

DEPARTMENT OF PUBLIC WORKS

THIS ENVELOPE CONTAINS PAPERS

Under Vacation Resolution No. 71

Adopted on the 16th day of January 1923

For

Vacation

of a Ten (10) foot Alley
lying North of lots 314
in Ward's Sub-Div.
of lot 329 and a part of
328 in Cottrell's 1st
Addition.

For Proof of Publication see Proof

Record# _____ Page _____

SOUTH BEND, IND., **JAN 30 1923** 192

Notice is hereby given that the BOARD OF PUBLIC WORKS has
fixed **FEB 14 1923** at **7:15 P. M.** as a date on which

to hear all persons interested in or affected by *Vacation*

Resolution No. *71* the purpose of the same is for the *Vacation*

*10 ft Alley between No. 394 in Ward 4 Sub-Div
Lot 329 & part of 328 in Cottrell's first add*
Said Board will meet at its office in the City Hall for the purpose of taking
final action thereon.

BOARD OF PUBLIC WORKS.

L. B. SLAUGHTER

L. P. HARDY

ALBERT F. HONER

Per VERONICA SWEENEY, Clerk of Board.

(THIS NOTICE IS NOT REQUIRED BY LAW)

COPY OF VACATION RESOLUTION.

Loc 71

No. 71, 190

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following: a ten (10) foot alley lying north of lots numbered 3 and 4 in Ward's Sub-Division of lot 329 and a part of 328 in Cottrell's First Addition, as follows to-wit:-

Beginning at the north east corner of lot 4 in said Ward's Sub-Division; thence west 75 feet to the north west corner of lot 3 in said Ward's Sub-Division; thence north 10 feet; thence east 75 feet; thence south 10 feet to the place of beginning.

The following property may be injuriously or beneficially effected by such vacation: Beginning at the intersection of the north line of Wayne Street and the east line of St. Peter Street; thence north along the east line of St. Peter Street 132 feet; thence east 165 feet to west line of alley; thence south along the west line of alley to the north line of Wayne Street; thence west along the north line of Wayne Street to the place of beginning.

Notice of this resolution shall be published on the 22 day of Jan 1923 and on the 29 day of Jan 1923, in the South Bend Daily Tribune News Times

This Board, at its office in the City Hall on the 14 day of February 1923 at 7:15 p. m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 16 day of January 1923

The following property may be injuriously or beneficially effected by such vacation; Beginning at the intersection of the north line of Wayne Street and the east line of St. Peter Street; thence north along the east line of St. Peter Street 132 feet; thence east 165 feet to west line of alley; thence south along the west line of alley to the north line of Wayne Street; thence west along the north line of Wayne Street to the place of beginning.

Notice of this resolution shall be published on the 22nd day of Jan. 1923 and on the 29th day of Jan. 1923, in the South Bend Daily Tribune & News Times

This Board, at its office in the City Hall on the 14th day of February 1923 at 7:15 p. m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 16th day of January 1923

BOARD OF PUBLIC WORKS.

L. B. Slaughter
S. P. Hardy
Albert F. Houser

attested:
Theresa C. Connerly
Clerk of Board

Department of Public Works

NOTICE OF RESOLUTION OF

Vacation -

Feb. 14, 1923 Continued one week to 2/21/23

L B Slaughter Pres

Feb. 21 - Continued one week to Feb. 28, 1923

L B Slaughter Pres

Feb. 28, 1923

Within resolution modified by vacating said alley to a point 17.5 feet of the West line of lot 3.

L B Slaughter Pres.

PRESIDENT

BY

This notice to be inserted in the *Booth Bend & Tribune*

Daily Times on the *FEB 28 1923* 22nd,

day of *January* 1923 and on the *29th*,

day of *January* 1923 and on no other time.

APPROVED

CITY OF SOUTH BEND, INDIANA

DEPARTMENT OF PUBLIC WORKS

Notice of Resolution of Vacation No. 71

Notice is hereby given that the Board of Public Works of said City at a meeting of said Board, held on the.....16th.,.....day of...January.....1923.....191....., adopted a resolution for the.....Vacation.....of the following described property:

A ten (10) foot alley lying north of lots numbered 3 and 4 in Ward's Sub-Division of lot 329 and a part of 328 in Cottrell's First Addition, as

Begin at the north east corner of lot 4 in said Ward's Sub-Division thence west 75 feet to the north west corner of lot 3 in said Ward's Sub-Division; thence north 10 feet; thence east 75 feet; thence south 10 feet to the place of beginning.

The Following property may be injuriously or beneficially affected by such Vacations:

Beginning at the intersection of the north line of Wayne Street and the east line of St. Peter Street; thence north along the east line of St. Peter Street 132 feet; thence east 165 feet to west line of alley; thence south along the west line of alley to the north line of Wayne Street; thence west along the north line of Wayne Street to the place of beginning.

The object of such vacation is to vacate a ten (10) foot alley lying north of lots numbered 3 and 4 in Ward's Sub-Division of lot 329 and a part of 328 in Cottrell's First Addition, Under Vacation Resolution No. 71. In the City of South Bend, Indiana.

The following persons are interested in these proceedings:

Said Board will meet at 7:30 P.M. on the 14th day of February 1923

The Following property may be injuriously or beneficially affected by such Vacation:

Beginning at the intersection of the north line of Wayne Street and the east line of St. Peter Street; thence north along the east line of St. Peter Street 132 feet; thence east 165 feet to west line of alley; thence south along the west line of alley to the north line of Wayne Street; thence west along the north line of Wayne Street to the place of beginning.

