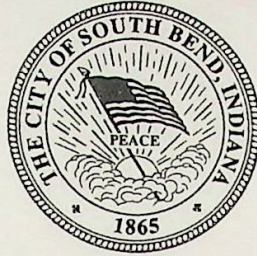


ALLEY VACATION
ORDINANCE NO. 9652-06
Status Vacated ✓

Date 3/15/2006

Description:

The First East/West Alley North of Corby Blvd. from
St. Peter West to the First North/South Alley for a
Distance of 165 Feet and a Width of 14 Feet. Being a
Part of Sorin's 2nd Addition to the City of South Bend,
and a Part of Kelly's Subdivision to the



Office of the City Clerk

John Voorde, City Clerk

MARCH 15, 2006

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 – Marco Mariani
County Auditor - Paula
Ed Herman - Water Works - North Station

FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9652-06 for the vacation of the following property:

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF CORBY BLVD. FROM ST. PETER STREET WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SORIN'S 2ND ADDITION TO THE CITY OF SOUTH BEND, AND A PART OF KELLY'S SUBDIVISION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
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

January 5, 2006

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

RE: Alley Vacation – East/West Alley from St. Peter to North/South Alley

Dear Members of the Council:

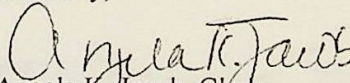
In accordance with Municipal Code Section 18-53.8, a favorable **recommendation** is being submitted to the Common Council concerning the following street/alley vacation:

First east/west alley north of Corby Boulevard from St. Peter Street west to the first north/south alley for a distance of 165 feet and a width of 14 feet. Sorin's 2nd Addition and a part of Kelly's Subdivision.

Area Plan recommends that this right of way be vacated subject to utility and access easements. The park utilizes an open gate for neighborhood and field maintenance equipment access near St. Peter Street. The park also has open gates for neighborhood access to its ball field at the intersection of the alleys (center). Garbage trucks that access the alley for trash pickup may need space to turn around at the alley intersection (center). Lastly, there are two (2) telephone poles in the alley.

The Board of Public Works submits to you a **favorable recommendation** concerning this vacation.

Sincerely,


Angela K. Jacob, Clerk
Board of Public Works

c: Rosemary Mandrici, Assessor' Office
Melinda Stopczynski, Auditor's Office
Carl Littrell, Engineering
Gary Gilot, Public Works Director

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: JANUARY 3, 2006

I am referring to you the following vacation:

02-06 A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF CORBY BLVD. FROM ST. PETER STREET WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SORIN'S 2ND ADDITION TO THE CITY OF SOUTH BEND, AND A PART OF KELLY'S SUBDIVISION OT 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, January 9, 2006. I assume the council will set this bill for public hearing at its regularly scheduled meeting of January 23, 2006.

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

Thanks!

**CITY CLERK
JOHN VOORDE**

DEPUTY

Jenni Talbot

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:
THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF
CORBY BLVD. FROM ST. PETER STREET WEST TO THE FIRST
NORTH/SOUTH ALLEY FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14
FEET. BEING A PART OF SORIN'S 2ND ADDITION TO THE CITY OF SOUTH
BEND, AND A PART OF KELLY'S SUBDIVISION 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.

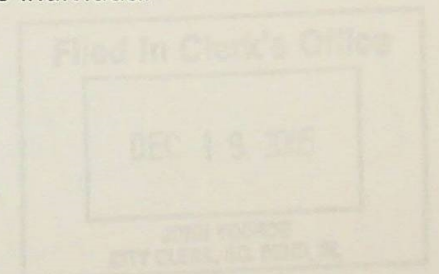
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

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 EAST/WEST ALLEY NORTH OF
CORBY BLVD. FROM ST. PETER STREET WEST OT THE FIRST
NORTH/SOUTH ALLEY FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14
FEET. BEING A PART OF SORIN'S 2ND ADDITION TO THE CITY OF SOUTH
BEND, AND A PART OF KELLY'S SUBDIVISION 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:

Lots 2, 3, 4, 5, 6, 7, 8-11 & 12 Kelly's Sub (City of South Bend Park Department)
Lots N ½ Lot 134 Sorins 2nd Add. (Northeast Neighborhood Revitalization Organization)

SECTION IV. The purpose of the vacation of the real property is to provide additional set back for the lot immediately south of the subject alley, Lot 134. A new home will constructed at 917 St. Peter, Lot 134 which is the lot to the south and adjacent to the alley.

