

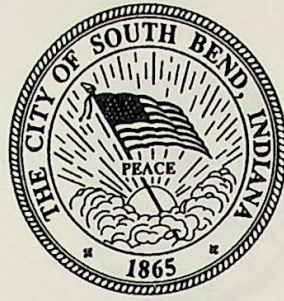
7-17-02

9345-02

Vacated Alley

All proceedings with reference to Ordinance No. 9345-02 for the vacation of the following property.

First north/south alley west of Walnut from Liston to Colfax Ave. for a distance of 103.25 feet and a width of 16ft. The second alley to be vacated is the first north/south alley west of Walnut St. from Liston St. south to the first east/west alley for a distance of 123.8 feet and a width of 16 feet. Both being a part of Studebaker and Hines' plat of the City of South Bend, St. Joseph County, Indiana.



Office of the City Clerk

Loretta J. Duda, City Clerk

SEPTEMBER 24, 2002

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 - Mark
Community & Economic Development - Larry Magliozzi
County Auditor - Melinda
Ed Herman - Water Works - North Station

FROM: Loretta J. Duda, City Clerk

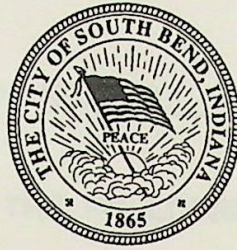
All proceedings with reference to Ordinance No. 9342-02 for the vacation of the following property:

THE FIRST ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF WALNUT STREET FROM LISTON STREET TO COLFAX AVENUE FOR A DISTANCE OF 103.25 FEET AND A WIDTH OF 16 FEET. THE SECOND ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF WALNUT STREET FROM LISTON STREET SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 123.8 FEET AND A WIDTH OF 16 FEET. BOTH BEING A PART OF STUDEBAKER AND HINES' PLAT OF THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

BPW

1316 COUNTY-CITY BUILDING
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-9251
FAX 574/ 235-9171
TDD 574/ 235-5567

CITY OF SOUTH BEND STEPHEN J. LUECKE, MAYOR

BOARD OF PUBLIC WORKS

August 12, 2002

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

RE: Alley Vacations

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 on the following:

The first north/south alley west of Walnut Street from Liston Street to Colfax Avenue for a distance of 103.25 feet and width of 16 feet.

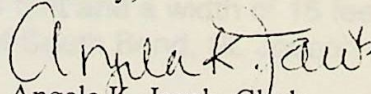
The first north/south alley west of Walnut Street from Liston Street south to the first east/west alley for a distance of 123.8 feet and a width of 16 feet.

Both being a part of Studebaker and Hines Plat of the City of South Bend, St. Joseph County, Indiana.

The Division of Engineering, Area Plan Commission, Community & Economic Development, Fire Department, Solid Waste, Police Department and the City Attorney's office submitted favorable recommendations.

Therefore, the Board submits to you a favorable recommendation concerning this vacation, subject to any utility easements that may be necessary.

Sincerely,


Angela K. Jacob, Clerk

Attachments

c: Rosemary Mandrici, Assessor's Office
Melinda Stopczynski, Auditor's Office

AUG 12 2002
George Galot
Carl Blum
Donald E. Egan

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

THE FIRST ALLEY TO BE VACATED IS FIRST NORTH / SOUTH ALLEY WEST OF WALNUT STREET FROM LISTON STREET TO COLFAX AVENUE FOR A DISTANCE OF 103.25 FEET AND A WIDTH OF 16 FEET. THE SECOND ALLEY TO BE VACATED IS THE FIRST NORTH / SOUTH ALLEY WEST OF WALNUT STREET FROM LISTON STREET SOUTH TO THE FIRST EAST / WEST ALLEY FOR A DISTANCE OF 123.8 FEET AND A WIDTH OF 16 FEET. BOTH BEING A PART OF STUDEBAKER AND HINES' PLAT OF THE 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 first alley to be vacated is:

The first North / South alley West of Walnut Street from Liston Street to Colfax Avenue for a distance of 103.25 feet and a width of 16 feet. Being a part of Studebaker and Hines' plat of the City of South Bend, St. Joseph County, Indiana.

