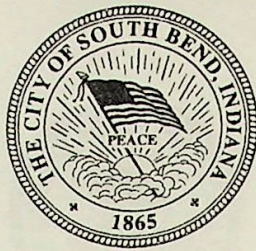


ALLEY VACATION
ORDINANCE NO. 9541-04
Status Vacated

Date 12/30/2004

Description:

Portion of Kaley, Kenwood, Linden Washington and 2
Nearby Adjacent Alleys



RECEIVED

DEC 30 2004

OFFICE OF THE CITY CLERK
DEPT. OF PUBLIC WORKS
CITY OF SOUTH BEND

Office of the City Clerk

John Voorde, City Clerk

DECEMBER 30, 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 - Paula
Ed Herman - Water Works - North Station

FROM: John Voorde, City Clerk

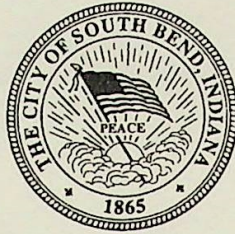
All proceedings with reference to Ordinance No. 9541-04 for the vacation of the following property:

A PORTION OF KALEY STREET, KENWOOD AVENUE, LINDEN AVENUE,
WASHINGTON STREET AND 2 NEARBY ADJACENT ALLEYS

are closed and this area is vacated

cc: South Bend Community School Corp.
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

October 26, 2004

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

RE: Property Vacation

Dear Members of the Council:

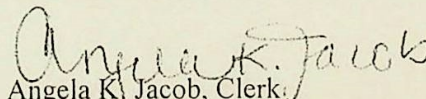
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the following property vacation:

A portion of Kaley Street, Kenwood Avenue, Linden Avenue, Washington Street and two (2) nearby Adjacent alleys.

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 and Area Plan stated the vacation would become effective upon development of the relocated Bendix Drive and consolidated ownership of adjacent properties

The Board of Public Works submits to you a **favorable recommendation** concerning this property 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's Office

Kent
Madden / 5575

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS
DATE: OCTOBER 25, 2004

I am referring to you the following vacation:

80-04 A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY:
A PORTION OF KALEY STREET, KENWOOD AVENUE, LINDEN
AVENUE, WASHINGTON STREET AND 2 NEARBY ADJACENT
ALLEYS

For your information, the Common Council will have first reading on this vacation request on Monday, October 25, 2004. I assume the council will set this bill for public hearing at its regularly scheduled meeting of November 8, 2004.

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

Thanks!

**CITY CLERK
JOHN VOORDE**

DEPUTY Jenni Tallon

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF KALEY STREET, KENWOOD AVENUE, LINDEN AVENUE, WASHINGTON STREET AND 2 NEARBY ADJACENT ALLEYS.

STATEMENT OF PURPOSE AND INTENT

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charges 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 street to be vacated is Kaley Street from the South right of way of Kenwood Avenue to the northeast right of way line of Washington Street for a distance of 588 feet, more or less and a width of 60 feet. Being a part of Kaley's 1st Subdivision in the City of South Bend, St. Joseph County, Indiana.

The second street to be vacated is Bendix Drive from the south right of way line of Bertrand Street to the North right of way line of Linden Avenue including 30 feet of Lot 134, Kaley's 2nd Subdivision, as well as 30 feet of Lot 135, Lot 142 and Lot 143, Kaley's 1st Subdivision, for a distance of 565 feet and a width of 90 feet. Being a part of Kaley's 1st and Kaley's 2nd Subdivision in the City of South Bend, St. Joseph County, Indiana.

The third street to be vacated is Kenwood Avenue from the west right of way line of Bendix Drive to the west right of way line of the first north/south alley east of Kaley Street for a distance of 464 feet, more or less and a width of 60 feet. Being a part of Kaley's 1st Subdivision in the City of South Bend, St. Joseph County, Indiana.

The fourth street to be vacated is Linden Avenue from the west right of way line of Bendix Drive to the east right of way line of Kaley Street for a distance of 334 feet, more or less and a width of 60 feet. Being a part of Kaley's 1st Subdivision in the City of South Bend, St. Joseph County, Indiana.

