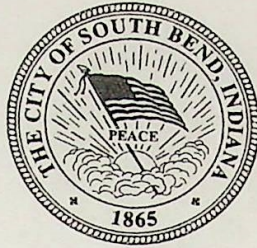


ALLEY VACATION
ORDINANCE NO. 9659-06
Status Vacated

Date 5/17/2006

Description:

Scott Street being a 40' Wide Right-of-Way running from Dr. Martin Luther King, Jr., Drive on the North to the 1st East/West Alley on the South, Being Approximately 240 feet in length and Oak Street being a 40' wide Right-of-Way Running from Dr. Martin



Office of the City Clerk

John Voorde, City Clerk

MAY 17, 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

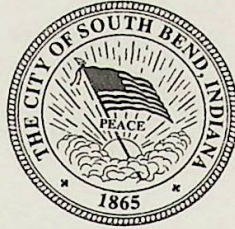
FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9659-06 for the vacation of the following property:

SCOTT STREET BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE NORTH TO THE FIRST EAST-WEST ALLEY ON THE SOUTH, BEING APPROXIMATELY 240 FEET IN LENGTH, AND OAK STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE WEST TO ITS INTERSECTION WITH SCOTT STREET ON THE EAST, BEING APPROXIMATELY 45 FEET IN LENGTH, AND ALSO A PORTION OF THE FIRST NORTH-SOUTH 13.2 FT. WIDE PUBLIC ALLEY WEST OF KUNSTMAN COURT RUNNING FROM LINCOLNWAY WEST ON THE NORTH TO ITS TERMINATION POINT ON THE SOUTH BEING APPROXIMATELY 155 FEET IN LENGTH

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

March 16, 2006

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

RE: Street Vacation – Scott Street, Oak Street

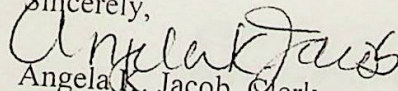
Dear Members of the Council:

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

Scott Street, being a 40 foot wide right-of-way, running from Dr. Martin Luther King, Jr. Drive on the north to the first east/west alley on the south, being approximately 240 feet in length, and Oak Street, being a 40 foot wide right-of-way, running from Dr. Martin Luther King, Jr. Drive on the west to its intersection with Scott Street on the east, being approximately 45 feet in length and also a portion of the first north/south 13.2 foot wide public alley west of Kunstman Court running from Lincolnway West on the north to its termination point on the south, being approximately 155 feet in length.

All departments submitted favorable recommendations.

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

GARY A. GILOT, P.E.
PRESIDENT

CARL P. LITRELL, P.E.
MEMBER

DONALD E. INKS
MEMBER

17/12 2006

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MARCH 15, 2006

I am referring to you the following vacation:

14-06

A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY:
SCOTT STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY,
RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE
NORTH TO THE FIRST EAST-WEST ALLEY ON THE SOUTH,
BEING APPROXIMATELY 240 FEET IN LENGTH, AND OAK
STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM
DR. MARTIN LUTHER KING, JR. DRIVE ON THE WEST TO ITS
INTERSECTION WITH SCOTT STREET ON THE EAST, BEING
APPROXIMATELY 45 FEET IN LENGTH, AND ALSO A PORTION
OF THE FIRST NORTH-SOUTH 13.2 FT. WIDE PUBLIC ALLEY
WEST OF KUNSTMAN COURT RUNNING FROM LINCOLNWAY
WEST ON THE NORTH TO ITS TERMINATION POINT ON THE
SOUTH, BEING APPROXIMATELY 155 FEET IN LENGTH

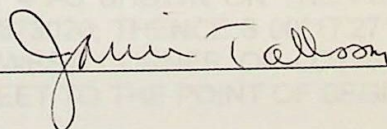
For your information, the Common Council will have first reading on this vacation request on Monday, March 13, 2006. I assume the council will set this bill for public hearing at its regularly scheduled meeting of March 27, 2006.

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

Thanks!

