

Vacation

#2895

The 2nd alley east of High
Street from Broadway north
to the south line of the alley
north of Broadway.

Adopted Jan. 27, 1958

Anthony J. Sabo
City Hall

#2875

37657

BOOK 158 PAGE 250

State of Indiana)
(SS:
County of St. Joseph)

STATE OF INDIANA) S.S. NO.
ST. JOSEPH COUNTY)
FILED FOR RECORD)
MAR 25 3 16 PM '58
BOOK PAGE
EMERY L. HIRSCHLER
RECORDER

THE SECOND ALLEY EAST OF HIGH STREET FROM BROADWAY
NORTH
TRANSCRIPT OF PROCEEDINGS IN RE: VACATION OF
VACATION RESOLUTION NO. 2875

Record No. 19, Page 629

Monday, August 12, 1957

Board met in regular session at 10:00 A.M. (CST). All members were present.

A petition was received from Reliable Dairy, Inc. asking for the vacation of an alley running and extending east from High Street, which said alley is the second alley to the east of High Street and extending north from Broadway east of High Street. Petition referred to the City Planning Commission for investigation and recommendation.

Record No. 20, Page 698
Monday, January 20, 1958

Board met in regular session at 10:00 A.M. All members were present. A letter is hereby received from the City Planning Commission favorably recommending the petition to vacate approximately 140 feet of the second north-south alley east of High Street and north of Broadway subject to retention of utility easements. Letter now referred to the City Engineering Department for preparation of a Vacation Resolution.

Record No. 20, Page 701
Monday, January 27, 1958

Board met in regular session at 10:00 A.M. All members were present. RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:

running and extending

THE SECOND ALLEY EAST OF HIGH STREET FROM BROADWAY
NORTH TO THE SOUTH LINE OF THE ALLEY NORTH OF BROAD-
WAY, SUBJECT TO RETENTION OF UTILITY EASEMENTS.

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

Lots numbered 123 and 124 - WENGER AND KREIGHBAUM'S
2nd ADDITION

Notice of this Resolution shall be published on the 31st day of Janu-
ary and on the 7th day of February, 1958 in the South Bend Tribune and The
Record.

This Board, at its office in the City Hall on the 10th day of February,
1958 at 10:00 A.M. (CST) will hear and receive remonstrances from all persons
interested in or affected by these proceedings.

Adopted this 27th day of January, 1958.

R. S. Andrysiak
Frank J. Bruggner
Irving J. Smith

Record No. 20, Page 708

Monday, February 10, 1958

Board met in regular session at 10:00 A.M. All members were present.

This being the date set, hearing was held on the Resolution heretofore
adopted by the Board of Public Works and Safety for the vacation of the SECOND
ALLEY EAST OF HIGH STREET FROM BROADWAY NORTH TO THE SOUTH LINE OF THE ALLEY
NORTH OF BROADWAY, subject to retention of utility easements under Vacation
Resolution No. 2875, 1958.

BOOK 158 PAGE 251

The Clerk of the Board having shown sufficient proofs of publication and
no remonstrators having appeared and no written remonstrances having been
filed with the Clerk, it was moved, seconded and unanimously carried that the

Board met in regular session at 10:00 A.M. (CST). All members were present said Resolution be finally adopted and the said alley vacated. The Engineering Department is directed to prepare an assessment roll covering the assessment of benefits and the awards of damages to the surrounding property.

R. S. Andrysiak, City Engineer, filed primary assessment roll showing the awards of damages and the assessment of benefits in the matter of the vacation of the SECOND ALLEY EAST OF HIGH STREET FROM BROADWAY NORTH TO THE SOUTH LINE OF THE ALLEY NORTH OF BROADWAY, subject to retention of utility easements under Vacation Resolution No. 2875, 1958.

In the abovenamed assessment roll, the Board hereby orders that it will meet in the City Hall at 10:00 A.M. (CST) on the 10th day of March, 1958 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 damages awarded and benefits assessed be addressed to the property owners by publishing same on the 14th day of February, 21st day of February, and on the 28th day of February, 1958 in the South Bend Tribune and The Record.

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

Lots numbered 123 and 124 - Wenger and Kreighbaum's
2nd Addition

Total net benefits 00.00
Total net damages 00.00

Respectfully submitted this 10th day of February, 1958.

R. S. Andrysiak
City Civil Engineer

I, Anthony J. Sabo, 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 proceedings in regard to the vacation of the SECOND ALLEY EAST OF HIGH STREET FROM BROADWAY NORTH TO THE SOUTH LINE OF THE ALLEY NORTH OF BROADWAY, SUBJECT TO RETENTION OF UTILITY EASEMENTS, under Vacation Resolution No. 2875, 1958

Given under my hand and the seal of this office, this 13th day of March, 1958.



