

ALLEY VACATION

10088-11

Status Vacated

Date 7/12/011

Description: First North/South Alley east of Michigan Street, From Dayton Street South to the First East/West Alley for a Distance of 137 Feet with a width of 14 Feet



## Office of the City Clerk

John Voorde, City Clerk

July 12, 2011

### 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. 10088-11 for the vacation of the following property:

**THE ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY EAST OF MICHIGAN ST., FROM DAYTON ST. SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 137 FEET AND A WIDTH OF 14 FEET**

is closed and this area is vacated.

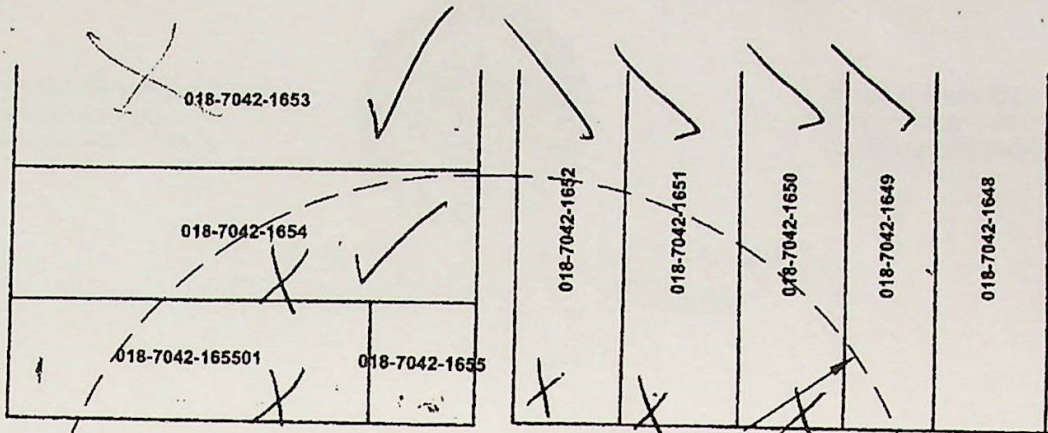
455 County-City Building • 227 W. Jefferson Blvd. South Bend, Indiana 46601 • 574/235-9221 • Fax 574/235-9173

Mary Beth Wisniewski  
Chief Deputy

Janice Talboom  
Deputy

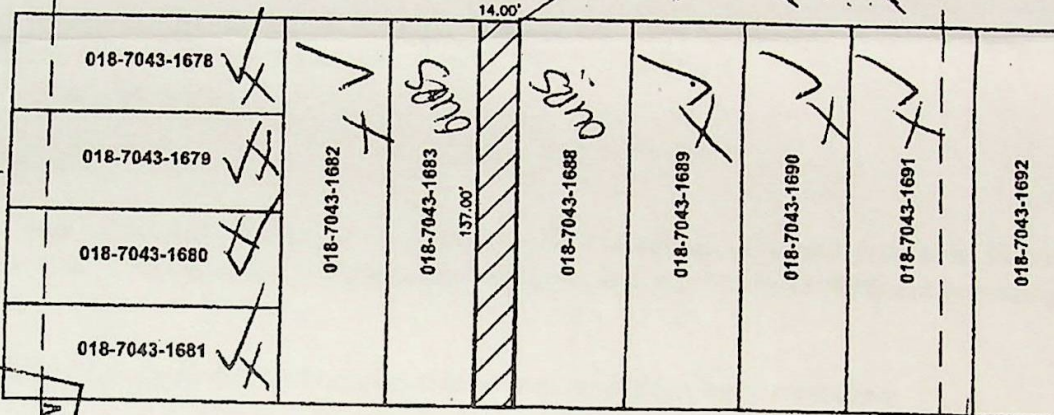
Kareemah Fowler  
Ordinance Violation Clerk

