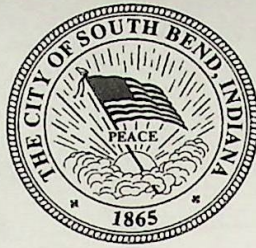


ALLEY VACATION
ORDINANCE NO. 9773-07
Status Vacated

Date 1/3/2008

Description:

The Alley to be Vacated is the First East/West Alley North of Corby Blvd. from Frances Street to Notre Dame Avenue for a Distance 228 Feet and a Width of 14 Feet. Being a Part of Sorin's 2nd Addition, Portage Township



Office of the City Clerk

John Voorde, City Clerk

January 3, 2008

MEMORANDUM

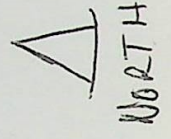
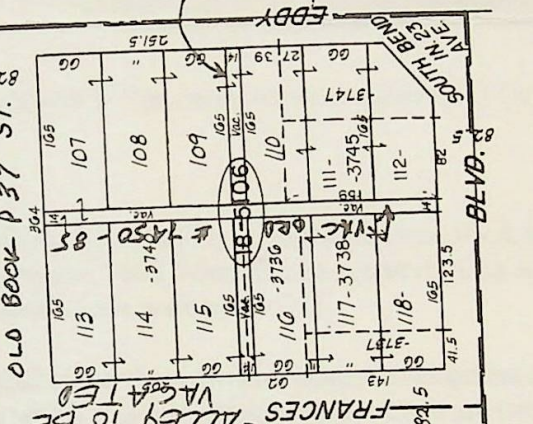
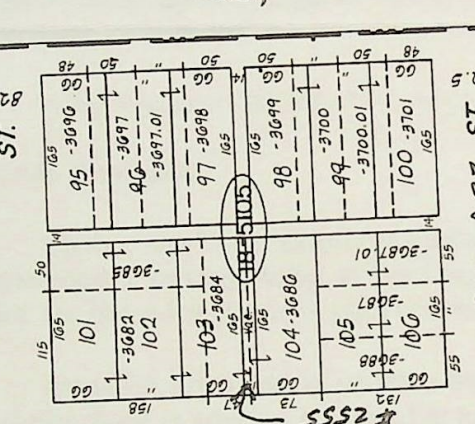
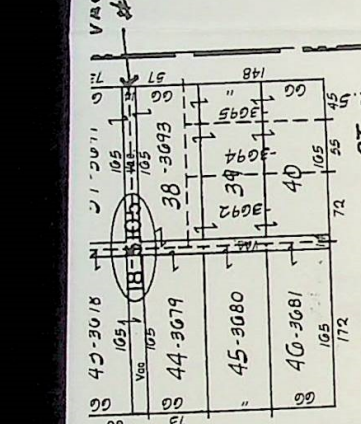
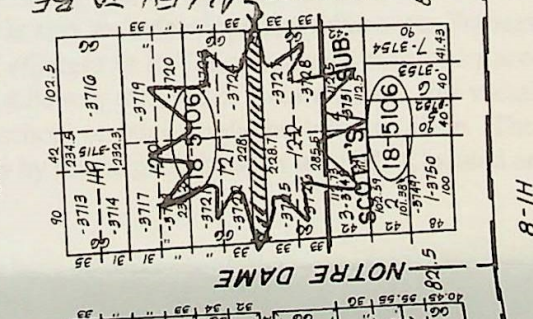
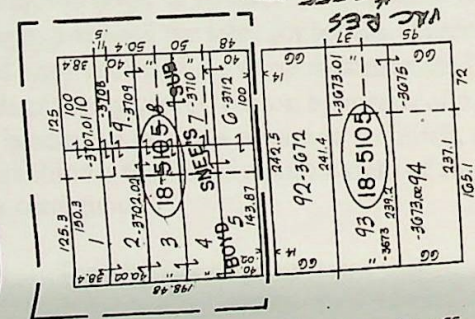
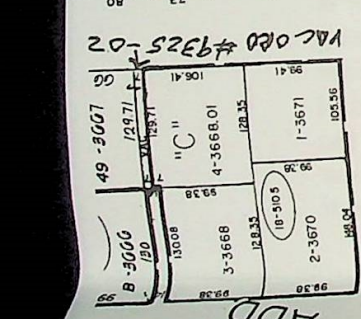
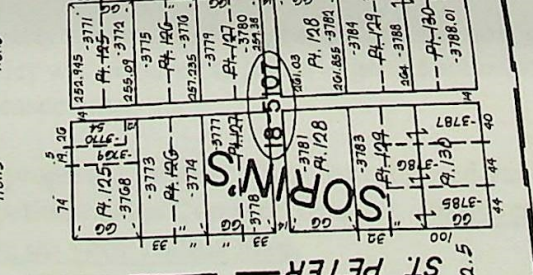
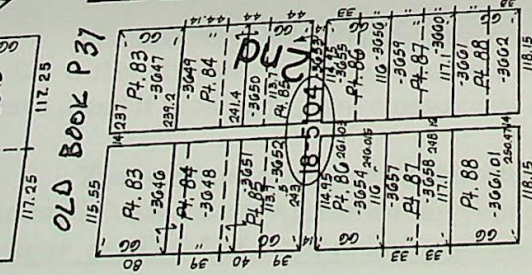
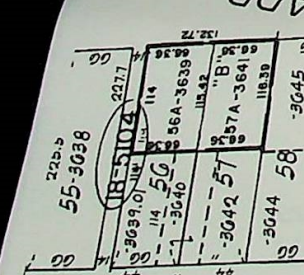
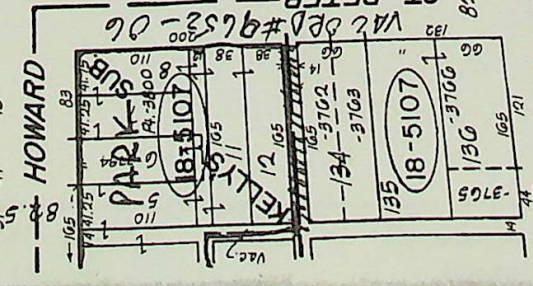
