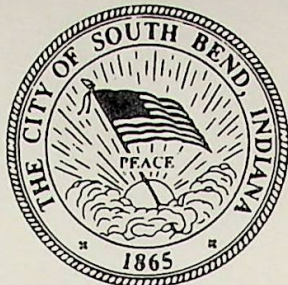


9103-00

Portion of the North Side of Maple
Road located between Portage Road
on the east and Sandwood Drive on
the west.



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

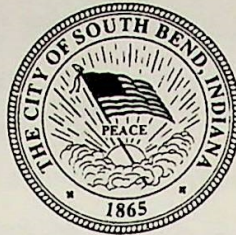
All proceedings with reference to Ordinance No. 9103-00 for the vacation of the following property:

**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**

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 Alleys

Dear Members of the Council:

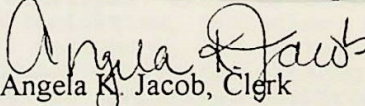
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the Vacation of alleys, as follows:

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.

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

ORDINANCE NO. _____
AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

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

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:

A PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-TWO (22), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE TWO (2) EAST, GERMAN TOWNSHIP, CITY OF SOUTH BEND, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

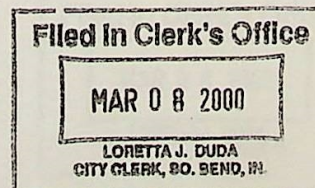
BEGINNING AT A SET FIVE-EIGHTHS (5/8) INCH REBAR WITH CAP, WHICH IS SOUTH 00 DEGREES 22 MINUTES 11 SECONDS WEST (SOUTH 00 DEGREES 23 MINUTES 00 SECONDS WEST) A DISTANCE OF 888.93 FEET FROM THE NORTHWEST CORNER OF SAID SECTION TWENTY-TWO (22), AND AT A POINT OF A CURVE HAVING A RADIUS OF 392.72 FEET; THENCE BEARING RIGHT ALONG SAID CURVE AN ARC DISTANCE OF 296.04 FEET (CHORD BEARING AND DISTANCE-NORTH 48 DEGREES 02 MINUTES 58 SECONDS EAST 289.08 FEET) TO A FOUND IRON PIPE AT THE WESTERLY RIGHT-OF-WAY LINE OF PORTAGE ROAD; THENCE SOUTH 20 DEGREES 21 MINUTES 19 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 20.00 FEET TO A SET FIVE-EIGHTHS (5/8) INCH REBAR WITH CAP AND AT A POINT ON A CURVE HAVING A RADIUS OF 372.72 FEET; THENCE BEARING LEFT ALONG SAID CURVE AN ARC DISTANCE OF 263.29 FEET (CHORD BEARING AND DISTANCE-SOUTH 49 DEGREES 24 MINUTES 28 SECONDS WEST 257.85 FEET) TO A SET FIVE-EIGHTHS (5/8) INCH REBAR WITH CAP AND AT A POINT OF A CURVE HAVING A RADIUS OF 25.00 FEET; THENCE BEARING RIGHT ALONG SAID CURVE AN ARC DISTANCE OF 26.54 FEET (CHORD BEARING AND DISTANCE-SOUTH 59 DEGREES 35 MINUTES 08 SECONDS WEST 25.31 FEET) TO A SET FIVE-EIGHTHS (5/8) INCH REBAR WITH CAP; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 4.36 FEET TO A SET FIVE-EIGHTHS (5/8) INCH REBAR WITH CAP AT THE WEST LINE OF SAID SECTION 22; THENCE NORTH 00 DEGREES 22 MINUTES 11 SECONDS EAST (NORTH 00 DEGREES 23 MINUTES 00 SECONDS EAST RECORD) ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 6.09 FEET TO THE POINT OF BEGINNING, CONTAINING 0.13 ACRES, SUBJECT TO PUBLIC HIGHWAYS AND ANY EASEMENTS OF RECORD, IF ANY.

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.

