

VROW-2022-0014

BILL NO. G-22-09-04

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:

Parts of Block 6 and vacated Queen Street and Radcliff Drive in Anthony Wayne Village, an Addition to the City of Fort Wayne, Indiana, being a subdivision of part of the Northwest Quarter of Section 19, Township 30 North, Range 13 East, in Allen County, Indiana, described as follows, to wit:

Beginning at a point on the East line of Queen Street as recorded in D.R. 420, page 575-6 in the office of the Recorder, Allen County, Indiana, said point being situated 220.0 feet South of the South line of McKinnie Avenue, all in Anthony Wayne Village; thence East and parallel to the said South line of McKinnie Avenue a distance of 245.0 feet; thence North and parallel to the aforesaid East line of Queen Street a distance of 100.00 feet; thence East and parallel to the aforementioned South line of McKinnie Avenue a distance of 70.0 feet; thence South and parallel to the said East line of Queen Street a distance of 150.0 feet; thence West and parallel to the aforesaid McKinnie Avenue a distance of 315.0 feet to the East line of Queen Street; thence North along said East line of Queen Street a distance of 50.0 feet to the point of beginning.

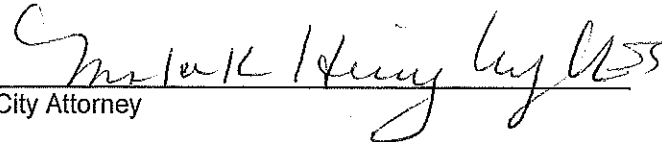
and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

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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:


City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance: Right of Way Vacation
Case Number: VROW-2022-0014
Bill Number: G-22-09-04
Council District: 5 – Sharon Tucker

Introduction Date: September 13, 2022

Public Hearing Date: September 27, 2022 to be heard by Council

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

Synopsis of Ordinance: To vacate all of Maverick Place right-of-way.

Location: East of the 4200 block of Queen Street.

Reason for Request: To allow for the redevelopment of Village Premiere.

