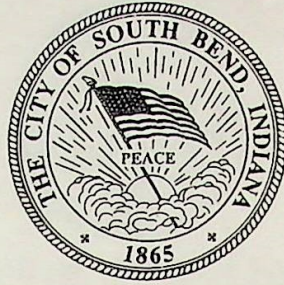


## ALLEY VACATION

FIRST NORTH/SOUTH ALLEY  
EAST OF CATALPA FROM  
INDIANA AVENUE NORTH  
TO THE FIRST EAST/WEST  
ALLEY. A DISTANCE OF  
120 FEET, AND A WIDTH  
OF 14 FEET, BEING A PART  
OF RAFFS 3<sup>RD</sup> ADDITION  
TO THE CITY OF SOUTH BEND,  
ST JOSEPH COUNTY, INDIANA.





# Office of the City Clerk

Loretta J. Duda, City Clerk

NOVEMBER 18, 2003

## 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

RECEIVED  
NOV 19 2003  
CITY OF SOUTH BEND  
DIV. OF ENGINEERING

FROM: Loretta J. Duda, City Clerk

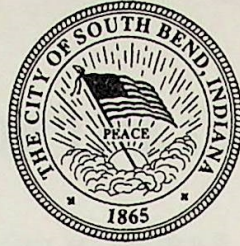
All proceedings with reference to Ordinance No. 9454-03 for the vacation of the following property:

THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY EAST OF CATALPA AVENUE FROM INDIANA AVENUE NORTH TO THE FIRST EAST/WEST ALLEY. A DISTANCE OF 120 FEET, AND A WIDTH OF 14 FEET, BEING A PART OF RAFF'S 3<sup>RD</sup> ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.



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

September 3, 2003

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

RE: Alley Vacation  
North/South Alley Between Lots 41 & 50 of Raff's 3<sup>rd</sup> Addition

Dear Members of the Council:

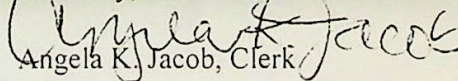
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation, subject to the following conditions**, is being submitted to the Common Council concerning a property vacation on the following:

First north/south alley east of Catalpa Avenue from Indiana Avenue north to the first east/west alley. A distance of 120 feet, and a width of 14 feet, being a part of Raff's 3<sup>rd</sup> Addition to the City of South Bend, St. Joseph County, Indiana.

Favorable recommendations from the Area Plan Commission, Police Department, Fire Department, Sanitation, Community and Economic Development, Legal Department and the Department of Public Works have been received. Area plan stated this public ingress/egress easement be vacated subject to any utility easements that are necessary.

The Board of Public Works 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



SEP 03 2003

**OFFICE OF THE CITY CLERK**

**TO: BOARD OF PUBLIC WORKS**

**DATE: SEPTEMBER 3, 2003**

I am referring to you the following vacation:

70-03

A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY:  
THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH  
ALLEY EAST OF CATALPA AVENUE FROM INDIANA AVENUE  
NORTH TO THE FIRST EAST/WEST ALLEY. A DISTANCE OF 120  
FEET, AND A WIDTH OF 14 FEET, BEING A PART OF RAFF'S 3<sup>RD</sup>  
ADDITION TO 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, September 8, 2003. I assume the council will set this bill for public hearing at its regularly scheduled meeting of September 22, 2003.

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

Thanks!

**CITY CLERK  
LORETTA J. DUDA**

DEPUTY Janice Tallson



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:  
THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY EAST OF  
CATALPA AVENUE FROM INDIANA AVENUE NORTH TO THE FIRST EAST/WEST  
ALLEY. A DISTANCE OF 120 FEET, AND A WIDTH OF 14 FEET, BEING A  
PART OF RAFF'S 3<sup>RD</sup> ADDITION TO 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 ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY EAST OF CATALPA AVENUE FROM INDIANA AVENUE NORTH TO THE FIRST EAST/WEST ALLEY. A DISTANCE OF 120 FEET, AND A WIDTH OF 14 FEET, BEING A PART OF RAFF'S 3<sup>RD</sup> ADDITION TO 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, 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:

Lot #50

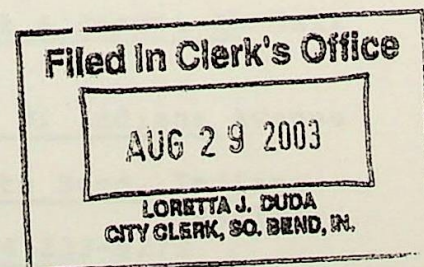
Lot #51

SECTION IV. The purpose of the vacation of the real property is for the expansion of the yard to be used as a play area for children, and possibly the building of a new garage. Two of our vehicles have been hit, being parked on the road.

