

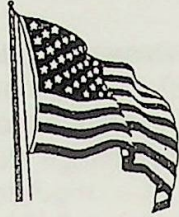
STREET VACATION
ORDINANCE NO. 9717-06
Status Vacated ✓

Date 1/22/2007

Description:

Street vacated is Frances St. from the N ROW line of Colfax Ave to the first N/S alley N of Colfax Ave for distance of 198 ft and width of 66 Ft. Additionally, area 45 ft N of the S ROF of Luther Court and 23 ft W of the E ROW Line of Frances St. Being part of the original town of Lowell, now City of South Bend

United States of America



Certificate

STATE OF INDIANA, COUNTY OF ST. JOSEPH, ss:

I, John Voorde, Clerk of the City of South Bend, County of St. Joseph, Indiana, hereby certify that the attached and foregoing is a full, true, and correct copy of

ORDINANCE 9717-06

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE STREET TO BE VACATED IS FRANCES STREET FROM THE NORTH RIGHT OF WAY LINE OF COLFAX AVENUE TO THE FIRST ~~NORTH/SOUTH~~ EAST/WEST ALLEY NORTH OF COLFAX AVENUE FOR A DISTANCE OF 198 FEET AND A WIDTH OF 66 FEET. ADDITIONALLY, AN AREA 45 FEET NORTH OF THE SOUTH RIGHT OF WAY OF LUTHER COURT AND 23 FEET WEST OF THE EAST RIGHT OF WAY LINE OF FRANCES STREET. BEING A PART OF THE ORIGINAL TOWN OF LOWELL, NOW CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

PASSED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, NOVEMBER 27, 2006

PRESENTED TO, APPROVED AND SIGNED BY MAYOR, STEPHEN J. LUECKE, NOVEMBER 29, 2006

ATTEST: TIMOTHY A ROUSE, PRESIDENT OF THE COMMON COUNCIL

ATTEST: JOHN VOORDE, CITY CLERK

the original of which is now on file in the office of the Clerk of the City of South Bend, St. Joseph County, Indiana.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the City of South Bend, St. Joseph County, Indiana, this 12th day of January 20 07

JOHN VOORDE

Clerk of the City of South Bend
St. Joseph County, Indiana

By: Jamie Talbot
Deputy

Rich Beall
233-1171

IN BY 21st of March

KIM
232-5845

JANICE
5575

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The street to be vacated is Frances Street from the North right of way line of Colfax Avenue to the first North/South alley North of Colfax Avenue for a distance of 198 feet and a width of 66 feet. Additionally, an area 45 feet north of the south right of way of Luther Court and 23 feet west of the east right of way line of Frances Street. Being a part of the Original Town of Lowell, now City of South Bend, Portage Township, 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 street to be vacated is Frances Street from the North right of way line of Colfax Avenue to the first North/South alley North of Colfax Avenue for a distance of 198 feet and a width of 66 feet. Additionally, an area 45 feet north of the south right of way of Luther Court and 23 feet west of the east right of way line of Frances Street. Being a part of the Original Town of Lowell, now City of South Bend, Portage Township, 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:

18-5016-0516-01	South Bend Clinic	18-5016-1	South Bend Clinic
18-5016-0516-02	South Bend Clinic	18-5016-4	South Bend Clinic
18-5016-0564	South Bend Clinic	18-5016-5	South Bend Clinic
18-5016-0564	South Bend Clinic	18-5016-6	South Bend Clinic

SECTION IV. The purpose of the vacation of the real property is:

To allow the property owner of all the adjacent properties, South Bend Clinic to construct an addition to their medical clinic and add additional parking without patients and staff having to cross a public street.

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.

Timothy A. Rouse
Member of the Common Council

Attest:

John Voorde
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the 25th day of November, 2006, at 3:00 o'clock p. m.

Janice Tallon
City Clerk Deputy

Approved and signed by me on the 29th day of Nov, 2006, at 9:30 o'clock a. m.

