

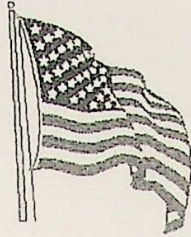
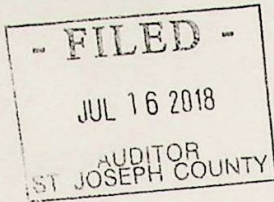
ALLEY VACATION
ORDINANCE NO. 10595-18

Status Vacated

Date: May 29, 2018

Description: First NS Alley 14' in Width Lying W of
Fellows and Carroll Streets, E of Michigan Street,
Bounded on the North by the S Right-of-Way of Bronson
Street, Bounded on the South by the N Right-of-Way of
the Penn Central Railroad, Running Approximately
248.78' in Length

United States of America



RECEIVED
JUL 16 2018
St. Joseph County Assessor

Certificate

STATE OF INDIANA, COUNTY OF ST. JOSEPH, ss:

I, Kareemah Fowler, Clerk of the City of South Bend, County of St. Joseph, Indiana, hereby certify that the attached and foregoing is a full, true, and correct copy of

ORDINANCE 10595-18

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:
ALLEY VACATION- FIRST NS ALLEY 14' IN WIDTH LYING W OF FELLOWS
AND CARROLL STREETS, E OF MICHIGAN STREET, BOUNDED ON THE
NORTH BY THE S RIGHT-OF-WAY OF BRONSON STREET, BOUNDED ON THE
SOUTH BY THE N RIGHT-OF-WAY OF THE PENN CENTRAL RAILROAD,
RUNNING APPROXIMATELY 248.78' IN LENGTH.

PASSED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, MAY 29, 2018.

PRESENTED TO, APPROVED AND SIGNED BY MAYOR PETE BUTTIGIEG,
JUNE 1, 2018.

ATTEST: TIM SCOTT, PRESIDENT OF THE COMMON COUNCIL

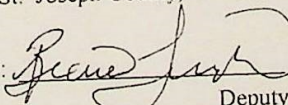
ATTEST: KAREEMAH N. FOWLER, CITY CLERK

the original of which is now on file in the office of the Clerk of the City of South Bend, St. Joseph
County, Indiana.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the City
of South Bend, St. Joseph County, Indiana, this 16th day of July 20 18

Kareemah Fowler

Clerk of the City of South Bend
St. Joseph County, Indiana

By: 
Deputy

ORDINANCE No. 10595-18

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

_____ May 29, _____ 20 18

Attest: Kareemah N. Fowler _____ City Clerk
Kareemah N. Fowler

Attest: [Signature] _____ President of Common Council

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

_____ May 29, _____ 20 18

Kareemah N. Fowler _____ City Clerk
Kareemah N. Fowler

Approved and signed by me June 1 _____ 20 18

[Signature] _____ Mayor

BILL NO. 22-18

ORDINANCE NO. 10595-18

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

FIRST NS ALLEY 14' IN WIDTH LYING W OF FELLOWS AND CARROLL STREETS, E OF MICHIGAN STREET, BOUNDED ON THE NORTH BY THE S RIGHT-OF-WAY OF BRONSON STREET, BOUNDED ON THE SOUTH BY THE N RIGHT-OF-WAY OF THE PENN CENTRAL RAILROAD, RUNNING APPROXIMATELY 248.78' IN LENGTH.

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:

FIRST NS ALLEY 14' IN WIDTH LYING W OF FELLOWS AND CARROLL STREETS, E OF MICHIGAN STREET, BOUNDED ON THE NORTH BY THE S RIGHT-OF-WAY OF BRONSON STREET, BOUNDED ON THE SOUTH BY THE N RIGHT-OF-WAY OF THE PENN CENTRAL RAILROAD, RUNNING APPROXIMATELY 248.78' IN LENGTH

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.

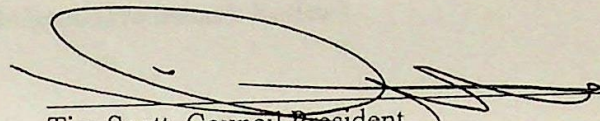
SECTION III. The following property may be injuriously or beneficially affected by such vacating:

018-3021-079201
018-3021-0793

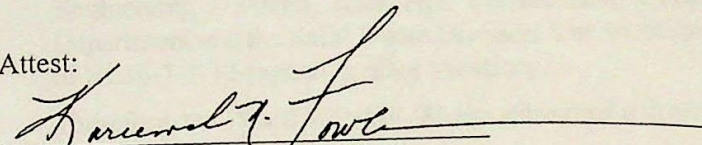
Section IV. The purpose of the vacation of the real property is

The Petitioner currently owns all property adjacent to said alley and wishes to utilize this area in the function of the business.

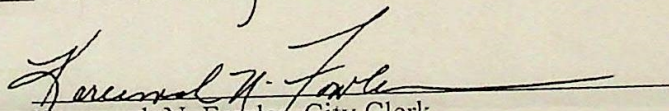
SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.


Tim Scott, Council President
South Bend Common Council

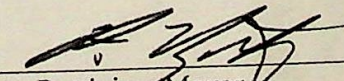
Attest:


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

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the 30 day of May, 2018, at 10 am o'clock . m.


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

Approved and signed by me on the 1 day of June, 2018, at 10 o'clock a.m.


Pete Buttigieg, Mayor
City of South Bend, Indiana

1st READING 5/14/2018
PUBLIC HEARING 5/29/2018
2nd READING 5/29/2018
NOT APPROVED
REFERRED
PASSED 5/29/2018

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

April 24, 2018

Terry Lang
JPTC Real Estate
PO Box 600A
South Bend, IN 46624

Filed in Clerk's Office

MAY 08 2018

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

RE: Alley Vacation – First North/South Alley West of Carroll Street, East of Michigan St.,
South of Bronson St., North of Penn Central Railroad (Preliminary Review)

Dear Mr. Lang:

The Board of Public Works, at its April 24, 2018, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Community Investment Department, Fire Department and the Solid Waste Division. The vacation request was found to meet the criteria of IC 36-7-3-13 regarding alley vacations.

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

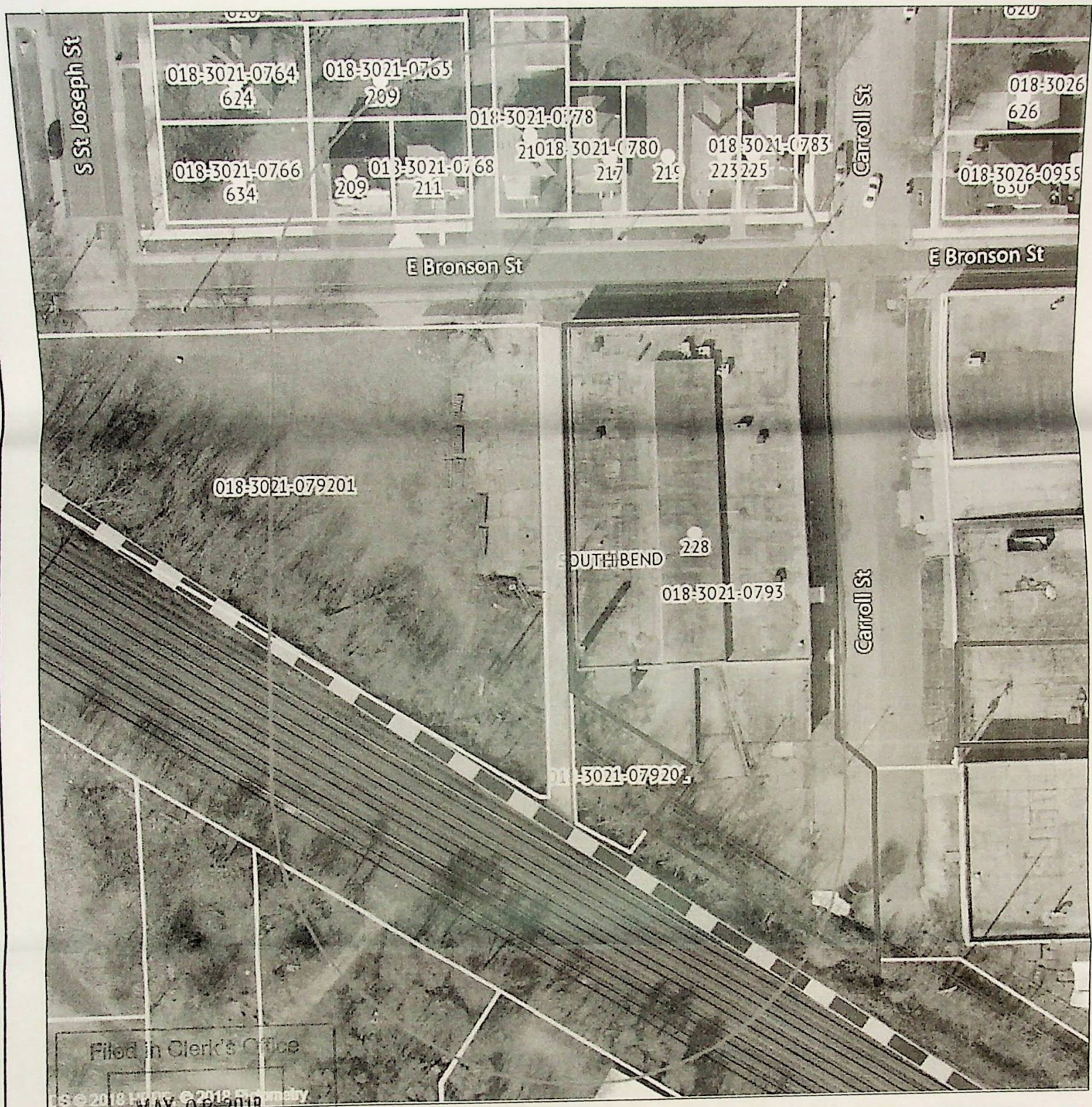
Please contact Donna Hanson at (574) 235-9254 prior to picking up your radius map.
You will need a radius map showing properties within 150' of the proposed vacation for your petition to the Common Council. Once you pick up the radius map, proceed to the City Clerk's office for your alley vacation packet.

Sincerely,

Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Donna Hanson, Engineering
Bianca Tirado, City Clerk's Office

Bill NO. 22-18



Filed in Clerk's Office

USE 2018 H.W.C. © 2018 Summary
MAY 08 2018

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

150' Buffer

*Address List attached

Date Prepared: 5/1/2018 DCH

Alley Vacation 150' Radius Map JPTC Real Estate | 228 E. Bronson

First NS alley 14' in width lying W of Fellows and Carroll Streets, E of Michigan Street, bounded on the north by the S right of way of Bronson Street, bounded on the south by the N right of way of the Penn Central Railroad, running approximately 248.78' in length.



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 4/3/2018

TO: Pete Kaminski, Street Department
X Mike Bronstetter, Solid Waste
X Matt Longfellow, Engineering Department
X Chris Dressel, Community Investment
X Federico Rodriguez, Fire Department
X Larry Magliozzi, Area Plan Commission
X Angela Smith, Area Plan Commission
Gene Eyster, Police Department
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
FROM: Linda M. Martin, Clerk *LM*

SUBJECT: REQUEST FOR RECOMMENDATION – ALLEY VACATION

APPLICANT: JPTC Real Estate

LOCATION: First NS Alley 14' in width lying W of Fellows and Carroll Streets, E of Michigan St, bounded on the N by the S ROW of Bronson St, bounded on the S by the N ROW of the Penn Central Railroad, running approximately 248.78 in length.

DATE DUE: April 17, 2018

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:

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

April 24, 2018

Terry Lang
JPTC Real Estate
PO Box 600A
South Bend, IN 46624

RE: Alley Vacation – First North/South Alley West of Carroll Street, East of Michigan St.,
South of Bronson St., North of Penn Central Railroad (Preliminary Review)

Dear Mr. Lang:

The Board of Public Works, at its April 24, 2018, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Community Investment Department, Fire Department and the Solid Waste Division. The vacation request was found to meet the criteria of IC 36-7-3-13 regarding alley vacations.

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,

A handwritten signature in cursive script that reads "Linda M. Martin".

Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Donna Hanson, Engineering
Bianca Tirado, City Clerk's Office

JPTC F
P.O. B
South
574-2
Terry

First
Street
borough
run

S. MICHIGAN ST.

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:		
Applicant Name:	JPTC Real Estate	Phone #: 574-237-0087
		Email:
Property Address:	P.O. BOX 600A SOUTH BEND, IN 46624	
Applicant property information:	<input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial	
Describe the general alley location with boundaries (ex. Church Pl, between E. Colfax Ave & E. LaSalle Ave):	SEE ATTACHED	
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 checked="" type="checkbox"/> Yes <input 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:		
Owner recently acquired all adjacent properties and wishes to vacate the alley for future development use.		
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

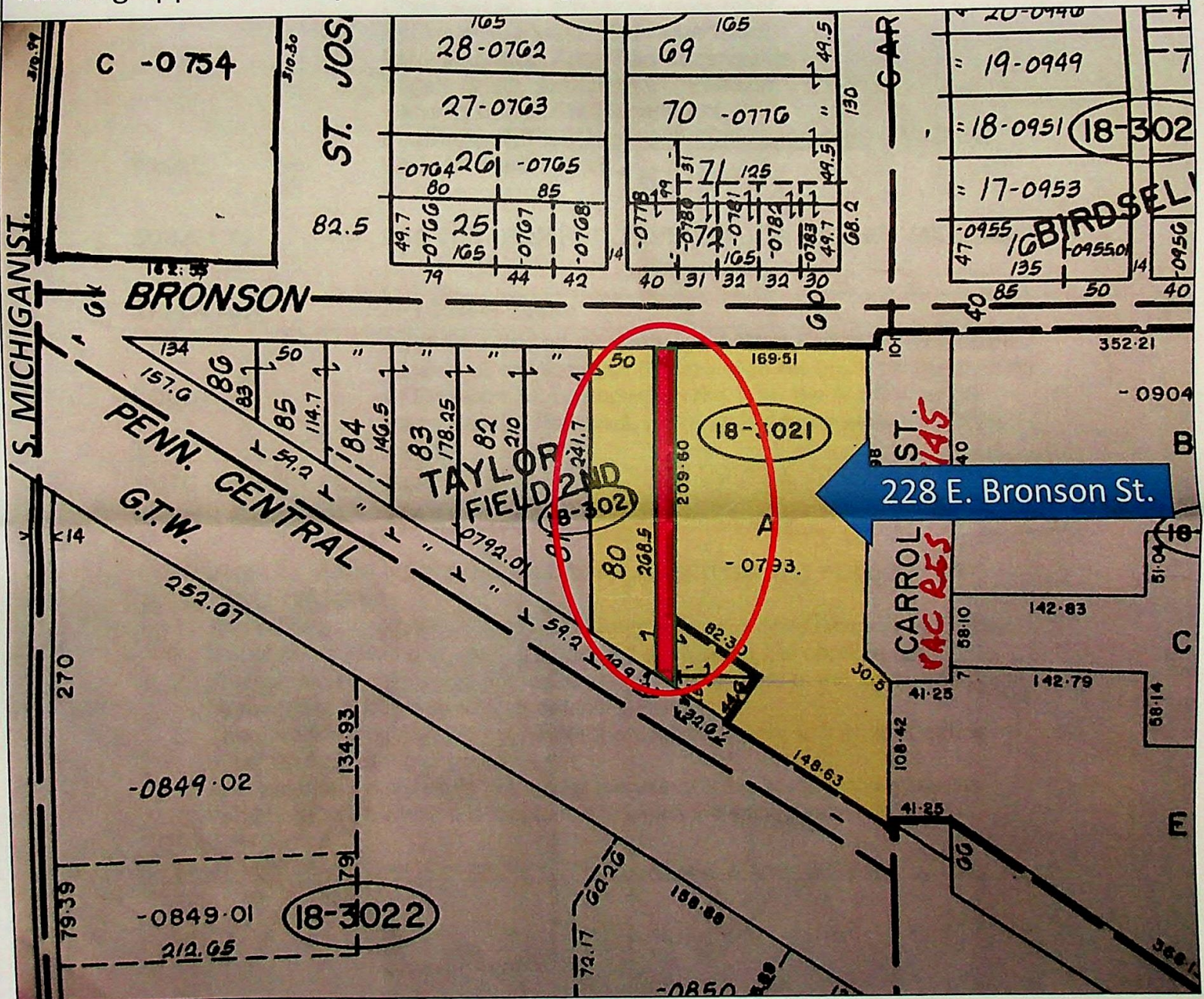
Board of Public Works Authorized Signatures:

Yours asst
Edith P. ...

JPTC Real Estate
P.O. Box 600A
South Bend, IN 46624
574-237-0087
Terry Lang Terry@langfeeney.com



First NS alley 14' in width lying W of Fellows and Carroll Streets, E of Michigan Street, bounded on the north by the S right of way of Bronson Street, bounded on the south by the N right of way of the Penn Central Railroad, running approximately 248.78' in length.





INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 4/3/2018

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
Angela Smith, Area Plan Commission
Gene Eyster, Police Department
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)

FROM: Linda M. Martin, Clerk *LM*

SUBJECT: REQUEST FOR RECOMMENDATION – ALLEY VACATION

APPLICANT: JPTC Real Estate

LOCATION: First NS Alley 14' in width lying W of Fellows and Carroll Streets, E of Michigan St, bounded on the N by the S ROW of Bronson St, bounded on the S by the N ROW of the Penn Central Railroad, running approximately 248.78 in length.

DATE DUE: April 17, 2018

FAX OR E-MAIL TO: [235-9171](tel:235-9171) / 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:

This vacation would not hinder Solid Waste operations.

Mike Bronstetter

Raschelle Carey

From: Federico Rodriguez
Sent: Tuesday, April 03, 2018 12:18 PM
To: Raschelle Carey
Subject: RE: Request for recommendation-Alley Vacation-JPTC Real Estate

Favorable SBFDF

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

-----Original Message-----

From: Raschelle Carey
Sent: Tuesday, April 3, 2018 11:10 AM
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@sjcindiana.com>; asmith@sjcindiana.com; Eugene Eyster <eeyster@southbendin.gov>; pmgriffin@nisource.com
Subject: Request for recommendation-Alley Vacation-JPTC Real Estate

Please Provide Recommendation.

Raschelle Carey
Department of Public Works, Engineering Division
227 W Jefferson Blvd Ste 1316
South Bend, IN 46601
(574) 235-9251 ext 3168
Rcarey@southbendin.gov

-----Original Message-----

From: SouthBend
Sent: Tuesday, April 03, 2018 11:14 AM
To: Raschelle Carey <rcarey@southbendin.gov>
Subject: Message from "RNP002673DD3E73"

This E-mail was sent from "RNP002673DD3E73" (MP C6004).

Scan Date: 04.03.2018 11:14:19 (-0400)
Queries to: southbend@southbendin.gov



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

April 3, 2018

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

RE: Street & Alley Vacation
Applicant: JPTC Real Estate
Location: N/S Alley, South side of Bronson, Between St. Joseph and Carroll

Dear Board Members:

The staff has reviewed this petition relative to IC 36-7-3-13. 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 alley is a mid-block N/S alley and is not a critical circulation link in the neighborhood.

- (2) The vacation **would not** make access to the lands of the aggrieved person by means of public way difficult or inconvenient.

The Petitioner represents that they own both sides of the alley. If not, a parcel identified as Tax Key #018-3021-079201 would have no access to a public right-of-way.

- (3) The vacation **would not** hinder the public's access to a church, school, or other public building or place.

No church, school or other public building or place is accessed by either the alley.

- (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.

The vacation will not hinder access to other adjacent public ways.

I would note that prior to approval, the Petitioner show proof of ownership of all adjacent parcels.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Magliozzi', written over a printed name.

Larry Magliozzi

Raschelle Carey

From: Chris Dressel
Sent: Tuesday, April 10, 2018 2:49 PM
To: Raschelle Carey
Cc: Tim Corcoran; Matt Longfellow
Subject: RE: Request for recommendation-Alley Vacation-JPTC Real Estate

The vacation request is recommended for approval based upon the following IC-36-7-3-13 Criteria:

- 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.
2. - The vacation would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- 3 - The vacation would not hinder the public's access to a church, school or other public building or space.
- 4 - The vacation would not hinder the use of a public right of way by a neighborhood in which it is located or to which it is contiguous.

Note: the petitioner was not listed is the owner of record at the time of review.

Christopher D Dressel, AICP
Planner
Bicycle Coordinator
Brownfields Coordinator
Department of Community Investment
(574) 235-5847
cdressel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd., Suite 1400S
South Bend, IN 46601

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

-----Original Message-----

From: Raschelle Carey
Sent: Tuesday, April 3, 2018 11:10 AM
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@sjcindiana.com>; asmith@sjcindiana.com; Eugene Eyster <eeyster@southbendin.gov>; pmgriffin@nisource.com
Subject: Request for recommendation-Alley Vacation-JPTC Real Estate

Please Provide Recommendation.

Raschelle Carey
Department of Public Works, Engineering Division

Raschelle Carey

From: Matt Longfellow
Sent: Tuesday, April 17, 2018 10:30 AM
To: Raschelle Carey
Cc: Toy Villa; Kara Boyles; Donna C. Hanson; Chris Dressel
Subject: RE: Request for recommendation-Alley Vacation-JPTC Real Estate
Attachments: 20180403111419838.pdf; 20180410_085227.jpg

Engineering has no objection to this alley vacation as it meets all the criteria of IC 36-7-3-13.

Regards,
Matt

-----Original Message-----

From: Raschelle Carey
Sent: Tuesday, April 03, 2018 11:10 AM
To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodriagu@southbendin.gov>; Larry Magliozzi <LMAGLIOZ@sjcindiana.com>; asmith@sjcindiana.com; Eugene Eyster <eeyster@southbendin.gov>; pmgriffin@nisource.com
Subject: Request for recommendation-Alley Vacation-JPTC Real Estate

Please Provide Recommendation.

Raschelle Carey
Department of Public Works, Engineering Division
227 W Jefferson Blvd Ste 1316
South Bend, IN 46601
(574) 235-9251 ext 3168
Rcarey@southbendin.gov

-----Original Message-----

From: SouthBend
Sent: Tuesday, April 03, 2018 11:14 AM
To: Raschelle Carey <rcares@southbendin.gov>
Subject: Message from "RNP002673DD3E73"

This E-mail was sent from "RNP002673DD3E73" (MP C6004).

Scan Date: 04.03.2018 11:14:19 (-0400)
Queries to: southbend@southbendin.gov