The second alley to be vacated is:

The first North / South alley West of Walnut street from Liston Street South to the first East / West alley for a distance of 123.8 feet and a width of 16 feet. Being a part of Studebaker and Hines' plat of the 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, 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:

The first alley to be vacated:

18-1045-1933.01 E ½ Lot 21, Studebaker & Hines Plat (1317 Liston, South Bend)
18-1045-1934 Lot 20, Studebaker & Hines Plat (1313 Liston, South Bend)

The second alley to be vacated:

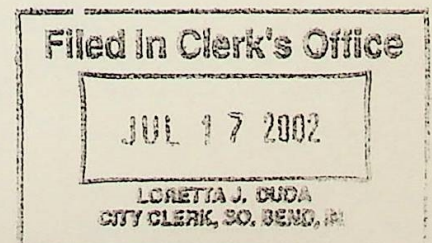
18-1045-1944 Ex 50 Ft S End Lot 12, Studebaker & Hines Plat (1320 Liston, South Bend)
18-1045-1945 50 Ft S End Lot 12, Studebaker & Hines Plat (1318 Liston, South Bend)
18-1045-1946 49.5 Ft W Side Lot 13, Studebaker & Hines Plat (1316 Liston, South Bend)

SECTION IV. One purpose of the vacation of real property is to reduce the foot and vehicular traffic from Washington Street to Colfax Avenue that should be using Walnut or Studebaker Streets. Another purpose of the vacation of real property is to allow for the replatting of the surrounding vacant land in order to continue the construction of single family, owner occupied affordable housing similar to the housing just to the south that has successfully been developed on the vacant lots along the 1300 and 1400 block of W. Washington.

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

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



OFFICE OF THE CITY CLERK

TO: **BOARD OF PUBLIC WORKS**

DATE: **JULY 17, 2002**

I am referring to you the following vacation:

56-02 THE FIRST ALLEY TO BE VACATED IS FIRST NORTH/SOUTH ALLEY WEST OF WALNUT STREET FROM LISTON STREET TO COLFAX AVENUE FOR A DISTANCE OF 103.25 FEET AND A WIDTH OF 16 FEET. THE SECOND ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF WALNUT STREET FROM LISTON STREET SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 123.8 FEET AND A WIDTH OF 16 FEET. BOTH BEING A PART OF STUDEBAKER AND HINES' PLAT OF THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

For your information, the Common Council will have first reading on this vacation request on Monday, July 22, 2002. I assume the council will set this bill for public hearing at its regularly scheduled meeting of August 12, 2002.

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

Thanks!

**CITY CLERK
LORETTA J. DUDA**

DEPUTY

Jamie Tallom

CONTACT PERSON:
Dore Anderson
South Bend Heritage Foundation
802 Lincoln Way West
South Bend, IN 46618
(574) 233-1008

Filed in Clerk's Office

JUL 17 2002

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

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

DATE: 7/16/2002

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

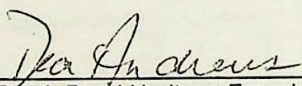
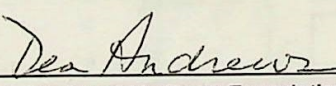
A. THE ALLEY(S) DESCRIBED AS:

The first alley to be vacated is:

The first North / South alley West of Walnut Street from Liston Street to Colfax Avenue for a distance of 103.25 feet and a width of 16 feet. Being a part of Studebaker and Hines' plat of the City of South Bend, St. Joseph County, Indiana.

The second alley to be vacated is:

The first North / South alley West of Walnut street from Liston Street South to the first East / West alley for a distance of 123.8 feet and a width of 16 feet. Being a part of Studebaker and Hines' plat of the City of South Bend, St. Joseph County, Indiana.

