

Office of the City Clerk

Loretta J. Duda, City Clerk

APRIL 10, 2001

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
Community & Economic Development

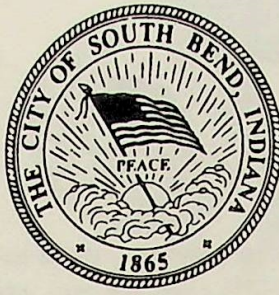
FROM: Loretta J. Duda, City Clerk

All proceedings with reference to Ordinance No. 9122-00 for the vacation of the following property:

THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF NOTRE DAME AVE. FROM THE SOUTH RIGHT-OF-WAY OF SOUTH BEND AVE. TO THE NORTH RIGHT-OF-WAY OF ALMOND COURT FOR A DISTANCE OF APPROXIMATELY 233.3 FEET AND WIDTH OF 12 FEET. PART LOCATED IN THE BUGBEE'S ADD., SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

cc: Larry Magliozzi



Office of the City Clerk

Loretta J. Duda, City Clerk

APRIL 10, 2001

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
Community & Economic Development

FROM: Loretta J. Duda, City Clerk

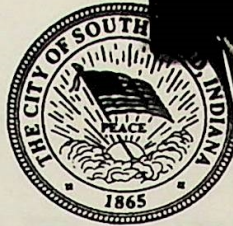
All proceedings with reference to Ordinance No. 9122-00 for the vacation of the following property:

THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF NOTRE DAME AVE. FROM THE SOUTH RIGHT-OF-WAY OF SOUTH BEND AVE. TO THE NORTH RIGHT-OF-WAY OF ALMOND COURT FOR A DISTANCE OF APPROXIMATELY 233.3 FEET AND WIDTH OF 12 FEET. PART LOCATED IN THE BUGBEE'S 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: Vacation of an Alley

Dear Council Members:

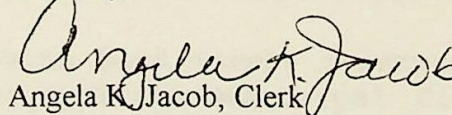
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the following vacation:

The first north south alley west of Notre Dame Avenue from the south right of way of South Bend Avenue to the north right of way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's 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. Solid Waste noted that residents should be informed to place the trash in the front of the home, should the vacation be approved. The Division of Engineering recommended approval subject to the owners of Lots 16 and "A" providing cross access agreements to each other.

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 NORTH/SOUTH ALLEY WEST OF NOTRE DAME AVE. FROM THE SOUTH RIGHT-OF-WAY OF SOUTH BEND AVE. TO THE NORTH RIGHT-OF-WAY OF ALMOND COURT FOR A DISTANCE OF APPROXIMATELY 233.3 FEET AND WIDTH OF 12 FEET. PART LOCATED IN THE BUGBEE'S ADD., 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 the first north/south alley west of Notre Dame Ave. from the south right-of-way of South Bend Ave. to the north right-of-way of Almond Court for a distance of approximately 233.3 feet and width of 12 feet. Part located in the Bugbee's 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.

Board of Public Works

JUL 24 2000

Spencer A. Gillet
Donald E. Gillet
Catherine Palmer

7/24

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

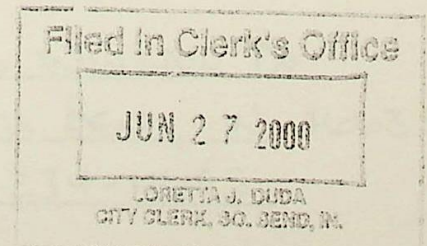
Lot A	Bugbee's 1 st
Lot 1	Bugbee's 1 st
Lot 2,3,4	Bugbee's 1 st
Lot 16	Bugbee's 1 st
Lot 17	Bugbee's 1 st

SECTION IV. The purpose of the vacation of the real property is to construct a parking lot for the Olivet African Methodist Church congregation. Parking along Notre Dame Ave. and Almond Ct. has caused hardship for surrounding neighbors and for the congregation.

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~~



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

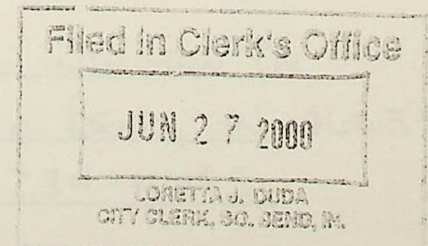
Lot A	Bugbee's 1 st
Lot 1	Bugbee's 1 st
Lot 2,3,4	Bugbee's 1 st
Lot 16	Bugbee's 1 st
Lot 17	Bugbee's 1 st

SECTION IV. The purpose of the vacation of the real property is to construct a parking lot for the Olivet African Methodist Church congregation. Parking along Notre Dame Ave. and Almond Ct. has caused hardship for surrounding neighbors and for the congregation.