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

Attest:

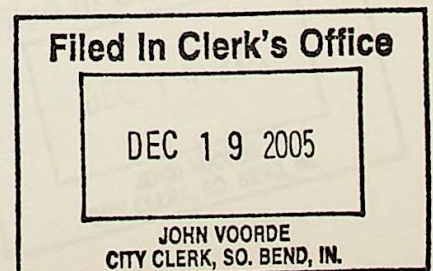
City Clerk

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



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

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

DATE: 19-Dec-05

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

- A. THE ALLEY DESCRIBED AS: The alley to be vacated is the first east/west alley north of corby blvd. from st. peter street west to the first north/south alley for a distance of 165 feet and a width of 14 feet. Being a part of sorin's 2nd addition to the City of South Bend, St. Joseph County, Indiana

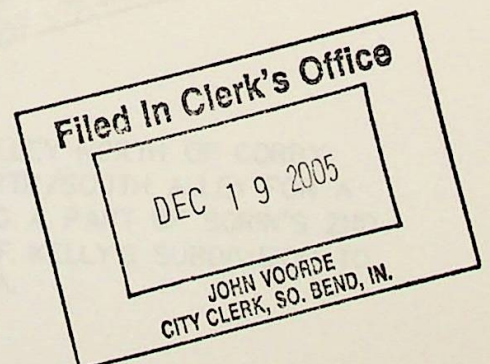
NAME (signed & printed)	ADDRESS	LOT #
Northeast Neighborhood Revitalization Organization	917 St. Peter Street	N ½ 134

Macey Beziel

CONTACT PERSON (S)

