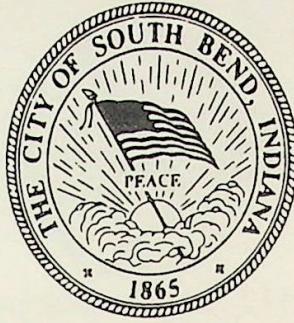


9106-00

The first East West Alley  
North of Lincolnway West between  
Cottage Grove 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. 9106-00 for the vacation of the following property:

**PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST EAST/WEST ALLEY NORTH OF LINCOLNWAY WEST BETWEEN COTTAGE GROVE AVE. AND THE FIRST NORTH/SOUTH ALLEY EAST OF COTTAGE GROVE AVE., THE FIRST EAST/WEST ALLEY SOUTH OF LINDSEY BETWEEN THE FIRST NORTH/SOUTH ALLEY WEST OF SCOTT ST. AND SCOTT ST., THE FIRST AND THIRD EAST/WEST ALLEYS SOUTH OF LINDSEY ST. BETWEEN SCOTT ST. AND THE FIRST NORTH/SOUTH ALLEY EAST OF SCOTT ST., AND THE FIRST EAST/WEST ALLEY SOUTH OF LINDSEY ST. BETWEEN LELAND AVE. AND THE FIRST NORTH/SOUTH ALLEY EAST OF LELAND 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

Sandra Parmerlee  
Chief Deputy

Janice Talboom  
Deputy

Dee Priebe  
Ordinance Violation Clerk

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 Public Property

Dear Council Members:

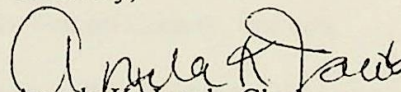
In accordance with Municipal Code Section 18-53.8, **favorable recommendation** is submitted to the Common Council concerning the following vacation:

The first east/west alley north of Lincolnway west between Cottage Grove Avenue and the first north/south alley east of Cottage Grove Avenue, the first east/west alley south of Lindsey between the first north/south alley west of Scott Street and Scott Street, the first and third east/west alleys south of Lindsey Street between Scott Street and the first north/south alley east of Scott Street and the first east/west alley south of Lindsey Street between Leland Avenue and the first north/south alley east of Leland Avenue.

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, 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

---

APR 10 2000

*M. Catherine Peerm*  
*Donald E. Smith*

Ordinance No. \_\_\_\_\_

*Bill 32-00*

**AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:**

The first east/west alley north of Lincoln Way West between Cottage Grove Ave. and the first north/south alley east of Cottage Grove Ave., the first east/west alley south of Lindsey between the first north/south alley west of Scott St. and Scott St., the first and third east/west alleys south of Lindsey St. between Scott St. and the first north/south alley east of Scott St., and the first east/west alley south of Lindsey St. between Leland Ave. and the first north/south alley east of Leland 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 north of Lincoln Way West from the east right-of-way of Cottage Grove Ave. to the west right-of-way of the first north/south alley east of Cottage Grove Ave. for a distance of 128 feet and a width of 14 feet. Part located in Cushing and Lindsey's Sub., South Bend, St. Joseph County, Indiana.
2. The alley to be vacated is the first east/west alley south of Lindsey Street from the east right-of-way of the first north/south alley west of Scott Street to the west right-of-way of Scott Street for a distance of 160.38 feet and a width of 9.9 feet. Part located in Miller's Sub. of Pt. Bank Outlot 113, South Bend, St. Joseph County, Indiana.
3. The alley to be vacated is the first east/west alley South of Lindsey Street from the east right-of-way of Scott Street to the west right-of-way of the first north/south alley east of Scott Street for a distance of 160.38 feet and a width of 15.18 feet. Part located in Miller's Sub. of Pt. Bank Outlot 113, South Bend, St. Joseph County, Indiana.
4. The alley to be vacated is the third east/west alley south of Lindsey Street from the east right-of-way of Scott Street to the west right-of-way of the first north/south alley east of Scott Street for a distance of 160.38 feet and a width of 9.9 feet. Part located in Kent's Sub. of Bank Outlot 114 & Pt. Bank Outlot 113, South Bend, St. Joseph County, Indiana.
5. The alley to be vacated is the first east/west alley south of Lindsey Street from the east right-

*4/10*

of-way of Leland Ave. to the west right-of-way of the first north/south alley east of Leland Ave. for a distance of 132 feet and a width of 14 feet. Part located in Burrough's Sub. of Outlot 115, 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:

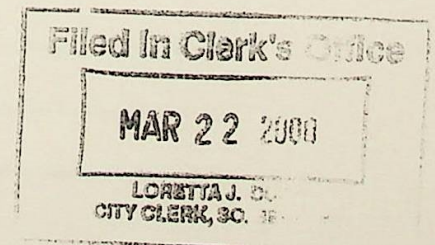
Lots 23, 25 and 24, 9 and 10, 11 and 10, 8 and 24, and 24 and 23

SECTION IV. 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.