MICHIGAN ST



R150.0

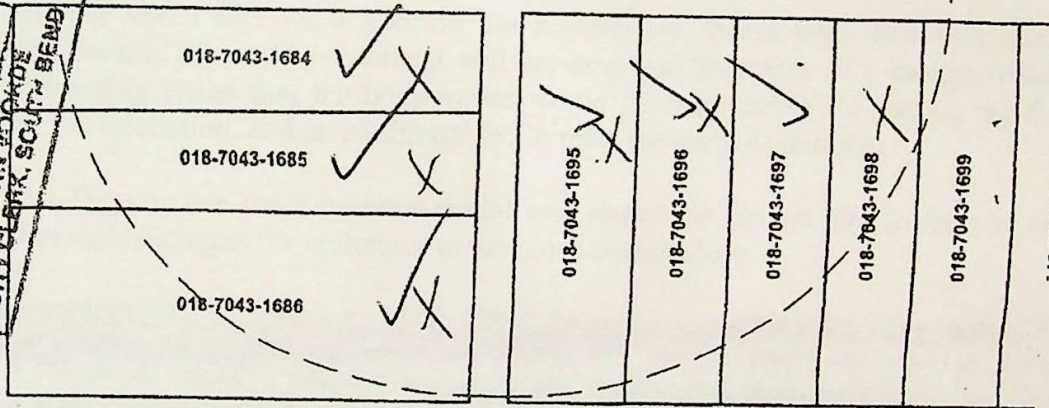
DAYTON ST



MISSING  
 018-7042-1655  
 018-7042-1654  
 018-7042-1653  
 018-7042-1652  
 018-7042-1651  
 018-7042-1650

Filed in Clerk's Office  
 APR 28 2011  
 JOHN W. GARDNER  
 CITY CLERK, SOUTH BEND, IN

23 ENV



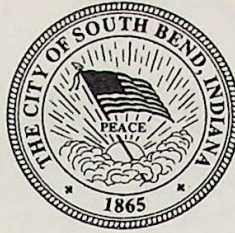
MILTON ST

### ALLEY VACATION

The alley to be vacated is the first North/South alley East of Michigan Street, from (Dayton Street South to the first East/West alley for a distance of 137 feet) and a width of 14 feet, being a part of Dubail's Second Addition 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

April 11, 2011

Mr. Randy Gilleand  
114 Dayton Street  
South Bend, 46613

RE: Alley Vacation – North Half of the First North/South Alley South of Dayton Street and North of Milton Street between Michigan Street and St. Joseph Street  
(Preliminary Review)

Dear Mr. Gilleand:

The Board of Public Works, at its April 11, 2011 meeting, reviewed favorable comments from the Area Plan Commission, Economic Development, and the Police Department regarding the above vacation request.

The following comments and unfavorable recommendations were submitted:

Engineering stated that I&M Electric has a pole-line in the alley and will retain an easement in the vacated alley. The easement will pre-empt development of a garage within the easement. Engineering noted that the homeowner would be responsible for paying the fee for I&M to review the relocation, and an additional fee to relocate the pole and line.

The Fire Department recommended denial and stated the closest fire hydrant is on the corner of Milton and Michigan for structures at the cross of the alleys.

