

**ORDINANCE #10514-17**  
**AMENDING ORDINANCE #10497-17**

Alley Vacation

May 8, 2017

**An ordinance to amend, correct, and replace Ordinance No. 10497-17 to VACATE the following described property:**

E/W alley from east right of way of Laurel Street a distance of 144 feet and width of 49.5 feet, North of Thomas Street and South of Washington Street

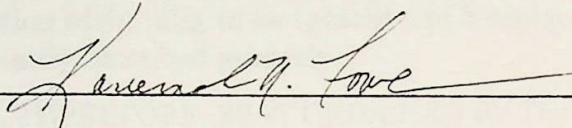
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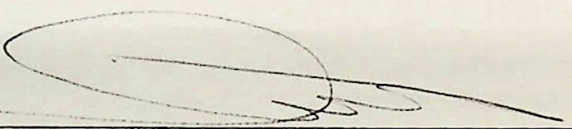
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ORDINANCE No. 10514-17

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

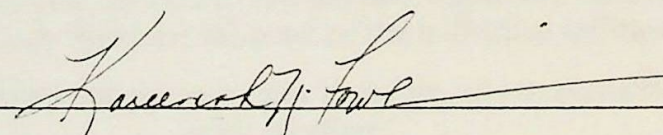
\_\_\_\_\_ May 8, \_\_\_\_\_ 20 17

Attest:  City Clerk

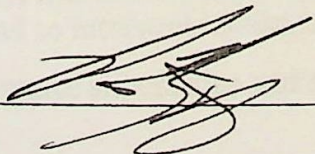
Attest:  President of Common Council

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

\_\_\_\_\_ May 9, \_\_\_\_\_ 20 17

 City Clerk

Approved and signed by me May 10 \_\_\_\_\_ 20 17

 Mayor

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ORDINANCE NO. 10514-17

**AN ORDINANCE TO AMEND, CORRECT, AND REPLACE ORDINANCE NO. 10497-17 TO VACATE THE FOLLOWING DESCRIBED PROPERTY:**

E/W alley from east right of way of Laurel Street a distance of 144 feet and width of 49.5 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.

On February 13, 2017 this Council Passed Ord. No. 10497-17 to vacate an alley right of way. However, the legal description of the described property was subsequently discovered to be incomplete, describing only a portion of the property to be vacated. This ordinance amends and corrects the legal description by including the complete legal description of the alley to be vacated and it replaces Ordinance No. 10497-17 by vacating the correctly described 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:

E/W alley from east right of way of Laurel Street a distance of 144 feet and width of 49.5 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.

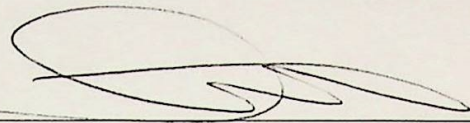
**SECTION III.** The following property may be injuriously or beneficially affected by such vacating:

018-3054-2091 – Northern Indiana Historical Society, 018-3054-2092 – Northern Indiana Historical Society, 018-3054-2085 – Northern Indiana Historical Society, 018-3054-2085 – Northern Indiana Historical Society

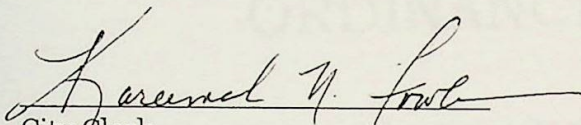
**SECTION IV.** The purpose of the vacation of the real property is for the Northern Indiana Historical Society, Inc. to ultimately assemble the land to move a historic building to the site and to interpret its history for the benefit of the public.

**SECTION V.** This Ordinance supersedes and replaces Ordinance No. 10497-17.

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

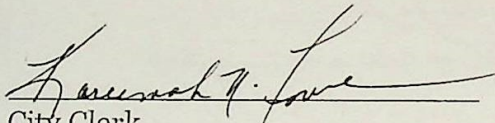
  
\_\_\_\_\_  
Member of the Common Council

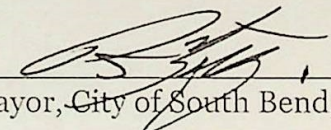
Attest:

  
\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the  
9<sup>th</sup> day of May, 2017, at 4 o'clock p.m.