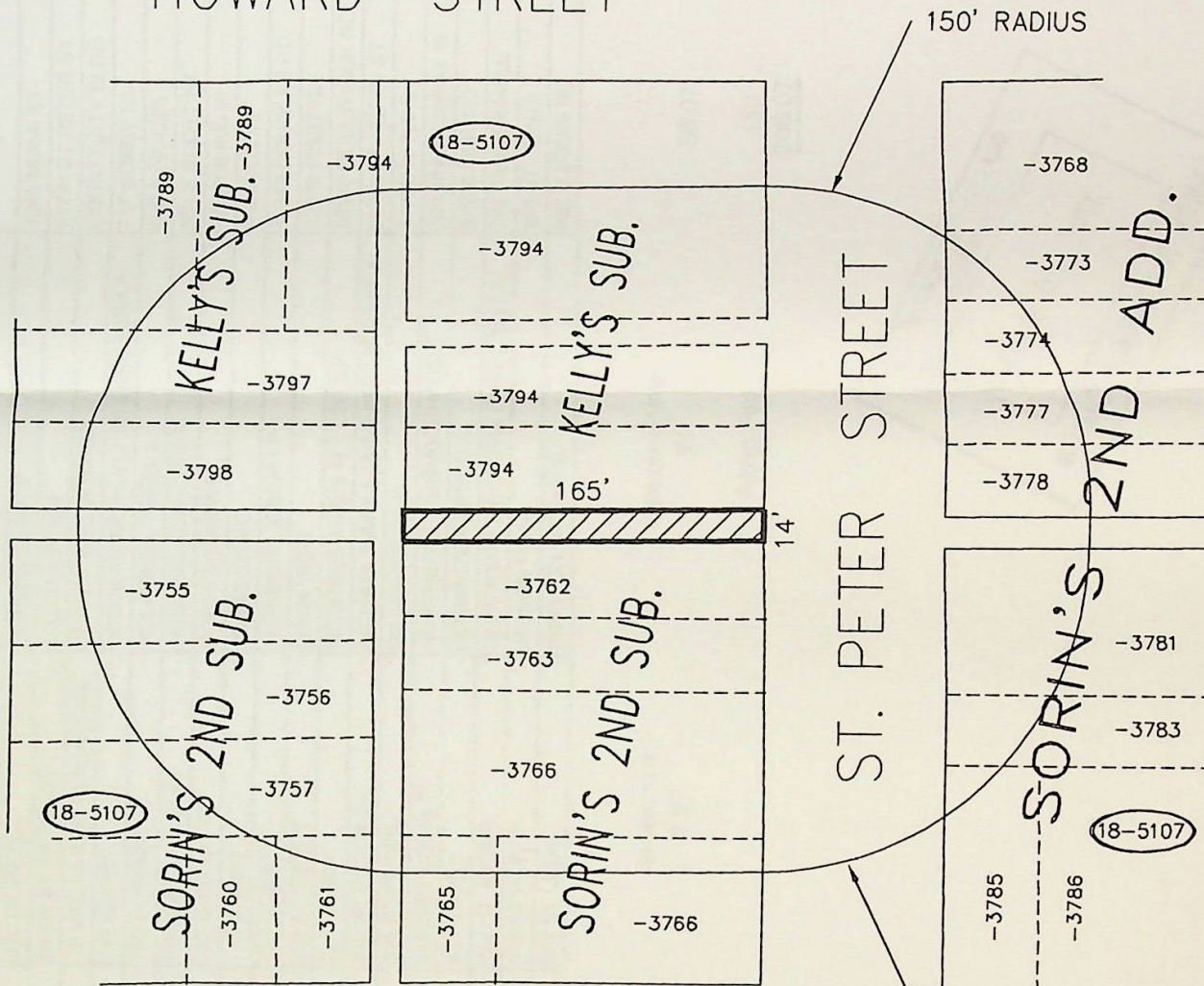
NAME: Phillip Byrd
ADDRESS: 803 Lincoln Way West
South Bend, Indiana 46601
PHONE: 574 289-1066 EXT 212
209

RETURN TO:
OFFICE OF THE CITY CLERK
JOHN VOORDE, CITY CLERK
ROOM 455-COUNTY-CITY BUILDING
SOUTH BEND, IN 46601
574-235-9221



ST. LOUIS BLVD.

HOWARD STREET



150' RADIUS

CORBY BLVD.

150' RADIUS

Filed in Clerk's Office
 Dec 19 2005
 JERRY YODRIS
 CITY CLERK SOUTH BEND, IN

LEGAL DESCRIPTION:

THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF CORBY BLVD. FROM ST. PETER STREET WEST TO THE FIRST NORTH/SOUTH ALLEY FOR A DISTANCE OF 165 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SORIN'S 2ND ADDITION TO THE CITY OF SOUTH BEND, AND A PART OF KELLY'S SUBDIVISION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