**CITY CLERK
JOHN VOORDE**

DEPUTY

A handwritten signature in cursive script, appearing to read "Jamie Tallon", is written over a horizontal line.

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

SCOTT STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE NORTH TO THE FIRST EAST-WEST ALLEY ON THE SOUTH, BEING APPROXIMATELY 240 FEET IN LENGTH, AND OAK STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE WEST TO ITS INTERSECTION WITH SCOTT STREET ON THE EAST, BEING APPROXIMATELY 45 FEET IN LENGTH, AND ALSO A PORTION OF THE FIRST NORTH-SOUTH 13.2 FT. WIDE PUBLIC ALLEY WEST OF KUNSTMAN COURT RUNNING FROM LINCOLNWAY WEST ON THE NORTH TO ITS TERMINATION POINT ON THE SOUTH, BEING APPROXIMATELY 155 FEET IN LENGTH

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:

PARCEL I: (VACATION LEGAL DESCRIPTION FOR SCOTT STREET AND OAK STREET)

THAT PORTION OF SCOTT STREET AND OAK STREET BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 AS SHOWN ON THE PLAT OF "ORT'S SUBDIVISION OF LOT 13 AND EAST HALF OF LOT 14, KUNTMANS FIRST ADDITION" RECORDED AS DOCUMENT # 1908007; THENCE N 00°17'27" W, FOR A DISTANCE OF 139.00 FEET TO THE NORTHEAST CORNER OF LOT 1 OF SAID ADDITION; THENCE ALONG THE NORTH LINE OF SAID LOT N 80°56'20" W, FOR A DISTANCE OF 66.88 FEET MORE OR LESS TO THE EASTERLY RIGHT OF WAY LINE OF DR. MARTIN LUTHER KING JR. DRIVE (CHAPIN STREET); THENCE ALONG SAID EASTERLY LINE N 35°59'31" E, FOR A DISTANCE OF 44.87 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY LINE OF LOT 12 AS SHOWN ON THE PLAT OF "KUNTSMAN'S FIRST ADDITION" RECORDED AS DOCUMENT # 1866002; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT S 80°56'20" E, FOR A DISTANCE OF 39.97 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT; THENCE N 00°17'27" W, FOR A DISTANCE OF 60.48 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY OF DR. MARTIN LUTHER KING JR. DRIVE; THENCE ALONG THE SAID SOUTHERLY LINE N 40°32'17" E, FOR A DISTANCE OF 61.18 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF LOT 4 AS SHOWN ON THE PLAT OF "KUNTSMAN'S SECOND ADDITION" RECORDED AS DOCUMENT # 1873020; THENCE S 00°17'27" E, FOR A DISTANCE OF 286.50 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT 8 OF SAID ADDITION; THENCE S 89°59'02" W, FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

PARCEL II: (VACATION LEGAL DESCRIPTION FOR A PORTION OF A 13.2 FT. WIDE ALLEY)

A PORTION OF A 13.2 FOOT ALLEY ADJACENT TO LOTS 13 AND 14 OF GEORGE RUSH'S SUBDIVISION BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 13 OF "GEORGE RUSH'S SUBDIVISION OF LOT 1 OF KUNTSMAN'S SECOND ADDITION" RECORDED AS DOCUMENT # 1906004; THENCE S 89°59'02" W, FOR A DISTANCE OF 13.20 FEET TO A POINT ON THE EAST LINE OF LOT 5 AS SHOWN ON THE PLAT OF "KUNTSMAN'S SECOND ADDITION" RECORDED AS DOCUMENT # 1873020; THENCE N 00°17'27" W, FOR A DISTANCE OF 159.30 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF LINCOLN WAY WEST; THENCE ALONG SAID SOUTHERLY LINE S 62°33'44" E, FOR A DISTANCE OF 14.91 FEET TO THE NORTHWEST CORNER OF LOT 14 OF "GEORGE RUSH'S SUBDIVISION OF LOT 1 OF KUNTSMAN'S SECOND ADDITION"; THENCE S 00°17'27" E, FOR A DISTANCE OF 152.43 FEET TO THE POINT OF BEGINNING.