SECTION V. This ordinance shall be passed by the Common Council and 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





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

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

DATE: 08/21/03

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

A. THE ALLEY DESCRIBED AS:

The first north/south alley east of Catalpa Avenue from  
Indiana Avenue north to the first east/west alley a  
distance of 120 feet, and a width of 14 feet.

B. THE STREET DESCRIBED AS:

800 Block West Indiana Avenue in the city of South Bend,  
St. Joseph County, Indiana

NAME (signed & printed) <sup>TRUST</sup>

ADDRESS

LOT #

~~H.A.M.C. Realty Group~~  
~~x Robert WEBBER~~  
x Robert WEBBER

807-W. Indiana Av

# 49

Jack & Sandra Kendall  
~~Jack & Sandra Kendall~~

809-W. Indiana Av

# 50

Jack & Sandra Kendall  
~~Jack & Sandra Kendall~~

809 W. Indiana Av

# 51

Filed In Clerk's Office

AUG 29 2003

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

CONTACT PERSON (S)

NAME: Jack & Sandra Kendall

RETURN TO:

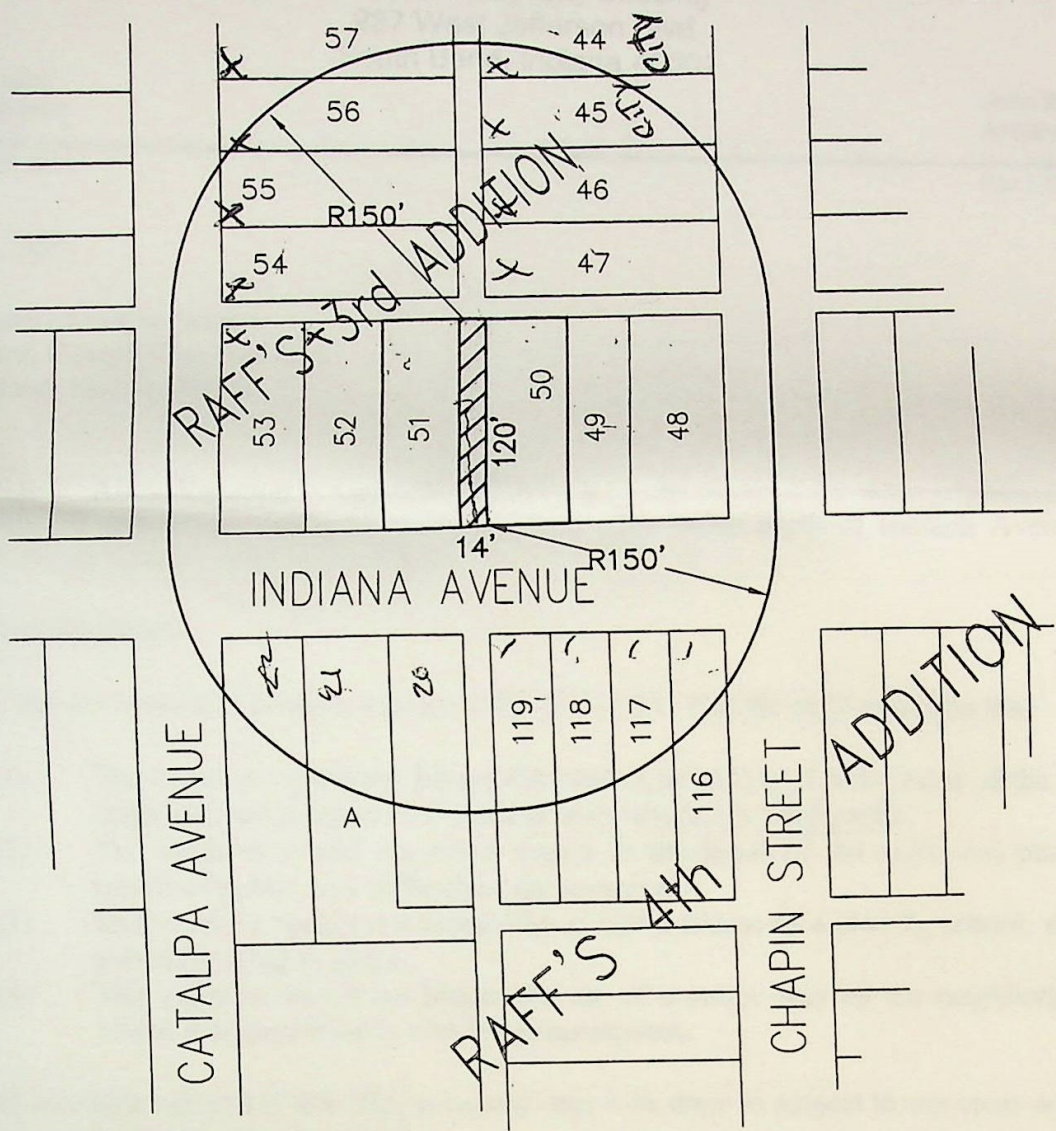
OFFICE OF THE CITY CLERK  
LORETTA J. DUDA, CITY CLERK  
ROOM 455-COUNTY-CITY BUILDING  
SOUTH BEND, IN 46601  
574-235-9221

