

ALLEY VACATION 10144-12
Status Vacated

Date 2/24/2012

Description: Several Alleys, Portions of Alleys and
Portions of Due Street, Burns Street, Georgiana Street
and St. Vincent Street

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



10144-12
10183-12
PHONE 574/235-9251
FAX 574/235-9171

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
BOARD OF PUBLIC WORKS

0

June 10, 2014

Mr. Michael J. Danch
Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, IN 46628

RE: Utility Easement Release – Two (2) Twelve Ft. wide vacated alleys bounded by Napoleon Street, Duey Street, Georgiana Street, and a Dedicated Alley

Dear Mr. Danch:

The Board of Public Works, at its meeting held on June 10, 2014, approved the Release of the Utility Easements for the above locations.

If you have any further questions regarding this matter, please call this office at (574) 235-9251.

Sincerely,

Linda M. Martin, Clerk



INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING

TO: Linda Martin, Clerk Board of Works
FROM: Tony Molnar
SUBJECT: Release of easements
DATE: October 24, 2013

Please find attached a map showing two stub alleys that are in the process of being vacated. As you know when an alley is vacated the utility easement remains and each utility has to release the easement so the property owner can use the vacated land. The City has no sewer or water mains in the vacated alleys so I would recommend that the Board release the easements from the two alleys.

If you have any questions, please let me know.

Thanks,

Tony



Danch, Harner & Associates, Inc.

MICHAEL J. DANCH, L.A.
RON HARNER, P.S.

Land Surveyors ■ Professional Engineers
Landscape Architects ■ Land Planners

October 17, 2013

Mr. Michael Mecham, PE
City of South Bend Engineer
13th Floor County-City Building
South Bend, Indiana 46601

RECEIVED
OCT 25 2013
CITY OF SOUTH BEND
DIV. OF ENGINEERING

RE: Release of Utility Easement Rights for 2 (Two) 12 ft. wide vacated alleys bounded by Napoleon Street, Duey Street, Georgiana Street, and a dedicated alley, all in the City of South Bend, Indiana:

Dear Mr. Mecham;

Please accept this letter as our firm's written request on behalf of our client, University of Notre Dame, to have your company/department make a field inspection of 2 (two) 12 ft. wide vacated Public Alleys in the area bounded by Napoleon Street on the North, Duey Street on the East and Georgiana Street on the West and a dedicated Alley on the South. The University of Notre Dame is in the process of developing the property for Townhomes. For your convenience we have attached a diagram. We have highlighted in yellow on that plan the Vacated alleys we are requesting release of your easements rights over. The release of the easement rights will allow the University of Notre Dame to develop the property into single-family attached Townhomes. We have highlighted on the Subdivision those Vacated Public Alleys we are requesting a release of easement rights over.

The building permit procedure requires that any right-of-ways be cleared of any potential easement rights, if a structure is to be placed over the vacated right-of-way. This process requires that we receive a written verification from each Utility Company confirming that there are no existing utility lines in the highlighted Vacated Alleys and the Utility Company releases any easements rights in said Right-of-way areas.

We would appreciate that once a field inspection or a check of your utility line location records is completed, that you would send written verification on your letterhead to us, stating that you have no utility lines in the highlighted Vacated Public Alleys and that your Company releases any easements rights in said areas.

If you have any questions concerning this matter, please feel free to give me a call at (574) 234-4003.

Sincerely,

Michael J. Danch
President
Danch, Harner & Associates, Inc.

File No. 130155

APPROVED
Board of Public Works

JUN 10 2015
Yours truly,
[Signature]
[Signature]
9414
[Signature]

Linda Martin

From: Ed Herman
Sent: Tuesday, June 03, 2014 12:14 PM
To: Linda Martin
Subject: RE: Release of utility easement

No issues. Thanks

From: Linda Martin
Sent: Tuesday, June 03, 2014 11:07 AM
To: Ed Herman
Cc: Lee Bene
Subject: FW: Release of utility easement

Ed – Please review the attached and let me know if you have any issues.

Thanks.

Linda



Linda Martin
Executive Assistant and Director
of Special Projects
Clerk of the Boards
(574) 235-9253
lmartin@southbendin.gov
City of South Bend
227 W. Jefferson Blvd., Ste. 1316
South Bend, IN 46601



From: SouthBend
Sent: Tuesday, June 03, 2014 12:15 PM
To: Linda Martin
Subject: Message from 45C-5

with - 10144-12



Office of the City Clerk

John Voorde, City Clerk

November 9, 2012

MEMORANDUM

TO: Area Plan Commission
 Board of Public Works/Engineering Dept.
 Building Department
 Fire Department
 Northern Indiana Public Service Company – Phil Griffin
 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. 10183-12 for the vacation of the following property:

A BILL TO CORRECT THE LEGAL DESCRIPTION IN ORDINANCE 10144-12, WHICH VACATED THE FOLLOWING DESCRIBED PROPERTY: SEVERAL ALLEYS, PORTIONS OF ALLEYS AND PORTIONS OF DUEY STREET, BURNS STREET, GEORGIANA STREET AND ST. VINCENT STREET

are closed and this area is vacated.

cc: South Bend Community School Corporation Transportation Dept.



Office of the City Clerk

John Voorde, City Clerk

February 24, 2012

MEMORANDUM

TO: Area Plan Commission
Board of Public Works/Engineering Dept.
Building Department
Fire Department
Northern Indiana Public Service Company – Phil Griffin
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. 10144-12 for the vacation of the following property:

SEVERAL ALLEYS, PORTIONS OF ALLEYS AND PORTIONS OF DUEY STREET, BURNS STREET, GEORGIANA STREET AND ST. VINCENT STREET

are closed and this area is vacated.

cc: South Bend Community School Corporation
Transportation Department

ORDINANCE NO. 10144-12

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: SEVERAL ALLEYS, PORTIONS OF ALLEYS AND PORTIONS OF DUEY STREET, BURNS STREET, GEORGIANA STREET AND ST. VINCENT STREET

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 first street to be vacated is a portion of Georgiana Street from the first East/West alley North of South Bend Avenue (SR 23) for a distance of 192 feet and a width of 50 feet. The second street to be vacated is a portion of Burns Street from the North right of way line of South Bend Avenue for a distance of 296 feet and a width of 50 feet. The third street to be vacated is a portion of Duey Street from the North right of way line of South Bend Avenue for a distance of 417 feet and a width of 50 feet. The forth and final street to be vacated is a portion of St. Vincent Street from the East right of way line of Burns Street to the West right of way line of Duey Street for a distance of 248 feet and a width of 50 feet. Georgiana Street, Burns Street, St. Vincent Street and the West half of Duey Street are all a part of Hartman and Miller's Addition, Portage Township, City of South Bend, St Joseph County, Indiana. The East half of Duey Street is a part of Hartman and Woodsworth's Plat, Portage Township, City of South Bend, St Joseph County, Indiana.