Attest:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_, 5/10/17  
Mayor, City of South Bend, Indiana

1st READING 4/24/17  
PUBLIC HEARING 5/8/17  
3rd READING 5/8/17  
NOT APPROVED  
REFERRED 4/24/17  
PASSED 5/8/17

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

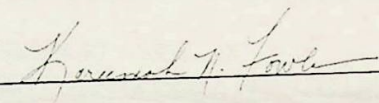
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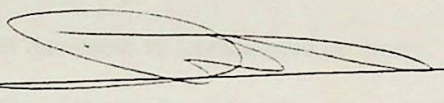
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ORDINANCE No. 10497-17

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

\_\_\_\_\_ February 13, 20 17

Attest:  City Clerk


Attest:  President of Common Council

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

\_\_\_\_\_ February 14, 20 17

 City Clerk

Approved and signed by me February 17 20 17

 Mayor

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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.

*[Handwritten signature]*

Tim Scott, Council President  
South Bend Common Council

*Attest:*

*[Handwritten signature: Kareemah N. Fowler]*

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 14<sup>th</sup> day of February, 2016 at 9 o'clock A.M.*

*[Handwritten signature: Kareemah N. Fowler]*

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

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

*[Handwritten signature: Pete Buttigieg]*

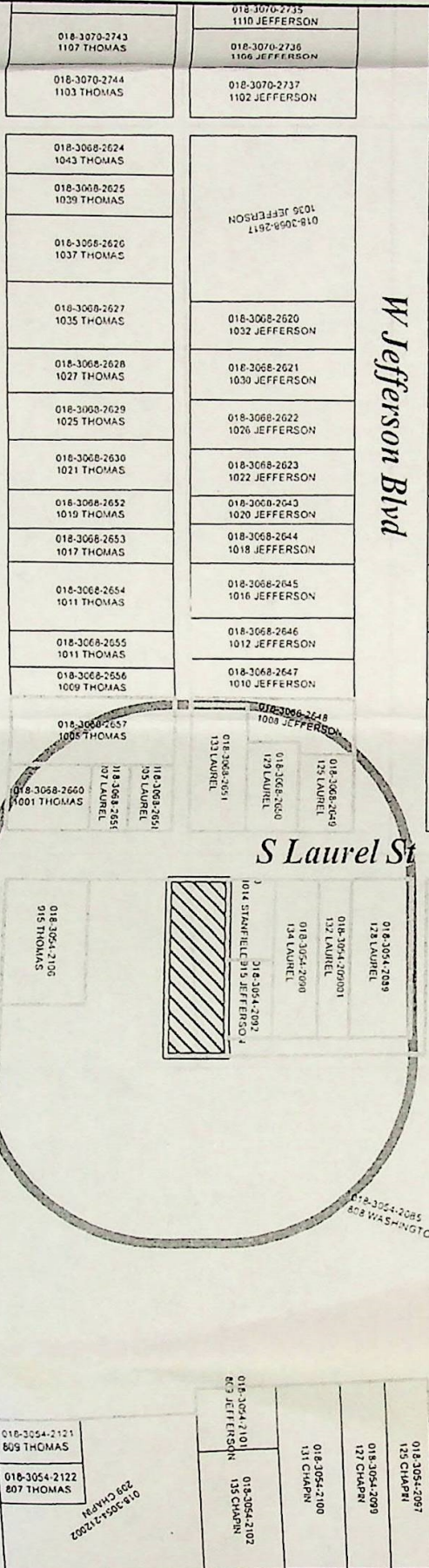
Pete Buttigieg, Mayor  
City of South Bend, Indiana

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 19 2017  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

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

PARCEL ID	PROP. ADDR	LEGAL DESCR	NAME, 1	MATERIAL	MATERIAL	NAI	MALINZIP
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018-3070-2728	1105 JEFFERSON						
018-3070-2729	1101 JEFFERSON						
018-3068-2611	1033 JEFFERSON						
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