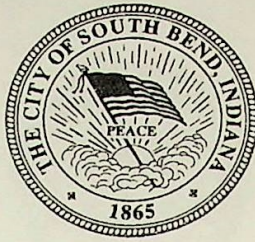


9551-04

~~ALLEY~~ VACATION
STREET 1/20/05

A Portion of E Side of Chapin N of Sample
to United Drive and Approx 720' of United
Drive E from Chapin



RECEIVED

JAN 20 2005

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

Office of the City Clerk

John Voorde, City Clerk

JANUARY 20, 2005

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

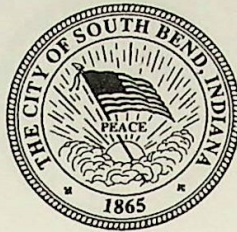
All proceedings with reference to Ordinance No. 9551-04 for the vacation of the following property:

A PORTION OF THE EAST SIDE OF CHAPIN STREET NORTH OF SAMPLE STREET TO UNITED DRIVE AND APPROXIMATELY 720 FEET OF UNITED DRIVE RUNNING EAST FROM CHAPIN STREET

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

September 24, 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 alley vacation:

Portions of Prairie Avenue, East of Scott Street and West of Chapin Street.

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 an alternate route must be completed. The closure/vacation of the south lane is subject to revisions to the existing curb openings to accommodate two-way traffic in the north half.

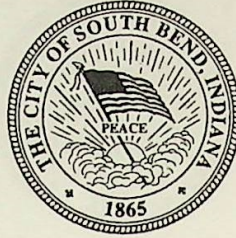
The Board of Public Works submits to you a **favorable recommendation** concerning this vacation, subject to any utility easements that may be necessary.

Sincerely,

Angela K. Jacob, Clerk
Board of Public Works

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

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



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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 alley vacation:

Portions of Prairie Avenue, East of Scott Street and West of Chapin Street.

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 an alternate route must be completed. The closure/vacation of the south lane is subject to revisions to the existing curb openings to accommodate two-way traffic in the north half.

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

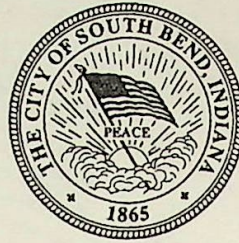
Sincerely,

A handwritten signature in cursive script that reads "Angela K. Jacob".

Angela K. Jacob, Clerk
Board of Public Works

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

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

May 10, 2004

Mr. Bill Shaloliol
Economic and Community Development
County City Building - 12th Floor
South Bend, Indiana 46601

RE: Property Vacation
Council Review - Preliminary Review

Dear Bill,

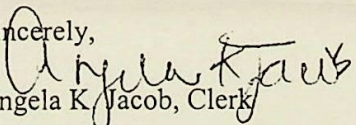
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation, subject to the following conditions**, is being submitted to the Common Council concerning property vacation on the following:

Portions of Prairie Avenue, East of Scott Street and West of Chapin Street.

Engineering recommended approval of this vacation subject to the completion of an alternative route and revisions to the existing curb openings to accommodate two way traffic in the north half of the roadway.

The Board of Public Works submits to you a **favorable recommendation** concerning this vacation, subject to addressing the above concerns and any utility easements that may be necessary.

Sincerely,


Angela K. Jacob, Clerk

Attachments

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

PETITIONER:

COMM & ECON

DEVELOPMENT

BILL SCHALLOLC

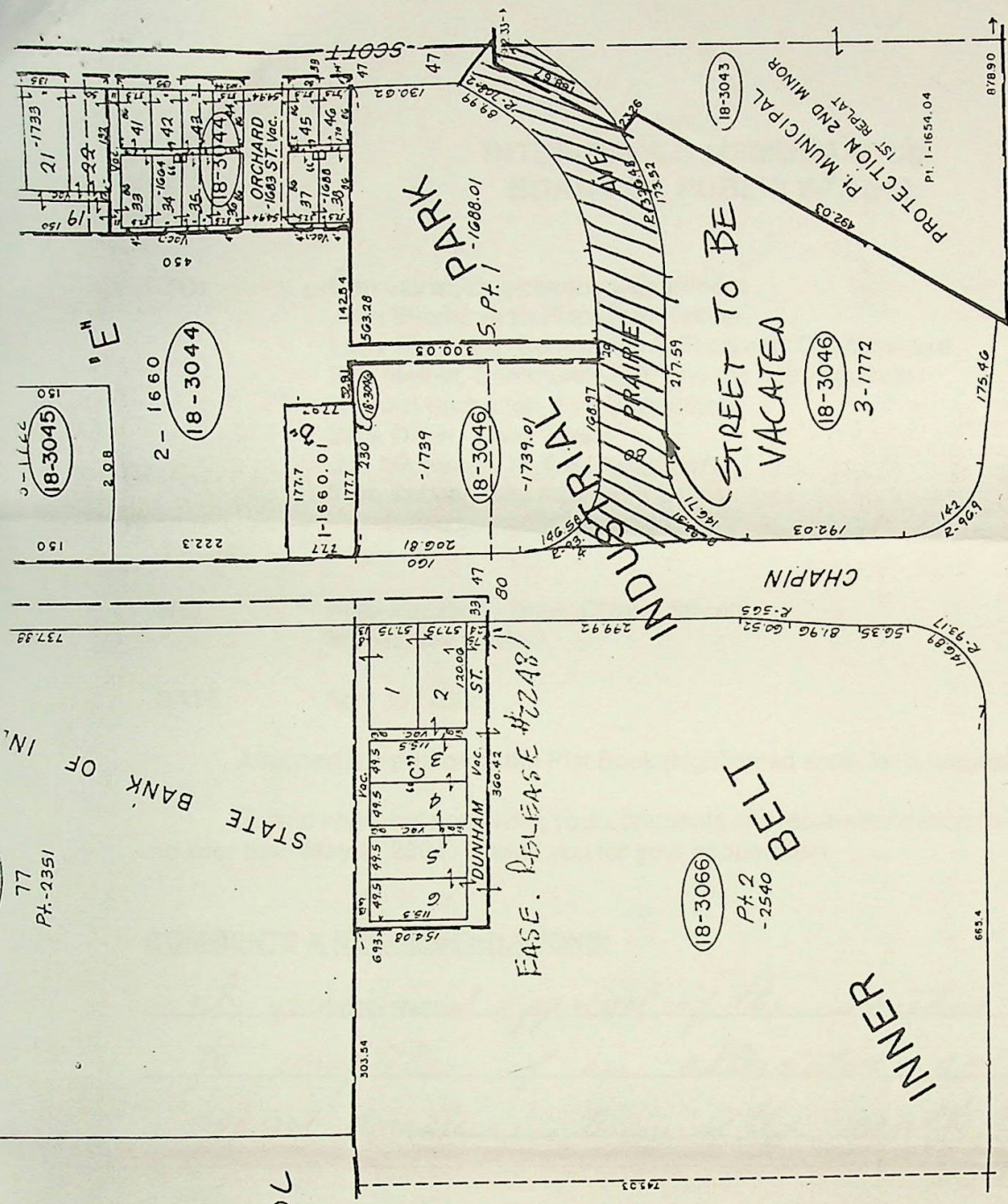
235-5842

PURPOSE:

UNITED DRIVE

TO BE RE-

LOCATED



SAMPLE

Revised Copyright 2003

Copyright 1985
THE SIDWELL COMPANY

SCALE: 1" = 100'

8-11G

APPROVED
Board of Public Works

MAY 10 2004

[Signature]
[Signature]
[Signature]

8-14C

PORTAGE TWP.

W. 1/2 S.E. 1/4 SEC. 11 T.37N. R.2E.

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 - (near Chapin Street)
Preliminary Review

DATE: April 19, 2004

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

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

COMMENTS & RECOMMENDATIONS:

I recommend approval of the vacation subject to completion of an alternative route. I would approve vacation/closure of the south lanes subject

BY: _____ DATE: _____

to revisions to the existing curb openings, etc to accommodate two way traffic in the north half.