Stephen J. Freche
Mayor, City of South Bend, Indiana

Filed In Clerk's Office
NOV 7 2006
JOHN VOORDE
CITY CLERK, SO. BEND, IN.

1st READING 11-13-06
PUBLIC HEARING 11-27-06
3rd READING 11-27-06
NOT APPROVED
REFERRED
PASSED 11-27-06

Jennifer Michaels

From: Helft Lennon, Shari [shari.lennon@dlapiper.com]
Sent: Monday, February 26, 2007 3:33 PM
To: Jennifer Michaels
Subject: South Bend Clinic: Order #2772s02c

Hi Jennifer,

Attached is an ordinance to vacate a section of Frances Street. Should this be on title?

Thanks,
Shari



Shari Helft Lennon
DLA Piper US LLP
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
312.368.3902 T
312.251.2167 F
shari.lennon@dlapiper.com
www.dlapiper.com

*Kim is this
we?*

*YES -
BUT IT'S
NOT
RECORDED
YET.*

From: Mitchell, Alison M.
Sent: Tuesday, February 20, 2007 9:28 AM
To: Helft Lennon, Shari
Subject: FW: SBC - Street Closure Permission

FYI

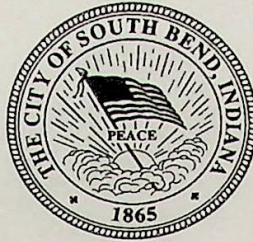
*WE CAN SHOW
IT BY VIRTUE
OF THE ORDINANCE
#.*



Alison M. Mitchell
DLA Piper US LLP
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
312.368.2156 T
312.630.7355 F
alison.mitchell@dlapiper.com
www.dlapiper.com

Circular 230 Notice: In accordance with Treasury Regulations which became applicable to all tax

2/26/2007



Office of the City Clerk

John Voorde, City Clerk

JANUARY 22, 2007

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

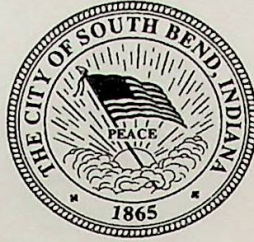
FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9717-06 for the vacation of the following property:

THE STREET TO BE VACATED IS FRANCES STREET FROM THE NORTH RIGHT OF WAY LINE OF COLFAX AVENUE TO THE FIRST NORTH/SOUTH ALLEY NORTH OF COLFAX AVENUE FOR A DISTANCE OF 198 FEET AND A WIDTH OF 66 FEET. ADDITIONALLY, AN AREA 45 FEET NORTH OF THE SOUTH RIGHT OF WAY OF LUTHER COURT AND 23 FEET WEST OF THE EAST RIGHT OF WAY LINE OF FRANCES STREET. BEING A PART OF THE ORIGINAL TOWN OF LOWELL, NOW CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

cc: Jim Betin – NIPSCO
South Bend Community School Corporation Transportation Dept.



Office of the City Clerk

John Voorde, City Clerk

JANUARY 22, 2007

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

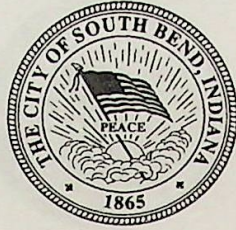
All proceedings with reference to Ordinance No. 9717-06 for the vacation of the following property:

THE STREET TO BE VACATED IS FRANCES STREET FROM THE NORTH RIGHT OF WAY LINE OF COLFAX AVENUE TO THE FIRST NORTH/SOUTH ALLEY NORTH OF COLFAX AVENUE FOR A DISTANCE OF 198 FEET AND A WIDTH OF 66 FEET. ADDITIONALLY, AN AREA 45 FEET NORTH OF THE SOUTH RIGHT OF WAY OF LUTHER COURT AND 23 FEET WEST OF THE EAST RIGHT OF WAY LINE OF FRANCES STREET. BEING A PART OF THE ORIGINAL TOWN OF LOWELL, NOW CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

are closed and this area is vacated.

cc: Jim Betin – NIPSCO
South Bend Community School Corporation Transportation Dept.

