

Vacation
Resolution

3106

1964

Alley north of
Broadway from
High Street to
2nd alley East
of High St.

(Cardinal Battling
Works, Inc.)

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 times, the dates of publication being as follows:

July 17, 24, 1964

Robert C. DeLong

Subscribed and sworn to before me this 24th day of July, 1964

Eane P. Trunkley
Notary Public

My commission expires May 22, 1967

Charges \$5.83

VACATION RESOLUTION NO. 3106, 1964
RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA: That it is desirable to vacate the following:
Alley north of Broadway from High Street to second alley east of High Street.
The following property may be injuriously or beneficially affected by such vacation.
Properly bounded by High Street, Pennsylvania Avenue, second alley east of High Street and Broadway.
Notice of this resolution shall be published on the 17th day of July and on the 24th 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 3rd day of August, 1964 at 10:00 a.m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.
Adopted this 13th day of July.
ROBERT J. DUCOMB
JAMES A. BICKEL
R. S. ANDRYSIAK
Board of Public Works & Safety
7:17-24

3106
8/3

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

four time^s, the dates of publication being as follows:

September 4, 11, 18, 25, 1964

Robert C. DeLong

Subscribed and sworn to before me this 25th

day of September, 19 64

Eane P. Trimbley
Notary Public

My commission expires **May 22, 1967**

Charges \$8.64

VACATION RESOLUTION
NO. 3106, 1964
NOTICE is hereby given that the Board of Public Works & Safety of the City of South Bend, Indiana, will on the 5th day of October, 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. 3106, same being as follows:
Alley north of Broadway from High Street to 2nd alley east of High Street.
The following property may be injuriously or beneficially affected by such vacation:
Property bounded by High Street, Pennsylvania Avenue, 2nd alley east of High Street and Broadway. \$00.00
Total net benefits 00.00
Total net damages 00.00
Respectively submitted this 31st day of August, 1964.
LLOYD S. TAYLOR
CITY CIVIL ENGINEER
9:11-18-25

10/5

MEMO

11/14/65

Called

Tri-County.

Checks were received
and bill paid.

COMPLIMENTS OF

FREE PRESS PUBLISHING CO.

(Doing Business Since 1923)

1410 SOUTH MICHIGAN STREET, SOUTH BEND, IND. 46613

Publishers of The Tri-County News

"ADVERTISING DOES NOT COST — IT REALLY PAYS"

We also do all types of commercial printing
Letterpress and Offset

TELEPHONE: 289-2455

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 Tri-County News
Address 1710 S. Michigan St.

Requisition No. _____

19 <u>64</u>	ITEMIZED CLAIM	DOLLARS	CTS.
	Vacation Resolution No. 3106 published two times		
	July 17 and 24, 1964	6.05	

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 24, 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.

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 1410 S. Michigan St.
 Address _____

Requisition No. _____

19	64	ITEMIZED CLAIM	DOLLARS	CTS.
		Vacation Resolution No. 3106, 1964 published three times Sept. 11, 18, 25	6.91	

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 September 25, 1964

Title OFFICE MANAGER

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

From the desk of

✓
ANTHONY SABO

September 9, 1964

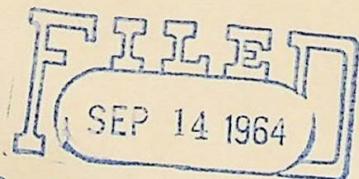
MEMO: Board of Public Works & Safety

RE: Hearing on Assessment Roll of Vacation
Resolution No. 3106

Hearing scheduled for September 28, 1964
will be continued until October 5, 1964 .

Legal advertising on the Assessment Roll
will appear in the South Bend Tribune and the
Tri-County News on September 11, Sept. 18
and Sept. 25.

(This Assessment Roll was advertised for the
first time on Sept. 4.)



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

August 13, 1964

MEMO TO: City Engineer

RE: Assessment Roll - Vacation Resolution No. 3106

The attached Vacation Resolution High Street alley from Cardinal Bottling Works is ready for the Assessment Roll.

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

Enc.
ES

From the desk of . . .

RICHARD J. DUCK

August 13, 1964

MEMO TO: City Engineer

RE: Assessment Roll - Vacation Resolution No. 3106

The attached Vacation Resolution High Street alley from Cardinal Bottling Works is ready for the Assessment Roll.