The first alley to be vacated is the first East/West alley North of South Bend Avenue (SR 23) from Georgiana Street West to the East right of way of the first North/South alley West of Georgiana Street for a distance of 118 feet and a width of 12 feet. The second alley to be vacated is the first East/West alley North of South Bend Avenue from Burns Street West a distance of 130 feet to the first North/South alley West of said Burns Street and a width of 10 feet. The third alley to be vacated is the first North/South alley West of Burns Street from the first East/West alley North of South Bend Avenue a distance of 54 feet and a width of 12 feet. The fourth alley to be vacated is the first North/South alley East of Burns Street from the North right of way line of South Bend Avenue North to the South right of way of St Vincent Street for a distance of 266 feet and a width of 12 feet.

The fifth alley to be vacated is the first East/West alley North of South Bend Avenue from Duey Street to the first North/South alley West of Duey Street for a distance of 118 feet and a width of 12 feet. The sixth alley to be vacated is the first North/South alley West of Duey Street from St Vincent Street North for a distance of 220 feet and a width of 12 feet. The seventh alley to be vacated is the first East/West alley North of South Bend Avenue from Duey Street East to the first North/South alley East of Duey Street for a distance of 118 feet and a width of 12 feet. The eighth and final alley to be vacated is the first North/South alley East of Duey Street from the North right of way line of South Bend Avenue North 202 feet to the first East/West alley North of South Bend Avenue and a width of 12 feet.

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:

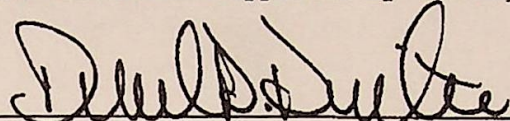
Tax Key Numbers:

018-5099-3519	018-5099-3550	018-5099-3505	018-5099-3496
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018-5099-3517	018-5097-3447	018-5099-3512	018-5100-3539
018-5099-3508	018-5097-3446	018-5099-3505	018-5099-3596
018-5099-3509	018-5097-3445	018-5099-3510	018-5099-3510.01
018-5099-3506	018-5099-3497	018-5099-3514	018-5100-3544
018-5099-3504	018-5099-3493	018-5100-3541	018-5100-3538
018-5099-3502	018-5099-3489	018-5100-3535	018-5100-3542
018-5099-3523	018-5099-3500	018-5100-3545	018-5100-3548
018-5099-3523	018-5099-3487	018-5100-3551	018-5099-3578
018-5099-3524	018-5099-3549	018-5099-3488	018-5097-3448
018-5098-3472	018-5097-3449	018-5097-3449	018-5097-3451
018-5098-3474	018-5097-3452	018-5097-3435	018-5097-3433
018-5098-3476	018-5097-3431	018-5098-3469	018-5098-3471
018-5099-3507	018-5098-3473	018-5098-3475	018-5098-3477.01
018-5099-3518	018-5098-3467	018-5098-3481	018-5098-3482
018-5099-3517	018-5098-3483	018-5101-3565	018-5101-3568
018-5099-3508	018-5101-3571	018-5101-3574	018-5101-3577
018-5099-3509	018-5098-3456	018-5098-3458	018-5098-3460
018-5098-3462	018-5098-3464	018-5098-3466	018-5098-3468
018-5098-3470	018-5101-3566	018-5101-3569	018-5101-3572
018-5101-3575	018-5099-3491	018-5099-3495	018-5099-3498
018-5099-3503.01	018-5099-3520	018-5099-3521	018-5099-3492
018-5100-3546	018-5100-3543	018-5100-3540	018-5100-3537

018-5100-3547	018-5100-3544	018-5100-3541	018-5100-3538
018-5100-3535	018-5100-3532	018-5100-3529	018-5100-3526
018-5100-3527	018-5100-3530	018-5100-3533	018-5097-3422
018-5097-3428	018-5097-3423	018-5098-3484	018-5098-3485
018-5098-3486	018-5094-3315	018-5094-3316	018-5094-3317
018-5094-3318	018-5094-3319	018-5094-3326	018-5095-3331
018-5095-3332	018-5095-3333	018-5095-3334	018-5095-3335
018-5095-3336	018-5095-3337	018-5095-3340	018-5095-3339
018-5095-3338	018-5095-3344	018-5095-3345	018-5095-3346
018-5095-3347	018-5095-3348	018-5095-3349	018-5095-3350
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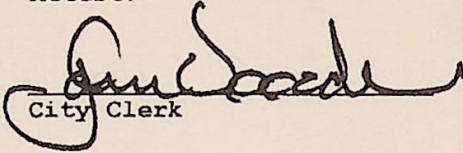
SECTION IV. The purpose of the vacation of the real property is to allow for the future development of the single-family homes within a new residential Planned Unit Development project.

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.



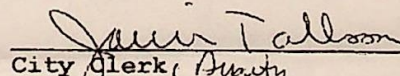
 Member of the Common Council

Attest:



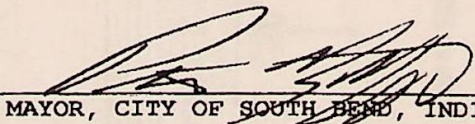
 City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the 10th day of January, 2012, at 10:05 o'clock A. M.