**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,

Linda M. Martin, Clerk

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

GARY A. GILOT, P.E.  
PRESIDENT

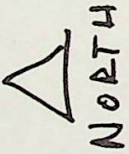
DONALD E. INKS  
MEMBER

CARL P. LITRELL  
MEMBER

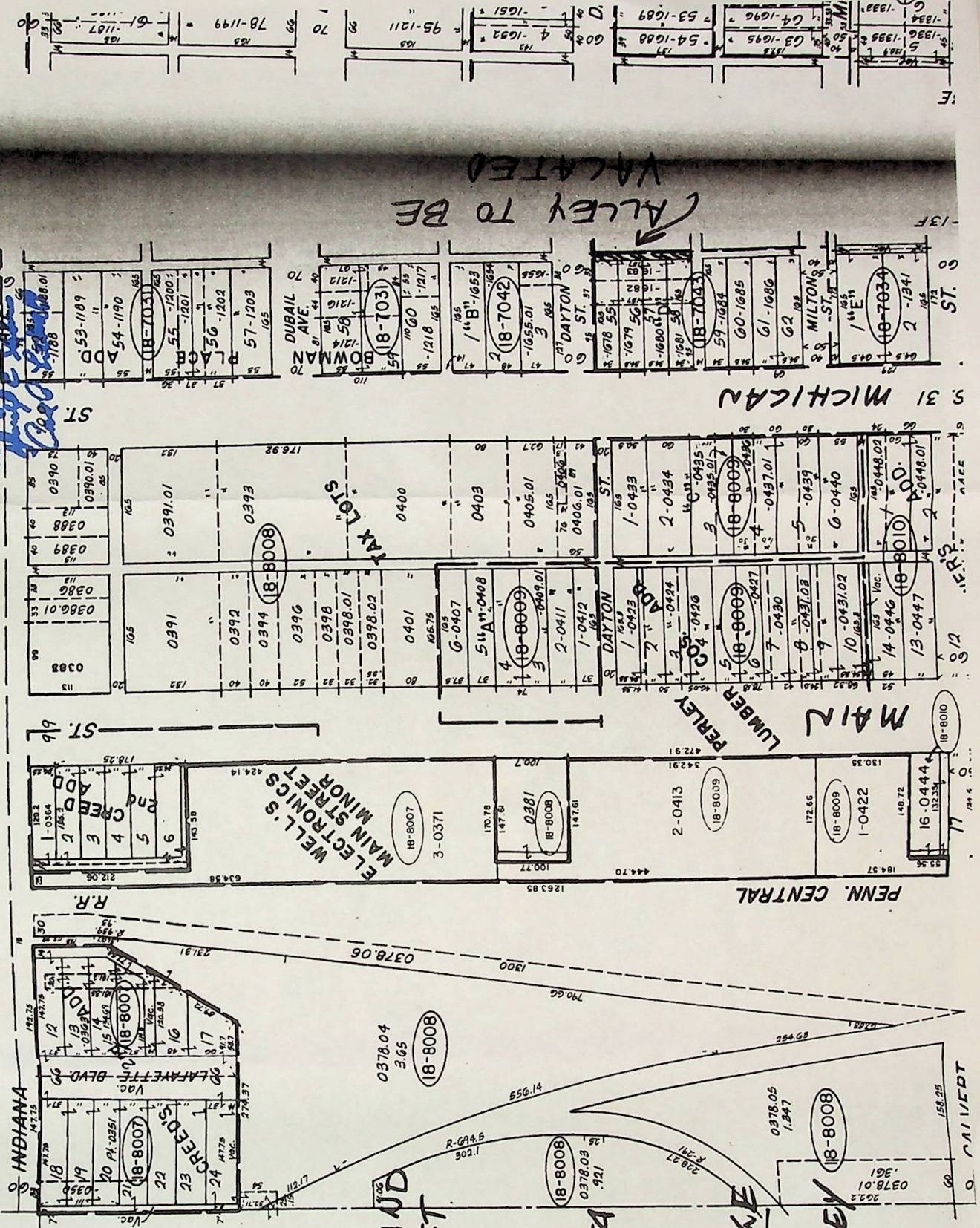
**APPROVED**  
Board of Public Works

APR 11 2011

8-13A



- "A" BRAZY'S 2ND ADD.
- "B" DUBAIL'S 1ST ADD.
- "C" PERLEY & KUNTZ SUB.
- "D" DUBAIL'S 2ND ADD.
- "E" BOWMAN'S 3RD ADD.
- "F" ORCHARD LAWN ADD.
- "G" CALVERT'S SUB.
- "H" MYERS SUB.
- "I" MOON'S CALVERT REPLAT SUB.