The fifth street to be vacated is Washington Street from the north right of way line of Linden Avenue extended West to the West right of way line of Bendix Drive to the east right of way line of Kaley Street for a distance of 460 feet measured along the northeast right of way line of said Washington Street, said point being at the intersection of the north right of way line of Lawton Street and the east right of way line of Kaley Street, and a width of 60 feet. Said right of way includes Lot 147 and 148 as well as part of Lots 149 and 150 and a north/south 14' alley from the south right of way of

Linden Avenue to the first east/west alley, said East West alley from the West line of Lot 26 to the East right of way line of Kaley Street. Said Washington Street right of way also included part of Lots 101, 102, 103 and 154 as well as a portion of a north/south alley adjacent to Lot 103. All being a part of Kaley's 2nd Subdivision in the City of South Bend, St. Joseph County, Indiana.

The alley to be vacated is the first east/west alley South of Linden Avenue from the west right of way line of Kaley Street to the northeast right of way line of Washington Street for a distance of 70 feet (as measured along the centerline of said alley) and a width of 14 feet. Being a part of Kaley's 1st and 2nd Subdivisions in 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:

Lots 84 through 86 inclusive, 90 through 93 inclusive, 100 and 101 of West End Subdivision, Lots 20 through 34 inclusive, 69 through 88 inclusive of Kaley's 1st Addition, and Lots 123 through 133 inclusive 139 through 141 inclusive, 144 through 146 inclusive of Kaleys' 2nd Subdivision, and property with tax key identification numbers of 18-2040-1387, 18-2066-2426, 18-2039-1377, 18-2039-1378, 18-2039-1379 and 18-2040-137501 and property designated as Kennedy Park.

SECTION IV. The purpose of the vacation of the real property is to create consolidated ownership of adjacent properties, effective upon the development of the relocated Bendix Drive.

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

Attest:

City Clerk

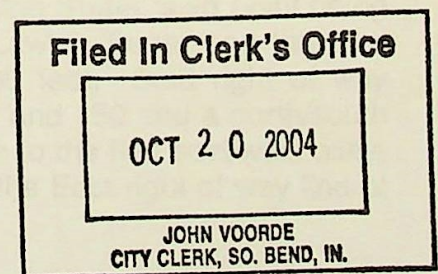
Presented by me to the Mayor of the City of South Bend, Indiana on the _____
day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at
_____ o'clock _____. m.

Mayor, City of South Bend, Indiana

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



PETITION TO VACATE PUBLIC RIGHTS-OF-WAY
STREETS AND ALLEY

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

DATE: 10-20-04

WE, THE UNDERSIGNED PROPERTY OWNERS, PETITION YOU TO VACATE:

A. THE ALLEY DESCRIBED AS:

The alley to be vacated is the first east/west alley South of Linden Avenue from the west right of way line of Kaley Street to the northeast right of way line of Washington Street for a distance of 70 feet (as measured along the centerline of said alley) and a width of 14 feet. Being a part of Kaley's 1st and 2nd Subdivisions in the City of South Bend, St. Joseph County, Indiana.

B. THE STREET DESCRIBED AS:

The first street to be vacated is Kaley Street from the South right of way of Kenwood Avenue to the northeast right of way line of Washington Street for a distance of 588 feet, more or less and a width of 60 feet. Being a part of Kaley's 1st Subdivision in the City of South Bend, St. Joseph County, Indiana.

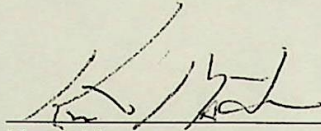
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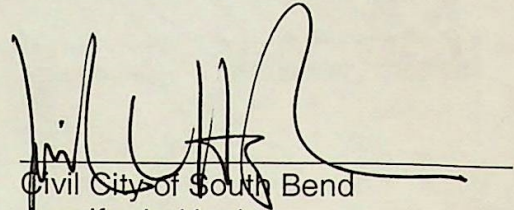
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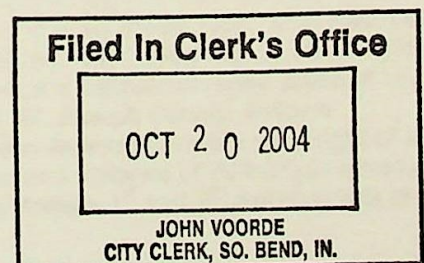


