9105-00

First East/West alley south of California between Allen Str. and Sherman Ave.



Office of the City Clerk

Loretta J. Duda, City Clerk

MAY 30, 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. 9105-00 for the vacation of the following property:

THE FIRST EAST/WEST ALLEY SOUTH OF CALIFORNIA BETWEEN ALLEN ST. AND SHERMAN AVE., THE FIRST EAST/WEST ALLEY SOUTH OF VANBUREN ST. BETWEEN ALLEN ST. AND THE FIRST NORTH/SOUTH ALLEY EAST OF HARRISON AVE., AND THE FIRST NORTH/SOUTH ALLEY EAST OF HARRISON AVE. AND THE FIRST NORTH/SOUTH ALLEY EAST OF HARRISON AVE.

are closed and this area is vacated.

cc: Larry Magliozzi

455 County-City Building • South Bend, Indiana 46601 • 219/235-9221 • Fax 219/235-9173 • TDD 219/235-5567

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

April 10, 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 California between Allen Street and Sherman Avenue, the first east/west alley south of Van Buren Street between Allen Street and the first north/south alley east of Harrison Avenue, and the first east/west alley south of Lindsey Street between Harrison Avenue and the first north/south alley east of Harrison Avenue.

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

Board of Public Works

Ordinance No. ______ Monolf E such

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The first east/west alley south of California between Allen St. and Sherman Ave., the first east/west alley south of Van Buren St. between Allen St. and the first north/south alley east of Harrison Ave., and the first east/west alley south of Lindsey St. between Harrison Ave. and the first north/south alley east of Harrison Ave.

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 ORDINATED 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:

- 1. The alley to be vacated is the first east/west alley south of California Ave. from the east right-of-way of Allen Street to the west right-of-way of the first north/south alley east of Allen St. for a distance of 134 feet and a width of 14 feet. Part located in the Mussel 1st Add., South Bend, St. Joseph County, Indiana.
- 2. The alley to be vacated is the first east/west alley south of California Ave. from the east right-of-way of the first north/south alley east of Allen Street to the west right-of-way of Sherman Ave. for a distance of 128 feet and a width of 14 feet. Part located in the Mussel 1st Add., South Bend, St. Joseph County, Indiana.
- 3. The alley to be vacated is the first east/west alley south of Van Buren St. from the east right-of-way of Allen Street to the west right-of-way of the first north/south alley east of Allen St. for a distance of 134 feet and a width of 14 feet. Part located in Cushing's 1st Add., South Bend, St. Joseph County, Indiana.
- 4. The alley to be vacated is the first east/west alley south of Van Buren St. from the east right-of-way of the first north/south alley east of Allen St. to the west right-of-way of Sherman Ave. for a distance of 128 feet and a width of 14 feet. Part located in Cushing's 1st Add., South Bend, St. Joseph County, Indiana.
- 5. The alley to be vacated is the first east/west alley south of Van Buren St. from the east right-of-way of Sherman Ave. to the west right-of-way of the first north/south alley east of Sherman Ave. for a distance of 128 feet and a width of 14 feet. Part located in the Mussel



1st Add., South Bend, St. Joseph County, Indiana.

- 6. The alley to be vacated is the first east/west alley south of Van Buren St. from the east right-of-way of the first north/south alley east of Sherman Ave. to the west right-of-way of Harrison Ave. for a distance of 122 feet and a width of 14 feet. Part located in Cushing & Lindsey's Sub., South Bend, St. Joseph County, Indiana.
- 7. The alley to be vacated is the first east/west alley south of Van Buren St. from the east right-of-way of Harrison Ave. to the west right-of-way of the first north/south alley east of Harrison Ave. for a distance of 128 feet and a width of 14 feet. Part located in Cushing & Lindsey's Sub., South Bend, St. Joseph County, Indiana.
- 8. The alley to be vacated is the first east/west alley south of Lindsey St. from the east right-of-way of Harrison Ave. to the west right-of-way of the first north/south alley east of Harrison Ave. for a distance of 128 feet and a width of 14 feet. Part located in Cushing & Lindsey's Sub., 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.

