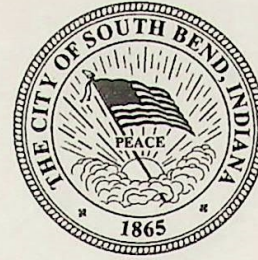


ALLEY VACATION
ORDINANCE NO. 9655-06
Status Vacated

Date 4/18/2006

Description:

The First North/South Alley West of Carlisle Street from Western Avenue South to the First East/West Alley for a Distance of 132' and a Width of 14' being a Part fo Summit Place 2nd Addition to the City of South Bend



Office of the City Clerk

John Voorde, City Clerk

APRIL 18, 2006

MEMORANDUM

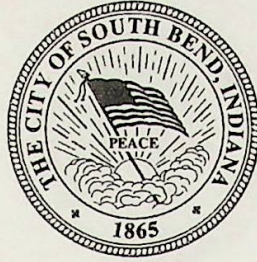
TO: Area Plan Commission
Board of Public Works —
Building Department
Division of Engineering
Fire Department
Northern Indiana Public Service Company
Police Department
Street Department
Bureau of Traffic & Lighting - Mark
Community & Economic Development – Marco Mariani
County Auditor - Paula
Ed Herman - Water Works - North Station

FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9655-06 for the vacation of the following property:

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH/SOUTH ALLEY WEST OF CARLISLE STREET FROM WESTERN AVENUE SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 132 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SUMMIT PLACE 2ND ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.



Office of the City Clerk

John Voorde, City Clerk

APRIL 18, 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

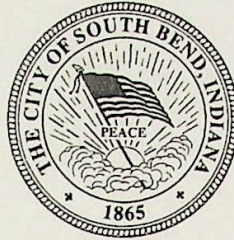
FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9655-06 for the vacation of the following property:

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH/SOUTH ALLEY WEST OF CARLISLE STREET FROM WESTERN AVENUE SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 132 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SUMMIT PLACE 2ND ADDITION 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 – Alley on Western Between Lots 337-0654 and 311-0655

Dear Members of the Council:

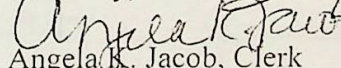
In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the following property vacation:

The first north/south alley west of Carlisle Street from Western Avenue south to the first east/west alley for a distance of 132 feet and a width of 14 feet. Summit Place, 2nd Addition.

The Division of Engineering has no objection to this vacation. The parking lot development must conform to current zoning requirements. Access to east/west alley from the parking lot will not be allowed.

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's 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:

03-06 A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH/SOUTH ALLEY WEST OF CARLISLE STREET FROM WESTERN AVENUE SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 132 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SUMMIT PLACE 2ND 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, 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 _____

Jamie Tallon

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH/SOUTH ALLEY WEST OF CARLISLE STREET FROM WESTERN AVENUE SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 132 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SUMMIT PLACE 2ND 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 FIRST NORTH/SOUTH ALLEY WEST OF CARLISLE STREET FROM WESTERN AVENUE SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 132 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SUMMIT PLACE 2ND 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 18-4019-0654 & Lot 18-4019-0655

SECTION IV. The purpose of the vacation of the real property is to provide additional and better defined parking spaces for the retail space located at 2214 West Western Avenue.

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

CONTACT PERSON IN

NAME

JOHN DEAN

ADDRESS

711 W. WASHINGTON

PHONE

253-3853

RETURN TO:

OFFICE OF THE CITY CLERK
John Dean - CITY CLERK
ROOM 445 COUNTY CITY BUILDING
SOUTH BEND, IN 46701
574-329211

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

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

DATE: Dec-13

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

A. THE ALLEY DESCRIBED AS:

The first North/South alley West of Carlisle Street from Western Avenue South to the first East/West alley for a distance of 132 feet and a width of 14'. Being a part of Summit Place 2nd Addition to the City of South Bend, St. Joseph County, Indiana.

