

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 JAMES MUELLER, MAYOR
BOARD OF PUBLIC WORKS

September 24, 2024

Mr. Edwardo Rodriguez
512 S. Walnut St.
South Bend, IN 46619
eprieto1949@outlook.com

RE: Alley/Street Vacation – East/West Alley between 512 S. Walnut Street and 514 S. Walnut Street
(Preliminary Review)

Dear Mr. Rodriguez:

At its September 24, 2024 meeting, the Board of Public Works reviewed comments by the Engineering Division, Community Investment, Fire Department, Police Department. The following comments and recommendations were submitted:

Per IC 36-7-3-13, 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.

Therefore, the Board of Public Works submitted a **favorable** recommendation for the vacation of this alley **subject to the removal of alley approach along Walnut St.** If you still wish to pursue this alley vacation, please bring this BPW Recommendation Packet to the City Clerk's Office, located on the 4th floor of the County-City Building. Alley/Street vacations require a presentation to the Common Council, approval of an ordinance, and certification of the ordinance from the Mayor. The property then must be recorded with the Recorder's Office to ensure that your 100% ownership of the property is appropriately transferred to your name. If you have any questions about how the alley vacation will affect your property taxes, please contact the Auditor's Office.

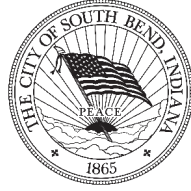
In its Ordinance, the City of South Bend Common Council included the Board of Public Works' requirement that you **eliminate the alley approach by hiring a private contractor bonded with the City to tear out the approach, replace with curb, and establish a tree lawn in accordance with City standards and specifications.** These updates should be made within ninety (90) days of final approval from the Common Council. Please notify us when this work is complete. If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Theresa Heffner

Theresa Heffner, Clerk

Enclosures
TH/hh



**INTEROFFICE MEMORANDUM
BOARD OF PUBLIC WORKS**

DATE: July 23, 2024

TO: Kyle Ludlow, Public Works
Kara Boyles, Engineering
Zach Hurst, Engineering
Chris Dressel, Community Investment
Derek Erquhart, Fire Department
Brad Rohrscheib, Police Department

FROM: Theresa Heffner, Clerk (theffner@southbendin.gov)

SUBJECT: REQUEST FOR RECOMMENDATIONS – ALLEY VACATION

APPLICANT: Edwardo Rodriguez

LOCATION: 512 S. Walnut St.

PLEASE INSERT YOUR RECOMMENDATIONS IN THE APPROPRIATE FIELD BELOW, BASED ON THE FOLLOWING I.C. 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.

PUBLIC WORKS/ENGINEERING: Favorable Recommendation pending the applicants removal of alley approach along Walnut.

COMMUNITY INVESTMENT: Favorable Recommendation

FIRE: Favorable Recommendation

POLICE: Favorable recommendation



STREET/ALLEY VACATION APPLICATION

City of South Bend – Board of Public Works
227 W. Jefferson Boulevard, Ste. 1316
South Bend, IN 46601

Date: 7-16-2024 Phone #: _____

Name: EDUARDO RODRIGUEZ Email: EPRIETO1949@outlook.com

Property Address: 512 South WALNUT^{St.}, South Bend, IN 46619

Applicant property information: Residential Commercial Industrial

Describe the general alley location with boundaries (Ex: Church Pl, between E. Colfax Ave & E. LaSalle Ave):
E/W Alley South of 512 S. Walnut / Between Walnut and N/S Alley

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

Reason for street/alley vacation and proposed use: OWN Properties on BOTH side of Alley to be vacation.

A map MUST be provided highlighting the area you would like to vacate with this application.

OFFICE USE ONLY:

Board Recommendation: Yes No

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS

[Signature]
Elizabeth A. Maradik, President

[Signature]
Joseph R. Molnar, Vice President

[Signature]
Gary A. Gilot, Member

[Signature]
Briana Micou, Member

[Signature]
Murray L. Miller, Member

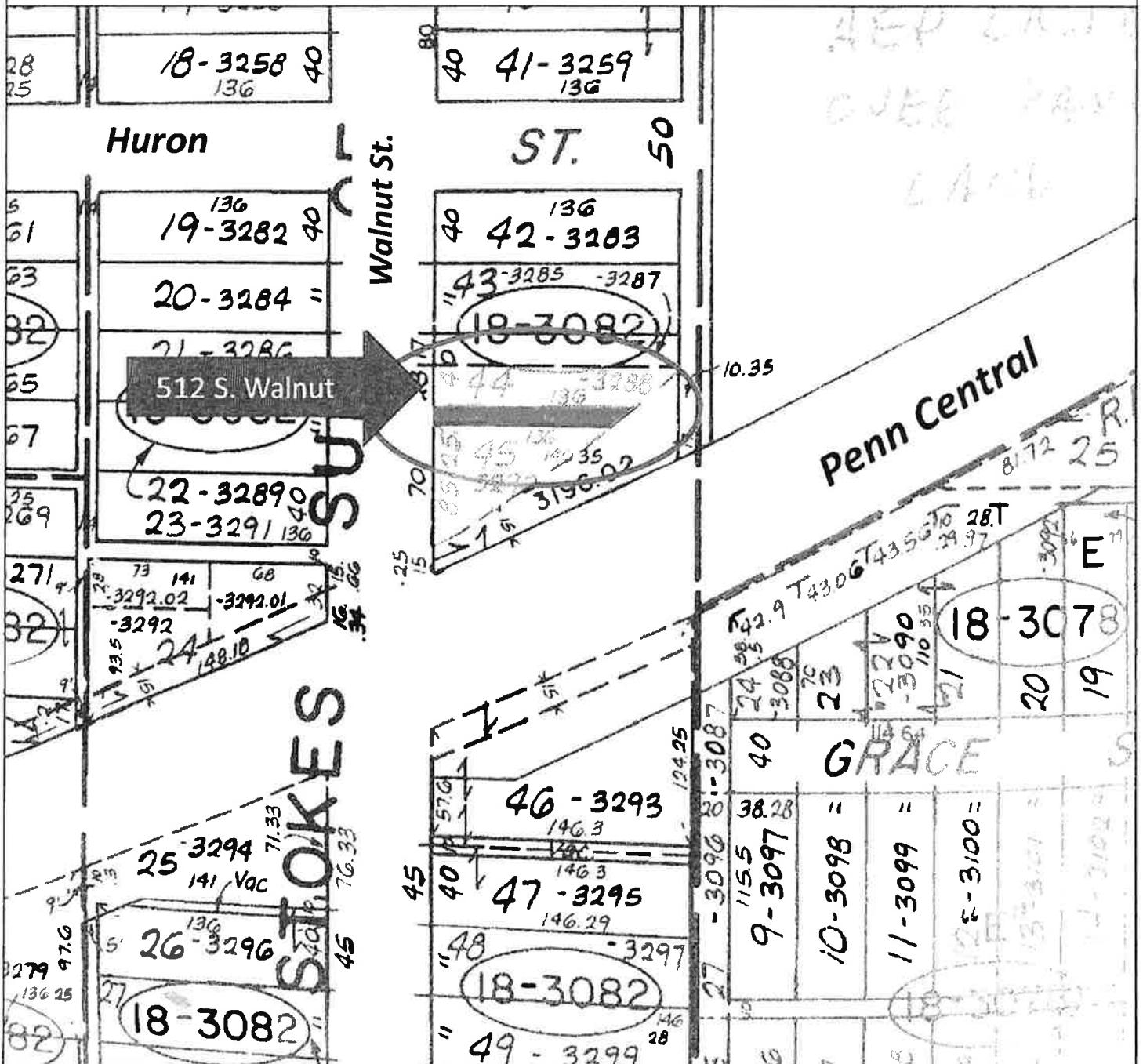
[Signature]
Attest: Theresa M. Heffner, Clerk

