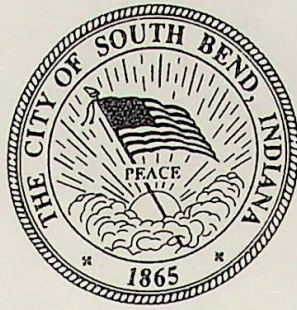


9088-00

The first east/west alley south of Sherwood Street from the east right-of-way of the first north/south alley west of Michigan Street to the West right-of-way of Michigan Street for a distance of 165 feet and width of 14 feet.



Office of the City Clerk

Loretta J. Duda, City Clerk

APRIL 14, 2000

MEMORANDUM

TO: Area Plan Commission
Board of Public Works
Building Department
Division of Engineering
Fire Department
Northern Indiana Public Service Company
Police Department
Street Department
Bureau of Traffic & Lighting

FROM: Loretta J. Duda, City Clerk

All proceedings with reference to Ordinance No. 9088-00 for the vacation of the following property:

THE FIRST EAST/WEST ALLEY SOUTH OF SHERWOOD STREET FROM THE EAST RIGHT-OF-WAY OF THE FIRST NORTH/SOUTH ALLEY WEST OF MICHIGAN STREET TO THE WEST RIGHT-OF-WAY OF MICHIGAN STREET FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14 FEET

are closed and this area is vacated.

cc: Larry Magliozzi

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

*PASSED 2/28
to be certified 4/10*

February 21, 2000

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

RE: Vacation of an Alley

Dear Members of the Council:

In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the Vacation of an alley, as follows:

The first east/west alley south of Sherwood Street from the east right of way of the first north/south alley west of Michigan Street to the west right of way of Michigan Street for a distance of 165 feet and a width of 14 feet.

For your information, the Board of Public Works received favorable recommendations from the Fire Department, Bureau of Sanitation, Division of Engineering, Department of Community and Economic Development, Area Plan Commission and the Police Department concerning this vacation, subject to any utility easements that may be required.

Therefore, the Board submits to you a **favorable recommendation** concerning this vacation.

Sincerely,

Angela K. Jacob
Angela K. Jacob, Clerk

Attachments

ORDINANCE NO. _____

FEB 21 2000

M. Catherine Korman
Carl P. Pettit

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The first east/west alley south of Sherwood Street from the east right-of-way of the first north/south alley west of Michigan Street to the west right-of-way of Michigan Street for a distance of 165 feet and a width of 14 feet.

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:

The first east/west alley south of Sherwood Street from the east right-of-way of the first north/south alley west of Michigan Street to the west right-of-way of Michigan Street for a distance of 165 feet and a width of 14 feet. Part located in Chippewa Heights, South Bend, St. Joseph County, Indiana.

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:

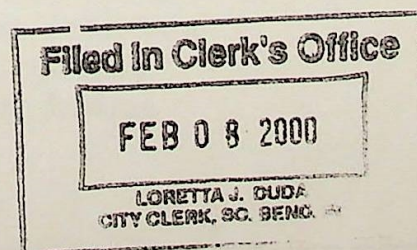
Calvary Temple South Bend Gospel Tabernacle, Inc.
Lot 1 (key number -0830) and Lot 18-8019 (key number 0799.01)