A handwritten signature in dark ink, appearing to read "Anthony J. Sabo". The signature is written in a cursive style with a large, looping initial "A".

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

#2875

NO. 2875, 1958

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

THE SECOND ALLEY EAST OF HIGH STREET
FROM BROADWAY NORTH TO THE SOUTH LINE
OF THE ALLEY NORTH OF BROADWAY, SUBJECT
TO RETENTION OF UTILITY EASEMENTS

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

LOTS NUMBERED 123 and 124
WENGER and KREIGHBAUMS 2nd ADDITION

Notice of this resolution shall be published on the 31 day of Jan and on the 7 day of Feb, 1958 in the South Bend Daily Tribune.

This Board, at its office in the City Hall on the 10 day of Feb, 1958 at 10:00 A.M. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 27 day of Jan, 1958

APPROVED
BOARD OF PUBLIC WORKS & SAFETY

JAN 27 1958

[Handwritten signature]

[Handwritten signature]

CITY OF SOUTH BEND
SOUTH BEND, INDIANA
CITY PLANNING COMMISSION

12

J. FRANK MILES
PRESIDENT

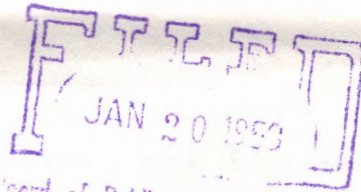
DONALD L. ADAIR
VICE-PRESIDENT

RAYMOND S. ANDRYSIK
DONALD F. ERHARDT
F. R. HENREKIN
BERT MCCLELLAN
CHESTER MUSZYNSKI
GALEN B. SARGENT
CHARLES A. VAN DEVEIRE
FOREST R. WEST

ROBERT L. HUFF
DIRECTOR OF PLANNING

Ref. Res.
2875

January 16, 1958



The Honorable Board of Works
City of South Bend
South Bend, Indiana

Gentlemen:

The attached petition to vacate approximately 140 feet of the second north-south alley east of High Street and north of Broadway was brought up at the regular meeting of January 9, 1958. The following action was taken:

After due consideration it was duly moved, seconded and unanimously carried that the petition be recommended favorably subject to retention of utility easements.

Very truly yours,

CITY PLANNING COMMISSION

Robert L. Huff
Robert L. Huff,
Director-Secretary

RLH/mah
Attach.

Secretary

FILED
AUG 12 1957

Board of Public Works & Safety
ANTHONY J. SAUNDERS, CLERK

PETITION

South Bend, Indiana, August 8, 1957

TO The Honorable Board of Public Works
of the City of South Bend, Indiana.

Gentlemen:

The undersigned property owner petitions your Honorable Board to vacate an alley running and extending north from East Broadway to an alley running and extending east from High Street, which said alley is the second alley to the east of High Street and extending north from Broadway east of High Street.

