

ALLEY VACATION
ORDINANCE NO. 10263-13
Status Vacated

Date: 12/31/2013

- 1) The 1st N/S Alley East of Georgia St., West of Burns St. running North from the first East-West Alley South of Napoleon St. from a distance of approximately 54.5ft to its' termination point. All situated in the "Hartman and Miller's Plat", Recorded in Plat Book 7, Page 29, in the office of the recorded of St. Joseph County, Indiana.
- 2) The 1st N/S Alley East of Burns St., West of Duey Ave running North from the first East/West Alley South of Napoleon St. for a distance of approximately 56ft to its' termination point. All situated in the "Hartman and Miller's Plat", Recorded in Plat Book 7, Page 29, in the office of the recorded of St. Joseph County Indiana.



Office of the City Clerk

John Voorde, City Clerk

December 31, 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 – Mark
Water Works – North Station-Ed Herman

FROM: Janice Talboom, Deputy City Clerk

All proceedings with reference to Ordinance No. 10263-13 for the vacation of the following property:

A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: 1. THE FIRST NORTH/SOUTH ALLEY EAST OF GEORGIANA STREET, WEST OF BURNS STREET RUNNING NORTH FROM THE FIRST EAST-WEST ALLEY SOUTH OF NAPOLEON STREET FOR A DISTANCE OF APPROXIMATELY 54.5 FEET TO ITS TERMINATION POINT. 2. THE FIRST NORTH/SOUTH ALLEY EAST OF BURNS STREET, WEST OF DUEY AVENUE RUNNING NORTH FROM THE FIRST EAST/WEST ALLEY SOUTH OF NAPOLEON STREET FOR A DISTANCE OF APPROXIMATELY 56 FEET TO ITS TERMINATION POINT

are 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

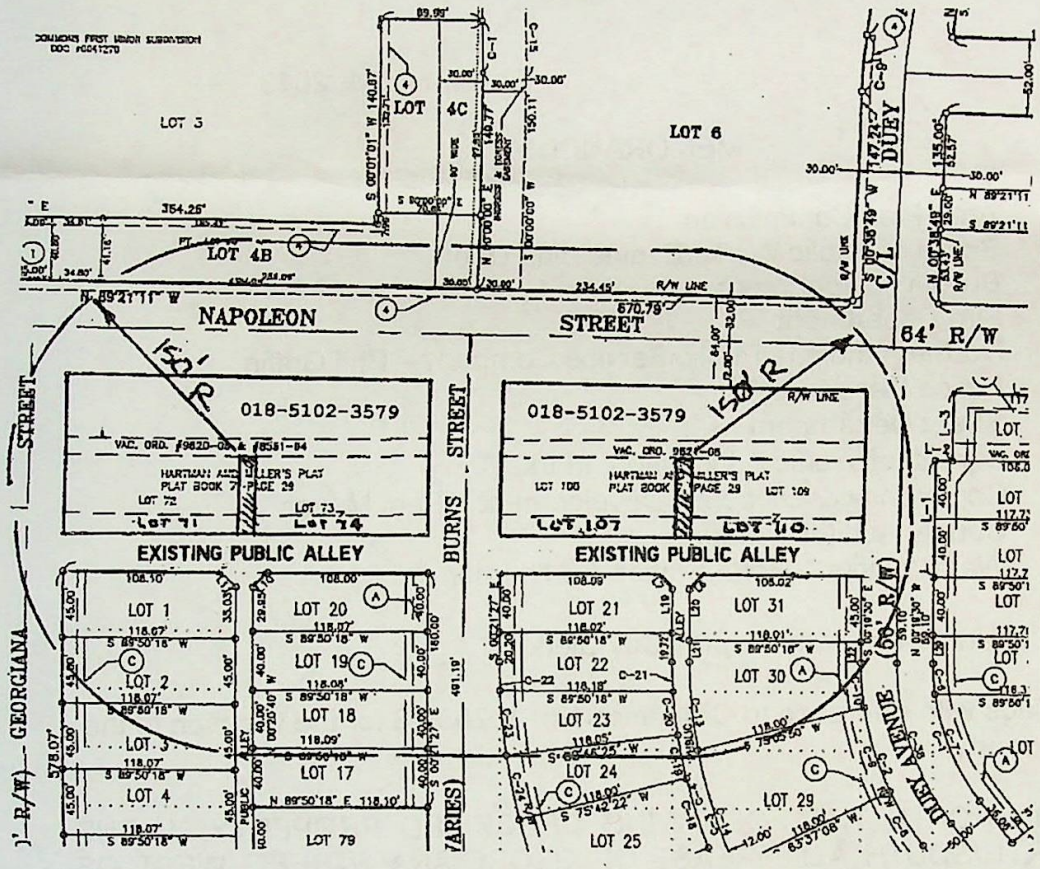
Kareemah Fowler
Ordinance Violation Clerk

