

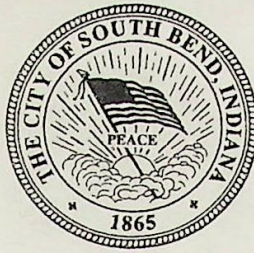
PROPERTY VACATION
ORDINANCE NO. 9591-05
Status Vacated

Date 7/15/2005

Description:

The Right-of-Way Beginning at the Southeast Corner of Lot 166 of University Heights, a Subdivision in the City of South Bend; Thence South 9.00 Feet Along the Projected East Line of Said Lot; Thence West Parallel to the South Line of Said Lot 63.00 Feet; Thence North Parallel to the Projected East Line of Said Lot 9.00 Feet to the South Line of Said Lot; Thence East 63.00 Feet Long Said South Line to the Point of Beginning

VACATING A PORTION OF
ANGELA BLVD (AT N.D.)



Office of the City Clerk

John Voorde, City Clerk

JULY 15, 2005

MEMORANDUM

RECEIVED

JUL 15 2005

CITY OF SOUTH BEND
DIV. OF ENGINEERING

TO: Area Plan Commission
Board of Public Works
Building Department
Division of Engineering
Fire Department
Northern Indiana Public Service Company
Police Department
Street Department
Bureau of Traffic & Lighting - Mark
Community & Economic Development - Larry Magliozzi
County Auditor - Paula
Ed Herman - Water Works - North Station

FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9591-05 for the vacation of the following property:

THE RIGHT-OF-WAY BEGINNING AT THE SOUTHEAST CORNER OF LOT 166 OF UNIVERSITY HEIGHTS, A SUBDIVISION IN THE CITY OF SOUTH BEND; THENCE SOUTH 9.00 FEET ALONG THE PROJECTED EAST LINE OF SAID LOT; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 63.00 FEET; THENCE NORTH PARALLEL TO THE PROJECTED EAST LINE OF SAID LOT 9.00 FEET TO THE SOUTH LINE OF SAID LOT; THENCE EAST 63.00 FEET LONG SAID SOUTH LINE TO THE POINT OF BEGINNING

are closed and this area is vacated

1316 COUNTY-CITY BUILDING
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-9251
FAX 574/ 235-9171
TDD 574/ 235-5567

CITY OF SOUTH BEND STEPHEN J. LUECKE, MAYOR

BOARD OF PUBLIC WORKS

April 21, 2005

Members of the Common Council
Council Chambers
County-City Building, 4th Floor
South Bend, Indiana 46601

RE: Property Vacation – Right-of-Way Beginning at the Southeast Corner of Lot 166
Of University Heights
(Preliminary Review)

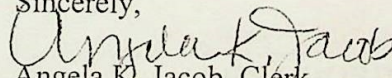
Dear Members of the Council:

In accordance with Municipal Code Section 18-53.8, a **favorable recommendation** is being submitted to the Common Council concerning the following property vacation:

Right-of-Way Beginning at the Southeast Corner of Lot 166 Of University Heights

The Board of Public Works submits to you a **favorable recommendation** concerning this vacation.

Sincerely,


Angela K. Jacob, Clerk
Board of Public Works

c: Rosemary Mandrici, Assessor's Office
Melinda Stopczynski, Auditor's Office

BOARD OF PUBLIC WORKS
AGENDA ITEM REQUEST FORM

OFFICE OF THE CITY CLERK

TO: BOARD OF PUBLIC WORKS

DATE: MAY 4, 2005

I am referring to you the following vacation:

26-05 A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE RIGHT-OF-WAY BEGINNING AT THE SOUTHEAST CORNER OF LOT 166 OF UNIVERSITY HEIGHTS, A SUBDIVISION IN THE CITY OF SOUTH BEND; THENCE SOUTH 9.00 FEET ALONG THE PROJECTED EAST LINE OF SAID LOT; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 63.00 FEET; THENCE NORTH PARALLEL TO THE PROJECTED EAST LINE OF SAID LOT 9.00 FEET TO THE SOUTH LINE OF SAID LOT; THENCE EAST 63.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING

For your information, the Common Council will have first reading on this vacation request on Monday, May 9, 2005. I assume the council will set this bill for public hearing at its regularly scheduled meeting of May 23, 2005.

If you have any questions, please do not hesitate to contact this office.

Thanks!

