.**

**Fort Wayne, IN 46803**

**Tax Mailing address:**

**3108 Lower Huntington Road**

**Fort Wayne, IN 46809**

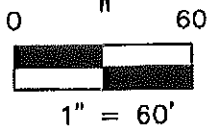
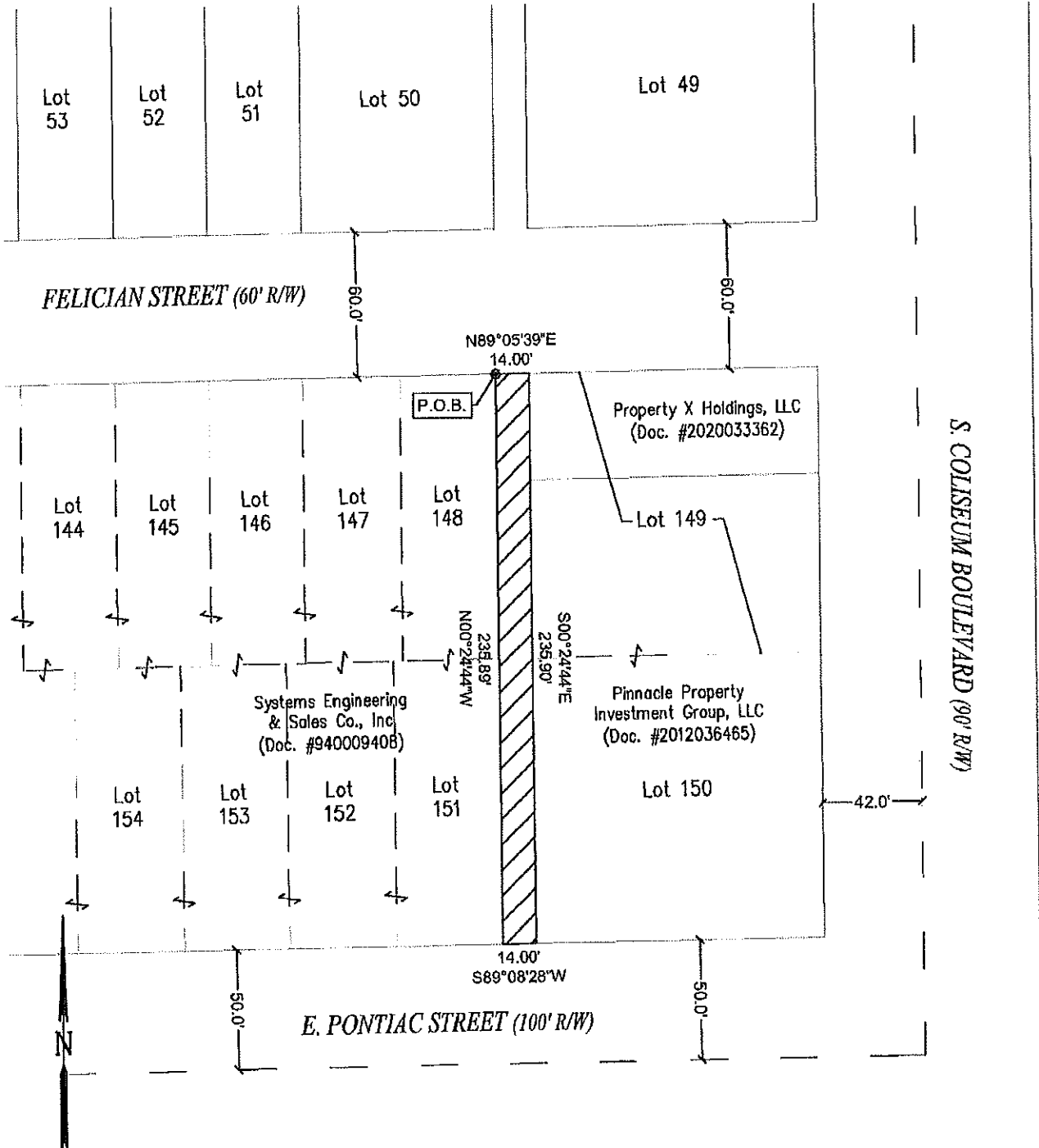


# T-E INCORPORATED

8620 Bluffton Road  
Fort Wayne, IN 46809  
Phone (260) 489-5541 FAX (260) 489-3174  
Email TE@t-einc.com

Surveying \* Engineering \* Asphalt \* Utilities \* Site Development

PROJECT:	Systems Engineering & Sales Company, Inc.
ADDRESS:	3805 E. Pontiac Street, Fort Wayne, IN
DESCRIPTION:	Alley exhibit
JOB NO.:	21053
DATE:	May 28, 2021
SCALE:	1"=60'



"This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report."



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### Alley Description:

This description, prepared by Aaron J. Carl, Professional Surveyor License Number LS20800123 and employed by T-E Incorporated, was created as part of an Alley Vacation Petition for Job No. 21053 on May 28, 2021. A part of the subdivision plat named Harvester Park Addition, recorded in Plat Record 11, page 98, and being in the Southwest Quarter of Section 8, Township 30 North, Range 13 East, of Adams Township, Allen County, Indiana, all recorded documents in this description are recorded in the Office of the Recorder of Allen County, and more particularly described as follows:

Beginning at the Northeast corner of Lot 148 in said Harvester Park Addition plat, said point also being on the South Right-of-way line of Felician Street; thence North 89 degrees 05 minutes 39 seconds East (being the basis of all bearings this description), on and along the South Right-of-way line of Felician Street, a distance of 14.00 feet to the Northwest corner of Lot 149 in said plat; thence South 00 degrees 24 minutes 44 seconds East, on and along the West lines of Lots 149 and 150 in said plat, a distance of 235.90 feet to the Southwest corner of Lot 150 in said plat, said point also being on the North Right-of-way line of E. Pontiac Street; thence South 89 degrees 08 minutes 28 seconds West, on and along the North Right-of-way line of E. Pontiac Street, a distance of 14.00 feet to the Southeast corner of Lot 151 in said plat; thence North 00 degrees 24 minutes 44 seconds West, on and along the East lines of Lots 151 and 148 in said plat, a distance of 235.89 feet to the Point of Beginning, containing 0.076 acres of land, more or less.

