

Vacation
Resolutions

3104
1964

alley west of Fremont St.
from Marquette to
Hamilton

(D. C. Reed Housing
Authority)

COPY OF VACATION RESOLUTION

NO. 3104, 19 64

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

ALLEY WEST OF FREMONT ST.

FROM Marquette Blvd.
TO Hamilton St.

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

Lots 316 to 345 inclusive and lots 535, 536, 537, 563, 564, & 565
Vernon Heights addition

Notice of this resolution shall be published on the 10 day of July and on the 17 day of July, 1964 in the South Bend Daily Tribune. & Tr County News

This Board, at its office in the City Hall on the 27 day of July, 1964 at 10:00 a.m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 6th day of July

BOARD OF PUBLIC WORKS

Robert J. DeCumb
James A. Sicks

South Bend, Ind., Sept. 1, 19 64

RECORDER'S OFFICE, ST. JOSEPH COUNTY, INDIANA

Received from Board of Public Works fee for recording

SEP 1 3 48 PM '64

	BOOK	PAGE	to	to	\$
Deed					
Mortg.	JAMES I. WALSH				
<i>Transcript</i>	RECORDER		# 3103		\$ 6.00
"			# 3104		\$ 6.00
					\$ 12.00
					\$
					\$

JAMES I. WALSH,
Recorder, St. Joseph County, South Bend, Indiana

State of Indiana)
) SS:
County of St. Joseph)

TRANSCRIPT OF PROCEEDINGS IN RE:
VACATION RESOLUTION NO. 3104, 1964

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD
SEP 13 3 49 PM '64
BOOK
JAMES T. WALSH
PAGE
RECORDER

Record No. 22, Page 609

Monday, May 4, 1964

Board met in regular session at 10:00 A.M. All members were present.

ENTRY OF PETITION FOR VACATION: HOUSING AUTHORITY OF CITY
OF SOUTH BEND (ALLEY BETWEEN FREMONT & MEADE STREETS)

A Petition filed with the Board by Voor, Jackson, McMichael & Rodibaugh, attorneys representing the Petitioner, Jesse Dickinson, Executive Director of the Housing Authority of the City of South Bend, Indiana, for the vacation of a public alley lying between Fremont and Meade Streets as described in said Petition was referred to the City Planning Commission for investigation and recommendation.

Record No. 22, Page 629

Monday, June 15, 1964

Board met in regular session at 10:00 A.M. Messrs. R. J. Ducomb and James A. Bickel were present.

RE: PETITION FOR VACATION - CITY PLANNING COMMISSION REPORT AND
RECOMMENDATION (SO. BEND HOUSING AUTHORITY, ALLEY BETWEEN FREMONT
AND MEADE STREETS)

With reference to a petition of the South Bend Housing Authority to vacate the north-south alley between Fremont and Meade Streets which was considered at the regular meeting of June 4, 1964 of the City Planning Commission, the following action was taken:

After due consideration the Commission found that substantial justice would be done by the granting of the petition. It was therefore duly moved, seconded, and unanimously carried that the petition be recommended favorably to the Board of Works.

BOOK 207 PAGE 481

Record No. 22, Page 658

Monday, July 27, 1964

Board met in regular session at 10:00 A.M. All members were present.

HEARING AND APPROVAL ON VACATION RESOLUTION NO. 3104, 1964

This being the date set, hearing was held on the Resolution heretofore adopted by the Board of Public Works & Safety for the vacation of the following:

Alley west of Fremont Street from Marquette Boulevard
to Hamilton Street.

The Clerk of the Board having shown Proofs of Publication from the South Bend Tribune with affidavit signed by Robert DeLong and the Tri-County News with affidavit signed by Alfred Snyder, II and same having been found sufficient, and no remonstrators having appeared and no written remonstrances having been filed with the Board, it was moved, seconded and unanimously carried that said Resolution be finally adopted and said property be vacated.

The City Engineer is directed to prepare an assessment roll covering the assessment of benefits and the award of damages to the surrounding property.

Record No. 22, Page 662

Monday, August 3, 1964

Board met in regular session at 10:00 A.M. All members were present.

