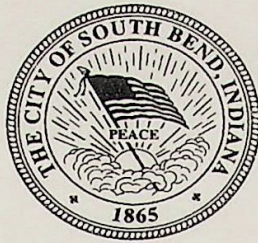


ALLEY VACATION
ORDINANCE NO. 10025-10
Status Vacated

Date 10/14/2010

Description:

The Alley to be Vacated is Described as
the West Half of the First East-West
Alley South of Napoleon between Due
& the First North-South Alley Situated
in Hartman and Woodworth's Plat of the
city of South Bend, St. Joseph County,
Indiana



Office of the City Clerk

John Voorde, City Clerk

October 14, 2010

MEMORANDUM

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

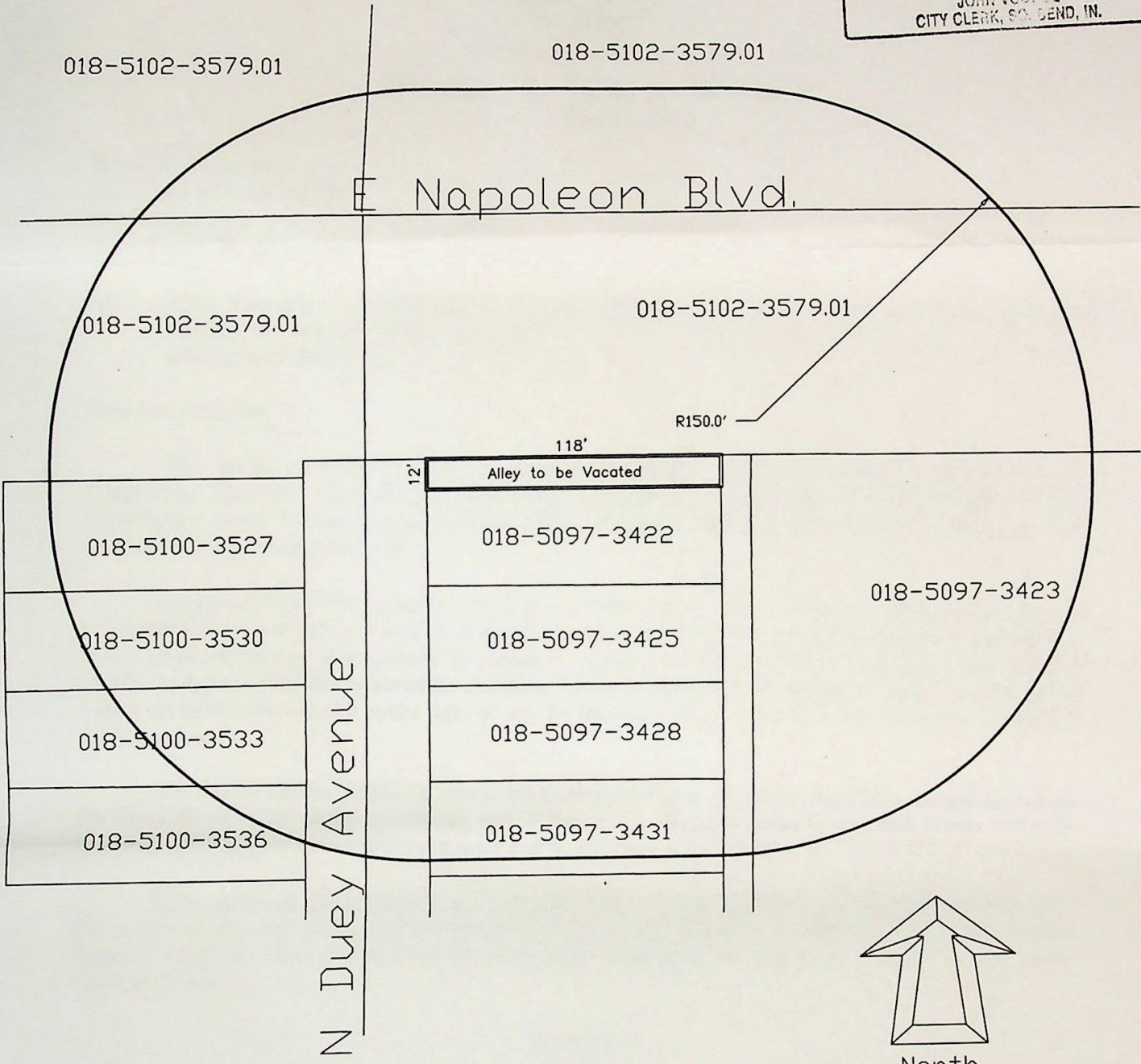
FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 10025-10 for the vacation of the following property:

THE ALLEY TO BE VACATED IS DESCRIBED AS THE WEST HALF OF THE FIRST EAST-WEST ALLEY SOUTH OF NAPOLEON BETWEEN DUEY & THE FIRST NORTH-SOUTH ALLEY SITUATED IN HARTMAN AND WOODWORTH'S PLAT TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA

is closed and this area is vacated.

