

THIS ENVELOPE CONTAINS PAPERS

Under Vacation Resolution No. 2533

Adopted on the 15 day of January 1945
FOR

Oswald Court from
Walnut Street to
Magnolia Street
And

The Alley West of
Walnut Street from
Oswald Court to
the North line of
the first Alley South
of Oswald Court

Date of Hearing 2/5/45

Date of ^{assessment} ~~Continued~~ Hearing 3/12/45

Date of Confirmation _____

Date of Bids _____

Transcript finished 3/23/45

DEPARTMENT OF PUBLIC WORKS
CITY OF SOUTH BEND, INDIANA

COPY OF

Vacation Resolution

No. 2533

FOR VACATING

Oswald Court

Engineer's Report _____

Resolution Adopted 1/15/45

Notice Published 1/19 - 1/26/45

First Hearing 2/5/45

Final Order _____

Roll of Property Owners 3/12/45

Notice of Second Hearing _____

Second Hearing _____

Appeal _____

Record No. _____, page _____

COPY OF VACATION RESOLUTION

NO. 2533, 19

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

Oswald Court from Walnut St. to Magnolia St. and The alley West of Walnut St. from Oswald Court to the North line of the first alley South of Oswald Court.

The following property may be injuriously or beneficially effected by such vacation:

Lots 265 to 282, inclusive, Olivers 2nd Addition.

Notice of this resolution shall be published on the 19 day of Jan and on the 26 day of Jan 1945 in the South Bend Daily Tribune.

This Board, at its office in the City Hall on the 5 day of Feb 1945 at 11:00 AM will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 15th day of January 1945

APPROVED BOARD OF PUBLIC WORKS & SAFETY

Faint vertical text and handwritten notes on the left side of the page, including 'Notice of this resolution shall be published...' and 'The following property may be injuriously or beneficially effected by such vacation:'. There are also some handwritten numbers and dates like '2/15/45' and '2/26/45'.

The following property may be injuriously or beneficially effected by such vacation:

Lots 265 to 282, inclusive,
Olivers 2nd Addition.

Notice of this resolution shall be published on the 19 day of Jan and on the 26 day of Jan 1945
in the South Bend Daily Tribune.

This Board, at its office in the City Hall on the 5 day of Feb 1945 at 11:00 AM ~~7:00 PM~~ will hear and receive
remonstrances from all persons interested in or affected by these proceedings.

Adopted this 15th day of January 1945

APPROVED

BOARD OF PUBLIC WORKS & SAFETY

Jan 13 1945
Cliff E. Williams
[Signature]

BOARD OF PUBLIC WORKS

LEGAL NOTICE

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

Oswald Court from Walnut Street to Magnolia Street
and

The alley West of Walnut Street from Oswald Court
to the North line of the first alley south of Oswald Court.

The following property may be injuriously or beneficially
effected by such vacation:

Lots 265 to 282 inclusive, Olivers 2nd Addition.

Notice of this resolution shall be published on the
19th day of January and on the 26th day of January, 1945
in the South Bend Daily Tribune and the Weekly Mirror.

This Board, at its office in the City Hall on the
5th day of February, 1945 at 11:00 A.M. will hear and
receive remonstrances from all persons interested in or
affected by these proceedings.

Adopted this 15th day of January, 1945.

ATTEST:

James P. Conboy, Clerk

Clyde E. Williams
M. T. Cummings
Nathan Levy

IM 9-38

STATE OF INDIANA }
ST. JOSEPH COUNTY } ss.

Personally appeared before me the undersigned

CHARLES E. CROCKETT

one of the publishers of the SOUTH BEND TRIBUNE, a public newspaper of general circulation, printed and published in the City of South Bend, in the County aforesaid, who being duly sworn, upon his oath saith, that the notice, of which the attached

is a true copy, was published in the Tribune for.....*Two*.....

.....times successively, to-wit:

On the.....*19th*.....day of.....*January*.....19..*45*..

On the.....*26th*.....day of.....*January*.....19..*45*..

and on theday of.....19...

.....*Charles E. Crockett*.....
Secretary

Subscribed and sworn to before me this.....*26th*.....

day of*January*....., 19..*45*..

.....*Harold M. Hatfield*.....
Notary Public

My commission Expires May 10, 1945.