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

November 22, 2006

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

RE: Alley 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:

Eastern Quarter of first East/West Alley North of Colfax Avenue between Notre Dame Avenue and Frances Street – South Bend Clinic.

All departments submitted favorable recommendations with the following comments:

Community and Economic Development stated:

Parcel north of alley is owned by Paul William and south of alley owned by the South Bend Clinic. If vacated, Parcel 0561 will not be able to get access from Frances but will continue to have access from alleys on Notre Dame Avenue and Colfax.

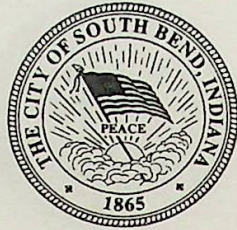
The Board of Public Works submits to you a **favorable recommendation** concerning this vacation.

Sincerely,

Linda M. Martin
Linda M. Martin, Clerk
Board of Public Works

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

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

November 22, 2006

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

RE: Alley 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:

Eastern Quarter of first East/West Alley North of Colfax Avenue between Notre Dame Avenue and Frances Street – South Bend Clinic.

All departments submitted favorable recommendations with the following comments:

Community and Economic Development stated:

Parcel north of alley is owned by Paul William and south of alley owned by the South Bend Clinic. If vacated, Parcel 0561 will not be able to get access from Frances but will continue to have access from alleys on Notre Dame Avenue and Colfax.

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

Sincerely,

Linda M. Martin
Linda M. Martin, Clerk
Board of Public Works

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



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

*Report to
City Council
11/20/06*

TO: *Call* Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Sharon Kendall, Community & Economic Development
Jitin Kain, 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
Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: Eastern Quarter of first East/West Alley North of Colfax Avenue
between Notre Dame Avenue and Frances Street - REVISED - South Bend Clinic
(Preliminary Review)

DATE: November 16, 2006

DUE: 12/4/06

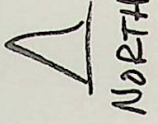
FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

BY: _____ **DATE:** _____

- "A" MC HENRY SUB.
- "B" WARDS SUB.
- "C" WADE MINOR SUB.
- "D" FREIDLINE MINOR SUB.
- "E" WEISS HOME'S 2ND REPLAT
- "F" COTRELL'S 1ST.
- "G" WEISS HOME'S 2ND REPLAT
- "H" WAYNE ST. PLAZA MINOR



PETITIONER:

SOUTH BEND CLINIC
PAUL MEYER
239-1450

211 N. EDDY ST

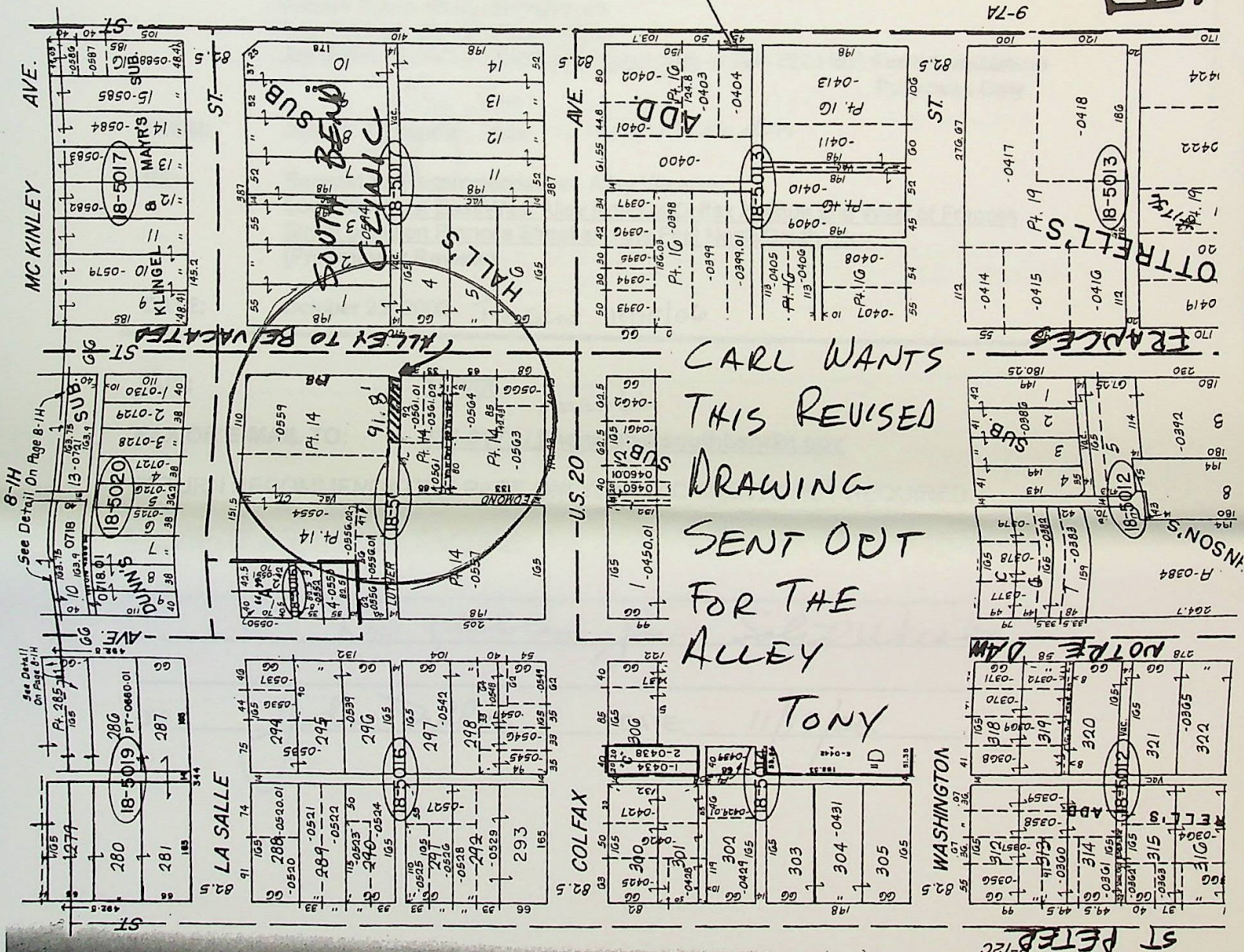
SB, IN

91.8' OF ALLEY
FROM FRANCES

PURPOSE:

BUILD PARKING
STRUCTURE FOR
CLINIC

REVISED



CARL WANTS
THIS REVISED
DRAWING
SENT OUT
FOR THE
ALLEY

TONY

ST PETER

NOTRE DAME

WASHINGTON

COLFAX

LA SALLE

FRANCES

U.S. 20

AVE

MC KINLEY AVE.

8-1H

See Detail On Page 8-1H

9-7A



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Sharon Kendall, Community & Economic Development
Jitin Kain, 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
Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: *Julie*
Julie M. Thompson, Clerk *Linda M. Martin*

RE: Request for Recommendation - Alley Vacation
Location: First East/West Alley North of Colfax Avenue and West of Frances
Street between Frances Street and the First North/South Alley
(Preliminary Review)

DATE: October 25, 2006 *Resent 11/15/06*

DUE: 11/6/06 *lmartin*

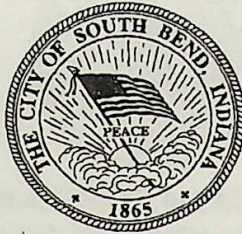
FAX OR E-MAIL TO: 235-9171 / jthomps@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No problem for Solid Waste