POLICE
Deputy

The object of such vacation is to Vacate a ten (10) foot alley lying north of lots numbered 3 and 4 in Ward's Sub-Division of lot 329 and a part of 328 in Cottrell's First Addition, Under Vacation Resolution No. 71. In the City of South Bend, Indiana.

The following persons are interested in these proceedings:

Said Board will meet at 7:15 P.M., on the 14th., day of February 1923 191....., at its office in the City Hall and receive and hear remonstrances from all persons interested in or affected by these proceedings.

BOARD OF PUBLIC WORKS

L. B. Slaughter
L. P. Hardy
Albert P. Honor.

ARTHUR P. PERLEY, Clerk
Veronica C. Sweeney
of the Board.

REMONSTRANCE

South Bend, Indiana,

Feb-14 19*23*

To the Honorable Board of Public Works
of the City of South Bend, Indiana.

Gentlemen:—

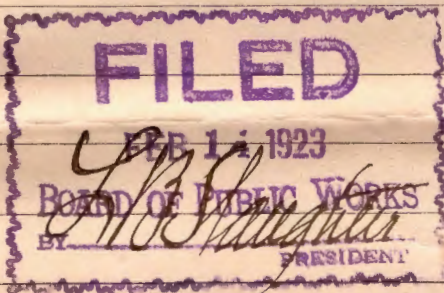
We, the undersigned resident property owners, Remonstrate against any further action by your honorable body in the matter of improvement of Resolution #71 for the vacation of a ten foot alley lying North of Lots numbered 3 and 4 in Ward's Sub-Division of Lot 329 and a part of 328 in Cottrell's First Addition to the City of South Bend, Indiana.

Respectfully,

Name

Address

Leafy R Smith



PETITION

FOR

Vacation of

On *Alley No. of Lots* St.

From *3 & 4 Wards* St.

To *Sub-Division* St.

PETITION

SOUTH BEND, IND., May 23, 1922.

To the Honorable Board of Public Works
of the City of South Bend, Ind.

GENTLEMEN:-

We, the undersigned property owners, petition your honorable body to ~~improve~~

~~Vacate the first alley North of Lots 3 and 4 of Ward's Sub-Division~~
~~of Lots #328 and 329~~ ~~street to~~ street,

~~by the construction of~~

according to law.

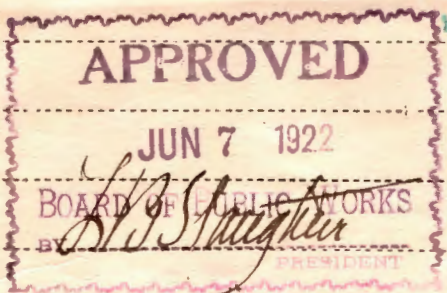
Yours respectfully,

NAME

ADDRESS

E. L. Mossey
Mrs. Mae Smith
Geo. L. Smith

809 E. Wayne St.
813 E. Wayne St.
234 S. St. Peter St.



RESOLUTION ORDERED

2211

REMONSTRANCE AGAINST VACATING AN ALLEY.

To the Honorable Board of Public Works; of the
City of South Bend, Indiana.

Gentlemen:-

We the undersigned, property owners,
are interested and affected by the proposed vacation
of a ~~lot~~^{alley} known as the first alley North of
Lots Three and Four (3 & 4) of Ward's Sub-division
of lot 328 and lot 329 of the City of South Bend,

And we hereby remonstrate against
said proposed vacating of said alley for the reason
that it will occasion more damage to our property
than the benefits will amount to, for the further
reason that said alley is not being vacated for
the use and benefit of the said citizens of
South Bend, but the vacation of said alley is
asked for the use and benefit of a certain
individual by the name of E. L. Mossey, who
resides at 809 E. Wayne Street, and who wishes
to acquire said property so that he may build a
garage thereon.

Mrs Johanna Humphrey

Shuman H. H. H. H.

FILED
FEB 18 1923
BOARD OF PUBLIC WORKS
BY *H. B. H. H.*
PRESIDENT

In the Matter of Vacating public alley)
known as first alley north of)
Lots three and four of Ward's)
Subdivision of Lot 328 and)
Lot 329, South Bend, Indiana.)

A M E N D E D
REMONSTRANCE AGAINST VACATION OF ALLEY

We, the undersigned, owners of real estate situate in juxtaposition to and vitally affected by the alley known as first alley north of Lots three and four of Ward's Subdivision of Lot 328 and Lot 329, South Bend, Indiana, herewith respectfully remonstrate to this honorable board against the proposed action to vacate said alley and surrender the same to the holders of the fee abutting.

For grounds of remonstrance, remonstrants say:

1. The said alley constitutes a convenient and highly beneficial means of ingress and egress and passage to, from and about the property of remonstrants, and its extinguishment as a public way would put your remonstrants to great trouble and inconvenience.

2. Said alley is now and has been for years a public benefit and of utilitarian value to the public living in the vicinity thereof, including these remonstrants.

3. The welfare of the public will not be subserved by vacating said alley, but, on the contrary, it will be greatly subverted to the interest of one individual, to-wit: E.L. Mossey, who resides at 809 East Wayne Street and who wishes to acquire said property so that he may construct thereon a garage.

4. Vacation of said alley would be illegal and void, and constitute a taking of property with due process of law.

Johnna Humphrey
Leah R. Smith
Marian Atchey
Per _____

Attorneys for Remonstrants
aforenamed.

FILED
FEB 27 1923
BOARD OF PUBLIC WORKS
L. J. Slaughter
PRESIDENT