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

1 READING  
PUBLIC HEARING  
2d 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 OWNER(S), PETITION YOU TO VACATE:

A. THE ALLEY DESCRIBED AS:

*Selected east-west alleys located in the area bounded by Lindsay St. on the north, Cottage Grove on the west, Lincolnway West on the south and the north-south alley east of Leland on the east.*

B. THE STREET DESCRIBED AS:

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

NAME (signed & printed)

ADDRESS

LOT #

*Rita Kopczynski*

*1005 Portage*

*#1 of so. side 2*

*RITA KOPCZYNSKI*

*Near North West Neighborhood, inc.*

*EXECUTIVE DIRECTOR*

NAME (signed & printed)	ADDRESS	LOT #

CONTACT PERSON (S)

NAME: \_\_\_\_\_

RETURN TO:

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

*Filed in Clerk's Office*  
**MAR 22 2000**  
LORETTA J. DUDA  
CITY CLERK, SO. BEND, IN.

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
PHONE: \_\_\_\_\_

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:

Selected east-west alleys located in the area bounded by Lindsey St. on the  
north, Cottage Grove on the west, Lincolnway West on the south and the north-south  
alley east of Leland on the east.

B. THE STREET DESCRIBED AS:

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

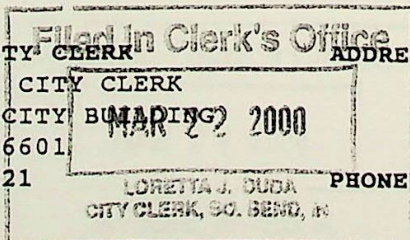
NAME (signed & printed)	ADDRESS	LOT #
<u>Linda Alicea Luda Alicea</u>	<u>534 N. Scott St</u>	<u>8</u>
<u>Laverne Tolbert</u> <u>LAVERNE TOIBERT</u>	<u>531 N. Scott St</u>	<u>19</u>
<u>David J. Debecki</u> <u>David T. Debecki</u>	<u>601 N. Scott st</u>	<u>9</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)

NAME: \_\_\_\_\_

RETURN TO:

OFFICE OF THE CITY CLERK ADDRESS:  
LORETTA J. DUDA, CITY CLERK  
ROOM 455-COUNTY-CITY BUILDING 2000  
SOUTH BEND, IN 46601  
219-235-9221 PHONE:



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

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

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

DATE: 8/4-99

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

A. THE ALLEY DESCRIBED AS:

Selected east-west alleys located in the area bounded by Lindsey St. on the  
north, Cottage Grove on the west, Lincolnway West on the south and the north-south  
alley east of Leland on the east.

B. THE STREET DESCRIBED AS:

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

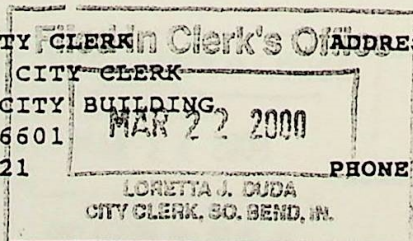
NAME (signed & printed)	ADDRESS	LOT #
<u>Sue Stackhouse</u> <u>SUE STACKHOUSE</u>	<u>618 Scott</u>	<u>11</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)

NAME: SUE OR DAN PERRY

RETURN TO:

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



PHONE:

6720 N. MICHIGAN RD  
PLYMOUTH, IN 46563  
(219) 935-5215 (leave message)



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

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

DATE: Aug 1 '99

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

A. THE ALLEY DESCRIBED AS:

Selected east-west alleys located in the area bounded by Lindsey St. on the  
north, Cottage Grove on the west, Lincolnway West on the south and the north-south  
alley east of Leland on the east.

