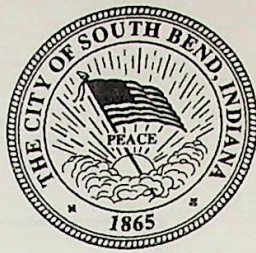


ALLEY VACATION
ORDINANCE NO. 9885-08
Status Vacated

Date 1/26/2009

Description:

A Portion of the Right-of-Way of Callendar Street from US 31 South (Michigan Street) but not reaching St. Joseph Street, for a distance of 500 feet, more or less, and a width of 50 feet.



Office of the City Clerk

John Voorde, City Clerk

January 26, 2009

MEMORANDUM

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 – Pam Meyer
County Auditor – Paula
Water Works – North Station-Ed Herman

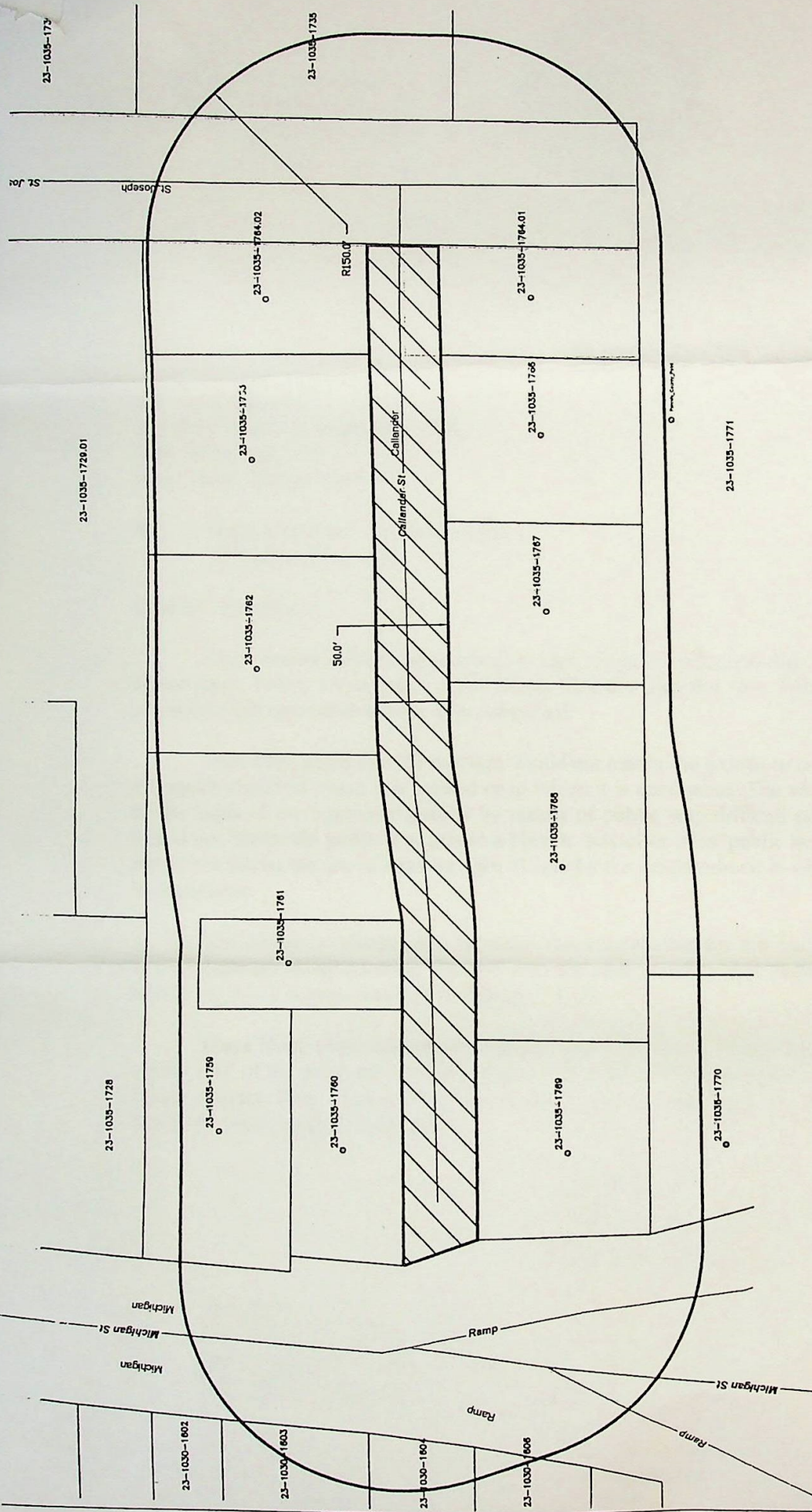
FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 9885-08 for the vacation of the following property:

AN ORDINANCE TO VACATE A PORTION OF THE RIGHT OF WAY OF CALLENDER STREET FROM US 31 SOUTH (MICHIGAN STREET), BUT NOT REACHING ST. JOSEPH STREET, FOR A DISTANCE OF 500 FEET, MORE OR LESS, AND A WIDTH OF 50 FEET

is closed and this area is vacated.

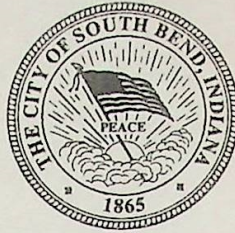
cc: NIPSCO – Jim Betin
South Bend Community School Transportation Department



LEGAL DESCRIPTION

A parcel of land located in the North half of the Southwest Quarter of Section 25, Township 37 North, Range 2 East, Portage Township, City of South Bend, St. Joseph County, IN and being the right of way of Callander Street from St Joseph Street to US 31 South (Michigan Street) for a distance of 680 feet, more or less, and a width of 50 feet. Dedication of Callander Street was recorded in the Office of the St Joseph County Recorder on November 25, 1959 in Book 596, Page 23 thru 26.

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
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

September 22, 2008

Mr. Frank Agostino
120 West LaSalle Avenue, Suite 704
Post Office Box 1635
South Bend, Indiana 46634

RE: Street Vacation – Callandar Street
(Preliminary Review)

Dear Mr. Agostino:

Upon review by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, Solid Waste Division and the City Attorney's Office, the following comments and recommendations were submitted:

Area Plan stated that 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 vacation would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation would not hinder the public's access to a church, school or other public building or place. The vacation 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.

The Board is submitting a favorable recommendation for this vacation subject to replatting the lots so there are no land-locked lots and with the understanding that there will be no access to U.S. 31 because of a non-access easement bordering U.S. 31.

Once these concerns are addressed, you will need to obtain a radius map showing properties within 150' of the proposed vacation from the Division of Engineering to take to the Common Council. Please contact Tony Molnar at (574) 235-9254 prior to picking up your radius map and with any questions regarding this vacation.

Sincerely,

Linda M. Martin, Clerk

c: Jeff Gibney, CED
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Carl Littrell, Engineering

PETITIONER:

T. ARTHUR STUMP
ATTORNEY

FRANK J. AGOSTINO, Esq
120 W LA SALLE AVE

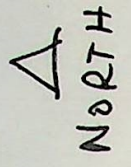
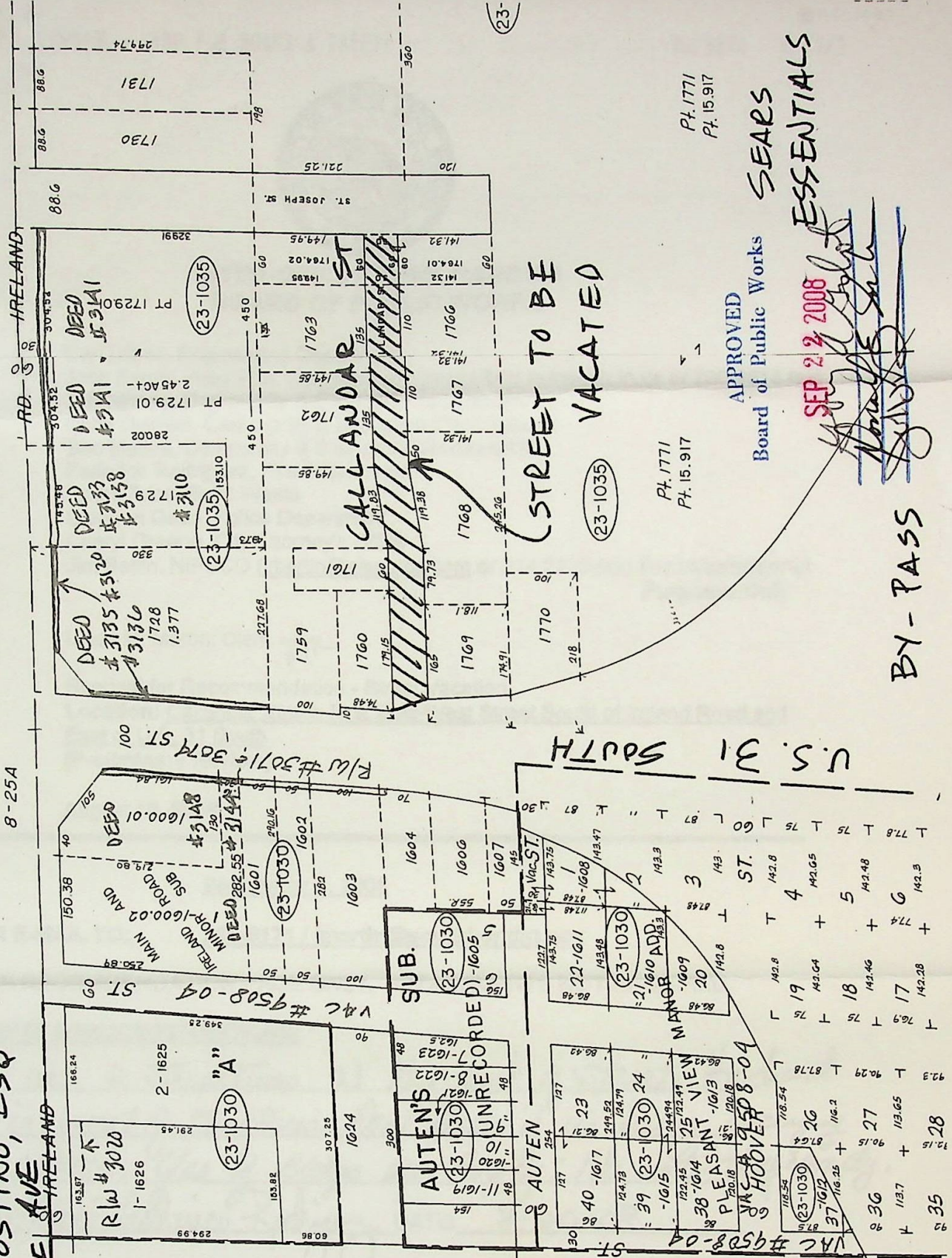
"A" MICKELSON'S IRELAND RD
MINOR SUB.
"B" ZIMMER-STEEL MINOR SUB.
"C" PAUL E. DILLON MINOR SUB.

