

ORDINANCE #10497-17

Alley Vacation

Date Vacated: February 13, 2017

Description: East/West Alley from East Right of Way of Laurel Street a Distance of 144 Feet and Width of 12 Feet North of Thomas Street and South of Washington Street

This ordinance
amended by:

Ordinance 10514.17
dated 5/8/17 w/
Corrected description.
See envelope for
Ordinance No. 10514.17

ORDINANCE No. 10497-17

Passed by the Common Council of the City of South Bend, Indiana

February 13, 20 17

Attest: Lauren H. Fowle City Clerk

Attest: [Signature] President of Common Council

Presented by me to the Mayor of the City of South Bend, Indiana

February 14, 20 17

Lauren H. Fowle City Clerk

Approved and signed by me February 17 20 17

[Signature] Mayor

ORDINANCE NO. 10497-17

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

EW ALLEY FROM EAST RIGHT OF WAY OF LAUREL STREET A DISTANCE OF 144 FEET AND WIDTH OF 12 FEET, NORTH OF THOMAS STREET AND SOUTH OF WASHINGTON 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:

EW ALLEY FROM EAST RIGHT OF WAY OF LAUREL STREET A DISTANCE OF 144 FEET AND WIDTH OF 12 FEET, NORTH OF THOMAS STREET AND SOUTH OF WASHINGTON STREET

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:

018-3054-2091


018-3054-2092

018-3054-2085

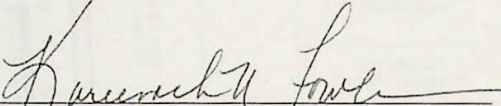
018-3054-2085

Section IV. The purpose of the vacation of the real property is for *the Northern Indiana Historical Society, Inc. to ultimately assemble land to move a historic building to the site and to interpret its history for the benefit of the public.*

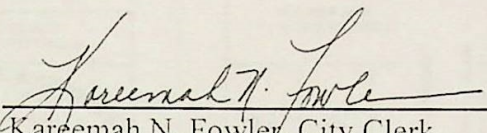
SECTION V. This ordinance shall be in full force and *effect* from and after its Passage by the Common Council and approval *by* the Mayor.


Tim Scott, Council President
South Bend Common Council

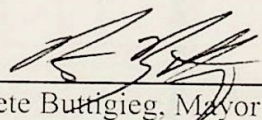
Attest:


Kareemah N. Fowler, City Clerk
Office of the City Clerk

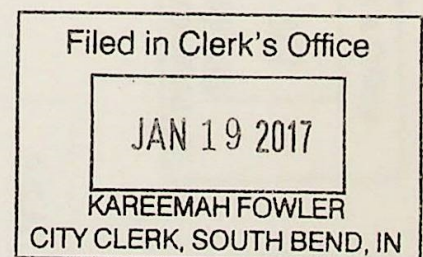
*Presented by me to the Mayor of the City of South Bend, Indiana, on
the 14th day of February, 2016 at 9 o'clock A. M*


Kareemah N. Fowler, City Clerk
Office of the City Clerk

*Approved and signed by on the 17th day of February,
2016 at 10 o'clock A. M*


Pete Buttigieg, Mayor
City of South Bend, Indiana

1st READING 1/23/17
PUBLIC HEARING 2/13/17
3rd READING 2/13/17
NOT APPROVED
REFERRED 1/23/17
PASSED 2/13/17



Filed in Clerk's Office
JAN 18 2017
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

PARCEL ID	PROP. ADDR	LEGAL DESCR	MAILING ADDR	MAIL	MAILING ZIP
018-3068-2660	1001 THOMAS	Lot 19 705 Ead	512 W Edison Rd Ste 5	N	46545
018-3068-2657	1005 THOMAS	Lot 18 705 Ead	1005 W Thomas St	N	46528
018-3068-2648	1008 JEFFERSON	49 R N End Ex 8 27 R E Side	14597 CR 40	N	46528
018-3068-2649	1014 STANFELD	8 27 R E Side	125 Laurel	N	46528
018-3054-2089	125 LAUREL	Lot 33 A Thomas Sub Of N R Bld 74	803 Lincolnway West	N	46528
018-3054-2089	128 LAUREL	40 R Mid R Ex 39 2 R W Side	County City Building	N	46501
018-3054-2080	132 LAUREL	112 Lot 34 A Thomas Sub Of N R Bld 74	132 Laurel St	N	46501
018-3054-2080	133 LAUREL	49 6 R S End Lot 10 & 49 6 R Ex 8 R W Side	402 E SOUTH ST	N	46501
018-3054-2080	134 LAUREL	S 1/2 Lot 34 & 9 R X 70 R W R Lot 35 Am	134 S Laurel Street	N	46501
018-3054-2085	205 LAUREL	Lot 19 Ex 3 102 R W Side	1127 N Twyckenham Dr	N	46501
018-3054-2085	207 LAUREL	Lot 19 32 R Mid R W Side Sub Of Bld 90	1127 N Twyckenham Dr	N	46501
018-3054-2085	808 WASHINGTON	S 50X128 Bld 35 ALL 35 637 & 38 EX 55X1	808 W Washington	N	46501
018-3054-2106	915 JEFFERSON	S 1/2 W 3/4 Lot 18 & S 1/2 Lot 19 A Thomas	53840 Marshall Dr E	N	46528

