

907A-00

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The alley to be vacated is described as the north/south alley between Lafayette and Main Street from the south right-of-way of the vacated east/west alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the original town of South Bend, St. Joseph County, Indiana.



ORDINANCE NO. 9074-00

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The alley to be vacated is described as the north/south alley between Lafayette and Main Street from the south right-of-way of the vacated east/west alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west/alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the Original Town of South Bend, St. Joseph County, Indiana.

STATEMENT OF PURPOSE AND INTENT

Pursuant to Indiana Code Section 36-7-3-12, the City of South Bend is charged with the authority to hear all petitions for the dedication of public ways or public places within the City.

WAITING FOR  
EASEMENT  
DEDICATION

The following Ordinance vacates the above property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

SECTION I. The Common Council of the City of South Bend having held a public hearing on the petition to vacate the following property:

Beginning on the west line of lot 190 as shown on the Plat of the Original Town, now City of South Bend, Indiana, at a point 28.50 feet north of the southwest corner of said lot 190, thence west parallel to the south line of said lot 190, a distance of 14.00 feet to the east line of lot 195 in said original Plat; thence north on the east line of said lot 195 and said line extended north, and the east lines of lots 196 and 197 in said original Plat, a distance of 150.57 feet; thence east on the westerly extension of the south line of the north ½ of lot 188; thence south on the west line of said lot 188, lot 189 and said line extended south and the west line of lot 190 in said original Plat, a distance of 150.57 feet to the point of beginning.

Hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas,



ORDINANCE NO. 9074-00

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

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STATEMENT OF PURPOSE AND INTENT

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charged with the authority to hear all petitions to vacate public ways or public places within the City.

The following Ordinance vacates the above described public property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

SECTION I. The Common Council of the City of South Bend having held a public hearing on the petition to vacate the following property:

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Hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas,



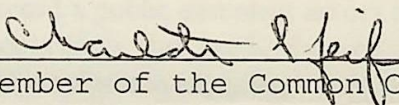
water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

SECTION III. The following property may be injuriously or beneficially affected by such vacating:

Lot 187 Property Owner South Bend Medical Foundation  
Lot 188 Property Owner South Bend Medical Foundation  
Lot 189 Property Owner South Bend Medical Foundation  
Lot 190 Property Owner South Bend Medical Foundation  
Lot 195 Property Owner South Bend Medical Foundation  
Lot 196 Property Owner South Bend Medical Foundation  
Lot 197 Property Owner South Bend Medical Foundation

SECTION IV. The purpose of the vacation of the real property is; the South Bend Medical Foundation is in the planning stage of adding additional floors to the existing building. If vacating the said alley way would be approved, this would allow for a new canopy to be built in the said alley way. This canopy would give our transportation drivers cover for loading and unloading lab specimens. The roof top of this canopy would allow for us to install new mechanical and cooling equipment.

SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor; and subject to the recording of an appropriate access easement approved by the City's Engineering Department.

  
\_\_\_\_\_  
Member of the Common Council

1st READING 12-13-99  
PUBLIC HEARING 1-10-00  
3rd READING 1-10-00  
NOT APPROVED  
REFERRED  
PASSED 1-10-00 as amended

Filed in Clerk's Office

JAN 10 1999

LORETTA J. BURK  
CITY CLERK, SO. BEND, IN.



1316 COUNTY-CITY BUILDING  
SOUTH BEND, INDIANA 46601-1830



PHONE 219/235-9251  
FAX 219/235-9171  
TDD 219/235-5567

CITY OF SOUTH BEND STEPHEN J. LUECKE, MAYOR  
**BOARD OF PUBLIC WORKS**

January 5, 2000

*passed 1/10/00  
on hold for easement  
to be recorded*

*107-99*

Members of the Common Council  
Council Chambers  
County-City Building, 4th Floor  
South Bend, Indiana 46601

RE: Alley Vacation

Dear Council Members:

In accordance with Municipal Code Section 18-53.8, **favorable recommendation, with qualification**, is submitted to the Common Council concerning the following alley vacation:

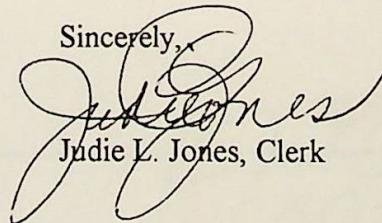
The north/south alley between Lafayette and Main Street from the south-right-of-way of the vacated alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the original town of South Bend, St. Joseph County, Indiana.