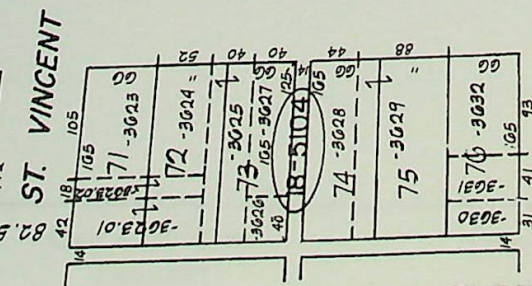
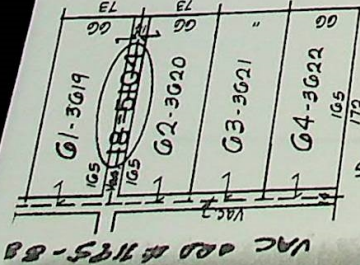
TO: Area Plan Commission
Board of Public Works ✓
Building Department
Division of Engineering
Fire Department
Northern Indiana Public Service Company
Police Department
Street Department
Bureau of Traffic & Lighting - Mark
Community & Economic Development – Pam Meyer
County Auditor - Paula
Ed Herman -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

FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9773-07 for the vacation of the following property:

THE ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF CORBY BLVD. FROM FRANCES STREET TOT NOTRE DAME AVENUE FOR A DISTANCE 228 FEET AND A WIDTH OF 14 FEET. BEING A PART OF SORIN'S 2ND ADDITION, PORTAGE TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

is closed and this area is vacated.