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~~



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

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

DATE: 5/22/00

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

A. THE ALLEY DESCRIBED AS:

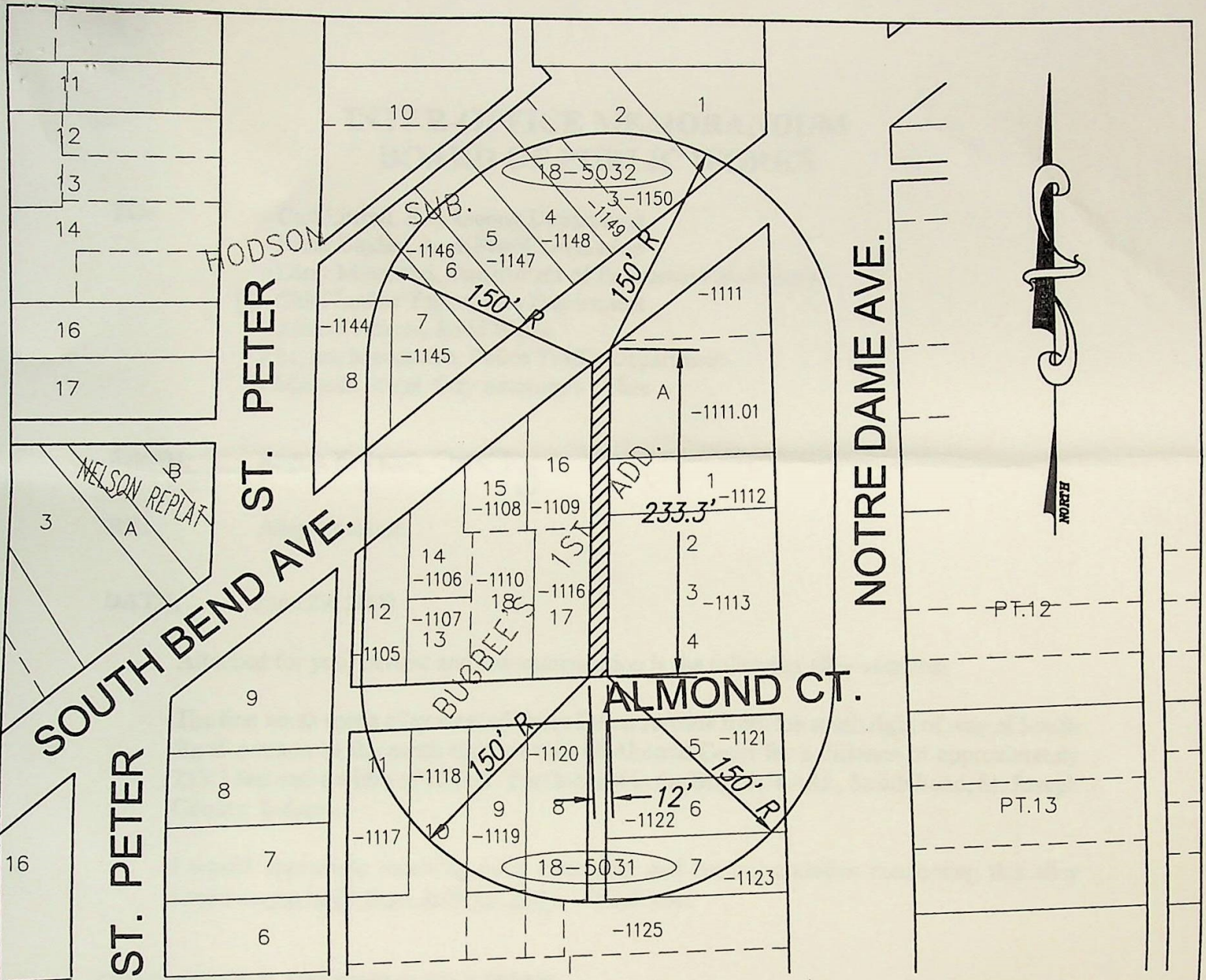
THE NORTH SOUTH ALLEY LYING BETWEEN SOUTH BEND
AVE. AND ALMOND COURT. SOUTH BEND, IN. BUGABEE