Carl R. Littrell 4/20/04

**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 Vacation - (near Chapin Street)
Preliminary Review

DATE: April 19, 2004

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

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

COMMENTS & RECOMMENDATIONS:

*Bill has been working on this a long time. It will promote
better development. I recommend approval.*

BY:

Bob Mathia

DATE:

4/21/04

**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 Vacation - (near Chapin Street)
Preliminary Review

DATE: April 19, 2004

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

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

COMMENTS & RECOMMENDATIONS:

No Objections

BY: Capt Markovich **DATE:** 4/23/04

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 Vacation - (near Chapin Street)
Preliminary Review
DATE: April 19, 2004

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

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

COMMENTS & RECOMMENDATIONS:

RECOMMEND APPROVAL. DEFER TO PUBLIC
WORKS RECOMMENDATION

BY: Larry Magliozzi DATE: 4-23-04

INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

APR 21 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 Vacation - (near Chapin Street)
Preliminary Review

DATE: April 19, 2004

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

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

COMMENTS & RECOMMENDATIONS:

no trash customers

BY:

John Dillon

DATE:

5-3-04

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

TO: Carl Littrell, Engineering Department
 John Byorni, Area Plan Commission
 Larry Magliozzi, Community & Economic Development
 Elob 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 - (near Chapin Street)
 Preliminary Review

DATE: April 19, 2004

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

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

COMMENTS & RECOMMENDATIONS:

No objection

BY: A/C Howard Buchanon DATE: 05/04/04

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

May 5, 2004

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

RE: Right-of-way Vacation – Generally described as Prairie Avenue from
Chapin Street to Scott Street.

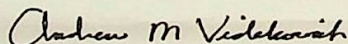
Dear Board Members:

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

- (1) The vacation *would* 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* hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

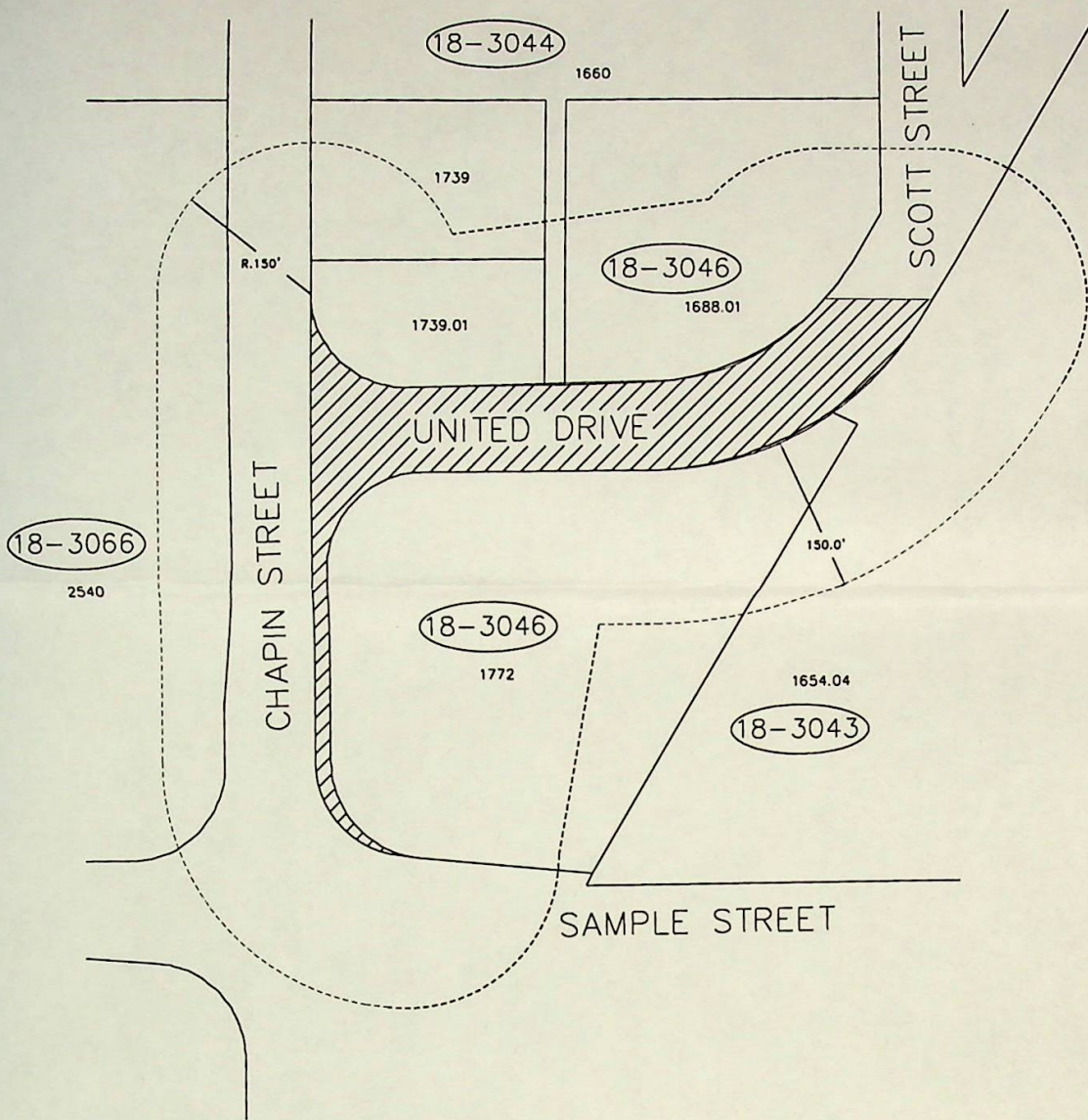
The Staff recommends that this vacation not be effective until additional right-of-way is dedicated and a new road is built. According to State Statute (36-7-3-12), the petitioner must be an owner of or an interested party in any lots contiguous to the right-of-way. The Staff suggests the petitioner verify that they meet these criteria prior to any action being taken.

