

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION
FEBRUARY 23, 2010**

CITY UTILITIES COMMITTEE

*Thomas F. Didier - Chair
Glynn A. Hines - Co-Chair
All Council Members*

ACTION

S-10-02-16

AN ORDINANCE approving construction contract - Till Road @ Hugenard Drain Culvert Replacement between T-E Incorporated and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$153,673.53

S-10-02-17

AN ORDINANCE approving professional service agreement for the Northwest Pressure Feeder Main Phase 4, Improvements between GAI Consultants, Inc. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works

Total cost of \$188,000

FINANCE COMMITTEE

Tim Pape - Chair
Thomas E. Smith - Co-Chair
All Council Members

ACTION

R-10-02-11

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5130 Executive Drive, Fort Wayne, Indiana 46808 (Heritage Food Service Equipment, Inc.)

Total cost of \$1,240,250 - Heritage will renovate its existing facility and purchase and install technology equipment - 150 full-time jobs will be created as a result of the project

TO BE PASSED THIS EVENING

R-10-02-12

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5130 Executive Boulevard, Fort Wayne, Indiana 46808 (Heritage Food Service Equipment, Inc.)

Total cost of \$1,240,250 - Heritage will renovate its

Existing facility and purchase and install technology equipment - 150 full-time jobs will be created as a result of the project

PUBLIC HEARING - 3-2-10 -- 5:30 P.M.

REGULATIONS COMMITTEE

*Karen E. Goldner – Chair
Mitch Harper – Co-Chair
All Council Members*

ACTION

R-10-02-18

**A RESOLUTION amending the establishment of an Economic Improvement District for the Downtown Area of the City of Fort Wayne
Expansion of Downtown Improvement District Board and approval of new board members nominated by their Board of Directors**

G-10-02-13

**AN ORDINANCE amending Section 153.11 of Chapter 153 “Planning & Development” of the City of Fort Wayne, Indiana, Indiana, Code of Ordinances
Adding goals and policies of the Nebraska Neighborhood Community Development Area Plan (Plan-it-Allen)**

G-10-02-14

**AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive (“Master”) Plan by vacating public right-of-way
Construction of a new retail development – Pontiac Street And Anthony Blvd.**

PUBLIC HEARING 3-2-10 -- 5:30 P.M.

Z-10-02-15

**AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-03 (Sec. 12 of Wayne Township)
Construction of a new retail development – Northwest Corner of Pontiac Street and Anthony Blvd.**

PUBLIC WORKS COMMITTEE

ACTION

No Ordinances or Resolutions up for introduction

BILL NO. S-10-02-16

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT - TILL ROAD @ HUGENARD DRAIN CULVERT REPLACEMENT between T-E INCORPORATED and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

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

SECTION 1. That the CONSTRUCTION CONTRACT - TILL ROAD @ HUGENARD DRAIN CULVERT REPLACEMENT by and between T-E INCORPORATED and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for Resolution 2219-2009 – Work Order 83203: replacement of culverts under Till Road on the Hugenard Drain. The project consists of the installation of approximately 75 LF OF 10" SANITARY SEWERS AND APPROXIMATELY 70 LF OF 12' X5' PRECAST REINFORCED CONCRETE BOX. ALSO INCLUDED IS STREET REPAIR:

involving a total cost of ONE HUNDRED FIFTY-THREE THOUSAND, SIX HUNDRED SEVENTY-THREE AND 53/100 DOLLARS - (\$153,673.53). A copy said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

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

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-10-02-17

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving PROFESSIONAL SERVICE AGREEMENT FOR THE NORTHWEST PRESSURE FEEDER MAIN PHASE 4, IMPROVEMENTS between GAI CONSULTANTS, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

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

SECTION 1. That the PROFESSIONAL SERVICE AGREEMENT FOR THE NORTHWEST PRESSURE FEEDER MAIN PHASE 4, IMPROVEMENTS by and between GAI CONSULTANTS, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

Res. #2306-2010 – W.O. #65908: Prepare final design drawings for approximately 13,000 LF of 36-inch and 30-inch feeder main and all associated appurtenances along an abandoned railroad right-of-way from approximately Science Central to Fernhill Avenue, technical specifications and contract documents for feeder main:

involving a total cost of ONE HUNDRED EIGHTY-EIGHT THOUSAND AND NO/100 DOLLARS - (\$188,000.00). A copy of said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

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

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5130 Executive Drive, Fort Wayne, Indiana 46808 (Heritage Food Service Equipment, Inc.)

WHEREAS, Petitioner has duly filed its petition dated February 12, 2010 to have the following described property designated and declared an “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and

I.C. 6-1.1-12.1, to wit:

Attached hereto as “Exhibit A” as if a part herein;

and

WHEREAS, said project will create 150 full-time, permanent jobs for a total new, annual payroll of \$5,000,000, with the average new annual job salary being \$33,333 and retain 203 full-time, permanent jobs for a total current annual payroll of \$7,033,000, with the average current, annual job salary being \$34,645; and

WHEREAS, the total estimated project cost is \$1,240,250; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing.

