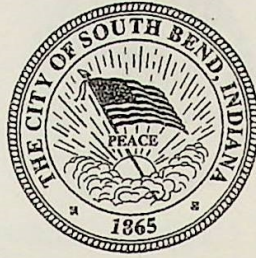


ALLEY VACATION
ORDINANCE NO. 9469-03
Status Vacated ✓

Date 1/23/2004

Description:

The street to be vacated is a portion of Jefferson Blvd. from Chapin Street, West to the first north/south alley for a distance of 196.89 feet and a width of 49.5 feet. The alley to be vacated is the first north/south alley west of Chapin Street from Jefferson north to end for 160.71 feet and 10 feet wide.



Office of the City Clerk

John Voorde, City Clerk

JANUARY 23, 2004

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

JAN 26

CITY OF SOUTH BEND
OFFICE OF THE CITY CLERK

FROM: Loretta J. Duda, City Clerk

All proceedings with reference to Ordinance No. 9469-03 for the vacation of the following property:

THE STREET TO BE VACATED IS A PORTION OF JEFFERSON BLVD. FROM CHAPIN STREET, WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 196.89 FEET AND A WIDTH OF 49.5 FEET. THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF CHAPIN STREET FROM JEFFERSON BLVD., NORTH TO THE END FOR A DISTANCE OF 160.71 FEET AND A WIDTH OF 10 FEET. BOTH JEFFERSON BLVD. AND THE ALLEY BEING A PART OF THOMAS' SUBDIVISION OF PART OF BANK OUTLOT 74, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

Cc: South Bend Community School Corporation
Mr. Jim Betin - NIPSCO

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

November 7, 2003

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

RE: Street/Alley Vacation

Dear Members of the Council:

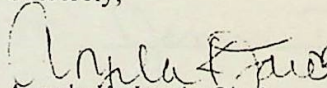
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the following street/alley vacation:

A portion of Jefferson Boulevard from Chapin Street, west to the first north/south alley for a distance of 196.89 feet and a width of 49.5 feet. The alley to be vacated is the first north /south alley west of Chapin Street from Jefferson Boulevard north to the end for a distance of 160.71 feet and a width of 10 feet. Both Jefferson Boulevard and the alley being a part of Tomas Subdivision of part of bank Outlot 74, 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. Engineering stated that the properties at Key Numbers 18-3054-2097, 2099, 2100 and 2101 depend upon this alley for access. The petitioner should make contact with these property owners. Cross access agreements will be needed for those property owners to allow this vacation.

The Board of Public Works submits to you an **favorable recommendation** concerning this vacation, subject to any utility easements that may be necessary.

Sincerely,


Angela K. Jacob, Clerk
Board of Public Works

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

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: NOVEMBER 4, 2003

I am referring to you the following vacation:

88-03

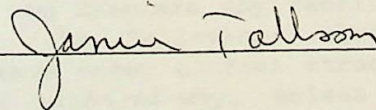
A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY:
THE STREET TO BE VACATED IS A PORTION OF JEFFERSON
BLVD. FROM CHAPIN STREET, WEST TO THE FIRST
NORTH/SOUTH ALLEY FOR A DISTANCE OF 196.89 FEET AND
A WIDTH OF 49.5 FEET. THE ALLEY TO BE VACATED IS THE
FIRST NORTH/SOUTH ALLEY WEST OF CHAPIN STREET
FROM JEFFERSON BLVD., NORTH TO THE END FOR A
DISTANCE OF 160.71 FEET AND A WIDTH OF 10 FEET. BOTH
JEFFERSON BLVD. AND THE ALLEY BEING A PART OF
THOMAS' SUBDIVISION OF PART OF BANK OUTLOT 74, CITY
OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

For your information, the Common Council will have first reading on this vacation request on Monday, November 10, 2003. I assume the council will set this bill for public hearing at its regularly scheduled meeting of November 24, 2003. 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 "Jamie Tallson", is written over a horizontal line.