 City Clerk, Deputy

Approved and signed by me on the 10th day of January, 2012, at o'clock 2.M. 41



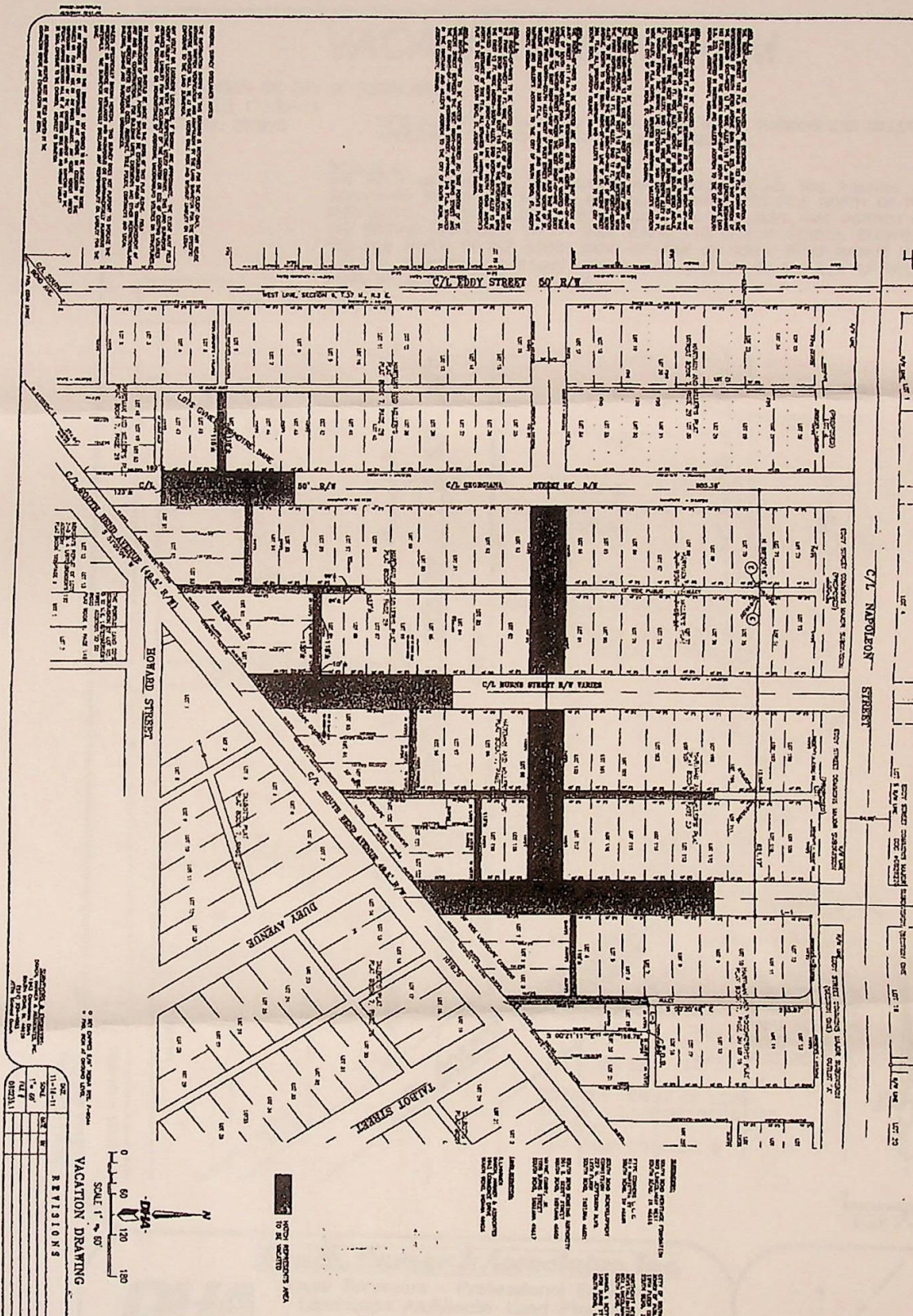
 MAYOR, CITY OF SOUTH BEND, INDIANA

Filed in Clerk's Office
 DEC - 7 2011
 JOHN MOORE
 CITY CLERK, SOUTH BEND, IN

1st READING 12-12-11
 PUBLIC HEARING 1-9-12
 3rd READING 1-9-12
 NOT APPROVED
 REFERRED
 PASSED 1-9-12

THE TRIANGLE VACATION EXHIBIT

A PART OF THE NORTHERN QUARTER OF SECTION 8, T27 N. R3 E.
CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA



...of the City of South Bend, Indiana, and the Board of Commissioners of the City of South Bend, Indiana, do hereby certify that the above described property is a part of the Northern Quarter of Section 8, Township 27 North, Range 3 East, County of St. Joseph, Indiana, and that the same is subject to the provisions of the Vacation Act of the State of Indiana, and that the same is being offered for vacation to the public under the provisions of said Act.

...of the City of South Bend, Indiana, and the Board of Commissioners of the City of South Bend, Indiana, do hereby certify that the above described property is a part of the Northern Quarter of Section 8, Township 27 North, Range 3 East, County of St. Joseph, Indiana, and that the same is subject to the provisions of the Vacation Act of the State of Indiana, and that the same is being offered for vacation to the public under the provisions of said Act.

REVISIONS

NO.	DATE	DESCRIPTION
1	11/14/11	PRELIMINARY
2	1/14/12	REVISED
3	1/14/12	REVISED
4	1/14/12	REVISED
5	1/14/12	REVISED
6	1/14/12	REVISED
7	1/14/12	REVISED
8	1/14/12	REVISED
9	1/14/12	REVISED
10	1/14/12	REVISED

DHA
March, Monroe & Associates, Inc.
 Lead Surveyors - Professional Engineers
 Landscape Architects - Lead Planners