Filed in Clerk's Office

SEP 24 2013

JC WOODRUFF
CITY CLERK, SOUTH BEND, IN

VACATION DIAGRAM



Alley Legals:

- 1) The first North/South Alley East of Georgiana Street, West of Burns Street running North from the first East-West Alley South of Napoleon Street for a distance of approximately 54.5 feet to its termination point. All situated in the "Hartman and Miller's Plat", Recorded in Plat Book 7, Page 29, in the office of the recorder of St. Joseph County, Indiana.
- 2) The first North/South Alley East of Burns Street, West of Duey Avenue running North from the first East-West Alley South of Napoleon Street for a distance of approximately 56 feet to its termination point. All situated in the "Hartman and Miller's Plat", Recorded in Plat Book 7, Page 29, in the office of the recorder of St. Joseph County, Indiana.



Scale 1"=100'

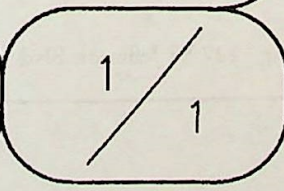
Danch, Harner & Associates, Inc.



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

ACADFILE
DATE



Suggested Common Construction Wage Hearing Agenda

1. Election of Committee Chair Person
2. Call to order by Committee Chair Person
3. Introduction of Committee Members
4. Verification of Open Door Compliance
5. Statement of Committee's purpose
 - a. Meet in accordance with Open Door Law
 - b. Evaluate reports regarding wages paid in the county
 - c. To determine the most common wage (including fringe benefits) for each classification and level of job skill required by the project
6. Overview of the Act
 - a. Act covers most state and local public works projects
 - b. Wages adopted in this hearing apply to all projects covered by the Common Construction Wage Act let within three (3) months of the date of this hearing
 - c. Five (5) person committee. One from Awarding Agency, AFL-CIO, the Associated Builders and Contractors and two Taxpayers from the project county
 - d. Union Township court case defined common as mathematical mode, not average. Mode is the number that appears the most often in any list of numbers.
7. Overview of Project
8. Presentation of Data and Testimony
 - a. Data from Awarding Agency
 - b. Data from Public
 - c. Data from AFL-CIO Representative
 - d. Data from the Associated Builders and Contractors
9. Questions and Discussion
 - a. Open to the Public
 - b. If addressing committee, please state your name for the record
10. Determination and Adoption of Wage Scale
 - a. Determination of Job Classifications needed for all projects
 - b. Evaluation and Discussion of Data
 - c. Close Floor to Public Discussion
11. Adoption of Wage Scale
 - a. Motion to Adopt
 - b. Second the Motion
 - c. Open to Discussion
 - d. Majority of Quorum carries the motion
12. Closing Comments
13. Adjournment

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

August 13, 2013

Mr. Mike Danch
Danch Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628

RE: Alley Vacations – Two Alleys: 1 – the North/South Alley between Georgiana Street and Burns Street, South of Napoleon Boulevard from the East/West Alley North to the Previously Vacated Alley; 2 – the North/South Alley Between Burns Street and Duey Avenue South of Napoleon Boulevard from the East/West Alley North to the Previously Vacated Alley
(Preliminary Review)