B. THE STREET DESCRIBED AS:

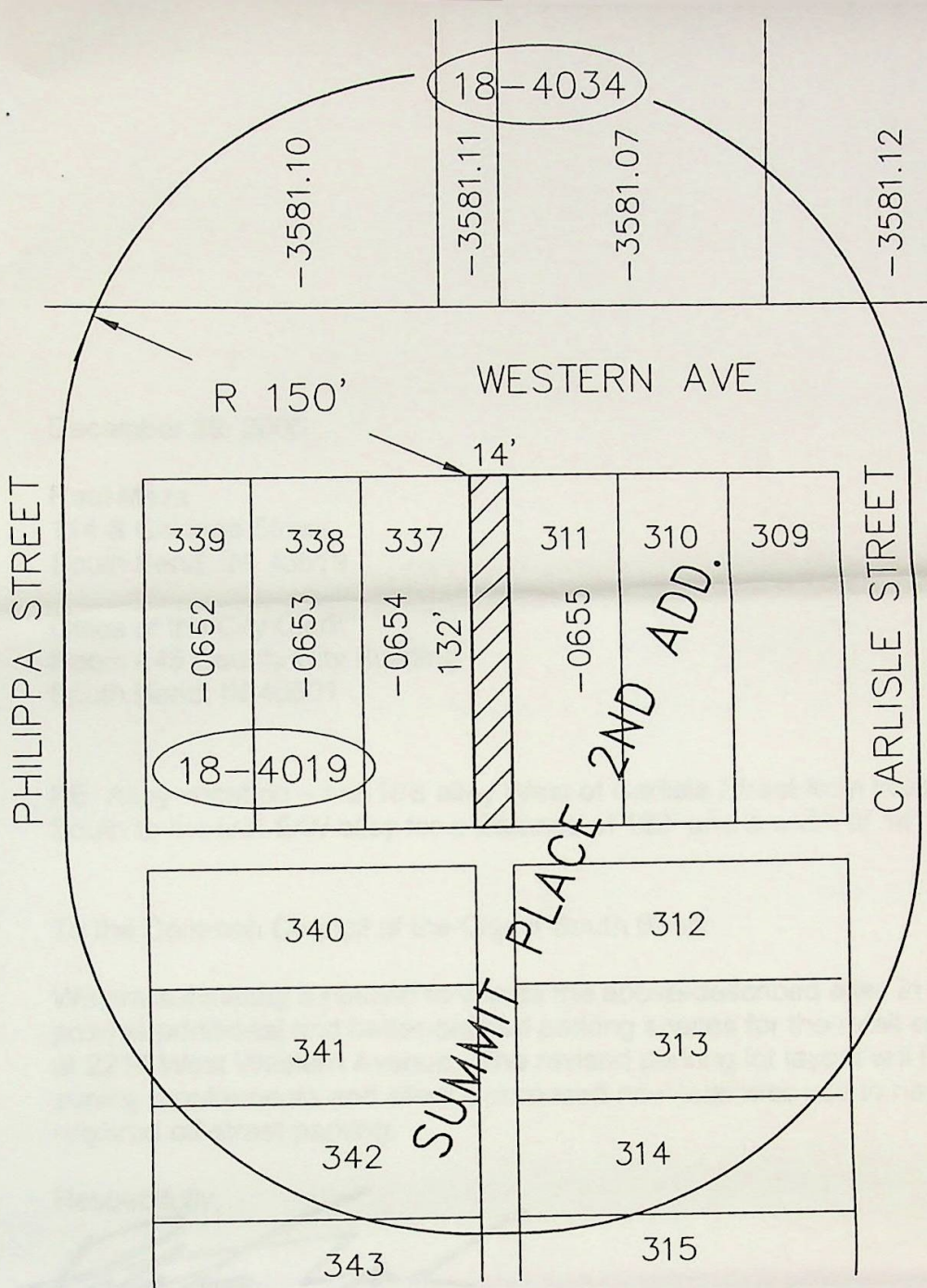
N.A.

NAME (signed & printed)	ADDRESS	LOT #
<u>Paul Dyer</u>	<u>2208 W. Wainstam Ave</u>	_____
<u>Maria Calderon</u>	<u>2214 W. Wainstam Ave</u>	_____
<u>Maria Calderon</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)
NAME: PAT LYNCH

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

ADDRESS: 711 W. WASHINGTON
S.B. IN. 46601
PHONE: 233-3853



ALLEY VACATION

The alley to be vacated is the first North/South alley West of Carlisle Street from Western Avenue South to the first East/West alley for a distance of 132 feet and a width of 14 feet. Being a part of Summit Place 2nd Addition to the City of South Bend, St. Joseph County, Indiana.

December 28, 2005

Raul Meza
114 S Chicago Street
South Bend, IN 46619

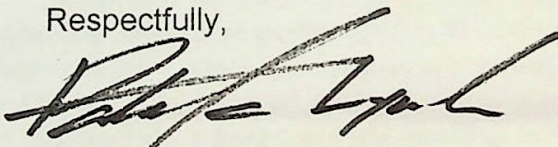
Office of the City Clerk
Room 445 County City Building
South Bend, IN 46601

RE: Alley vacation – first N/S alley West of Carlisle Street from Western Ave South to the first E/W alley for a distance of 132' and a width of 14'.