The Board of Public Works received favorable recommendations from the Engineering Department, Area Plan Commission, Department of Economic Development, Fire Department, Solid Waste, Police Traffic Department, and the City Attorney's Office, with conditions from the following:

Engineering - Petitioner must record a public easement across his property that will allow northbound traffic access to another public right-of-way

Area Plan Commission - Approval is subject to any utility easements that may be required and to an access easement for alley traffic through the South Bend Medical Foundation property.

Sincerely,



Judie L. Jones, Clerk

Attachments

JAMES R. CALDWELL

LEWIS N. POWELL, P.E.

M. CATHERINE ROEMER



**INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**TO:**           ✓- Larry Spradlin, Engineering Department  
                  ✓- Carl Littrell, City Engineer  
                  ✓- Travis Parker, Area Plan Commission  
                  ✓- Larry Magliozzi, Department of Economic Development  
                  ✓- Chief Bert Prawat, Fire Department  
                  ✓- Alonzo Adams, Solid Waste  
                  ✓- ~~Captain Larry Blume~~, Police Traffic Department   Lt. Joseph Markovich  
                  ✓- Michelle Engel, City Attorney's Office

**FROM:**       Judie L. Jones, Clerk

**RE:**           Alley Vacation

**DATE:**       December 22, 1999

This is a request for your recommendation on the following alley vacation. The full ordinance is attached.

The north/south alley between Lafayette and Main Street from the south right-of-way of the vacated alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the original town of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this alley closure by **January 4, 2000**. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

**COMMENTS & RECOMMENDATIONS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED  
Board of Public Works  
JAN 04 2000  
*Matthew Palmer*

**BY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_



**INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**TO:**           ✓/✓ Larry Spradlin, Engineering Department  
                  ✓/✓ Carl Littrell, City Engineer  
                  ✓/✓ Travis Parker, Area Plan Commission  
                  ✓/✓ Larry Magliozzi, Department of Economic Development  
                  ✓/✓ Chief Bert Prawat, Fire Department  
                  ✓/✓ Alonzo Adams, Solid Waste  
                  ✓/✓ ~~Captain Larry Blume, Police Traffic Department~~ Lt. Joseph Markovich  
                  ✓/✓ Michelle Engel, City Attorney's Office

**FROM:**       Judie L. Jones, Clerk

**RE:**           Alley Vacation

**DATE:**       December 22, 1999

This is a request for your recommendation on the following alley vacation. The full ordinance is attached.

The north/south alley between Lafayette and Main Street from the south right-of-way of the vacated alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the original town of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this alley closure by **January 4, 2000**. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

**COMMENTS & RECOMMENDATIONS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED  
Board of Public Works

JAN 04 2000  
*John C. ...*  
*M. Catherine ...*

**BY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_



# OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: DECEMBER 8, 1999

I am referring to you the following vacation:

107-99 A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY:  
THE ALLEY TO BE VACATED IS DESCRIBED AS THE  
NORTH/SOUTH ALLEY BETWEEN LAFAYETTE AND MAIN  
STREET FROM THE SOUTH RIGHT-OF-WAY OF THE VACATED  
EAST/WEST ALLEY TO A POINT WHICH IS 37.5 FEET  
SOUTH OF THE SOUTH RIGHT-OF-WAY OF THE VACATED  
EAST/WEST ALLEY TO THE SOUTH END OF THE PREVIOUSLY  
VACATED ALLEY FOR A DISTANCE OF 113 FEET AND A  
WIDTH OF 14 FEET. PART LOCATED IN THE ORIGINAL  
TOWN OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

For your information, the Common Council will have first reading on this vacation request on Monday, December 13, 1999. I assume the council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

If you have any questions, please do not hesitate to contact this office.

Thanks!

CITY CLERK  
LORETTA J. DUDA

DEPUTY

*Juan Talbot*





ORDINANCE NO \_\_\_\_\_

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The alley to be vacated is described as the north/south alley between Lafayette and Main Street from the south right-of-way of the vacated east/west alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the Original Town of South Bend, St. Joseph County, Indiana.

STATEMENT OF PURPOSE AND INTENT.