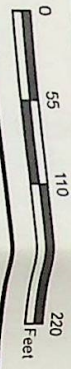
018-3070-2727 1107 JEFFERSON	018-3068-2611 1033 JEFFERSON	018-3068-2613 1029 JEFFERSON	018-3068-2616 1021 JEFFERSON	018-3068-2637 1019 JEFFERSON	018-3068-2638 1015 JEFFERSON	018-3068-2639 1013 JEFFERSON	018-3068-2641 117 LAUREL	018-3068-2642 123 LAUREL	018-3054-2082 120 LAUREL
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018-3070-2733 1110 JEFFERSON	018-3068-2617 1036 JEFFERSON	018-3068-2620 1032 JEFFERSON	018-3068-2621 1030 JEFFERSON	018-3068-2622 1026 JEFFERSON	018-3068-2623 1022 JEFFERSON	018-3068-2643 1020 JEFFERSON	018-3068-2644 1018 JEFFERSON	018-3068-2645 1016 JEFFERSON	018-3068-2646 1012 JEFFERSON	018-3068-2647 1010 JEFFERSON	018-3068-2648 1008 JEFFERSON	018-3068-2649 125 LAUREL	018-3068-2650 129 LAUREL	018-3054-2090 132 LAUREL	018-3054-2090 134 LAUREL	018-3054-2092 1014 STANFELD 315 JEFFERSON 4	018-3054-2101 809 THOMAS	018-3054-2102 807 THOMAS	018-3054-2100 131 CHAPIN	018-3054-2097 123 CHAPIN	018-3054-2099 127 CHAPIN	018-3054-2088 121 CHAPIN
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018-3070-2743 1107 THOMAS	018-3068-2624 1043 THOMAS	018-3068-2625 1039 THOMAS	018-3068-2626 1037 THOMAS	018-3068-2627 1035 THOMAS	018-3068-2628 1027 THOMAS	018-3068-2629 1025 THOMAS	018-3068-2630 1021 THOMAS	018-3068-2652 1019 THOMAS	018-3068-2653 1017 THOMAS	018-3068-2654 1011 THOMAS	018-3068-2655 1011 THOMAS	018-3068-2656 1009 THOMAS	018-3068-2657 1005 THOMAS	018-3068-2658 1001 THOMAS	018-3068-2659 107 LAUREL	018-3068-2660 1001 THOMAS	018-3054-2106 915 THOMAS
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018-3070-2748 1106 THOMAS	018-3070-2749 1102 THOMAS	018-3068-2666 1024 THOMAS	018-3068-2661 1024 THOMAS	018-3055-2124 218 LAUREL	018-3055-2127 916 THOMAS	018-3055-2128 914 THOMAS	018-3055-2129 912 THOMAS	018-3055-2130 910 THOMAS	018-3055-2131 908 THOMAS	018-3055-213301 906 THOMAS	018-3055-2133 904 THOMAS	018-3055-2134 902 THOMAS	018-3055-2135 818 THOMAS	018-3055-2136 812 THOMAS	018-3055-2137 810 THOMAS	018-3055-2138 217 CHAPIN	018-3055-2139 221 CHAPIN
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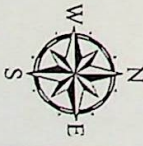
Legend
Vacated Area
Buffer (150')
Street Centerline
Parcel



City of South Bend
Dept. of Public Works
227 W Jefferson Blvd. #1316
South Bend, IN 46601
Phone: (574) 235-9251
Fax: (574) 235-9171

Alley Vacation Properties within 150'

DESCRIPTION:
EW Alley Adjacent West of Parcel: 018-3054-2085
APPLICANT Parcel ID: 018-3054-2085



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 22, 2016

Brandon Anderson
The History Museum
808 W Washington
South Bend, IN 46601

RE: *Alley Vacation – E/W Portion of Jefferson, North of Thomas St., South of Washington, East of Laurel (Preliminary Review)*

Dear Mr. Anderson:

The Board of Public Works, at its December 22, 2016, 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:

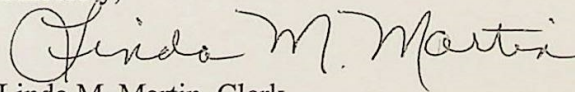
Area Plan stated, per IC 36-7-3-13, the vacation would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous. The vacation would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient. 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.