LEGAL NOTICE.
RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:
Oswald Court from Walnut Street to Magnolia Street and the alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court.
The following property may be injured or beneficially affected by such vacation:
Lots 265 to 282 inclusive, Oliver's 2nd Addition.
Notice of this resolution shall be published on the 19th day of January and on the 26th day of January, 1945 in the South Bend Daily Tribune and the Weekly Mirror.
This Board, at its office in the City Hall on the 5th day of February, 1945, at 11:00 A. M. will hear and receive remonstrances from all persons interested in or affected by these proceedings.
Adopted this 15th day of January, 1945.
Clyde E. Williams,
M. T. Cummings,
Nathan Levy,
BOARD OF PUBLIC WORKS.
Attest:
James P. Conboy, Clerk. 21 19-28.

Charges.....*7.53*.....

LEGAL NOTICE

STATE OF INDIANA
COUNTY OF ST. JOSEPH SS:

NOTICE is hereby given that the Board of Public Works of the City of South Bend, Indiana, will on the 12th day of March, 1945 at 11:00 A. M. (C. W. T.) at its office in the City Hall, hold a meeting for the purpose of taking final action on Vacation Resolution No. 2533 same being as follows:

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

OSWALD COURT FROM WALNUT STREET TO MAGNOLIA STREET, and the ALLEY WEST OF WALNUT STREET from Oswald Court to the North line of the first alley South of Oswald Court.

The following property may be injuriously or beneficially effected by such vacation:

Lot No. 265, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 266, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 267, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 268, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 269, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 270, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 271, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 272, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 273, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 274, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 275, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 276, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 277, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 278, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 279, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 280, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 281, Oliver's 2nd		
Addition	00.00	00.00
Lot No. 282, Oliver's 2nd		
Addition	00.00	00.00
Total net benefits	00.00	
Total net damages	00.00	

Respectfully submitted this 19th day of February, 1945.

CLYDE E. WILLIAMS,
City Civil Engineer.

APPROVED:
Clyde E. Williams,
Nathan Levy,
M. T. Cummings,
BOARD OF PUBLIC WORKS.

ATTEST:
James P. Conboy, Clerk. 2:23-3:2

THE MIRROR, South Bend, Ind.
307 W. Jefferson Blvd. Phone: 3-2635

PROOF OF PUBLICATION

State of Indiana, St. Joseph County, ss.

Personally came before me, the undersigned,

Helen Sagers, who on oath says: that ~~she~~ is auditor of THE MIRROR and of Mirror Press, Inc., the publishers thereof; that ~~she~~ is authorized to make this affidavit in its behalf; that THE MIRROR is a public newspaper of general circulation printed and published in the English language in the City of South Bend, in the aforesaid county and state; that a notice of which the copy attached hereto is a true and correct copy, was published in said newspaper

for two weeks, successively, to-wit:

On the 22nd day of February 1945

On the 2nd day of March 1945

On the _____ day of _____ 194_____

And on _____ day of _____ 194_____

Fee \$15.77

Subscribed and sworn to before me this 22nd

day of March 1945.

Frank Farrington

Notary Public.

My commission expires _____

My commission expires Dec. 8, 1945

(Seal)

1M 9-38

STATE OF INDIANA } ss.
ST. JOSEPH COUNTY }

Personally appeared before me the undersigned

CHARLES E. CROCKETT

one of the publishers of the SOUTH BEND TRIBUNE, a public newspaper of general circulation, printed and published in the City of South Bend, in the County aforesaid, who being duly sworn, upon his oath saith, that the notice, of which the attached is a true copy, was published in the Tribune for.....

.....times successively, to-wit:

On the.....*23rd* day of.....*February*.....19...*45*

On the.....*2nd* day of.....*March*.....19...*45*

and on theday of.....19...

C. E. Williams
.....

Secretary

Subscribed and sworn to before me this.....*2nd*.....

day of.....*February*.....19...*45*

Harold M. Hatfield
.....
Notary Public

My commission Expires May 10, 1945.