FILING OF ASSESSMENT ROLL - VACATION RESOLUTION NO. 3104, 1964

Lloyd S. Taylor, City Civil Engineer, filed Primary Assessment Roll showing the awards of damages and the assessment of benefits in the matter of the following described vacation:

Alley west of Fremont Street from Marquette Boulevard
to Hamilton Street

In the above named Assessment Roll, the Board hereby orders that it will meet in the City Hall at 10:00 A.M. on the 31st day of August, 1964 for the purpose of hearing and receiving remonstrances from all persons interested in or

BOOK 207 PAGE 484

The Board approved the recommendation of the City Plan Commission and the petition was referred to the City Engineer for preparation of a Vacation Resolution.

Record No. 22, Page 643

Monday, July 6, 1964

Board met in regular session at 10:00 A.M. Messrs. Robert J. DuComb and James A. Bickel were present.

FILING AND APPROVAL: VACATION RESOLUTION NO. 3104, 1964

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA:

That it is desirable to vacate the following:

Alley west of Fremont Street from Marquette Boulevard to Hamilton Street.

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

Lots 316 to 345 inclusive and Lots 535, 536, 537, 563, 564 & 565, Vernon Heights Addition.

Notice of this Resolution shall be published on the 10th day of July, and on the 17th day of July, 1964 in the South Bend Tribune and the Tri-County News.

This Board, at its office in the City Hall on the 27th day of July, 1964 at 10:00 A.M. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 6th day of July.

ROBERT J. DUCOMB
JAMES A. BICKEL

BOARD OF PUBLIC WORKS & SAFETY

affected by said vacation and the Board further orders that notice of said hearing, together with the amount of damages awarded and benefits assessed, be addressed to the property owners by publishing same on the 7th day of August, the 14th day of August and the 21st day of August, 1964 in the South Bend Tribune and the Tri-County News.

The following property may be injuriously or beneficially affected by such vacation:

Lots numbered 316 to 345 inclusive and Lots numbered 535, 536, 537, 563, 564, 565, Vernon Heights Addition.

Total net benefits	\$00.00
Total net damages	00.00

Respectfully submitted this 3rd day of August, 1964

LLOYD S. TAYLOR
CITY CIVIL ENGINEER

Record No. 22, Page 677

Monday, August 31, 1964

HEARING: ASSESSMENT ROLL - VACATION RESOLUTION NO. 3104, 1964

This being the date set, hearing was held on the Assessment Roll to be adopted by the Board of Public Works & Safety for the vacation of the following, showing the award of damages and assessment of benefits:

Alley west of Fremont Street from Marquette Boulevard to Hamilton Street.

In the above named Assessment Roll, no remonstrators appeared and no written remonstrances were filed. The Clerk of the Board submitted Proofs of Publication from the South Bend Tribune with affidavit signed by Zane P. Trinkley and the Tri-County News with affidavit signed by Alfred W. Snyder, II and said Proofs were found sufficient.

CHECKED

RECORDED
JAMES E. WALSH
BOOK 507
PAGE 485

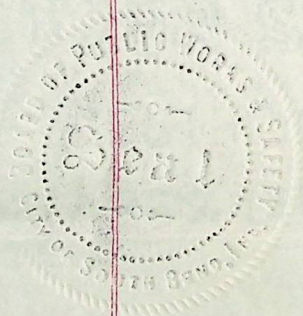
The Board therefore decides to take final action on said Assessment Roll and declares same in all things ratified, confirmed and approved without modification and the proceedings closed, and the property vacated upon receipt of the amount of benefit assessment from the various property owners, if so benefited, and all proceedings had with reference to said vacation are hereby sustained.

I, Richard J. Duck, Clerk of the Board of Public Works & Safety of the City of South Bend, Indiana do hereby certify that the above and foregoing is a true and complete copy of proceedings in regard to the vacation of the following:

Alley west of Fremont Street from Marquette Boulevard to Hamilton Street.

Given under my hand and the seal of this office, this 1st day of September, 1964.

Richard J. Duck
Clerk of the Board of Public Works & Safety of the City of South Bend, Indiana



Assessment Roll No. _____

VACATION

On alley west of Fremont street
From Marquette Blvd

To Hamilton St

under Improvement Resolution No. 3104-1964
adopted on the 6th day of

July, 1964 and
recorded in Record Page

Contract signed on the day of
19

NET BENEFITS 00.00
NET DAMAGES 00.00
Net Amount, \$

Assessment Roll Filed

Assessment Roll Hearing

Assessment Roll Confirmed

Final Estimate Allowed

Date of Acceptance

Notices sent

1952

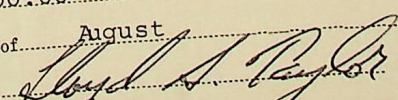
Artcraft Printers

The following property may be injuriously or beneficially affected
by such vacation:

LOTS NUMBERED 316 to 345 INCLUSIVE and

LOTS NUMBERED 535, 536, 537, 563, 564, 565

VERNON HEIGHTS ADDITION.