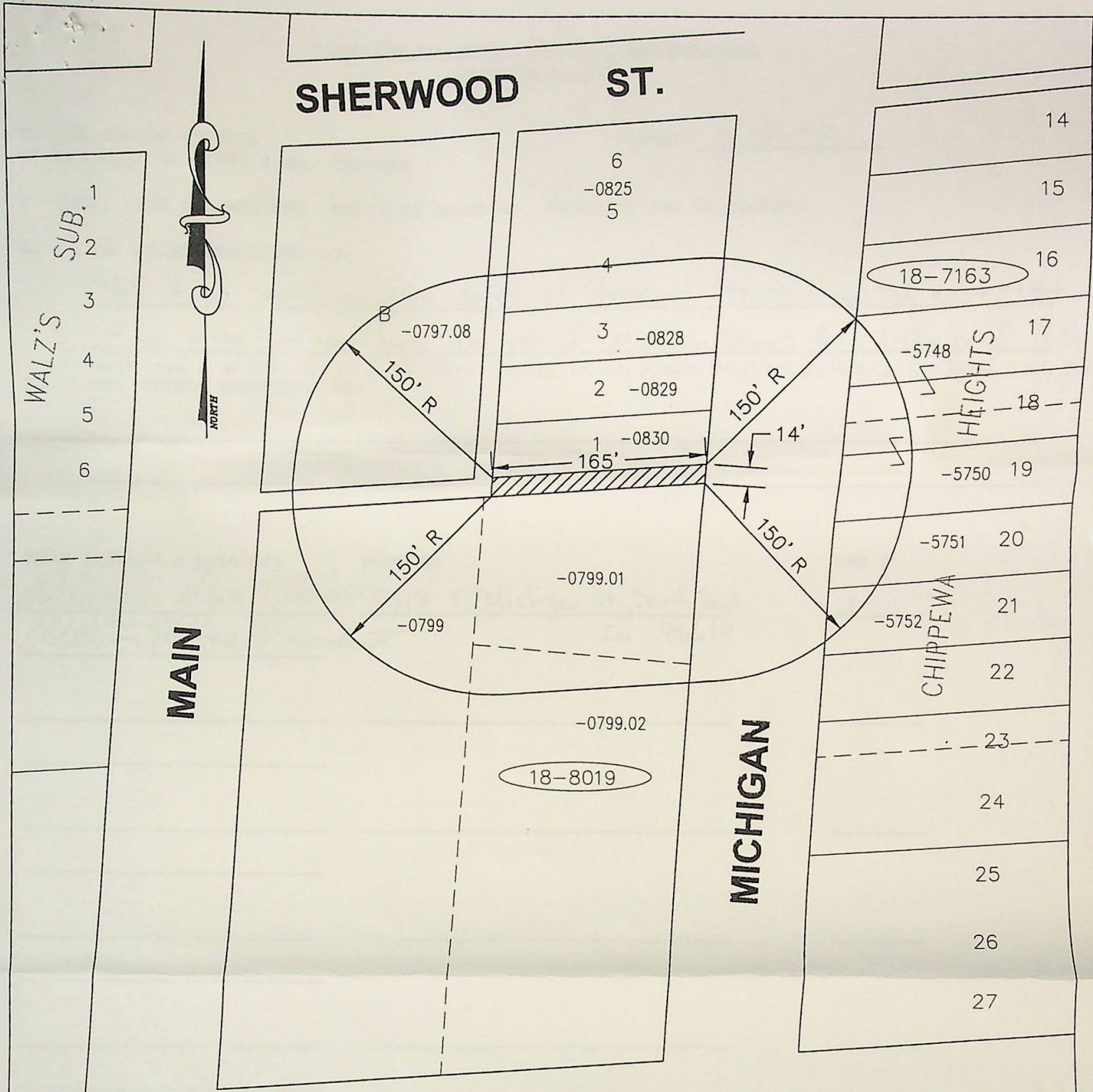
Section IV. The purpose of the vacation of the real property is to record that the alley, described in Section I above, does not physically exist.

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

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED





ALLEY VACATION

The alley to be vacated is the first east/west alley south of Sherwood Street from the east right-of-way of the first north/south alley west of Michigan Street to the west right-of-way of Michigan Street for a distance of 165 feet and a width of 14 feet. Part located in Chippewa Heights, South Bend, St. Joseph County, Indiana.