SECTION 3. That, said designation of the hereinabove described property as an “Economic Revitalization Area” shall apply to both a deduction of the assessed value of real estate and personal property for new logistical distribution and information technology equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of redevelopment or rehabilitation and the estimate of the value of new logistical distribution and information technology equipment, all contained in Petitioner’s Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation and from the installation of new logistical distribution and information technology equipment.

SECTION 5. That, the current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (c) If the proposed development occurs and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).

- (d) If the proposed new logistical distribution equipment is not installed, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (e) If the proposed new logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (f) If the proposed new logistical distribution equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (g) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (h) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (i) If the proposed new information technology equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years, and the deduction from the assessed value of the new logistical distribution and information technology equipment shall be for a period of ten years.

SECTION 8. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 9. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 10. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to

repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 11. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Taylor, City Attorney

BILL NO. R-10-02-12

CONFIRMING RESOLUTION NO. R-_____

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1
for property commonly known as 5130 Executive**

**Boulevard, Fort Wayne, Indiana 46808 (Heritage
Food Service Equipment, Inc.)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as “Exhibit A” as if a part herein; and

WHEREAS, said project will create 150 full-time, permanent jobs for a total additional annual payroll of \$5,000,000, with the average new annual job salary being \$33,333 and retain 203 full-time, permanent jobs for a current annual payroll of \$7,033,000, with the average current annual job salary being \$34,645; and

WHEREAS, the total estimated project cost is \$1,240,250; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property as an “Economic Revitalization Area” is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an “Economic Revitalization Area” pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 3. That, said designation of the hereinabove described property as an “Economic Revitalization Area” shall apply to a deduction of the assessed value of real estate and personal property for new logistical distribution and information technology equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those

individuals and the estimate of redevelopment or rehabilitation and estimate of the value of the new logistical distribution and information technology equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new logistical distribution and information technology equipment.

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (d) If the proposed new logistical distribution equipment is not installed, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (e) If the proposed new logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (f) If the proposed new logistical distribution equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (g) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.7298/\$100.
- (h) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).
- (i) If the proposed new information technology equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate

current year tax rate for the site would be \$2.7298/\$100 (the change would be negligible).

SECTION 6. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years, and that the deduction from the assessed value of the new logistical distribution and information technology equipment shall be for a period of ten years.

SECTION 7. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 8. For new logistical distribution and information technology equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division and must be included with the deduction application. For subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 9. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in the deduction application. For subsequent years, the performance report must be updated each year in which the deduction is applicable at the same time the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located. If the taxpayer does not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

SECTION 10. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or new logistical distribution and information technology equipment acquired.

- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real and/or personal property deductions.
- F. The tax savings resulting from the real and/or personal property being abated.

SECTION 11. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 13. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM A LEGALITY

Carol Taylor, City Attorney

**A RESOLUTION AMENDING THE ESTABLISHMENT
OF AN ECONOMIC IMPROVEMENT DISTRICT FOR
THE DOWNTOWN AREA OF THE CITY OF FORT
WAYNE.**

WHEREAS, Indiana Code 36-7-22 provides for the approval and establishment of an “economic improvement district” via a petition process, among the owners of affected real estate within the boundaries of a proposed district, in this case, an area of the downtown of the City of Fort Wayne; and

WHEREAS, pursuant to Indiana Code 36-7-22 et.seq., the Common Council of the City of Fort Wayne reestablished the Downtown Fort Wayne Economic Improvement District (the “DID”) on January 10, 2006, pursuant to Resolution Number RO 806 (the “Resolution”); and

WHEREAS the Resolution provides for the establishment of an initial Board of Directors for the DID, and expansion of the initial board, so long as a majority of the Board of Directors are owners of real property within the district of the DID and such new board members be approved by Common Council of the City of Fort Wayne; and

WHEREAS, the DID desires to increase the number of members of the Board of Directors to no more than fifteen (15), at least eight (8) of which, at any one time, be owners of real property within the district of the DID; and

WHEREAS, an increase in the number of members of the Board of Directors of the DID will promote broader representation upon the board and provide a more consistent staggering of terms between existing and new members; and

WHEREAS, an increase to the Board of Directors of the DID, as proposed, would satisfy Section 11 of Indiana Code 36-7-22 which requires that an “economic improvement board” be appointed by the legislative body and have at least three (3) members, a majority of which are owners of real property within the district of the DID; and

WHEREAS, the DID has certified that a majority of its board members, both now and upon appointment of proposed new members by action of Common Council, of the City of Fort Wayne, do own real property within the district, as required by Section 11 of Indiana Code 36-7-22; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1: The Board of Directors of the Economic Improvement District for the Downtown Area of the City of Fort Wayne, as established pursuant to Resolution Number RO 806, shall consist of fifteen (15) members, with no less than eight (8) members, at any one time, being owners of real property within the district. The members of the Board shall be appointed by City Council.