Dear Mr. Danch:

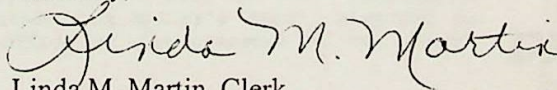
The Board of Public Works, at its August 13, 2013, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Community Investment, Fire Department, Police Department, and the Solid Waste Division. The following comments and recommendations were submitted:

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 these 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
Michael Mecham, Engineering

PETITIONER:

UNIVERSITY OF
NOTRE DAME

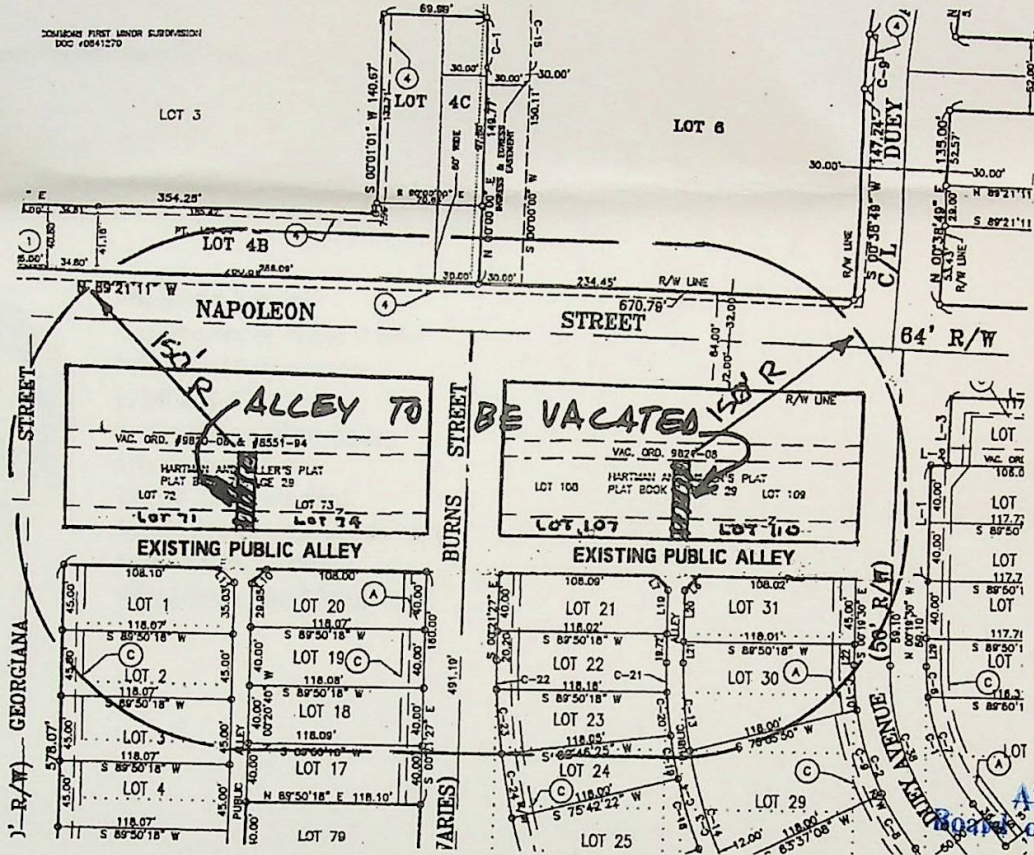
PURPOSE:

CONSTRUCTION OF
TOWN HOUSES

CONTACT:

MIKE DANCH
DANCH/HARNER
1643 COMMERCE DR
SOUTH BEND, IN 46628
(574) 234-4003

VACATION
DIAGRAM



Alley Legals:

- 1). The first North/South Alley East of Georgiana Street, West of Burns Street running North from the first East-West Alley South of Napoleon Street for a distance of approximately 54.5 feet to its' termination point. All situated in the "Hartman and Miller's Plat", Recorded in Plat Book 7, Page 29, in the office of the recorder of St. Joseph County, Indiana.
- 2). The first North/South Alley East of Burns Street, West of Duesy Avenue running North from the first East-West Alley South of Napoleon Street for a distance of approximately 56 feet to its' termination point. All situated in the "Hartman and Miller's Plat", Recorded in Plat Book 7, Page 29, in the office of the recorder of St. Joseph County, Indiana.