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

THE STREET TO BE VACATED IS A PORTION OF JEFFERSON BLVD. FROM CHAPIN STREET, WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 196.89 FEET AND A WIDTH OF 49.5 FEET. THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF CHAPIN STREET FROM JEFFERSON BLVD., NORTH TO THE END FOR A DISTANCE OF 160.71 FEET, AND A WIDTH OF 10 FEET. BOTH JEFFERSON BLVD. AND THE ALLEY BEING A PART OF THOMAS' SUBDIVISION OF PART OF BANK OUTLOT 74, 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 STREET TO BE VACATED IS A PORTION OF JEFFERSON BLVD. FROM CHAPIN STREET, WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 196.89 FEET AND A WIDTH OF 49.5 FEET. THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF CHAPIN STREET FROM JEFFERSON BLVD., NORTH TO THE END FOR A DISTANCE OF 160.71 FEET, AND A WIDTH OF 10 FEET. BOTH JEFFERSON BLVD. AND THE ALLEY BEING A PART OF THOMAS' SUBDIVISION OF PART OF BANK OUTLOT 74, 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:

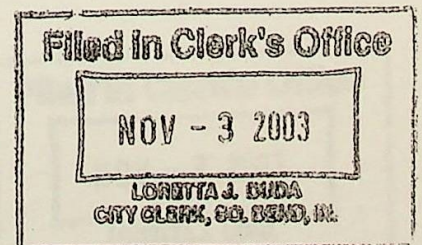
Tax Key Number 18-3054-2102
Tax Key Number 18-3054-2101
Tax Key Number 18-3054-2120.02

Tax Key Number 18-3054-2116.01
Tax Key Number 18-3054-2098
Tax Key Number 18-3054-2097.01
Tax Key Number 18-3054-2085
Tax Key Number 18-3054-2088
Tax Key Number 18-3054-2102
Tax Key Number 18-3054-2097
Tax Key Number 18-3054-2099
Tax Key Number 18-3054-2100
Tax Key Number 18-3050-1933
Tax Key Number 18-3050-1934
Tax Key Number 18-3050-1935
Tax Key Number 18-3050-1947
Tax Key Number 18-3050-1949

SECTION IV. The purpose of the vacation of the real property is to allow for the construction of the Studebaker Museum facility. The proposed building will cross the proposed vacated right-of-ways.

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



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

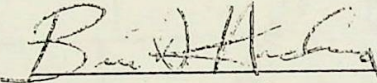
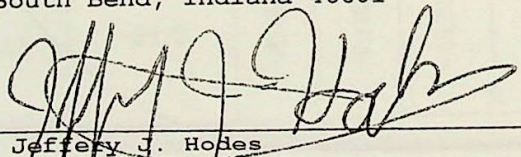
TO: THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA

DATE: OCTOBER 23, 2003

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

A. THE STREET TO BE VACATED IS A PORTION OF JEFFERSON BLVD.
FROM CHAPIN STREET, WEST TO THE FIRST NORTH/SOUTH ALLEY FOR
A DISTANCE OF 196.89 FEET AND A WIDTH OF 49.5 FEET. THE
ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF
CHAPIN STREET FROM JEFFERSON BLVD., NORTH TO THE END FOR A
DISTANCE OF 160.71 FEET, AND A WIDTH OF 10 FEET. BOTH
JEFFERSON BLVD. AND THE ALLEY BEING A PART OF THOMAS'
SUBDIVISION OF PART OF BANK OUTLOT 74, CITY OF SOUTH BEND,
ST. JOSEPH COUNTY, INDIANA.

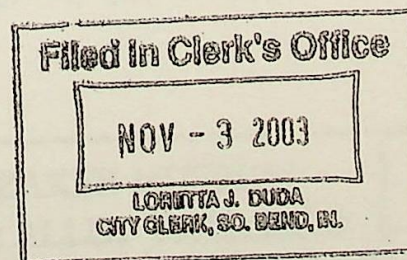
B. THE STREET DESCRIBED AS:

<u>NAME (signed & printed) & ADDRESS</u>	<u>Tax Key Number</u>
Northern Indiana Historical Society 112 South Lafayette Blvd. South Bend, Indiana 46601	18-3054-2102 18-3054-2101 18-3054-2098 18-3054-2116.01 18-3054-2097.01 18-3054-2085
 _____ President, Board of Trustees For Northern Indiana Historical Society	
Jeffery J. Hodes 201 & 209 Chapin Street South Bend, Indiana 46601	18-3054-2120.02
 _____ Jeffery J. Hodes	