SUITE 204
P.O. Box 1635
So. BEND IN
46163A

EASE. RELEASED
ON VACATED
STREETS BY
BOARD 5/16/04
2937

PURPOSE:

RE-DEVELOP
PROPERTY TO
COMMERCIAL
USE



STREET TO BE
VACATED

Pt. 1771
Pt. 15.917

APPROVED
Board of Public Works

SEARS

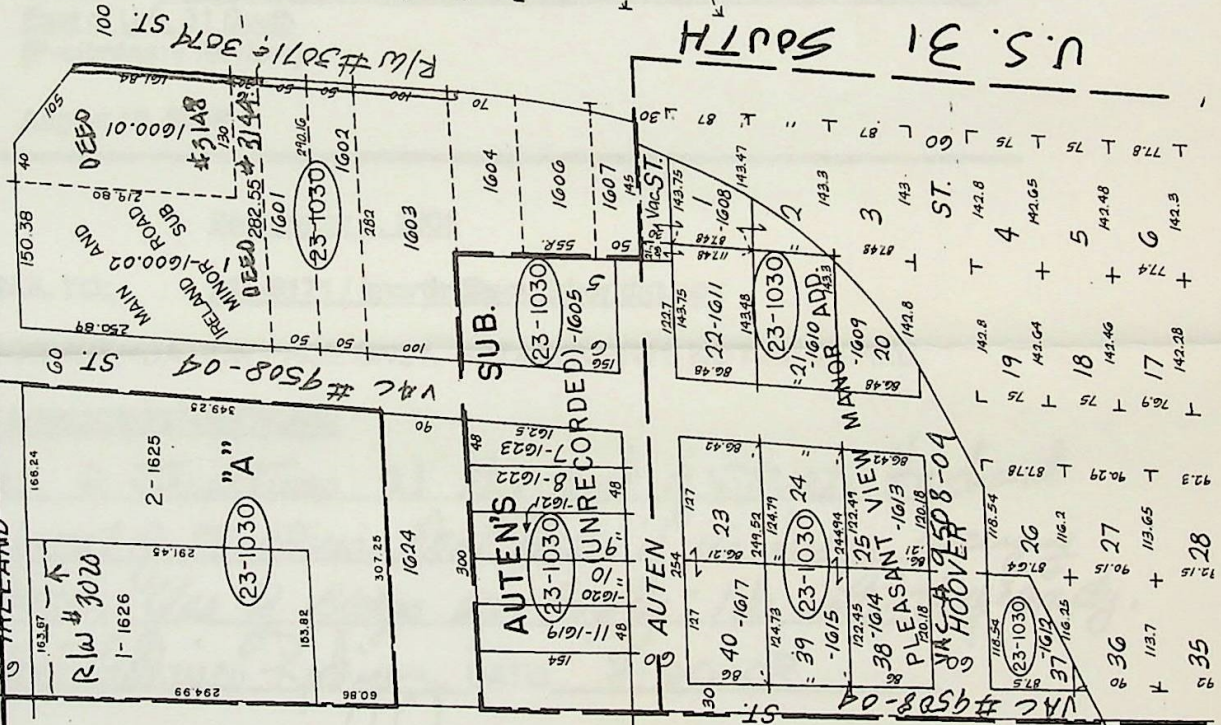
SEP 22 2008
ESSENTIALS

[Handwritten signature]
[Handwritten signature]

BY-PASS

8-25A

U.S. 31 SOUTH



"A" 2-1625
R/W # 3020
1-1626
23-1030

SUB. 23-1030
UNRECORDED 1-1605
22-1611
23-1030
MANOR ADD. 21-1610

MANOR 20
PLEASANT VIEW 25
38-1614
39-1615
23-1030 24
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**INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS**

TO: Carl Littrell, Engineering Department
John Byomi, Area Plan Commission (jbvomi@co.st-joseph.in.us or 235-9813 fax)
Jeff Gibney, Community & Economic Development
Chris Dressel, Community & Economic Development
Bob Mathia, Community & Economic Development
Federico Rodriguez, Fire Department
Andre Price, Solid Waste
Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
Jim Bettin, NIPSCO (irbettin@nsource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Street Vacation
Location: Callandar Street: First East-West Street South of Ireland Road and
East of U.S. 31 South
(Preliminary Review)

DATE: August 18, 2008

DUE: September 2, 2008

FAX OR E-MAIL TO: 235-9171 / lmartin@southbend.in.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