JUL 12 2010
 JOHN VOORHE
 CITY CLERK, SOUTH BEND, IN.



Legal Description:

The alley to be vacated is described as the West half of the the first East-West alley South of Napoleon between Duey & the first North-South alley situated in Hartman and Woodworth's Plat to the City of South Bend, St. Joseph County, Indiana.

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 28, 2010

Mr. Greg Hakanen
University of Notre Dame
910 Flanner Hall
Notre Dame, Indiana 46556

RE: Alley Vacation – The West Half of the First East/West Alley South of Napoleon between Duey & the First North/South Alley
(Preliminary Review)

Dear Mr. Hakaden:

The Board of Public Works, at its June 28, 2010, meeting, reviewed comments 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:

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. 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.

Mr. Phillip Griffin, NIPSCO, stated that there is an active gas line in the alley. The gas line feeds the South Bend Public Housing complex east of the alley. NIPSCO needs to maintain access to the 2-inch steel gas main for maintenance purposes and no structure is to be built over the gas line.

Please contact Tony Molnar at (574) 235-9254 prior to picking up your radius map. You will need a radius map showing properties within 150' of the proposed vacation for your petition to the Common Council. Once you pick up the radius map, proceed to the City Clerk's office for your alley vacation packet.

Sincerely,

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

Linda M. Martin, Clerk

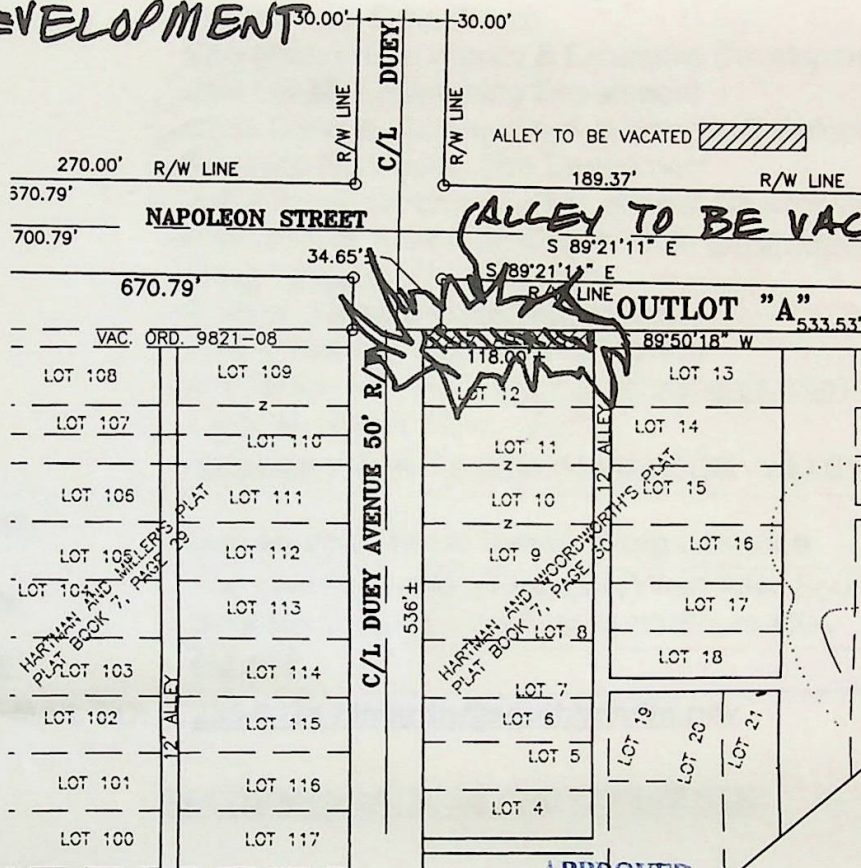
c: Federico Rodriguez, Fire Department
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Carl Littrell, Engineering
Danch Harner & Associates

SURVEY ORDERED BY: UNIVERSITY OF NOTRE DAME
 SURVEY DATED: 06/11/2010
 PROJECT NO.: 100146

**PETTONER: UNIV
 OF NOTRE DAME
 GREG HAKADEN
 631-9979**

PURPOSE:

**FUTURE
 DEVELOPMENT**



APPROVED
 Board of Public Works

JUN 23 2010
 Gary A. Sabat
 North

100146 Alley Vacation.dwg
 6-11-2010 8:32 A.M.

Danch, Harner & Associates, Inc.