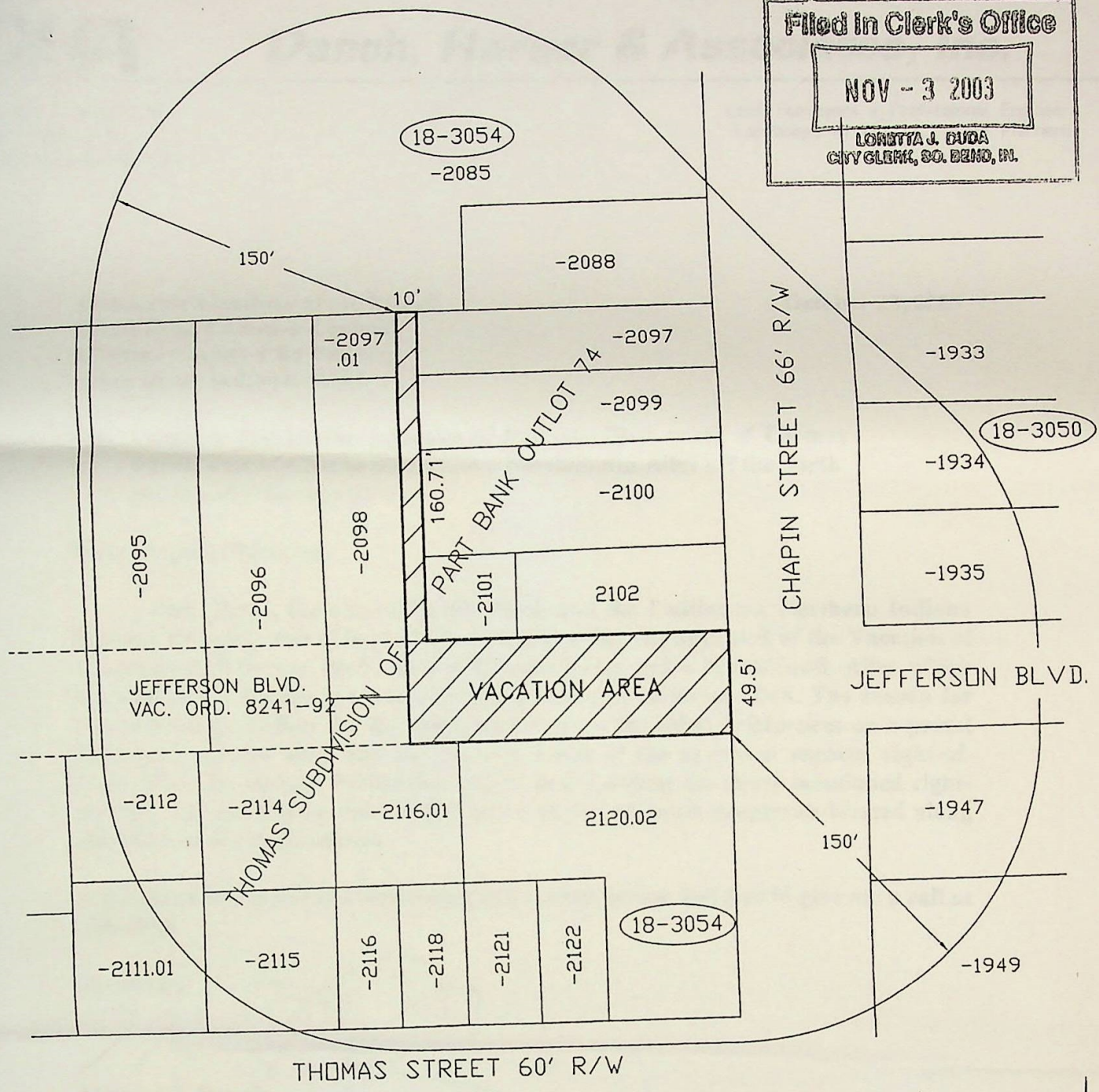
CONTACT PERSON (S)

NAME: Danch, Harner & Associates, Inc.
2422 Viridian Drive, Suite 201
South Bend, Indiana 46628
(574) 234-4003

RETURN TO:
OFFICE OF THE CITY CLERK
LORETTA J. DUDA, CITY CLERK
ROOM 455-COUNTY-CITY BUILDING
SOUTH BEND, INDIANA 46601 (574) 235-9221



Filed in Clerk's Office
 NOV - 3 2003
 LONETTA J. GUDA
 CITY CLERK, SO. BEND, IN.