ADDRESS: 809 W. Indiana Avenue

South Bend, Indiana  
46613

PHONE: (574)232-5273





LEGAL DESCRIPTION:

THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY EAST OF CATALPA AVENUE FROM INDIANA AVENUE NORTH TO THE FIRST EAST/WEST ALLEY A DISTANCE OF 120 FEET, AND A WIDTH OF 14 FEET. BEING A PART OF RAFF'S 3rd ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

**Filed in Clerk's Office**  
**AUG 29 2003**  
 LORETTA J. DUDA  
 CITY CLERK, SO. BEND, IN.



# 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 17, 2003

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

RE: Alley Vacation – Generally described as the north/south alley located between lots 50 and 51 of Raff's 3<sup>rd</sup> Addition. Said alley being north of Indiana Avenue and between Catalpa and Chapin Streets.

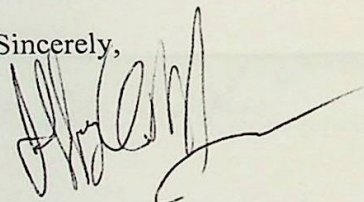
Dear Board Members:

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

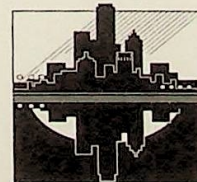
- (1) The vacation *would not* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation *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 this alley is vacated that it be done so subject to any cross-access or utility easements that may be necessary.

Sincerely,



Jeffrey O. Myers  
Planner





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

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

**FROM:** Angie Jacob, Clerk

**RE:** Street Vacation

**DATE:** July 9, 2003

Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns both Lot 50 & 51. He wants to vacate the referenced alley to put a fence around all of his property.

I would appreciate receiving your comments and recommendation concerning this vacation **no later than July 18, 2003**. Thank you for your cooperation.

**COMMENTS & RECOMMENDATIONS:**

*No objection*

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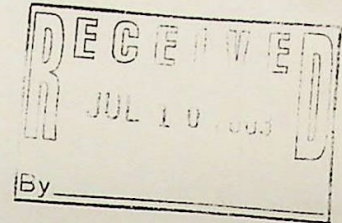
BY: *Bob Mathia*

DATE: *7/15/03*



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

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



**FROM:** Angie Jacob, Clerk

**RE:** Street Vacation

**DATE:** July 9, 2003

Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns both Lot 50 & 51. He wants to vacate the referenced alley to put a fence around all of his property.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 18, 2003. Thank you for your cooperation.