VACATION DIAGRAM

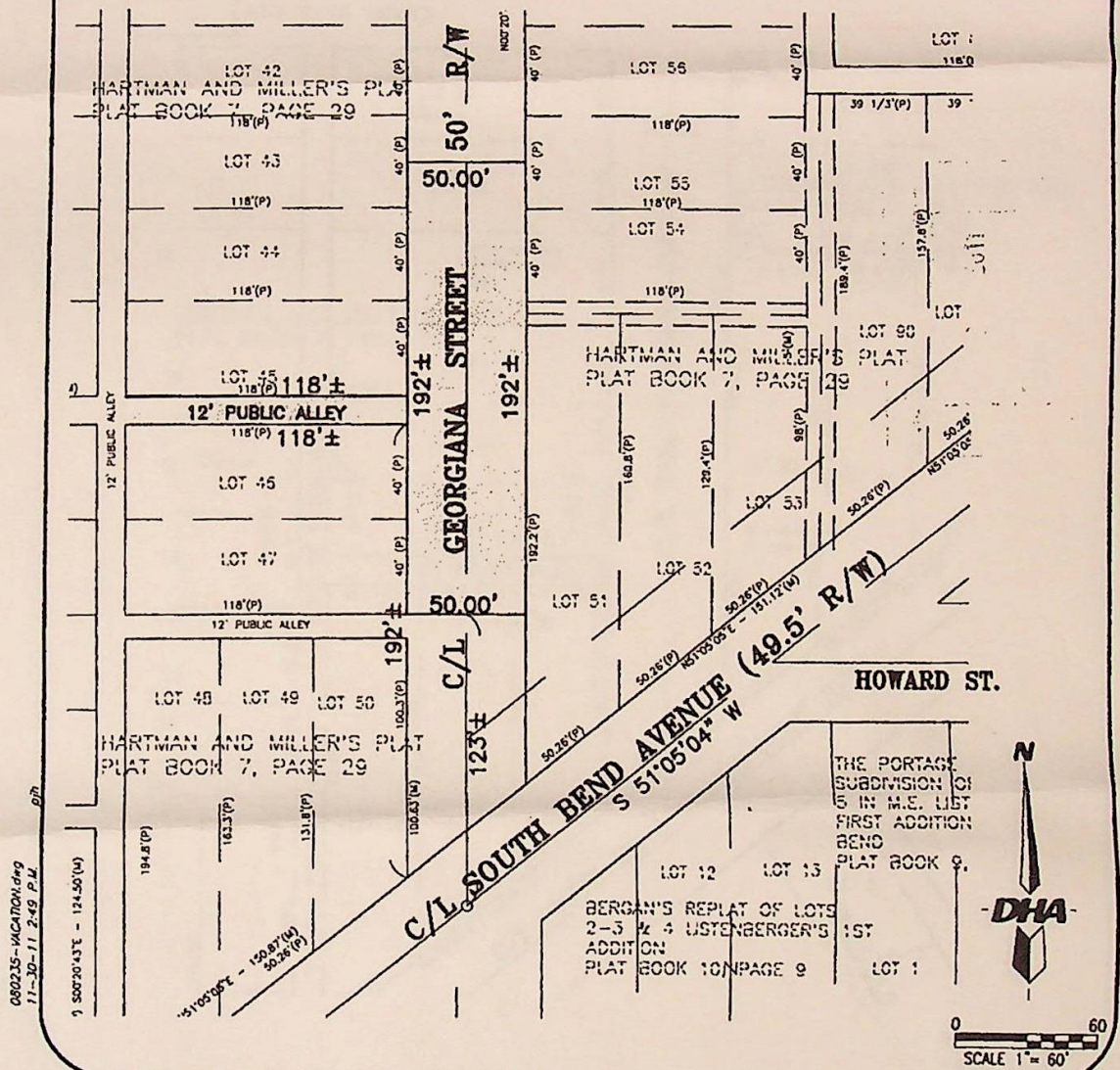
SURVEY ORDERED BY: CITY OF SOUTH BEND
 SURVEY DATED: 11-30-11
 PROJECT NO.: 080235

LOTS 43-47, 50, 51, 54 & 55 INCLUSIVE IN THE HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA.

AREA # 1:

THE RIGHT-OF-WAYS TO BE VACATED ARE DESCRIBED AS: THE PORTION OF GEORGIANNA STREET 192 FT.± IN LENGTH, BEGINNING 123 FT.± NORTH OF THE INTERSECTION OF SOUTH BEND AVENUE (AKA S.R. 23). ALSO THAT PORTION OF THE SECOND EAST-WEST 12 FT. WIDE ALLEY, 118 FT.± IN LENGTH, BEGINNING 192 FT.± NORTH OF THE NORTH RIGHT-OF-WAY OF SOUTH BEND AVENUE (AKA S.R. 23), SITUATED IN HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

AREA TO BE VACATED



080235-VACATION.dwg
11-30-11 2:49 P.M.

Danch, Harner & Associates, Inc.



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

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VACATION DIAGRAM

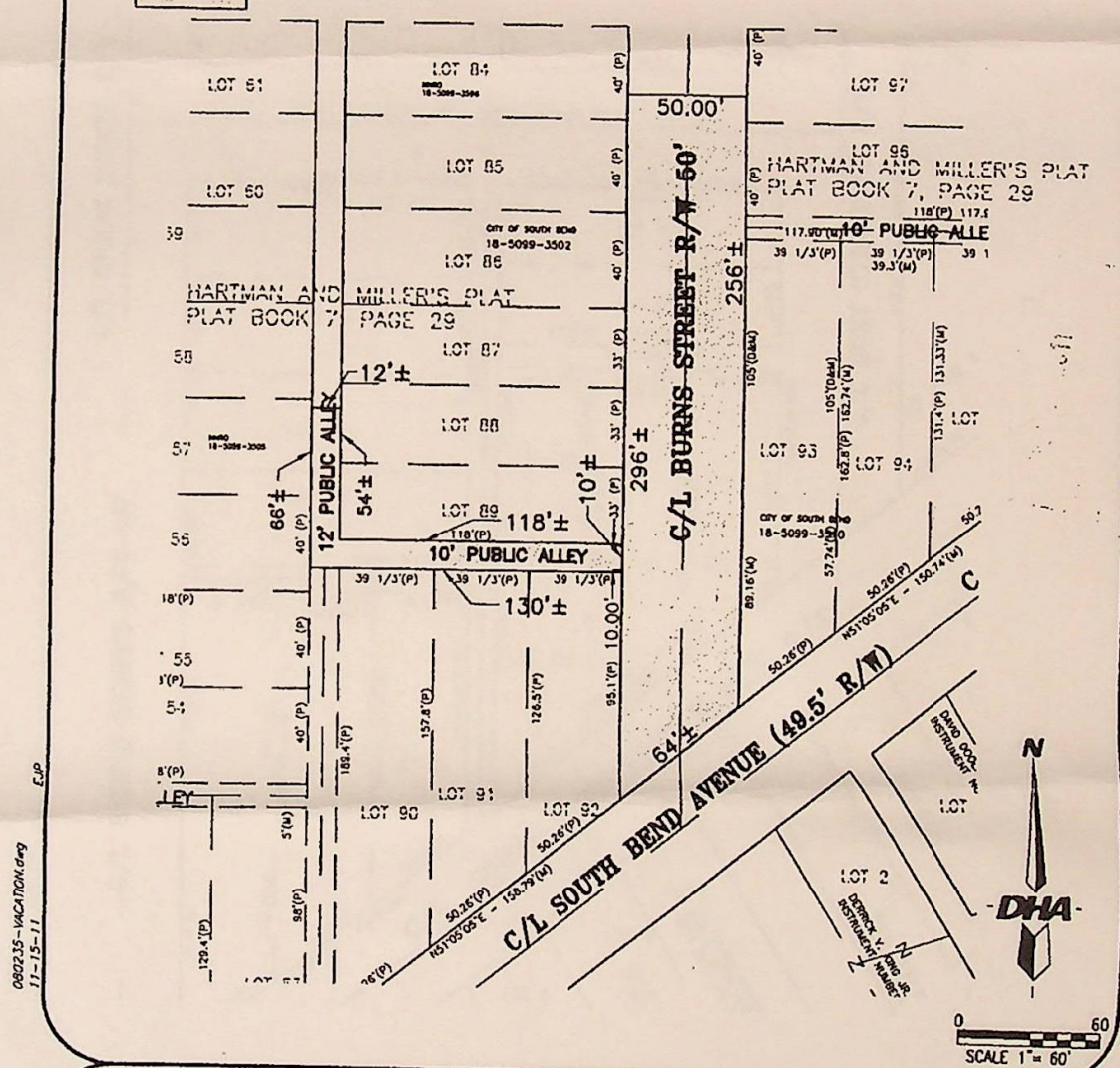
SURVEY ORDERED BY: CITY OF SOUTH BEND
 SURVEY DATED: 11-15-11
 PROJECT NO.: 080235

