

29

Department of Public Works.

THIS ENVELOPE CONTAINS PAPERS

Under *Vacation* Resolution, No. 30

Adopted on the 12 day of July 1904

Poster St.



No. [REDACTED]

Part of Foster Street

PROOF OF PUBLICATION BY

—THE—

South Bend Times.

DAILY

Of Notice of Resolution of
Vacation

Filed, 190.....

....., Clerk.

State of Indiana, St. Joseph County, Ss.

NOTICE OF RESOLUTION OF VACATION NO. 30.

City of South Bend, Indiana. Department of Public Works. Notice is hereby given that the board of public works of said city at a meeting of said board held on the 12th day of July, 1904, adopted a resolution for the vacation of a public street described as follows:

All of that part of Foster street which is described as follows: Commence on the south line of Howard street at the northeast corner of lot 11, in Stanfield & Foster's addition, thence east on the south line of Howard street to the northwest corner of lot 12 in said addition; thence south 198 feet to alley; thence west on the north line of alley produced to the easterly line of Niles avenue; thence northwesterly on easterly line of Niles avenue to the southwest corner of lot 11 in said addition; thence north to place of beginning. Also commence at a point on the easterly line of where the west line of lot 10 in said addition intersects same; thence north 28.9 feet to alley; thence west on the south line of alley produced to the easterly line of Niles avenue; thence south easterly on easterly line of Niles avenue to place of beginning.

The following persons are interested in these proceedings:

James Nelson and John A. Hibberd. This board at its office in the city hall on the 26th day of July, 1904, at 7:15 p. m., will hear and receive remonstrances from all persons interested in or affected by these proceedings.

W. A. McINERNEY, J. W. PAPCZYNSKI, EDWIN NICAR, Board of Public Works.

july14-21

Personally appeared before me, the undersigned.....
C. D. D. , one of the Publishers of THE SOUTH BEND DAILY TIMES, a public newspaper of general circulation, printed and published in the City of South Bend, in the county aforesaid, who being duly sworn, upon his oath saith that the notice, of which the attached is a true copy, was published in said paper for.....2..... weeks successively, to-wit:

On the day of 190.....

On the day of 190.....

On the 14th day of July 1904

and on the 21st day of July 1904

C. D. D.

Subscribed and sworn to before me this 30th

day of July 1904

Notary Public

Printer's Fee, - - \$ 7.50

MY COMMISSION EXPIRES SEPTEMBER 8, 1906.

BOARD
W. A. MOINERNY
JOHN W. PAPOZYNSKI
EDWIN NICAR

City of South Bend, Indiana

Department of Public Works

PARKS, STREET LIGHTING
GARBAGE
STREETS AND ALLEYS
WATER DEPT.
ENGINEERING, CEMETERY

Mr. John A. Hibberd,
South Bend, Indiana.

Dear Sir:--

The Board of Public Works kindly asks you to call at the City Comptroller's office in the City Hall and pay your assessment due on the Vacation of Foster Street under Vacation Resolution No. 30. Said amount is Twenty-five (\$25.00) Dollars.

Promptness in this matter will be highly appreciated.

Yours very respectfully,

BOARD OF PUBLIC WORKS,

By _____

South Bend, Indiana.

August 16th, 1904.

COPY OF
Vacation Resolution.

no. 30

FOR VACATING

Foster Street

Engineer's Report

Resolution Adopted *July 2*

Notice Published *July 14*

First Hearing *July 26*

Final Order

Roll of Property Owners

Notice of Second Hearing

Second Hearing

Appeal

Record No. *2*, page *3*

COPY OF VACATION RESOLUTION.

No. 30, 1904

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:

All of that part of Foster Street which is described as follows; Commence on the South line of Howard street at the North East corner of Lot 11 in Stanfield and Foster's Addition, thence East on the South line of Howard street to the North West corner of Lot 14 in said addition, thence South 198 feet to alley thence west on the north line of alley produced to the Easterly line of Miles Ave thence North westerly on Easterly line of Miles Avenue to the South East corner of Lot 11 in said addition thence North to place of beginning. Also commence at a point on the Easterly line of where the west line of Lot 10 in said addition intersects same, thence north 28.9 feet to alley thence west on the South line of alley produced to the Easterly line of Miles Avenue, thence Southwesterly on Easterly line of Miles Avenue to place of beginning.

The following property may be injuriously or beneficially effected by such vacation;

Table with 3 columns: Lot No, Ad, Name of Owner. Row 1: All, 10, Stanfield & Foster, James Nelson. Row 2: 11, John A. Hibberd. Row 3: 12, " " ". Row 4: 13, " " ".

Notice of this resolution shall be published on the 14 day of July and on the 21 day of July 1904, in the South Bend Daily Tribune

This Board, at its office in the City Hall on the 26 day of July 1904 at 7:15 p. m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 12 day of July 1904

produced to the easterly line of Miller Avenue, commencing southerly on easterly line of Miller Avenue to place of beginning.

The following property may be injuriously or beneficially effected by such vacation;

	Lot No	Area	Name of Owner
All	10	Stanfield & Foster	James Nelson
"	11	" " "	John A. Hibberd
"	12	" " "	" " "
"	13	" " "	" " "

Notice of this resolution shall be published on the 14 day of July and on the 21 day of July, 1904, in the South Bend Daily Tribune

This Board, at its office in the City Hall on the 26 day of July, 1904, at 7:15 p. m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 12 day of July, 1904

BOARD OF PUBLIC WORKS.

Walter J. ...
president



Before the Board of Public
Works of the City of South
Bend.

Petition for Vacation of a
portion of Foster Street.

Reported back
Hammond

Filed
June 28-1904
B. Pub Wks

||

State of Indiana)
)SS.: (Before the Board of Public Works of
St. Joseph County.) (The City of South Bend.

In the Matter of the Vacation)
of a portion of Foster Street,) P E T I T I O N.
in the City of South Bend.)

Comes now the petitioner and shows to your honorable Board, that the petitioner, John A. Hibberd, is the owner in fee of the following described real estate in the City of South Bend, to-wit:- Lots Numbered Eleven (11) Twelve (12) and Thirteen (13), as shown on the Recorded Plat of Stanfield & Foster's Addition to the City of South Bend, Indiana. That said Lot No.11 is a triangular lot, bounded on the North by Howard Street, on the East by Foster Street and on the Southwest by Niles Avenue.

That that portion of Foster Street running South from the South line of Howard Street to the intersection with the North line of the first alley running East from Niles Avenue between Lots 10 and 12 and 13 in said Addition and bounded also partly on the South West by Niles Avenue, is less than one block in length; that said portion of said Street has never been improved by the City of South Bend, not has it even been generally used by the public as a thoroughfare.

That your petitioner believes that no person or persons will be inconvenienced or damaged by the vacation of the portion of Foster Street above described, as your petitioner owns all of the real estate abutting on that portion of said street herein asked to be vacated.

That this Board has ordered Howard Street to be improved by the construction of cement walks and curb along the line of the same and that if the portion of Foster Street above described is vacated as herein prayed for, the City would be relieved of the expense of constructing and maintaining a crossing where said Foster Street inter-

that the petitioner, John A. Hibberd, is the owner in fee of the following described real estate in the City of South Bend, to-wit:- Lots Numbered Eleven (11) Twelve (12) and Thirteen (13), as shown on the Recorded Plat of Stanfield & Foster's Addition to the City of South Bend, Indiana. That said Lot No. 11 is a triangular lot, bounded on the North by Howard Street, on the East by Foster Street and on the Southwest by Niles Avenue.

That that portion of Foster Street running South from the South line of Howard Street to the intersection with the North line of the first alley running East from Niles Avenue between Lots 10 and 12 and 13 in said Addition and bounded also partly on the South West by Niles Avenue, is less than one block in length; that said portion of said Street has never been improved by the City of South Bend, not has it even been generally used by the public as a thoroughfare.

That your petitioner believes that no person or persons will be inconvenienced or damaged by the vacation of the portion of Foster Street above described, as your petitioner owns all of the real estate abutting on that portion of said street herein asked to be vacated.

That this Board has ordered Howard Street to be improved by the construction of cement walks and curb along the line of the same and that if the portion of Foster Street above described is vacated as herein prayed for, the City would be relieved of the expense of constructing and maintaining a crossing where said Foster Street intersects the South line of Howard Street, and your petitioner would be required to construct and maintain cement sidewalks and curb over and across said point of intersection, a distance of Sixty (60) feet.

That the portion of Foster Street herein asked to be vacated has never been traveled nor generally used by the public, and the expense of improving the same and keeping it in repair and in condition for travel, would greatly exceed the benefits accruing to the public and the citizens of South Bend from the use thereof.

That if said portion of said street is vacated, the title to the vacated portion thereof will revert to and vest in the owner of the abutting property and will become subject to taxation and the City of South Bend will receive a revenue therefrom instead of being compelled to expend money to keep the same in repair for public use.

WHEREFORE, your petitioner asks, that the portion of Foster Street in the City of South Bend bounded on the North by Howard Street; on the East by Lot 12 in Stanfield and Foster's Addition; on the West by Lot 11 in said Addition; and on the South by the north line of the first alley running East and West South of Howard Street, and on the Southwest by the Easterly line of Niles Avenue, be vacated.

Respectfully submitted.

John A. Howard