B. THE STREET DESCRIBED AS:

NAME (signed & printed)

ADDRESS

LOT #

JOHN PALMER

614 Leland

23

John Palmer

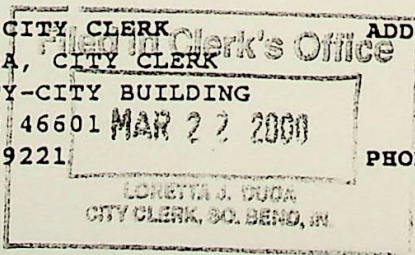
VICE PRESIDENT OF J.P.V. INC.

CONTACT PERSON (S)

NAME: JOHN PALMER

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: 614 LELAND AVE.  
SOUTH BEND IN 46616  
PHONE: (219) 288-7019

ALLEY VACATIONS A

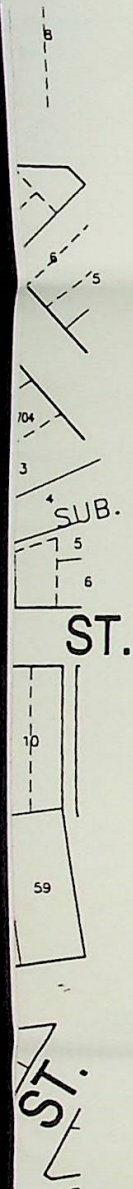
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② The alley to be vacated is the first east/west alley south of Lindsey Street from the east right-of-way of the first north/south alley west of Scott Street to the west right-of-way of Scott Street for a distance of 160.38 feet and a width of 9.9 feet. Part located Miller's Sub. of Pt. Bank Outlot 113, South Bend, St. Joseph County, Indiana.

③ The alley to be vacated is the first east/west alley South of Lindsey Street from the east right-of-way of Scott Street to the west right-of-way of the first north/south alley east of Scott Street for a distance of 160.38 feet and a width of 15.18 feet. Part located in Miller's Sub. of Pt. Bank Outlot 113, South Bend, St. Joseph County, Indiana.

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⑤ The alley to be vacated is the first east/west alley south of Lindsey Street from the east right-of-way of Leland Ave. to the west right-of-way of the first north/south alley east of Leland Ave. for a distance of 132 feet and a width of 14 feet. Part located Burrough's Sub. of Outlot 115, South Bend, St. Joseph County, Indiana.



ALLEY VACATIONS *A*



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Filed in Clark's C  
 MAR 22 20  
 LORETTA J. DUNN  
 CITY CLERK, SO. BE

### INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

**TO:**

- Carl Littrell, Engineering Department
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Luther Taylor, Fire Department
- Alonzo Adams, Solid Waste
- ✓ Lt. Joe Markovich, Police Traffic Department
- Michelle Engel, City Attorney's Office

**FROM:** Angela K. Jacob, Clerk *AKJ*

**RE:** Alley Vacation

**DATE:** March 24, 2000

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

The first east west alley north of Lincolnway West between Cottage Grove Avenue and the first north south alley east of Cottage Grove Avenue, the first east/west alley south of Lindsey between the first north south alley west of Scott Street and Scott Street, the first and third east west alleys south of Lindsey Street between Scott Street and the first north south alley east of Scott Street and the first east west alley south of Lindsey street between Leland Avenue and the first north south alley east of Leland Avenue.

I would appreciate receiving your comments and recommendation concerning these alley vacations no later than April 5, 2000. Thank you.

**COMMENTS & RECOMMENDATIONS:**

No Objections

BY: *Lt. Joseph J. Markovich*

DATE: 03-28-00

FAXED

### INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO: - Carl Littrell, Engineering Department  
 - Travis Parker, Area Plan Commission  
 - Larry Magliozzi, Department of Economic Development  
 ✓ Chief Luther Taylor, Fire Department  
 - Alonzo Adams, Solid Waste  
 - Lt. Joe Markovich, Police Traffic Department  
 - Michelle Engel, City Attorney's Office

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I would appreciate receiving your comments and recommendation concerning these alley vacations no later than April 5, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

*ANGIE*  
 \_\_\_\_\_  
*no objections*  
 \_\_\_\_\_  
 BY: *A/K [Signature]* DATE: *3-28-00*  
*SBFD*

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

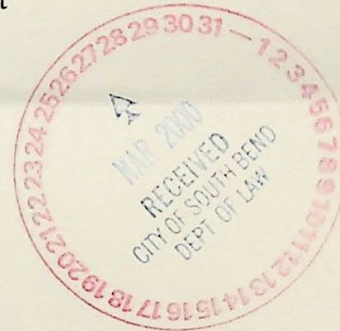
**TO:**

- Carl Littrell, Engineering Department
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
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- Alonzo Adams, Solid Waste
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**DATE:** March 24, 2000



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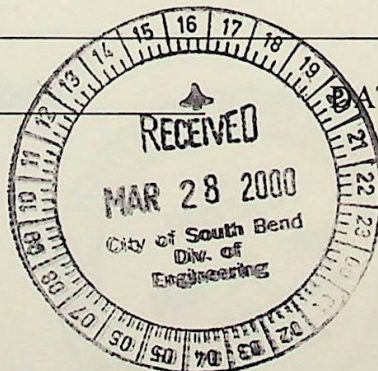
I would appreciate receiving your comments and recommendation concerning these alley vacations no later than April 5, 2000. Thank you.

**COMMENTS & RECOMMENDATIONS:**

*fine*

BY: *AKJ*

DATE: *3/27/00*



INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

TO: - Carl Littrell, Engineering Department  
- Travis Parker, Area Plan Commission  
- Larry Magliozzi, Department of Economic Development  
- Chief Luther Taylor, Fire Department  
- Alonzo Adams, Solid Waste  
- Lt. Joe Markovich, Police Traffic Department  
- Michelle Engel, City Attorney's Office

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DATE: March 24, 2000

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I would appreciate receiving your comments and recommendation concerning these alley vacations no later than April 5, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

*RECOMMEND APPROVAL*

BY: *Jon R. Hunt*

DATE: *03.30.00*



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

**TO:**

- Carl Littrell, Engineering Department
- Travis Parker, Area Plan Commission
- Larry Magliozzi, Department of Economic Development
- Chief Luther Taylor, Fire Department
- ✓ - Alonzo Adams, Solid Waste
- Lt. Joe Markovich, Police Traffic Department
- Michelle Engel, City Attorney's Office

**FROM:** Angela K. Jacob, Clerk *AKJ*

**RE:** Alley Vacation

**DATE:** March 24, 2000

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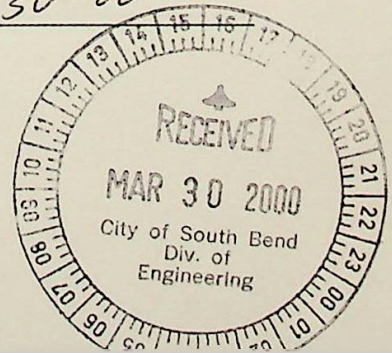
I would appreciate receiving your comments and recommendation concerning these alley vacations **no later than April 5, 2000.** Thank you.

**COMMENTS & RECOMMENDATIONS:**

*Solid Waste are in favor of the  
alley vacation*

**BY:** *Alonzo P. Adams*

**DATE:** *3-30-00*





RECEIVED

MAR 27 2000

CITY OF SOUTH BEND  
D.V. OF ENGINEERING

INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

TO: ✓ Carl Littrell, Engineering Department  
- Travis Parker, Area Plan Commission  
- Larry Magliozzi, Department of Economic Development  
- Chief Luther Taylor, Fire Department  
- Alonzo Adams, Solid Waste  
- Lt. Joe Markovich, Police Traffic Department  
- Michelle Engel, City Attorney's Office

FROM: Angela K. Jacob, Clerk *AKJ*

RE: Alley Vacation

DATE: March 24, 2000

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I would appreciate receiving your comments and recommendation concerning these alley vacations no later than April 5, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

APPROVE OF VACATION

BY: *Carl Littrell*

DATE: 3/30/00

# 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

April 4, 2000

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

RE: Alley Vacations – The first east/west alley north of Lincolnway West between Cottage Grove Avenue and the first north/south alley east of Cottage Grove Avenue, the first east/west alley south of Linsey between the first north/south alley west of Scott Street and Scott Street, the first and third east/west alleys south of Linsey Street between Scott Street and the first north/south alley east of Scott Street, and the first east/west alley south of Lindsey Street between Leland Avenue and the first north/south alley east of Leland Avenue.

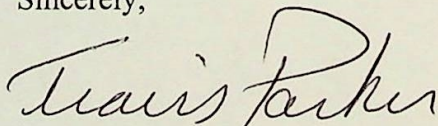
Dear Board Members:

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

- (1) The vacation would 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 these rights-of-way be vacated, subject to any utility easements that may be required.

Sincerely,



Travis Parker  
Planner