Kent Maden
Manager, Facilities
Robert Bosch Corporation
401 North Bendix Drive
South Bend, Indiana 46601
574-237-2475



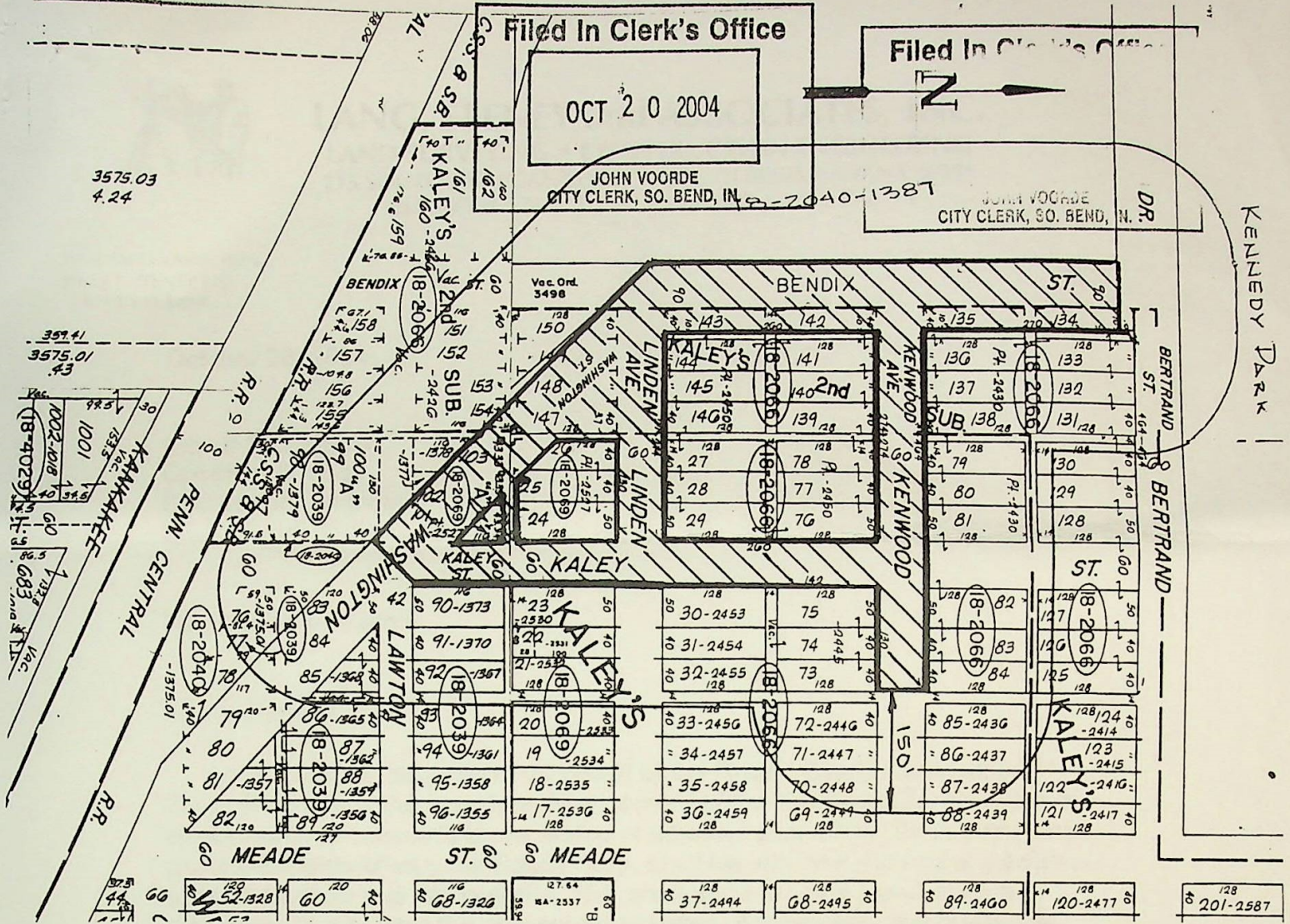
Jennifer L. Hughes
Economic Development Planner
1200 County-City Building
South Bend, Indiana 46601
574-235-9336

Contact Person:
Lang, Feeney & Associates, Inc.
Terance D. Lang
715 South Michigan Street
South Bend, Indiana 46601
574-235-9221



Filed In Clerk's Office
 OCT 20 2004
 JOHN VOORDE
 CITY CLERK, SO. BEND, IN. 2-2040-1387

Filed In Clerk's Office
 JOHN VOORDE
 CITY CLERK, SO. BEND, IN.