Applicant: City of Fort Wayne Redevelopment Commission

Property Owner: City of Fort Wayne Redevelopment Commission

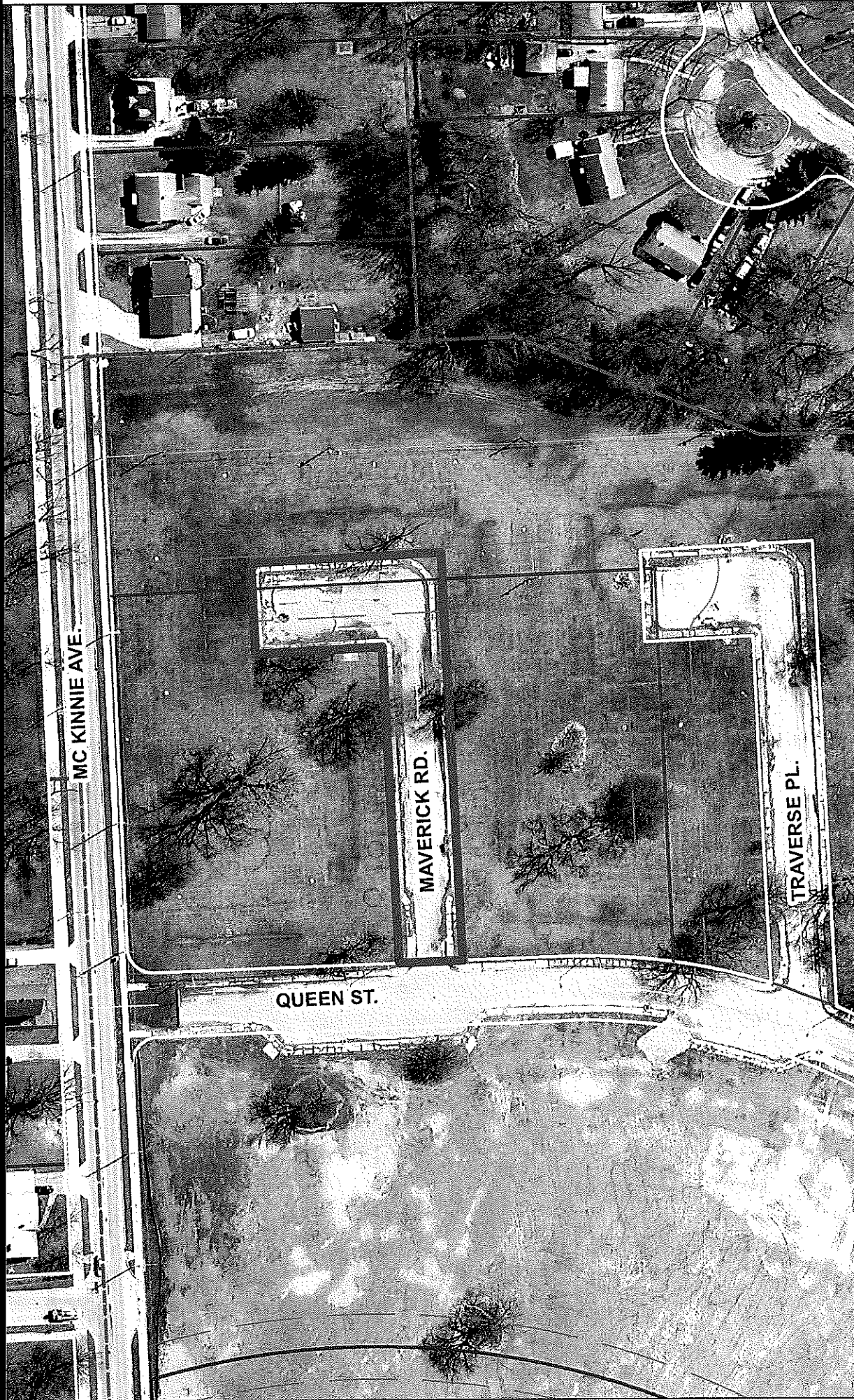
Related Petitions: Plat and Development Plan of Village Premiere

Effect of Passage: The vacation of Maverick Place will allow the surrounding land to be redeveloped as Village Premiere, a mixed-use residential, office and retail neighborhood project.

Effect of Non-Passage: The right of way will remain as platted. Redevelopment of the property will be hindered by retention of the unused right-of-way.

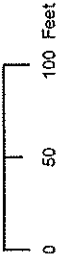


Right of Way Vacation VROW-2022-0014 - Maverick Road



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.

© 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: 9/6/2022



1 inch = 100 feet

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 x Public Right of Way (street or alley)

More particularly described as follows:

Maverick Place. See attached description.

(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: 420 PAGE(S) NUMBER(S): 575-6 (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:

Redevelopment of the surrounding real estate, including the subject right-of-way, as a

multi-family housing complex comprised of several buildings, parking, sidewalks, and

ample green space. Maverick Place is a cul-de-sac and does not serve any real estate besides

the project location. Vacation of this right-of-way will have no effect on surrounding

properties or on the broader transportation network.

(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: City of Fort Wayne, Department of Redevelopment

Street Address: 200 E Berry Street, Suite 320

City: Fort Wayne State: IN Zip: 46802 Phone: 260.427.1323

FORT WAYNE, INDIANA
FILED

SEP 02 2022

LANA R. KEESLING
CITY CLERK

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

Jonathan Leist, Redevelopment Director

1-Sep, 2022

Printed Name

Date

200 E Berry St, Ste. 320

Fort Wayne, IN 46802

Address

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): Joe Giant

Street Address: 200 E Berry St, Ste. 320

City: Fort Wayne State: IN Zip: 46802 Phone: 260.427.2144

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 #: _____

Maverick Place -- Legal Description

Parts of Block 6 and vacated Queen Street and Radcliff Drive in Anthony Wayne Village, an Addition to the City of Fort Wayne, Indiana, being a subdivision of part of the Northwest Quarter of Section 19, Township 30 North, Range 13 East, in Allen County, Indiana, described as follows, to wit:

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The above-described area to be known as "MAVERICK PLACE."



