

ALLEY VACATION  
ORDINANCE NO. 9798-07  
Status Vacated

Date 12/18/2007

Description:

The First North-South Alley Lying West of Miami Street Extending from Ewing Avenue North to the First East-West Alley Lying North of Ewing Avenue for 123.5 Feet More or Less and a Width of 15 Feet, being a Part of the Oak Park Fourth Addition



# Office of the City Clerk

John Voorde, City Clerk

December 18, 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 – Pam Meyer  
County Auditor - Paula  
Ed Herman - Water Works - North Station

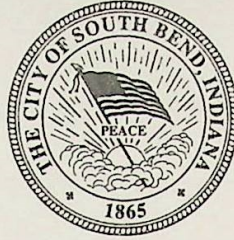
FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9798-07 for the vacation of the following property:

THE FIRST NORTH-SOUTH ALLEY LYING WEST OF MIAMI STREET  
EXTENDING FROM EWING AVENUE NORTH TO THE FIRST EAST-WEST  
ALLEY LYING NORTH OF EWING AVENUE FOR 123.5 FEET MORE OR LESS  
AND A WIDTH OF 14 FEET. BEING A PART OF OAK PARK FOURTH ADDITION.

is 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**

September 25, 2007

Mr. James Masters  
South Bend Public Library, Virginia Tutt Branch  
211 West Washington Avenue  
South Bend, Indiana 46601

RE: Alley Vacation – First Half of North/South Alley, West of Miami Street and North of Ewing Street  
(Preliminary Review)

Dear Mr. Masters:

On September 24, 2007, the Board of Public Works reviewed your petition to vacate the above alley. The following comments and recommendations were submitted from the Engineering Division, Area Plan Commission, Community & Economic Development, Fire Department, Police Department, Solid Waste Division and the City Attorney's Office:

Area Plan stated that 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. Four houses use the alley for garbage pick-up. The vacation would not 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 not hinder the use of a public right of way by the neighborhood in which it is located or to which it is contiguous.

Engineering stated that the vacation should be subject to subsequent dedication of other public ingress/egress easements. Evidence in the form of a plan for the resolution of these issues with your adjoining property owners' signatures is required.

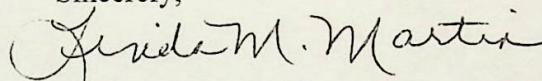
The Board gave a favorable recommendation for this vacation pursuant to an access easement and buffer for the adjoining property.

Masters, James  
Page 2 of 2  
September 25, 2007

Please present evidence that the above stated issue(s) are resolved. I will inform you of the next step in the vacation process at that time.

Please call me at (574) 235-9251 with questions.