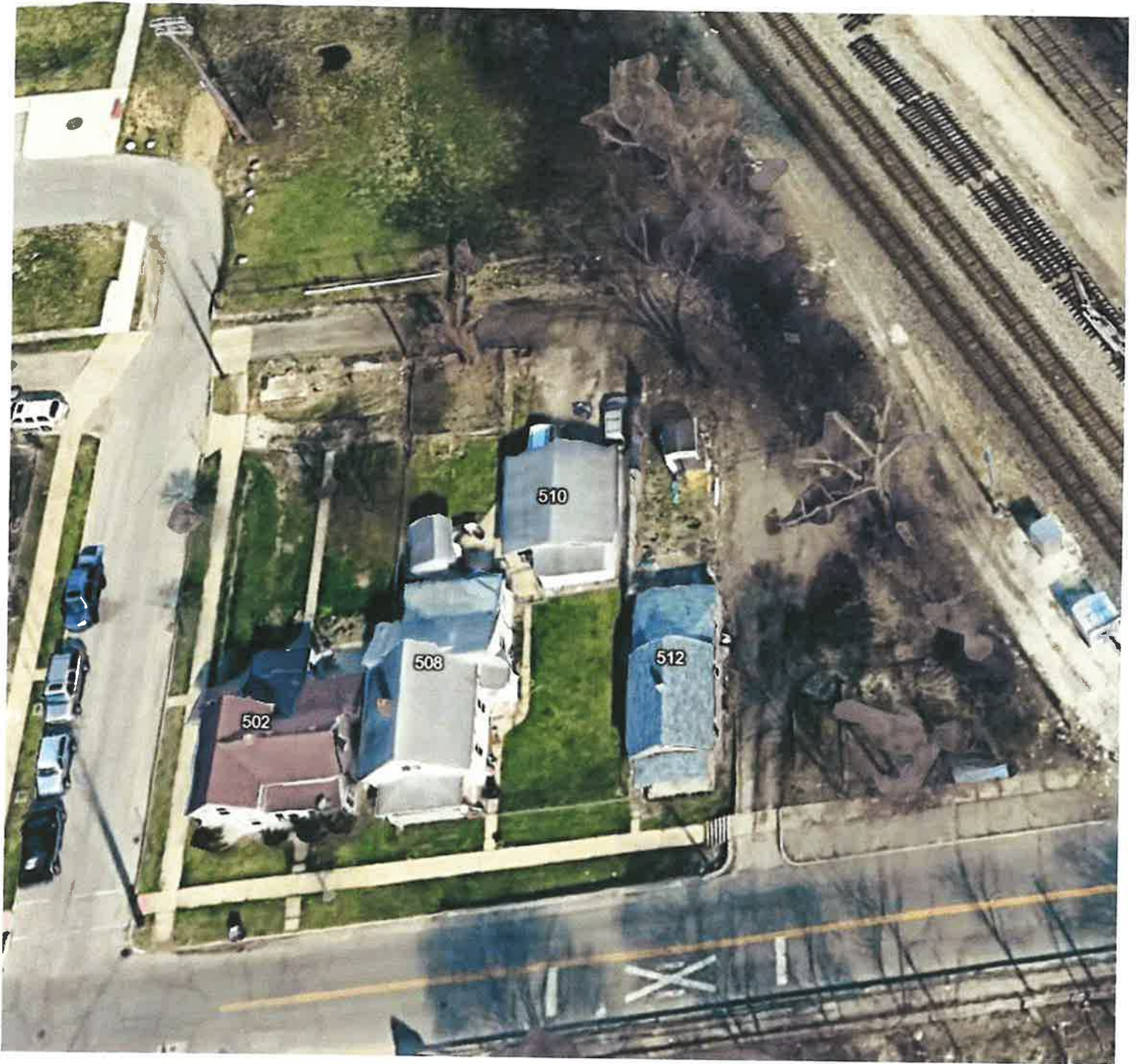
Date: September 24, 2024

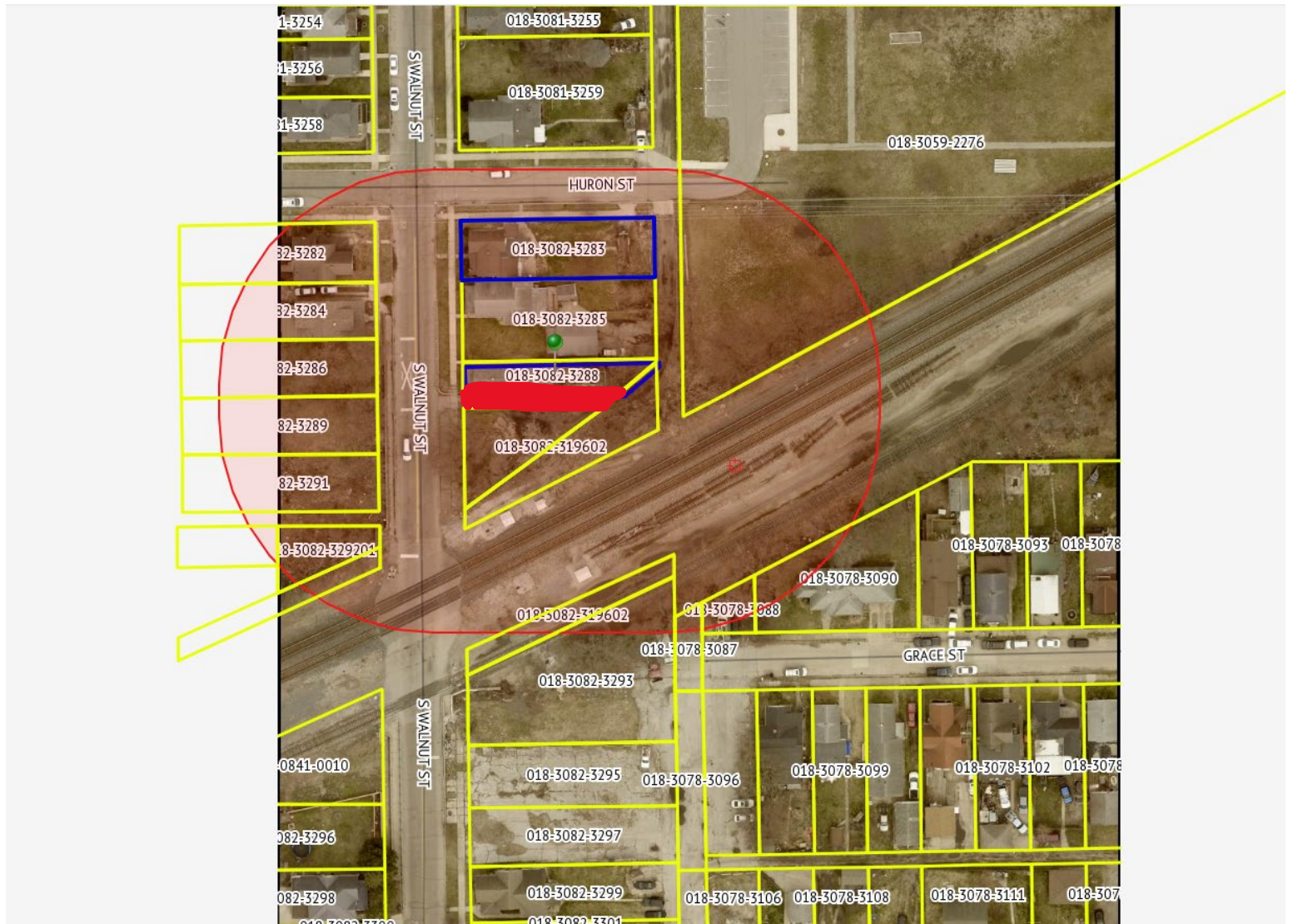
Eduardo Rodriguez
512 S. Walnut St.
South Bend, IN 46619
574-514-1548



