

Jan 25 - 1916
Department of Public Works.

THIS ENVELOPE CONTAINS PAPERS

Under *Vacation* Resolution No. 25

Adopted on the 28th day of Dec, 1915

For Vacate

On Part of Lafayette
From St

To

For Proof of Publication see Proof

Record _____ Page _____

SPECIFICATIONS

FOR THE

IMPROVEMENT OF

FROM

TO

Indiana,



COPY OF VACATION RESOLUTION.

No. 25, 1915

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to

vacate the following: **Beginning fifty (50) feet east and one hundred and forty nine (149) feet north of the intersection of the north line of Indiana Avenue and the west line of LaFayette Street produced south; thence north one hundred and ninty one (191) feet; thence east thirty two and one half (32½) feet; thence south one hundred and ninty one (191) feet; thence west thirty two and one half (32½) feet to the place of beginning.**

The following property may be injuriously or beneficially effected by such vacation: Beginning at the intersection of the north line of Indiana Avenue and the east line of Franklin Street; thence east on the north line of Indiana Avenue five hundred thirty five and forty six one hundredths (535.46) feet to the west line of the right of way of the Terre Haute & Logansport Railroad Co. thence north on the west boundary of said right of way one hundred ninty and forty four hundreths (190.44) feet to a point where it intersects the south boundary of the Vandalia extension; thence north westerly on a perimeter of a curve having a radius of three hundred twenty two and forty one hundreths (322.41) feet on south boundary of said extension to a point seventy and sixty two hundreths (70.62) feet east of section line between sections 13 and 14 Tp.37 N.R.2 E. and four hundred forty two and two tenths (442.2) feet north of ¼ section line; thence west to the east line of Franklin Street; thence south on the east line of Franklin Street to the place of beginning.

Notice of this resolution shall be published on the 31st day of Dec 1915 and on the 7th day of Jan 1916, in the South Bend Daily Tribune.

This Board, at its office in the City Hall on the 25th day of Jan 1916 at 7:15 p. m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 28th day of Dec 1915

Vacation Resolution
No. 25
COPY OF

The following property may be injuriously or beneficially effected by such vacation; Beginning at the intersection of the north line of Indiana Avenue and the east line of Franklin Street; thence east on the north line of Indiana Avenue five hundred thirty five and forty six one hundredths (535.46) feet to the west line of the right of way of the Terre Haute & Logansport Railroad Co. thence north on the west boundary of said right of way one hundred ninety and forty four hundredths (190.44) feet to a point where it intersects the south boundary of the Vandalia extension; thence north westerly on a perimeter of a curve having a radius of three hundred twenty two and forty one hundredths (322.41) feet on south boundary of said extension to a point seventy and sixty two hundredths (70.62) feet east of section line between sections 13 and 14 Tp.37 N.R.2 E. and four hundred forty two and two tenths (442.2) feet north of $\frac{1}{4}$ section line; thence west to the east line of Franklin Street; thence south on the east line of Franklin Street to the place of beginning.

Notice of this resolution shall be published on the 31st day of Dec 1915 and on the 7th day of Jan 1916 in the South Bend Daily Tribune.

This Board, at its office in the City Hall on the 25th day of Jan 1916 at 7:15 p. m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 28th day of Dec 1915

BOARD OF PUBLIC WORKS.

Veronica Lawrence
Clerk of Board

W. H. Rice

SOUTH BEND, IND., Jan, 20 1916

Notice is hereby given that the BOARD OF PUBLIC WORKS has
fixed January 25-16 at 7:45 P.M. as a date on which
to hear all persons interested in or affected by Vacation

Resolution No. 25 the purpose of the same is for the Vacation

of a portion of Lafayette St
between Indiana Ave + Broadway
Said Board will meet at its office in the City Hall for the purpose of taking
final action thereon.



BOARD OF PUBLIC WORKS.

THIS NOTICE IS NOT REQUIRED BY LAW

CITY OF SOUTH BEND, INDIANA.

