

9102-00

First North / South alley east of
McPherson Street from the north
right-of-way of Western Ave.

9102-00



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. 9102-00 for the vacation of the following property:

THE FIRST NORTH/SOUTH ALLEY EAST OF MCPHERSON STREET FROM THE NORTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE SOUTH RIGHT-OF-WAY OF THE FIRST EAST/WEST ALLEY NORTH OF WESTERN AVENUE FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN THE WILLETT'S SUB. OF BANK OUTLOT 89, SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

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

March 27, 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:

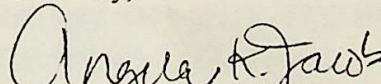
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the Vacation of an alley, as follows:

The first north/south alley east of McPherson Street from the north right of way of Western Avenue to the south right of way of the first east/west alley north of Western Avenue for a distance of 165 feet and a width of 14 feet. Part located in the Willett's Sub. of Bank Outlot 89, South Bend, St. Joseph County, Indiana.

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, Clerk

Attachments

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The first north/south alley east of McPherson Street from the north right-of-way of Western Avenue to the south right-of-way of the first east/west alley north of Western Avenue for a distance of 165 feet and a width of 14 feet. Part located in the Willett's Sub. of Bank Outlot 89, 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:

The first north/south alley east of McPherson Street from the north right-of-way of Western Avenue to the south right-of-way of the first east/west alley north of Western Avenue for a distance of 165 feet and a width of 14 feet. Part located in the Willett's Sub. of Bank Outlot 89, 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, 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:

- | | |
|--------------|--|
| 18-3069-2681 | Lot 1 Deardoff's Sub. (1037 Western Avenue) |
| 18-3069-2706 | Lot 15 Deardoff's Sub. (1017 Western Avenue) |

APPROVED
Board of Public Works

MAR 27 2000

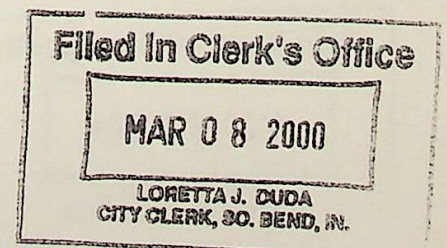
Walter J. Lorne
Carol L. Lorne

SECTION IV. THE PURPOSE OF THE VACATION OF REAL PROPERTY IS TO

To allow for expansion and a shared package of parking for the Pentecostal Church of God in Christ and the Elks LaSalle Landing Lodge.

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 Common Council



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

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

DATE: 3-7-2000

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

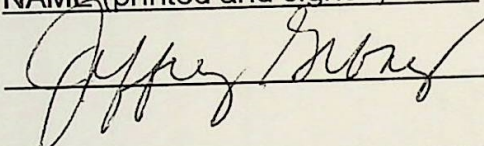
A. THE ALLEY(S) DESCRIBED AS:

The first north/south alley east of McPherson Street from the north right-of-way of Western Avenue to the south right-of-way of the first east/west alley north of Western Avenue for a distance of 165 feet and a width of 14 feet. Part located in the Willett's Sub. of Bank Outlot 89, South Bend. St. Joseph County, Indiana.

NAME (printed and signed)