B. THE STREET DESCRIBED AS:

NAME (signed & printed)	ADDRESS	LOT #
<u>OLIVET AFRILAN</u> <u>METHODIST</u>	<u>719 N. NOTRE DAME AVE</u>	<u>2-3-4</u>
<u>Archie J. Bradford</u> <u>ARCHIE J. BRADFORD</u>	<u>719 N. NOTRE DAME AVE</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

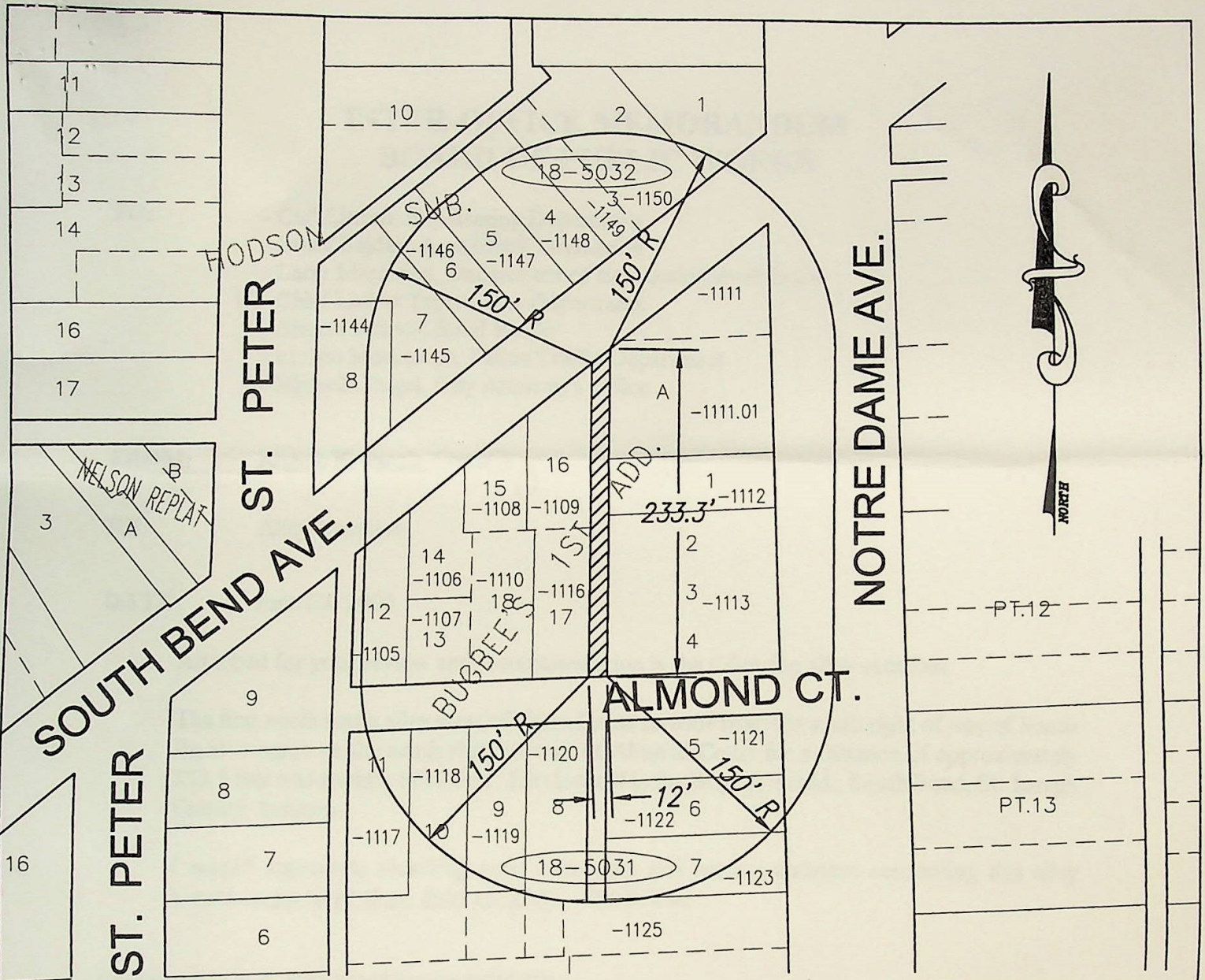
RETURN TO:
OFFICE OF THE CITY CLERK
LORETTA J. DUDA, CITY CLERK
ROOM 455-COUNTY-CITY BUILDING
SOUTH BEND, IN 46601
219-235-9221

CONTACT PERSON (S)
NAME: SHANE A SULT
ADDRESS: 1846 WINSTON DR
SOUTH BEND, IN 46635
PHONE: 219-234-4695



ALLEY VACATION

The alley to be vacated is the first north/south alley west of Notre Dame Ave. from the south right-of-way of South Bend Avenue to the north right-of-way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's 1st Add., South Bend, St. Joseph County, Indiana.