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LANG, FEENEY and ASSOCIATES, INC.
LAND SURVEYING • CONSTRUCTION ENGINEERING
715 SOUTH MICHIGAN STREET • SOUTH BEND, INDIANA 46601
TELEPHONE 574/233-1841 • FACSIMILE 574/674-0374

WILLIAM D. LANG, PRES.
JOHN B. FEENEY, L.S.
TERANCE D. LANG, L.S.

SUB-DIVISIONS
BOUNDARY SURVEYS
TOPOGRAPHIC SURVEYS
CONSTRUCTION SURVEYS

October 20, 2004

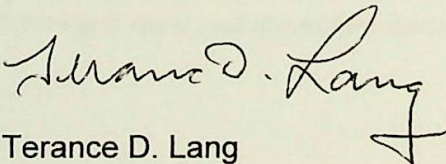
City of South Bend
Common Council
County-City Building
South Bend, Indiana 46601

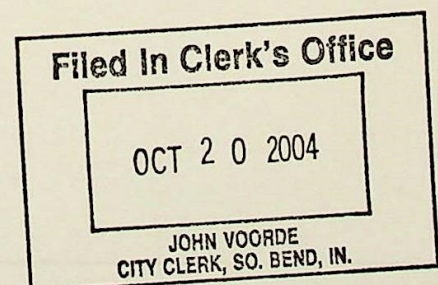
Re: Petition to Vacate

To the Council,

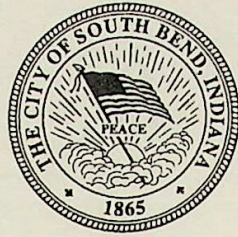
We submit this petition on behalf of the Robert Bosch Corporation of South Bend. After the complete development of the relocated Bendix Drive the owners wish to consolidate ownership of adjacent properties. By vacating the described rights-of-way the Bosch Corp. shall be able to consolidate individual sites and create one campus site. This shall allow for safe travel of on site machinery to and from the now separated sites. If there area any questions regarding the petition please feel free to contact our office at the phone number listed above.

Sincerely,


Terance D. Lang



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

October 11, 2004

Mr. Kent Maden
Bosch Corporation
401 North Bendix Drive
South Bend, Indiana 46628

RE: Street/Alley Vacations - South of Bertrand, West of Meade, Various Others
(Preliminary Review)

Dear Mr. Maden:

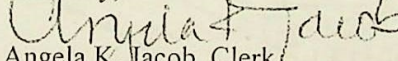
Upon review by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, Solid Waste Division and the City Attorney's Office, the following comments and recommendations were submitted:

Area Plan and Engineering stated the vacation would become effective upon development of the relocated Bendix Drive and consolidated ownership of adjacent properties.

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

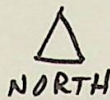
If you have any questions, please contact Tony Molnar or Carl Littrell at (574) 235-9251. We are holding a radius map showing properties within 150' of the alley. You will need this radius map for your petition to the Common Council. **Once these concerns are addressed, please pick up the radius map 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
Carl Littrell, Engineering

STREET & ALLEY VACATIONS FOR BOSCH CORP.



DR.

PETITIONER:

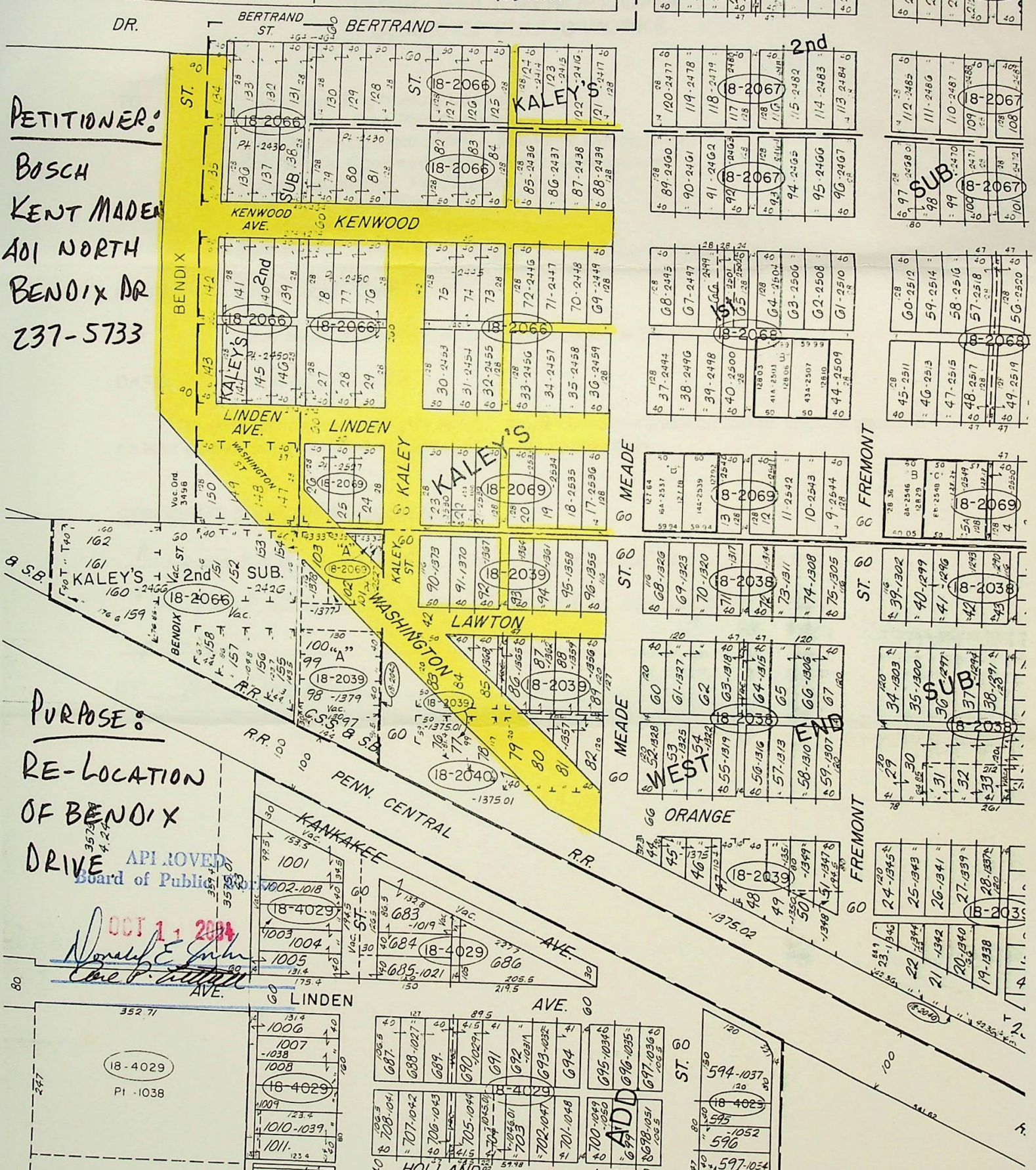
BOSCH
KENT MADEN
401 NORTH
BENDIX DR
237-5733

PURPOSE:
RE-LOCATION
OF BENDIX
DRIVE

APPROVED
Board of Public Works

OCT 11 2004

Donald E. Smith
Carl P. [unclear]



201-2267	202-2268	203-2269	204-2270	205-2271
206-2272	207-2273	208-2274	209-2275	210-2276
211-2277	212-2278	213-2279	214-2280	215-2281
216-2282	217-2283	218-2284	219-2285	220-2286

120-2477	119-2478	118-2479	117-2480	116-2481
115-2482	114-2483	113-2484	112-2485	111-2486
110-2487	109-2488	108-2489	107-2490	106-2491
105-2492	104-2493	103-2494	102-2495	101-2496

68-2495	67-2497	66-2498	65-2499	64-2500
63-2501	62-2502	61-2503	60-2504	59-2505
58-2506	57-2507	56-2508	55-2509	54-2510
53-2511	52-2512	51-2513	50-2514	49-2515