DEPARTMENT OF PUBLIC WORKS.

Notice of Resolution of VACATION \$25,1915.

Notice is hereby given that the Board of Public Works of said City at a meeting of said Board, held on the 28th day of December, 1915, adopted a resolution for the vacation of the following described property:

~~The following described property~~ Beginning fifty (50) feet east and one hundred and forty nine (149) feet north of the intersection of the north line of Indiana Avenue and the west line of Lafayette Street produced south; thence north one hundred and ninety one (191) feet; thence east thirty two and one half (32½) feet; thence south one hundred and ninety one (191) feet; thence west thirty two and one half (32½) feet to the place of beginning.

The following property be injuriously or beneficially affected by such vacation: Beginning at the intersection of the north line of Indiana Avenue and the east line of Franklin Street; thence east on the north line of Indiana Avenue five hundred thirty five and forty six one hundredths (535.46) feet to the west line of the right of way of the Terre Haute & Logansport Railroad Co. thence north on the west boundary of said right of way one hundred ninety and forty four hundredths (190.44) feet to a point where it intersects the south boundary of the Vandalia extension; thence northwesterly on a perimeter of a curve having a radius of three hundred twenty two and forty one hundredths (322.41) feet one south boundary of said extension to a point seventy and sixty two hundredths (70.62) feet east of section line between sections 13 and 14 Tp. 37 N. R. 2 E. and four hundred forty two and two tenths (442.2) feet north of ¼ section line thence west to the east line of Franklin Street; thence south on the east line of Franklin Street to the place of beginning.

~~Subject of such~~

~~The following described property~~

feet to a point where it intersects the south boundary of the extension; thence northwesterly on a perimeter of a curve having a radius of three hundred twenty two and forty one hundredths (322.41) feet one south boundary of said extension to a point seventy and sixty two hundredths (70.62) feet east of section line between sections 13 and 14 Tp. 37 N. R. 2 E. and four hundred forty two and two tenths (442.2) feet north of $\frac{1}{2}$ section line thence west to the east line of Franklin Street; thence south on the east line of Franklin Street to the place of beginning.

~~To the effect of such~~

~~The following expenses to be paid by the Board~~

Said Board will meet at 7:45 P. M., on the 25th. day of January, 1916. 190 , at its office in the City Hall and receive and hear remonstrances from all persons interested in or affected by these proceedings.

BOARD OF PUBLIC WORKS.

Veronica C. Sweeney,
Clerk of Board.

E. M. MORRIS

A. H. RICE



Department of Public Works

Sibley Machine Tool Co

So. Bend
Ind.

**Notice of Hearing of Assessments of
Benefits and Awards of Damage**

Serve this notice on *within*

named party

by delivering a copy at his last usual
place of residence in South Bend,

this *24* of *Feb* 191*6*

Wm J. Wesoluk



OPENING OF LAFAYETTE STREET FROM 149 FEET NORTH OF INDIANA AVENUE TO INDIANA AVENUE, Under Condemnation Resolution No. 43. In the City of South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE BOARD

Notice of hearing and amount of assessments and awards of damages

To FEE IN SIBLEY MACHINE TOOL CO. RIGHT TO PASS OVER IN

HORACE L. GREENE.

Notice is hereby given you that an award of damages or an assessment of benefit has been made in behalf of real estate, situated in the City of South Bend, Indiana, owned by you, known and described as follows, to-wit:

which award of damages or assessment of benefits is set opposite said description.

Damages	Benefits	Net Damages	Net Benefits
\$	\$	\$	\$

Right of way over the following; Begin on the north line of Indiana Avenue at a point in line with the west line of Lafayette Street produced south; thence north to the present southern terminus of Lafayette Street; thence east 50 feet; thence south to the north line of Indiana Avenue; thence west to the place of beginning.