Yours respectfully,

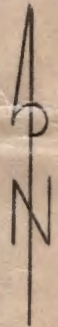
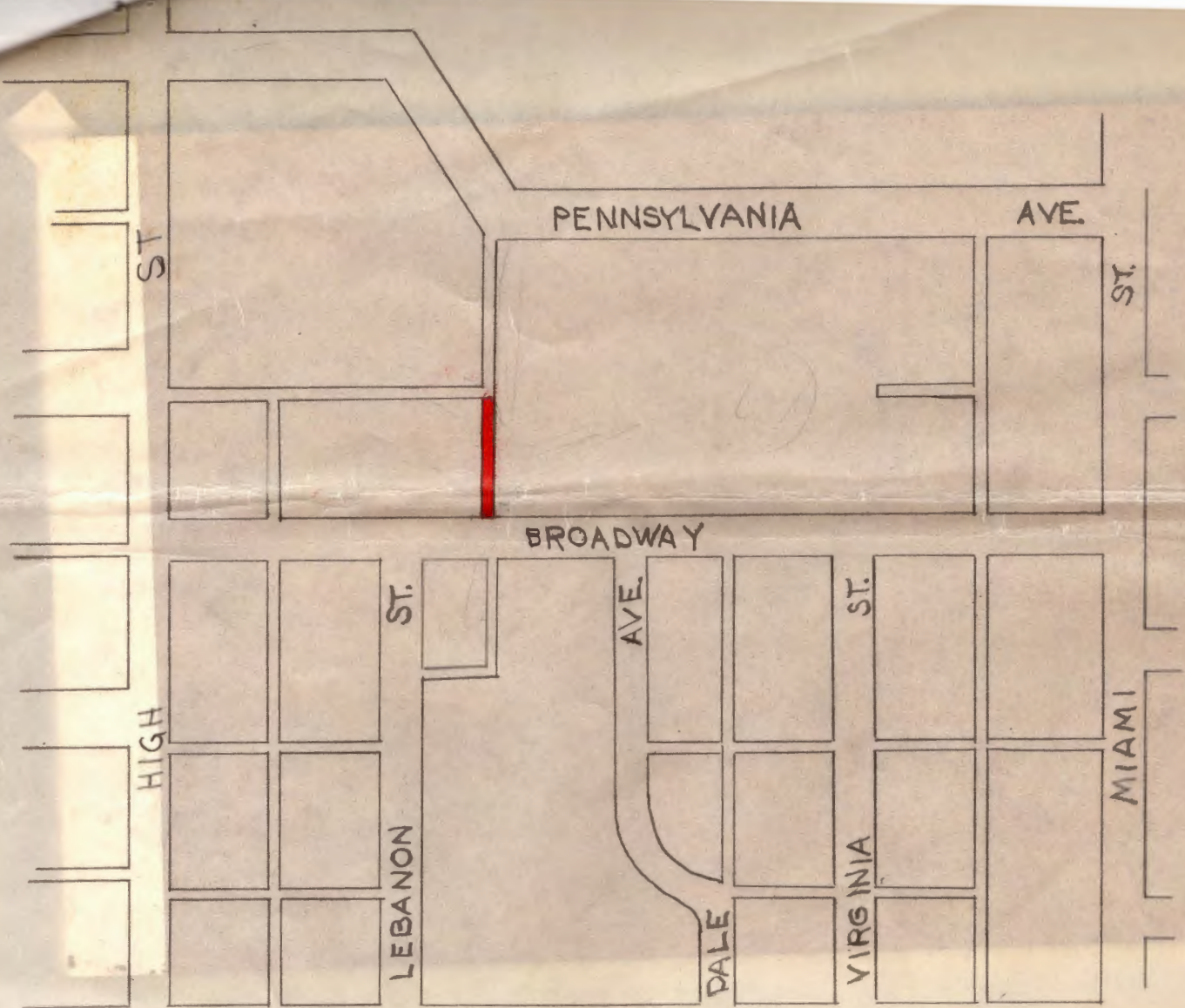
RELIABLE DAIRY, INC.

By

Frank Palmer

*Favorably Recommended by Planning
Commission - subj. retention of
utility easements. 9 Jan 57*

*Rob Huff
Secretary*



SCALE 1" = 200'

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 South Bend Tribune Dr.
Street _____
Address 225 W. Colfax

Requisition No. _____

19 <u>58</u>		ITEMIZED CLAIM	DOLLARS	CTS.
<u>Feb.</u>	<u>14</u>	<u>Vacation Resolution No. 2875, 1958</u>	<u>8</u>	<u>64</u>
		<u>3 times - 30 lines</u>		
		<u>February 14th, 21st, 28th.</u>		

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 same has been paid.

Signature
Title Credit Manager

Date February 28, 1958

This certification is in compliance with new Indiana Law; Chap. 155-SB 288; effective July 1, 1953.

RETURN BLUE COPY OF PURCHASE ORDER WITH CLAIMS.

**COPY OF
PUBLICATION PRINT**

**VACATION RESOLUTION
NO. 2875, 1958**

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

The second alley East of High Street from Broadway North to the South line of the alley North of Broadway, subject to retention of utility easements.

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

Lots Numbered 123 and 124. WENGER AND KREIGHBAUMS 2nd ADDITION.

NOTICE of this Resolution shall be published on the 31st day of January and on the 7th day of February, 1958 in the South Bend Tribune and The Record.

The Board, at its office in the City Hall on the 10th day of February, 1958 at 10:00 A. M. (C.S.T.) will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 27th day of January, 1958.

R. S. ANDRYSIAK
FRANK J. BRUGGNER
IRVING J. SMITH
BOARD OF PUBLIC WORKS
AND SAFETY.

1:31; 2:7

THE RECORD, South Bend, Ind.
307 W. Jefferson Blvd. Phone: CE 3-8868

PROOF OF PUBLICATION

State of Indiana, St. Joseph County, ss.

Personally came before me, the undersigned,

E. H. Hickey

who on oath says: that he is auditor of THE RECORD and of Record Press Corporation, the publishers thereof; that he is authorized to make this affidavit in its behalf; that THE RECORD (successor to 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 31st day of January 1958

On the 7th day of February 1958

On the _____ day of _____ 195

And on _____ day of _____ 195

Fee \$ 7.50

Extra Proofs @ 50c Each \$ _____

Total \$ _____

Subscribed and sworn to before me this 7th day of February 1958

Ruby McMahon
Notary Public.