Engineering states this vacation would create a dead-end north/south alley and limit access to the vacant lot at 915 Jefferson Blvd.

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

Please contact Donna Hanson 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
Donna Hanson, Engineering
Alkeyna Aldridge, City Clerk's Office

CITY OF SOUTH BEND
DEPARTMENT OF PUBLIC WORKS
Street/Alley Vacation Form



227 W. JEFFERSON BOULEVARD PHONE 574/235-9251
SUITE 1316 COUNTY-CITY BUILDING FAX 574/235-9171
SOUTH BEND, INDIANA 46601 TDD 574/235-5567

THIS FORM MUST BE REVIEWED BY THE CITY ENGINEERING DEPARTMENT PRIOR TO GRANTING A RADIUS MAP

Submission Date:	10/26/16		
Applicant Name:	BRANDON ANDERSON THE HISTORY MUSEUM	Phone #:	574-235-9664 x 241
		Email:	banderson@historymuseumSB.org
Property Address:	808 W. WASHINGTON, SB, 46601		
Applicant property information: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial			
Describe the general alley location with boundaries (ex. Church Pl, between E. Colfax Ave & E. LaSalle Ave):		STREET EW ALLEY NORTH OF THOMAS ST, S OF WASHINGTON, E OF LAUREL: "JEFFERSON ST"	
Is your property adjacent to the alley of interest?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Do you own all adjacent properties to the alley of interest?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If no, use the attached table to provide the following information for all affected property owners: Name, Address, Consent for the proposed alley vacation			
Reason for street/alley vacation and proposed use:			
ENTRANCE TO MUSEUM AND PARKING LOTS - WISH TO MAKE PARKING/ ENTRY AREA IMPROVEMENTS			
Does the existing alley provide garage access to other property owners?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does the alley receive daily traffic excluding your own use?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Would the vacation hinder public access to any of the following: a church, school, or any other public building or place?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

OFFICE USE ONLY:

Board Recommendation for the proposed alley vacation: ☒ Yes ☐ No

Board of Public Works Authorized Signatures:

Yany A. Gilt
[Signature]



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 11/16/2016

TO: Pete Kaminski, Street Department
✓ Mike Bronstetter, Solid Waste
✓ Matt Longfellow, Engineering Department
✓ Chris Dressel, Community Investment
✓ Federico Rodriguez, Fire Department
✓ Larry Magliozzi, Area Plan Commission (lmagloz@co.st-joseph.in.us or 235-9813 fax)
Gene Eyster, Police Department
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM:

SUBJECT: REQUEST FOR RECOMMENDATION – STREET VACATION

APPLICANT: Brandon Anderson – The History Museum

LOCATION: E/W Portion of Jefferson, North of Thomas St, South of Washington, East of Laurel

DATE DUE: December 6, 2016

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

PLEASE MAKE YOUR RECOMMENDATIONS BASED ON THE FOLLOWING
IC 36-7-3-13 CRITERIA:

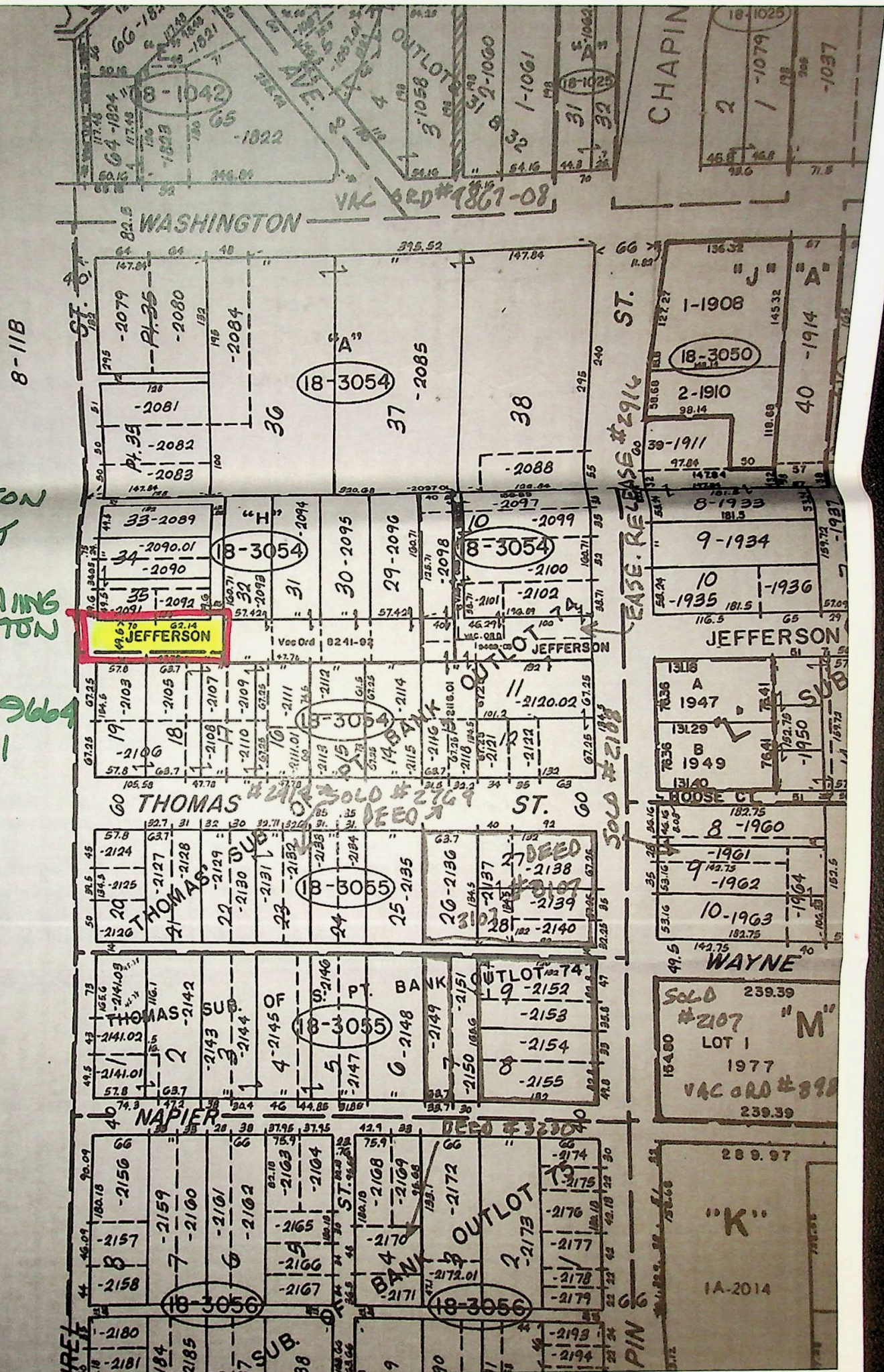
1. The vacation would/would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation would/would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation would/would not hinder the public's access to a church, school or other public building or place.
4. The vacation would/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.

COMMENTS:

By _____ Date _____

808 W. WASHINGTON

46601

$$\begin{array}{r} 574-235-9664 \\ \times 241 \end{array}$$


Elizabeth Horvath

From: Federico Rodriguez
Sent: Thursday, November 17, 2016 12:43 PM
To: Elizabeth Horvath
Subject: RE: Street Vacation - Brandon Anderson - The History Museum

Favorable 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



We deliver services that empower everyone to thrive.

Excellence | Accountability | Innovation | Inclusion | Empowerment

From: Elizabeth Horvath

Sent: Wednesday, November 16, 2016 3:48 PM

To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Larry Magliozzi <lmaglioz@co.st-joseph.in.us>; Eugene Eyster <eeyster@southbendin.gov>

Subject: Street Vacation - Brandon Anderson - The History Museum

Please provide your recommendations.

Lizzy Horvath

Secretary

Department of Public Works

227 W. Jefferson Blvd., Suite 1316

South Bend, IN 46601

574-235-9251 Ex. 3168

lhovath@southbendin.gov

Elizabeth Horvath

From: Michael Bronstetter
Sent: Thursday, November 17, 2016 1:22 PM
To: Elizabeth Horvath
Subject: RE: Street Vacation - Brandon Anderson - The History Museum

This vacation would not hinder Solid Waste's operations.