PETTONERO
Marta Brummell
914 N. Notre Dame Ave.
South Bend, IN 46617

243,2771

VAC RES
#2505

PURPOSE

SAFETY ISSUE

2004

Revised Copyright
Copyright 1987
THE SIDWELL COMPANY

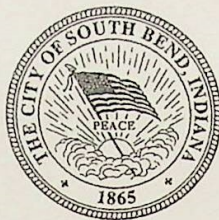
SCALE: 1" = 100'

NOTE:
GARAGE ACCESS
FOR 914 IS FROM
THIS ALLEY.

8-1H
PORTAGE TWP.
SEC. 1 T.37N. R.2E.

11-11-11

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

June 11, 2007

Ms. Marta Brummell
914 North Notre Dame Avenue
South Bend, Indiana 46617

RE: Alley Vacation – South of Howard between Notre Dame Avenue and Frances Street

Dear Ms. Brummell:

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

Area Plan stated that the vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous because there are two existing garages that need the alley for access. There is also an undeveloped lot adjacent to Frances that may need alley access if a garage is constructed adjacent to it. The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation would not hinder the public's access to a church, school or other public building or place. The vacation would hinder the use of a public right of way by the neighborhood in which it is located or to which it is contiguous.

The Fire Department stated that they have no objections if the two neighboring residents have *no objections to their garage access being cut.*

Engineering stated that the four property owners need to agree in advance how the vacated alley will be allocated to each and how the alley will be paved to preserve garage access to those who have it and if necessary, grant cross-access easements.

You will need a radius map showing properties within 150' of the proposed vacation and an executed Cross Access Agreement for your petition to the Common Council. **Please contact Tony Molnar at (574) 235-9254 prior to picking up your radius map.**

GARY A. GILOT, P.E.
PRESIDENT

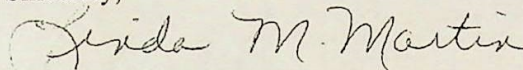
CARL P. LITRELL, P.E.
MEMBER

DONALD E. INKS
MEMBER

June 11, 2007
Brummell, Marta
Page 2 of 2

Once these concerns are addressed and you have the radius map, 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,

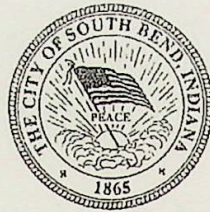
A handwritten signature in cursive script that reads "Linda M. Martin".

Linda M. Martin, Clerk

c: Jeff Gibney, CED
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Carl Littrell, Engineering

Bill No. 42-07

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

June 11, 2007

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GARY A. GILOT, P.E.
PRESIDENT

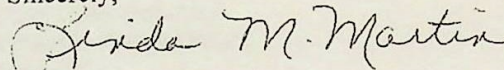
CARL P. LITRELL, P.E.
MEMBER

DONALD E. INKS
MEMBER

June 11, 2007
Brummell, Marta
Page 2 of 2

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Sincerely,

A handwritten signature in cursive script that reads "Linda M. Martin". The signature is written in dark ink and is positioned above the typed name.

Linda M. Martin, Clerk

c: Jeff Gibney, CED
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Carl Littrell, Engineering



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

TO: ✓ Carl Littrell, Engineering Department
✓ John Byorni, Area Plan Commission (235-9813 fax)
✓ Jeff Gibney, 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
Cheryl Greene, City Attorney's Office
Jim Bettin, NIPSCO (jbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**
Stephen Goen

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: East/West Alley - South of Howard between Notre Dame Avenue and
Frances Street
(Preliminary Review)

DATE: April 30, 2007

DUE: 5/07/2007

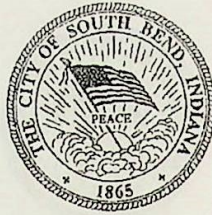
FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

BY: _____ **DATE:** _____

Handwritten notes and signature:
... will be paid to ...
...
...
Carl Littrell



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission (235-9813 fax)
Jeff Gibney, Community & Economic Development
Jitin Kain, Community & Economic Development
Bob Mathia, Community & Economic Development
Howard Buchanan, Fire Department
Jack Dillon, Solid Waste
William Kraus, Police Department
Cheryl Greene, 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: East/West Alley - South of Howard between Notre Dame Avenue and
Frances Street
(Preliminary Review)