BY: *John Dillon* **DATE:** *11/17/06*



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Sharon Kendall, Community & Economic Development
Jitin Kain, 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
Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: Eastern Quarter of first East/West Alley North of Colfax Avenue
between Notre Dame Avenue and Frances Street - REVISED - South Bend Clinic
(Preliminary Review)

DATE: November 16, 2006

DUE: 12/4/06

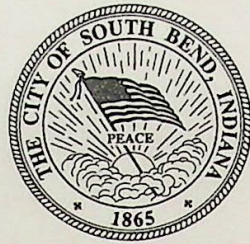
FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objection

BY: *LM* **DATE:** 11/19/06



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

TO: ✓ Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Sharon Kendall, Community & Economic Development
Jitin Kain, 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
Jim Bettin, NIPSCO (jbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: Eastern Quarter of first East/West Alley North of Colfax Avenue
between Notre Dame Avenue and Frances Street - REVISED - South Bend Clinic
(Preliminary Review)

DATE: November 16, 2006

DUE: 12/4/06

FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

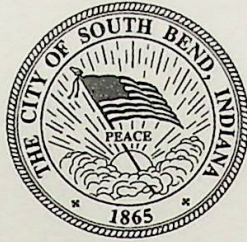
No objection

BY:

Carl P. Littrell

DATE:

11/16/06



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission
Sharon Kendall, Community & Economic Development
Jitin Kain, 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
Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: Eastern Quarter of first East/West Alley North of Colfax Avenue
between Notre Dame Avenue and Frances Street - REVISED - South Bend Clinic
(Preliminary Review)

DATE: November 16, 2006

DUE: 12/4/06

FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

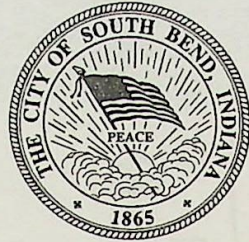
RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

*While I do not like a blind alley as proposed here, this is
a special case. Therefore, I recommend that the vacation
request be approved.*

BY: Robert P. Mathia

DATE: 11/17/06



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

TO: Carl Littrell, Engineering Department
 John Byorni, Area Plan Commission
 Sharon Kendall, Community & Economic Development
 Jitin Kain, 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
 Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: Eastern Quarter of first East/West Alley North of Colfax Avenue
 between Notre Dame Avenue and Frances Street - REVISED - South Bend Clinic
 (Preliminary Review)