LEGAL DESCRIPTION:

THE STREET TO BE VACATED IS A PORTION OF JEFFERSON BLVD. FROM CHAPIN STREET, WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 196.89 AND A WIDTH OF 49.5 FEET. THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF CHAPIN STREET FROM JEFFERSON BLVD, NORTH TO THE END FOR A DISTANCE OF 160.71 FEET, AND A WIDTH OF 10 FEET. BOTH JEFFERSON BLVD AND THE ALLEY BEING A PART OF THOMAS' SUBDIVISION OF PART OF BANK OUTLOT 74, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.



DEPARTMENT OF PUBLIC WORKS
 CITY OF SOUTH BEND, INDIANA

- DIVISION
- CIVIL
 - TRAFFIC
 - WATER
 - WASTEWATER

STUDEBAKER MUSEUM
 STREET & ALLEY VACATION





Danch, Harner & Associates, Inc.

MICHAEL J. DANCH, L.A.
RON HARNER, P.S.
DANIEL W. AKIN, P.E., L.S.

Land Surveyors ■ Professional Engineers
Landscape Architects ■ Land Planners

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

October 23, 2003

RE: Vacation Petition for a portion of Jefferson Blvd. north of Thomas Street, west of Chapin Street and a North/South Alley off the north portion of Jefferson Blvd.:

Dear Council Members:

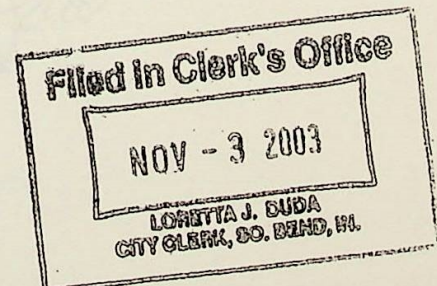
Our clients, the City of South Bend, and the Petitioners, Northern Indiana Historical Society and Jeffery Hodes are requesting the approval of the Vacation of a portion of Jefferson Blvd., west of Chapin Street and a North/South Alley which runs north off the the proposed vacated portion of Jefferson Blvd. The reason for this request is to allow for the construction of the Studebaker Musuem on a parcel over said Vacated area and on property south of the proposed vacated right-of-ways. The City and the Petitioners believe that vacating the above mentioned right-of-ways will not have a detrimental effect on the adjacent properties located along this portion of Chapin Street.

If you have any questions concerning this matter, please feel free to give me a call at 234-4003.

Sincerely,

Michael J. Danch
President
Danch, Harner & Associates

File # 030323 "C" Md.



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 8, 2003

Mr. Mike Danch
Danch, Harner and Associates
2422 North Viridian
South Bend, Indiana 46628

RE: Jefferson Blvd. between Chapin Street and First North/South Alley West of Chapin Street
Remainder of Said North/South Alley, Between Thomas and Washington Streets

Dear Mr. Danch:

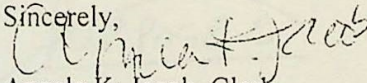
Upon review by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, Solid Waste Division and the City Attorney's Office, the following comments and recommendations were submitted:

Engineering stated that the properties at Key Numbers 18-3054-2097, 2099, 2100 and 2101 depend upon this alley for access. The Petitioner should make contact with these property owners. Cross access agreements will be needed for those property owners to allow this vacation. In addition, if this alley is vacated, it be done so subject to any utility easements that are necessary.