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

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

DATE: 2-8-00

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

A. THE ALLEY DESCRIBED AS:

The first east/west alley south of Sherwood Street from the east right-
of-way of the first north/south alley west of Michigan Street for a distance of 165
feet and a width of 14 feet. Part located in Chippewa Heights, South Bend, St. Joseph County, Indi

B. THE STREET DESCRIBED AS:

NAME (signed & printed)	ADDRESS	LOT #
<u>William C. Howell, President</u> <u>William C. Howell, President</u>	<u>3717 S. Michigan St., South Bend,</u> <u>IN 46614</u>	<u>1</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)

NAME: Felipe Merino

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

ADDRESS: 3717 S. Michigan Street
South Bend, IN 46614
PHONE: (219) 291-5230

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

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

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: February 14, 2000

Attached for your review and recommendation is the following alley vacation:

The first east/west alley south of Sherwood Street from the east right of way of the first north south alley west of Michigan Street to the west right of the way of Michigan Street for a distance of 165 feet in length and a width of 14 feet.

I would appreciate receiving your comments and recommendation concerning this alley closure by February 21, 2000. Thank you.

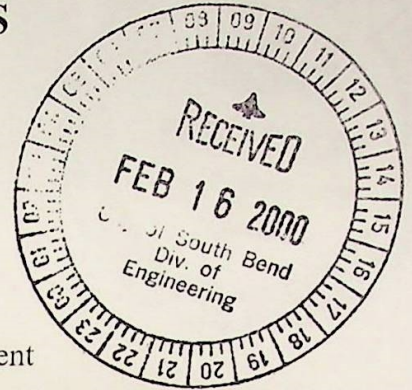
COMMENTS & RECOMMENDATIONS:

JUDIE
NO OBJECTIONS

BY: [Signature]
S B F D

DATE: 2-15-00

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



TO:

- Larry Spradlin, Engineering Department
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Bert Prawat, Fire Department
- Alonzo Adams, Solid Waste
- Lt. Joseph S. Markovich, Police Traffic Department
- Michelle Engel, City Attorney's Office

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: February 14, 2000

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The first east/west alley south of Sherwood Street from the east right of way of the first north south alley west of Michigan Street to the west right of the way of Michigan Street for a distance of 165 feet in length and a width of 14 feet.

I would appreciate receiving your comments and recommendation concerning this alley closure by **February 21, 2000**. Thank you.

COMMENTS & RECOMMENDATIONS:

fine

BY: _____

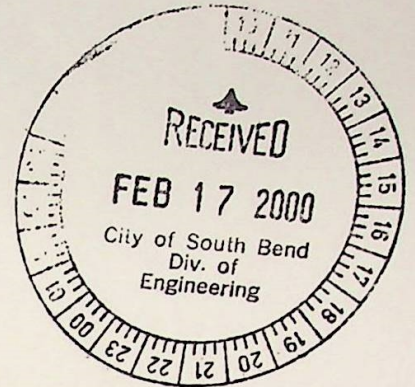
DATE: _____

MJE

2/15/00

RECEIVED FEB 15 2000

INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS



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

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: February 14, 2000

Attached for your review and recommendation is the following alley vacation:

The first east/west alley south of Sherwood Street from the east right of way of the first north south alley west of Michigan Street to the west right of the way of Michigan Street for a distance of 165 feet in length and a width of 14 feet.

I would appreciate receiving your comments and recommendation concerning this alley closure by February 21, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY: Jon R. Hunt

DATE: 02.16.00

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO:

- Larry Spradlin, Engineering Department
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Bert Prawat, Fire Department
- Alonzo Adams, Solid Waste
- Lt. Joseph S. Markovich, Police Traffic Department
- Michelle Engel, City Attorney's Office

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: February 14, 2000

Attached for your review and recommendation is the following alley vacation:

The first east/west alley south of Sherwood Street from the east right of way of the first north south alley west of Michigan Street to the west right of the way of Michigan Street for a distance of 165 feet in length and a width of 14 feet.

I would appreciate receiving your comments and recommendation concerning this alley closure by February 21, 2000. Thank you.