LEGAL NOTICE.
STATE OF INDIANA, County of St. Joseph, ss:
Notice is hereby given that the Board of Public Works of the City of South Bend, Indiana, will on the 12th day of March, 1945, at 11:00 A. M. [C.W.T.] at its office in the City Hall, hold a meeting for the purpose of taking final action on Vacation Resolution No. 2533 same being as follows:
RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:
OSWALD COURT FROM WALNUT STREET TO MAGNOLIA STREET, and the ALLEY WEST OF WALNUT STREET from Oswald Court to the North line of the First alley South of Oswald Court.
The following property may be injuriously or beneficially effected by such vacation:
Lot No. 265 Oliver's 2nd Add. 00.00 00.00
Lot No. 266 Oliver's 2nd Add. 00.00 00.00
Lot No. 267 Oliver's 2nd Add. 00.00 00.00
Lot No. 268 Oliver's 2nd Add. 00.00 00.00
Lot No. 269 Oliver's 2nd Add. 00.00 00.00
Lot No. 270 Oliver's 2nd Add. 00.00 00.00
Lot No. 271 Oliver's 2nd Add. 00.00 00.00
Lot No. 272 Oliver's 2nd Add. 00.00 00.00
Lot No. 273 Oliver's 2nd Add. 00.00 00.00
Lot No. 274 Oliver's 2nd Add. 00.00 00.00
Lot No. 275 Oliver's 2nd Add. 00.00 00.00
Lot No. 276 Oliver's 2nd Add. 00.00 00.00
Lot No. 277 Oliver's 2nd Add. 00.00 00.00
Lot No. 278 Oliver's 2nd Add. 00.00 00.00
Lot No. 279 Oliver's 2nd Add. 00.00 00.00
Lot No. 280 Oliver's 2nd Add. 00.00 00.00
Lot No. 281 Oliver's 2nd Add. 00.00 00.00
Lot No. 282 Oliver's 2nd Add. 00.00 00.00
Total net benefits00.00
Total net damages00.00
Respectfully submitted this 18th day of February, 1945.
CLYDE E. WILLIAMS,
City Civil Engineer.
ATTEST: James P. Conboy, Clerk.
APPROVED
CLYDE E. WILLIAMS,
NATHAN LEVY
M. T. CUMMINGS
BOARD OF PUBLIC WORKS.
2t 23-2.

Charges.....*12.48*.....

COPY OF
PUBLICATION PRINT

LEGAL NOTICE
RESOLVED BY THE BOARD OF
PUBLIC WORKS OF THE CITY OF
SOUTH BEND, INDIANA: That it is
desirable to vacate the following:

Oswald Court from Walnut Street to
Magnolia Street

and

The alley West of Walnut Street from
Oswald Court to the North line of the
first alley South of Oswald Court.

The following property may be in-
jurious or beneficially effected by
such vacation:

Lots 265 to 282 inclusive, Oliver's 2nd
Addition.

Notice of this resolution shall be
published on the 19th day of January
and on the 26th day of January, 1945
in the South Bend Daily Tribune and
the Weekly Mirror.

This Board, at its office in the City
Hall on the 5th day of February, 1945
at 11:00 A. M. will hear and receive
remonstrances from all persons inter-
ested in or affected, by these proceed-
ings.

Adopted this 15th day of January,
1945.

Clyde E. Williams,
M. T. Cummings,
Nathan Levy,

BOARD OF PUBLIC WORKS.

ATTEST:

James P. Conboy, Clerk.

1:19-26

THE MIRROR, South Bend, Ind.
307 W. Jefferson Blvd.

Phone: 3-2635

PROOF OF PUBLICATION

State of Indiana, St. Joseph County, ss.

Personally came before me, the undersigned,

Helen Seago, who
on oath says: that ~~she~~ is auditor of THE MIRROR
and of Mirror Press, Inc., the publishers thereof; that
~~she~~ is authorized to make this affidavit in its behalf; that
THE MIRROR is a public newspaper of general circula-
tion printed and published in the English language in
the City of South Bend, in the aforesaid county and
state; that a notice of which the copy attached hereto is
a true and correct copy, was published in said newspaper

for two weeks, successively, to-wit:

On the 19th day of January 1945

On the 26th day of January 1945

On the day of 194

And on day of 194

Fee \$ 7.56

Helen Seago
Subscribed and sworn to before me this 16th

day of January 1945.

My commission expires

My commission expires June 6, 1947.

Notary Public

(Seal)

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc., and accompanied with the blue copy of requisition.