**COMMENTS & RECOMMENDATIONS:**

SAME RECOMMENDATION AS BEFORE

\_\_\_\_\_

BY: *Larry Magliozzi* DATE: 7.14.03



INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

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

FROM: Angie Jacob, Clerk

RE: Alley Vacation

DATE: June 24, 2003

Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns Lots 50 and 51, and want to put up a fence around his property.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 8, 2003. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

*I have a favorable recommendation*

BY: *Tanya Zozulya* DATE: *7/03/03*  
*Larry Magliozzi* *7-3-03*



### INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

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

**FROM:** Angie Jacob, Clerk

**RE:** Street Vacation

**DATE:** July 9, 2003

Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns both Lot 50 & 51. He wants to vacate the referenced alley to put a fence around all of his property.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 18, 2003. Thank you for your cooperation.

**COMMENTS & RECOMMENDATIONS:**

No objections

**BY:** A/C Howard Buchanon **DATE:** 7-14-03



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

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

**FROM:** Angie Jacob, Clerk

**RE:** Street Vacation

**DATE:** July 9, 2003

Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns both Lot 50 & 51. He wants to vacate the referenced alley to put a fence around all of his property.

I would appreciate receiving your comments and recommendation concerning this vacation **no later than July 18, 2003**. Thank you for your cooperation.

**COMMENTS & RECOMMENDATIONS:**

\_\_\_\_\_  
*No problems - Solid Waste*  
\_\_\_\_\_

BY: *John Dillon* DATE: *7-14-03*





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

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

**FROM:** Angie Jacob, Clerk

**RE:** Street Vacation


**DATE:** July 9, 2003

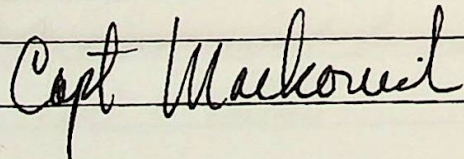
Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns both Lot 50 & 51. He wants to vacate the referenced alley to put a fence around all of his property.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 18, 2003. Thank you for your cooperation.

**COMMENTS & RECOMMENDATIONS:**

 No Objections

**BY:**  **DATE:** 7-14-03



INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

*Call -  
Sorry, but I  
must have lost  
your  
recommendation*

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

FROM: Angie Jacob, Clerk

RE: Street Vacation

DATE: July 9, 2003

Attached is a portion of the Plat Book (highlighted area) for a request for an alley vacation.

Petitioner owns both Lot 50 & 51. He wants to vacate the referenced alley to put a fence around all of his property.

I would appreciate receiving your comments and recommendation concerning this vacation no later than July 18, 2003. Thank you for your cooperation.