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charged with the authority to hear all petitions to vacate public ways or public places within the City.

The following Ordinance vacates the above described public property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

SECTION I. The Common Council of the City of South Bend having held a public hearing on the petition to vacate the following property:

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Hear by determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas, water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

SECTION III. The following property may be injuriously or beneficially affected by such vacating:

Lot 187 Property Owner South Bend Medical Foundation  
Lot 188 Property Owner South Bend Medical Foundation  
Lot 189 Property Owner South Bend Medical Foundation  
Lot 190 Property Owner South Bend Medical Foundation  
Lot 195 Property Owner South Bend Medical Foundation  
Lot 196 Property Owner South Bend Medical Foundation  
Lot 197 Property Owner South Bend Medical Foundation



SECTION IV. The purpose of the vacation of the real property is

The South Bend Medical is in the planning stage of adding additional floors to the existing building. If vacating the said alley way would be approved, this would allow for a new canopy to be built in the said alley way. This canopy would give our Transportation Drivers cover for loading and unloading lab specimens. the roof top of this canopy would allow for us to install new mechanical and cooling equipment.

SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Member of the Common Council

Filed In Clerk's Office  
DEC 03 1999  
LORETTA J. GUDA  
CITY CLERK, SO. BEND, IN.



PETITION TO VACATE PUBLIC RIGHTS-OF-WAY  
(STREETS/ALLEYS)

TO THE COMMON COUNCIL  
OF THE CITY OF SOUTH BEND, INDIANA

DATE: \_\_\_\_\_

I (WE), THE UNDERSIGNED PROPERTY OWNER(S), PETITION YOU TO VACATE:

A. THE ALLEY DESCRIBED AS:

The alley to be vacated is described as the north/south alley between Lafayette and Main Streets from the south right-of-way of the vacated east/west alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the Original Town of South Bend, St. Joseph County, Indiana.

NAME (signed & printed)

ADDRESS

LOT #S

*Miss Galup*  
LOIS GALUP M.D.  
*President*  
South Bend Medical Foundation

530 N. LAFAYETTE BLVD.  
SOUTH BEND, IN 46601

187, 188, 189  
190, 195, 196+  
197

CONTACT PERSON (S)

NAME:

Ron Randolph

ADDRESS:

530 N Lafayette  
South Bend In. 46601

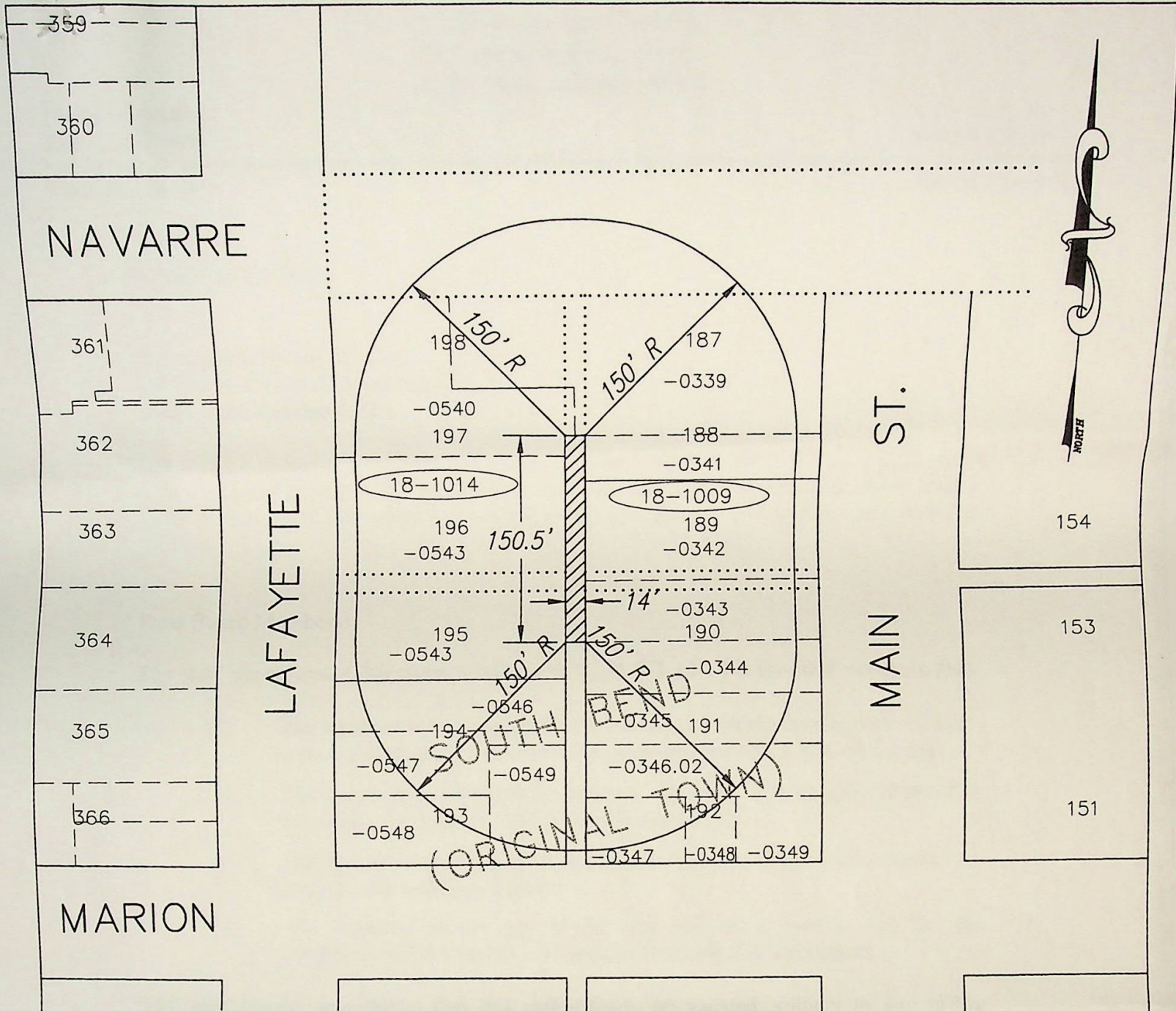
PHONE:

219-234-4176

RETURN TO:

OFFICE OF THE CITY CLERK  
LORETTA J. DUDA, CITY CLERK  
ROOM 455-COUNTY-CITY BUILDING  
SOUTH BEND, IN 46601  
219-235-9221





ALLEY VACATION

LEGAL DESCRIPTION

The alley to be vacated is described as the north/south alley between Lafayette and Main Streets from the south right-of-way of the vacated east/west alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the Original Town of South Bend, St. Joseph County, Indiana.



# Area Plan Commission of St. Joseph County

1140 County-City Building  
227 West Jefferson Blvd.  
South Bend, Indiana 46601

Robert W. Sante  
Executive Director

John W. Byorni  
Assistant Director

Phone 219 235-9571

Fax 219 235-9813

December 30, 1999

The Board of Public Works  
13<sup>th</sup> Floor, County-City Building  
South Bend, Indiana 46601

RE: Alley Vacation – The north/south alley between Lafayette and Main Street from a point 99 feet south of vacated Navarre Street south a distance of 113 feet and a width of 14 feet.

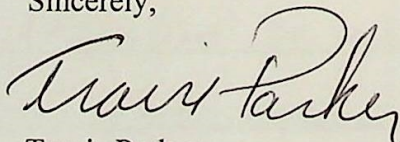
Dear Board Members:

The staff has reviewed this petition relative to IC 36-7-3-13. It is the staff's opinion that:

- (1) The vacation would not 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 not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation would not hinder the public's access to a church, school, or other public building or place.
- (4) The vacation would not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

The staff would recommend that this right-of-way be vacated, subject to any utility easements that may be required. This vacation may also need to be subject to an access easement for alley traffic through the South Bend Medical Center property.

Sincerely,



Travis Parker  
Planner





**INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**TO:** - Larry Spradlin, Engineering Department *LS*  
- Carl Littrell, City Engineer  
- Travis Parker, Area Plan Commission  
- Larry Magliozzi, Department of Economic Development  
- Chief Bert Prawat, Fire Department  
- Alonzo Adams, Solid Waste  
- Captain Larry Blume, Police Traffic Department  
- Michelle Engel, City Attorney's Office

**FROM:** Judie L. Jones, Clerk

**RE:** Alley Vacation

**DATE:** December 22, 1999

This is a request for your recommendation on the following alley vacation. The full ordinance is attached.