PARCELID	TAX_OWNER	PROP_ADDR	NAME_1	STREET	ZIP
18-5107-3774	BOUSKILL LEIF A	926 ST PETER	BOUSKILL LEIF A	1326 MIAMI ST	46601
18-5107-3762	CADDY LILLIAN	917 N ST PETER ST	CADDY LILLIAN	917 N ST PETER ST	46617
18-5107-3794	CITY OF SOUTH BEND	18 VAC L6 41X110 HOWARD	CITY OF SOUTH BEND	COUNTYCITY BLDG	46601
18-5107-3759	DOUGLAS ARTHUR L JR & BARBARA A	717 CORBY	DOUGLAS ARTHUR L JR & BARBARA A	717 CORBY BL	46617
18-5107-3789	HOLCOMB LINDELL L	702 HOWARD	HOLCOMB LINDELL L	P O BOX 4263	46634
18-5107-3757	HOUSING AUTHORITY	VAC LOT-ST LOUIS	HOUSING AUTHORITY	501 S SCOTT ST	46613
18-5107-3766	HUGHES MARIA M	727 E CORBY ST	HUGHES MARIA M	14779 S 600 W	46390
18-5107-3760	JONES CRAIG	719 CORBY	JONES CRAIG	15374 CR 18	46540
18-5107-3765	LUPRESTO JOSEPH P	723 CORBY	LUPRESTO JOSEPH P	17640 DOUGLAS RD	46635
18-5107-3777	MACK VICKI	922 ST PETER	MACK VICKI	12579 FIRST RD	46563
18-5107-3761	MCGINNIS JAMES G & LECIA F	721 CORBY	MCGINNIS JAMES G & LECIA F	52870 HOLLYHOCK RD	46637
18-5107-3783	MICHAEL MARY ELAINE RES LIFE EST &	912 ST PETER ST	MICHAEL MARY ELAINE RES LIFE EST &	912 N ST PETER ST	46601
18-5107-3778	MILLER NELSON	920 ST PETER	MILLER NELSON	11760 W 700 S	46543
18-5107-3755	NORTHEAST NEIGHBORHOOD	918 N ST LOUIS BL	NORTHEAST NEIGHBORHOOD	803 LINCOLNWAY W	46617
18-5107-3785	SCHWEIZER BRUCE A	801 CORBY	SCHWEIZER BRUCE A	57239 PINE RD	46619
18-5107-3773	UNIVERSITY OF NOTRE DAME DU LAC	934 ST. PETER	UNIVERSITY OF NOTRE DAME DU LAC	244 FANNER HALL	46556
18-5107-3781	WILSON MARY	918 ST PETER	WILSON MARY	918 ST PETER	46617
18-5107-3798	WINSTON DARNADA	922 ST LOUIS	WINSTON DARNADA	922 N LOUIS BL	46615

Certify Mail Check To US Post Office
 Filing Fee Check to To City of South
 Bend City Clerk

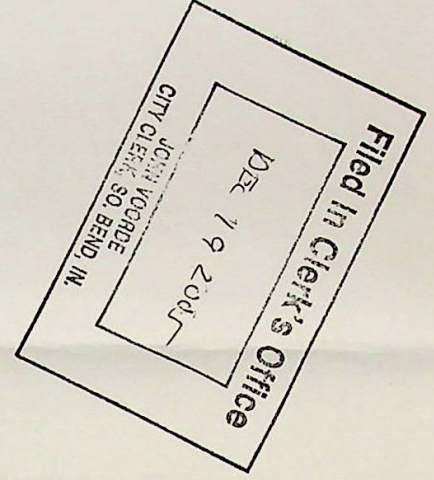
Certified Mail
 2.67

Number of Units
 21

Filing Fee

56.07

150
206.07



1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
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 24, 2005

Mr. Phil Byrd
South Bend Heritage Foundation
803 Lincolnway West
South Bend, Indiana 46601

RE: Alley Vacation – East/West Alley from St. Peter to North/South Alley
(Preliminary Review)

Dear Mr. Byrd:

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:

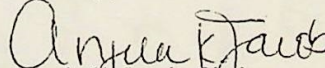
Area Plan recommends that this right-of-way be vacated subject to utility and access easements. The park utilizes an open gate for neighborhood and field maintenance equipment access near St. Peter Street. The park also has open gates for neighborhood access to its ball field at the intersection of the alleys (center). Garbage trucks that access the alley for trash pickup may need space to turn around at the alley intersection (center). Lastly, there are two (2) telephone poles in the alley.