LOTS 56 & 57, 84-93, 96 & 97 INCLUSIVE IN THE HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA.

AREA # 2:

THE RIGHT-OF-WAYS TO BE VACATED ARE DESCRIBED AS: THE PORTION OF BURNS STREET 276 FT.± IN LENGTH, BEGINNING AT THE NORTH RIGHT-OF-WAY LINE OF SOUTH BEND AVENUE (AKA S.R. 23). ALSO TO BE VACATED, IS THE FIRST EAST-WEST 10 FT. WIDE ALLEY, NORTH OF SAID SOUTH BEND AVENUE, EXTENDING FROM THE WEST RIGHT-OF-WAY LINE OF BURNS STREET TO A 12 FT. WIDE, NORTH-SOUTH ALLEY. SAID 12 FT. WIDE NORTH-SOUTH ALLEY IS TO BE VACATED FROM THE SOUTH LINE EXTENDED OF SAID EAST-WEST 10 FT. WIDE ALLEY, 66 FT.± NORTH, ALL SITUATED IN HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

AREA TO BE VACATED



080235-VACATION.dwg
11-15-11
EJP

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

DHA

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 1643 Commerce Drive • South Bend, IN 46628

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VACATION DIAGRAM

SURVEY ORDERED BY: CITY OF SOUTH BEND

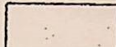
SURVEY DATED: 11-15-11

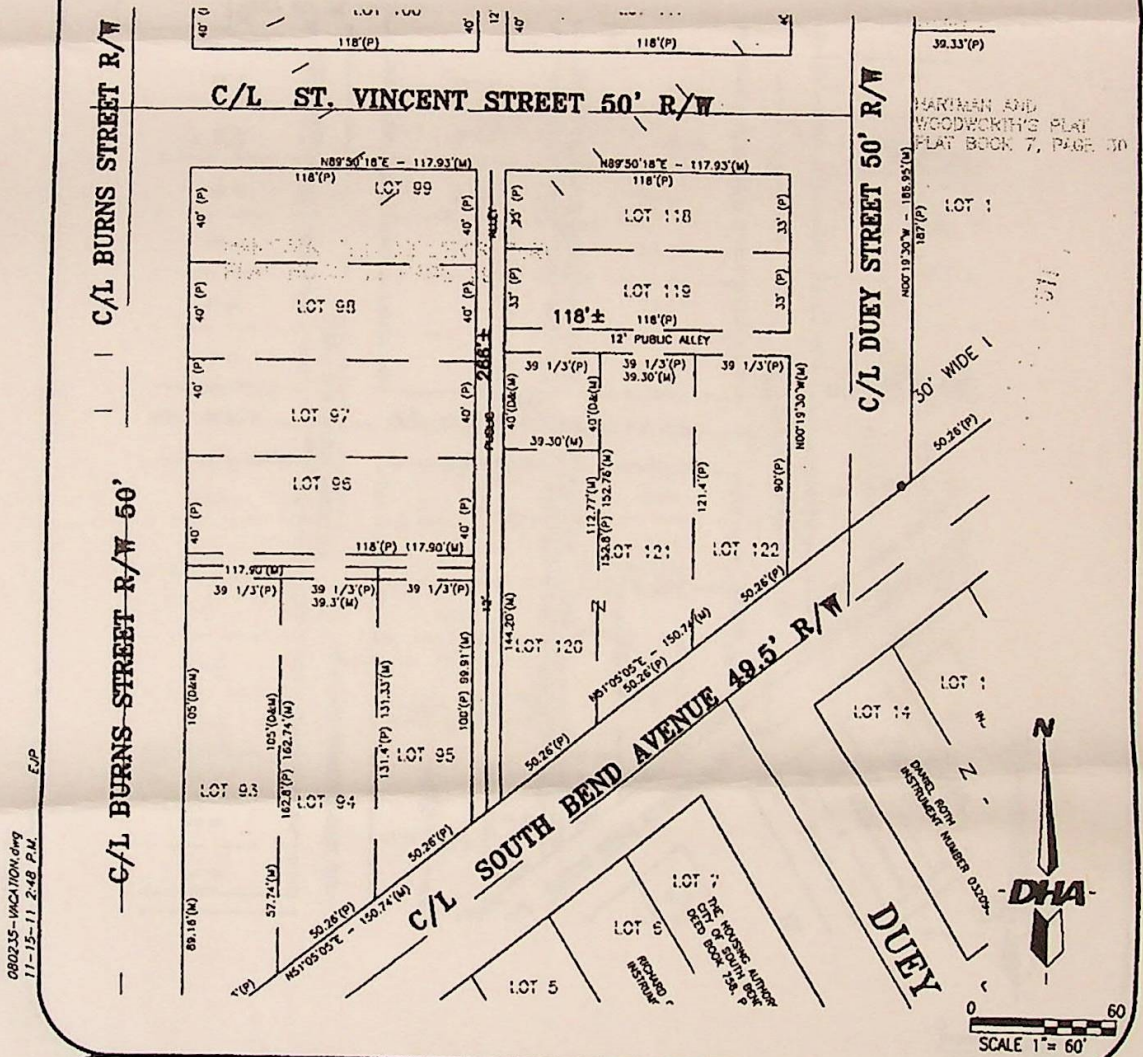
PROJECT NO.: 080235

LOTS 95-99, 118-122 INCLUSIVE IN THE HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA.

