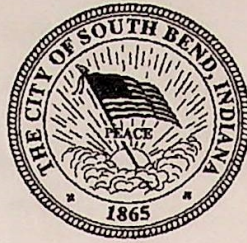


ALLEY VACATION 10213-13
Status Vacated

Date 3/22/2013

Description: 160.39' of the Right of way on the East
Side of Niles Avenue at the intersection of Jefferson
Boulevard and Niles Avenue



Office of the City Clerk

John Voorde, City Clerk

March 22, 2013

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: Janice Talboom, Deputy City Clerk

All proceedings with reference to Ordinance No. 10216-13 for the vacation of the following property:

A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: 160.39' OF THE RIGHT-OF-WAY ON THE EAST SIDE OF NILES AVENUE AT THE INTERSECTION OF JEFFERSON BOULEVARD AND NILES AVENUE

are closed and this area is vacated.

cc: South Bend Community School Corporation Transportation Dept.

10016-13

EXHIBIT "B"

RIGHT-OF-WAY VACATION PLAT

SHEET 1 OF 1

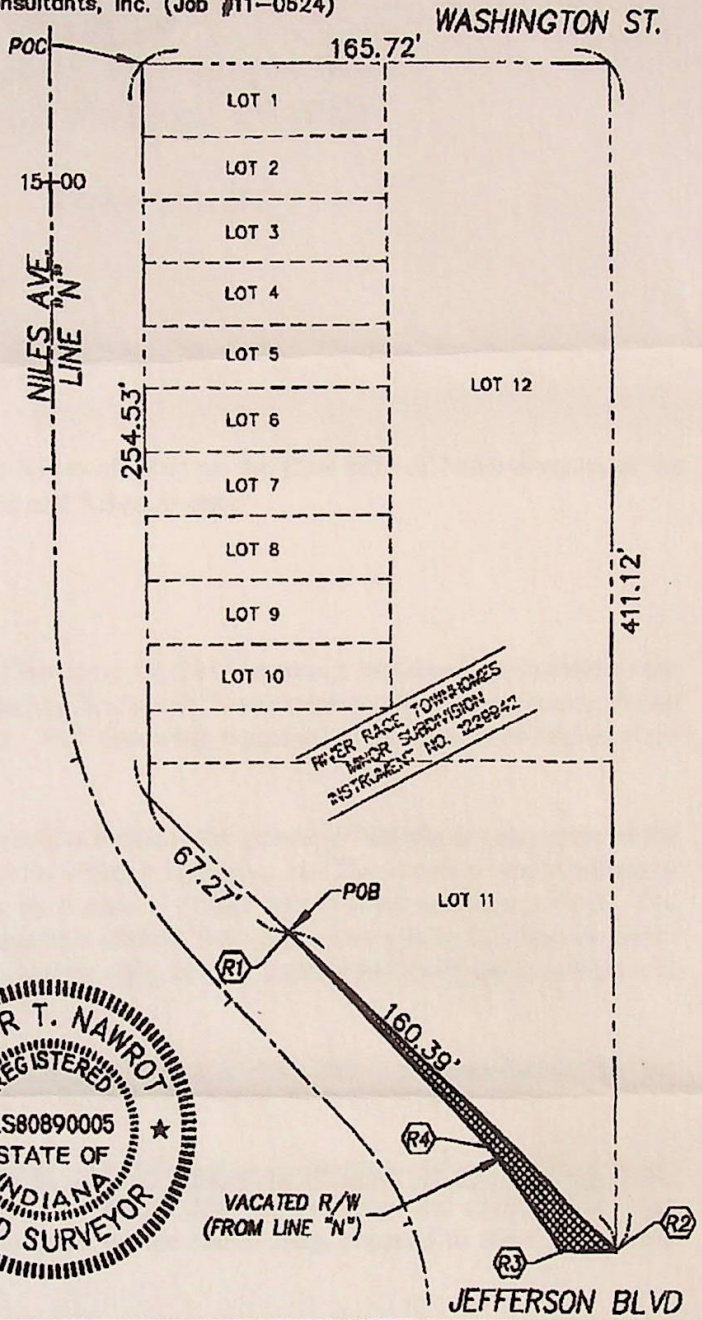
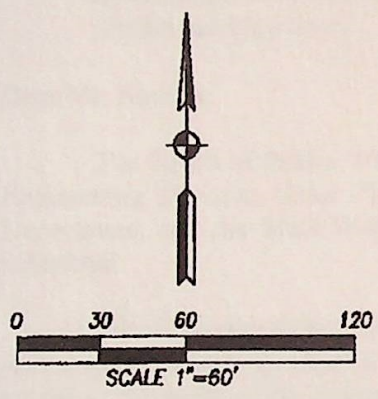
Prepared for City of South Bend
by Abonmarche Consultants, Inc. (Job #11-0624)