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 # 12, 13 AND 14 OF THE PLAT OF "GEORGE RUSH'S SUBDIVISION OF LOT # 1, KUNSTMAN'S 2ND ADDITION";

LOTS # 4, 5, 6, 7,8 AND THE VACATED EAST-WEST ALLEY ADJACENT TO SAID LOTS # 4 AND 5 OF THE PLAT OF "KUNSTMAN'S 2ND ADDITION";

LOTS # 11 AND 12 OF THE PLAT OF "KUNSTMAN'S 1ST ADDITION";

LOTS # 1,2,3 AND 4 OF THE PLAT OF "ORT'S SUBDIVISION OF LOT # 13 AND THE EAST HALF OF LOT 14 OF "KUNSTMAN'S 1ST ADDITION""

SECTION IV. The purpose of the vacation of the real property is to allow for the construction of a Public Fire Station facility to serve a portion of the Northwest Neighborhood.

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 3-12-06
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

Filed In Clerk's Office
MAR - 8 2006
JOHN VOORDE
CITY CLERK, SO. BEND, IN.

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

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

DATE: _____

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

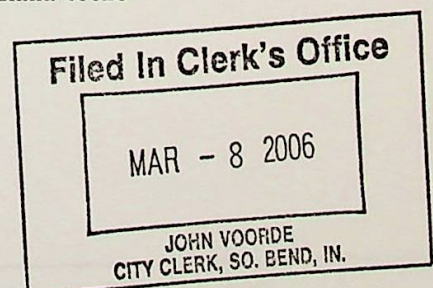
- A. THE ALLEY DESCRIBED AS: A PORTION OF THE FIRST NORTH-SOUTH 13.2 FT. WIDE PUBLIC ALLEY WEST OF KUNSTMAN COURT RUNNING FROM LINCOLNWAY WEST ON THE NORTH TO ITS TERMINATION POINT ON THE SOUTH, BEING APPROXIMATELY 155 FEET IN LENGTH,
- B. THE STREETS ARE DESCRIBED AS: SCOTT STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE NORTH TO THE FIRST EAST-WEST ALLEY ON THE SOUTH, BEING APPROXIMATELY 240 FEET IN LENGTH, AND OAK STREET, BEING A 40 FT. WIDE RIGHT-OF-WAY, RUNNING FROM DR. MARTIN LUTHER KING, JR. DRIVE ON THE WEST TO ITS INTERSECTION WITH SCOTT STREET ON THE EAST, BEING APPROXIMATELY 45 FEET IN LENGTH.

| NAME (signed & printed) | ADDRESS | LOT # |
|---|--|--|
| <u>Charlotte B. Sobel</u> South Bend Heritage Foundation, Inc. | 803 Lincolnway West | Pt. of Lots 2,3,4 and all of 5,6,7 and |
| By: <u>Charlotte B. Sobel</u> | South Bend, Indiana 46624 | North ½ of 8 and Vacated Alley between |
| | | Lots 4 and 5 "Kunstman 2 nd Addition, Lots 13 |
| | | and 14 "George Rush's Subdivision of Lot # 1, |
| | | Kunstman's 2 nd Addition, Lots # 1,2,3 and 4 |
| | | of "Ort's Subdivision of Lot # 13 and the |
| | | East Half of Lot # 14 of Kunstman's 1 st |
| | | Addition" |
| <u>Gary A Gilot</u> City of South Bend | Dept. of Engineering 13 th Floor-County-City Bldg. | Pt. of Lots 2,3,4 "Kunstman 2 nd Addition |
| By: <u>Gary A Gilot</u> | South Bend, Indiana 46601 | |

CONTACT PERSON (S):

NAME: Michael Danch – Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628
574-234-4003