APPROVED
Board of Public Works

MAR 27 2000
M. Katherine [Signature]
Ronald [Signature]
Chel Platt [Signature]



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

1. LOT # 38 "PORTAGE FARMS" SUBDIVISION, PLAT BOOK # 15, PAGE "Q-5"
2. LOT # 22 "FIELD POINTE SUBDIVISION, PHASE 2, SECTION 2 FIRST REPLAT" DOCUMENT NO. 9930734

SECTION IV. The purpose of the vacation of the real property is to allow for additional buildable area for three proposed subdivision lots to be created along the north portion of Maple Road. The vacation will also reduce the size of this portion of the Maple Road right-of-way from 80 ft. wide to 60 ft. wide, to match the right-of-way of Sandwood Drive which intersects Maple Road to the west.

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

MAR 08 2000

LORETTA J. DUDA
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 MARCH 7, 2000

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

A. THE ALLEY DESCRIBED AS:

B. THE STREET DESCRIBED AS:

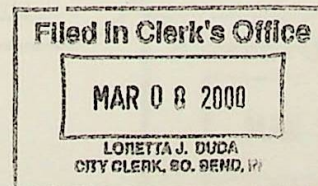
THE NORTH 20 FEET OF MAPLE ROAD LOCATED BETWEEN PORTAGE ROAD ON
THE EAST AND SANDWOOD DRIVE ON THE WEST.

NAME (signed & printed)	ADDRESS	LOT #
<u>MEADOW WOOD II</u> <i>Michelle Scott, agent</i> <u>ANDY PLACE</u>	<u>C/O PLACE BUILDERS</u> <u>2133 FOXBORO COURT</u> <u>MISHAWAKA, IN. 46545</u>	<u>PT.#38</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)

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

NAME: MICHAEL J. DANCH
DANCH, HARNER & ASSOCIATES, INC.
ADDRESS: 3231 SUGAR MAPLE COURT
SOUTH BEND, INDIANA 46628
PHONE: 219-234-4003