WASHINGTON ST.

	PROPOSED RIGHT OF WAY VACATION	AREA	
		SQ. FT.	ACRES
		824	0.019±

POINT	CENTERLINE	STATION	OFFSET	NORTHING	EASTING
R1	N	12+03.43	30.27'	2341857.50	170350.27
R2	N	10+78.20	88.82'	2341547.81	170487.28
R3	N	10+81.18	50.51'	2341547.72	170447.72
R4	N	11+10.17	36.27'	2341553.10	170420.88

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.



LAND SURVEYOR'S STATEMENT:

I, ROGER T. NAWROT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT, TOGETHER WITH THE "BOUNDARY SURVEY PREPARED FOR THE CITY OF SOUTH BEND" RECORDED IN INSTRUMENT NO. 1008890 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, (EXECUTED IN ACCORDANCE WITH INDIANA ADMINISTRATIVE CODE 885 IAC 1-12, ("RULE 12"))

Roger T. Nawrot 11/6/12

ROGER T. NAWROT, P.L.S. DATE
PROFESSIONAL LAND SURVEYOR NO. 8089005
STATE OF INDIANA



VACATED R/W
(FROM LINE "N")

JEFFERSON BLVD

PARCEL: 1	OWNER: CITY OF SOUTH BEND	DRAWN BY: BWS/CMR	11-08-12
CODE: 111-088		CHECKED BY: RTN	
PROJ. NO.: 111-088		QA/QC BY:	
ROAD: NILES AVE			
COUNTY: ST. JOSEPH			
SECTION: 12			
TOWNSHIP: 37N			
RANGE: 2E			
TAX ID#: 018-5010-0291			

ABONMARCHE
Confidence by Design

150 LYCOLM WAY EAST, SOUTH BEND, IN 46601
T: 574.222.8700 F: 574.251.4440
COPYRIGHT 2012 - ABONMARCHE CONSULTANTS, INC.

NOTE: DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS

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 PETE BUTTIGIEG, MAYOR
BOARD OF PUBLIC WORKS

December 11, 2012

Mr. Roger Nawrot
Abonmarche Consultants
750 Lincoln Way East
South Bend, Indiana 46601

RE: Property Vacation – 160.39' of the Right-of-Way on the East Side of Niles Avenue at the Intersection of Jefferson Boulevard and Niles Avenue
(Preliminary Review)

Dear Mr. Nawrot:

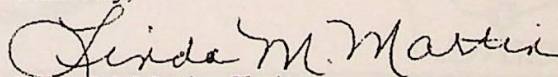
The Board of Public Works, at its December 11, 2012, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, and the Solid Waste Division. The following comments and recommendations were submitted:

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.

Therefore, the Board of Public Works submitted a favorable recommendation for the vacation of this property.

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 Property vacation packet.

Sincerely,


Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Michael Mecham, Engineering
David Matthews, River Race Townhomes

GARY A. GILOT

DONALD E. INKS

KATHRYN E. ROOS

MICHAEL C. MECHAM

MARK W. NEAL

EXHIBIT "B"

SHEET 1 OF 1

RIGHT-OF-WAY VACATION PLAT

Prepared for City of South Bend
by Abonmarche Consultants, Inc. (Job #11-0624)

WASHINGTON ST.