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



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

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

DATE: _____

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

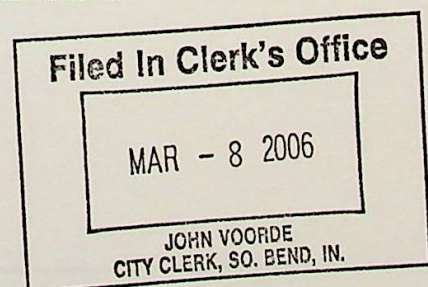
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| NAME (signed & printed) | ADDRESS | LOT # |
|---|--|--|
| <u>Charlotte B. Sobel</u> South Bend Heritage Foundation, Inc. | 803 Lincolnway West | Pt. of Lots 2,3,4 and all of 5,6,7 and |
| By: <u>Charlotte B. Sobel</u> | South Bend, Indiana 46624 | North 1/2 of 8 and Vacated Alley between |
| | | Lots 4 and 5 "Kunstman 2 nd Addition, Lots 13 |
| | | and 14 "George Rush's Subdivision of Lot # 1, |
| | | Kunstman's 2 nd Addition, Lots # 1,2,3 and 4 |
| | | of "Ort's Subdivision of Lot # 13 and the |
| | | East Half of Lot # 14 of Kunstman's 1 st |
| | | Addition" |
| <u>Gary A Gilot</u> City of South Bend | Dept. of Engineering 13 th Floor-County-City Bldg. | Pt. of Lots 2,3,4 "Kunstman 2 nd Addition |
| By: <u>Gary A Gilot</u> | South Bend, Indiana 46601 | |

CONTACT PERSON (S):

NAME: Michael Danch – Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628
574-234-4003

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



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

December 12, 2005

Mr. Carl Littrell
Division of Engineering

RE: Alley Vacation – A Portion of Scott Street, and alley Between
LWW and Kunstman's 2nd Addition
(Preliminary Review)

Dear Carl,

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:

All departments submitted favorable recommendations.

Please contact Tony Molnar at (574) 235-9251 if you have any questions. You will need a radius map showing properties within 150' of the proposed vacation for your petition to the Common Council. **Please contact Tony Molnar at (574) 235-9254 prior to picking up your radius map.**

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
Angela K. Jacob, Clerk

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

VACATION EXHIBIT

SURVEY ORDERED BY: CITY OF SOUTH BEND
 SURVEY DATED: 11/10/05
 PROJECT NO.: 050299

PETITIONER :