City of South Bend, Indiana

ON ACCOUNT OF APPROPRIATION

To MIRROR PRESS, Inc. Dr.

Requisition No. Bd. of Public Works

Street Address 307 W. Jefferson Blvd.

194 <u>5</u>		ITEMIZED CLAIM	DOLLARS	CTS.
March	2	Legal Notice of Vacation as published in The MIRROR on February 23 & March 2, 1945.	1	577

*Paid
5-29-45
Henry Zuver
Mirror Press Inc.*

STATE OF INDIANA, St. Joseph COUNTY:

I, John Henry Zuver, Sr. of South Bend Indiana, vacation Pres.-MIRROR PRESS, Inc.

swear that the foregoing bill in the sum of \$ 15.77 is true and correct; that the said city has received the full value and the exact consideration therein named; that the prices therein charged are in accordance with contract or statute; that the said bill or any part thereof has not been paid or commuted, and that neither bonus, commission nor any other consideration has been given or promised within my knowledge or belief, because of the proposed exchange of values therein set forth, or for any other reason.

Subscribed and sworn to before me, this 5th day of March, 1945

My Commission expires December 8, 1948

John Henry Zuver, Sr.
Frank Harrington
Notary Public.

A claim to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc., and accompanied with the blue copy of requisition.

City of South Bend, Indiana

ON ACCOUNT OF APPROPRIATION

To MIRROR PRESS, Inc. Dr.

Requisition No. Bd. of Public Works

Street Address 307 W. Jefferson Blvd.

194 <u>5</u>		ITEMIZED CLAIM	DOLLARS	CTS.
Jan.	26	Legal Notice of vacation as published in The MIRROR on January 19 & 26, 1945.	7	56

Paid
3-29-45
Mirror Press Inc.
Huber

STATE OF INDIANA, St. Joseph COUNTY: I, John Henry Zaver, Sr. of South Bend, Indiana, Pres.-MIRROR PRESS, Inc.

swear that the foregoing bill in the sum of \$ 7.56 is true and correct; that the said city has received the full value and the exact consideration therein named; that the prices therein charged are in accordance with contract or statute; that the said bill or any part thereof has not been paid or commuted, and that neither bonus, commission nor any other consideration has been given or promised within my knowledge or belief, because of the proposed exchange of values therein set forth, or for any other reason.

Subscribed and sworn to before me, this 29th day of January, 1945
 My Commission expires December 8, 1948
John Henry Zaver, Sr.
Frank Farrington
 Notary Public.

STATE OF INDIANA
COUNTY OF ST. JOSEPH

SS:

TRANSCRIPT OF PROCEEDINGS IN RE:
VACATION RESOLUTION NO. 2533

Record No. 17

Tuesday, December 26, 1944

Board met in regular session at 9:00 A.M. All members were present.

A petition to vacate the court or alley extending East and West between South Walnut Street and Magnolia Street known as Oswald Court and which lies parallel to the right of way of the South Bend, St. Joseph and Southern Railway at a point approximately 124.3 feet South of the South line of said right of way, and to vacate the North and South alley extending from the South line of said Oswald Court South to the North line of the first East and West alley extending between said South Walnut Street and Magnolia Street, was received by the Board, and referred to the City Plan Commission for approval.

***** @ *****

Record No. 17

Monday, January 8, 1945

Board met in regular session at 9:00 A.M. All members were present.

The City Plan Commission having approved the vacation of Oswald Court and the alley running South from Oswald Court, the Engineer was directed to prepare a vacation resolution for same.

Record No. 17

Monday, January 15, 1945

Board met in regular session at 9:00 A.M. Mr. Levy was absent.

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

OSWALD COURT from Walnut Street to Magnolia Street

and

The Alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court.

The following property may be injuriously or beneficially effected by such vacation:

Lots 266 to 282 inclusive, Olivers 2nd Addition.

Notice of this resolution shall be published on the 19th day of January and on the 26th day of January, 1945, in the South Bend Daily Tribune and the Weekly Mirror.

This Board, at its office in the City Hall, on the 5th day of February, 1945 at 11:00 A.M., will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 15th day of January, 1945.

Record No. 17

Monday, January 8, 1945

Board met in regular session at 9:00 A.M. All members were present.

The City Plan Commission having approved the vacation of Oswald Court and the alley running South from Oswald Court, the Engineer was directed to prepare a vacation resolution for same.