00.00

00.00

Begin on the north line of Indiana Avenue at a point 50 feet east of the intersection of the north line of Indiana Avenue and the west line of Lafayette Street produced south; thence east 147½ feet to the west line of the right of way of the Terre Haute and Loganport Railroad Co. thence north on the west line of said right of way to the south boundary of right of way of the Vandalia extension; thence northwesterly on southerly boundary of said extension to a point due north of beginning; thence south to the place of beginning.

00.00

00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on

Oct. 28th, 1915

, 1915; authorized by the provision of an act of the general assembly of the

State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the Feb. 29, 1916.

1916, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

produced south, thence north to the
southern terminus of Lafayette Street;
thence east 50 feet; thence south to the
north line of Indiana Avenue; thence west
to the place of beginning.

00.00

00.00

Begin on the north line of Indiana Avenue
at a point 50 feet east of the intersection
of the north line of Indiana Avenue and
the west line of Lafayette Street produced
south; thence east 147½ feet to the west
line of the right of way of the Terre Haute
and Loganport Railroad Co. thence north
on the west line of said right of way
to the south boundary of right of way of
the Vandalia extension; thence north-
westerly on southerly boundry of said
extension to a point due north of begin-
ning; thence south to the place of begin-
ing.

00.00

00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on
Oct. 28th, 1915, 191___; authorized by the provision of an act of the general assembly of the
State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the Feb. 29, 1916.
191___, for the purpose of hearing any remonstrances which you may desire to present in regard
to the amount of your award of damages or assessment of benefits as aforesaid.

Board of Public Works

E. M. MORRIS,

A. H. RICE,

JOHN B. WEBER.

E. M. Morris

VERONICA C. SWEENEY, Clerk of Board.

President.

VACATION OF A PART OF LAFAYETTE STREET BETWEEN BROADWAY AND INDIANA AVENUE, under Vacation Resolution No. 25 in the City of South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE BOARD

Notice of hearing and amount of assessments and awards of damages

To ~~Fee in Sibley Machine Tool Co. right to pass over in Horace~~
 Notice is hereby given you that an award of damages or an assessment of benefit has been made in behalf of real estate, situated in the City of South Bend, Indiana, owned by you, known and described as follows, to-wit:

which award of damages or assessment of benefits is set opposite said description.

	Damages	Benefits	Net Damages	Net Benefits
	\$	\$	\$	\$
<p>Right of way over the following; Begin on the north line of Indiana Avenue at a point in line with the west line of Lafayette Street produced south; thence north to the present southern terminus of Lafayette Street, thence east 50 feet; thence south to the north line of Indiana Avenue; thence west to the place of beginning.</p>			00.00	00.00
<p>Begin on the north line of Indiana Avenue at a point 50 feet east of the intersection of the north line of Indiana Avenue with the west line of Lafayette Street produced south; thence east 147 1/2 feet to the west line of the right of way of the Terre Haute and Logansport Railroad Co. thence north on the west line of said right of way to the south boundary of right of way of the Vandalia extension; thence northwesterly on southerly boundary of said extension to a point due north of beginning; thence south to the place of beginning.</p>			00.00	00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on Oct. 28, 1915, 191___; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the Feb. 29, 1916, 191___, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

at a point 100 feet east of the intersection
of the north line of Indiana Avenue with the
west line of Lafayette Street produced south;
thence east 147½ feet to the west line
of the right of way of the Terre Haute
and Logansport Railroad Co. thence north on
the west line of said right of way to the
south boundary of right of way of the
Vandalia extension; thence northwesterly
on southerly boundary of said extension
to a point due north of beginning; thence
south to the place of beginning.

00.00

00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on
~~Oct. 23, 1915~~, 191___; authorized by the provision of an act of the general assembly of the
State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

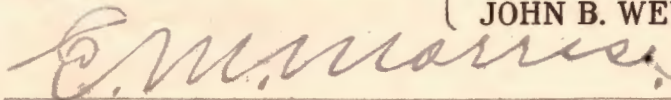
The Board of Public Works will meet in its office at 7:45 P. M. on the Feb. 29, 1916.
191___, for the purpose of hearing any remonstrances which you may desire to present in regard
to the amount of your award of damages or assessment of benefits as aforesaid.