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Journal Gazette**.

Notice ID: hqOjmgMkZZ0NZEwpmYYb | **Proof Updated: Sep. 14, 2022 at 08:16am EDT**
Notice Name: G-22-09-04

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Shirrell Richardson
shirrell.richardson@cityoffortwayne.org
(260) 427-1221

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

09/16/2022: Other

27.45

Subtotal	\$27.45
Tax %	0.00
Total	\$27.45

See Proof on Next Page

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL

ORDINANCE NO. G-22-09-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON SEPTEMBER 27, 2022 AT 5:30 P.M. IN ROOM 035 - COUNCIL CHAMBERS, COURTROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802, A REQUEST TO VACATE AN AREA KNOWN AS:

LOCATION: To vacate all of Maverick Place right-of-way, east of the 4200 block of Queen Street

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, SEPTEMBER 27, 2022.

ADDITIONAL INFORMATION CAN BE VIEWED AT THE DEPARTMENT OF PLANNING SERVICES OFFICE IN CITIZEN'S SQUARE: 200 E. BERRY ST, SUITE 150.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 427-1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK
9--16 hspaxlp

The Journal Gazette

Allen County, Indiana

PUBLISHER'S CLAIM

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: hqOjmgMKZZ0NZEvpmYYb

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head - number of lines
Body - number of lines
Tail - number of lines

Total number of lines in notice

55

COMPUTATION OF CHARGES

55 lines, 1 column(s) wide equal
55 equivalent lines at \$ 0.4990 cents per line

\$27.45

Additional charges for notices containing rule or tabular work
(50 percent of above amount)

\$

Electronic processing fee

\$0.00

TOTAL AMOUNT OF CLAIM

\$27.45

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7 point.
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-1-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper.

The dates of publication being as follows:

9/16/22

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

Date: 9/16/2022

Blanca J. Paine
Legal Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL

ORDINANCE NO. G-22-09-04

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LOCATION: To vacate all of Maverick Place right-of-way, east of the 4200 block of Queen Street

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LANA R. KEESLING
CITY CLERK
9-16 hspaxlp

ALLEY VACATION – DISCUSSION and PASSAGE
Department of Planning Services

VROW 2022 0014	Bill #G-22-09-04	Project Start: September 2022
APPLICANT:	City of Fort Wayne Redevelopment Commission	
REQUEST:	To vacate all of Maverick Place right-of-way for development of Village Premier mixed-use neighborhood.	
LOCATION:	East of the 4300 block of Queen Street.	
COUNCIL DISTRICT:	6-Sharon Tucker	
PUBLIC HEARING DATE:	September 27, 2022 (no public comments received)	

PROJECT SUMMARY

The vacation of Maverick Place will allow the surrounding land to be redeveloped as Village Premiere, a mixed-use residential, office and retail neighborhood project. The land is currently owned by Fort Wayne Redevelopment Commission and the project is being developed by House Investments. This particular area will be transformed into multiple family housing, stormwater detention, and landscaping. No existing access to other properties will be affected. Staff has sent requests for comment from all affected utility agencies. All agencies have signed off or have no comments, allowing for this vacation to move forward.

City Plan: Indiana Code (36-7-3-16 (b)) states that any public utility occupying a public way or easement shall not be deprived of the use of the public way for the location and operation of existing facilities. The petitioner shall provide all necessary easements (as approved) at the time the vacation petition is recorded.

Traffic/Transportation Engineering:	Approved
Stormwater Engineering:	Approved
Water Engineering:	Approved
WPC Engineering – Sanitary:	Approved
City Parks Department:	Approved
Fire Department:	No comment
Land Acquisition Agent:	Approved
Frontier:	Approved
Comcast Cable:	Approved
AEP:	Approved
NIPSCO:	Approved

Grounds for Remonstrance for Vacation Requests (I.C. 36-7-3-13):

- (1) The vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation would hinder the public's access to a church, school, or other public building or place.
- (4) The vacation would hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.