AREA # 3:

THE RIGHT-OF-WAYS TO BE VACATED ARE DESCRIBED AS: THAT PORTION OF THE FIRST EAST-WEST 12 FT. WIDE ALLEY, WEST OF DUEY STREET AND NORTH OF SOUTH BEND AVENUE, RUNNING WEST 118 FT.± TO THE INTERSECTION WITH THE FIRST NORTH-SOUTH 12 FT. WIDE ALLEY. SAID 12 FT. WIDE NORTH-SOUTH ALLEY TO BE VACATED FROM THE NORTH RIGHT-OF-WAY LINE OF SOUTH BEND AVENUE, NORTH TO THE SOUTH RIGHT-OF-WAY LINE OF ST. VINCENT STREET 266 FT.±. ALL SITUATED IN HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

 AREA TO BE VACATED



080235-VACATION.dwg
11-15-11 2:48 P.M.
EJP

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

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 1643 Commerce Drive • South Bend, IN 46628

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VACATION DIAGRAM

SURVEY ORDERED BY: CITY OF SOUTH BEND

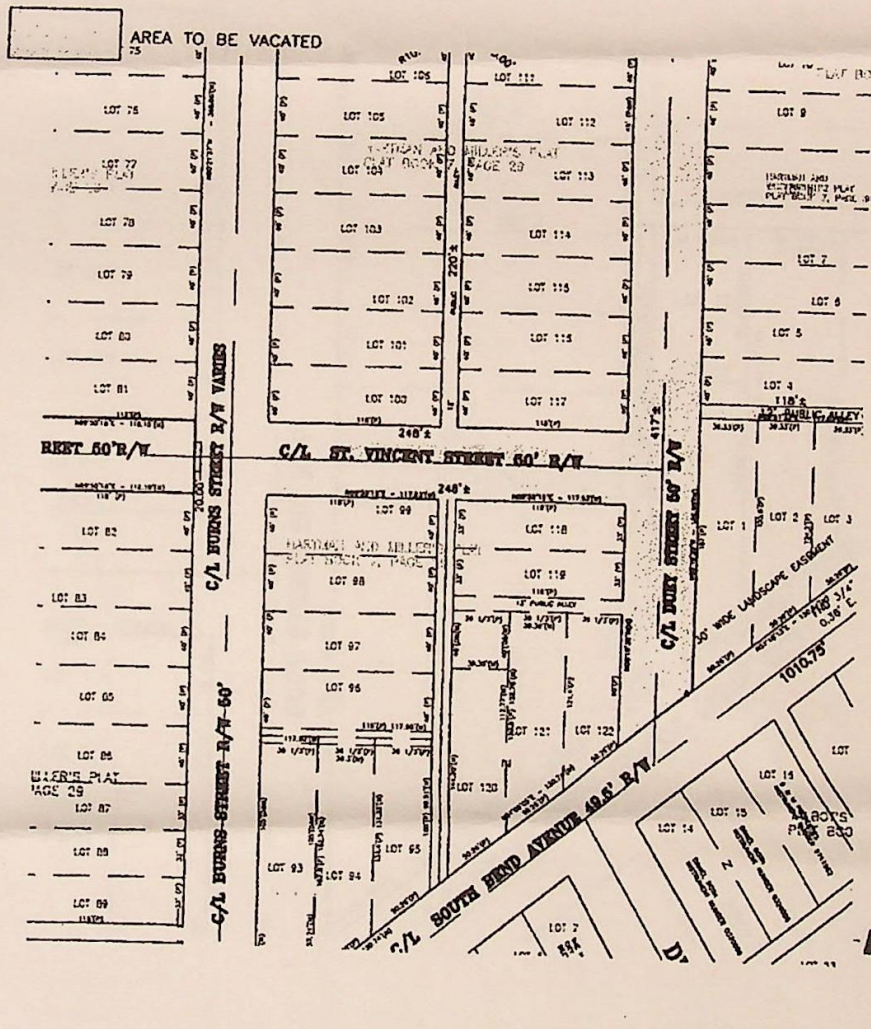
SURVEY DATED: 11-15-11

PROJECT NO.: 080235

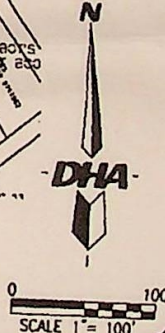
LOTS 1 & 4-9 OF HARTMAN AND WOODWORTHS PLAT & LOTS 99, 100, 112-119 & 122 INCLUSIVE IN THE HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA.

AREA # 4:

THE RIGHT-OF-WAYS TO BE VACATED ARE DESCRIBED AS: THAT PORTION OF DUEY STREET 417 FT.± IN LENGTH, BEGINNING AT THE NORTH RIGHT-OF-WAY LINE OF SOUTH BEND AVENUE (AKA S.R. 23). ALSO TO BE VACATED IS THAT PORTION OF ST. VINCENT STREET BETWEEN THE WEST RIGHT-OF-WAY OF DUEY STREET AND THE EAST RIGHT-OF-WAY OF BURNS STREET. ALSO THAT PORTION OF THE FIRST NORTH-SOUTH ALLEY WEST OF DUEY STREET AND NORTH OF ST. VINCENT STREET NORTH 220 FT.±, IN HARTMAN AND WOODSWORTH'S PLAT & HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.