Record No. 17

Monday, January 15, 1945

Board met in regular session at 9:00 A.M. Mr. Levy was absent.

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

OSWALD COURT from Walnut Street to Magnolia Street

and

The Alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court.

The following property may be injuriously or beneficially effected by such vacation:

Lots 266 to 282 inclusive, Olivers 2nd Addition.

Notice of this resolution shall be published on the 19th day of January and on the 26th day of January, 1945, in the South Bend Daily Tribune and the Weekly Mirror.

This Board, at its office in the City Hall, on the 5th day of February, 1945 at 11:00 A.M., will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 15th day of January, 1945.

ATTEST:

James P. Conboy, Clerk

Clyde E. Williams
Nathan Levy
M. T. Cummings
BOARD OF PUBLIC WORKS

Record No. 17

Monday, February 5, 1945

Board met in regular session at 9:00 A.M. All members present.

This being the date set hearing was had on the resolution heretofore adopted by the Board of Public Works for the vacation of Oswald Court from Walnut Street to Magnolia Street and the Alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court under vacation resolution No. 2533. The Clerk of the Board having shown sufficient proofs of publication and no remonstrators having appeared and no written remonstrances having been filed, it was moved, seconded and unanimously carried that the resolution be finally adopted and the said Court and the said alley be vacated. The Engineering Department is directed to prepare an assessment roll covering the assessment of benefits and the awards of damages to the surrounding properties.

Record No. 17

Monday, February 19, 1945.

Board met in regular session at 9:00 A.M. All members present.

Mr. Clyde E. Williams, City Engineer, filed primary assessment roll showing the awards of damages and the assessment of benefits in the matter of the vacation of Oswald Court from Walnut Street to Magnolia Street and the Alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court, under vacation resolution No. 2533

In the above named assessment roll the Board hereby orders that it will meet in the City Hall at 11:00 A.M. on the 12th day of March, 1945 for the purpose of hearing and receiving remonstrances from all persons interested in or affected by said vacation, and the Board further orders that notice of said hearing, together with the amount of the damages awarded and benefits assessed be addressed to the property owners by publication of same on the 23rd day of February and on the 2nd day of March, 1945 in the South Bend Daily Tribune and the Weekly Mirror.

The following property may be injuriously or beneficially affected by such vacation:

Lot No. 265	Oliver's 2nd Addition	00.00	00.00
Lot No. 266	Oliver's 2nd Addition	00.00	00.00
Lot No. 267	Oliver's 2nd Addition	00.00	00.00
Lot No. 268	Oliver's 2nd Addition	00.00	00.00
Lot No. 269	Oliver's 2nd Addition	00.00	00.00
Lot No. 270	Oliver's 2nd Addition	00.00	00.00
Lot No. 271	Oliver's 2nd Addition	00.00	00.00
Lot No. 272	Oliver's 2nd Addition	00.00	00.00
Lot No. 273	Oliver's 2nd Addition	00.00	00.00
Lot No. 274	Oliver's 2nd Addition	00.00	00.00
Lot No. 275	Oliver's 2nd Addition	00.00	00.00
Lot No. 276	Oliver's 2nd Addition	00.00	00.00
Lot No. 277	Oliver's 2nd Addition	00.00	00.00
Lot No. 278	Oliver's 2nd Addition	00.00	00.00
Lot No. 279	Oliver's 2nd Addition	00.00	00.00
Lot No. 280	Oliver's 2nd Addition	00.00	00.00
Lot No. 281	Oliver's 2nd Addition	00.00	00.00
Lot No. 282	Oliver's 2nd Addition	00.00	00.00

Total net benefits 00.00
Total net damages 00.00

Respectfully submitted this 19th day of February, 1945.

first alley South of Oswald Court, under vacation resolution No. 2533

In the above named assessment roll the Board hereby orders that it will meet in the City Hall at 11:00 A.M. on the 12th day of March, 1945 for the purpose of hearing and receiving remonstrances from all persons interested in or affected by said vacation, and the Board further orders that notice of said hearing, together with the amount of the damages awarded and benefits assessed be addressed to the property owners by publication of same on the 23rd day of February and on the 2nd day of March, 1945 in the South Bend Daily Tribune and the Weekly Mirror.