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

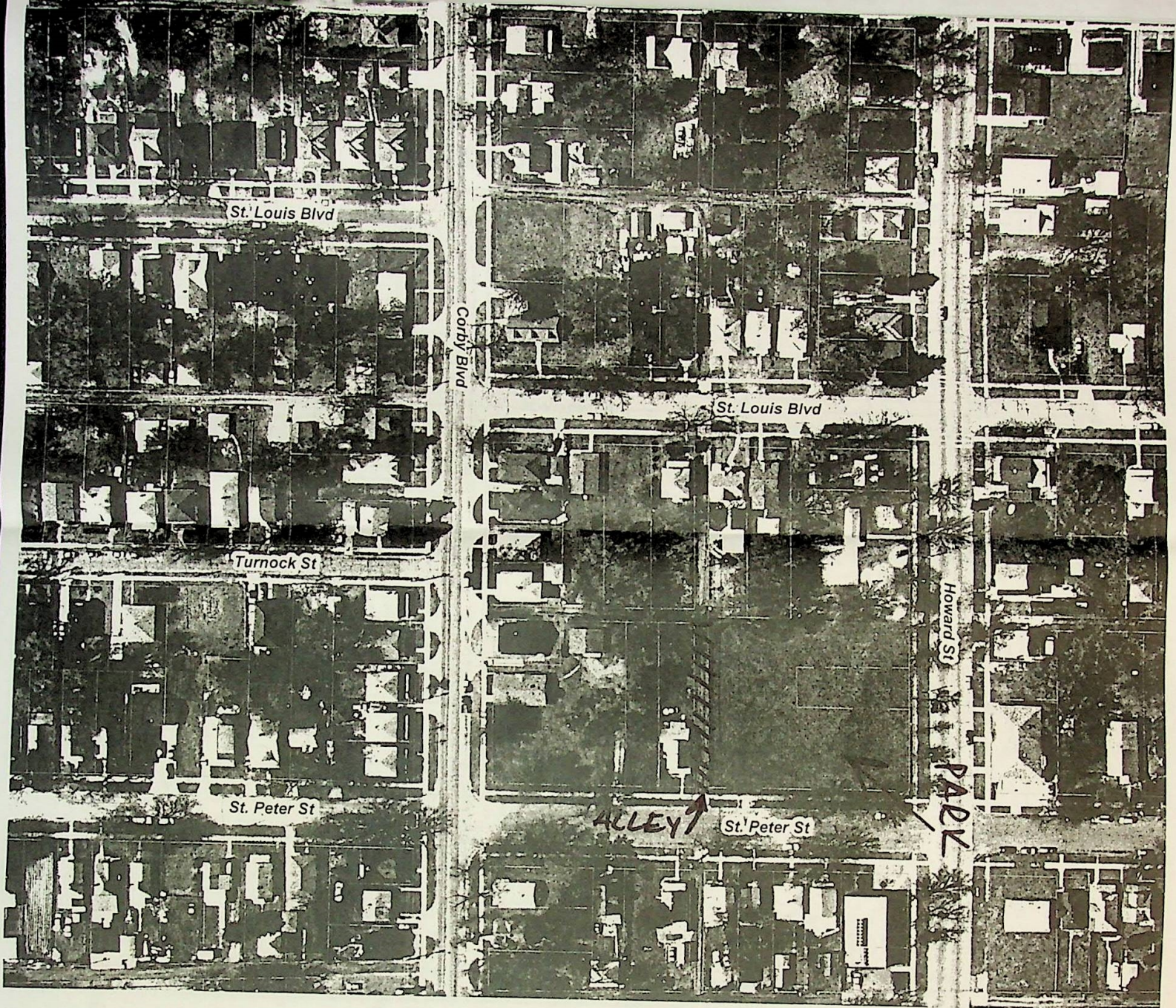
Please contact Tony Molnar or Carl Littrell at (574) 235-9251 if you have any questions. We are holding a radius map showing properties within 150' of the alley. You will need this radius map for your petition to the Common Council.