My commission expires

2/9/62

(Seal)

To _____

Proof of publication, of which this is an exact duplicate and original affidavit for your files, has been filed with the clerk of the court, or other authority, from which the order of publication issued. It can be used, if necessary, in case of the original, filed officially, is mislaid or lost.

RECORD PRESS CORP., Publishers.

**COPY OF
PUBLICATION PRINT**

**VACATION RESOLUTION
NO. 2875, 1958**

NOTICE is hereby given that the Board of Public Works and Safety of the City of South Bend, Indiana will on the 10th day of March, 1958 at 10:00 A. M. (C.S.T.) at its office in the City Hall holding a meeting for the purpose of taking final action on Vacation Resolution No. 2875, same being as follows:

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

The second Alley East of High Street from Broadway North to the South line of the Alley North of Broadway, subject to retention of utility easements.

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

Lots Numbered 123 and 124—Wenger and Kreighbaum's 2nd Addition.

TOTAL NET BENEFITS 00.00
TOTAL NET DAMAGES 00.00

Respectfully submitted this 10th day of February, 1958.

R. S. ANDRYSIAK,
City Civil Engineer.
2:14-21-28

THE RECORD, South Be
307 W. Jefferson Blvd.

PROOF OF PUBLI

State of Indiana, St. Joseph County

Personally came before me

E. H. Hickey

on oath says: that he is auditor o and of Record Press Corporation, the that he is authorized to make t behalf; that THE RECORD (success is a public newspaper of general circ published in the English language in Bend, in the aforesaid county and stat which the copy attached hereto is a tru

was published in said newspaper for _____ successively, to-wit:

On the 14th day of Febr

On the 21st day of _____

On the 28th day of _____

And on _____ day of _____

Fee _____

Extra Proofs @ 50c Each _____

Total _____

Subscribed and sworn to before n day of February 1958

Ruby McMahon
My commission expires

2/9/62

To _____

Proof of publication, of which this is a original affidavit for your files, has been filed court, or other authority, from which the issued. It can be used, if necessary, in case officially, is mislaid or lost.

RECORD PRESS C

VACATION

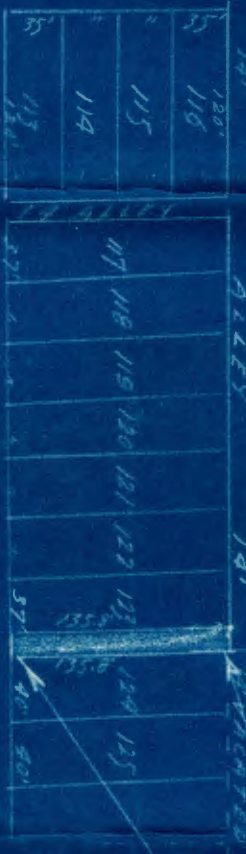
THE SECOND ALLEY EAST OF HIGH ST
FROM BROADWAY NORTH TO THE SOUTH LINE
OF DENVER ST

DENVER ST

AVENUE

HIGH ST

BROADWAY 50'



14' ALLEY TO BE RETRACTED

W. M. ...

CITY OF SEATTLE
PLANNING DEPARTMENT
SCALE DATE
APPROVED JAN 22 1907

Plan 21-2075

The total frontage assessed for pavement isfeet, at.....per front foot.....
 The total frontage assessed for pavement isfeet, at.....per front foot.....
 The total frontage assessed for pavement isfeet, at.....per front foot.....
 " " area " " sewer issq. ft....." sq. foot
 " " area " " sewer issq. ft....." sq. foot
 " " frontage " " grade isfeet at.....per front foot.....
 " " frontage " " curb isfeet at.....per front foot.....
 " " frontage " " cement walk isfeet at.....per front foot.....

The total cost of the Improvement is \$.....00.00..... Amount assessed to City \$.....

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 Bordering on the Improvement			No. of feet front	NAME OF OWNER	ASSESSMENT					
PART OF LOT	No. of Lots	Name of Addition or Sub-Div.			\$	Cts.	\$	Cts.	NET DAMAGES	NE BEN
								\$	Cts.	\$
COPY OF VACATION RESOLUTION										
No. 2875										
RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:										
THE SECOND ALLEY EAST OF HIGH STREET FROM BROADWAY NORTH TO THE SOUTH LINE OF THE ALLEY NORTH OF BROADWAY, SUBJECT TO RETENTION OF UTILITY EASEMENTS.										

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

LOTS NUMBERED 123 and 124

123 Wenger & Kreighbaums
2nd Addition

00.00 00

124 " "

00.00 00