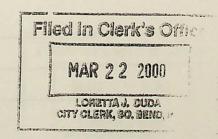
<u>SECTION III.</u> The following property may be injuriously or beneficially affected by such vacating:

Lots 65 and 66, 20 and 19, 8 and 7, 38 and 39, 15 and 14, 116 and 115, 101 and 102, and 42 and 43

<u>SECTION IV.</u> The purpose of the vacation of the real property is to provide abutting property owners with additional open space/side yards and to help eliminate drug traffic in a high density residential area.

<u>SECTION V.</u> 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

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 OW	NER(S), PETITION YOU TO V	ACATE:
A. THE ALLEY DESCRIBED AS: Shorted each-west allow locate Him ct. on the west, Lincolnesian C		
B. THE STREET DESCRIBED AS:	1781 on 100 Sour. and Cot	Jag. Drove Hui on the east.
NAME (signed & printed) ADDRESS		LOT #
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	Converse of the converse	
	CONTACT PERSON (S)	
RETURN TO: OFFICE OF THE CITY CLERK LORETTA J. DUDA, CITY CLERK ROOM 455-COUNTY-CITY BUILDING	ADDRESS:	Filed in Clark's One
SOUTH BEND, IN 46601 219-235-9221	PHONE:	MAR 2 2 2000 LONETTA J. DUDA CITY CLERK, SO. BENE

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I (WE), THE UNDERSIGNED P	ROPERTY OWNER(S), PETITION YOU TO VAC	2 A MEI -
A. THE ALLEY DESCRIBED AS		CATE:
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	, Lincolnway West on the south and Cot	
B. THE STREET DESCRIBED A		tage Grove Ave. on the east
NAME (signed & printed)	ADDRESS	LOT #
anna & Plump	726 N. allen St	7
ANNAE PLUMP		
Hart K Parl	and classification	20
DAVID K. BARTON	903 Sherman Ave	<u>au</u>
1/ A A	Grace Community Church	
Vernif Lein	Grace Community Church 749 Harrison	122-116
	CONTACT PERSON (S)	
	NAME:	
RETURN TO: OFFICE OF THE CITY CLER	ADDRESS:	
LORETTA J. DUDA, CITY C ROOM 455-COUNTY-CITY BU	LERK	Flied in Clark's Office
SOUTH BEND, IN 46601 219-235-9221	PHONE:	MAR 2 2 2000
		Loretta J. Duda City Clerk, 30. Bend,

PETITION TO VACATE PUBLIC RIGHTS-OF-WAY Page 2 of 2 (STREETS/ALLEYS)

	COMMON COUNCIL CITY OF SOUTH BEND,	INDIANA	DATE:	<i>*</i>	
I (WE)	, THE UNDERSIGNED	PROPERTY OWNER(S), PE	FITION YOU TO VACATE		
A. TI	HE ALLEY DESCRIBED				
5	Selected east-west a	alleys located in the ar	rea bounded by Califo	rnia Ave. on the north	
		st, Lincolnway West on t			
	THE STREET DESCRIBED				
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NAME (signed & printed)	ADDRESS		LOT #	
111		606 Harris	20	42	
Tod	d A. Brown				
		CONTACT	PERSON (S)		
		NAME:	Toold A.	Brown	
RETURN T	0:		100 11 10	lec St26	
LO	FICE OF THE CITY CLI RETTA J. DUDA, CITY	Firekin Clark's Office	Toold A. 100 N Cen Mish. In L	1 Cill	
RO	OM 455-COUNTY-CITY I UTH BEND, IN 46601	BUILDING	<i>r</i> .		
	219-235-9221	MAR 2 2 2000 ONE:	(215) 254-1	37/	
		Loretta J. Duda City Clerk, So. Bend, M.			