Total amount due the Contractor for the ~~Improvements~~ \$ 00.00
Respectfully submitted this 3rd day of August, 19.64
 Civil Engineer



June 18, 1964

MISSION
ALLEN, MAYOR

J. FRANK MILES, PRESIDENT
ROY A. WORDEN, VICE-PRESIDENT
RAYMOND S. ANDRYSIAK
JAMES BARKLEY
WALTER G. GLASS
RICHARD KROMKOWSKI
BERT MCCLELLAN
GALEN B. SARGENT
PHILLIP A. TRAUB
FORREST R. WEST
ROBERT L. HUFF, DIRECTOR OF PLANNING
WILLIAM D. MURPHY, ASSISTANT DIRECTOR

MEMO TO: City Engineer

RE: Petitions for Vacations

The following Petitions for vacations have been referred to you for preparation of a Vacation Resolution

1. So. Bend Housing Authority (Woodworth St.)
2. So. Bend Housing Authority Fremont St.
3. Cardinal Bottling Co. Inc.

Richard J. Duck, Clerk
Board of Public Works & Safety

and Housing Authority
on Fremont and Meade
meeting June 4,

Encs.
ES

Resolution found
done by the
therefore
has been
favorably

RLM/CI
attach.

FILED
JUN 15 1964

Board of Public Works & Safety
RICHARD J. DUCK, CLERK

*9/7/64 \$65
check for
received from Vow*



CITY PLANNING COMMISSION

129 W. COLFAX AVENUE, SOUTH BEND, INDIANA 46601 • LLOYD M. ALLEN, MAYOR

J. FRANK MILES, PRESIDENT
ROY A. WORDEN, VICE-PRESIDENT
RAYMOND S. ANDRYSIAK
JAMES BARKLEY
WALTER G. GLASS
RICHARD KROMKOWSKI
BERT MCCLELLAN
GALEN B. SARGENT
PHILLIP A. TRAUB
FORREST R. WEST
ROBERT L. HUFF, DIRECTOR OF PLANNING
WILLIAM D. MURPHY, ASSISTANT DIRECTOR

June 8, 1964

The Honorable Board of Works
City of South Bend
South Bend, Indiana

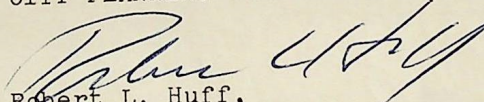
Gentlemen:

The attached petition of the South Bend Housing Authority to vacate the north-south alley between Fremont and Meade Streets was brought up at the regular meeting June 4, 1964. The following action was taken:

After due consideration the Commission found that substantial justice would be done by the granting of the petition. It was therefore duly moved, seconded, and unanimously carried that the petition be recommended favorably to the Board of Works.

Very truly yours,

CITY PLANNING COMMISSION


Robert L. Huff,
Director of Planning

RLH/cf
attach.

FILED
JUN 15 1964

Board of Public Works & Safety
RICHARD J. DUCK, CLERK

*9/7/64 \$65
check for
received from Vow*

South Bend, Indiana
March 6, 1964

PETITION

TO: The Board of Public Works and Safety
of the City of South Bend, Indiana

Gentlemen:

The undersigned property owner petitions your Honorable
Body to vacate a public alley Fourteen (14) feet in width lying between
Fremont and Meade Streets and running from the North line of Marquette
Boulevard North to the South line of Hamilton Street, all in Vernon
Heights Addition to the City of South Bend, St. Joseph County, Indiana.