Sincerely,



Linda M. Martin, Clerk

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

ACCESS EASE-  
MENT WILL BE  
ISSUED ONCE  
THE ACCESS IS  
VACATED

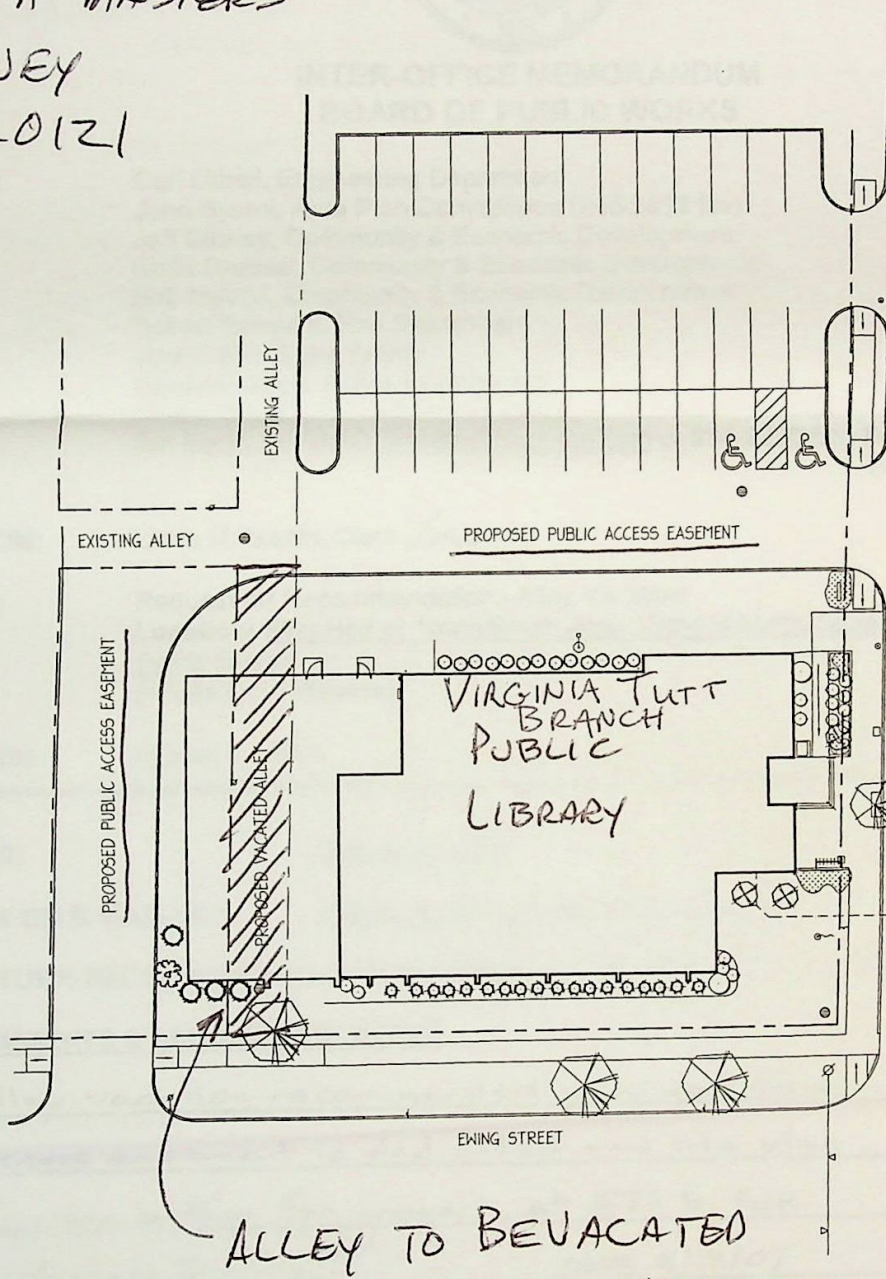
PETITIONER:

S.B. PUBLIC LIBRARY  
VIRGINIA TUTT BRANCH  
JAMES A MASTERS

ATTORNEY  
234-0121

PURPOSE:

EXPAND LIBRARY  
BUILDING



~~APPROVED  
Board of Public Works~~

~~SEP 24 2007~~

APPROVED  
Board of Public Works

SEP 27 2007

*Harry A. Sibot  
Paul B. Lathrop  
Donald E. Gordon*

PROPOSED  
SITE DEVELOPMENT PLAN  
SCALE: 1" = 20'-0"



ACCESS EASE-  
MENT WILL BE  
DEDICATED ONCE  
THE ALLEY IS  
VACATED



**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  
Stephen Goen, Police Department  
Cheryl Greene, City Attorney's Office  
Jim Bettin, NIPSCO ([irbettin@nisource.com](mailto:irbettin@nisource.com) or 284-2220 fax) **For Informational  
Purposes Only**

**FROM:** Linda M. Martin, Clerk *LM*

**RE:** Request for Recommendation - Alley Vacation  
**Location:** First Half of North/South Alley, West of Miami Street and North of Ewing Street  
(Preliminary Review)

**DATE:** August 6, 2007

**DUE:** August 20, 2007

**FAX OR E-MAIL TO:** 235-9171 / [lmartin@southbendin.gov](mailto:lmartin@southbendin.gov)

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

**COMMENTS & RECOMMENDATIONS:**

Alley vacation recommended provided that  
access easement is dedicated and site plan  
provides buffer for property at 1022 E. Fox.