**PETITIONER:**  
RANDY GILLEAND  
114 DAYTON ST  
So. BEND, IN  
46613  
574-307-2154

**PURPOSE:**  
BUILD GARAGE  
OWNS BOTH  
SIDES OF ALLEY

ALLEY TO BE  
VACATED

*Handwritten notes:*  
Brazzy's  
Dubail's  
Bowman's

S. 31 MICHIGAN

MAIN  
LUMBER CO'S  
PERLEY

PENN. CENTRAL

14H



Milton St

Joseph St

Dayton St

Milton St

④ ON-SITE GARAGE

①

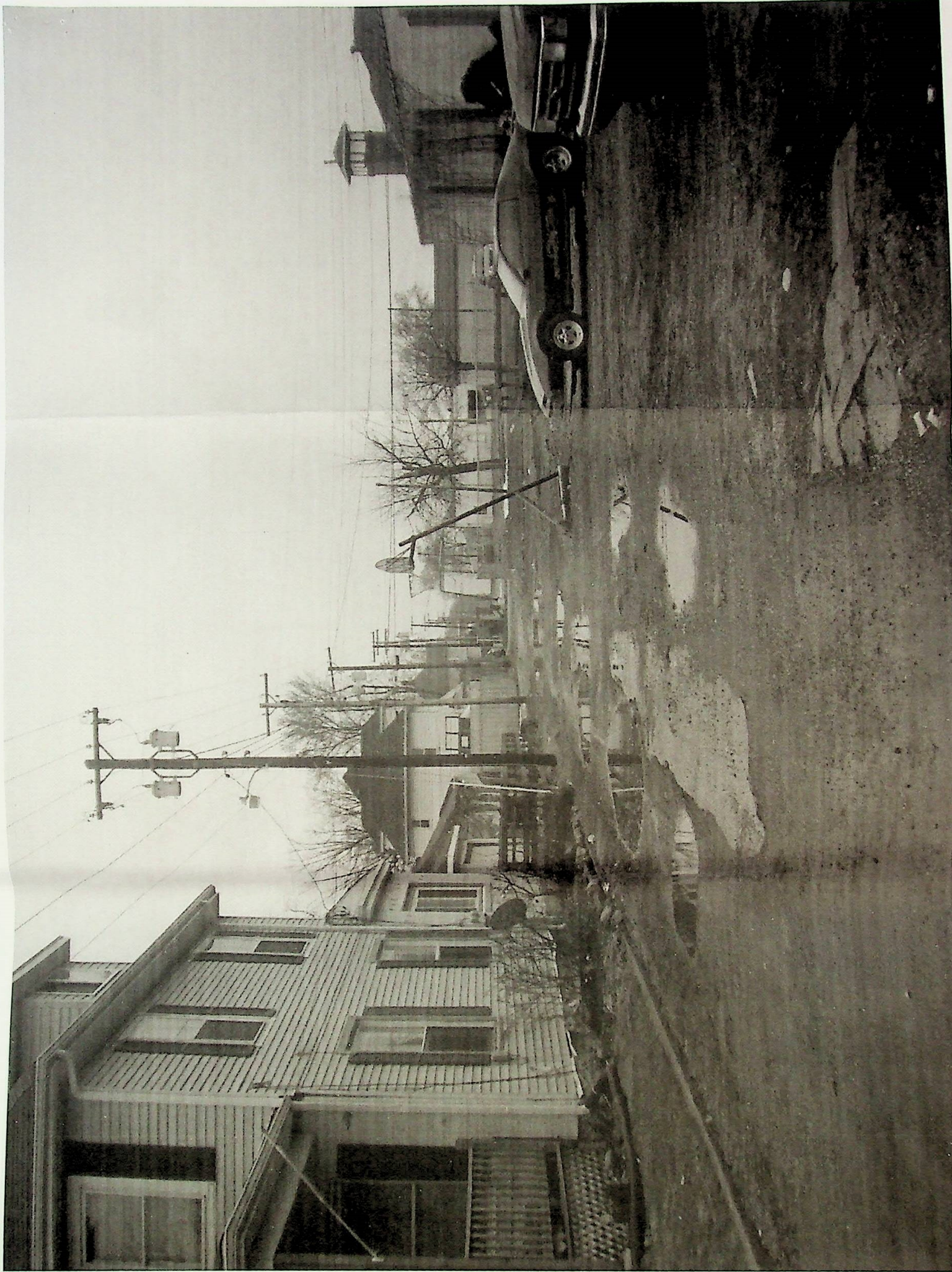
③

RAZED

②

Michigan St

Dayton St



① Looking south from Dayton Street



Looking North from East-West Ave to South

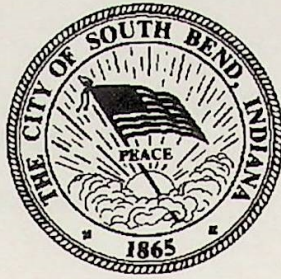




LOOKING SOUTH TOWARD MILTON STREET FROM SOUTH OF ALLEY TO BE VACATED



④ EXISTING GARAGE LOCATED ON PROPERTY TO EAST



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

**DATE SENT: 3/8/2011**

**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](mailto: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](mailto:pmgriffin@nisource.com)) (FYI Only)