Yours respectfully,

THE HOUSING AUTHORITY OF THE
CITY OF SOUTH BEND, INDIANA

By: Jesse L. Dickinson
Executive Director

Voor, Jackson, McMichael & Rodibaugh
620 First Bank Building
South Bend, Indiana

Attorneys for Petitioner

9/7/64 \$65
check for
received from Voor

South Bend, Indiana
March 6, 1964

PETITION

TO: The Board of Public Works and Safety
of the City of South Bend, Indiana

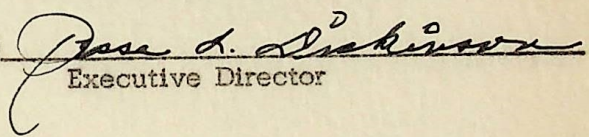
Gentlemen:

The undersigned property owner petitions your Honorable Body to vacate a public alley Fourteen (14) feet in width lying between Fremont and Meade Streets and running from the North line of Marquette Boulevard North to the South line of Hamilton Street, all in Vernon Heights Addition to the City of South Bend, St. Joseph County, Indiana.

Yours respectfully,

THE HOUSING AUTHORITY OF THE
CITY OF SOUTH BEND, INDIANA

By:


Executive Director

Voor, Jackson, McMichael & Rodibaugh
620 First Bank Building
South Bend, Indiana

Attorneys for Petitioner

ALBERT M. SHULMAN, CHAIRMAN
LOUIS M. HAMMERSCHMIDT
VICE CHAIRMAN
CLARENCE E. KELLER
JOSEPHINE CURTIS
M. MENDEL FISER
WILLIAM E. VOOR
COUNSEL

THE HOUSING AUTHORITY
of the
CITY OF SOUTH BEND, INDIANA
PHONE AT 8-0673
628 WESTERN AVENUE
SOUTH BEND, INDIANA, 46625

JESSE L. DICKINSON
EXECUTIVE DIRECTOR

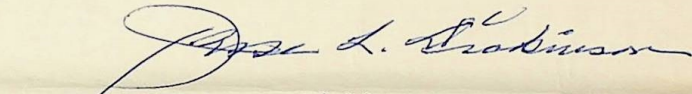
IN REPLY REFER TO:

MEMORANDUM

May 4, 1964

TO: South Bend Board of Works
FROM: The South Bend Housing Authority
SUBJECT: Cost for Vacating Petitions

The Housing Authority of the City of South Bend will be responsible for advertising costs emanating from petitions to vacate certain land in the Hartman and Woodworth's Addition and the Vernon Height's Addition.


Jesse L. Dickinson
Executive Director

JLD:hrv

Chas. ...

September 5, 1964

Mr. W. E. Voor
Voor, Jackson, McMichael & Rodibaugh
620-630 First Bank Building
South Bend, Indiana

Reference:

Vacation Resolutions No. 3103
and No. 3104 - Housing Authority

Dear Mr. Voor:

The legal proceedings with reference to Vacation Resolutions Nos. 3103 and 3104 have now been completed. Transcripts have been recorded and copies of Transcripts are in the hands of Mr. Dickinson of the Housing Authority.

Following is an accounting of expenses in connection with these Vacations:

Deposit		\$130.00
<u>Vacation Resolution No. 3103</u>		
South Bend Tribune (legal adv.)	\$13.83	
Tri-County News (legal adv.)	14.19	
Recording Fee	6.00	
	<u>\$34.02</u>	34.02
<u>Vacation Resolution No. 3104</u>		
South Bend Tribune (legal adv.)	\$12.24	
Tri-County News (legal adv.)	13.46	
Recording Fee	6.00	
	<u>\$31.70</u>	31.70
Total Expenses		\$65.72
Refund		\$64.28

Our check in the sum of \$64.28 is enclosed.

If you have any questions concerning these Vacations, kindly contact this office.

Very truly yours,

Richard J. Duck, Clerk
Board of Public Works & Safety

Enc.
ES

WILLIAM E. VOOR
WILLIAM O. JACKSON
GUY H. McMICHAEL
ROBERT K. RODIBAUGH
ROBERT E. BONDURANT
JAMES E. KEATING
WILLIAM E. VOOR, JR.

VOOR, JACKSON, McMICHAEL & RODIBAUGH

ATTORNEYS & COUNSELORS AT LAW
620-630 FIRST BANK BUILDING
SOUTH BEND, INDIANA - 46601

TELEPHONE
234-6061

July 6, 1964

Board of Public Works & Safety
City Hall
South Bend, Indiana

Gentlemen: Attention: Mrs. Skoglund

Enclosed is our check for \$130.00 which Mrs. Skoglund called us for today in connection with vacation of certain street and alley on behalf of the Housing Authority.