<u>NAME (printed and signed)</u>	<u>ADDRESS</u>	<u>LOT #</u>
 South Bend Heritage Foundation, Inc. By: Dea Andrews, Assistant Secretary	1317 Liston	E ½ Lot 21, Studebaker & Hines
 South Bend Heritage Foundation, Inc. By: Dea Andrews, Assistant Secretary	1316 Liston	49.5 Ft W Side Lot 13, Studebaker & Hines

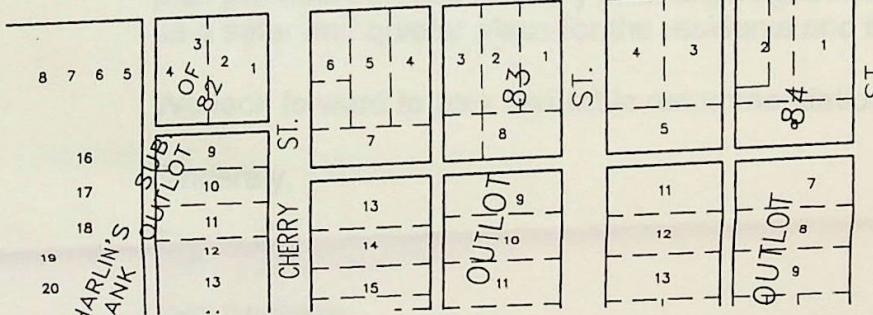
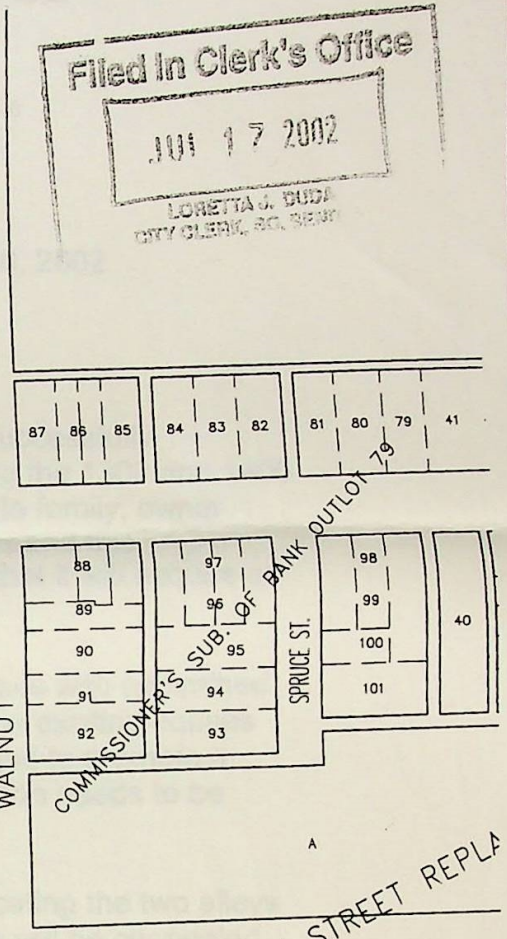
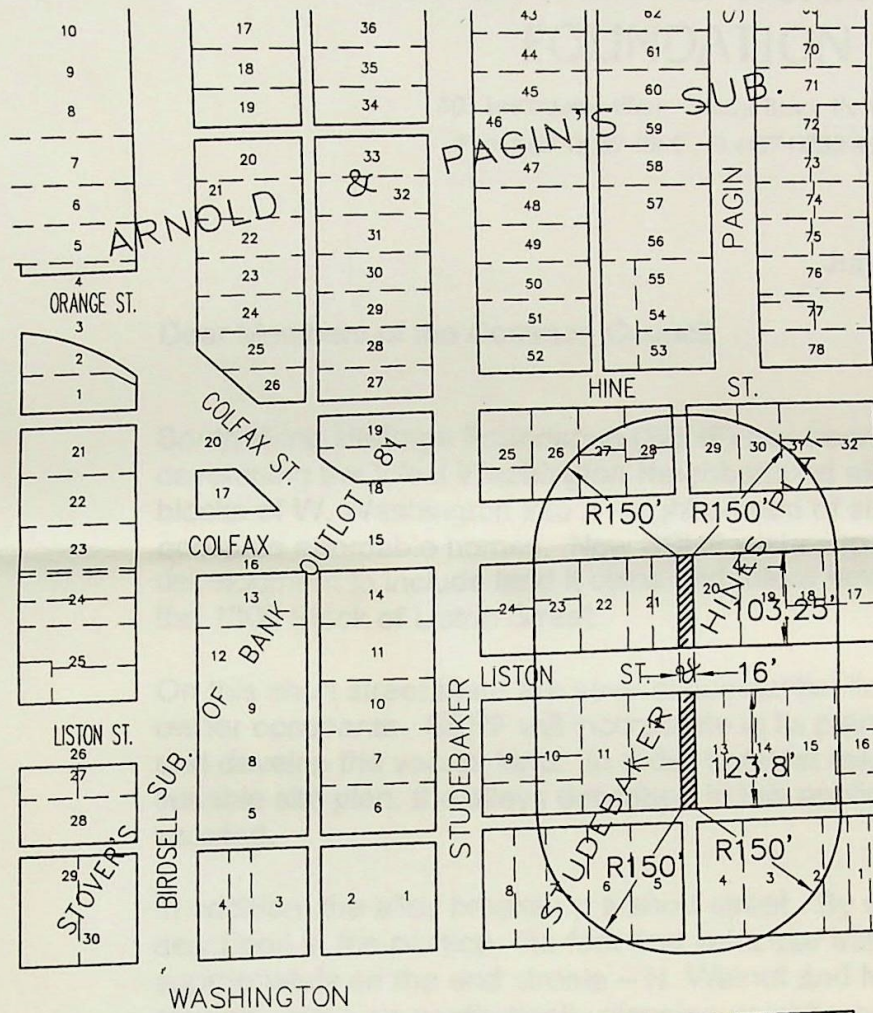
RETURN TO:
Office of the City Clerk
Loretta J. Duda, City Clerk
Room 455, County-City Building
South Bend, IN 46601
(574) 235-9221