Sincerely,



Andrew Videkovich
Planner





LEGAL DESCRIPTION:

UNITED DRIVE VACATION

A PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION ELEVEN (11), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE TEO (2) EAST, PORTAGE TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF UNITED DRIVE AND EAST RIGHT-OF-WAY LINE OF CHAPEN STREET; THENCE SOUTH 89^o-55'-05" EAST, 263.76 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE OF UNITED DRIVE TO A POINT ON A CURVE HAVING A RADIUS OF 708.20 FEET; THENCE BEARING LEFT ALONG SAID CURVE AND RIGHT-OF-WAY LINE AN ARC DISTANCE OF 92.89 FEET, (CHORD BEARING AND DISTANCE=NORTH 86^o-19'-29" EAST, 92.82 FEET) TO A POINT ON A CURVE HAVING A RADIUS OF 242.48 FEET; THENCE BEARING LEFT ALONG SAID CURVE AN ARC DISTANCE OF 192.23 FEET, (CHORD BEARING AND DISTANCE=NORTH 59^o-51'-20" EAST, 187.24 FEET); THENCE NORTH 33^o-47'-13" EAST, 81.55 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 00^o-00'-32" EAST, 23.08 FEET; THENCE NORTH 89^o-57'-19" EAST, 105.38 FEET TO THE EAST RIGHT-OF-WAY LINE OF UNITED DRIVE; THENCE SOUTH 29^o-42'-31" WEST, 209.90 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF UNITED DRIVE; THENCE SOUTH 59^o-37'-45" WEST, 86.83 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON A CURVE HAVING A RADIUS OF 326.48 FEET; THENCE BEARING RIGHT ALONG SAID CURVE AND RIGHT-OF-WAY LINE AN ARC DISTANCE OF 173.53 FEET, (CHORD BEARING AND DISTANCE=SOUTH 74^o-51'-20" WEST, 171.49 FEET); THENCE NORTH 89^o-55'-05" WEST, 217.59 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON A CURVE HAVING A RADIUS OF 93.31 FEET; THENCE BEARING LEFT ALONG SAID CURVE AND RIGHT-OF-WAY LINE AN ARC DISTANCE OF 146.71 FEET, (CHORD BEARING AND DISTANCE=SOUTH 45^o-02'-25" WEST, 132.06 FEET) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CHAPIN STREET; THENCE SOUTH 00^o-00'-05" EAST, 192.02 FEET ALONG SAID RIGHT-OF-WAY TO A POINT ON A CURVE HAVING A RADIUS OF 96.90 FEET; THENCE BEARING LEFT ALONG SAID CURVE AND RIGHT-OF-WAY LINE AN ARC DISTANCE OF 142.00 FEET, (CHORD BEARING AND DISTANCE=SOUTH 41^o-58'-59" EAST, 129.63 FEET) TO A POINT ON A CURVE HAVING A RADIUS OF 100.00 FEET; THENCE BEARING RIGHT ALONG SAID CURVE AN ARC DISTANCE OF 154.14 FEET, (CHORD BEARING AND DISTANCE=NORTH 46^o-14'-36" EAST, 139.33 FEET); THENCE NORTH 00^o-03'-37" EAST, 365.49 FEET TO THE POINT OF BEGINNING, CONTAINING 1.54 ACRES, MORE OR LESS, SUBJECT TO ALL PUBLIC HIGHWAYS AND EASEMENTS OF RECORD, IF ANY.