DATE: November 16, 2006

DUE: 12/4/06

FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

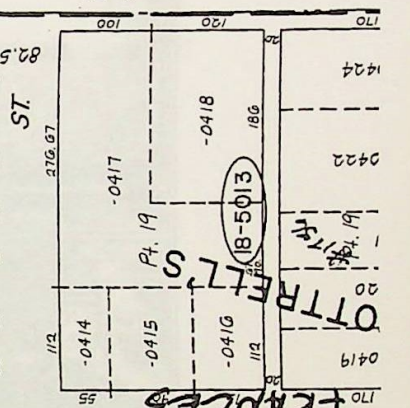
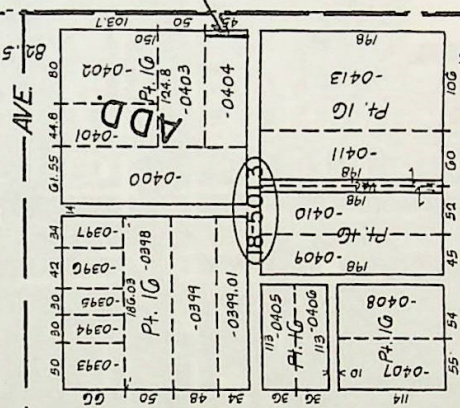
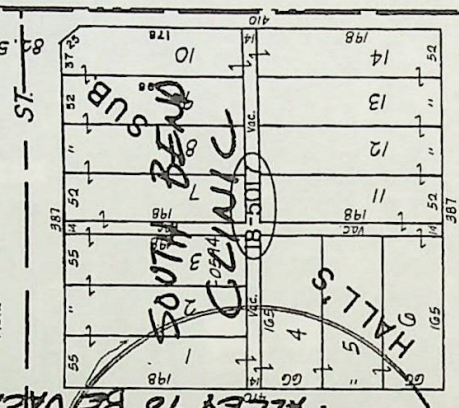
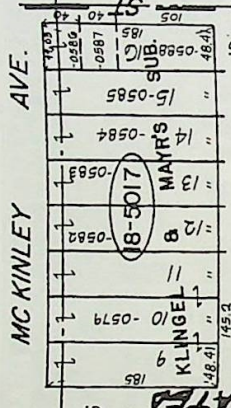
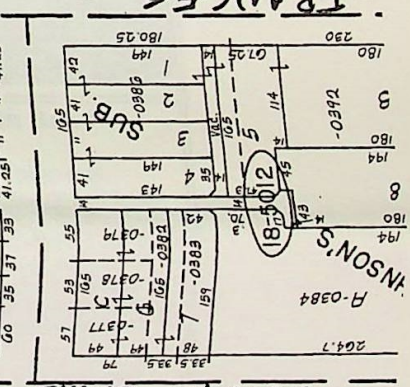
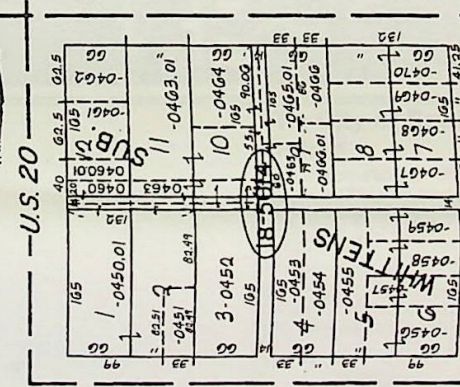
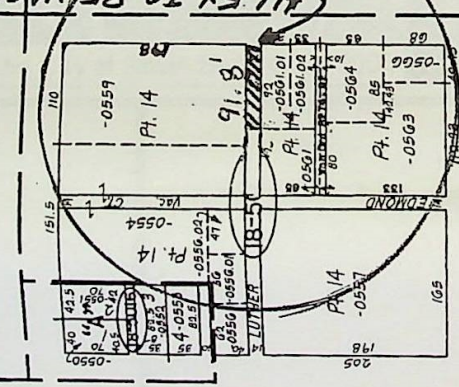
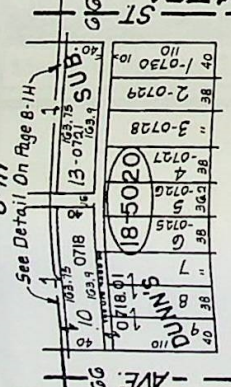