To the Common Council of the City of South Bend:

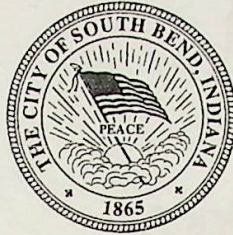
We are submitting a petition to vacate the above-described alley in order to provide additional and better-defined parking spaces for the retail space located at 2214 West Western Avenue. The revised parking lot layout will follow the new zoning requirements and allow a proposed new business use to have the required off street parking.

Respectfully,

A handwritten signature in black ink, appearing to read 'Patrick Lynch', written over a horizontal line.

Patrick Lynch for Raul Meza

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. Mesa
2208 Western Avenue
South Bend, Indiana 46619

RE: Alley Vacation – Alley on Western Between Lots 337-0654 and 311-0655
(Preliminary Review)

Dear Mr. Mesa:

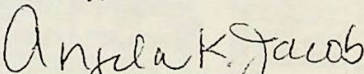
Upon review by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, Solid Waste Division and the City Attorney's Office, the following comments and recommendations were submitted:

Engineering has no objection to this vacation. The parking lot development must conform to current zoning requirements. Access to east/west alley from the parking lot will not be allowed.

If you decide to proceed with your request to the Common Council, please address the recommendations and provide 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
Sharon Kendall, E/D

PETITIONER:

PURPOSE:

RAOEL MESA
2208 WESTERN AVE
SOUTH BEND, IN
220-1845

BUILD PARKING
APPROVED ON LOT 311
Board of Public Works

OCT 24 2005

Having a pilot NORTH
to be created by Little
North & Olive





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

RECEIVED

SEP 20 2005

CITY OF SOUTH BEND
DIV. OF ENGINEERING

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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: Alley on Western between lots 337-0654 and 311-0655
(Preliminary Review)

DATE: September 12, 2005

DUE: 9/20/05

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

We Dont pick TRASH in this Alley

BY: *R Szalas* **DATE:** *9-19-05*



**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

FROM: Angle Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
 Location: Alley on Western between lots 337-0654 and 311-0655
 (Preliminary Review)

DATE: September 12, 2005

DUE: 9/20/05

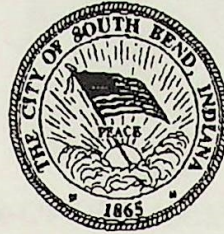
FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

owner's at 2214 W Western have
No objection

BY: *A. Crawford Buch* DATE: 9/13/05



**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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: Alley on Western between lots 337-0654 and 311-0655
(Preliminary Review)

DATE: September 12, 2005

DUE: 9/20/05

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objections

BY: *AJ* DATE: 9/13/05



**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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: Alley on Western between lots 337-0654 and 311-0655
(Preliminary Review)

DATE: September 12, 2005

DUE: 9/20/05

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

*No objection to vacation. Parking lot
development must conform to current zoning
requirements. Access to east-west alley from parking lot*

BY: _____ **DATE:** _____

will not be allowed.

Carl Littrell 9/13/05

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

September 20, 2005

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

RE: Alley Vacation – Alley on Western Ave. between lots 337-0654 and 311-0655

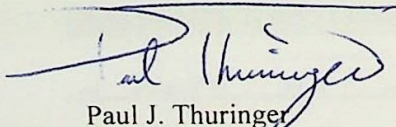
Dear Board Members:

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 this alley be vacated subject to any utility or turning easements required.

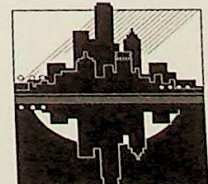
Sincerely,

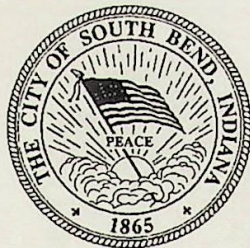

Paul J. Thuringer
Planner

RECEIVED

SEP 20 2005

CITY OF SOUTH BEND
DIV. OF ENGINEERING





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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: Alley on Western between lots 337-0654 and 311-0655
(Preliminary Review)

DATE: September 12, 2005

DUE: 9/20/05

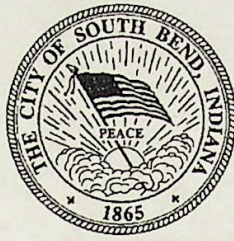
FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

I have no objection to the requested vacation

BY: Robert Mathia DATE: 10/10/05



**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

FROM: Angie Jacob, Clerk *AJ*

RE: Request for Recommendation - Alley Vacation
Location: Alley on Western between lots 337-0654 and 311-0655
(Preliminary Review)

DATE: September 12, 2005

RECEIVED
OCT 11 2005
CITY OF SOUTH BEND
DIV. OF ENGINEERING

DUE: 9/20/05

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

Recommend approval

I concur.

BY:

Shawn Kattell

DATE:

10-6-05

10-17-05