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

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

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**APPLICANT:** **Randy Gilleand**

---

**LOCATION:** The North Half of First North/South Alley South of Dayton Street and North of Milton Street, Between Michigan Street and St. Joseph Street *ok*

---

**DATE DUE:** **ASAP**

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

**RECOMMENDATIONS AND COMMENTS:**

By \_\_\_\_\_ Date \_\_\_\_\_

**From:** Nancy Schrader  
**To:** Memo-Vacations  
**Date:** 3/8/2011 11:59 AM  
**Subject:** Alley Vacation Recommendation ASAP - Dayton  
**Attachments:** S45C-511030812560.pdf

Please provide your recommendation as soon as possible.

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

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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.  
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INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

DATE SENT: 3/8/2011

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 ([jbbyorni@co.st-joseph.in.us](mailto:jbbyorni@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](mailto:pmgriffin@nisource.com)) (FYI Only)  
Linda M. Martin, Clerk *LM*

FROM: Linda M. Martin, Clerk *LM*

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

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APPLICANT: **Randy Gilleand**

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LOCATION: The North Half of First North/South Alley South of Dayton Street and North of Milton Street, Between Michigan Street and St. Joseph Street

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DATE DUE: **ASAP**

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

**RECOMMENDATIONS AND COMMENTS:**

*I + M Electric has a pole line in this alley. They will retain an easement on the vacated alley. The easement will pre-empt development of a garage within the easement. I + M would charge a hard fee to review the relocation and much more to accomplish it.*

By Carl P. Littrell Date 3/8/11

**From:** Federico Rodriguez  
**To:** Nancy Schrader  
**Date:** 3/8/2011 3:09 PM  
**Subject:** Re: Alley Vacation Recommendation ASAP - Dayton

Denied S.B.F.D.  
The closes hydrant is on the corner of Milton and Michigan if we need water supply for structures at the cross of the alleys.

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

>>> Nancy Schrader 3/8/2011 11:58 AM >>>  
Please provide your recommendation as soon as possible.

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

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**From:** Chris Dressel  
**To:** Nancy Schrader  
**Date:** 3/9/2011 9:14 AM  
**Subject:** Re: Alley Vacation Recommendation ASAP - Dayton  
**Attachments:** Chris Dressel.vcf

**CC:** Jeff Gibney  
I recommend for approval.

Christopher D. Dressel  
Planner  
Bicycle Coordinator  
Weed and Seed Coordinator  
City of South Bend  
Division of Community Development  
1200 County-City Building  
227 W. Jefferson  
South Bend, IN 46601  
Phone: 574-235-5847  
Fax: 574-235-9469  
[cdressel@southbendin.gov](mailto:cdressel@southbendin.gov)

>>> Nancy Schrader 3/8/2011 11:58 AM >>>  
Please provide your recommendation as soon as possible.

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

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**From:** <pmgriffin@NiSource.com>  
**To:** "Nancy Schrader" <NJSCHRAD@southbendin.gov>  
**Date:** 3/8/2011 1:39 PM  
**Subject:** Re: Alley Vacation Recommendation ASAP - Dayton

Nancy,

NIPSCO does not have any gas facilities in this section of alley that is proposed to be vacated. Therefore, no objections.

Thanks,

Phil G.