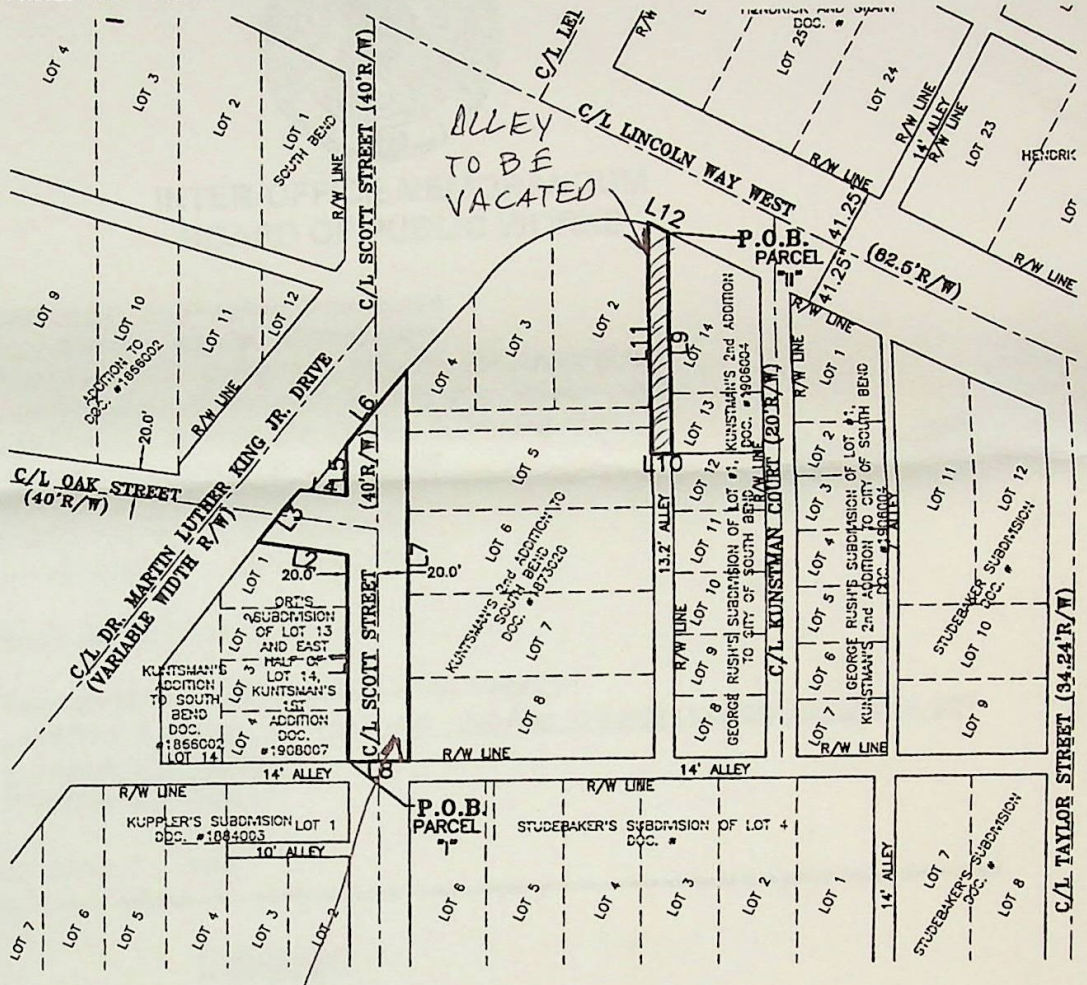
CITY OF SOUTH BEND

PURPOSE :

CONSTRUCTION OF NEW FIRE STATION # 2

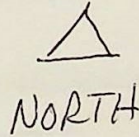
CONTACT :

CARL LITTRELL
 235-5937



STREETS TO BE VACATED

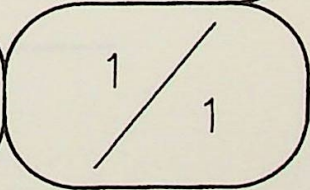
| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 00°17'27" W | 139.00' |
| L2 | N 80°56'20" W | 59.33' |
| L3 | N 37°26'15" E | 45.46' |
| L4 | S 80°56'20" E | 31.13' |
| L5 | N 00°17'27" W | 35.89' |
| L6 | N 38°02'46" E | 64.49' |
| L7 | S 00°17'27" E | 266.20' |
| L8 | S 89°59'02" W | 40.00' |
| L9 | S 00°17'27" E | 152.43' |
| L10 | S 89°59'02" W | 13.20' |
| L11 | N 00°17'27" W | 159.30' |
| L12 | S 62°33'44" E | 14.91' |



050299 VACATION.dwg
 11-10-2005 1:32 P.M. MLT

Danch, Harner & Associates, Inc.
 Land Surveyors • Professional Engineers
 Landscape Architects • Land Planners

Office: (574)234-4003 / (800)594-4003 • Fax: (574)234-4119
 2422 Viridian Drive, Suite 201 • South Bend, IN 46628