	AREA	
	SQ. FT.	ACRES
PROPOSED RIGHT OF WAY VACATION	824	0.019±

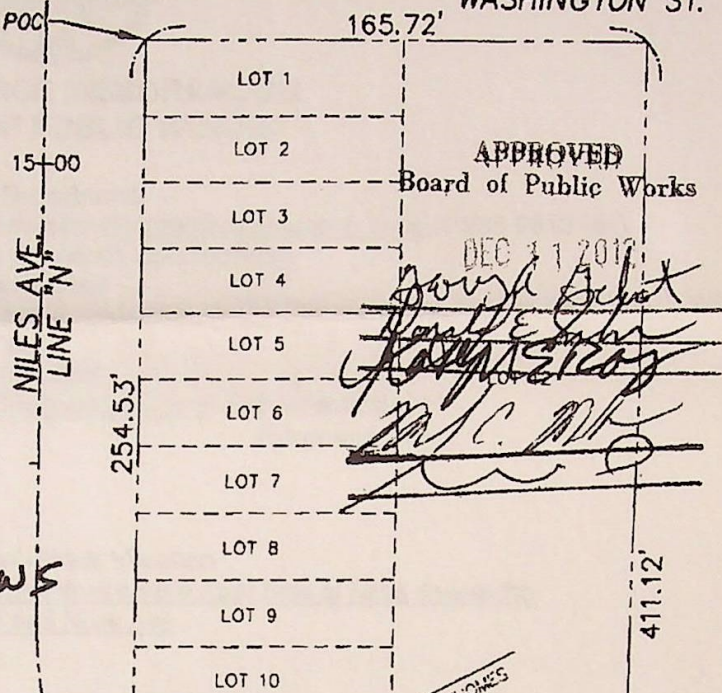
POINT	CENTERLINE	STATION	OFFSET	NORTHING	EASTING
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R2	N	10+79.29	69.82'	2341547.81	170467.28
R3	N	10+81.16	50.51'	2341547.72	170447.72
R4	N	11+10.17	36.27'	2341583.10	170420.85

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

CONTACT : PETITIONER:
ROGER NAWROT **DAVE MATTHEWS**
 574-232-8700

PURPOSE:
REDEVELOPMENT OF PROPERTY

SCALE 1"=60'



EVER RACE TOWNHOMES
 JUNIOR SUBDIVISION
 INSTRUMENT NO. 2238-12

PORTION OF R/W TO BE VACATED

LAND SURVEYOR'S STATEMENT:

I, ROGER T. NAWROT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT, TOGETHER WITH THE "BOUNDARY SURVEY PREPARED FOR THE CITY OF SOUTH BEND" RECORDED IN INSTRUMENT NO. 1006890 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, (EXECUTED IN ACCORDANCE WITH INDIANA ADMINISTRATIVE CODE 885 IAC 1-12, ("RULE 12"))



ROGER T. NAWROT, P.L.S. DATE 11/6/12
 PROFESSIONAL LAND SURVEYOR NO. 8089005
 STATE OF INDIANA

VACATED R/W (FROM LINE "N")

JEFFERSON BLVD

PARCEL: 1	OWNER: CITY OF SOUTH BEND	DRAWN BY: BWS/CMR	11-06-12
CODE:		CHECKED BY: RTN	
PROJ. NO.: 111-068		QA/QC BY:	
ROAD: NILES AVE			
COUNTY: ST. JOSEPH			
SECTION: 12			
TOWNSHIP: 37N			
RANGE: 2E			
TAX ID#: 018-5010-0281			

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 T: 574.232.8700 F: 574.231.4440
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NOTE: DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS



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

TO: Mike Mecham, Engineering Department
John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
Chris Dressel, Community & Economic Development
Federico Rodriguez, Fire Department
Andre Price, Solid Waste
Gene Eyster, Police Department
Cheryl Greene, City Attorney's Office
Phil Griffin, NIPSCO (pmgriffin@nisource.com) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk

RE: Request for Recommendation -Street Vacation
Location: 160.39' of the Right of Way on the East Side of Niles Ave at the
intersection of Jefferson Blvd and Niles Ave
(Preliminary Review)

DATE: November 7, 2012

DUE: November 13, 2012

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

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

No Comment

BY: *Michael Mecham*

DATE: *11/8/2012*



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 BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

November 15, 2012

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

RE: Street Vacation
Applicant: Dave Matthews
Location: 160.39' of the right-of-way on the East Side of Niles Ave at the intersection of Jefferson Blvd and Niles Ave

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 vacation will benefit a new development.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
The staff does not feel access would be difficult as long as the turning radius still meets City standards.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.
There is no church, school or public building adjacent to the proposed vacation.
- (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.
Given the small size of the vacation, the use of the overall street should not be affected.

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,

A handwritten signature in black ink that reads 'Christa Nayder'.

Christa Nayder
Planner

SERVING ST. JOSEPH COUNTY, SOUTH BEND, LAKEVILLE, NEW CARLISLE, NORTH LIBERTY, OSCEOLA, & ROSELAND

Jennifer Corle

From: Eugene Eyster
Sent: Monday, November 26, 2012 2:00 PM
To: Jennifer Corle
Subject: RE: Street Vacation - ROW on Niles Avenue

Ms. Corle,

I apologize for any delay in this. I did send back a printed response to your office via departmental mail on Wednesday November 14, 2012. On behalf of the Police Department we would have no issues with this approval.

Lt. Eyster

From: Jennifer Corle
Sent: Monday, November 26, 2012 12:54 PM
To: Chris Dressel; Federico Rodriguez; Andre Price; Eugene Eyster
Subject: Street Vacation - ROW on Niles Avenue

The above was sent on November 13, 2012 and we have not received a response from you. Please send a quick acknowledgement (by e-mail) that you received it and approve.

Jennifer Corle
City of South Bend
Division of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Main Office: (574) 235-9251
Direct Line: (574) 235-5927
Fax: (574) 235-9171

Jennifer Corle

From: Chris Dressel
Sent: Monday, November 26, 2012 3:14 PM
To: Jennifer Corle
Subject: RE: Street Vacation - ROW on Niles Avenue

Jennifer – sorry – I passed this on to others in the Dept. for their comments and didn't get them back in time. Community Investment is recommending for approval.

Chris

Christopher D. Dressel
Planner
Bicycle Coordinator
City of South Bend
Department of Community and Economic Development
227 W. Jefferson Blvd.
Suite 1200 S
South Bend, IN 46601
Phone: 574-235-5847
Fax: 574-235-9469
cdressel@southbendin.gov

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To: Chris Dressel; Federico Rodriguez; Andre Price; Eugene Eyster
Subject: Street Vacation - ROW on Niles Avenue

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Jennifer Corle
City of South Bend
Division of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Main Office: (574) 235-9251
Direct Line: (574) 235-5927
Fax: (574) 235-9171

Jennifer Corle

From: Federico Rodriguez
Sent: Tuesday, November 27, 2012 11:46 AM
To: Jennifer Corle
Subject: RE: Street Vacation - ROW on Niles Avenue

Approved SBFD

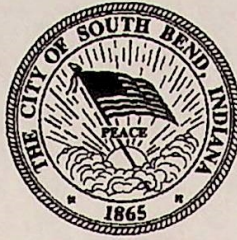
Federico (Chico) Rodriguez

Fire Marshal
Fire Prevention Bureau
(574) 235-7564
frodrigu@southbendin.gov
South Bend Fire Department
1222 S. Michigan St. 46601

From: Jennifer Corle
Sent: Monday, November 26, 2012 12:54 PM
To: Chris Dressel; Federico Rodriguez; Andre Price; Eugene Eyster
Subject: Street Vacation - ROW on Niles Avenue

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Jennifer Corle
City of South Bend
Division of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Main Office: (574) 235-9251
Direct Line: (574) 235-5927
Fax: (574) 235-9171



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

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RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

BY: _____ **DATE:** _____