The following property may be injuriously or beneficially affected by such vacation:

Lot No. 265	Oliver's 2nd Addition	00.00	00.00
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Lot No. 268	Oliver's 2nd Addition	00.00	00.00
Lot No. 269	Oliver's 2nd Addition	00.00	00.00
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Lot No. 273	Oliver's 2nd Addition	00.00	00.00
Lot No. 274	Oliver's 2nd Addition	00.00	00.00
Lot No. 275	Oliver's 2nd Addition	00.00	00.00
Lot No. 276	Oliver's 2nd Addition	00.00	00.00
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Lot No. 278	Oliver's 2nd Addition	00.00	00.00
Lot No. 279	Oliver's 2nd Addition	00.00	00.00
Lot No. 280	Oliver's 2nd Addition	00.00	00.00
Lot No. 281	Oliver's 2nd Addition	00.00	00.00
Lot No. 282	Oliver's 2nd Addition	00.00	00.00
Total net benefits	00.00		
Total net damages	00.00		

Respectfully submitted this 19th day of February, 1945.

Clyde E. Williams,
City Civil Engineer

ATTEST:

James P. Cobboy, Clerk

APPROVED:

Clyde E. Williams
Nathan Levy
M. T. Cummins, Board of Public Works

Monday, March 12, 1945

This being the date set, hearing was had on the assessment roll showing the awards of damages and the assessments of benefits in the matter of the vacation of Oswald Court from Walnut Street to Magnolia Street and the alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court, under vacation resolution No. 2533.

In the above named assessment roll, no remonstrators appeared and and no written remonstrances were filed, the Clerk of the Board submitted proofs of publication of notices and same were found sufficient, and the Board, therefore, finds that the several lots and parcels of land have been benefitted and damaged in the amounts shown on said roll, and the Board, therefore, decides to take final action on said assessment roll and declares same in all things ratified, confirmed and approved without modification, and the proceedings closed and the court and alley vacated, upon receipt of the amount of benefit assessments from the various property owners so benefitted and all proceedings had with reference to said Court and alley vacation are hereby sustained.

I, James P. Conboy, Clerk of the Board of Public Works and Safety of the City of South Bend, Indiana, do hereby certify that the above and foregoing is a true and complete copy of the proceedings in regard to the vacation of Oswald Court from Walnut Street to Magnolia Street and the alley West of Walnut Street from Oswald Court to the North line of the first alley South of Oswald Court, under vacation resolution No. 2533.

Given under my hand and the seal of this office, this 23rd day of March, 1945.

Clerk of the Board of Public Works and Safety of the City of South Bend, Indiana

BUILDING DEPARTMENT
CITY OF SOUTH BEND, INDIANA
DALTON MOOMAW
BUILDING COMMISSIONER

Jan 5-1945

To The Board of Public Works & Safety
South Bend, Ind.

Gentlemen: Petition of George Swiatowy, et al.
for vacating of Oswald Court and alley running
south from Oswald Ct. to first alley running
east and west was considered by City Plan
Commission at their regular meeting Jan. 4th

The vacation of this court and alley is approved
as petitioned for.

City Plan Commission
by D. Moomaw, Sect.

P E T I T I O N

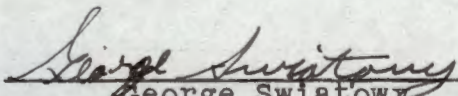
TO THE HONORABLE BOARD OF PUBLIC WORKS AND
SAFETY OF THE CITY OF SOUTH BEND, INDIANA

Gentlemen:-

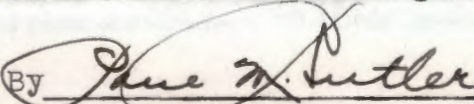
The undersigned property owners petition your honorable body to vacate the court or alley extending east and west between South Walnut Street and Magnolia Street in the City of South Bend, which court or alley is known as Oswald Court and lies parallel to the right of way of the South Bend, St. Joseph & Southern Railroad at a point approximately One Hundred Twenty-four and $\frac{3}{10}$ (124.3) feet south of the south line of said right of way and to vacate the north and south alley extending from the south line of said Oswald Court south to the north line of the first east and west alley extending between said South Walnut Street and said Magnolia Street in said City of South Bend.