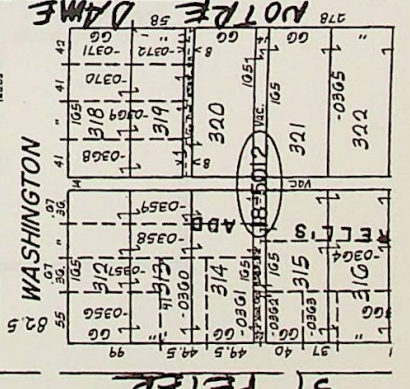
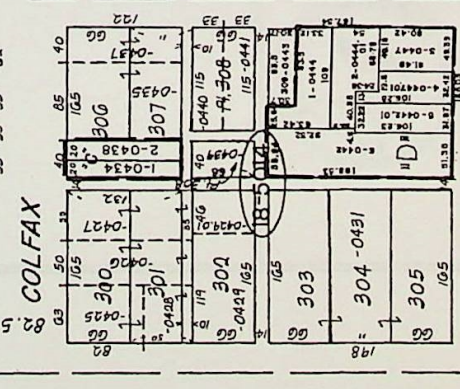
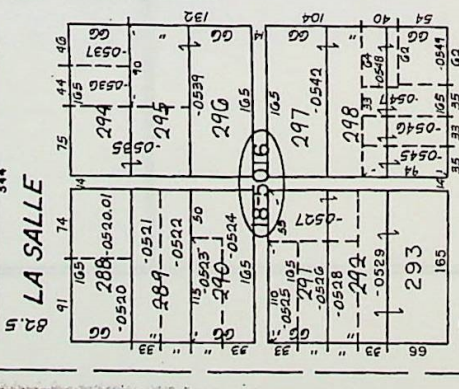
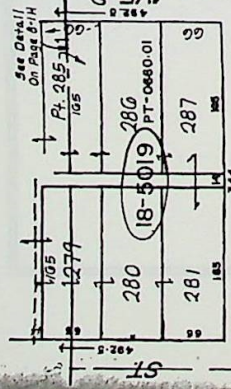
Parcel North of Alley is owned by Paul Williams (0559) & south of Alley owned
 by SB Clinic. If vacated Parcel 0561 will not be able to get access from Frances
 but will continue to have access from alleys on Notre Dame Av & Colfax. Favourable
 recommendation.

