

Ord. No.

9120-00
✓

Alley Vacation

The 1st East / West Alley
South of California Ave. From
East Right-of-way of Blaine Ave.
to west Right-of-way of the 1st
North / South Alley east of Blaine
Ave.

Angie



Office of the City Clerk

Loretta J. Duda, City Clerk

SEPTEMBER 8, 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. 9120-00 for the vacation of the following property:

THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY SOUTH OF CALIFORNIA AVENUE FROM THE EAST RIGHT-OF-WAY OF BLAINE AVENUE TO THE WEST RIGHT-OF-WAY OF THE FIRST NORTH/SOUTH ALLEY EAST OF BLAINE AVENUE FOR A DISTANCE OF APPROXIMATELY 134 FEET AND A WIDTH OF APPROXIMATELY 14 FEET. PART LOCATED IN MUESSEL 1ST ADD., 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

July 24, 2000

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

RE: Alley Vacation

Dear Members of the Council:

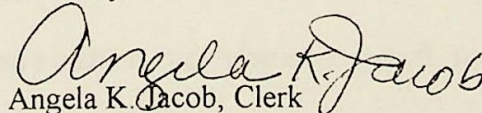
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning an Alley Vacation, as follows:

The first east west alley south of California Avenue from the east right of way of Blaine Avenue to the west right of way of the first north south alley east of Blaine Avenue for a distance of approximately 134 feet and a width of approximately 14 feet. Part located in Muessel 1st Add., South Bend, St. Joseph County, Indiana.

For your information, the Board received favorable recommendations concerning this Vacation Petition from the Area Plan Commission, Police Department, Fire Department, Sanitation, Department of Economic Development and the Department of Public Works. The Division of Engineering noted that the owners of Lots 112 and 113 have agreed to cross easements. Area Plan noted that the homeowner south of the alley, 822 Blaine, did not sign the petition to vacate this alley.

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:

THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY SOUTH OF CALIFORNIA AVENUE FROM THE EAST RIGHT-OF-WAY OF BLAINE AVENUE TO THE WEST RIGHT-OF-WAY OF THE FIRST NORTH/SOUTH ALLEY EAST OF BLAINE AVENUE FOR A DISTANCE OF APPROXIMATELY 134 FEET AND A WIDTH OF APPROXIMATELY 14 FEET. PART LOCATED IN MUESSEL 1ST ADD., SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

APPROVED
Board of Public Works

JUL 24 2008
Gary A. Blot
Donald E. Sahp
Matherine Poemer

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 the first east/west alley south of California Avenue from the east right-of-way of Blaine Avenue to the west right-of-way of the first north/south alley east of Blaine Avenue for a distance of approximately 134 feet and a width of approximately 14 feet. Part located in Muesel 1st add., 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.

7/24

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

Lot 112

SECTION IV. The purpose of the vacation of the real property is to reduce the traffic flow and eliminate drug dealings that sometimes take place here. See attached detailed letter for further clarification.

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

Member of the Common Council

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

Filed in Clerk's Office

JUN 26 2006

LORETTA J. DUDA
CITY CLERK, GO. BEND, IN.

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:

B. THE STREET DESCRIBED AS:

NAME (signed & printed)	ADDRESS	LOT #
<u>NANCY HOMBARGER</u> <i>Nancy Hombarger</i>	<u>818 BLAINE</u> 18-1079-3311	<u>55</u>
<u>NANCY HOMBARGER</u> <i>Nancy Hombarger</i>	<u>903 BLAINE</u> 18-1086-3675	<u>112</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)