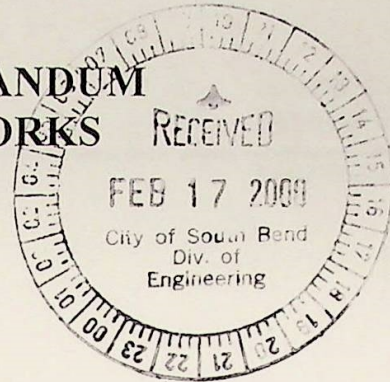
COMMENTS & RECOMMENDATIONS:

No Objections

BY: J. Markovich

DATE: 02-17-00 FAXed

INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS



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

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: February 14, 2000

Attached for your review and recommendation is the following alley vacation:

The first east/west alley south of Sherwood Street from the east right of way of the first north south alley west of Michigan Street to the west right of the way of Michigan Street for a distance of 165 feet in length and a width of 14 feet.

I would appreciate receiving your comments and recommendation concerning this alley closure by **February 21, 2000**. Thank you.

COMMENTS & RECOMMENDATIONS:

*Solid Waste are in favor of this
Alley vacation*

BY: *Alonzo F. Adams*

DATE: *2-17-00*

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

February 17, 2000

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

RE: Alley Vacation – The east/west alley south of Sherwood Street from the east right-of-way of the first north/south alley west of Michigan Street to the west right-of-way of Michigan Street for a distance of 165 feet and a width of 14 feet.

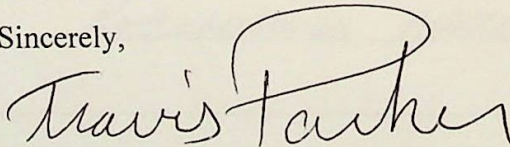
Dear Board Members:

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

Sincerely,



Travis Parker
Planner



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

TO:

- Larry Spradlin, Engineering Department
- Travis Parker, Area Plan Commission
- ✓ Larry Magliozzi, Department of Economic Development
- ✓ Chief Bert Prawat, Fire Department
- Alonzo Adams, Solid Waste
- ✓ Lt. Joseph S. Markovich, Police Traffic Department
- ✓ Michelle Engel, City Attorney's Office

FROM: Judie L. Jones, Clerk

RE: Alley Vacation

DATE: February 14, 2000

Attached for your review and recommendation is the following alley vacation:

The first east/west alley south of Sherwood Street from the east right of way of the first north south alley west of Michigan Street to the west right of the way of Michigan Street for a distance of 165 feet in length and a width of 14 feet.

I would appreciate receiving your comments and recommendation concerning this alley closure by **February 21, 2000**. Thank you.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY:

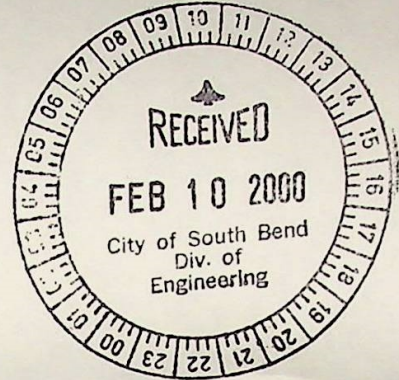
Judie L. Jones

DATE:

2/18/00

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS
DATE: FEBRUARY 9, 2000



I am referring to you the following vacation:

17-00 FIRST READING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST EAST/WEST ALLEY SOUTH OF SHERWOOD STREET FROM THE EAST RIGHT-OF-WAY OF THE FIRST NORTH/SOUTH ALLEY WEST OF MICHIGAN STREET TO THE WEST RIGHT-OF-WAY OF MICHIGAN STREET FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14 FEET

For your information, the Common Council will have first reading on this vacation request on Monday, February 9, 2000. I assume the council will set this bill for public hearing at its regularly scheduled meeting of February 28, 2000.

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

Thanks!

CITY CLERK
LORETTA J. DUDA

DEPUTY

Janin Tallson