ADDRESS

LOT #

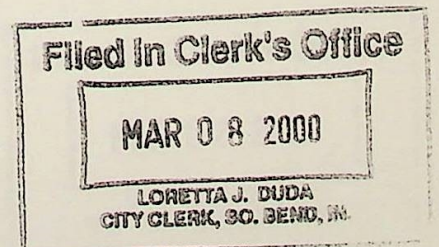


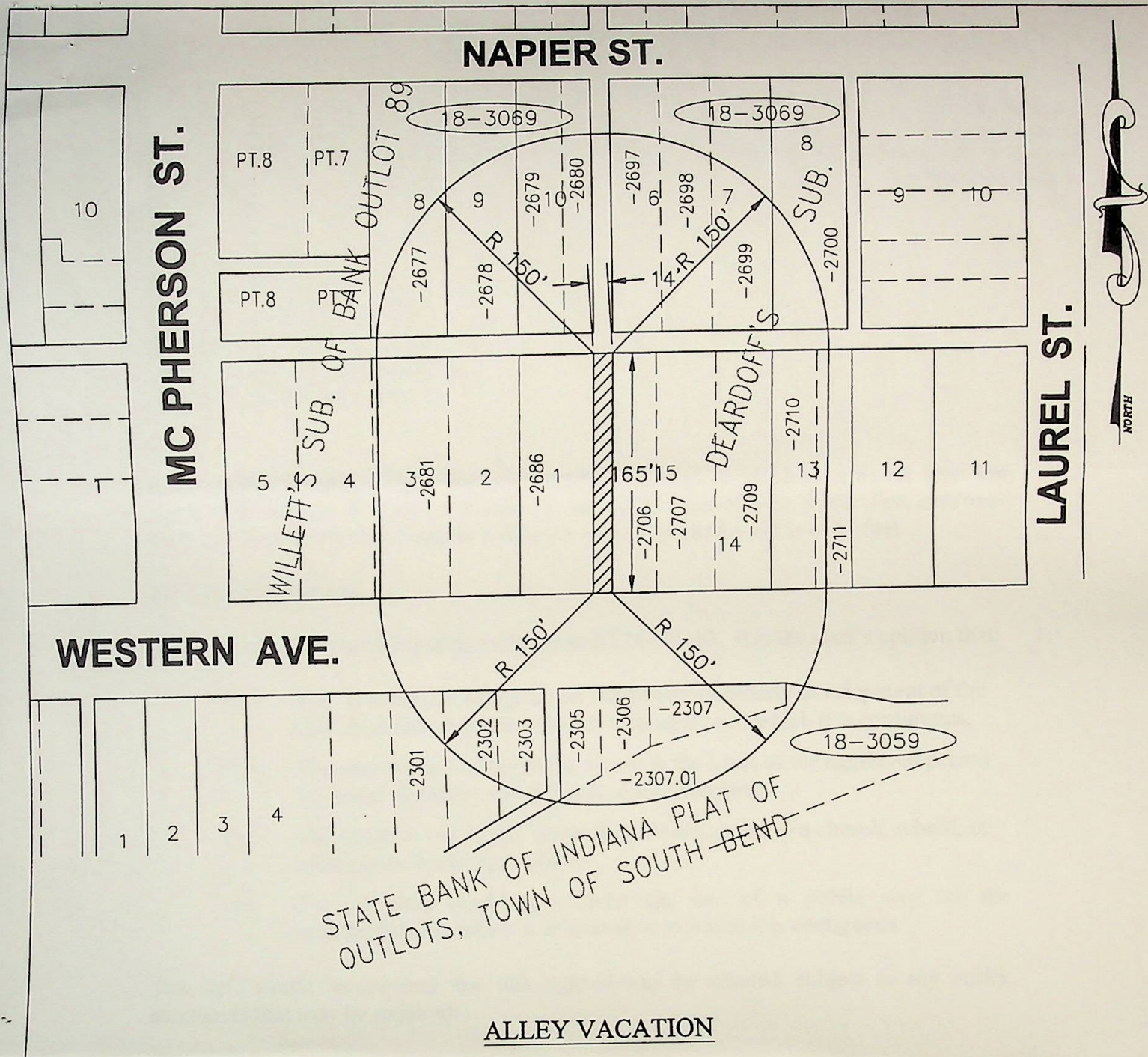
1017 Western

#15 Deardoff's Sub.
(Key #18-3069-2706)

Jeffrey Gibney.
Executive Director
South Bend Heritage Foundation

CONTACT PERSON:
Dea Andrews
Administration Manager
South Bend Heritage Foundation
914 Lincoln Way West
South Bend, IN 46616
(219)289-1066





ALLEY VACATION

The alley to be vacated is described as the first north/south alley east of McPherson Street from the north right-of-way of Western Avenue to the south right-of-way of the first east/west alley north of Western Avenue for a distance of 165 feet and a width of 14 feet. Part located in the Willett's Sub. of Bank Outlot 89, South Bend, St. Joseph County, Indiana.

Filed In Clerk's Office
MAR 08 2000
 LORETTA J. CUDDA
 CITY CLERK, SO. BEND, IN.

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

March 21, 2000

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

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

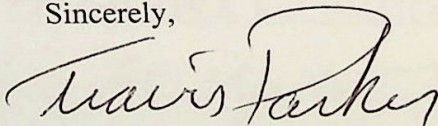
Dear Board Members:

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: - Tony Molnar, Engineering Department *take off*
- Carl Littrell, City Engineer
- 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: Angela K. Jacob, Clerk

RE: Property Vacation

DATE: March 11, 2000

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

The first north/south alley east of McPherson Street from the north right of way of Western Avenue to the south right of way of the first east/west alley north of Western Avenue for a distance of 165 feet and a width of 14 feet. Part located in the Willett's Sub. of Bank Outlot 89, South Bend, St. Joseph County, Indiana.

A portion of the north side of Maple Road located between Portage Road on the east and Sandwood Drive on the West, South Bend, Indiana.

It is important that I receive your comments and recommendation concerning this alley closure by **March 22, 2000**.

COMMENTS & RECOMMENDATIONS:

No objection to either vacation,

BY: Carl Littrell **DATE:** 3/13/00

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO:

- Tony Molnar, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
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COMMENTS & RECOMMENDATIONS:

ANGIE

NO OBJECTIONS

A/C Bert P. P.A. *DATE: 3-13-00*

S B F D

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO:

- Tony Molnar, Engineering Department
- Carl Littrell, City Engineer
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COMMENTS & RECOMMENDATIONS:

fine

BY: *MJE*



DATE: *3/13/00*

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO:

- Tony Molnar, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
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COMMENTS & RECOMMENDATIONS:

No Objections or Recommendations

BY: St. Joseph Markovich

DATE: 03-14-00 FAKED

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

TO:

- Tony Molnar, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
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COMMENTS & RECOMMENDATIONS:

*Solid Waste are in favor of this
alley vacation*

BY: Alonzo Adams **DATE:** 3-14-00

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

#29-00

TO:

- Tony Molnar, Engineering Department
- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
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COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY:

Jon R. Hunt

DATE: 03-20-00

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

TO:

- Tony Molnar, Engineering Department
- Carl Littrell, City Engineer
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COMMENTS & RECOMMENDATIONS:

No objections

BY:

Carl D Littrell

DATE:

3/17/00