The undersigned are the owners of all real estate contiguous to said court and alley sought to be vacated herein.

Dated at South Bend, Indiana, this 26th day of
December, 1944.


George Swiatowy

Matthews-Krauss Baking Company

By 
Paul M. Butler

Jones, Obenchain & Butler
Attorneys for Petitioners

SOUTH BEND, ST. JOSEPH & SOUTHERN RAILROAD

N. J. I. & I. RAILROAD



MAGNOLIA STREET

60' DISTRICT BOUNDARY LINE



INDIANA AVENUE 70'

WALNUT STREET

60' DISTRICT BOUNDARY LINE



VACATION

OF OSWALD COURT FROM WALNUT ST. TO MAGNOLIA AND THE ALLEY WEST OF STREET FROM OSWALD TO THE NORTH LINE FIRST ALLEY SOUTH OF COURT



CITY OF SOUTH BEND
CLYDE E. WILLIAMS EN

SCALE 1" = 100' DATE JAN. 9, 1945

SOUTHERN RAILROAD

271	"	20'
270	"	20'
269	"	20'
268	"	20'
267	"	20'
266	41'	20'
265	55.11'	20'

COURT TO BE VACATED

278	"	41'	165.88
279	107'	41'	280
"	"	35 1/2'	147.3'
281	"	35 1/2'	130.8'
282	"	35 1/2'	117.7'

16' ALLEY	42'	"	42'	168.8'
"	42'	"	"	283
"	"	"	"	158.8'
"	42'	"	"	284
"	"	"	"	152.5'
"	42'	"	"	285
"	"	"	"	150'

292	"	39.5'
291	"	39.5'
290	"	39.5'
289	"	39.5'
100'	"	39.5'

WALNUT

DISTRICT BOUNDARY LINE
60'

263	20' ALLEY
262	20' ALLEY
261	20' ALLEY
260	20' ALLEY
259	20' ALLEY
258	20' ALLEY
257	20' ALLEY
256	20' ALLEY
255	20' ALLEY

VENUE 70'

VACATION

OF OSWALD COURT FROM WALNUT ST. TO MAGNOLIA ST.

AND

THE ALLEY WEST OF WALNUT STREET FROM OSWALD COURT TO THE NORTH LINE OF THE FIRST ALLEY SOUTH OF OSWALD COURT

Clyde E. Williams

CITY OF SOUTH BEND IND.
CLYDE E. WILLIAMS ENGINEER

SCALE 1"=100'	DATE JAN. 9, 1945	DRAWN BY LAMIRAND
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LEGAL NOTICE

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Notice is hereby given that the Board of Public Works of the City of South Bend, Indiana, will on the 12th day of March, 1945 at 11:00 A.M. (C.W.T.) at its office in the City Hall, hold a meeting for the purpose of taking final action on Vacation Resolution No. 2533 same being as follows:

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

OSWALD COURT FROM WALNUT STREET TO MAGNOLIA STREET, and the ALLEY WEST OF WALNUT STREET from Oswald Court to the North line of the First alley South of Oswald Court.

The following property may be injuriously or beneficially effected by such vacation:

Lot No. 265	Oliver's 2nd Addition	00.00	00.00
Lot No. 266	" " "	00.00	00.00
Lot No. 267	" " "	00.00	00.00
Lot No. 268	" " "	00.00	00.00
Lot No. 269	" " "	00.00	00.00
Lot No. 270	" " "	00.00	00.00
Lot No. 271	" " "	00.00	00.00
Lot No. 272	" " "	00.00	00.00
Lot No. 273	" " "	00.00	00.00
Lot No. 274	" " "	00.00	00.00
Lot No. 275	" " "	00.00	00.00
Lot No. 276	" " "	00.00	00.00
Lot No. 277	" " "	00.00	00.00
Lot No. 278	" " "	00.00	00.00
Lot No. 279	" " "	00.00	00.00
Lot No. 280	" " "	00.00	00.00
Lot No. 281	" " "	00.00	00.00
Lot No. 282	" " "	00.00	00.00

Total net benefits 00.00
Total net damages 00.00

Respectfully submitted this 19th day of February, 1945.