BY: Jitin Kain

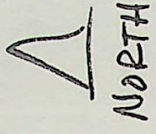
DATE: 11/21/06

Sharon Kendall

11/21/06



- "A" MC HERRY SUB.
- "B" WARD'S SUB.
- "C" WADE MINOR SUB.
- "D" FREIDLINE MINOR SUB.
- "E" WEISS HOME'S REPLAT OF COTRELL'S 1ST.
- "F" WEISS HOME'S 2ND REPLAT.
- "G" WAYNE ST. PLAZA MINOR.



PETITONER:
 SOUTH BEND CLINIC
 PAUL MEYER
 239-1450

211 N. EDDY ST

DEED
 #3004
 91.8' OF ALLEY
 FROM FRANCES

PURPOSE:

BUILD PARKING
 STRUCTURE FOR
 CLINIC

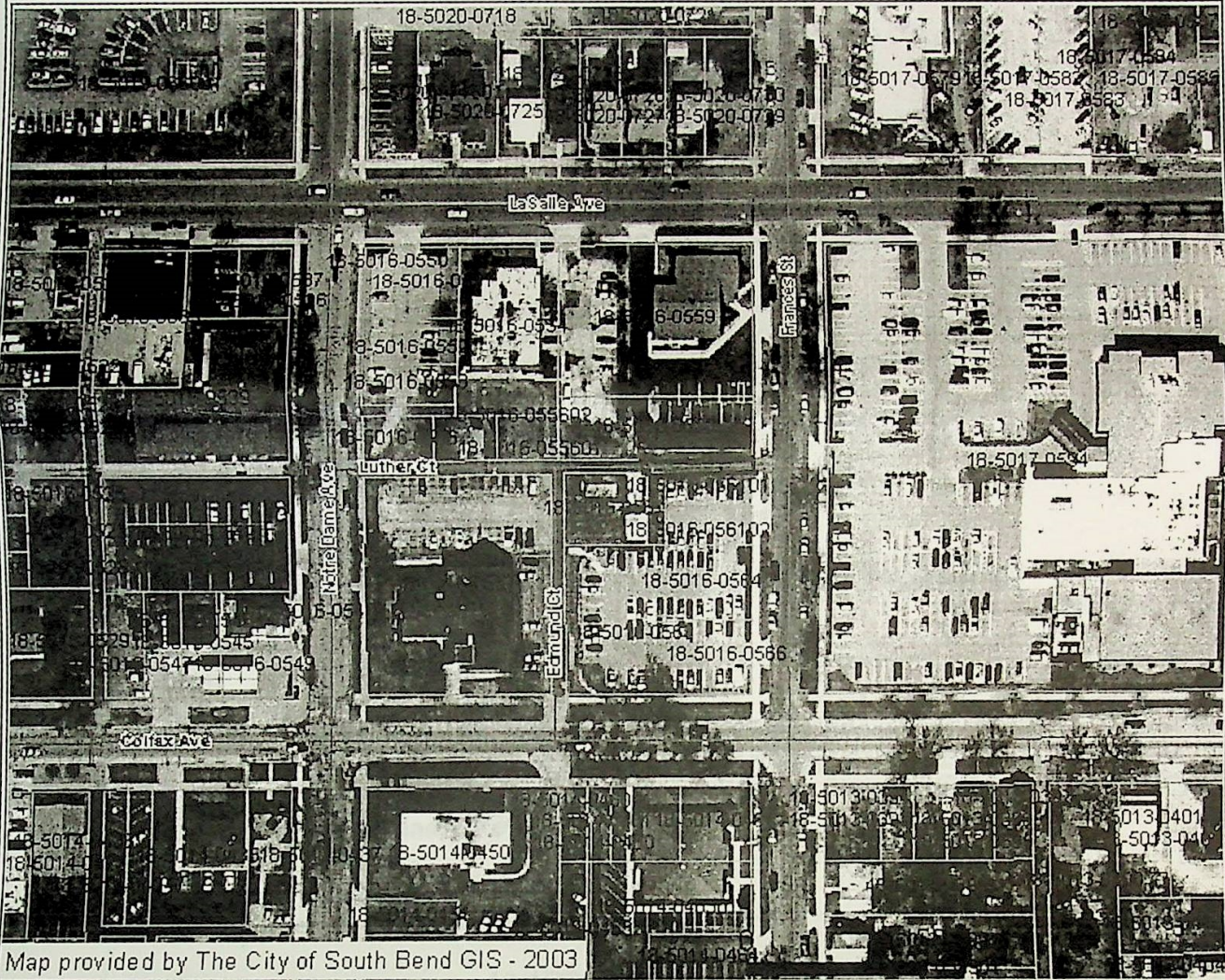
REVISED

9-74

See Detail On Page 8-14

ST PETER-B-12C

The City of South Bend Online



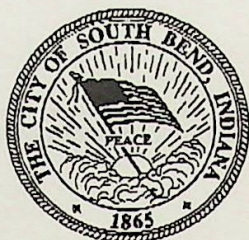
Map provided by The City of South Bend GIS - 2003

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



copyright 2003
The City of South Bend, Indiana



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

TO: Carl Littrell, Engineering Department
John Byomi, Area Plan Commission
Sharon Kendall, Community & Economic Development
Jitin Kain, 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
Jim Bettin, NIPSCO (irbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *jm*

RE: Request for Recommendation - Alley Vacation
Location: Eastern Quarter of first East/West Alley North of Colfax Avenue
between Notre Dame Avenue and Frances Street - REVISED - South Bend Clinic
(Preliminary Review)

DATE: November 16, 2006

DUE: 12/4/06

FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

NO objection if house at 220 Edmund et
has no objection

BY: A/C Howard Buchanon **DATE:** 11/21/06

Area Plan Commission of St. Joseph County

1140 County-City Building
South Bend, Indiana 46601

John W. Byorni
Executive Director

Larry P. Magliozzi
Assistant Director

Phone 574 235-9571

www.stjosephcountyindiana.com

Fax 574 235-9813

November 22, 2006

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

RE: Alley Vacation
First East/West Alley North of Colfax Avenue and West of Frances
Street between Frances Street and the First North/South Alley

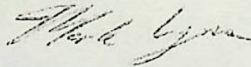
Dear Board Members:

The staff has reviewed this petition. 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.

Staff recommends that the alley be vacated subject to any utility or access easements recommended by the Engineering and Building Departments.

Sincerely,



Mark Lyons
Planner