080235-VACATION.dwg
11-15-11 10:11 A.M.
EJP



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

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VACATION DIAGRAM

SURVEY ORDERED BY: CITY OF SOUTH BEND

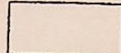
SURVEY DATED: 11-15-11

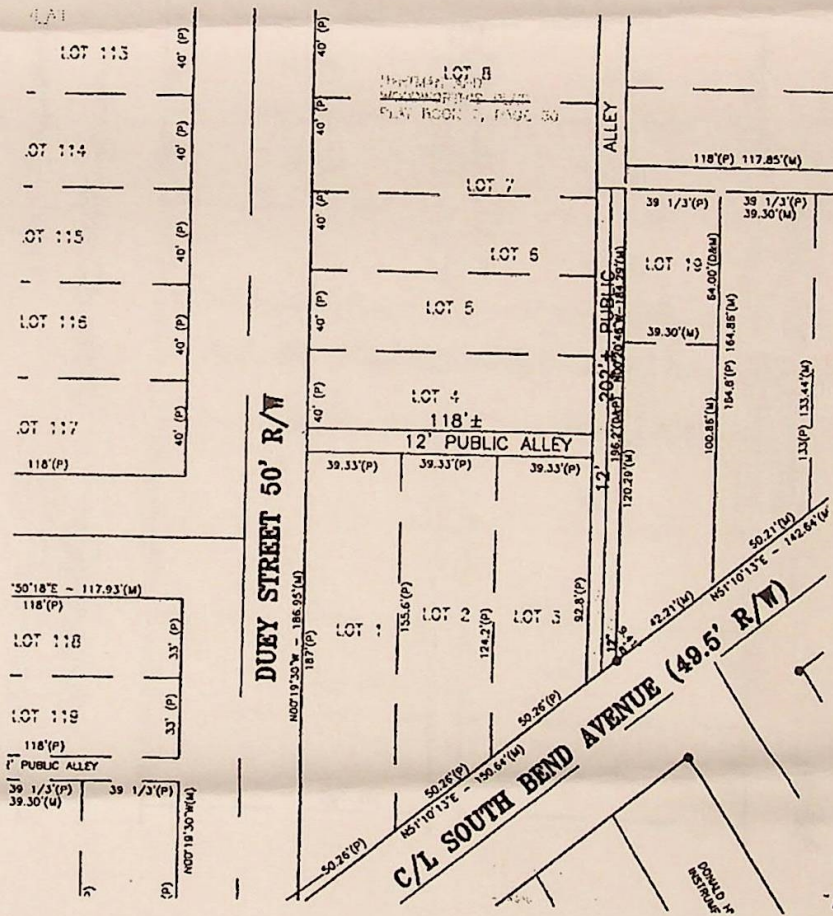
PROJECT NO.: 080235

LOTS 1-7, 19 INCLUSIVE IN THE HARTMAN AND WOODWORTHS PLAT TO THE CITY OF SOUTH BEND, INDIANA.

AREA # 5:

THE RIGHT-OF-WAYS TO BE VACATED ARE DESCRIBED AS: THAT PORTION OF THE FIRST EAST-WEST 12 FT. WIDE ALLEY EAST OF DUEY STREET AND NORTH OF SOUTH BEND AVENUE RUNNING EAST 118 FT.± TO THE INTERSECTION WITH THE FIRST 12 FT. WIDE NORTH-SOUTH ALLEY. SAID NORTH-SOUTH ALLEY TO BE VACATED FROM THE NORTH RIGHT-OF-WAY LINE OF SOUTH BEND AVENUE NORTH A DISTANCE OF 202 FT.±. ALL SITUATED IN HARTMAN AND WOODWORTH'S PLAT TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

 AREA TO BE VACATED



080235-VACATION.dwg
11-15-11 1:49 P.M. EJP



0 100
SCALE 1" = 100'

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

SURVEY ORDERED BY: CITY OF SOUTH BEND

SURVEY DATED: 11-15-11

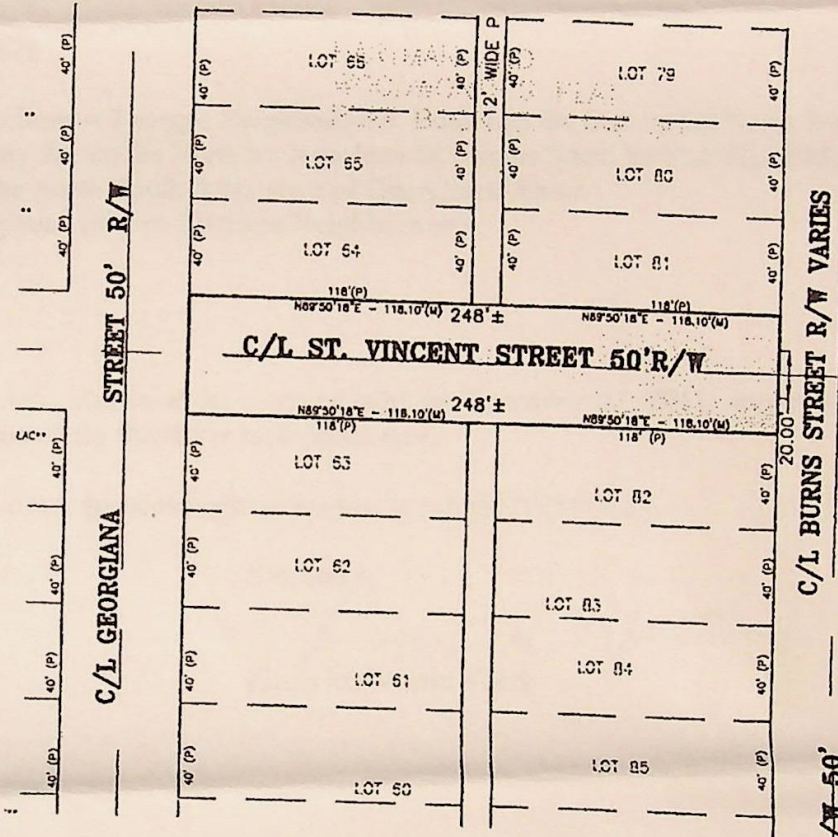
PROJECT NO.: 080235

LOTS 63-64, 81-82 INCLUSIVE IN THE HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, INDIANA.

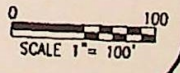
AREA # 8:

THE RIGHT-OF-WAY TO BE VACATED IS DESCRIBED AS: THAT PORTION OF ST. VINCENT STREET BETWEEN THE WEST RIGHT-OF-WAY OF BURNS STREET AND THE EAST RIGHT-OF-WAY OF GEORGIANA STREET, APPROX. 248 FT. ±, SITUATED IN THE HARTMAN AND MILLER'S ADDITION TO THE CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA.