Clyde E. Williams,
City Civil Engineer

ATTEST:

James P. Conboy, Clerk

APPROVED:

Clyde E. Williams,
Nathan Levy
M. T. Cummings
BOARD OF PUBLIC WORKS

Assessment Roll No. _____

VACATION

On Oswald Court ~~West~~
Walnut St. to Magnolia St.
From and the alley West of Walnut
St. from Oswald Court
To the North line of the first
alley South of Oswald Court.
under ~~Improvement~~ Resolution No. 2533

VACATION

adopted on the 15th day of
January, 1945, and

recorded in Record _____ Page _____

Contract signed on the _____ day of
_____, 19_____

NET DAMAGES \$00.00

NET BENEFITS \$00.00

Assessment Roll Filed _____

Assessment Roll Hearing _____

Assessment Roll Confirmed _____

Final Estimate Allowed _____

Date of Acceptance _____

Notices sent _____

ASSESSMENT ROLL NO. _____

The total frontage assessed for pavement is feet, at per front foot.....

The total frontage assessed for pavement is feet, at per front foot.....

The total frontage assessed for pavement is feet, at per front foot.....

“ “ area “ “ sewer is sq. ft. “ sq. foot

“ “ area “ “ sewer is sq. ft. “ sq. foot

“ “ frontage “ “ grade is feet at per front foot.....

“ “ frontage “ “ curb is “ “ “ “ “

“ “ frontage “ “ cement walk is “ “ “ “ “

Vacation

The total cost of the ~~improvements~~ is \$ **00.00** Amount assessed to City \$ **00.00**

And in the following tabular statement is given the name of each property owner on that part of the street so improved; the number of front feet owned by the respective owners; the amount of the cost of such improvement assessed upon each lot or parcel of ground bordering thereon; the full description, together with the owner's name, of each lot or parcel of ground bordering on said part of said street so improved; the amount of allowance made to each owner on account of former improvements, and the net amount due from the owner of each tract of real estate, after deducting the aforesaid allowances.

All of said real estate bordering on said improvements being in the City of South Bend, St. Joseph County, Indiana.

In describing said real estate, the following abbreviations are made to-wit: N. for North; S. for South; E. for East; W. for West; ft. for feet; ex. for except; Sd. for side; Ed, for end; C, for chains; L, for links; O. P. for original plat; B, L, for lots contained in the State Bank of Indiana's 1st, 2nd and 3rd Plats of Out-Lots to the Town of South Bend, which lots are numbered consecutively through the several plats, from 1 in 1st plat to 130 in 3rd plat; Add. for addition; Sub. for subdivision; L. for Lowell; T. S. B. for Town of South Bend; C. S. B. for City of South Bend.

Description of Real Estate		No. of feet front	ASSESSMENT			
Bordering on the Improvement			NET DAMAGES		NET BENEFITS	
PART OF LOT	Name of Addition or Sub-Div.	NAME OF OWNER	\$	Cts.	\$	Cts.
COPY OF VACATION RESOLUTION						
NO. 2533						
RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA:						
That it is desirable to vacate the following:						

OSWALD COURT FROM WALNUT ST. TO MAGNOLIA ST. AND

THE ALLEY WEST OF WALNUT ST. FROM OSWALD COURT TO THE NORTH
LINE OF THE FIRST ALLEY SOUTH OF OSWALD COURT.

The following property may be injuriously or beneficially affected
by such vacation:

265	Oliver's 2nd Addition	00.00	00.00
266	"	00.00	00.00
267	"	00.00	00.00
268	"	00.00	00.00
269	"	00.00	00.00
270	"	00.00	00.00
271	"	00.00	00.00
272	"	00.00	00.00
273	"	00.00	00.00
274	"	00.00	00.00
275	"	00.00	00.00
276	"	00.00	00.00
277	"	00.00	00.00
278	"	00.00	00.00
279	"	00.00	00.00
280	"	00.00	00.00
281	"	00.00	00.00
282	"	00.00	00.00

		00.00	00.00
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APPROVED
1

APPROVED
GUARANTY OF PUBLIC WORKS & SAFETY

APPROVED

BOARD OF PUBLIC WORKS & SAFETY

FEB 19 1945

Total amount due to ~~XXXXXX~~ for the ~~XXXXXX~~ ^{Vacation} \$00.00

Respectfully submitted this ^{19th} day of ^{Feb}, 19⁴⁵

Clyde E. Williams Civil Engineer