APPROVED
BOARD OF PUBLIC WORKS & SAFETY

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

Enc.
ES

AUG 31 1964

FILED
AUG 31 1964
Board of Public Works & Safety
RICHARD J. DUCK, CLERK

Assessment Roll No. _____

VACATION

On Alley north of Broadway Street

From High Street

To 2nd Alley east of High Street

under Improvement Resolution No. 3106-64

adopted on the 13th day of

July, 1964, and

recorded in Record Page

Contract signed on the day of

, 19

Contractor

NET BENEFITS 00.00

Net Amount \$ 00.00

DAMAGES

Assessment Roll Filed

Assessment Roll Hearing

Assessment Roll Confirmed

Final Estimate Allowed

Date of Acceptance

Notices sent

ASSESSMENT ROLL NO. _____

The total frontage assessed for pavement is.....feet, at.....per front foot.....

The total frontage assessed for pavement is.....feet, at.....per front foot.....

The total frontage assessed for pavement is.....feet, at.....per front foot.....

" " area " " sewer is.....sq. ft....." sq. foot

" " area " " sewer is.....sq. ft....." sq. foot

" " frontage " " grade is.....feet at.....per front foot.....

" " frontage " " curb is.....feet at.....per front foot.....

" " frontage " " cement walk is.....feet at.....per front foot.....

The total cost of the Improvement is \$..... Amount assessed to City \$.....

And in the following tabular statement is given the name of each property owner on that part of the street so improved; the number of front feet owned by the respective owners; the amount of the cost of such improvement assessed upon each lot or parcel of ground bordering thereon; the full description, together with the owner's name, of each lot or parcel of ground bordering on said part of said street so improved; the amount of allowance made to each owner on account of former improvements, and the net amount due from the owner of each tract of real estate, after deducting the aforesaid allowances.

All of said real estate bordering on said improvements being in the City of South Bend, St. Joseph County, Indiana.

In describing said real estate, the following abbreviations are made to-wit: N. for North; S. for South; E. for East; W. for West; ft. for feet; ex. for except; Sd. for side; Ed. for end; C. for chains; L. for links; O. P. for original plat; B, L, for lots contained in the State Bank of Indiana's 1st, 2nd and 3rd Plats of Out-Lots to the Town of South Bend, which lots are numbered consecutively through the several plats, from 1 in 1st plat to 130 in 3rd plat; Add. for addition; Sub. for subdivision; L. for Lowell; T. S. B. for Town of South Bend; C. S. B. for City of South Bend.

Description of Real Estate Bordering on the Improvement			No. of feet front	NAME OF OWNER	ASSESSMENT					
PART OF LOT	No. of Lots	Name of Addition or Sub-Div.			NET DAMAGES		NET BENEFITS			
				\$	Cts.	\$	Cts.	\$	Cts.	
COPY OF VACATION RESOLUTION NO. 3106-64 RESOLVED BY THE BOARD OF PUBLIC WORKS & SAFETY OF SOUTH BEND, IND.: That it is desirable to vacate the following: ALLEY NORTH OF BROADWAY FROM HIGH STREET TO 2nd ALLEY EAST OF HIGH STREET										

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

Property bounded by High Street, Pennsylvania Avenue,
2nd Alley east of High Street and Broadway. 00.00...00.00

00.00 00.00

vacation

xxxxxxx
Total amount due the Contractor for the improvement, \$ 00.00

00.00

00.00

vacation

00.00

Total amount due the Contractor for the Improvement, \$~~xxxxxxxxx~~.....

Respectfully submitted this.....31st..... day of..... August....., 19.....64

..... Civil Engineer

RECORDER'S OFFICE, ST. JOSEPH COUNTY, INDIANA

Received from: Ed of Public Works fee for recording

Nov 24 3 07 PM '64

Deed	to	\$
Mortg.	BOOK to PAGE	\$
<i>Transcript</i>	JAMES I. WALSH	\$
<i>Vacation Pass # 3106</i>	RECORDED to	\$ 6.00 ch
	to	\$
	to	\$

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

Mr. Milton Johnson
Attorney at Law
802 Odd Fellows Building
South Bend, Indiana

Dear Mr. Johnson: RE: Vacation Resolution No. 3106

Enclosed is copy of Transcript of Proceedings with reference to Vacation Resolution No. 3106 for your records. Also enclosed is our check for \$31.57 which is the refund due.

