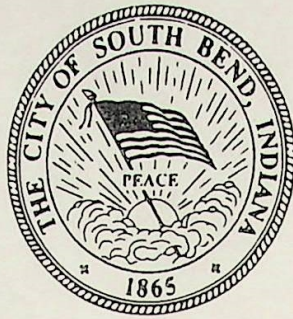


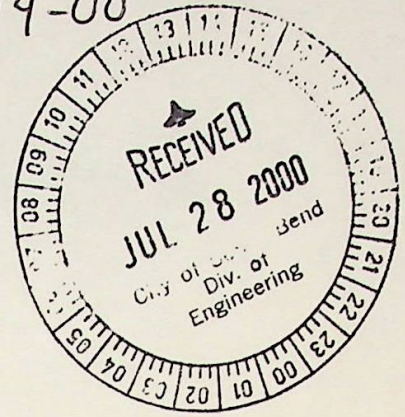
Ord. # 9114-00 ✓

Alley Vacation

The 1st North / South Alley east of Warren Str. from South Right-of-way of Western Ave. to the North Line of the First East / West Alley south of Western Ave. for a distance of approx. 132 Feet and width of 14 ft.



9114-00



Office of the City Clerk

Loretta J. Duda, City Clerk

JULY 27, 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

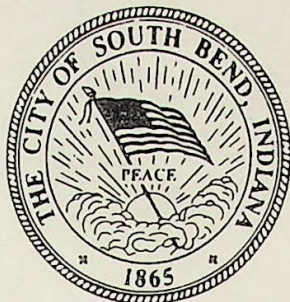
FROM: Loretta J. Duda, City Clerk

All proceedings with reference to Ordinance No. 9114-00 for the vacation of the following property:

THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

cc: Larry Magliozzi



9114-00



Office of the City Clerk

Loretta J. Duda, City Clerk

JULY 27, 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

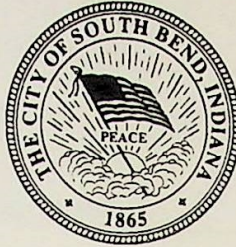
All proceedings with reference to Ordinance No. 9114-00 for the vacation of the following property:

THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF 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

June 12, 2000

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

RE: Vacation of an Alley

Dear Council Members:

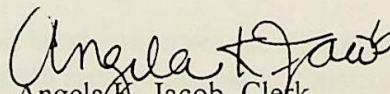
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is submitted to the Common Council concerning the following vacation:

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley South of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend. St. Joseph County, Indiana.

The Board of Public Works received favorable recommendations from the Engineering Department, Department of Economic Development, Solid Waste, Fire Department, Police Traffic Department, and the City Attorney's Office, subject to any utility easements that may be required. The City Engineer submitted the following comments: an easement will be needed to allow trucks northbound in the remaining alley to turn east and west to the cross alley; the site will need to be planned and engineered for access control including paving the vacated alley and parking lot; making improvements to the Western Avenue sidewalk to either close the curb or construct a driveway approach common to separate lots with common ownership currently; and obtaining a driveway permit for access from the east west alley.

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

Sincerely,


Angela K. Jacob, Clerk

Attachments

JUN 12 2000

M Catherine Palmer
Gary A. Gillet

ORDINANCE NO _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The alley to be vacated is described as the first north/south alley east of Warren Street from the south right-of-way of Western Avenue to the north line of the first east/west alley South of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of 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 alley to be vacated is described as the first north/south alley east of Warren Street from the south right-of-way of Western Avenue to the north line of the first east/west alley South of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of 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 ditched, 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:

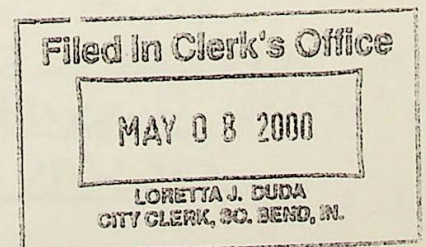
18-4018-0618 #225

18-4014-0470 #199

SECTION IV. The purpose of the vacation of the real property is when my parking lot is full, my customers tend to park in the alley, thinking it is part of the parking lot and several times the police have come out and given warnings and/or tickets to the cars parked there even though a drive thru lane was left open in the center of my parking lot. Also, I would like to get the whole lot paved, which includes the alley to the west of the bar. The alley separates the bar and my parking lot.

SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council and approved by the Mayor.

Member of the Common Council



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

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

DATE: 5/8/00

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

A. THE ALLEY DESCRIBED AS:

The first ~~2 1/2~~ ^{North} ~~1/2~~ ^{South} alley east of Warren Street from the south right-of-way of Western Ave. to the north line of the first east/west alley south of Western Ave for a distance of approx. 132 ft. & width of 14 ft.

B. THE STREET DESCRIBED AS:

NAME (signed & printed)

ADDRESS

LOT #

Karen Paredes
KAREN PAREDES

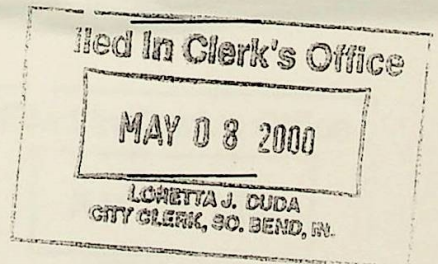
2012 W. Western

199

Karen Paredes
KAREN Paredes

2012 W. Western

225



CONTACT PERSON (S)

NAME:

Karen Paredes
Rafael Paredes

ADDRESS:

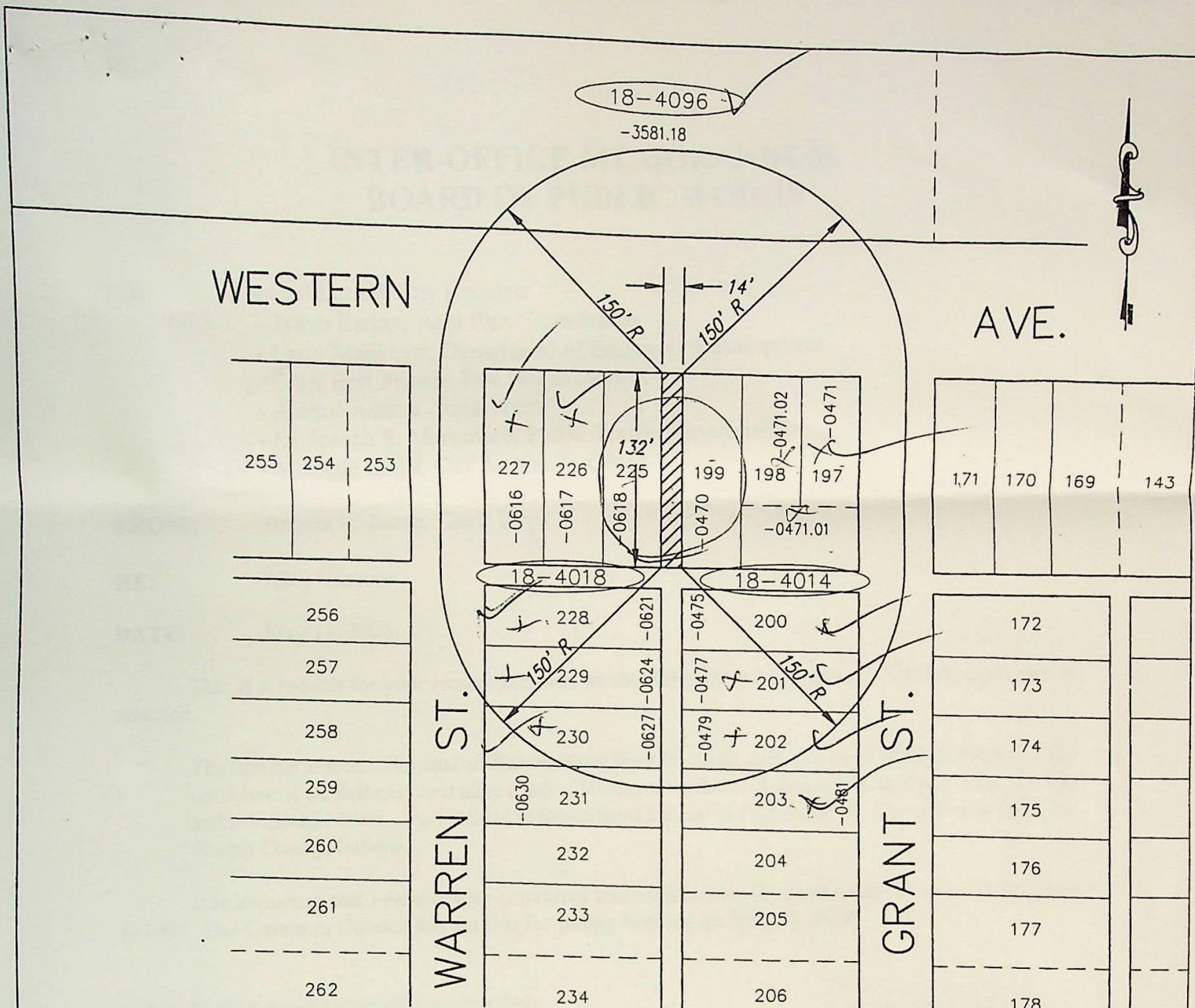
2012 W. Western
South Bend, 46619

PHONE:

(219) 289-0742

RETURN TO:

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



ALLEY VACATION
LEGAL DESCRIPTION

Filed in Clerk's Office
MAY 08 2000
LORETTA J. DUCS
CITY CLERK, SO. BEND

The alley to be vacated is described as the first north/south alley east of Warren Street from the south right-of-way of Western Avenue to the north line of the first east/west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO: - 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by June 7, 2000. The Common Council has set this for public hearing on June 12, 2000.

COMMENTS & RECOMMENDATIONS:

ANGIE

NO OBJECTIONS

BY: *[Signature]*

DATE: *5-12-00*

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

TO: - 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by **June 7, 2000**. The Common Council has set this for public hearing on **June 12, 2000**.

COMMENTS & RECOMMENDATIONS:

ANGIE

NO OBJECTIONS

BY: *[Signature]*

DATE: *5-12-00*