DHA

Land Surveyors • Professional Engineers
 Landscape Architects • Land Planners

Office: (574)234-4003 / (800)594-4003 • Fax: (574)234-4119
 1643 Commerce Drive • South Bend, IN 46628

© Copyright 2010 Danch, Harner & Associates, Inc.

1 / 1



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 6/15/2010

TO: Andre Price, Solid Waste
✓ Bob Mathia, Community & Economic Development
✓ Carl Littrell, Engineering Department
✓ Chris Dressel, Community & Economic Development
✓ Federico Rodriguez, Fire Department
Jeff Gibney, Community & Economic Development
✓ John Byorni, Area Plan Commission (ibyorni@co.st-joseph.in.us or 235-9813 fax)
✓ Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
✓ Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM:

SUBJECT: **REQUEST FOR RECOMMENDATION - ALLEY VACATION**

APPLICANT: **University of Notre Dame - Greg Hakaden**

LOCATION: **The West Half of the First East/West Alley South of Napoleon
Between Duey and the First North/South Alley**

DATE DUE: **6/21/10**

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

RECOMMENDATIONS AND COMMENTS:

By _____ Date _____

From: Nancy Schrader
To: Memo-Vacations
Date: 6/15/2010 10:15 AM
Subject: Alley Vacation Recommendation - Napoleon/Duey
Attachments: S45C-510061509570.pdf

Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

TO: NANCY SCHRADER
FROM: ALLEY VACATION RECOMMENDATION
SUBJECT: ALLEY VACATION RECOMMENDATION
DATE: 6/15/2010 10:15 AM

RECOMMENDATION: [Faint handwritten text]
[Faint handwritten signature]
[Faint handwritten date: 6/15/10]



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 6/15/2010

TO: Andre Price, Solid Waste
Bob Mathia, Community & Economic Development
Carl Littrell, Engineering Department
Chris Dressel, Community & Economic Development
Federico Rodriguez, Fire Department
Jeff Gibney, Community & Economic Development
John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM: Linda M. Martin, Clerk *LM*

SUBJECT: **REQUEST FOR RECOMMENDATION - ALLEY VACATION**

APPLICANT: **University of Notre Dame - Greg Hakaden**

LOCATION: The West Half of the First East/West Alley South of Napoleon
Between Duey and the First North/South Alley

DATE DUE: **6/21/10**

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

RECOMMENDATIONS AND COMMENTS:

No objection

By *Carl P. Littrell* Date *6/15/10*

From: <pmgriffin@NiSource.com>
To: "Nancy Schrader" <NJSCHRAD@southbendin.gov>, <lmartin@southbendin.gov>
Date: 6/16/2010 9:55 AM
Subject: Re: Alley Vacation Recommendation - Napoleon/Duey
Attachments: S45C-510061509570.pdf

NIPSCO has a 2-inch steel gas main in alley proposed to be vacated. This steel gas main feeds the SB Public Housing complex just east of alley to be vacated. NIPSCO needs to maintain access to the 2-inch steel gas main for maintenance purposes. Structures cannot be built over gas facilities.

Philip M. Griffin
Project Engineer - South Bend LOA
Office Phone: 574-284-2214
Mobile Phone: 574-220-3804
FAX: 574-284-2220

"Nancy Schrader"
<NJSCHRAD@southbendin.gov>
To
<jbyorni@co.st-joseph.in.us>,
06/15/2010 10:15 AM <pmgriffin@nisource.com>, "Andre Price" <APRICE@southbendin.gov>,
"Chris Dressel" <CDRESSEL@southbendin.gov>, "Cheryl Greene" <CGREENE@southbendin.gov>,
"Carl Littrell" <CLITTREL@southbendin.gov>,
"Federico Rodriguez" <frodrigu@southbendin.gov>, "Jeff Gibney" <jgibney@southbendin.gov>,
"Robert Mathia" <RMATHIA@southbendin.gov>, "Stephen Goen" <SGOEN@southbendin.gov>
cc
"Nancy Schrader" <NJSCHRAD@southbendin.gov>
Subject
Alley Vacation Recommendation - Napoleon/Duey

Please provide your recommendation.