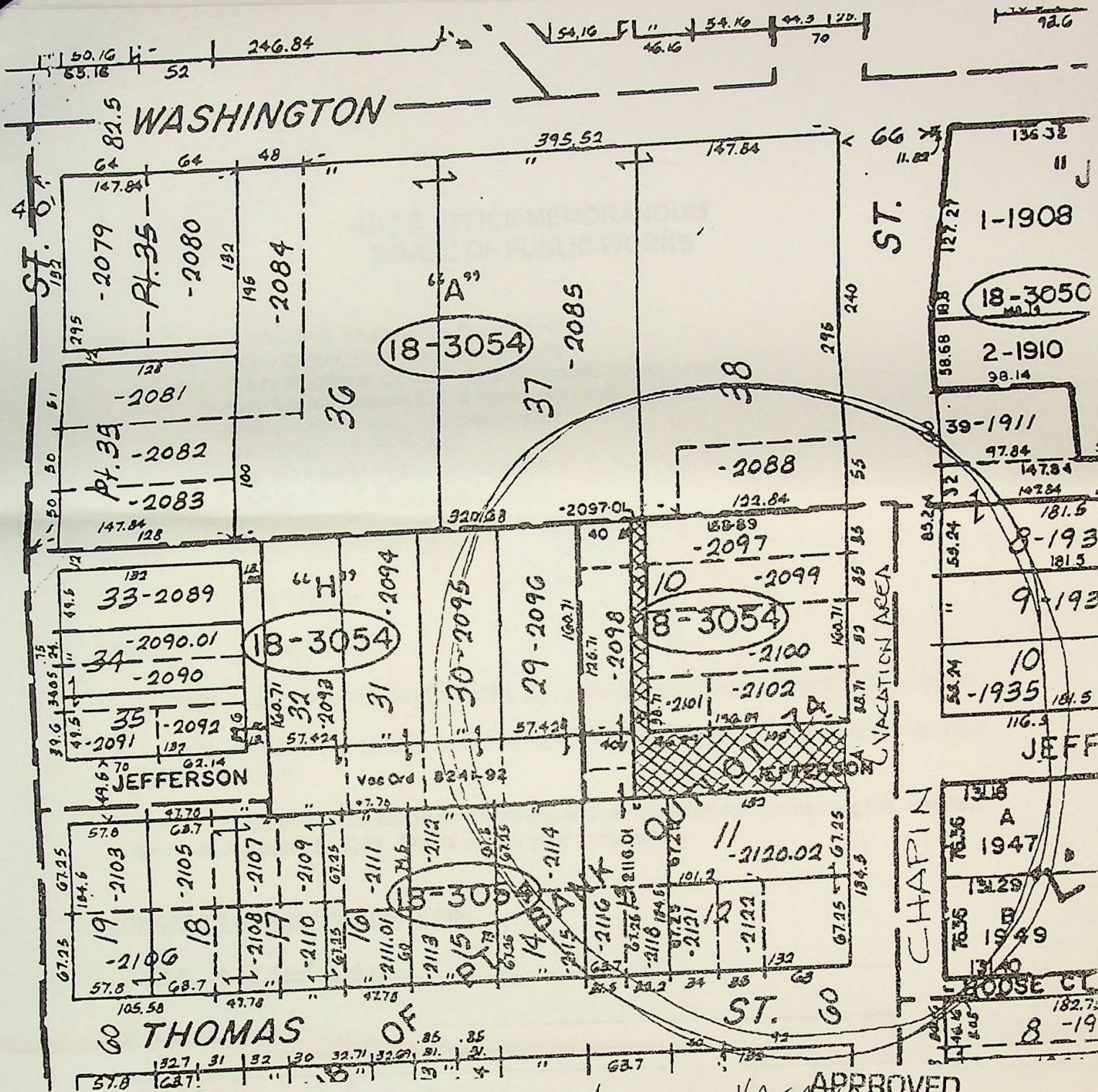
If you decide to proceed with your request to the Common Council, please address the recommendations and their solutions for the alley vacation.