APPROVED
Board of Public Works
AUG 13 2013
Gary A. Slat
Director



Scale 1"=100'

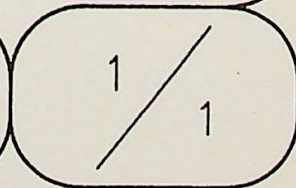
JOHN INFO
ACAD FILE
CLAYE

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



Melinda Lercel

From: Melinda Lercel
Sent: Friday, July 19, 2013 3:10 PM
To: Andre Price; Jitin Kain; Michael Mecham; Federico Rodriguez; jbyorni@co.st-joseph.in.us; Eugene Eyster
Cc: Cheryl Greene; pmgriffin@nisource.com
Subject: Alley Vacation - Notre Dame
Attachments: Alley Vacation - Notre Dame.pdf

Please provide your recommendations.

Thank you,



Melinda Lercel

Department of Public Works
Division of Engineering
(574) 235-9251
mlercel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
Suite 1316 County City Building
South Bend, IN 46601
<http://www.southbendin.gov>



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 7/19/2013

TO: Andre Price, Solid Waste
Jitin Kain, Community Investment
Michael Mecham, Engineering Department
Federico Rodriguez, Fire Department
John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
Gene Eyster, 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 – PROPERTY VACATION**

APPLICANT: **Notre Dame**

LOCATION: Two (2) Alleys: 1 – The North/South Alley between Georgiana Street and Burns Street, South of Napoleon from the East/West Alley North to the Previously Vacated Alley. 2 – The North/South Alley between Burns Street and Duey Avenue South of Napoleon from the East/West Alley North to the Previously Vacated Alley.

DATE DUE: **July 29, 2013**

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

RECOMMENDATIONS AND COMMENTS:

Maintain utility easement

By Michael Mecham Date 07/22/13

Melinda Lercel

From: Eugene Eyster
Sent: Sunday, July 21, 2013 1:39 PM
To: Melinda Lercel; Andre Price; Jitin Kain; Michael Mecham; Federico Rodriguez; jbyorni@co.st-joseph.in.us; Linda Martin
Cc: Cheryl Greene; pmgriffin@nisource.com
Subject: RE: Alley Vacation - Notre Dame

Melinda,

I apologize for any confusion. Due to receiving several of your requests at the end of the day on Friday I inadvertently mixed this one up with the other request being made in that area.

The Police Department would have no objection to the alley vacation.

Lt. Eyster

From: Melinda Lercel
Sent: Friday, July 19, 2013 3:08 PM
To: Andre Price; Jitin Kain; Michael Mecham; Federico Rodriguez; jbyorni@co.st-joseph.in.us; Eugene Eyster
Cc: Cheryl Greene; pmgriffin@nisource.com
Subject: Alley Vacation - Notre Dame

Please provide your recommendations.

Thank you,



Melinda Lercel

Department of Public Works
Division of Engineering
(574) 235-9251
mlercel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
Suite 1316 County City Building
South Bend, IN 46601
<http://www.southbendin.gov>

Melinda Lercel

From: Federico Rodriguez
Sent: Monday, July 22, 2013 8:26 AM
To: Melinda Lercel
Subject: RE: Alley Vacation - Notre Dame

Approved S.B.F.D



Federico (Chico) Rodriguez
Fire Marshal
Office: (574) 235-7564
Mobile: (574) 876-6734
1222 S. Michigan Street
City of South Bend, In 46601
frodrigu@southbendin.gov

From: Melinda Lercel
Sent: Friday, July 19, 2013 3:08 PM
To: Andre Price; Jitin Kain; Michael Mecham; Federico Rodriguez; jbyorni@co.st-joseph.in.us; Eugene Eyster
Cc: Cheryl Greene; pmgriffin@nisource.com
Subject: Alley Vacation - Notre Dame

Please provide your recommendations.