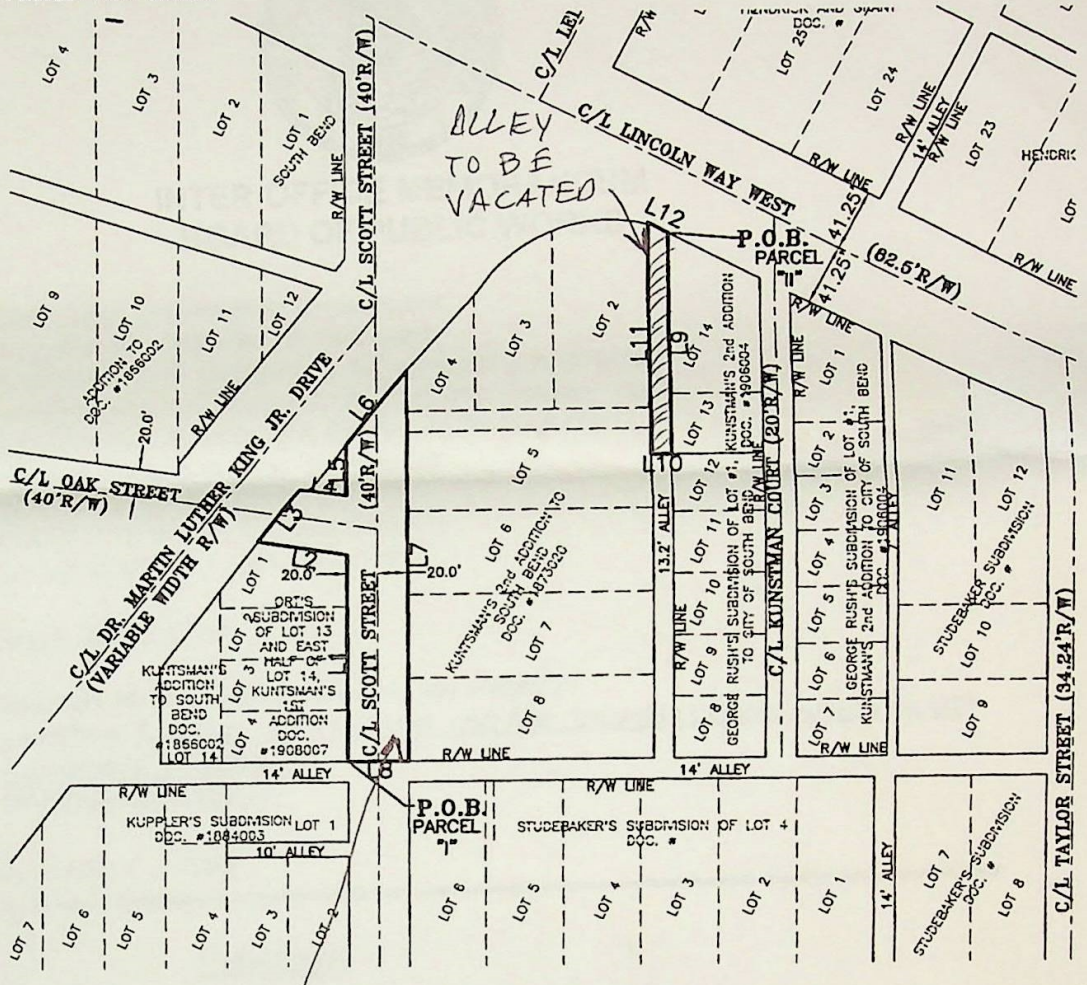
VACATION EXHIBIT

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 SURVEY DATED: 11/10/05
 PROJECT NO.: 050299

PETITIONER :
 CITY OF SOUTH BEND

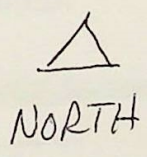
PURPOSE :
 CONSTRUCTION OF NEW FIRE STATION #2

CONTACT :
 CARL LITRELL
 235-5937



STREETS TO BE VACATED

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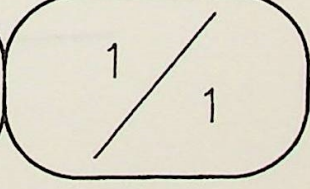


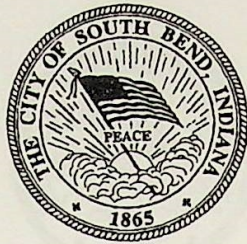
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Office: (574)234-4003 / (800)594-4003 • Fax: (574)234-4119
 2422 Viridian Drive, Suite 201 • South Bend, IN 46628

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**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: A portion of Scott Street, and Alley between Lincoln Way West and Kunstman's 2nd Addition
(Preliminary Review)

