

3390

IMP. RES.

Riverside Dr. & Place

Sanitary Sewer

RESCINDED

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

FILED

JAN 14 1973

TO: HONORABLE BOARD OF PUBLIC WORKS,
CITY OF SOUTH BEND.

Board of Public Works
PATRICIA DeCLERCO Clerk

REMONSTRANCE AGAINST SEWER SYSTEM FOR
RIVERSIDE DRIVE and RIVERSIDE PLACE

The undersigned, being property owners to be effected by the proposed installation of sanitary storm sewers, do hereby remonstrate against the installation of said sewer system as proposed under Barrett Law improvements for Riverside Drive and Riverside Place in the City of South Bend, Indiana.

✓ Robert R. Beecher residing at 1842 Riverside Place

Jewel H. Weitner residing at 1845 Riverside Place

✓ Willard Kurtz residing at 1817 Riverside Dr

Milfred Klotz residing at 1817 Riverside Dr.

Dorothy R. Budgett residing at 1876 Riverside Pl.

✓ David Rutherford residing at 1825 Riverside Dr

Mabel J. Rutherford residing at 1825 Riverside Dr

✓ Thomas S. Thibault residing at 1869 Riverside Dr

John W. Dabrowski residing at 1869 Riverside Dr

✓ Carl R. Lottach residing at 1836 Riverside Pl. S.B.

✓ Sally Woods residing at 1840 Riverside Dr.

Betty E. Klebosite residing at 1905 Riverside Dr.

✓ Joseph S. Klebosite residing at 1905 Riverside Dr.

Louella Myzgodski residing at 1915 Riverside Dr.

✓ John R. Myzgodski residing at 1915 Riverside Dr.

✓ Russell Hawn residing at 1857 Riverside Dr.

Ruth A. Hawn residing at 1857 Riverside Dr.

✓ Maure E. Werts residing at 1889 RIVERSIDE DRIVE

Betty Werts residing at 1889 Riverside Dr.

✓ John Campbell residing at 1838 Riverside Dr.

_____ residing at _____

_____ residing at _____

_____ residing at _____

_____ residing at _____

_____ residing at _____

_____ residing at _____

_____ residing at _____

_____ residing at _____

_____ residing at _____

EXCERPT FROM THE MINUTES OF THE BOARD OF PUBLIC WORKS MEETING

January 14, 1974 -

PUBLIC HEARING - IMPROVEMENT RESOLUTION NO. 3390, 1973 - RIVERSIDE DRIVE -
RIVERSIDE PLACE SEWERS

This being the date set, hearing was held on Improvement Resolution No. 3390, 1973, for the construction of the Riverside Drive-Riverside Place Sewers under Barrett Law. The Clerk tendered proofs of publication of notice in the South Bend Tribune and the Tri-County News which were found to be sufficient. Mr. Farrand gave a brief explanation of Barrett Law procedures to those present. He said that this was only a proposal to the property owners that the sewers be constructed with the City to pay 50% of the cost. A petition remonstrating against the project and signed by eleven property owners was presented to the Board. Mrs. Ann Wlodarski, 1869 Riverside Drive, spoke against the project. She said this area has been in existence since 1916 and during that time property owners have asked about sewers and water for their area but received no response from City administrations. She said she felt residents of the area should receive a rebate from the City for services they did not receive. Mr. Barcome commented that this administration could not be held accountable for any previous administrations. He said that, because of the great cost to property owners in sewer construction, Mayor Miller has set up a policy where the City pays 50% of the cost and the residents of the area pay 50%. Mrs. Wlodarski read a letter from Mrs. Sally Woods remonstrating against the project. Others present who spoke against the project were Robert L. Beltner, 1845 Riverside Drive, Sandra Budgett, 1876 Riverside Drive, Wayne Werts, 1889 Riverside Drive, and F.S. Wlodarski, 1869 Riverside Drive. Also, John Niezgodski, 1915 Riverside Drive and Joseph Klebosits, 1905 Riverside Drive. Mr. James Ewing, 1877 Riverside Drive, inquired about bringing water into the area and Mr. Farrand said that the City would like to get water into that area, also. Mrs. Irene Mutzl, of the Fair Tax Association, recommended to the Board that, since this area has been in the City for many years and since the lots are so large, the City should consider paying 100% of the cost by using Revenue Sharing Funds. Mr. Farrand said the only authority the Board has is to offer the residents a 50-50 cost sharing of the project. He said there are twelve areas of the city which will be offered this plan of sewer construction with the City paying 50% of the cost and if the residents of the Riverside Drive-Riverside Place area turn it down now, the City will not proceed and the area will go to the bottom of the list. Mr. Barcome then said that, based on Mr. Farrand's comments and on the remonstrances received by the Board, he would move that the project be rejected. The motion was seconded and carried. Mr. Ewing then asked what recourse the property owners have to try to get a better break in the cost distribution. Mr. Roemer advised Mr. Ewing that he could petition the Board and ask for the sewer construction on a different percentage basis and the Board would then discuss that petition.

DEPARTMENT OF PUBLIC WORKS
CITY OF SOUTH BEND, INDIANA
IMPROVEMENT RESOLUTION

No. 3390, 19 73

South Bend, Indiana

BE IT RESOLVED, by the Board of Public Works of the City of South Bend,
Indiana, that it is deemed necessary to improve the Riverside Drive and
Riverside Place

by constructing local sanitary sewers on Riverside Drive, from Riverside
Place to Bryan St.

The same to be done in accordance with the profiles, drawings, general
details and specifications for such improvement approved _____,
and to be adopted by the Board of Public Works of the City of South Bend, Indiana,
immediately upon the final adoption and confirmation of this resolution, and placed
on file in the office of the Board of Public Works of said City, and such improve-
ment is now ordered.

The total cost of said improvement, including all incidental costs such as
advertising and engineering, shall be assessed upon the real estate abutting on
said Riverside Drive and Riverside Place, in
accordance with applicable statutes. The said improvement is to be financed and
paid for as provided in Chapter 40, of the Acts of 1953, as amended (1971 I.C.
18-6-3). Assessments, if deferred, are to be paid in five (5) equal installments,
with interest at the rate of six (6) per cent per annum.

The 14 day of January, 19 73 at the hour
of 9:30 A.M. o'clock, Local Time, is hereby fixed as the time, and the Board of Public
Works Office as the place, when and where all persons whose property
may be affected by such proposed improvement, may be heard as to the necessity
for the same, and all petitions and remonstrances received. The Board will, on

said day, decide whether the benefits accruing to abutting and adjacent property, and to the City of South Bend, Indiana, will be equal to or exceed the estimated cost of said improvement. The Clerk of the Board is hereby ordered to give notice by two weekly publications, of the time and place of hearing of this resolution.

Adopted November 13, 19 73

Rollin E. Sarrand
James R. Kelly
J. V. Deason
Board of Public Works

Notice of Hearing Published

on December 21, 1973

and December 28, 1973

Patricia de Clercq
Clerk of the Board