Thanks,



Mike Bronstetter
Manager of Solid Waste Operations
(574) 235-5795
mbronste@southbendin.gov
City of South Bend
3113 Riverside Dr.
South Bend, IN 46628

We deliver services that empower everyone to thrive.
Excellence | Accountability | Innovation | Inclusion | Empowerment

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Sent: Wednesday, November 16, 2016 3:48 PM
To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Larry Magliozzi <lmagliz@co.st-joseph.in.us>; Eugene Eyster <eeyster@southbendin.gov>
Subject: Street Vacation - Brandon Anderson - The History Museum

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
lhovath@southbendin.gov

EXCELLENCE ✦ ACCOUNTABILITY ✦ INNOVATION ✦ INCLUSION ✦ E



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 11/16/2016

TO: Pete Kaminski, Street Department
Mike Bronstetter, Solid Waste
Matt Longfellow, Engineering Department
Chris Dressel, Community Investment
Federico Rodriguez, Fire Department
Larry Magliozzi, Area Plan Commission (lmaglioz@co.st-joseph.in.us or 235-9813 fax)
Gene Eyster, Police Department
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM: **REQUEST FOR RECOMMENDATION – STREET VACATION**

SUBJECT: **Brandon Anderson – The History Museum**

APPLICANT: **E/W Portion of Jefferson, North of Thomas St, South of Washington, East of Laurel**

LOCATION: **December 6, 2016**

DATE DUE: **235-9171 / lmartin@southbendin.gov**

FAX OR E-MAIL TO:

PLEASE MAKE YOUR RECOMMENDATIONS BASED ON THE FOLLOWING
IC 36-7-3-13 CRITERIA:

1. The vacation ~~would~~/would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation ~~would~~/would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation ~~would~~/would not hinder the public's access to a church, school or other public building or place.
4. The vacation ~~would~~/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.

COMMENTS:

No issues.

By Keith Chapman, Planner Date 11/22/16

Elizabeth Horvath

From: Matt Longfellow
Sent: Friday, December 02, 2016 11:22 AM
To: Elizabeth Horvath
Cc: Toy Villa; Roger Nawrot; Donna C. Hanson
Subject: RE: Street Vacation - Brandon Anderson - The History Museum
Attachments: engineering_response.pdf

Engineering gives this an UNFAVORABLE recommendation.

1. Would create a dead-end N/S alley,
2. Would limit access to vacant lot at 915 Jefferson.

From: Elizabeth Horvath

Sent: Wednesday, November 16, 2016 3:48 PM

To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Larry Magliozzi <lmaglioz@co.st-joseph.in.us>; Eugene Eyster <eeyster@southbendin.gov>

Subject: Street Vacation - Brandon Anderson - The History Museum

Please provide your recommendations.

Lizzy Horvath

Secretary

Department of Public Works

227 W. Jefferson Blvd., Suite 1316

South Bend, IN 46601

574-235-9251 Ex. 3168

lhovath@southbendin.gov



EXCELLENCE ✦ ACCOUNTABILITY ✦ INNOVATION ✦ INCLUSION ✦ E

Elizabeth Horvath

From: Chris Dressel
Sent: Tuesday, December 06, 2016 4:13 PM
To: Elizabeth Horvath
Subject: RE: Street Vacation - Brandon Anderson - The History Museum

Recommended for approval.

Christopher D. Dressel, AICP
Planner
Brownfields Coordinator
Bicycle Coordinator
Department of Community Investment
(574) 235-5847
cdressel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
South Bend, IN 46601
<http://www.southbendin.gov>

From: Elizabeth Horvath
Sent: Wednesday, November 16, 2016 3:48 PM
To: Pete Kaminski; Michael Bronstetter; Matt Longfellow; Chris Dressel; Federico Rodriguez; Larry Magliozzi; Eugene Eyster
Subject: Street Vacation - Brandon Anderson - The History Museum

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
lhovath@southbendin.gov



EXCELLENCE ✦ ACCOUNTABILITY ✦ INNOVATION ✦ INCLUSION ✦ E



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 11/16/2016

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Linda M. Martin, Clerk *LM*

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APPLICANT: Brandon Anderson – The History Museum

LOCATION: E/W Portion of Jefferson, North of Thomas St, South of Washington, East of Laurel

DATE DUE: December 6, 2016

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

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3. The vacation would/would not hinder the public's access to a church, school or other public building or place.
4. The vacation would/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.

COMMENTS:

No COMMENT

By *Larry Magliozzi* Date *12/21/16*