**CITY CLERK
JOHN VOORDE**

DEPUTY

Jenni Tallon

APPROVED
Board of Public Works

MAY 09 2005
Gregory G. Golot
David E. Mc
Chae Pittell

BOARD OF PUBLIC WORKS AGENDA ITEM REQUEST FORM

Please Submit Agenda Item in Signed, Original Format

Please Complete All Applicable Sections of Form

Date: 5-4-05
From: Janice Talboom
Department: City Clerk's Office
Phone: 235-5575
Type of Agenda Item (drop down list): Vacation
For Board of Works Meeting:
Contractor/Consultant Name:
 Project Name
 Project Number
Purpose/Description:
Amount of Contract/Agreement:
Funding Source
Change Orders - Increase/Decrease: (please Increase Decrease
check one)
Amount of Increase Decrease:
Total Percent of Increase/Decrease:
Original Contract/Project Amount:
New Contract/Project Amount:
Funding Source:

Note: For Questions, Please Contact Board of Public Works at 235-9253

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

The right-of-way beginning at the southeast corner of Lot 166 of University Heights, a subdivision in the City of South Bend; thence South 9.00 feet along the projected east line of said lot; thence West parallel to the south line of said lot 63.00 feet; thence North parallel to the projected east line of said lot 9.00 feet to the south line of said lot; thence East 63.00 feet along said south line to the point of beginning.

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 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:

The right-of-way beginning at the southeast corner of Lot 166 of University Heights, a subdivision in the City of South Bend; thence South 9.00 feet along the projected east line of said lot; thence West parallel to the south line of said lot 63.00 feet; thence North parallel to the projected east line of said lot 9.00 feet to the south line of said lot; thence East 63.00 feet along said south line to the point of beginning.

hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby releases the rights and easements of all utilities held by 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.

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

Lot #167 University of Notre Dame
(No other property abuts the area to be vacated.)

SECTION IV. The purpose of the vacation of the real property is to: permit the construction of a 5'-2" wide x 5'-2" depth limestone pier as a part of a new campus-to-community gateway.

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.

Member of the Common Council

Attest:

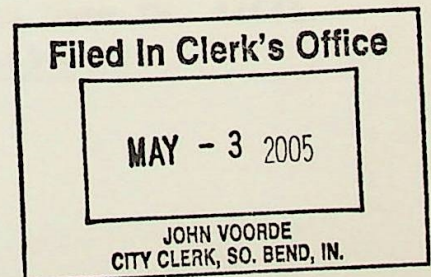
City Clerk

Presented to me by the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2004, at _____ o'clock _____.m.

City Clerk

Approved and signed by me on the _____ day of _____, 2004, at _____ o'clock _____.m.

Mayor, City of South Bend, Indiana



PETITION TO VACATE PUBLIC RIGHTS-OF-WAY
(STREETS/ALLEYS)

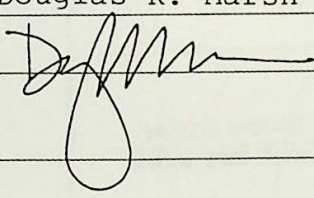
TO THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA

DATE: April 29, 2005

I (WE), THE UNDERSIGNED PROPERTY OWNER(S), PETITION YOU TO VACATE:

A. THE ALLEY DESCRIBED AS:

B. THE STREET DESCRIBED AS: The right-of-way
to be vacated is located along the southern boundary of
Lot #167, consists of 566 square feet, and is to permit the construction
of a limestone pier as a part of the University of Notre Dame's new
campus gateway.

NAME (signed & printed)	ADDRESS	LOT #
<u>Douglas K. Marsh</u>	<u>200 Facilities Building</u>	<u>166</u>
	<u>Notre Dame, IN 46556</u>	
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONTACT PERSON (S)

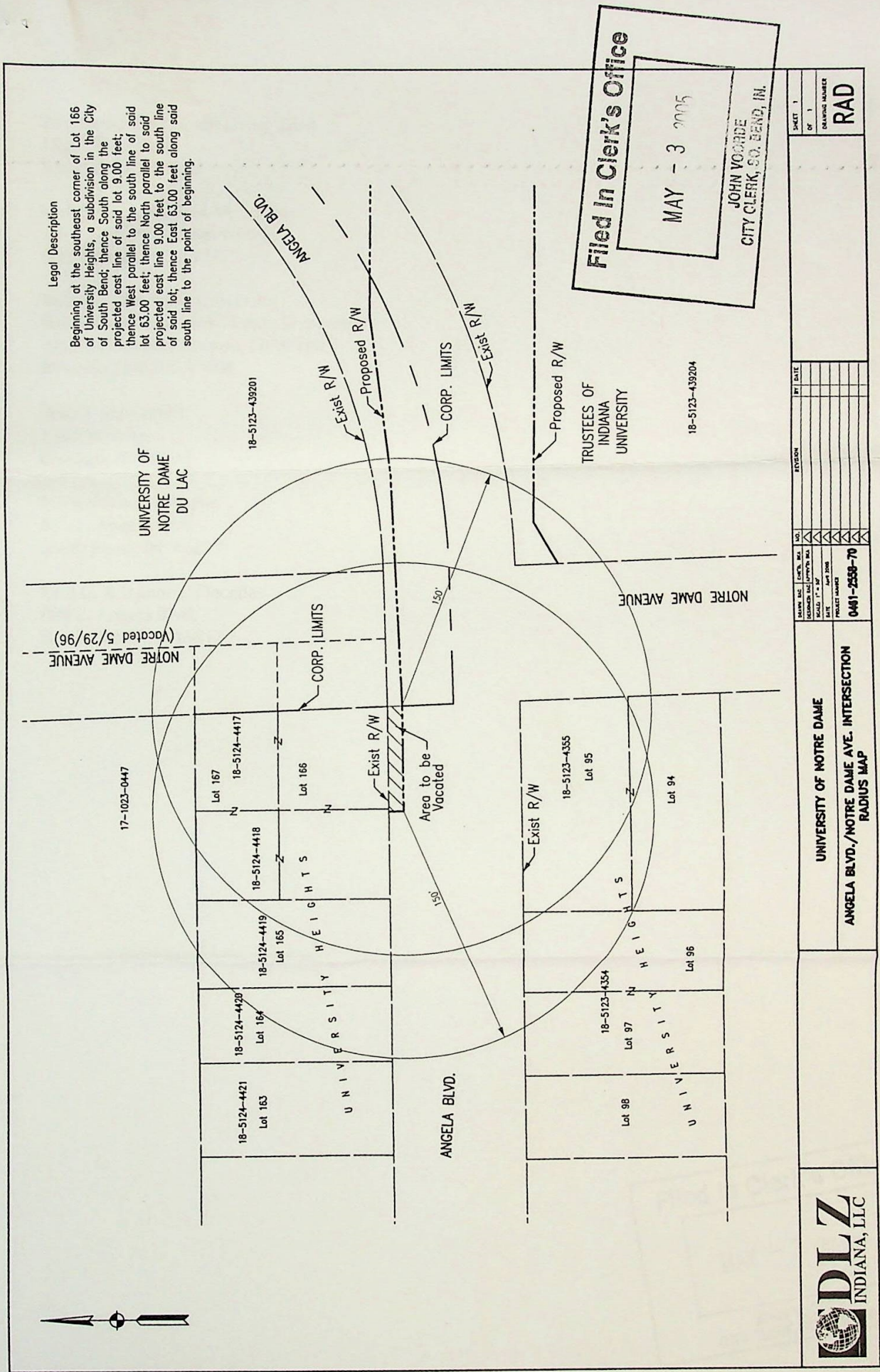
NAME: Tim Flanagan, Asst. VP &
General Counsel
ADDRESS: 203 Main Building, Univ. of
Notre Dame
Notre Dame, IN 46556
574-631-6411

RETURN TO:
OFFICE OF THE CITY CLERK
John Voorde, CITY CLERK
ROOM 455-COUNTY-CITY BUILDING
SOUTH BEND, IN 46601
574-235-9221

Filed In Clerk's Office
MAY - 3 2005
JOHN VOORDE
CITY CLERK, SO. BEND, IN.

Legal Description

Beginning at the southeast corner of Lot 166 of University Heights, a subdivision in the City of South Bend; thence South along the projected east line of said lot 9.00 feet; thence West parallel to the south line of said lot 63.00 feet; thence North parallel to said projected east line 9.00 feet to the south line of said lot; thence East 63.00 feet along said south line to the point of beginning.



Filed in Clerk's Office
MAY - 3 2005
JOHN VOORDE
CITY CLERK, SO. BEND, IN.

UNIVERSITY OF NOTRE DAME ANGELA BLVD./NOTRE DAME AVE. INTERSECTION RADIUS MAP		PROJECT NUMBER 0411-2558-70	
DATE: MAY 2005		DATE: MAY 2005	
SCALE: 1" = 50'		SCALE: 1" = 50'	
DRAWN BY: J. VOORDE		DRAWN BY: J. VOORDE	
CHECKED BY: J. VOORDE		CHECKED BY: J. VOORDE	
DATE: MAY 2005		DATE: MAY 2005	
BY DATE		BY DATE	
PROJECT NUMBER		PROJECT NUMBER	
DRAWING NUMBER		DRAWING NUMBER	
SHEET 1		SHEET 1	
OF 1		OF 1	
RAD		RAD	



Rev. Samuel J. Chmell Living Trust
156 Gage Road
Riverside, IL 60546

Richard E. & Virginia M. Lochner
1247 N. Notre Dame Avenue
South Bend, IN 46617

Trustees of Indiana University
Indiana University Real Estate Department
530 E. Kirkwood Avenue, Suite 204
Bloomington, IN 47408

Peter J. Schivarelli
1358 Webster
Chicago, IL 60614

Mary Katherine Adams
813 E. Angela Blvd.
South Bend, IN 46617

Paul C. & Jeanne I. Decelles
809 E. Angela Blvd.
South Bend, IN 46617