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

Page 2 of 2

TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA (WE), THE UNDERSIGNED PROPERTY OWNER(S), PETITION YOU TO VACATE: THE ALLEY DESCRIBED AS: A. Selected east-west alleys located in the area bounded by California Ave. on the north, Allen St. on the west, Lincolnway West on the south and Cottage Grove Ave. on the east. в. THE STREET DESCRIBED AS: NAME (signed & printed) ADDRESS LOT # CONTACT PERSON (S) NAME: RETURN TO: OFFICE OF THE CITY CLERK COOK'S O'ADDRESS:
LORETTA J. DUDA, CITY CLERK
ROOM 455-COUNTY-CITY BUILDING SOUTH BEND, IN 46601 MAR 2 2 2000 219-235-9221

> Loretta I. Ouda City Clerk, So. Bend, In.

PETITION TO VACATE PUBLIC RIGHTS-OF-WAY Page 2 of 2 (STREETS/ALLEYS)

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Allen St. on the wes	t, Lincolnway West on the south a	and Cottage Grove Ave. on the eas
B. THE STREET DESCRIBED		
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NAME (signed & printed)	ADDRESS	
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	CONTACT PERSON (S)	
	NAME:	
	ANTA-LES -	
ETURN TO: OFFICE OF THE CITY CLE	In Clerk's Office	
LORETTA J. DUDA, CITY	CLERK	
ROOM 455-COUNTY-CITY B	MYBIAC) 5000	
SOUTH BEND, IN 46601 219-235-9221	PHONE:	
	CONFITTA J. DUDA PHONE:	

TO:

- Carl Littrell, City Engineer
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Deve opment

C-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:

Alley Vacation

DATE:

March 24, 2000

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

The first east/west alley south of California between Allen Street and Sherman Avenue, the first east/west alley south of Van Buren Street between Allen Street and the first north south alley east of Harrison Avenue, and the first east/west alley south of Lindsey Street between Harrison Avenue and the first north south alley east of Farrison Avenue.

It is important that I receive your comments and recommendation concerning this alley closure by April 5, 2000.

COMMENTS & RECO	MMENDATIONS:	
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DV. 1/1 (2 16)	4/20	DATE: 3-27-00
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TO:

- Carl Littrell, City Engineer
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No Objections		
BY: It Joseph Markound	DATE: 03-28-00	FAXED

TO:

- Carl Littrell, City Engineer

- Travis Parker, Area Plan Commission

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- Alonzo Adams, Solid Waste

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COMMENTS & RECOMMENDATIONS:

RECOMMEND APPENIAL

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- Carl Littrell, City Engineer

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BY: Money	P Adams	DATE:_	3-30	-00	
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MAR 3 0 2000 City of Soul Bend

RECEIVED

MAR 2 7 2000

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

CITY OF SOUTH BEND DIV. OF ENGINEERING

TO:

Carl Littrell, City Engineer

- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
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COM	IMENTS & RE	COMMENDA	ATIONS:		
	APPROVE	OF	VACATION		
	0 1	01			, ,
BY:	Col.	Max		DATE:	3/30/00
	1				

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

April 4, 2000

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

RE: Alley Vacations – The first east/west alley south of California Street between Allen Street and Sherman Avenue, the first east/west alley south of Van Buren Street between Allen Street and the first north/south alley east of Harrison Avenue, and the first east/west alley south of Lindsey Street between Harrison Avenue and the first north/south alley east of Harrison Avenue.

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 <u>not</u> 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 <u>not</u> make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation would <u>not</u> hinder the public's access to a church, school, or other public building or place.
- (4) The vacation would <u>not</u> 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 these rights-of-way be vacated, subject to any utility easements that may be required.

Sincerely,

Travis Parker

Planner



ALLEY VACATIONS 3

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