DATE: April 30, 2007

DUE: 5/07/2007

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

*No objection from an engineering perspective.
However, the owners of the four properties
will need to agree in advance how*

BY: _____ DATE: _____

*the properties will be allocated to each and
v. vacated alley
how the ~~the~~ alley will be paved to preserve
garage access to those who have it and if necessary
grant cross-access easements.*

Carl Littrell 4/30/07



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission (235-9813 fax)
Jeff Gibney, Community & Economic Development
Jlkin Kain, Community & Economic Development
Bob Mathia, Community & Economic Development
Howard Buchanon, Fire Department
Jack Dillon, Solid Waste
William Kraus, Police Department
Cheryl Greene, City Attorney's Office
Jim Bettin, NIPSCO (jrbettin@njsource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: East/West Alley - South of Howard between Notre Dame Avenue and
Frances Street
(Preliminary Review)

DATE: April 30, 2007

DUE: 5/07/2007

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

917 Frances if they have no objections and
920 Notre Dame have no objections. this would

cut Access to Garage

BY: Fire Chief Howard Buchanon DATE: 5/03/2007



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission (235-9813 fax)
Jeff Gibney, Community & Economic Development
Jitin Kain, Community & Economic Development
Bob Mathia, Community & Economic Development
Howard Buchanan, Fire Department
Jack Dillon, Solid Waste
William Kraus, Police Department
Cheryl Greene, 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: East/West Alley - South of Howard between Notre Dame Avenue and
Frances Street
(Preliminary Review)

DATE: April 30, 2007

DUE: 5/07/2007

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No objections

BY: *LM* **DATE:** 5/7/07

Area Plan Commission of St. Joseph County
1140 County-City Building
South Bend, Indiana 46601

John W. Byorni
Executive Director

Phone 574 235-9571

www.stjosephcountyindiana.com

Larry P. Magliozzi
Assistant Director

Fax 574 235-9813

March 4, 2007

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

RE: East/West Alley – South of Howard between Notre Dame Avenue and Frances Street

Dear Board Members:

The staff has reviewed this petition. It is the staff's opinion that:

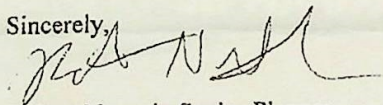
- (1) The vacation *would* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.

There are two existing garages that need the alley for access. There is also an undeveloped lot adjacent to Frances that may need alley access if a garage is constructed adjacent to it.

- (2) The vacation *would* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.
- (4) The vacation *would* hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

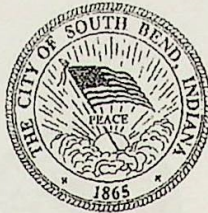
Staff recommends that the alley not be vacated.

Sincerely,



Robert Nemeth, Senior Planner





INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission (235-9813 fax)
Jeff Gibney, 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
Cheryl Greene, City Attorney's Office
Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

AGENCY
MAY 17 2007
CITY OF SOUTH BEND
DIV. OF ENGINEERING

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Alley Vacation
Location: East/West Alley - South of Howard between Notre Dame Avenue and
Frances Street
(Preliminary Review)

DATE: April 30, 2007

DUE: 5/07/2007

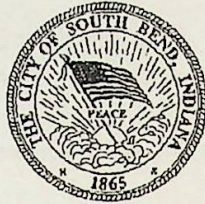
FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

I have no objection to this request

BY: *Bob Mathia* DATE: 5/17/07



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

TO: Carl Littrell, Engineering Department
John Byorni, Area Plan Commission (235-9813 fax)
Jeff Gibney, Community & Economic Development
Chris Dressel, Community & Economic Development
Bob Mathia, Community & Economic Development
Robert Sanders, Fire Department
Jack Dillon, Solid Waste
William Kraus, Police Department
Cheryl Greene, 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: East/West Alley - South of Vine between 20th and 21st Street
(Preliminary Review)

DATE: May 24, 2007

DUE: June 4, 2007

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

no objection

BY: Sgt. Stephen C. Ra **DATE:** 5/28/07

From: Andre Price
To: Jennifer Corle
Date: 6/5/2007 6:40 AM
Subject: Re: Alley Vacation

This vacation will not affect trash collections.
The alley vacation for vine street and 20th & 21st street will not affect trash collection.