Thank you,



Melinda Lercel
Department of Public Works
Division of Engineering
(574) 235-9251
mlercel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
Suite 1316 County City Building
South Bend, IN 46601
<http://www.southbendin.gov>

Melinda Lercel

From: Jitin Kain
Sent: Monday, July 22, 2013 10:26 AM
To: Melinda Lercel
Subject: RE: Alley Vacation - Notre Dame

Favorable Recommendation.

Thanks,



Jitin Kain
Director, Planning
Department of Community Investment
(574) 235-5835
jkain@southbendin.gov
City of South Bend
227 W. Jefferson Blvd., Suite 1400 S.
South Bend, IN 46601



From: Melinda Lercel
Sent: Friday, July 19, 2013 3:08 PM
To: Andre Price; Jitin Kain; Michael Mecham; Federico Rodriguez; jbyorni@co.st-joseph.in.us; Eugene Eyster
Cc: Cheryl Greene; pmgriffin@nisource.com
Subject: Alley Vacation - Notre Dame

Please provide your recommendations.

Thank you,



Melinda Lercel
Department of Public Works
Division of Engineering
(574) 235-9251
mlercel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
Suite 1316 County City Building
South Bend, IN 46601
<http://www.southbendin.gov>

Melinda Lercel

From: Christa Nayder <CNayder@co.st-joseph.in.us>
Sent: Tuesday, July 23, 2013 3:50 PM
To: Melinda Lercel
Subject: Re: Alley Vacation - Notre Dame
Attachments: Alleys S of Napoleon.doc

Please see our attached recommendation.

Christa Nayder
Planner
Area Plan Commission
574-235-9571

[<cnayder@co.st-joseph.in.us>](mailto:cnayder@co.st-joseph.in.us) >>> Melinda Lercel <mlercel@southbendin.gov> 7/19/2013 3:08 PM >>>
Please provide your recommendations.

Thank you,



Melinda Lercel

Department of Public Works
Division of Engineering
(574) 235-9251
mlercel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
Suite 1316 County City Building
South Bend, IN 46601
<http://www.southbendin.gov>

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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

July 24, 2013

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

RE: Two (2) Alley Vacations

Applicant: Notre Dame

Location: 1. The north/south alley between Georgiana Street and Burns Street, south of Napoleon from the east/west alley north to the previously vacated alley.
2. The north/south alley between Burns Street and Duey Avenue, south of Napoleon from the east/west alley north to the previously vacated 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 the staff's understanding that these alleys are purposed to be vacated for future development. A number of other alleys in this area have been vacated in recent years.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
The petitioner owns all contiguous properties.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.
These alleys do not access 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.
Due to the redevelopment in the area, these alleys are currently dead ends.

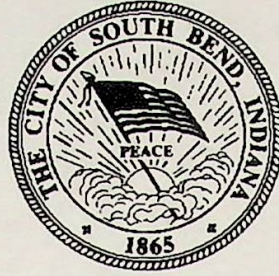
Due to the above stated reasons, the staff recommends that the proposed alley vacation be approved.

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

Sincerely,

Christa Nayder, Planner

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



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

DATE SENT: 7/19/2013

TO: Andre Price, Solid Waste
✓ Jitin Kain, Community Investment
✓ Michael Mecham, Engineering Department
✓ Federico Rodriguez, Fire Department
✓ John Byorni, Area Plan Commission (ibyorni@co.st-joseph.in.us or 235-9813 fax)
✓ Gene Eyster, Police Department
Cheryl Greene, City Attorney's Office
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
FROM: Linda M. Martin, Clerk *LM*
SUBJECT: **REQUEST FOR RECOMMENDATION – PROPERTY VACATION**

APPLICANT: **Notre Dame**

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DATE DUE: **July 29, 2013**

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

RECOMMENDATIONS AND COMMENTS:

By _____ Date _____