CONTACT PERSON:
Dea Andrews
South Bend Heritage Foundation
803 Lincoln Way West
South Bend, IN 46616
(574) 289-1066

Filed in Clerk's Office

JUL 17 2002

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



LEGAL DESCRIPTION:

The first alley to be vacated is first North/South alley West of Walnut Street from Liston Street to Colfax Avenue for a distance of 103.25 feet and a width of 16 feet. Being a part of Studebaker and Hines' Plat of the City of South Bend, St. Joseph County, Indiana.

The second alley to be vacated is the First North/South alley West of Walnut Street from Liston Street South to the first East/West alley for a distance of 123.8 feet and a width of 16 feet. Being a part of Studebaker and Hines' plat of the City of South Bend, St. Joseph County, Indiana.

SOUTH BEND HERITAGE FOUNDATION

803 LINCOLNWAY WEST SOUTH BEND, IN 46616
PHONE (574)289-1066 FAX (574)289-4550

July 16, 2002

Dear Members of the Common Council:

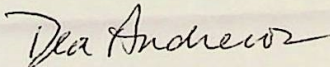
South Bend Heritage Foundation (SBHF) has been successfully developing the West Washington Neighborhood along the 1300 and 1400 blocks of W. Washington into a neighborhood of single family, owner occupied affordable homes. Now SBHF wishes to expand this development to include land it owns and future land that it will acquire on the 1300 Block of Liston Street.

On this short street there are several substantial houses with committed owner occupants. SBHF will incorporate in its plan the existing houses and develop the vacant land. In order to replat the land to promote a suitable site plan, the alleys described in this application needs to be vacated.

In addition, the alley breaks up a short street. By vacating the two alleys described in the petition, the foot and vehicular traffic will be channeled appropriately on the end streets – N. Walnut and N. Studebaker. This plan promotes an aesthetically pleasing neighborhood community as well as a safer and quieter place for the residents and their children.

We look forward to your favorable recommendation to vacate this alley.

Sincerely,



Dea Andrews
Assistant Secretary and Assistant to the Executive Director
South Bend Heritage Foundation
803 Lincoln Way West
South Bend, IN 46616
(574) 289-1066

Filed In Clerk's Office

JUL 17 2002

LORETTA J. GUDA
CITY CLERK, SO. BEND, IN

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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Larry Magliozzi, Department of Economic Development
Howard Buchanon, Fire Department
Jack Dillon, Solid Waste
~~Joe~~ Markovich, Police Department
Tom Bodnar, City Attorney's Office

FROM: Angie Jacob, Clerk *AJ*

RE: ~~Street Vacations~~
Alley

DATE: July 19, 2002

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

First north/south alley west of Walnut Street from Liston Street to Colfax Avenue for a distance of 103.25 feet and a width of 16 feet.