Alley to be vacated is the East/West alley 10' in width, north of RR right-of-way and south of Huron St., running approx. 136' from E right-of-way of Walnut Street on north boundary and running approx. 110' from the E right-of-way of Walnut Street on south boundary.







Name	Mailing Address	Proper Address
Julio Lara	518 S. Warren St. South Bend, IN 46619	502 S. Walnut St. South Bend, IN 46619
Allen Stenberg	505 S. Walnut St. South Bend, IN 46619	505 S. Walnut St. South Bend, IN 46619
Emma Bautista Williams	508 Walnut St. South Bend, IN 46619	508 S. Walnut St. South Bend, IN 46619
Hilda Garcia Escobedo	1313 Grace St. South Bend, IN 46619	514 S. Walnut St. South Bend, IN 46619
Victory Lighthouse Church	415 S. Harris St. South Bend, IN 46619	1325 Grace St. South Bend, IN 46619 & 1329 Grace St. South Bend, IN 46619
Virgilio Escobedo	3915 August Lane Elkhart, IN 46517	1321 Grace St. South Bend, IN 46619
Manuel & Sylvia Herbert	524 S. Harris St. South Bend, IN 46619	513 S. Walnut St. South Bend, IN 46619
TDJ Phase I LLC	2014 Cornflower Ct. Mishawaka, IN 46544	503 S. Walnut St. South Bend, IN 46619
Gregory & Gail Celmer	64757 Sycamore Rd North Liberty, IN 46554	531 Harris St. South Bend, IN 46619
Antonio Gerardo	1608 Marblehead Dr. Mishawaka, IN 46544	Parcel # 018-3082-329201 & Parcel # 018-3082-3291
Juan & Teresa Beserra	501 H. Harris St. South Bend, IN 46619	Parcel# 018-3082-3286
Civil City of South Bend	227 W. Jefferson Blvd. Ste 1200 South Bend, IN 46601	521 ½ S. Walnut St. South Bend, IN 46619
City of South Bend	301 S. St. Louis Blvd. South Bend, IN 46617	400 S. Walnut St. South Bend, IN 46619
Edwardo Rodriguez	56349 Butternut Rd. South Bend, IN 46619	512 S. Walnut St. & 514 S. Walnut St. South Bend, IN 46619

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

(TYPE IN HERE THE LEGAL DESCRIPTION THAT A SURVEYOR WOULD PROVIDE)

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 property:

(TYPE IN HERE THE COMPLETE LEGAL DESCRIPTION THAT A SURVEYOR WOULD PROVIDE)

hereby determines that it is desirable to vacate said property.

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 may be injuriously or beneficially affected by such vacating:

(TYPE IN HERE THE LOT NUMBERS OF THE PROPERTY OWNERS THAT ABUT THE PROPERTY TO BE VACATED. YOU DO NOT NEED TO INDICATE THE NAMES AND LOT NUMBERS OF ALL PERSONS WITHIN 150- FEET - ONLY THE ABUTTING PROPERTY OWNERS.)

Section IV. The purpose of the vacation of the real property is ***(COMPLETE THE ABOVE SENTENCE INDICATING WHY YOU DESIRE TO HAVE THE PROPERTY VACATED)***

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.

Karen White, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, 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 _____ day of _____, 2022, at _____ o'clock ____ .m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana