

ALLEY VACATION  
**ORDINANCE NO. 10692-19**

Status Vacated

Date: November 12, 2019

**Description:** First East/West Alley Lying West of St. Peter Street and North of Howard Street Running West 165 Feet +/- in Length and Terminating at an Existing North/South Alley, All in South Bend, Indiana

United States of America

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ORDINANCE No. 10692-19

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

November 12, 20 19

Attest: Dawn M. Jones City Clerk  
Dawn M. Jones

Attest: [Signature] President of Common Council

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

November 12, 20 19

Dawn M. Jones City Clerk  
Dawn M. Jones

Approved and signed by me November 13 20 19

\_\_\_\_\_  
Mayor

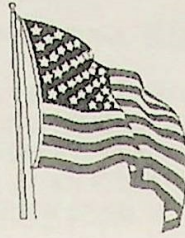
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- Receipt -

# United States of America



- RECEIVED -  
DEC 03 2019  
ST. JOSEPH COUNTY  
ASSESSOR

## Certificate

- FILED -  
DEC 03 2019  
ST. JOSEPH COUNTY

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

I, Dawn M. Jones, 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 10692-19**

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTIES:  
FIRST EAST/WEST ALLEY LYING WEST OF ST. PETER STREET STREET AND  
NORTH OF HOWARD STREET, RUNNING WEST 165 FEET +/- IN LENGTH AND  
TERMINATING AT AN EXISTING NORTH/SOUTH ALLEY, ALL IN SOUTH  
BEND, INDIANA,

PASSED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,  
INDIANA, NOVEMBER 12, 2019.

PRESENTED TO, APPROVED AND SIGNED BY MAYOR PETE BUTTIGIEG,  
NOVEMBER 13, 2019.

ATTEST: TIM SCOTT, PRESIDENT OF THE COMMON COUNCIL

ATTEST: DAWN M. JONES, 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 3<sup>rd</sup> day of December 20 19

Dawn M. Jones

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

By: Bernardo  
Deputy



BILL NO. 52-19

ORDINANCE NO. 10692-19

**AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTIES:  
FIRST EAST/WEST ALLEY LYING WEST OF ST. PETER STREET STREET  
AND NORTH OF HOWARD STREET, RUNNING WEST 165 FEET +/- IN  
LENGTH AND TERMINATING AT AN EXISTING NORTH/SOUTH ALLEY,  
ALL IN SOUTH BEND, INDIANA,**

**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 properties:

- 1). Alley Vacation – First East/West Alley lying West of St. Peter Street and North of Howard Street, running West 165 feet +/- in length and terminating at an existing North/South Alley, all in South Bend, Indiana,

hereby determines that it is desirable to vacate said properties.

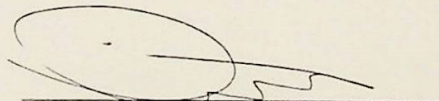
SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas, water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

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

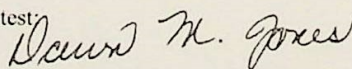
18-5104-3627 18-5104-3625 18-5104-3624 18-5104-3623 18-5104-362301 18-5104-3628  
18-5104-3629 18-5104-3632 18-5104-3631 18-5104-3630 18-5104-3616 18-5104-3614  
18-5104-3612 18-5104-361201 18-5104-3611 18-5104-361101 18-5104-3610 18-5104-3609  
18-5104-3648 18-5104-3651 18-5104-3654 18-5104-3658

SECTION IV. The purpose of the vacation of the real properties is to vacate that portion of all the Public Alley in the described area to allow for the safer use of the adjacent properties.

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: 

Dawn M. Jones, 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 12<sup>th</sup> day of November, 2019, at 2 o'clock P. m.

Dawn M. Jones  
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the 13<sup>th</sup> day of November, 2019, at 2 o'clock P. m.

Pete Buttigieg  
Pete Buttigieg, Mayor  
City of South Bend, Indiana

1st READING 10-28-2019  
PUBLIC HEARING 11-12-2019  
3rd READING 11-12-2019  
NOT APPROVED  
REFERRED  
PASSED 7/0





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

**DATE SENT: 8/9/2019**

**TO:** ✓ Pete Kaminski, Street Department  
✓ Matt Longfellow, Engineering Department  
✓ Chris Dressel, Community Investment  
✓ Federico Rodriguez, Fire Department  
✓ Brad Rohrscheib, Police Department  
**FROM:** Phil Griffin, NIPSCO ([pmgriffin@nisource.com](mailto:pmgriffin@nisource.com)) (FYI Only)  
Linda M. Martin, Clerk *lm*

**SUBJECT: REQUEST FOR RECOMMENDATION – ALLEY VACATION**

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**APPLICANT:** Danch, Harner and Associates

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**LOCATION:** Half E/W Alley W from St Peter St West to N/S Alley North of Howard St.

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**DATE DUE:** August 20, 2019

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

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By \_\_\_\_\_ Date \_\_\_\_\_



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**

September 10, 2019

Michael Danch  
Danch, Harner and Associates  
1643 Commerce Drive  
South Bend, IN 46628

RE: Alley Vacation – 1st East/West Alley West of St. Peter St. to the North/South Alley, North of Howard St. (Preliminary Review)

Dear Mr. Danch:

The Board of Public Works, at its September 10, 2019, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Community Investment, Fire Department, Police Department, and the Street Department.

Per Indiana Code 36-7-3-13, the vacation met all requirements.

Therefore, the Board of Public Works submitted a favorable recommendation for the vacation of this alley, subject to the replat of the property showing the new access plan for the north/south alley for all affected properties.

**Please contact Engineering 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





### Street/Alley Vacation Form

Submission Date: 8/5/19

Applicant Name: Michael J. Danch  
Danch, Harper & Assoc

Phone #: 574.234.4003

Email: mdanche@danchharper.com

Property Address: 1019 St. Peter Street

Applicant property information:  Residential  Commercial  Industrial

Describe the general alley location with boundaries (Ex: Church Pl, between E. Colfax Ave & E. LaSalle Ave):

1st E/1/4 Alley W. of St. Peter & North of Howard

- Is your property adjacent to the alley of interest?  Yes  No
- Do you own all adjacent properties to the alley of interest?  Yes  No
- Does the existing alley provide garage access to other property owners?  Yes  No
- Does the alley receive daily traffic excluding your own use?  Yes  No
- Would the vacation hinder public access to any of the following: a church, school, or any other public building or place?  Yes  No

Reason for street/alley vacation and proposed use:

To allow for development of property for new homes

**OFFICE USE ONLY:**

Board Recommendation for the proposed alley vacation:  Yes  No

Board of Public Works Authorized Signatures:

Gary A. Scholt  
Edith [Signature]  
[Signature]  
[Signature]



Applicant

Danch, Harner (574) 234-4003  
& Assoc.

Owner:

PGK Enterprises LLC ST. VINCENT

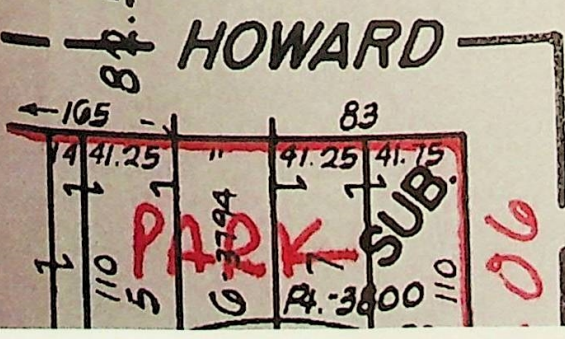
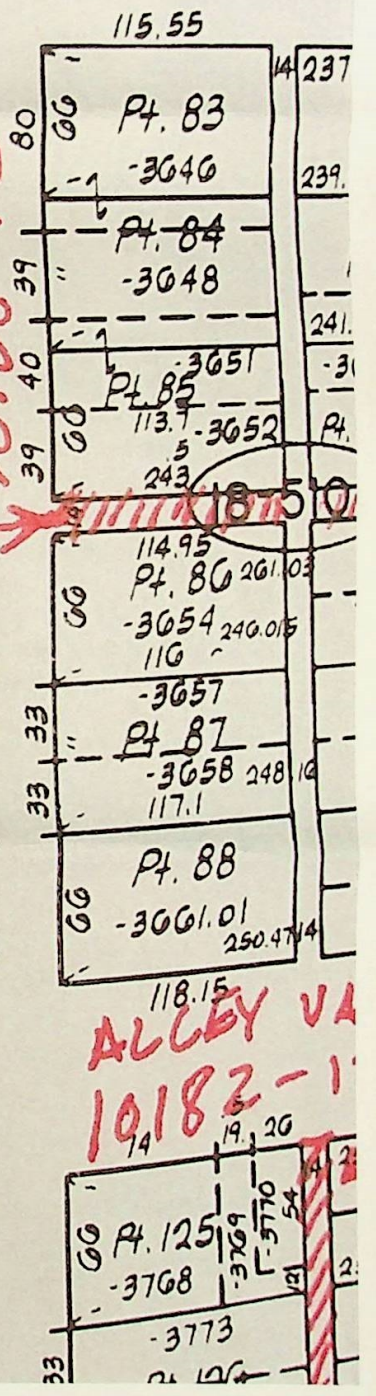
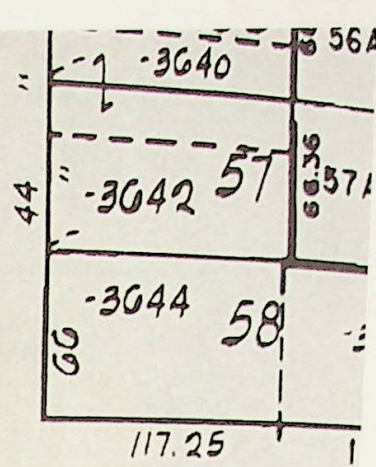
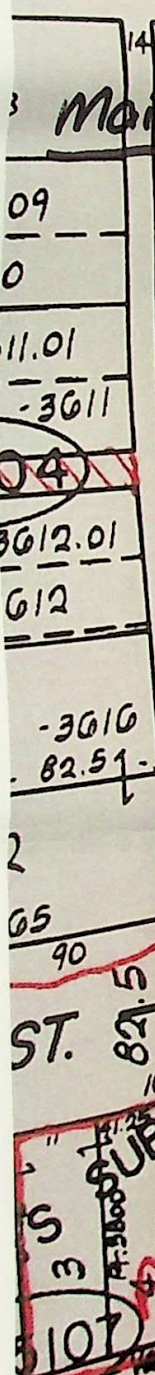
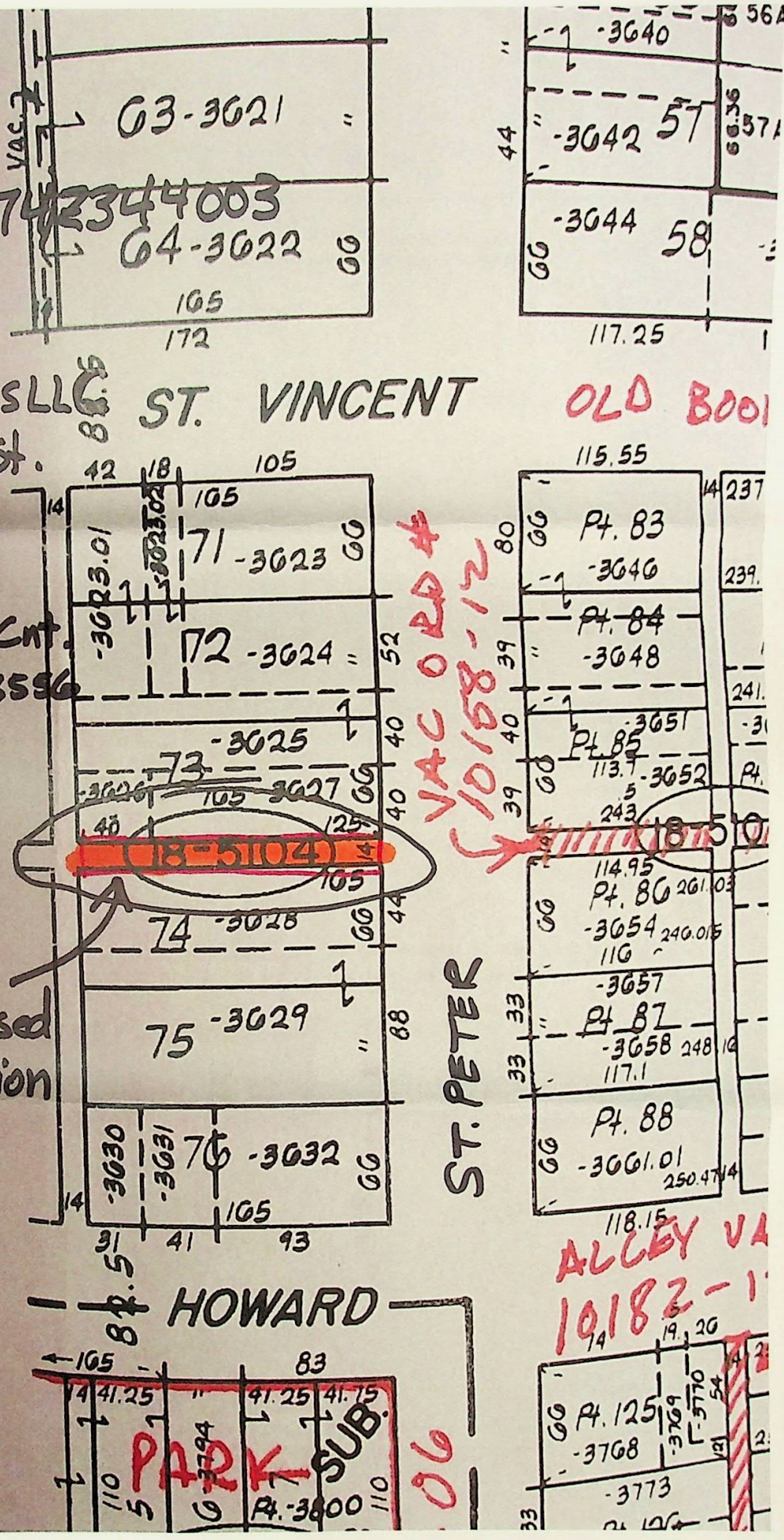
1019 St. Peter St.

Mailing Address

100 Guglielmino  
Family Athletic Cnt.  
Notre Dame, IN 46556

Proposed  
Vacation

SOLD  
#3185







Danch, Harner & Associates, Inc.

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Michael J. Danch, L.A., ASLA  
Ron Harner, P.S.

Land Surveyors • Professional Engineers  
Landscape Architects • Land Planners

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

August 5, 2019

RE: Alley Vacation - First East/West Alley lying West of St. Peter Street and North of Howard Street, running West 165 feet +/- in length and terminating at an existing North/South Alley, all in South Bend, Indiana,

Dear Board Members:

On behalf of our clients we are requesting an Alley Vacation for the First East/West Alley lying West of St. Peter Street and North of Howard Street, running West 165 feet +/- in length and terminating at an existing North/South Alley, all in South Bend, Indiana. The reason for this request is to allow for the properties located on either side of the proposed alley to be enlarged and developed for new homes and to close a public right-of-way which allows for vehicles using the alley to come within a few feet of the two existing adjacent homes. The existing North/South Alley will still allow more than enough access to the adjacent public streets. The Petitioners desire to increase the safety in the use of their properties through the proposed vacation.

Closure of this portion of the existing East-West alley will not be detrimental to any surrounding property as the petitioners own all adjacent real estate on either side of the proposed vacated alley.

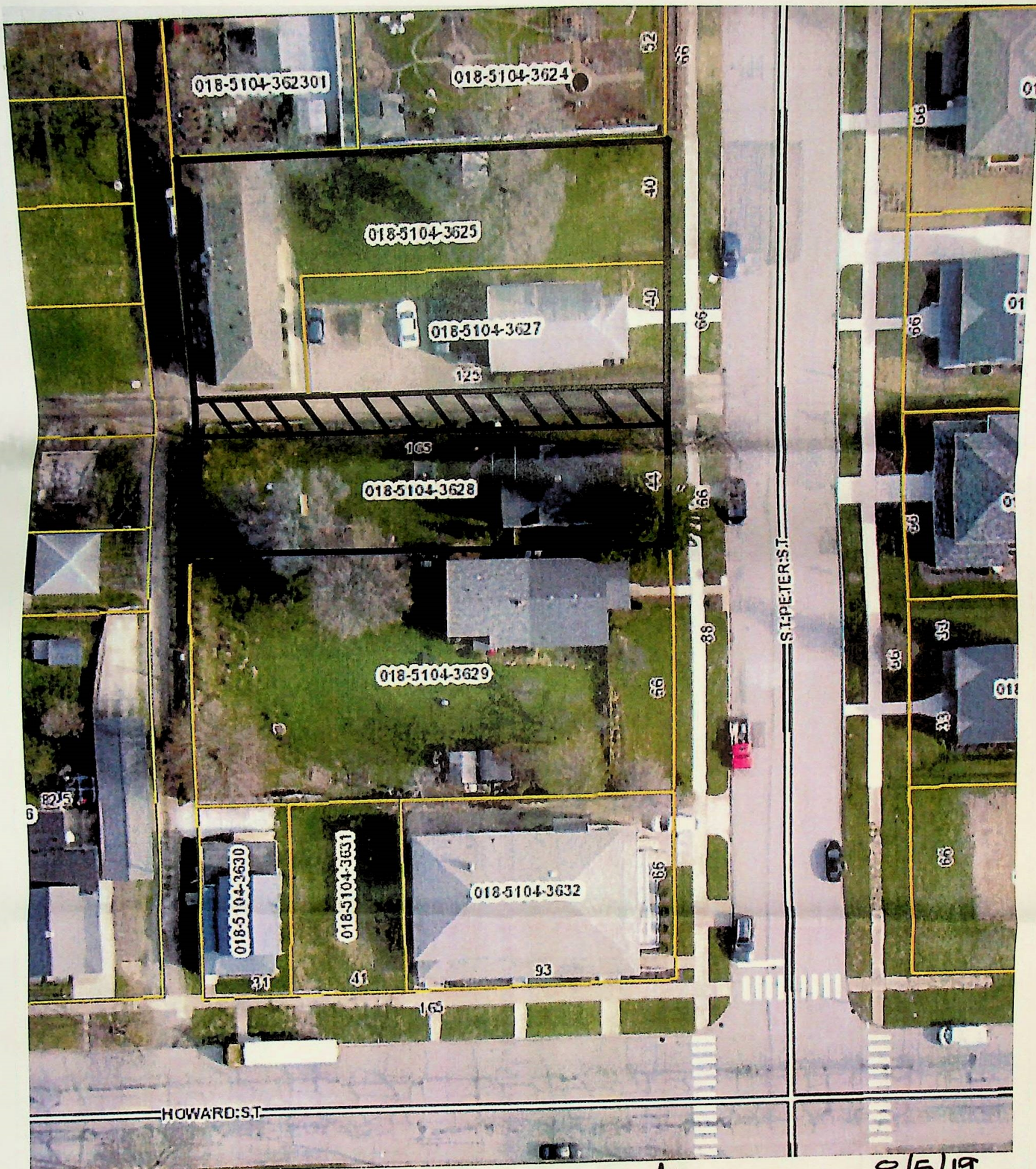
If you have any questions concerning this matter, please feel free to give me a call at 574-234-4003.

Sincerely,

*Michael J. Danch*

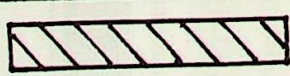
Michael J. Danch - President  
Danch, Harner & Associates, Inc.  
File No. 190155.1





HOWARD ST

ST. PETER ST



Proposed  
Vacation  
Area



NORTH  
SCALE 1"=40'

8/5/19



## St. Joseph County

### Property Information

**Subject Property:** .  
**Parcel ID:** 018-5104-3625  
**State ID:** 71-08-01-280-016.000-026  
**Current Owner(s):** PGK ENTERPRISES LLC  
**Mailing Address:** 100 Guglielmino Family AthletiAtm: Beth Rex, Notre Dame IN 46556  
**Assessed Usage:** COMMERCIAL 4-19 FAMILY APARTMENTS  
**Township:** SB Portage  
**Municipality:**  
**Tax District:** SB Portage

### Property Assessment Information as of Last Assessment Date

**Land Value:** \$7,500.00  
**Improved Value:** \$57,600.00  
**Assessed Year:** 2021  
**Acres:** 0.19

**Legal Description:** 14' S Side Lot 72 & Lot 73 Ex SE Cor 40' X 125' Sorins 2nd Add 20/21  
 Con w/ 018-5104-3626 Per Assessors Req IC 6-1.1-5-16



Not to Scale



18 5104 3625

Information shown on this map is not warranted for accuracy or merchantability. Reproduction or distribution of this material is not authorized.



Date Printed: August 5, 2019



## St. Joseph County

### Property Information

**Subject Property:** 1019 N ST PETER ST, SOUTH BEND 46617  
**Parcel ID:** 018-5104-3627  
**State ID:** 71-08-01-280-018.000-026  
**Current Owner(s):** PGK ENTERPRISES LLC  
**Mailing Address:** 100 Guglielmino Family Athleti/Attn: Beth Rex, Notre Dame IN 46556  
**Assessed Usage:** RESIDENTIAL ONE FAMILY DWELLING ON A PLATTED LOT  
**Township:** SB Portage  
**Municipality:** SOUTH BEND  
**Tax District:** SB Portage

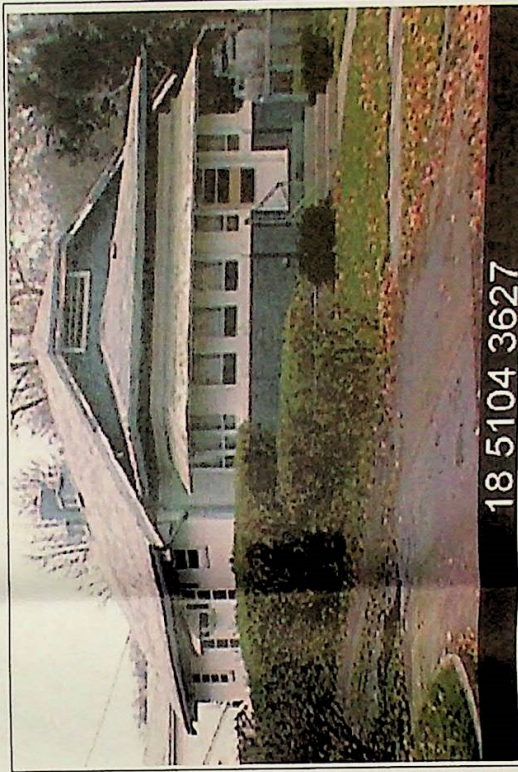
### Property Assessment Information as of Last Assessment Date

**Land Value:** \$6,200.00  
**Improved Value:** \$49,100.00  
**Assessed Year:** 2021  
**Acres:** 0.12

**Legal Description:** 40 Ft S Side Ex 40 Ft W End Lot 73 Sorins 2nd Add



Not to Scale



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Date Printed: August 5, 2019





## St. Joseph County

### Property Information

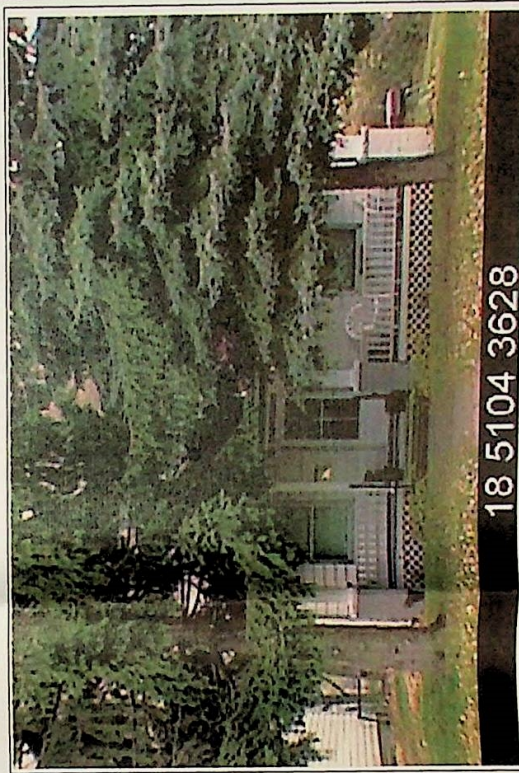
**Subject Property:** 1017 N ST PETER ST, SOUTH BEND 46617  
**Parcel ID:** 018-5104-3628  
**State ID:** 71-08-01-280-019,000-026  
**Current Owner(s):** PGK ENTERPRISES LLC  
**Mailing Address:** 100 Guglielmino Family Athleti , Notre Dame IN 46556  
**Assessed Usage:** RESIDENTIAL ONE FAMILY DWELLING ON A PLATTED LOT  
**Township:** SB Portage  
**Municipality:** SOUTH BEND  
**Tax District:** SB Portage

### Property Assessment Information as of Last Assessment Date

**Land Value:** \$14,200.00  
**Improved Value:** \$117,300.00  
**Assessed Year:** 2021  
**Acres:** 0.17  
**Legal Description:** 44 Ft N Side Lot 74 Sorins 2nd



Not to Scale



18 5104 3628

Information shown on this map is not warranted for accuracy or merchantability. Reproduction or distribution of this material is not authorized.





## Liz Horvath

---

**From:** Brad Rohrscheib  
**Sent:** Friday, August 9, 2019 3:32 PM  
**To:** Liz Horvath; Pete Kaminski; Matt Longfellow; Chris Dressel; Federico Rodriguez  
**Subject:** RE: Alley Vacation - Danch Harner Associates

Police Dept. has no objections. Thank you

### Sgt. Brad Rohrscheib

Traffic & Special Events  
South Bend Police Department  
701 W. Sample St.  
South Bend, IN 46601  
(574) 235-9817



---

**From:** Liz Horvath <lhorvath@southbendin.gov>  
**Sent:** Friday, August 9, 2019 12:38 PM  
**To:** Pete Kaminski <pkaminsk@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Brad Rohrscheib <brohrscheib@southbendin.gov>  
**Subject:** Alley Vacation - Danch Harner Associates

Please provide your recommendations.



### *Liz Horvath*

Administrative Assistant II  
Department of Public Works, Engineering Division  
(574) 235-5927  
[lhorvath@southbendin.gov](mailto:lhorvath@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Suite 1316  
South Bend, IN 46601

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## Liz Horvath

---

**From:** Federico Rodriguez  
**Sent:** Friday, August 9, 2019 1:04 PM  
**To:** Liz Horvath  
**Subject:** RE: Alley Vacation - Danch Harner Associates

Favorable SBFD

**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](mailto:frodrigu@southbendin.gov)



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---

**From:** Liz Horvath <[lhovath@southbendin.gov](mailto:lhovath@southbendin.gov)>  
**Sent:** Friday, August 9, 2019 12:38 PM  
**To:** Pete Kaminski <[pkaminsk@southbendin.gov](mailto:pkaminsk@southbendin.gov)>; Matt Longfellow <[mlongfel@southbendin.gov](mailto:mlongfel@southbendin.gov)>; Chris Dressel <[cdressel@southbendin.gov](mailto:cdressel@southbendin.gov)>; Federico Rodriguez <[frodrigu@southbendin.gov](mailto:frodrigu@southbendin.gov)>; Brad Rohrscheib <[brohrsch@southbendin.gov](mailto:brohrsch@southbendin.gov)>  
**Subject:** Alley Vacation - Danch Harner Associates

Please provide your recommendations.



**Liz Horvath**  
Administrative Assistant II  
Department of Public Works, Engineering Division  
(574) 235-5927  
[lhovath@southbendin.gov](mailto:lhovath@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Suite 1316  
South Bend, IN 46601

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## Liz Horvath

---

**From:** Pete Kaminski  
**Sent:** Monday, August 12, 2019 1:20 PM  
**To:** Liz Horvath; Matt Longfellow; Chris Dressel; Federico Rodriguez; Brad Rohrscheib  
**Cc:** Sean Ward  
**Subject:** RE: Alley Vacation - Danch Harner Associates

Hi Liz, the Street division has no objections to this alley vacate request, thank you.

---

**From:** Liz Horvath  
**Sent:** Friday, August 09, 2019 12:38 PM  
**To:** Pete Kaminski <pkaminsk@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Brad Rohrscheib <brohrsch@southbendin.gov>  
**Subject:** Alley Vacation - Danch Harner Associates

Please provide your recommendations.



### *Liz Horvath*

Administrative Assistant II  
Department of Public Works, Engineering Division  
(574) 235-5927  
[lhovath@southbendin.gov](mailto:lhovath@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Suite 1316  
South Bend, IN 46601

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## Liz Horvath

---

**From:** Matt Longfellow  
**Sent:** Thursday, August 15, 2019 10:10 AM  
**To:** Liz Horvath  
**Cc:** Toy Villa; Kara Boyles  
**Subject:** FW: Alley Vacation - Danch Harner Associates  
**Attachments:** 4189\_001.pdf

Liz:

Engineering has no objections to this alley vacation.

Regards,



**Matt Longfellow**  
Permit Inspector  
Public Works Engineering  
Office: (574) 235-5929  
Mobile: (574) 286-9589  
[mlongfel@southbendin.gov](mailto:mlongfel@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Ste. 1316  
South Bend, IN 46601  
<http://www.southbendin.gov>

---

**From:** Liz Horvath <[lhovath@southbendin.gov](mailto:lhovath@southbendin.gov)>  
**Sent:** Friday, August 9, 2019 12:38 PM  
**To:** Pete Kaminski <[pkaminsk@southbendin.gov](mailto:pkaminsk@southbendin.gov)>; Matt Longfellow <[mlongfel@southbendin.gov](mailto:mlongfel@southbendin.gov)>; Chris Dressel <[cdressel@southbendin.gov](mailto:cdressel@southbendin.gov)>; Federico Rodriguez <[frodrigo@southbendin.gov](mailto:frodrigo@southbendin.gov)>; Brad Rohrscheib <[brohrsch@southbendin.gov](mailto:brohrsch@southbendin.gov)>  
**Subject:** Alley Vacation - Danch Harner Associates

Please provide your recommendations.



**Liz Horvath**  
Administrative Assistant II  
Department of Public Works, Engineering Division  
(574) 235-5927  
[lhovath@southbendin.gov](mailto:lhovath@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Suite 1316  
South Bend, IN 46601

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## Nateesha Jacobs

---

**From:** Chris Dressel  
**Sent:** Wednesday, September 4, 2019 5:19 PM  
**To:** Liz Horvath; Nateesha Jacobs  
**Cc:** Tim Corcoran  
**Subject:** RE: Alley Vacation - Danch Harner Associates

Recommended for approval based on the following criteria and subject to map showing the new building access plan based on consolidation of parcels

- 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.



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

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---

**From:** Liz Horvath  
**Sent:** Friday, August 9, 2019 12:38 PM  
**To:** Pete Kaminski <[pkaminsk@southbendin.gov](mailto:pkaminsk@southbendin.gov)>; Matt Longfellow <[mlongfel@southbendin.gov](mailto:mlongfel@southbendin.gov)>; Chris Dressel <[cdressel@southbendin.gov](mailto:cdressel@southbendin.gov)>; Federico Rodriguez <[frodrigo@southbendin.gov](mailto:frodrigo@southbendin.gov)>; Brad Rohrscheib <[brohrsch@southbendin.gov](mailto:brohrsch@southbendin.gov)>  
**Subject:** Alley Vacation - Danch Harner Associates

Please provide your recommendations.



**Liz Horvath**  
Administrative Assistant II  
Department of Public Works, Engineering Division  
(574) 235-5927  
[lhovath@southbendin.gov](mailto:lhovath@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Suite 1316  
South Bend, IN 46601

We deliver services that empower everyone to thrive.