Philip M. Griffin  
NIPSCO  
Project Engineer II  
Office Phone: 574-284-2214  
Mobile Phone: 574-220-3804  
FAX: 574-284-2220

"Nancy Schrader"  
<NJSCHRAD@southbendin.gov>  
03/08/2011 11:58 AM  
To  
<jbyorni@co.st-joseph.in.us>,  
<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 ASAP  
- Dayton



**From:** Stephen Goen  
**To:** Nancy Schrader  
**Date:** 3/8/2011 1:32 PM  
**Subject:** Re: Alley Vacation Recommendation ASAP - Dayton

approved

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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 3/8/2011 11:58 AM >>>  
Please provide your recommendation as soon as possible.

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

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INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

DATE SENT: 3/8/2011

TO: Andre Price, Solid Waste  
Bob Mathia, Community & Economic Development  
Carl Littrell, Engineering Department  
Chris Dressel, Community & Economic Development  
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John Byorni, Area Plan Commission ([jbyorni@co.st-joseph.in.us](mailto: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](mailto:pmgriffin@nisource.com)) (FYI Only)  
Linda M. Martin, Clerk *LM*

FROM: *LM*

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

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APPLICANT: **Randy Gilleand**

---

LOCATION: The North Half of First North/South Alley South of Dayton Street and North of Milton Street, Between Michigan Street and St. Joseph Street

---

DATE DUE: **ASAP**

---

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

**RECOMMENDATIONS AND COMMENTS:**

I have no objection to this vacation request so long as the needs of adjoining property owners are met.

---

By *Bob Mathia* Date *3/8/11*



INTER-OFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS

DATE SENT: 3/8/2011

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](mailto: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](mailto:pmgriffin@nisource.com)) (FYI Only)  
Linda M. Martin, Clerk *LM*

FROM: Linda M. Martin, Clerk *LM*  
SUBJECT: **REQUEST FOR RECOMMENDATION – ALLEY VACATION**

APPLICANT: **Randy Gilleand** → *OWNS BOTH PARCELS TO WEST & EAST ADJACENT*  
LOCATION: The North Half of First North/South Alley South of Dayton Street and North of Milton Street, Between Michigan Street and St. Joseph Street

DATE DUE: **ASAP**

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

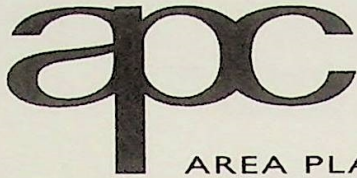
*18-7043 -  
-1683 +  
-1688*

**RECOMMENDATIONS AND COMMENTS:**

*114 DAYTON ST.*

By \_\_\_\_\_ Date \_\_\_\_\_

*S.B., IN  
4663*



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

JOHN W. BYORNI

EXECUTIVE DIRECTOR

LARRY MAGLIOZZI

DEPUTY DIRECTOR

227 W. JEFFERSON BLVD. ROOM 1140 COUNTY-CITY BLDG. SOUTH BEND, INDIANA 46601 (574) 235-9571

March 10, 2011

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

**RE: Alley Vacation**  
**Applicant: Randy Gilleand**  
**Vacation of the North Half of the First North/South Alley South of Dayton Street**  
**and North of Milton Street between Michigan Street and St. Joseph 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.

The petitioner requesting the vacation currently owns both the adjacent parcels to the west and east of the alley to be vacated and plans to construct a detached garage adjacent to or within the vacated area. Due to this ownership and construction of the proposed garage, the proposed alley vacation would not restrict any future growth or development of the adjacent lots or neighborhood.

- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.

Access to the adjacent properties to the west and east will not be restricted since they are both owned by the petitioner. The vacation will essentially make the existing public alley a private drive for the petitioner. In addition, access for public services within the neighborhood (*garbage and recycling collection, etc*) will be maintained via the north-south and east-west alleys located to the south.

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

The alley to be vacated does not provide access to any church, school, or public building or place.

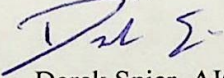
- (4) The vacation *would not* hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

The use of all adjacent public ways will not be hindered by the vacation of this alley. The north-south and east-west alleys located to the south will continue to provide access to any adjacent rear yard garages and for public services.

Due to the above stated reasons, the staff recommends that the proposed alley vacation be approved.

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

Sincerely,



Derek Spier, AICP  
Planner