Section 2: The following nominations to fill expired terms and a term vacated by resignation are approved and appointed for three-year terms: Lona Antil, Scott Glaze, Charles Heiny, Joe Francis, and Dawn Rudolph; and

Section 3: The following nominations are approved for one-year terms: Zachary Benedict and T. K. Herman.

Section 4: Except as otherwise provided above, Resolution Number RO 806 shall remain in full force and effect.

Section 5: This resolution 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 Taylor, City Attorney

BILL NO. G-10-02-13

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE AMENDING SECTION 153.11 OF CHAPTER 153 "PLANNING & DEVELOPMENT" OF THE CITY OF FORT WAYNE, INDIANA, CODE OF ORDINANCES.

WHEREAS, Common Council of the City of Fort Wayne adopted a Comprehensive Plan for the City of Fort Wayne (Plan-It-Allen), in accordance with the statutes of the State of Indiana; and

WHEREAS, on February 23, 2010, Common Council adopted Resolution No. _____, which amended the Comprehensive Plan to include the goals and policies of the Nebraska Neighborhood Community Development Area Plan, to be adopted; and

WHEREAS, Common Council desires to amend Section 153.11 to recognize the Amendment to the Comprehensive Plan.

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

SECTION 1. Section 153.11 of Chapter 153 "Planning & Development" of the Code of the City of Fort Wayne is amended by adding the following subsection (L):

(L) Nebraska Neighborhood Community Development Area Plan. The Comprehensive Plan (Plan-It-Allen) is amended by Resolution No. _____ by adding the goals and policies of the "Nebraska Neighborhood Community Development Area Plan" as set forth in that plan.

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 Taylor, City Attorney

#1199

BILL NO. G-10-02-14

Deed Book: 2A, Page 8
Deed Book: 3B, Page 70

GENERAL ORDINANCE NO. G-_____

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

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

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

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

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

That portion of the North-South alley that lies between the North right-of-way line of Pontiac Street and the North lines of Lots 4 and 13 in E. E. Eckel's Subdivision and that portion of the East-West alley that lies between the West right-of-way line of Anthony Boulevard and the East right-of-way of Lillie Street, all in said E. E. Eckels Subdivision and Devilbis and Knoche Addition to the City of Fort Wayne, more particularly described as follows:

Beginning at the Northeast corner of Lot 1 in said Devilbis and Knoche Addition; thence West, a distance of 138.00 feet along the North lines of Lots 1, 2, 3, and 4 in said Devilbis and Knoche Addition to the Northwest corner of said Lot 4; thence South, a distance of 113.00 feet along the West line of said Lot 4 to the Southwest corner of said Lot 4; thence West, a distance of 12.00 feet along the Westerly extension of the North right-of-way line of Pontiac Street to the Southeast corner of Lot 5 in said Devilbis and Knoche Addition; thence North, a distance of 113.00 feet along the East line of said Lot 5 to the Northeast corner of said Lot 5; thence West, a distance of 138.00 feet along the North lines of Lots 5, 6, 7, and 8 in said Devilbis and Knoche Addition to the Northwest corner of said Lot 8; thence North, a distance of 10.00 feet along the Northerly extension of the East right-of-way line of Lillie Street to the Southwest corner of Lot 8 in E. E. Eckel's Subdivision; thence East, a distance of 138.00 feet along the South line of said Lot 8 to the Southeast corner of said Lot 8; thence North, a distance of 164.92 feet along the East lines of Lots 8, 7, 6, 5, and 4 in said E. E. Eckel's Subdivision to the Northeast corner of said Lot 4; thence East, a distance 12.00 feet along the Easterly extension of the North line of said Lot 4 to the Northwest corner of Lot 13 of said E. E. Eckel's Subdivision; thence South 164.92 feet along the West lines of Lots 13, 12, 11, 10, and 9 in said E. E. Eckel's Subdivision to the Southwest corner of said Lot 9; thence East, a distance of 138.00 feet along the South line of said Lot 9 to the Southeast corner of said Lot 9; thence South, a

distance of 10.00 feet to the Point of Beginning. Containing 6,215.040 square feet. Subject to easements of record.

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

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. Taylor, City Attorney

#1200

BILL NO. Z-10-02-15

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. O-03 (Sec. 12 of Wayne 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 a CM2 (Limited Retail and Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

Parcel I:
Lots Numbered 1, 2, 3, 4, 5, 6, 7, and 8 in the Devilbis and Knoche Addition to the City of Fort Wayne, Allen County, Indiana.

Parcel II:
Lots Numbered 4, 5, 6, 7, and 8 in EE. Eckel's Subdivision to the City of Fort Wayne, Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. O-03 (Sec. 12 of Wayne 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 passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