If you have any questions, please contact Tony Molnar or Carl Littrell at (574) 235-9251. We are holding a radius map showing properties within 150' of the alley. You will need this radius map for your petition to the Common Council. **Once these concerns are addressed, please pick up the radius map and proceed to the City Clerk's office for your alley vacation packet. Once you return the petition to the City Clerk's office, they will forward a notice of First Hearing, upon which the Board of Public Works will forward their recommendations to them.**

Sincerely,


Angela K. Jacob, Clerk

c: Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
South Bend Heritage Foundation



STREET & ALLEY VACATION APPROVED
 Board of Public Works

PETITIONER:

SOUTH BEND
 HERITAGE

CONTACT:

MIKE DANCH
 734-4003

PURPOSE:

CONSTRUCTION of a Pilot
 NEW STUDIO ART MUSEUM

SEP 08 2003

st cross access
 easement

**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 Buchanan, Fire Department
Jack Dillon, Solid Waste
Joe Markovich, Police Department
Tom Bodnar, City Attorney's Office

FROM: Angie Jacob, Clerk *AJ*

RE: Alley Vacation

DATE: August 18, 2003

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

Petitioner would like the alley and street vacated for the purpose of construction of the new Studebaker Museum.

I would appreciate receiving your comments and recommendation concerning this vacation no later than **August 25, 2003**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No objection

BY: *Bob Mathia* DATE: *8/18/03*

**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 *AJ*

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DATE: August 18, 2003

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Petitioner would like the alley and street vacated for the purpose of construction of the new Studebaker Museum.

I would appreciate receiving your comments and recommendation concerning this vacation no later than **August 25, 2003**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

Cross The properties at Key #'s 18-3054-2097, -2099, -2100, -2101 depend upon this alley for access. Cross access agreements will be needed for those property owners to allow this vacation.

BY: Carl B. Littrell DATE: 8/18/03

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 *AJ*

RE: Alley Vacation

DATE: August 18, 2003

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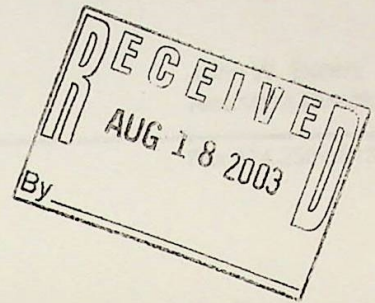
I would appreciate receiving your comments and recommendation concerning this vacation no later than **August 25, 2003**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No Objections

BY: *Capt Markovich* DATE: *8-19-03*

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

AUG 19 2003

FROM: Angie Jacob, Clerk *AJ*

RE: Alley Vacation

DATE: August 18, 2003

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Petitioner would like the alley and street vacated for the purpose of construction of the new Studebaker Museum.

I would appreciate receiving your comments and recommendation concerning this vacation no later than August 25, 2003. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY: *Larry Magliozzi* DATE: 8-19-03

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

August 25, 2003

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

AUG 25 2003

RE: Jefferson Boulevard generally described as being located between Chapin Street and the first north-south alley west of Chapin Street. Also being vacated is the remainder of said north south alley, lying between Thomas Street and Washington Street.

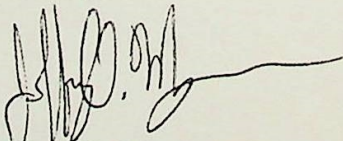
Dear Board Members:

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 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 proposed street and alley vacation would make access to the loading bay of the Center for History and the rear of several properties which front on Chapin Street very difficult. If this vacation is approved, cross access easements are necessary in order to assure that these properties have adequate access. Also, it appears that utility easements would also be necessary.

Sincerely,



Jeffrey O. Myers
Planner



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

AUG 25 2003

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 *AJ*

RE: Alley Vacation

DATE: August 18, 2003

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

Petitioner would like the alley and street vacated for the purpose of construction of the new Studebaker Museum.

I would appreciate receiving your comments and recommendation concerning this vacation no later than August 25, 2003. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No problems
Solid Waste

BY: *John Dillon* DATE: *8/25/03*



INTER-OFFICE MEMORANDUM BOARD OF PUBLIC WORKS

TO: Carl Littrell, Engineering Department
 John Byorri, 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 *AJ*

RE: Alley Vacation

DATE: August 18, 2003

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Petitioner would like the alley and street vacated for the purpose of construction of the new Studebaker Museum.

I would appreciate receiving your comments and recommendation concerning this vacation no later than August 25, 2003. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

Jefferson and Alley Residents at 127 & 131 Chapin
Will Not have Access to their Garage, if they
have no objections

BY: A/C Howard Buchanon DATE: 8-21-03