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: Sharon Kendall, E/D
Tony Molnar, Engineering
✓ Janice Talboom, City Clerk's Office
Carl Littrell, Engineering



PROPOSED ALLEY VACATION

ELW ALLEY FROM ST
PETER TO N/S ALLEY

PETITIONER:

MURD - PAUL BYRD
OWNER OF LOT 134
803 LINCOLN WAY WEST
SOUTH BEND, IN
289-1066 - EX 212

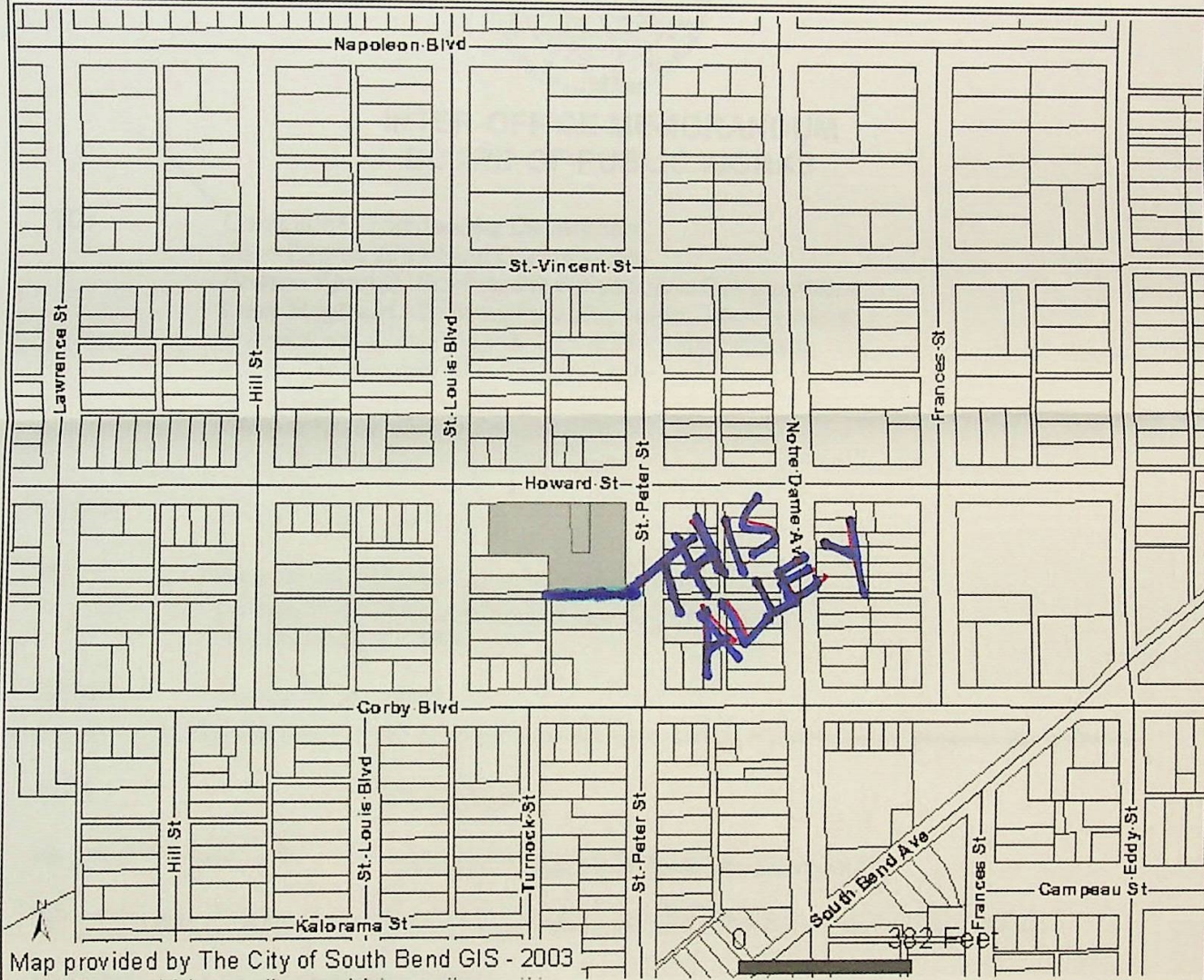
PURPOSE:

BUILD NEW HOUSE
NEED APPROVED
Board of Public Works

OCT 24 2005

Mary A. Aulick
Dir. of Public Works
Kendall E. Smith

The City of South Bend Online



Map provided by The City of South Bend GIS - 2003

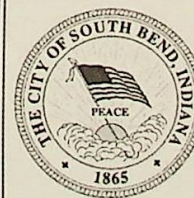
Property
Parcel ID18-5095-3358
 1241 HOWARD

Owner
 WILLIAMS BRIAN C & TINA
 1241 E HOWARD ST
 46617



The City of South Bend Online

The information on this page was collected from several sources. The City of South Bend assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the City of South Bend GIS Department. See full disclaimer for more information



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 The City of South Bend, Indiana



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

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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: E/W Alley from St Peter to N/S Alley
(Preliminary Review)

DATE: September 22, 2005

DUE: 10/5/2005

FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objection

BY: *Carl Littrell* **DATE:** 9/23/05



Sep. 23. 2005 8:47AM

BRD PUB WORKS & SAFETY

No. 0132 P. 1/3



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

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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: EW Alley from St Peter to N/S Alley
(Preliminary Review)

DATE: September 22, 2005

DUE: 10/5/2005

FAX OR E-MAIL TO: 235-9171 / alacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objections

BY: *St Corbin*

DATE: *9/26/05*



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

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

RECEIVED

SEP 27 2005

CITY OF SOUTH BEND
DIV. OF ENGINEERING

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: E/W Alley from St Peter to N/S Alley
(Preliminary Review)

DATE: September 22, 2005

DUE: 10/5/2005

FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

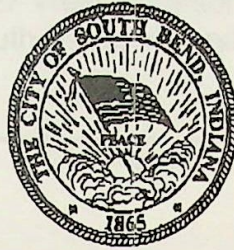
I recommend this vacation

BY: Robert P. Muehlen **DATE:** 9/27/05

Sep. 23, 2005 8:43AM

BRD PUB WORKS & SAFETY

No. 0132 P. 1/3



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

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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: E/W Alley from St Peter to N/S Alley
(Preliminary Review)

DATE: September 22, 2005

DUE: 10/5/2005

FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objection.

BY: A/C Howard Bucher **DATE:** 9/30/05

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

www.areaplan.org

Fax 574 235-9813

October 3, 2005

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

RE: Right-of-way Vacation – Generally described as the first East/West alley
North of Corby Blvd. from St. Peter Street to North/South alley.

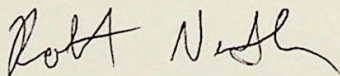
Dear Board Members:

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

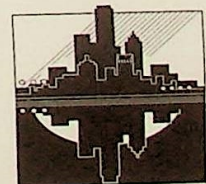
- (1) The vacation *would not* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous *subject to access and utility easements (see below)*.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place *subject to access easements*.
- (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 *subject to access easements*.

The Staff recommends that this right-of-way be vacated subject to utility and access easements. The park utilizes an open gate for neighborhood and field maintenance equipment access near St. Peter Street. The park also has open gates for neighborhood access to its ball field at the intersection of the alleys (center). Garbage trucks that access the alley for trash pickup may need space to turn around at the alley intersection (center). Lastly, there are two telephone poles in the alley.

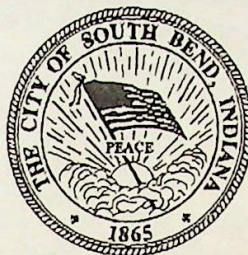
Sincerely,



Planner



20214
Kern rd



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

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

RECEIVED
OCT 10 2005
CITY OF SOUTH BEND
DIV. OF ENGINEERING

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: E/W Alley from St Peter to N/S Alley
(Preliminary Review)

DATE: September 22, 2005

DUE: 10/5/2005

FAX OR E-MAIL TO: 235-9171 / ajacob@cl.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

We use Alley to pick trash

BY: *Rudy Galav*

DATE: 9-27-05