First north/south alley west of Walnut Street from Liston Street south to the first east/west alley for a distance of 123.8 feet and a width of 16 feet.

Both being a part of Studebaker and Hines Plat of the City of South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 26, 2002. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No Objections

BY: *Capt Markovich* **DATE:** *07-22-02*

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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Larry Magliozzi, Department of Economic Development
Howard Buchanan, Fire Department
Jack Dillon, Solid Waste
Joe Markovich, Police Department
Tom Bodnar, City Attorney's Office

FROM: Angie Jacob, Clerk *AJ*

RE: *Allen*
~~Street Vacations~~

DATE: July 19, 2002

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I would appreciate receiving your comments and recommendation concerning this vacation no later than July 26, 2002. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No objections

BY: *Howard Buchanan* DATE: *7-22-02*



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

TO: Carl Littrell, Engineering Department
 John Byomi, Area Plan Commission
 Larry Magliozzi, Department of Economic Development
 Howard Buchanon, Fire Department
~~Jack Dillon, Solid Waste~~
 Joe Markovich, Police Department
 Tom Bodnar, City Attorney's Office

FROM: Angie Jacob, Clerk *AJ*

RE: ~~Street Vacations~~
Alley

DATE: July 19, 2002

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Both being a part of Studebaker and Hines Plat of the City of South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 26, 2002. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No Problem for Solid Waste

BY: *Jack Dillon* DATE: *7-25-02*

Post-it® Fax Note	7671	Date	# of pages ▶
To	<i>Angie</i>	From	<i>Jack Dillon</i>
Co./Dept.	<i>Public Works</i>	Co.	<i>Solid Waste</i>
Phone #		Phone #	<i>277-8515</i>
Fax #		Fax #	

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 574 235-9571

Fax 574 235-9813

July 26, 2002

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

RE: The first alley to be vacated is first north/south alley west of Walnut Street from Liston Street to Colfax Avenue for a distance of 103.25 feet and a width of 16 feet. The second alley to be vacated is the first north/south alley west of Walnut Street from Liston Street south to the first east/west alley for a distance of 123.8 feet and a width of 16 feet. Both being a part of Studebaker and Hines' Plat of the City of South Bend, St. Joseph County, Indiana.

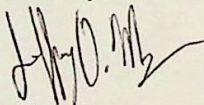
Dear Board Members:

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

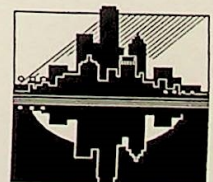
- (1) The vacation would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation would 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 recommends that if the alleys are vacated that they be done so subject to any cross-access or utility easements that may be necessary. Also, a turning radius easement may be needed for the remaining north/south alley between Liston Street and Washington Street onto the east/west alley.

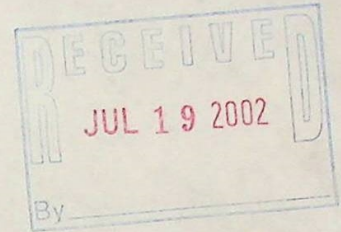
Sincerely,



Jeffrey O. Myers
Planner



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS



TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
~~Larry~~ Magliozzi, Department of Economic Development
Howard Buchanon, Fire Department
Jack Dillon, Solid Waste
Joe Markovich, Police Department
Tom Bodnar, City Attorney's Office

FROM: Angie Jacob, Clerk *AJ*

RE: *alley*
Street Vacations

DATE: July 19, 2002

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Both being a part of Studebaker and Hines Plat of the City of South Bend, St. Joseph County, Indiana.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 26, 2002. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

I would like to lend my approval to the alley
vacations, as ~~they~~^{if} will allow for the continual improvement
of the West Washington neighborhood.

BY: Christy O'Neil DATE: 7/22/02
Jon R. Hunt 08.03.02