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 6/15/2010

TO: Andre Price, Solid Waste
Bob Mathia, Community & Economic Development
Carl Littrell, Engineering Department
Chris Dressel, Community & Economic Development
Federico Rodriguez, Fire Department
Jeff Gibney, Community & Economic Development
John Byorni, Area Plan Commission (ibyorni@co.st-joseph.in.us or 235-9813 fax)
Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM: Linda M. Martin, Clerk *LM*

SUBJECT: **REQUEST FOR RECOMMENDATION - ALLEY VACATION**

APPLICANT: **University of Notre Dame - Greg Hakaden**

LOCATION: The West Half of the First East/West Alley South of Napoleon
Between Duey and the First North/South Alley

DATE DUE: **6/21/10**

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

RECOMMENDATIONS AND COMMENTS:

I have no objection this alley vacation request, however, the Engineering Department should be sure the proposed vacation will not interfere with plans for Eddy Street Knolls development

By

Bob Mathia

Date

6/15/10

From: Federico Rodriguez
To: Nancy Schrader
Date: 6/18/2010 10:23 AM
Subject: Re: Alley Vacation Recommendation - Napoleon/Duey

Approved S.B.F.D

Federico "Chico" Rodriguez
Fire Marshal
South Bend Fire Dept.
1222 S. Michigan Street
South Bend, In.
574-235-7564(O)
574-235-9305(F)
frodrigo@southbendin.gov

>>> Nancy Schrader 6/15/2010 10:15 AM >>>
Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

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

Fax 574 235-9813

June 21, 2010

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

RE: Alley Vacation

Applicant: University of Notre Dame, c/o Greg Hakanen
Vacation of the West Half of the First East/West Alley South of Napoleon Street
between Duey 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.

It is our understanding that the alley will be vacated so that the property can be added to the adjacent parcels for residential development.

Therefore, the vacation will assist in the growth and development of the Northeast Triangle area lying immediately south of the Eddy Street Commons redevelopment area.

- (2) The vacation *would* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.

The alley to be vacated and the approximate north 150 feet of the adjacent north-south alley to the east are unimproved alleys. These alleys or said portions thereof are currently impassible due to vegetation. (See the attached aerial photograph.)

Since the alley being vacated does not provide any immediate access to adjacent parcels, the proposed alley vacation will not make access difficult or inconvenient.

- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.

There are no churches, schools, or other public buildings or places located near the alley to be vacated.



- (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.

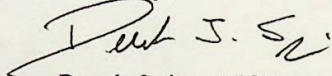
Said north-south alley east of the alley being vacated is improved south of the 150-foot unimproved and impassible area. This alley will continue to provide access to the multi-family housing development to the east. (See the attached aerial photograph.)

Since the proposed alley vacation will not change any direct access or through access, the vacation will not hinder the use of any public way.

Due to the above stated reasons, the staff recommends that the alley be vacated.

Please contact our office if you have any questions or need any additional information.