Respectfully,

VOOR, JACKSON, McMICHAEL & RODIBAUGH

By:

W. E. Voor
W. E. Voor

WEV:bhr
enclosure

State of Indiana
St. Joseph County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned Zane P. Trinkley who, being duly sworn, says that he is

~~Classified Manager~~ of the South Bend Tribune, a daily newspaper of general circulation printed and published in the English language in the City of South Bend in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

~~Three~~ times the dates of publication being as follows:

~~August 7th, 14th, and 21st, 1964~~

Zane P. Trinkley

Subscribed and sworn to before me this 21st

day of August, 1964

Harris L. Stodrup
Notary Public

My commission expires ¹⁰⁻¹¹⁻⁶⁶ ~~May 22, 1967~~

Charges \$6.62

VACATION RESOLUTION NO. 3104, 1964
NOTICE is hereby given that the Board of Public Works & Safety of the City of South Bend, Indiana, will on the 31st day of August, 1964 at 10:00 A.M. at its office in the City Hall hold a meeting for the purpose of taking final action on Vacation Resolution No. 3104, same being as follows:
Alley west of Fremont Street from Marquette Boulevard to Hamilton Street.
The following property may be injuriously or beneficially affected by such vacation:
Lots numbered 316 to 345 inclusive and Lots numbered 535, 536, 537, 563, 564, 565, Vernon Heights. Addition.
Total net benefits\$00.00
Total net damages 00.00
Respectfully submitted this 3rd day of August, 1964.
Lloyd S. Taylor
CITY CIVIL ENGINEER
8:7-14-21

8/31

A claim, to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc., and accompanied with the blue copy of requisition.

City of South Bend, Indiana
On Account of Appropriation

To Tri-County News Dr.

Street Address 1410 S. Michigan St.

Requisition No. _____

19	64	ITEMIZED CLAIM	DOLLARS	CTS.
		Legal Notice of Vacation Resolution No. No. 3104, 1964 published three times August 7, 14, 21, 1964	7.	20

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature Ida E Snyder

Date August 21, 1964

Title OFFICE MANAGER

This certification is in compliance with new Indiana Law; Chap. 155-SB 288; effective July 1, 1953.

RETURN BLUE COPY OF PURCHASE ORDER WITH CLAIMS.

State of Indiana
St. Joseph County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned Robert C. DeLong who, being duly sworn, says that he is

credit manager of the South Bend Tribune, a daily newspaper of general circulation printed and published in the English language in the City of South Bend in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

two time(s), the dates of publication being as follows:

July 10, 17, 1964

Robert C. DeLong

Subscribed and sworn to before me this 17th

day of July, 1964

Carne P. Trimbley
Notary Public

My commission expires May 22, 1967

Charges \$5.62

VACATION RESOLUTION NO. 3104, 1964
RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:
Alley west of Fremont Street from Marquette Boulevard to Hamilton Street.
The following property may be injuriously or beneficially affected by such vacation:
Lots 316 to 345 inclusive and Lots 535, 536, 537, 563, 564 and 565, Vernon Heights Addition.
Notice of this resolution shall be published on the 10th day of July, 1964 and on the 17th day of July, 1964 in the South Bend Tribune and the Tri-County News.
This Board, at its office in the City Hall on the 27th day of July, 1964 at 10:00 A.M. will hear and receive remonstrances from all persons interested in or affected by these proceedings.
Adopted this 6th day of July, 1964.
R. J. DUCOMB
JAMES A. BICKEL
BD. OF PUBLIC WORKS & SAFETY
7:10-17

7/27

A claim, to be properly itemized, must show: Kind of service, where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc., and accompanied with the blue copy of requisition.

City of South Bend, Indiana
On Account of Appropriation

To Tri County News Dr.

Street
Address 1410 S. Michigan St.

Requisition No. _____

1964	ITEMIZED CLAIM	DOLLARS	CTS.
	Vacation resolution no 3104 published two times		
	July 10, 17, 1964	6.	26

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature Ida E Snyder

Date July 17, 1964

Title OFFICE MANAGER

This certification is in compliance with new Indiana Law; Chap. 155-SB 288; effective July 1, 1953.

RETURN BLUE COPY OF PURCHASE ORDER WITH CLAIMS.