**COMMENTS & RECOMMENDATIONS:**

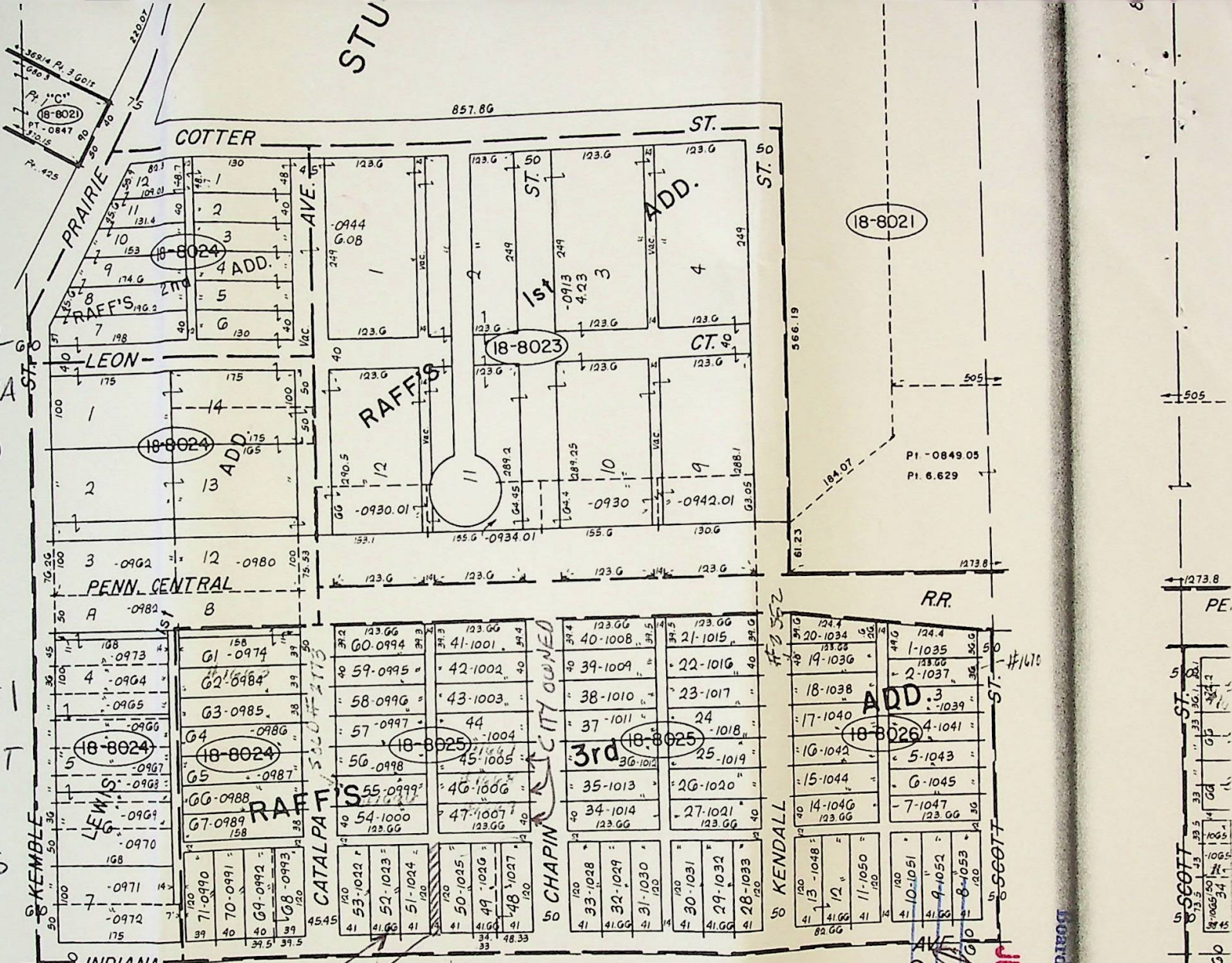
*Petitioner needs to provide means of accomplishing  
truck turns at "T" intersection. Alley approach  
at Indiana must be replace with curb and sidewalk*

BY: Carl Littrell DATE: 7/10/03



JACK KENDALL  
 815 W. INDIANA  
 SOUTH BEND  
 232-5273  
 329-2731

KENDALL OWNS  
 BOTH LOT 50 & 51  
 HE WANTS TO PUT  
 UP A FENCE  
 AROUND ALL HIS  
 PROPERTY.



CITY OWNED  
 LOT

DEED # 8-146  
 2485

PORTAGE TWP.

W. 1/2 N.E. 1/4 SEC. 14 T.37N. R.2E.

ALLEY TO BE VACATED

18-8021

18-8023

18-8024

18-8025

18-8026

Revised Copyright 1992  
 Copyright 1987  
 THE SIDWELL COMPANY

SCALE: 1" = 100'

8-14C

JUL 28 2003  
 [Signature]