Board of Public Works

E. M. MORRIS,

A. H. RICE,

JOHN B. WEBER.



VERONICA C. SWEENEY, Clerk of Board.

President.

Department of Public Works

*South Bend Foundry
Can Ind. Ave + 107 St
Cety*

**Notice of Hearing of Assessments of
Benefits and Awards of Damage**

Serve this notice on *with an*
named party
by delivering a copy at his last usual
place of residence in South Bend,
this *24 of Feb* 191*6*
Wm J Wesolek



Vacation of a part of Lafayette Street between Broadway and Indiana Avenue, under Vacation Resolution No. 25. In the City of South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE BOARD

Notice of hearing and amount of assessments and awards of damages

To SOUTH BEND FOUNDRY COMPANY

Notice is hereby given you that an award of damages or an assessment of benefit has been made in behalf of real estate, situated in the City of South Bend, Indiana, owned by you, known and described as follows, to-wit:

which award of damages or assessment of benefits is set opposite said description.

	Damages	Benefits	Net Damages	Net Benefits
	\$	\$	\$	\$
A tract of land bounded on the north by the right of way of the St. Joseph South Bend and Southern Railway right of way; on the east by Lafayette Street; on the south by Indiana Avenue; and on the west by Franklin Street; (unplatted) except 127 feet off the south end thereof.			00.00	00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on Oct. 28, 1915, 1915; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the Feb. 29th., 1916 1916, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

All in pursuance to a resolution adopted by the Board of Public Works of said City on Oct. 28, 1915, 191___; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the Feb. 29th., 1916 191___, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

Board of Public Works

{ E. M. MORRIS,

{ A. H. RICE,

{ JOHN B. WEBER.

E. M. Morris

VERONICA C. SWEENEY, Clerk of Board.

President.

Department of Public Works

*South Bend Tdy. Co.
Cor. Ind. Ave. + Laf. St.
City*

**Notice of Hearing of Assessments of
Benefits and Awards of Damage**

Serve this notice on *with in*

named party

by delivering a copy at his last usual
place of residence in South Bend,

this *24 of Feb* 191*6*

W J Wesoluk



OPENING OF LAFAYETTE STREET FROM 149 feet NO. OF INDIANA
AVE. TO INDIANA AVENUE, Under Condemnation Resolution No. 43.
In the City of South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE BOARD

Notice of hearing and amount of assessments and awards of damages

To SOUTH BEND FOUNDRY CO.

Notice is hereby given you that an award of damages or an assessment of benefit has been made in behalf of real estate, situated in the City of South Bend, Indiana, owned by you, known and described as follows, to-wit:

which award of damages or assessment of benefits is set opposite said description.

	Damages	Benefits	Net Damages	Net Benefits
	\$	\$	\$	\$
A tract of land bounded on the north by the right of way of the St. Joseph South Bend and Southern Railway right of way; on the east by Lafayette Street; on the south by Indiana Avenue; and on the west by Franklin Street. (unplatted) except 127 feet off the south end thereof.			00.00	00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on ~~28th. day of Dec. 1910~~ ¹⁹¹¹ authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the 29th. of Feb. 1916, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

All in pursuance to a resolution adopted by the Board of Public Works of said City on ~~28th. day of Dec. 1913~~ ¹⁹¹ authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the ~~29th. of Feb.~~ 191~~6~~, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

Board of Public Works

{ E. M. MORRIS,

{ A. H. RICE,

{ JOHN B. WEBER.

E. M. Morris

VERONICA C. SWEENEY, Clerk of Board.

President.