68-2495	67-2497	66-2498	65-2499	64-2500
63-2501	62-2502	61-2503	60-2504	59-2505
58-2506	57-2507	56-2508	55-2509	54-2510
53-2511	52-2512	51-2513	50-2514	49-2515

68-2495	67-2497	66-2498	65-2499	64-2500
63-2501	62-2502	61-2503	60-2504	59-2505
58-2506	57-2507	56-2508	55-2509	54-2510
53-2511	52-2512	51-2513	50-2514	49-2515

24-1345	25-1343	26-1341	27-1339	28-1337
29-1335	30-1333	31-1331	32-1329	33-1327
34-1325	35-1323	36-1321	37-1319	38-1317
39-1315	40-1313	41-1311	42-1309	43-1307

594-1037	595-1035	596-1033	597-1031	598-1029
599-1027	600-1025	601-1023	602-1021	603-1019
604-1017	605-1015	606-1013	607-1011	608-1009
609-1007	610-1005	611-1003	612-1001	613-999

INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

RECEIVED

SEP 20 2004

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 between Bertrand & Lawton/Bendix Drive Relocation

DATE: September 27, 2004

I would appreciate receiving your comments and recommendation concerning this vacation no later than **October 5, 2004**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

Recommend approval of the vacation request.
This part of an Economic Development Division
project.

BY: Bob Mathia DATE: 9/27/04

**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

RE: Alley between Bertrand & Lawton/Bendix Drive Relocation

DATE: September 27, 2004

I would appreciate receiving your comments and recommendation concerning this vacation no later than **October 5, 2004**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No Objections

BY: *Capt Markovich*

DATE: *9-29-04*

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

September 30, 2004

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

RE: Right-of-way Vacation – Generally described as the public right-of-ways south of Bertrand Street, west of Meade Street, north of and including Washington Avenue, and east of and including Bendix Drive; including Kenwood Avenue, Linden Avenue, Lawton Avenue, Kaley Street, and several unnamed alleys.

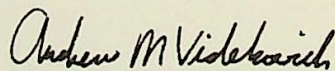
Dear Board Members:

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

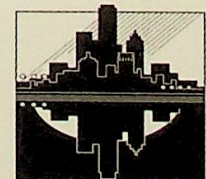
- (1) If all the affected properties are acquired, the vacation *will not* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.
- (4) If all the affected properties are acquired, the vacation *will 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 these right-of-ways be vacated subject to any utility or access easements that are necessary. The staff recommends that these vacations not be effective until all the affected properties have been acquired.

Sincerely,



Andrew Videkovich
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: Alley between Bertrand & Lawton/Bendix Drive Relocation

DATE: September 27, 2004

I would appreciate receiving your comments and recommendation concerning this vacation no later than **October 5, 2004**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

No Objections

BY: A/c Howard Buchanon DATE: 10-4-04

**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 between Bertrand & Lawton/Bendix Drive Relocation

DATE: September 27, 2004

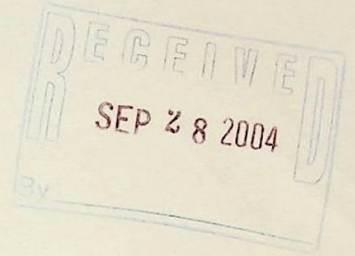
I would appreciate receiving your comments and recommendation concerning this vacation no later than **October 5, 2004**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

*No objection to vacation effective upon
development of relocated Bendix Drive and
consolidated ownership of adjacent properties.*

BY: *Carl P Littrell* **DATE:** *10/7/04*

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 between Bertrand & Lawton/Bendix Drive Relocation

DATE: September 27, 2004

I would appreciate receiving your comments and recommendation concerning this vacation no later than **October 5, 2004**. Thank you for your cooperation.

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL

BY: Larry Magliozzi DATE: 10-5-04

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 between Bertrand & Lawton/Bendix Drive Relocation

DATE: September 27, 2004

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COMMENTS & RECOMMENDATIONS:

Do Not ~~Quote~~ Vacate, we use alley

BY: Andre Prite DATE: 10-5-04