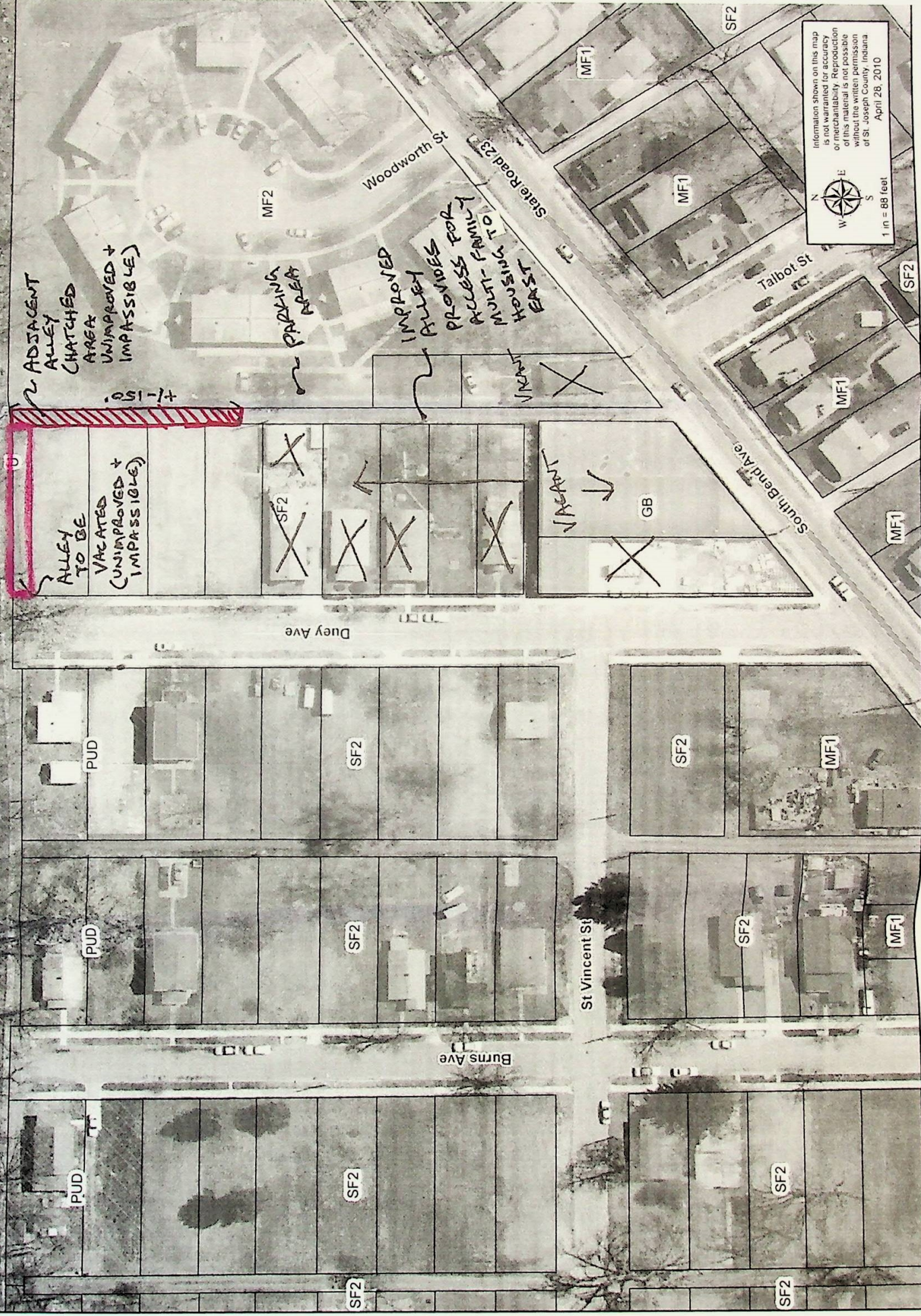
Sincerely,

A handwritten signature in black ink that reads "Derek J. Spier". The signature is written in a cursive style with a large initial "D".

Derek Spier, AICP
Planner

Attachments:
Aerial Map

Information shown on this map is not warranted for accuracy or merchantability. Reproduction of this material is not possible without the written permission of St. Joseph County, Indiana
April 28, 2010



ADJACENT ALLEY CHASED AREA UNIMPROVED + IMPASSIBLE

VACATED ALLEY TO BE UNIMPROVED + IMPASSIBLE

PARKING AREA

IMPROVED ALLEY PROVIDES FOR ACCESS FOR EAST HOUSING TO NEIGHBORHOOD

PUD

PUD

PUD

PUD

Duery Ave

SF2

SF2

SF2

St Vincent St

SF2

SF2

SF2

MF1

MF1

SF2

Woodworth St

State Road 23

Talbot St

South Bend Ave

MF2

MF1

SF2

MF1

WARRANT

WARRANT

GB

MF1

SF2

MF1

MF1



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 6/15/2010

TO: Andre Price, Solid Waste
Bob Mathia, Community & Economic Development
Carl Littrell, Engineering Department
Chris Dressel, Community & Economic Development
Federico Rodriguez, Fire Department
Jeff Gibney, Community & Economic Development
John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM:

SUBJECT:

REQUEST FOR RECOMMENDATION - ALLEY VACATION

APPLICANT:

University of Notre Dame - Greg Hakaden

LOCATION:

The West Half of the First East/West Alley South of Napoleon
Between Duey and the First North/South Alley

DATE DUE:

6/21/10

FAX OR E-MAIL TO:

235-9171 / lmartin@southbend.in.gov

RECOMMENDATIONS AND COMMENTS:

By _____

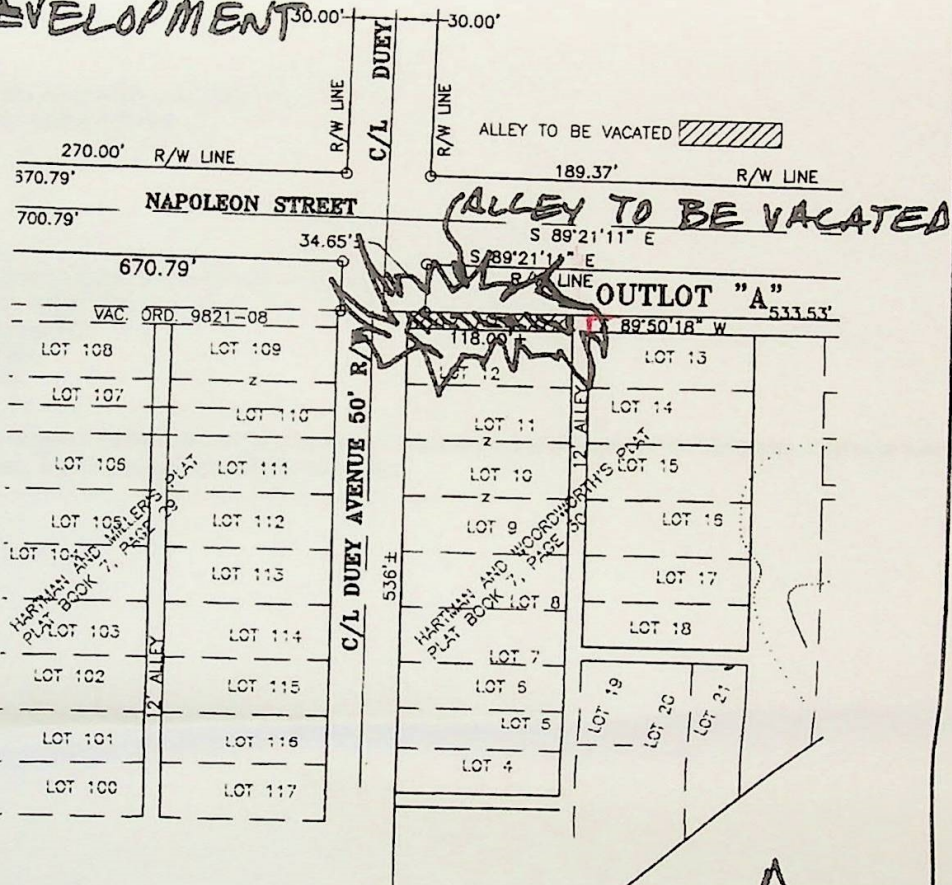
Date _____

SURVEY ORDERED BY: UNIVERSITY OF NOTRE DAME
 SURVEY DATED: 06/11/2010
 PROJECT NO.: 100146

PETITIONER: UNIV
 OF NOTRE DAME
 GREG HAKADEN
 631-9979

PURPOSE:

FUTURE
 DEVELOPMENT



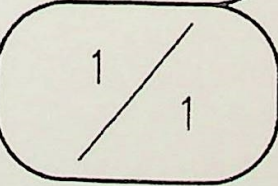
100146 Alley Vacation.dwg
 6-11-2010 8:32 A.M.

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

DHA

Office: (574)234-4003 / (800)594-4003 • Fax: (574)234-4119
 1643 Commerce Drive • South Bend, IN 46628

© Copyright 2010 Danch, Harner & Associates, Inc.



From: Stephen Goen
To: Nancy Schrader
Date: 6/21/2010 8:27 AM
Subject: Re: Alley Vacation Recommendation - Napoleon/Duey

No objections

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was original addressed. Any use by others is strictly prohibited.

Lt. Stephen Goen
Traffic Commander
St Joe Co. Fatal Alcohol Crash Team
South Bend Police Department - Traffic Investigations
701 W. Sample St
South Bend, IN 46601
(574) 235-7515
(574) 235-7538

>>> Nancy Schrader 6/15/2010 10:15 AM >>>
Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

Nancy Schrader - Re: Alley Vacation Recommendation - Napoleon/Duey

From: Chris Dressel
To: Nancy Schrader
Date: 6/21/2010 11:33 AM
Subject: Re: Alley Vacation Recommendation - Napoleon/Duey
CC: Jeff Vitton
Attachments: Jeff Vitton

Recommended for approval.

Christopher D. Dressel
Planner
City of South Bend
Division of Community Development
1200 County-City Building
227 W. Jefferson
South Bend, IN 46601
Phone: 574-235-5847
Fax: 574-235-9697
cdressel@southbendin.gov

>>> Nancy Schrader 6/15/2010 10:15 AM >>>
Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

~~~~~  
This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.  
~~~~~