**BY:** Michael Divita <sup>MD</sup>  
Community & Economic Development  
Chris Dressel CED

**DATE:** 8/13/07

8/20/07

## Linda Martin - Re: 2nd request-alley vac. west of miami

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**From:** Andre Price  
**To:** Linda Martin  
**Date:** 8/31/2007 6:20 AM  
**Subject:** Re: 2nd request-alley vac. west of miami

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this will not affect trash collection

>>> "Martin, Linda" <lmartin@southbendin.gov> 8/29/2007 10:24 AM >>>  
This E-mail was sent from "RNP83D994" (C3828).

Scan Date: 29.08.2007 09:24:54 (-0500)  
Queries to: admin@southbendin.gov

# 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/areaplan](http://www.stjosephcountyindiana.com/areaplan)

Fax 574 235-9813

September 5, 2007

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

RE: Vacation  
First half of north/south alley, west of Miami Street and north of Ewing Street

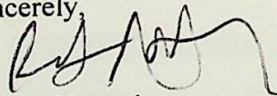
Dear Board Members:

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

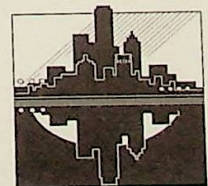
- (1) The vacation *would not* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation *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.

The staff recommends the alley be vacated.

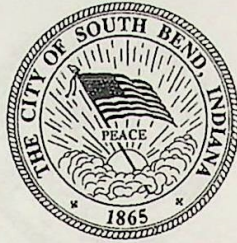
Sincerely,



Robert Nemeth  
Senior Planner







INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

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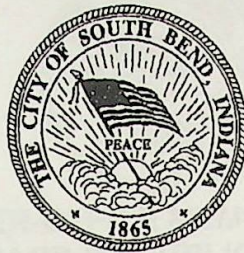
FAX OR E-MAIL TO: 235-9171 / [lmartin@southbendin.gov](mailto:lmartin@southbendin.gov)

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

**COMMENTS & RECOMMENDATIONS:**

*No objection to vacation, subject to subsequent  
dedication of <sup>other</sup> public ingress/egress (or access) easements*

BY: Carl C. Littrell DATE: 8/6/07



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

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Jeff Gibney, Community & Economic Development  
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**DATE:** August 6, 2007

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**COMMENTS & RECOMMENDATIONS:**

*No objection*

**BY:** *Sgt Goen* **DATE:** *8/8/07*



INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

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DATE: August 6, 2007

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COMMENTS & RECOMMENDATIONS:

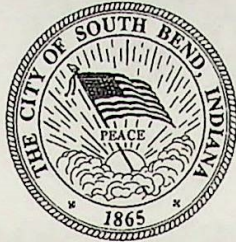
THIS LOOKS FAVORABLE TO ME.

Thanks

BY: Robert Sanders

DATE: 8-10-07





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  
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COMMENTS & RECOMMENDATIONS:

*I strongly support this alley vacation request and recommend that it be approved*

BY: Robert J. Mathia DATE: 8/14/07



**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  
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Purposes Only**

**FROM:** Linda M. Martin, Clerk *lm*

**RE:** Request for Recommendation - Alley Vacation  
**Location:** ~~First~~ Half of North/South Alley, West of Miami Street and North of  
Ewing Street *South*  
**(Preliminary Review)**

*2<sup>nd</sup> Request 8/29/07*

**DATE:** August 6, 2007

**DUE:** August 20, 2007

**FAX OR E-MAIL TO:** 235-9171 / [lmartin@southbendin.gov](mailto:lmartin@southbendin.gov)

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**COMMENTS & RECOMMENDATIONS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



## FAX TRANSMISSION

CITY OF SOUTH BEND  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF ENGINEERING  
County-City Building Room 1316  
South Bend IN 46601  
Phone: (574) 235-9251  
Fax: (574) 235-9171

To: John Byorni

Date: 8/29/07

Fax #: 235-9813

Pages: 7

From: Linda Martin

Subject:

Alley Vacation Recommendations — 2<sup>nd</sup> Request

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COMMENTS:

Please see attached and respond