Department of Public Works

Horace L. Greene
So. Bend Ldy Co.
City

**Notice of Hearing of Assessments of
Benefits and Awards of Damage**

Serve this notice on *With in*

named party

by delivering a copy at his last usual
place of residence in South Bend,

this *24* of *Feb* 1916

W. J. Wisolik



OPENING OF LAFAYETTE STREET FROM INDIANA AVENUE TO 149 feet
NORTH OF INDIANA AVENUE, Under Condemnation Resolution No. 43.
In the City of South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE BOARD

Notice of hearing and amount of assessments and awards of damages

To HORACE L. GREENE

Notice is hereby given you that an award of damages or an assessment of benefit has been made in behalf of real estate, situated in the City of South Bend, Indiana, owned by you, known and described as follows, to-wit:

which award of damages or assessment of benefits is set opposite said description.

	Damages	Benefits	Net Damages	Net Benefits
	\$	\$	\$	\$
Begin at the intersection of the north line of Indiana Avenue and the east line of Franklin Street; thence east 344 feet to the west line of Lafayette Street produced south; thence north 127 feet; thence west 344 feet to the east line of Franklin Street; thence south 127 feet to the place of beginning.			00.00	00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on Dec. 28th., 1916.; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the February 29th., 1916, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

C. E. M. MORRIS

Begin at the intersection of the north line of Indiana Avenue and the east line of Franklin Street; thence east 344 feet to the west line of Lafayette Street produced south; thence north 127 feet; thence west 344 feet to the east line of Franklin Street; thence south 127 feet to the place of beginning.

00.00

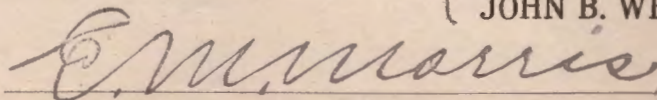
00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on Dec. 28th., 1916. 1916; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the February 29th. 1916, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

Board of Public Works

{ E. M. MORRIS,
A. H. RICE,
JOHN B. WEBER.



VERONICA C. SWEENEY, Clerk of Board.

President.

Department of Public Works

*Horace L. Greene
G. B. Bend Foundry
Cor Ind. & Lafayette St
City*

**Notice of Hearing of Assessments of
Benefits and Awards of Damage**

Serve this notice on *With* in _____

named party _____

by delivering a copy at his last usual
place of residence in South Bend,

this *24* of *Feb* 191*6* _____

Wm J Mesolek _____



VACATION OF A PART OF LAFAYETTE STREET BETWEEN BROADWAY AND INDIANA AVENUE, under Vacation Resolution No. 25. In the City of South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE BOARD

Notice of hearing and amount of assessments and awards of damages

To HORACE L. GREENE

Notice is hereby given you that an award of damages or an assessment of benefit has been made in behalf of real estate, situated in the City of South Bend, Indiana, owned by you, known and described as follows, to-wit:

which award of damages or assessment of benefits is set opposite said description.

	Damages	Benefits	Net Damages	Net Benefits
	\$	\$	\$	\$
Begin at the intersection of the north line of Indiana Avenue and the east line of Franklin Street; thence east 344 feet to the west line of Lafayette Street produced south; thence north 127 feet thence west 344 feet to the east line of Franklin Street; thence south 127 feet to the place of beginning.			00.00	00.00

All in pursuance to a resolution adopted by the Board of Public Works of said City on Oct. 28th., 1915, 191___; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the February 29, 1916 191___, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

(E. M. MORRIS.

All in pursuance to a resolution adopted by the Board of Public Works of said City on Oct. 28th., 1915, 191; authorized by the provision of an act of the general assembly of the State of Indiana, approved March 6th, 1905, entitled "An act concerning municipal corporations."

The Board of Public Works will meet in its office at 7:45 P. M. on the February 29, 1916 191, for the purpose of hearing any remonstrances which you may desire to present in regard to the amount of your award of damages or assessment of benefits as aforesaid.

Board of Public Works

{ E. M. MORRIS,

{ A. H. RICE,

{ JOHN B. WEBER.

VERONICA C. SWEENEY, Clerk of Board.

E. M. Morris

President.

acceptance of this way.
The property encompassed
the reservation before mentioned.