*There are 2 Structures at the end of Street. Hydrant
right in front of structures. Don't know if its being occupy
by a church. Yes if Bldgs are Empty: No until they ^{are} empty.*

BY: *astit/inf Federico Rodriguez* DATE: 8-20-08

Area Plan Commission of St. Joseph County

1140 County-City Building
South Bend, Indiana 46601

John W. Byorni
Executive Director

Larry P. Magliozzi
Assistant Director

Phone 574 235-9571

www.stjosephcountyindiana.com/areaplan

Fax 574 235-9813

August 20, 2008

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

RECEIVED

AUG 20 2008

CITY OF SOUTH BEND
DIV. OF ENGINEERING

RE: Street Vacation

Callandar Street, From East of U.S. 31 South to St. Joseph Street on the West, Right-of-Way

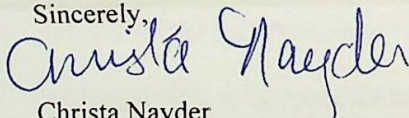
Dear Board Members:

The staff has reviewed this petition. It is the staff's opinion that:

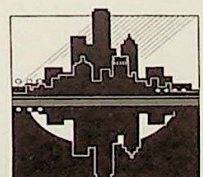
- (1) The vacation *would not* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.
- (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.

Staff recommends that the street be vacated subject to any required utility or access easements.

Sincerely,



Christa Nayder
Planner





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

TO: Carl Littrell, Engineering Department
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Chris Dressel, Community & Economic Development
Bob Mathia, Community & Economic Development
Federico Rodriguez, Fire Department
Andre Price, Solid Waste
Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
Jim Bettin, NIPSCO (jrbettin@nisource.com or 284-2220 fax) **For Informational
Purposes Only**

FROM: Linda M. Martin, Clerk *LM*

RE: Request for Recommendation - Street Vacation
Location: Callandar Street: First East-West Street South of Ireland Road and East of U.S. 31 South
(Preliminary Review)

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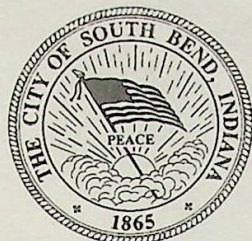
RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

I recommend that this vacation map be made
as requested.

BY: *Bob Mathia*

DATE: 8/20/08



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

TO: Carl Littrell, Engineering Department
✓ John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
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DATE: August 18, 2008

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FAX OR E-MAIL TO: 235-9171 / lmartin@southbendin.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

*Vacating this street will land lock many
lots. Absent a proposal replot the real estate,
this vacation should be denied.*

BY: Carl P. Littrell **DATE:** 8/27/08



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

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RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

BY: _____ **DATE:** _____

* * * Memory TX Result Report (Aug. 18. 2008 2:09PM) * * *

1) BRD PUB WORKS & SAFETY
2) BOARD OF PUBLIC WORKS & SAFETY

Date/Time: Aug. 18. 2008 1:41PM

File No. Mode	Destination	Pg (s)	Result	Page Not Sent
3270 Memory TX	Mathia, Bob	P. 2	OK	
	Gibney, Jeff		OK	
	Greene, Cheryl		OK	
	Dressel, Chris		OK	
	Goen, Stephen		OK	
	Rodriguez, Federico		OK	
	Price Andre		E-2) 2) 2) 2) 2)	P. 1-2
	Area Plan Commission		OK	

Reason for error

- E. 1) Hang up or line fail
- E. 3) No answer
- E. 5) Exceeded max. E-mail size

- E. 2) Busy
- E. 4) No facsimile connection



INTER-OFFICE MEMORANDUM
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DATE: August 18, 2008

DUE: September 2, 2008

FAX OR E-MAIL TO: 235-9171 / lmartin@southbend.in.gov

RETURN RECOMMENDATION PAGE ONLY. ATTACHMENTS NOT REQUIRED.

COMMENTS & RECOMMENDATIONS:

BY: _____ DATE: _____