AREA TO BE VACATED



080235-VACATION.dwg
11-15-11 2:27 P.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

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6 / 6

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



PHONE 574/235-9251
FAX 574/235-9171

CITY OF SOUTH BEND STEPHEN J. LUECKE, MAYOR
BOARD OF PUBLIC WORKS

December 22, 2011

Ms. Pam Horvath
Danch Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628

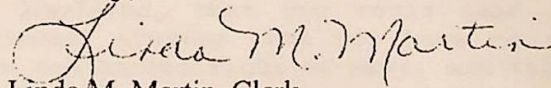
RE: City Easement Release – Triangle Neighborhood, Bound on the East by the North-South Alley East of Duey St.; on the North by Napoleon St.; on the South by State Road 23; and on the West by the North-South Alley west of Georgianna Street
Purpose: Development of New Triangle Neighborhood

Dear Ms. Horvath:

The Board of Public Works, at its meeting held on December 22, 2011, approved the Release of all City Easements for the above referenced area.

If you should have any questions, please contact me at (574) 235-9251.

Sincerely,


Linda M. Martin, Clerk

c: Tony Molnar, Engineering



Danch, Harner & Associates, Inc.

MICHAEL J. DANCH, L.A.
RON HARNER, P.S.

Land Surveyors ■ Professional Engineers
Landscape Architects ■ Land Planners

December 2, 2011

Ms. Linda Martin
Board of Public Works Secretary
13th Floor County-City Building
South Bend, Indiana 46601

RECEIVED

DEC 07 2011

CITY OF SOUTH BEND
DIV. OF ENGINEERING

Dear Linda;

Please accept this letter as our firm's written request on behalf of our clients, South Bend Redevelopment Commission and the City of South Bend, to have your Company/Department make a field inspection of the Vacation areas shown on the attached diagram. Our clients will be vacating the rights-of-way within the shown project boundary in order to allow for the construction of a New Housing Development later to be known as "The Triangle" Major Subdivision. We are doing this project in conjunction with the City of South Bend and the South Bend Community and Economic Development Department.

Attached for your convenience is a copy of the area that we will require a release of easements rights within. The area is bounded on the east by the north-south alley east of Duey Street, on the north by Napoleon Street, on the south by State Road 23 (aka South Bend Avenue) and on the west by the north-south alley west of Georgianna Street. This is the boundary of the proposed The Triangle. In order to construct buildings over the proposed vacated right-of-ways, the owners must acquire the easement release rights to said vacated rights-of-ways.

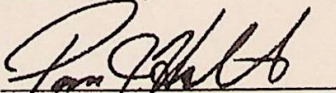
The building permit/minor subdivision procedure also requires that any right-of-ways and or easements be cleared of any potential easement rights, if a structure is to be placed over the vacated right-of-way/easement area. This process requires that we receive a written verification letter from each utility company confirming that there are no utility lines in the proposed vacated right-of-ways and that the Utility Company releases any easements rights in said right-of-way areas.

We would appreciate that once a field inspection or a check of your utility line location records is completed, that you would send to us, written verification on your letterhead, stating that you have no utility lines in the proposed Vacated Alleys and Street right-of-ways, and that your company releases any easements in said area.

If there are any costs involved with relocation of any existing utility lines, please inform us of those estimated costs on a separate letter, so that we may notify the City of South Bend and the owner of those amounts as soon as possible.

If you have any questions concerning this matter, please feel free to give me a call at (574) 234-4003.

Sincerely,

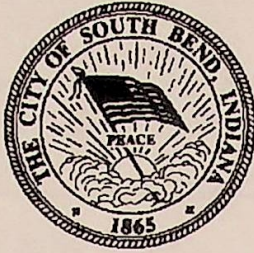

Pam J. Horvath

Danch, Harner & Associates, Inc
File No. 080235.1 The Triangle

APPROVED
Board of Public Works

DEC 22 2011



INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING

TO: Linda Martin, Clerk Board of Works

FROM: Tony Molnar

SUBJECT: ~~Vacation of various streets and alleys~~ *City Easement Release*

DATE: December 14, 2011

As you know, the City of South Bend is in the process of developing the "Triangle" Subdivision at Five Points. In order to do this development various streets and alleys will be vacated (see attached map) so that a new street pattern can be constructed. Once the streets and alleys are vacated the utility easements will need to be released so that the streets can be relocated. The existing sanitary sewer and water mains that the City has in the area have already been relocated or will be relocated as part of the construction of the subdivision.

It is therefore recommended that the Board release the easements in all of the right of ways on the site for the Triangle Subdivision.

If you have any questions, please let me know.

Thanks,

Tony

**BOARD OF PUBLIC WORKS
AGENDA ITEM REVIEW REQUEST FORM**

Date 12/14/11 Department Engineering
 BPW Date 1/22/12 Phone 9254
 Name Tony Molnar

Required Prior to Submittal to Board

Legal Attorney Name
 Controller Controller review is required for all Contracts \$5,000.00 or more and greater than one year in length per the City Purchasing Policy
 Purchasing

Check the Appropriate Item Type – Required for All Submissions

<input type="checkbox"/> Agreement	<input type="checkbox"/> Contract	<input type="checkbox"/> Proposal	<input type="checkbox"/> Addendum
<input type="checkbox"/> Claim			
<input type="checkbox"/> Bid Opening	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Req. to Advertise	<input type="checkbox"/> Title Sheet
<input type="checkbox"/> Quote Opening	<input type="checkbox"/> Quote Award		
<input type="checkbox"/> Chg Order No. _____	<input type="checkbox"/> C/O & PCA No. _____	<input type="checkbox"/> PCA	
<input type="checkbox"/> Ease./Encroach.	<input type="checkbox"/> Traffic Control	<input type="checkbox"/> Resolution	
<input type="checkbox"/> Other: Easement release for Triangle Subdivision.			

Required Information

Company or Vendor Name	
New Vendor	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, Approved by Purchasing
MBE/WBE Contractor	<input type="checkbox"/> MBE <input type="checkbox"/> WBE
Project Name	
Project Number	
Funding Source	
Account No.	
Amount	\$ _____
Terms of Contract	
Purpose/Description	_____

For Change Orders Only

Amount of	<input type="checkbox"/> Increase	\$ _____
	<input type="checkbox"/> Decrease	\$ _____
Previous Amount		\$ _____
Current Percent of Change:		% _____
New Amount		\$ _____
Total Percent of Change:		% _____
PO No.		

Dispersal After Approval

Copy	Original	
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____