DATE: December 1, 2005

DUE: 12/01/2005

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

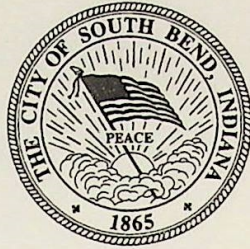
COMMENTS & RECOMMENDATIONS:

No objections

BY: *aj*

DATE: *12/2/05*





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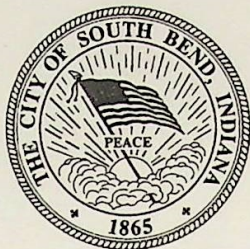
FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objection

BY: *Carl Littrell* **DATE:** *12/1/05*



**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
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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:** *12/1/05*



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

DEC 05 2005

CITY OF SOUTH BEND
DIR. OF ENGINEER

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: A portion of Scott Street, and Alley between Lincoln Way West and Kunstman's 2nd Addition
(Preliminary Review)

DATE: December 1, 2005

DUE: 12/01/2005

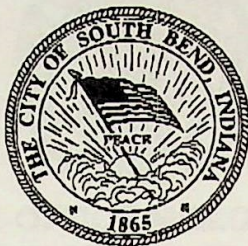
FAX OR E-MAIL TO: 235-9171 / ajacob@ci.south-bend.in.us

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objection to this recommendation for
vacation

BY: Robert Mathias **DATE:** 12/1/05



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
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RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

NO objections

BY: *Howard Buchanon*

DATE: 12/5/05

Dec. 5. 2005 11:55AM
10:11:55



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
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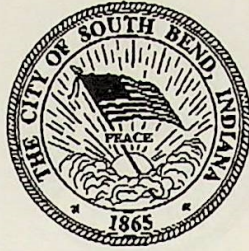
COMMENTS & RECOMMENDATIONS:

Will not effect trash pick-up if vacated

BY: Rudy Spal...

DATE: 12-5-05

Dec. 5. 2005 11:55AM
10:17:12



**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
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Tom Bodnar, City Attorney's Office

FROM: Angie Jacob, Clerk *aj*

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Location: A portion of Scott Street, and Alley between Lincoln Way West and Kunstman's 2nd Addition
(Preliminary Review)

DATE: December 1, 2005

DUE: 12/01/2005

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

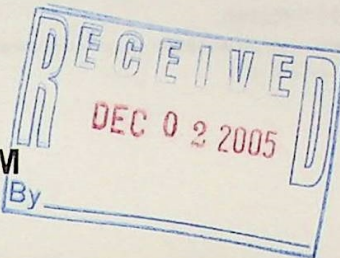
RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

Will not effect trash pick-up if vacated

BY: Rudy Spalansky

DATE: 12-5-05



**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
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DEC 07 2005

CITY OF SOUTH BEND
DIV. OF ENGINEERING

FROM: Angie Jacob, Clerk *aj*

RE: Request for Recommendation - Alley Vacation
Location: A portion of Scott Street, and Alley between Lincoln Way West and Kunstman's 2nd Addition
(Preliminary Review)

DATE: December 1, 2005

DUE: 12/01/2005

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

I support the proposed street vacation request

BY: Tonya Zozulya **DATE:** 12/05/05

Larry Magliozzi
I concur. Sharon V. Kendall 12-5-05
12-6-05

Area Plan Commission of St. Joseph County

1140 County-City Building
South Bend, Indiana 46601

John W. Byorni
Executive Director

Assistant Director

Phone 219 235-9571

www.stjosephcountyindiana.com

Fax 574-235-9813

December 12, 2005

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

RECEIVED
DEC 12 2005
CITY OF SOUTH BEND
DIV. OF ENGINEERING

RE: Right-of-way Vacation – A portion of Scott Street, and an Alley between Lincoln Way West and Kunstman's 2nd Addition

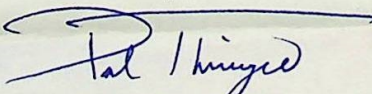
Dear Board Members:

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 these right-of-ways be vacated subject to any utility or turn-around easements required.

Sincerely,



Paul J. Thuringer
Planner