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



TO:

- 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by **June 7, 2000**. The Common Council has set this for public hearing on **June 12, 2000**.

COMMENTS & RECOMMENDATIONS:

None

BY: *AKJ*

DATE: *5/15/00*

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MAY 10, 2000

I am referring to you the following vacation:

44-00 THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

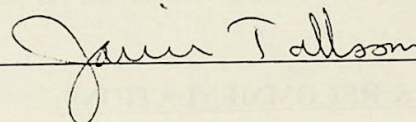
For your information, the Common Council will have first reading on this vacation request on Monday, May 22, 2000. I assume the council will set this bill for public hearing at its regularly scheduled meeting of June 12, 2000.

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

Thanks!

CITY CLERK
LORETTA J. DUDA

DEPUTY

A handwritten signature in cursive script, appearing to read "Javier Tallson", is written over a horizontal line.

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

TO:

- 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by **June 7, 2000**. The Common Council has set this for public hearing on **June 12, 2000**.

COMMENTS & RECOMMENDATIONS:

No Objections

BY: *Lt Joseph S Markovich* ⁱ²⁴

DATE: *05-15-00*

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MAY 10, 2000

I am referring to you the following vacation:

44-00 THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

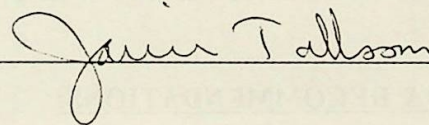
For your information, the Common Council will have first reading on this vacation request on Monday, May 22, 2000. I assume the council will set this bill for public hearing at its regularly scheduled meeting of June 12, 2000.

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

Thanks!

CITY CLERK
LORETTA J. DUDA

DEPUTY

A handwritten signature in cursive script, appearing to read "Javier Tallson", is written over a horizontal line.

INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

TO: - 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by **June 7, 2000**. The Common Council has set this for public hearing on **June 12, 2000**.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY:

Jon R. Huff

DATE: 05.12.00

RECEIVED MAY 15 2000

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MAY 10, 2000

I am referring to you the following vacation:

44-00 THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

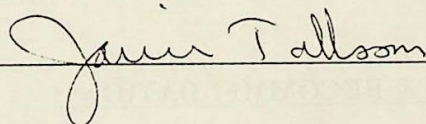
For your information, the Common Council will have first reading on this vacation request on Monday, May 22, 2000. I assume the council will set this bill for public hearing at its regularly scheduled meeting of June 12, 2000.

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

Thanks!

CITY CLERK
LORETTA J. DUDA

DEPUTY



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

May 23, 2000

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

RE: Alley Vacation – The north/south alley east of Warren Street from the south right-of-way of Western Avenue to the north line of the first east/west alley south of Western Avenue for a distance of 132 feet and a width of 14 feet.

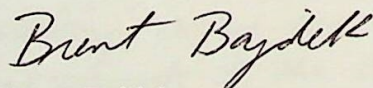
Dear Board Members:

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. This vacation will also need to be subject to a turning radius at the south end for alley traffic from the south.

Sincerely,



Brent Bajdek
Planner



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

TO: ✓ 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by June 7, 2000. The Common Council has set this for public hearing on June 12, 2000.

Alley not paved

COMMENTS & RECOMMENDATIONS:

*Engineering recommends favorably noting the following conditions:
easement will be needed to allow trucks north bound in the remaining
alley to turn east and west to the cross alley; the site*

will need to be planned and engineered for access control;

*including paving the ~~the~~ vacated alley and parking lot, making
improvements to the Western Avenue sidewalk to either close
the curb or construct a driveway approach common
to separate lots with common ownership currently; obtaining
driveway permit for access from east-west alley.*

Carl P Littrell 6/1/00

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MAY 10, 2000

I am referring to you the following vacation:

44-00 THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

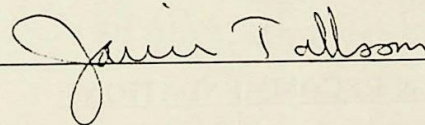
For your information, the Common Council will have first reading on this vacation request on Monday, May 22, 2000. I assume the council will set this bill for public hearing at its regularly scheduled meeting of June 12, 2000.

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

Thanks!

CITY CLERK
LORETTA J. DUDA

DEPUTY

A handwritten signature in cursive script, appearing to read "Javier Tallson", is written over a horizontal line.

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

TO:

- 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 *aj*

RE: Alley Vacation

DATE: May 11, 2000

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

The first north south alley east of Warren Street from the south right of way of Western Avenue to the north line of the first east west alley south of Western Avenue for a distance of approximately 132 feet and a width of 14 feet. Part located in South Bend Industrial Park Addition, City of South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by **June 7, 2000**. The Common Council has set this for public hearing on **June 12, 2000**.

COMMENTS & RECOMMENDATIONS:

*Solid Waste are in favor of this
Alley vacation.*

BY: *Alonzo P. Adams*

DATE: *6-1-00*

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MAY 10, 2000

I am referring to you the following vacation:

44-00 THE ALLEY TO BE VACATED IS DESCRIBED AS THE FIRST NORTH/SOUTH ALLEY EAST OF WARREN STREET FROM THE SOUTH RIGHT-OF-WAY OF WESTERN AVENUE TO THE NORTH LINE OF THE FIRST EAST/WEST ALLEY SOUTH OF WESTERN AVENUE FOR A DISTANCE OF APPROXIMATELY 132 FEET AND A WIDTH OF 14 FEET. PART LOCATED IN SOUTH BEND INDUSTRIAL PARK ADDITION, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

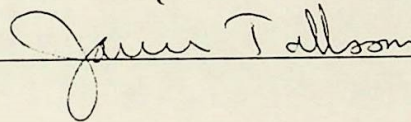
For your information, the Common Council will have first reading on this vacation request on Monday, May 22, 2000. I assume the council will set this bill for public hearing at its regularly scheduled meeting of June 12, 2000.

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

Thanks!

CITY CLERK
LORETTA J. DUDA

DEPUTY

A handwritten signature in cursive script, appearing to read "J. Tallson", is written over a horizontal line.