NAME: JOHN ALBERS

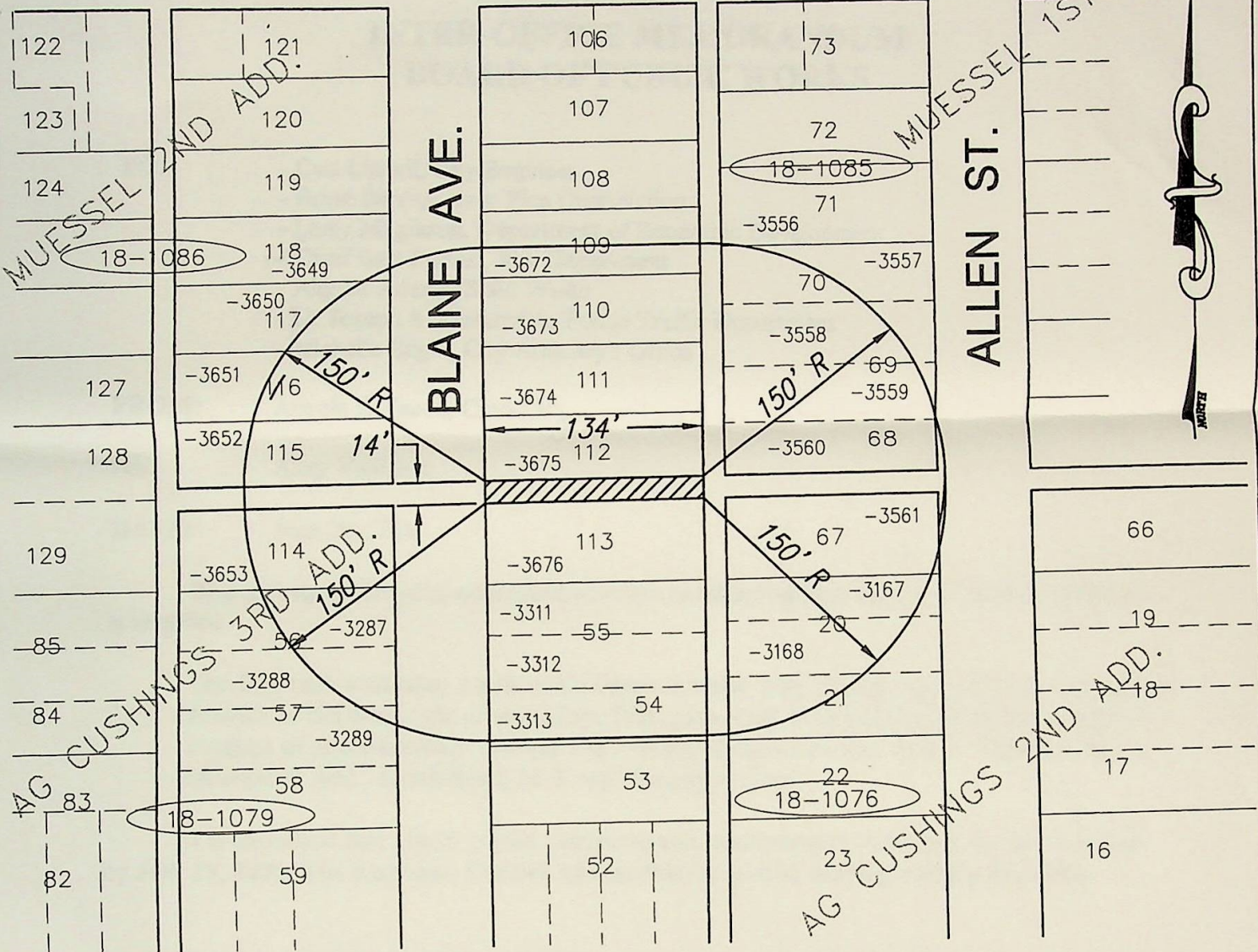
ADDRESS: Po Box 391
So Bend In 46624

PHONE: 288-3613

RETURN TO:

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

CALIFORNIA AVE.



ALLEY VACATION

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INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO:

- Carl Littrell, City Engineer
- Brent Bajdke, 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: June 29, 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 Avenue from the east right of way of Blaine Avenue to the west right of way of the first north south alley east of Blaine Avenue for a distance of approximately 134 feet and a width of approximately 14 feet. Part located in Muessel 1st Add., South Bend, St. Joseph County, Indiana.

It is important that I receive your comments and recommendation concerning this vacation by July 19, 2000. The Common Council has set this for public hearing on July 24, 2000.

COMMENTS & RECOMMENDATIONS:

ANGIE

NO OBJECTIONS

BY: *[Signature]*

DATE: *7-3-00*

INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

TO: - Carl Littrell, City Engineer
- Brent Bajdke, Area Plan Commission
✓ Larry Magliozzi, Department of Economic Development
- Chief Bert Prawat, Fire Department
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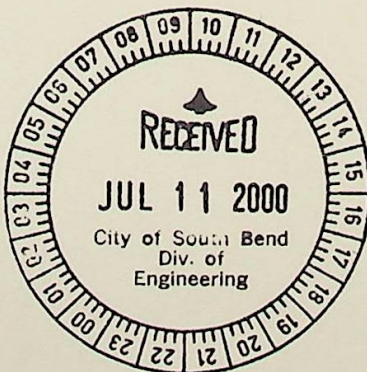
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COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY: *Jon R. Hunt* DATE: 07.10.00



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

TO:

- Carl Littrell, City Engineer
- Brent Bajdke, 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*

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COMMENTS & RECOMMENDATIONS:

*Solid Waste are in favor of this
Alley Vacation*

BY: Alonzo P. Adams

DATE: 7-13-00

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

TO:

- Carl Littrell, City Engineer
- Brent Bajdke, 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
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COMMENTS & RECOMMENDATIONS:

No objections

BY: *J. Markovich 124*

DATE: *7-12-00*

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

TO:

- ✓ - Carl Littrell, City Engineer
- Brent Bajdke, 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

RECEIVED

JUN 29 2000

FROM:

Angela K. Jacob, Clerk *AJ*

RE:

Alley Vacation

CITY OF SOUTH BEND
DIV. OF ENGINEERING

DATE:

June 29, 2000

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

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It is important that I receive your comments and recommendation concerning this vacation by **July 19, 2000**. The Common Council has set this for public hearing on **July 24, 2000**.

COMMENTS & RECOMMENDATIONS:

*There is no objection to this vacation. Owners of
lots 112 and 113 have agreed to cross easements.*

BY:

Carl R. Littrell

DATE:

7/17/00

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

July 19, 2000

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

RE: Alley Vacation – The first east/west alley south of California Avenue from the east right-of-way of Blaine Avenue to the west right-of-way of the first north/south alley east of Blaine Avenue for a distance of approximately 134 feet and a width of approximately 14 feet.

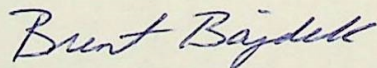
Dear Board Members:

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. The home owner south of the alley, at 822 Blaine did not sign the petition to vacate this alley.

Sincerely,



Brent Bajdek
Planner