The north/south alley between Lafayette and Main Street from the south right-of-way of the vacated alley to a point which is 37.5 feet south of the south right-of-way of the vacated east/west alley to the south end of the previously vacated alley for a distance of 113 feet and a width of 14 feet. Part located in the original town of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this alley closure by **January 4, 2000**. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

**COMMENTS & RECOMMENDATIONS:**

*Vacation is acceptable if the petitioner records  
a public easement across his property that will allow  
north bound traffic access to another public right-of-way.*

**BY:** Carl P. Littrell

**DATE:** 12/30/99



INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

TO: - Larry Spradlin, Engineering Department  
- Carl Littrell, City Engineer  
- Travis Parker, Area Plan Commission  
- Larry Magliozzi, Department of Economic Development  
- Chief Bert Prawat, Fire Department  
- Alonzo Adams, Solid Waste  
- Captain Larry Blume, Police Traffic Department  
- Michelle Engel, City Attorney's Office

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: December 22, 1999

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It is important that I receive your comments and recommendation concerning this alley closure by **January 4, 2000**. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY: Jon R. Hunt

DATE: 12/23/99



**INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**TO:**

- Larry Spradlin, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Bert Prawat, Fire Department
- Alonzo Adams, Solid Waste
- Captain Larry Blume, Police Traffic Department
- Michelle Engel, City Attorney's Office

**FROM:** Judie L. Jones, Clerk

**RE:** Alley Vacation

**DATE:** December 22, 1999

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It is important that I receive your comments and recommendation concerning this alley closure by January 4, 2000. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

**COMMENTS & RECOMMENDATIONS:**

*No Objections*

**BY:** *St Joseph & Markovak #124*  
*Traffic Commander*

**DATE:** *12/21/99* (FAXED)



# INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO: - Larry Spradlin, Engineering Department  
 - Carl Littrell, City Engineer  
 - Travis Parker, Area Plan Commission  
 - Larry Magliozzi, Department of Economic Development  
 - Chief Bert Prawat, Fire Department  
 - Alonzo Adams, Solid Waste  
 - Captain Larry Blume, Police Traffic Department  
 - Michelle Engel, City Attorney's Office

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: December 22, 1999

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It is important that I receive your comments and recommendation concerning this alley closure by January 4, 2000. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

COMMENTS & RECOMMENDATIONS:

JUDIE  
 \_\_\_\_\_  
 no objections  
 \_\_\_\_\_  
 \_\_\_\_\_

BY: ALBERTA  
 \_\_\_\_\_  
 SBF

DATE: 12-22-99



**INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**TO:**

- Larry Spradlin, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Bert Prawat, Fire Department
- Alonzo Adams, Solid Waste
- Captain Larry Blume, Police Traffic Department
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**FROM:** Judie L. Jones, Clerk

**RE:** Alley Vacation

**DATE:** December 22, 1999

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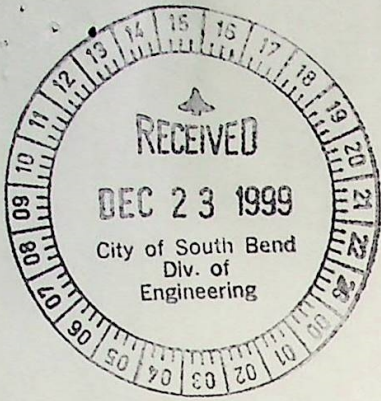
**COMMENTS & RECOMMENDATIONS:**

*No problem*

BY: *Leroy Kingberry Jr.*

DATE: *12-29-99*





**INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**TO:**

- Larry Spradlin, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Bert Prawat, Fire Department
- Alonzo Adams, Solid Waste
- Captain Larry Blume, Police Traffic Department
- Michelle Engel, City Attorney's Office

**FROM:** Judie L. Jones, Clerk

**RE:** Alley Vacation

**DATE:** December 22, 1999

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It is important that I receive your comments and recommendation concerning this alley closure by **January 4, 2000**. The Council will set this bill for public hearing at its regularly scheduled meeting of January 10, 2000.

**COMMENTS & RECOMMENDATIONS:**

*I have no comments*

BY: \_\_\_\_\_

*MJE*

DATE: \_\_\_\_\_

*12/22/99*