ALLEY VACATION

The alley to be vacated is the first north/south alley west of Notre Dame Ave. from the south right-of-way of South Bend Avenue to the north right-of-way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's 1st Add., South Bend, St. Joseph County, Indiana.

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO:

- Carl Littrell, Engineering Department
- Brent Bajdke, 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: June 29, 2000

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

The first north south alley west of Notre Dame Avenue from the south right of way of South Bend Avenue to the north right of way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's Add., South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this alley vacations no later than July 19, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

ANGIE

NO OBJECTIONS

BY: *AKJ* *AKJ* DATE: *7-5-00*

INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO: - Carl Littrell, Engineering Department
 - Brent Bajdke, 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: June 29, 2000

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

The first north south alley west of Notre Dame Avenue from the south right of way of South Bend Avenue to the north right of way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's Add., South Bend, St. Joseph County, Indiana.

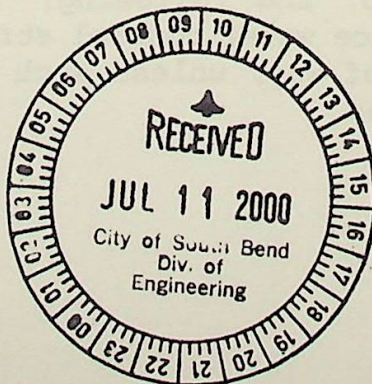
I would appreciate receiving your comments and recommendation concerning this alley vacations no later than July 19, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY: *Jon R. Huff*

DATE: *07.10.00*



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

TO:

- Carl Littrell, Engineering Department
- Brent Bajdke, 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 *AJ*

RE: Alley Vacation

DATE: June 29, 2000

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

The first north south alley west of Notre Dame Avenue from the south right of way of South Bend Avenue to the north right of way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's Add., South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this alley vacations no later than July 19, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

Solid Waste are in favor, but will like to be informed before the vacation, to inform residents to put trash out front.

BY: Alonzo S. Adams DATE: 7-13-00

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

TO:

- Carl Littrell, Engineering Department
- Brent Bajdke, 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:

June 29, 2000

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

The first north south alley west of Notre Dame Avenue from the south right of way of South Bend Avenue to the north right of way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's Add., South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this alley vacations no later than July 19, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

No Objections

BY: *J. Markovich 124*

DATE: _____

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

TO: ✓ - Carl Littrell, Engineering Department
- Brent Bajdke, 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: June 29, 2000

RECEIVED

JUN 29 2000

CITY OF SOUTH BEND
DIV. OF ENGINEERING

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

The first north south alley west of Notre Dame Avenue from the south right of way of South Bend Avenue to the north right of way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet. Part located in the Bugbee's Add., South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this alley vacations no later than July 19, 2000. Thank you.

COMMENTS & RECOMMENDATIONS:

I recommend approval subject to the owners of Lots 16 and "A" providing cross-access agreements to each other. I have discussed this with Archie Bradford & Shane Sutt.

BY: Carl A. Littrell

DATE: 7/17/00

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF NOTRE DAME AVE. FROM THE SOUTH RIGHT-OF-WAY OF SOUTH BEND AVE. TO THE NORTH RIGHT-OF-WAY OF ALMOND COURT FOR A DISTANCE OF APPROXIMATELY 233.3 FEET AND WIDTH OF 12 FEET. PART LOCATED IN THE BUGBEE'S ADD., 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 the first north/south alley west of Notre Dame Ave. from the south right-of-way of South Bend Ave. to the north right-of-way of Almond Court for a distance of approximately 233.3 feet and width of 12 feet. Part located in the Bugbee's 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.

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

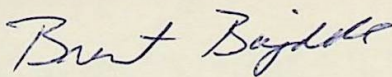
RE: Alley Vacation – The first north/south alley west of Notre Dam Avenue from the south right-of-way of South Bend Avenue to the north right-of-way of Almond Court for a distance of approximately 233.3 feet and a width of 12 feet.

Dear Board Members:

The staff has reviewed this petition relative to IC 36-7-3-13. It is the staff's opinion that the vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient.

Two of the home owners along the alley have signed the petition. The staff would recommend that if this right-of-way is vacated, that it be subject to any utility easements that may be required and also be subject to an access easement for the property owners at 822 South Bend Avenue, 832 South Bend Avenue, and 735 Notre Avenue.

Sincerely,



Brent Bajdek
Planner