Following is an accounting of charges in connection with these proceedings:

Deposit		\$65.00
South Bend Tribune (legal adv.)	\$14.47	
Tri-County News (legal adv.)	12.96	
Recording Fee	6.00	
Total charges	<u>\$33.43</u>	<u>\$33.43</u>
Refund		\$31.57

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

Very truly yours,

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

Encs.
ES

November 24, 1964

Mr. Milton Johnson
Attorney at Law
802 Odd Fellows Building
South Bend, Indiana

Dear Mr. Johnson:

RE: Vacation Resolution No. 3106

Enclosed is copy of Transcript of Proceedings with reference to Vacation Resolution No. 3106 for your records. Also enclosed is our check for \$31.57 which is the refund due.

Following is an accounting of charges in connection with these proceedings:

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			<u>\$31.57</u>

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

Very truly yours,

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

Encs.
ES

To Bond Indiana

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

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD
NOV 24 3 07 PM '64
BOOK
JAMES T. WALSH
RECORDER
PAGE

TRANSCRIPT OF PROCEEDINGS IN RE::
VACATION RESOLUTION NO. 3106

Record No. 22, Page 622

Monday, May 25, 1964

71898

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

PETITION FOR VACATION (CARDINAL BOTTLING COMPANY, INC.)

A Petition from Cardinal Bottling Company, Inc. for the vacation of an alley between Pennsylvania Avenue and Broadway from High Street to its termination was submitted to the Board, examined and 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 (CARDINAL BOTTLING CO., INC.)

With reference to a petition of the Cardinal Bottling Co., Inc. to vacate an alley lying between Pennsylvania Avenue and Broadway and extending easterly from High Street to its termination, this 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.

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

Record No. 22, Page 649

BOOK 209 PAGE 324

Monday, July 13, 1964

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

APPROVAL OF VACATION RESOLUTION NO. 3106, 1964 (CARDINAL BOTTLING COMPANY, INC.)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH

BEND, INDIANA: That it is desirable to vacate the following:

Alley north of Broadway from High Street to second alley east of High Street.

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

Property bounded by High Street, Pennsylvania Avenue, second alley east of High Street and Broadway.

Notice of this resolution shall be published on the 17th day of July and on the 24th 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 3rd day of August, 1964 at 10:00 A.M. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 13th day of July.

ROBERT J. DUCOMB
JAMES A. BICKEL
R. S. ANDRYSIAK
BOARD OF PUBLIC WORKS & SAFETY

Record No. 22, Page 661

Monday, August 3, 1964

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

HEARING AND APPROVAL ON VACATION RESOLUTION NO. 3106, 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 north of Broadway from High Street to second alley east of High Street.

10 33 5986 940

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 awards of damages to the surrounding property.

Record No. 22, Page 677

Monday, August 31, 1964

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

FILING OF ASSESSMENT ROLL: VACATION RESOLUTION NO. 3106, 1964. Lloyd S. Taylor, City Engineer, filed Primary Assessment Roll, showing the award of damages and the assessment of benefits in the matter of the following described vacation:

Alley north of Broadway from High Street to 2nd alley east of High Street.

In the above named Assessment Roll, the Board hereby orders that it will meet in the City Hall at 10:00 on the 28th day of September, 1964 for the purpose of hearing and receiving remonstrances from all persons interested in or 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 4th day of September, the 11th day of September and the 18th day of September, 1964 in the South Bend Tribune and the Tri-County News.

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

Property bounded by High Street, Pennsylvania Avenue, 2nd alley east of High Street and Broadway.

Total net benefits \$00.00
Total net damages \$00.00

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

LLOYD S. TAYLOR
CITY CIVIL ENGINEER

Record No. 22, Page 687

Monday, September 14, 1964

Board met in regular session at 10:00 A.M. Messrs. R. J. Ducomb and Lloyd S. Taylor were present.

RE: HEARING ON ASSESSMENT ROLL - VACATION RESOLUTION NO. No. 3106.

A hearing on the Assessment Roll for Vacation Resolution No. 3106, alley north of Broadway from High Street to second alley east of High Street, scheduled for the meeting of September 28, 1964 has been rescheduled for October 5, 1964.

Due to the fact that there will not be a quorum present on September 28, there will be no Board meeting on that date.