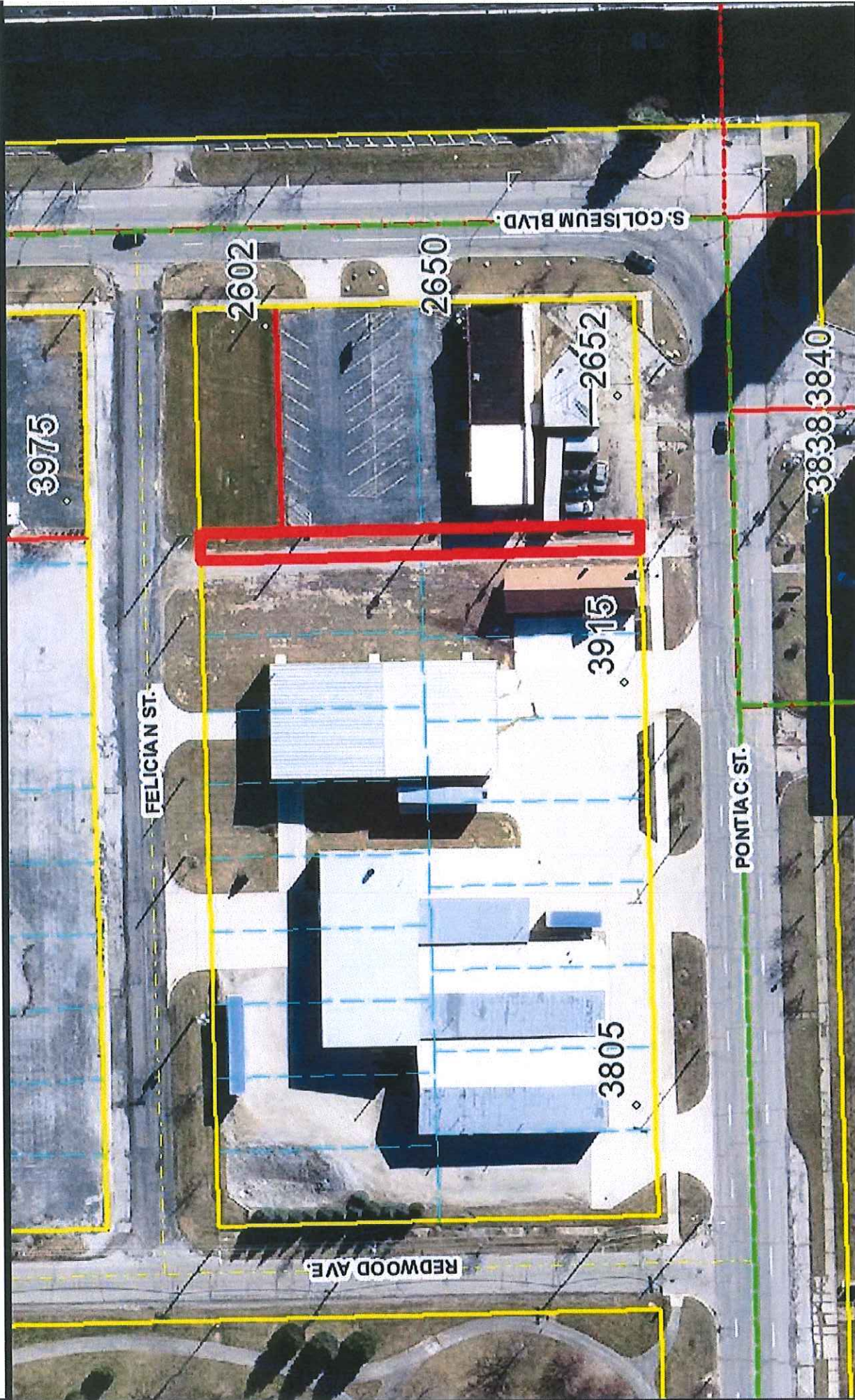
"This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report."

SHEET: 2 of 2



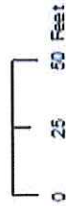


VALY-2021-0001



© 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: 02/20/21

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.



1 inch = 68 feet



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

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**Department of Planning Services**

Title of Ordinance: Platted Easement Vacation  
Case Number: VALY-2021-0001  
Bill Number: G-21-06-12  
Council District: 6 – Sharon Tucker

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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.

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Synopsis of Ordinance: To vacate the fourteen-foot wide alley easement located on between Lots 148 and 151 and 149 and 150 of Harvester Park Addition.

Location: East of 3805 East Pontiac

Reason for Request: To allow for a business expansion for SESCO, 3805 E. Pontiac.

Applicant: James Stout - SESCO

Property Owners: SESCO

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Related Petitions: none

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Effect of Passage: The alley is undersized and underutilized. The applicant would like the ability to expand and possibly acquire more land. Vacation of the alley will not cause inconvenience to adjoining properties as there is full access to adjacent public streets.

Effect of Non-Passage: The alley will remain as platted. No structures will be permitted within the alley, and setbacks will be measured from the alley boundary.