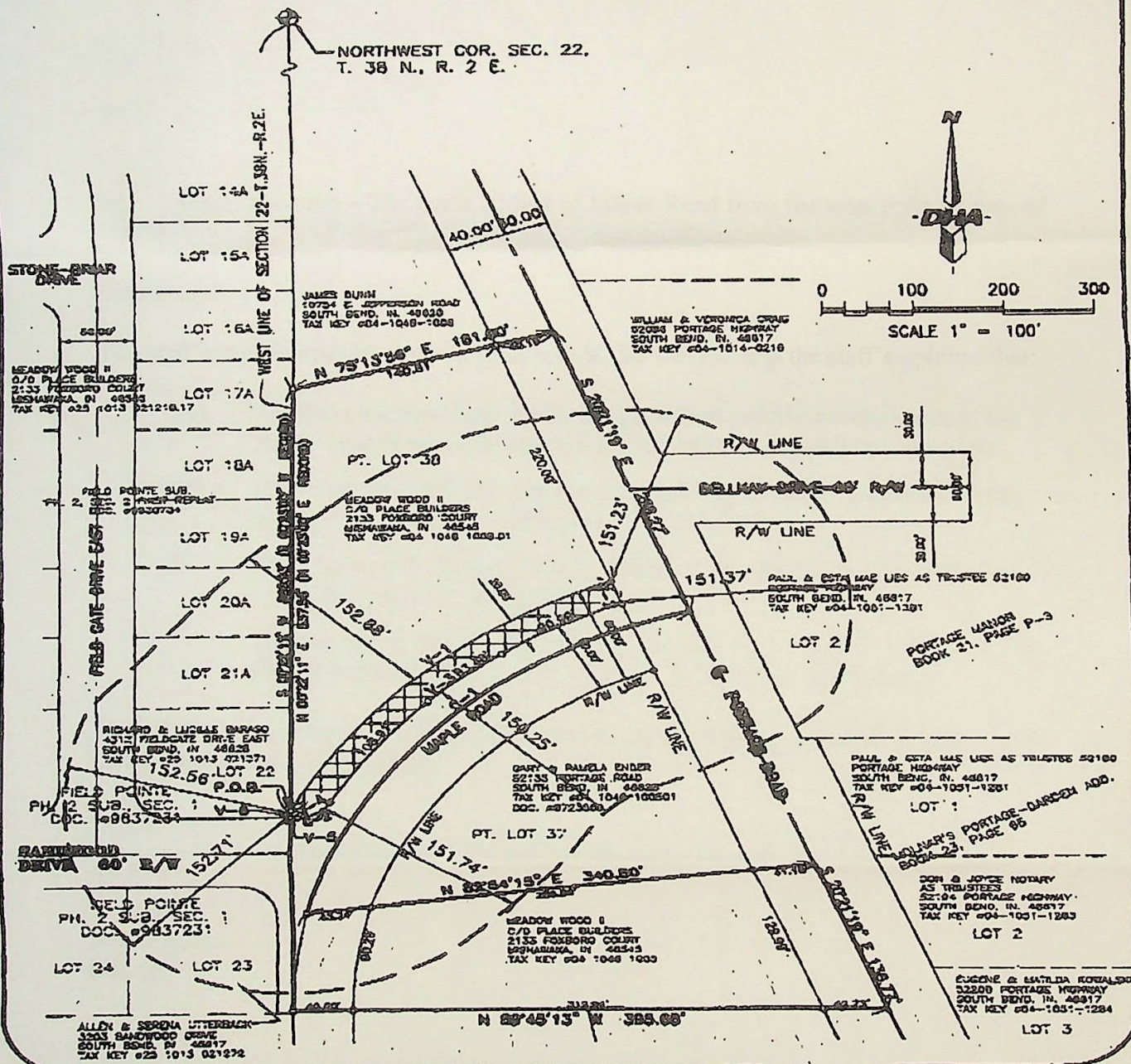


THIS DRAWING PRODUCED BY DHA IS APPROVED BY THE DEPT. OF PUBLIC WORKS ENGINEERING DEPT.

Gary W. Duda 3/7/00

VACATION DIAGRAM

SURVEY ORDERED BY:
SURVEY DATED: MARCH 7, 2000
PROJECT NO.: 990117



Dunch, Harner & Associates, Inc.



Land Surveyors • Professional Engineers
Landscape Architects • Land Planners

Office: (219)234-4003 / (800)594-4003 • Fax: (219)234-4119
3231 Sugar Maple Court • South Bend, IN 48828

1 / 2
Filed in Clark's Office

MAR 08 2000
LORETTA J. DUDA
CITY CLERK, SO. BEND, IN

990117-189-071

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: Street Vacation – The north 20 feet of Maple Road from the west right-of-way of Portage Road to the north right-of-way of Sandwood Drive

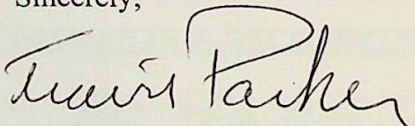
Dear Board Members:

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**

take over

TO: - Tony Molnar, 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
- 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
 - 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:

ANGIE

NO OBJECTIONS

BY: A/C Bert R. Prawat
SBFD

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
- 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.

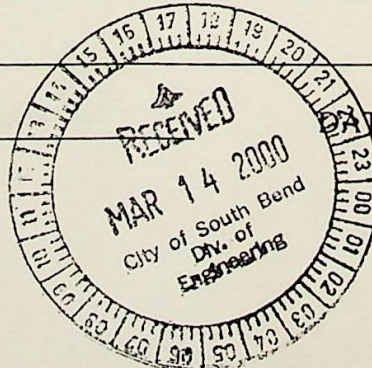
A portion of the north side of Maple Road located between Portage Road on the east and Sandwood Drive on the West, South Bend, Indiana.

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

COMMENTS & RECOMMENDATIONS:

lme

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
- 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 Objections or Recommendations

BY: St. Joseph Markovich

DATE: 03-14-00 FAKED

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

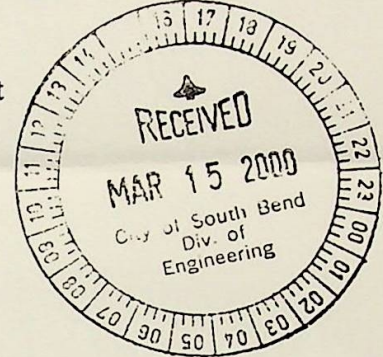
TO:

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

*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
- 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:

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
- 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 objections

BY: _____

Carl D Littrell

DATE: _____

3/17/00