RECEIVED

JAN 25 1918

DEPT. OF PUBLIC WORKS
Chambers

Prof. Caroline Walker

Use was held abandoned when before user it was closed up and was kept closed for twenty years. Auburn v. Goodwin, 128 Illinois 57; 21 N.E. 212.

Marking a street upon a plat and selling lots with reference to such marked street, constitutes a dedication of the ground so marked for the use of the public marked street. Wolf v. Town of Sullivan, 133 Ind. 331, 32 N.E. 1017.

User in order to constitute proof of dedication, must have been by the public, and adverse to and exclusive of the use and enjoyment of the property by the proprietors.

Cal. Nas. Co. v. Union Trans. Co. 126 Cal. 433, 58 Pac. 736, 46 L.R.S. 825.

Talbot v. Grace, 30 Ind. 389.

The numerous Indiana authorities proceed on the theory that both platting and sale of lots are necessary to constitute dedication. See

Wolfe v. Sullivan, 133 Ind. 331.
Fossion v. Landry, 123 Ind. 136.
Shanklin v. Evansville, 55 Ind. 240.
Evansville v. Evans, 37 Ind. 229.
Evansville v. Page, 23 Ind. 525.
Logansport v. Dunn, 8 Ind. 328.
Doe v. Attica, 7 Ind. 641.

See also:

Bessemer Land Co. v. Jenkins, 111 Ala. 125, 56 A.S.R. 26.
Curtis v. Hoyt, 19 Conn. 154, 48 Am. Dec. 149.
Slater v. Gunn, 170 Mass. 509, 49 N.E. 1017, 41 L.R.A. 268.
Notes to 27 Am. Dec. 563; 10 A.S.R. 189, 11 L.R.A. 57.

It is sometimes held that the sale of lots even does not constitute a dedication of streets and alleys.

People v. Reed, 81 Cal. 70, 22 Pac. 474, 15 A.S.R. 22.
Mahler v. Brumder, 92 Wis; 477, 66 N.W. 502, 31 L.R.A. 695.

The general rule is that the proprietor may withdraw the offer any time before acceptance.

8 R.C.L. 913. ~~45 N.E. 1056.~~
Steinaner v. Tell City, 146 Ind. 490.
Indianapolis v. Church, 28 App. 319, 62 N.E. 715.
Light Cap v. North Judson, 154 Ind. 43, 55 N.E. 952.
Indianapolis v. Cross, 7 Ind. 9.

The records of St. Joseph County shows that the plat herein, Stall's Addition to Myler, was never acted upon and has been wholly abandoned. No part of the plat now remains. In fact the plat

cation. See

Wolfe v. Sullivan, 133 Ind. 331.
Fossion v. Landry, 123 Ind. 136.
Shanklin v. Evansville, 55 Ind. 340.
Evansville v. Evans, 37 Ind. 229.
Evansville v. Page, 23 Ind. 525.
Logansport v. Dunn, 8 Ind. 328.
Doe v. Attica, 7 Ind. 641.

Se also:

Bessemer Land Co. v. Jenkins, 111 Ala. 125, 56 A.S.R.26.
Curtis v. Hoyt, 19 Conn. 154. 48 Am. Dec. 149.
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Light Cap v. North Judson, 154 Ind. 43, 55 N.E. 952.
Indianapolis v. Cross, 7 Ind. 9.

The records of St. Joseph County shows that the plat herein, Stull's Addition to Myler, was never acted upon and has been wholly abandoned. No part of the plat now remains. In fact the plat except in its historical aspects has passed out of existence, and this for a greater length of time than the twenty year period of limitation. It stands in the same position as abandoned St. Joseph

the anticipated County seat a few miles down the St. Joseph River from South Bend. The Vail's East addition to South Bend is still another example.

The authorities above abundantly support the proposition that acceptance is necessary. The facts herein disclose that there was a revocation before acceptance, in fact as to at least a part of the property encompassed in the abstract there is no user or acceptance to this day.