>>> Jennifer Corle 5/30/2007 12:39 PM >>>
Gentlemen:

On April 30, 2007, a request for recommendations was sent to you in regard to the following alley:

East/West Alley - South of Howard between Notre Dame Avenue and Frances Street

A copy of this request is attached. Please provide your recommendations for this as soon as possible.

Thanks,

Jennifer

SPONSOR	EVENT	LOCATION, ROUTE/STREET CLOSURE	DATE/TIME	MOTION/ CARRIED
				Main Street
The Vine	Sidewalk Café Permit	103 West Colfax	April 1, 2007- October 31, 2007	Gilot/Inks Subject to Working with Mr. Dennis Andres on Meeting Requirements
Downtown South Bend, Inc.	Street Closure/Art Beat 2007	Michigan from Colfax to Western	September 6, 2007/ 2:00 p.m.-10:00 p.m.	Inks/Littrell
Junior League of South Bend	Street Closure/Family Picnic	Park Lane from Lafayette to Michigan	June 24, 2007/ 3:00 p.m.-7:00 p.m.	Inks/Littrell
Gloria Norris	Street Closure/Block Party	Birdsell from Linden Street to Fassnacht Street	June 23, 2007/ 8:00 a.m. - 10:00 p.m.	Denied Gilot/Inks
South Bend Area Crime Stoppers	Crime Stoppers Moonlight Walk Against Crime	From Coveleski Stadium to Howard Park and back.	July 26, 2007/5:30 p.m. - 8:30 p.m.	Inks/Littrell
Studebaker National Museum	Studebaker International Meet	Michigan from Washington to Western	June 21, 2007/ 4:00 p.m. - 8:00 p.m.	Inks/Littrell
Aurelia Alvarez	Street Closure/ Birthday Party	Marietta from Dubail to Indiana	June 16, 2007 - 12:00 p.m. - 8:00 p.m.	Inks/Littrell
Sanena Williams	Street Closure/Birthday and Graduation Party	Cleveland from Vassar to Humboldt	June 16, 2007 - 2:00 p.m. - 8:00 p.m.	Inks/Littrell

FAVORABLE RECOMMENDATION - PETITION TO VACATE ALLEY -
EAST/WEST ALLEY - SOUTH OF HOWARD BETWEEN NOTRE DAME AVENUE
AND FRANCES STREET

Mr. Gilot indicated that Ms. Marta Brummell, 914 North Notre Dame Avenue, South Bend, Indiana, has submitted a request to vacate the above referred to alley. Mr. Gilot advised that the Board is in receipt of recommendations concerning this Vacation Petition from the Police Department, Fire Department, Department of Community & Economic Development and the Department of Public Works. Area Plan stated that the vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous because there are two existing garages that need the alley for access. There is also an undeveloped lot adjacent to Frances that may need alley access if a garage is constructed adjacent to it. The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation would not hinder the public's access to a church, school or other public building or place. The vacation would hinder the use of a public right of way by the neighborhood in which it is located or to which it is contiguous. Fire Department stated that they have no objections if the two neighboring residents have no objections to their garage access being cut. Engineering stated that the four property owners need to agree in advance how the vacated alley will be allocated to each and how the alley will be paved to preserve garage access to those who have it and if necessary, grant cross-access easements. Therefore, Mr. Gilot made a motion that the Clerk send a letter to the petitioner addressing these concerns, subject to a Cross Access Agreement. Mr. Inks seconded the motion which carried.

FAVORABLE RECOMMENDATION - PETITION TO VACATE ALLEY -
EAST/WEST ALLEY - SOUTH OF VINE BETWEEN 20TH AND 21ST STREET