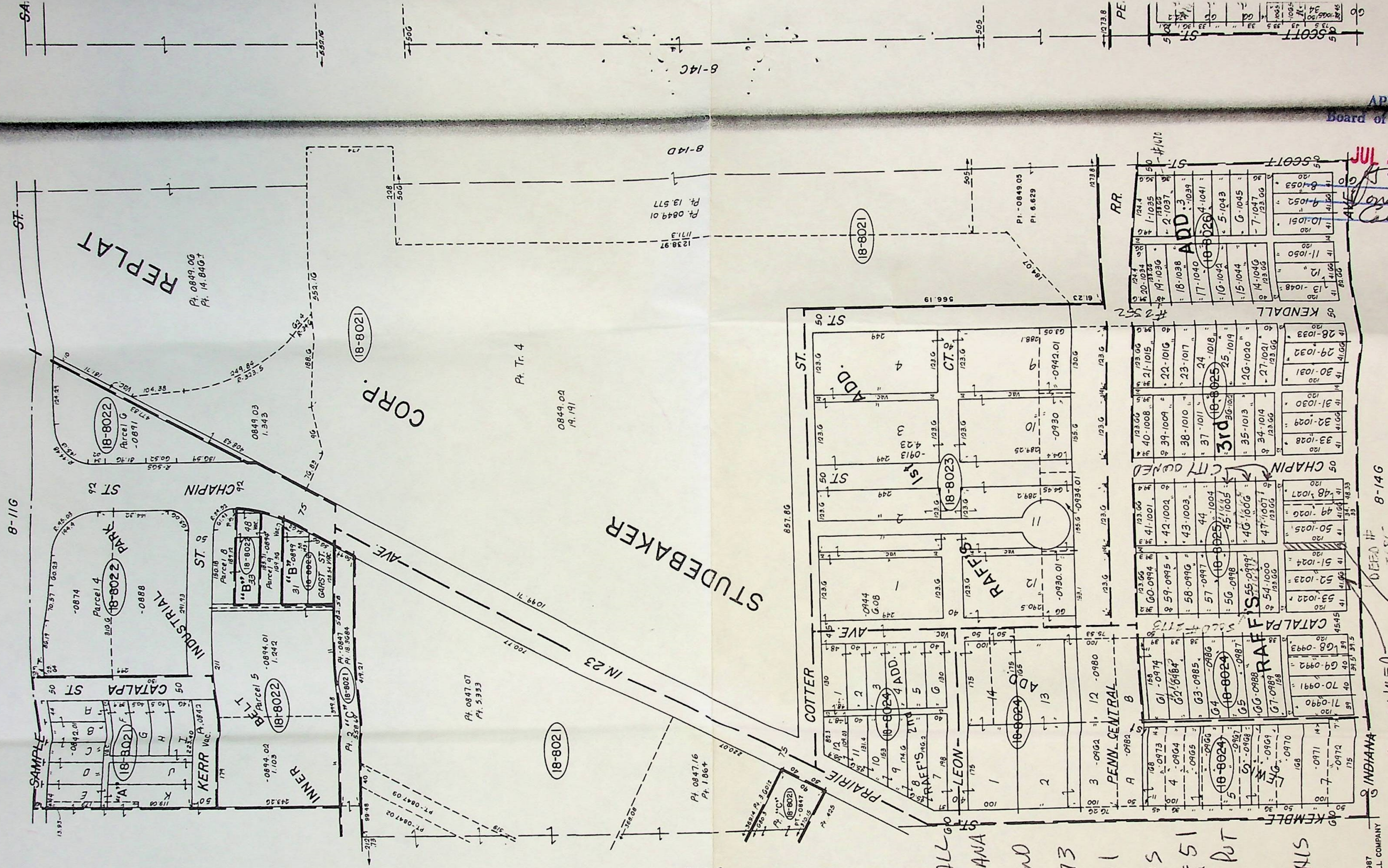
APPROVED  
 Board of Public Works







"A" REPLAT PT. TUTT'S ISTD. ADD.  
 "B" TUTT'S ADD.  
 "C" METAL RESOURCES MINOR SUB.



APPROVED  
 Board of Public Works

JUL 28 2003  
 Harry J. D. Pilot  
 Wayne E. John  
 Carl P. H. H. H.

JACK KENDALL  
 815 W. INDIANA  
 SOUTH BEND  
 232-5273  
 329-2731  
 KENDALL OWNS  
 BOTH LOT 50 & 51  
 HE WANTS TO PUT  
 UP A FENCE  
 AROUND ALL HIS  
 PROPERTY.

Copyright 1987  
 Copyright 1992  
 THE SIDWELL COMPANY

SCALE: 1" = 100'

8-14C

IDEA # 8-14G  
 PORTAGE TWP.  
 W. 1/2 N.E. 1/4 SEC. 14 T.37N. R.2E.  
 ALLEY TO BE VACATED

CITY OWNED  
 LOT

8-14G

W. 1/2 N.E. 1/4 SEC. 14 T.37N. R.2E.

ALLEY TO BE VACATED