The Assessment Roll, originally scheduled for legal advertising on September 4, September 11 and September 18 is being readvertised on September 11, September 18 and September 25, 1964 with hearing scheduled for October 5, 1964.

Record No. 22, Page 699

Monday, October 5, 1964

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

HEARING ON ASSESSMENT ROLL - VACATION RESOLUTION No. 3106, 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 north of Broadway from High Street to 2nd alley east of High Street.

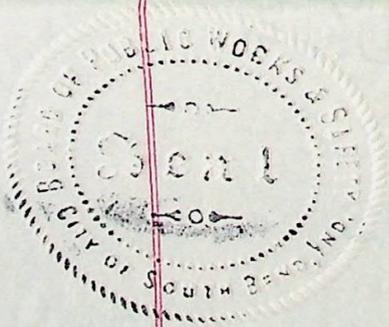
In the above named Assessment Roll, no remonstrators appeared and no written remonstrances were filed. The Clerk of the Board submitted Proofs of Publication from the South Bend Tribune with affidavit signed by Robert DeLong and the Tri-County News with affidavit signed by Alfred Snyder, II and said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

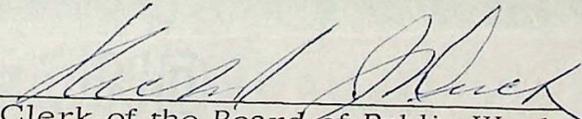
The Board therefore decides to take final action on said Assessment Roll and declares same in all things ratified, confirmed and approved without modification and the proceedings closed and the property vacated upon receipt of the amount of benefit assessment from the various property owners, if so benefited 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 North of Broadway from High Street to second alley east of High Street.

Given under my hand and the seal of this office, this 23 day of November, 1964




Clerk of the Board of Public Works &
Safety of the City of South Bend, Indiana



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

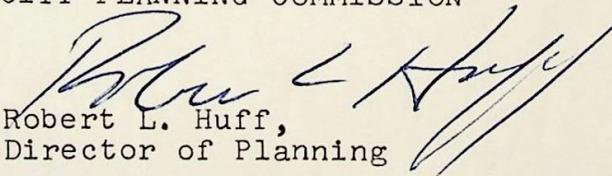
Gentlemen:

The attached petition of the Cardinal Bottling Co., Inc. to vacate an alley lying between Pennsylvania Avenue and Broadway Street and extending easterly from High Street to its termination was brought up at the regular meeting June 4, 1964. The following action was taken:

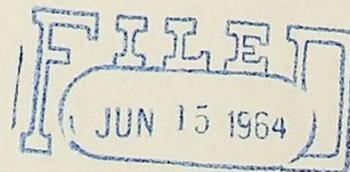
After due consideration the Commission found that substantial justice would be done by the granting of the petition. It was therefore duly moved, seconded, and unanimously carried that the petition be recommended favorably to the Board of Works.

Very truly yours,

CITY PLANNING COMMISSION


Robert L. Huff,
Director of Planning

RLH/cf
attach.



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

P E T I T I O N

South Bend, Indiana
May 7, 1964

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

Gentlemen:

The undersigned property owners petition your Honorable Board to vacate an alley lying between Pennsylvania Avenue and Broadway Street and extending easterly from High Street to its termination.

Respectfully requested,

CARDINAL BOTTLING COMPANY, INC.

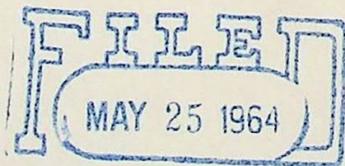
By

Frank Palmer, Pres

RELIABLE DAIRY, INC.

By

Frank Palmer, Pres



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

P E T I T I O N

South Bend, Indiana
May 7, 1964

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

Gentlemen:

The undersigned property owners petition your Honorable Board to vacate an alley lying between Pennsylvania Avenue and Broadway Street and extending easterly from High Street to its termination.

Respectfully requested,

CARDINAL BOTTLING COMPANY, INC.

By Frank Palmer, Pres.
RELIABLE DAIRY, INC.

By Frank Palmer, Pres.

P E T I T I O N

South Bend, Indiana
May 7, 1964

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

Gentlemen:

The undersigned property owners petition your Honorable Board to vacate an alley lying between Pennsylvania Avenue and Broadway Street and extending easterly from High Street to its termination.

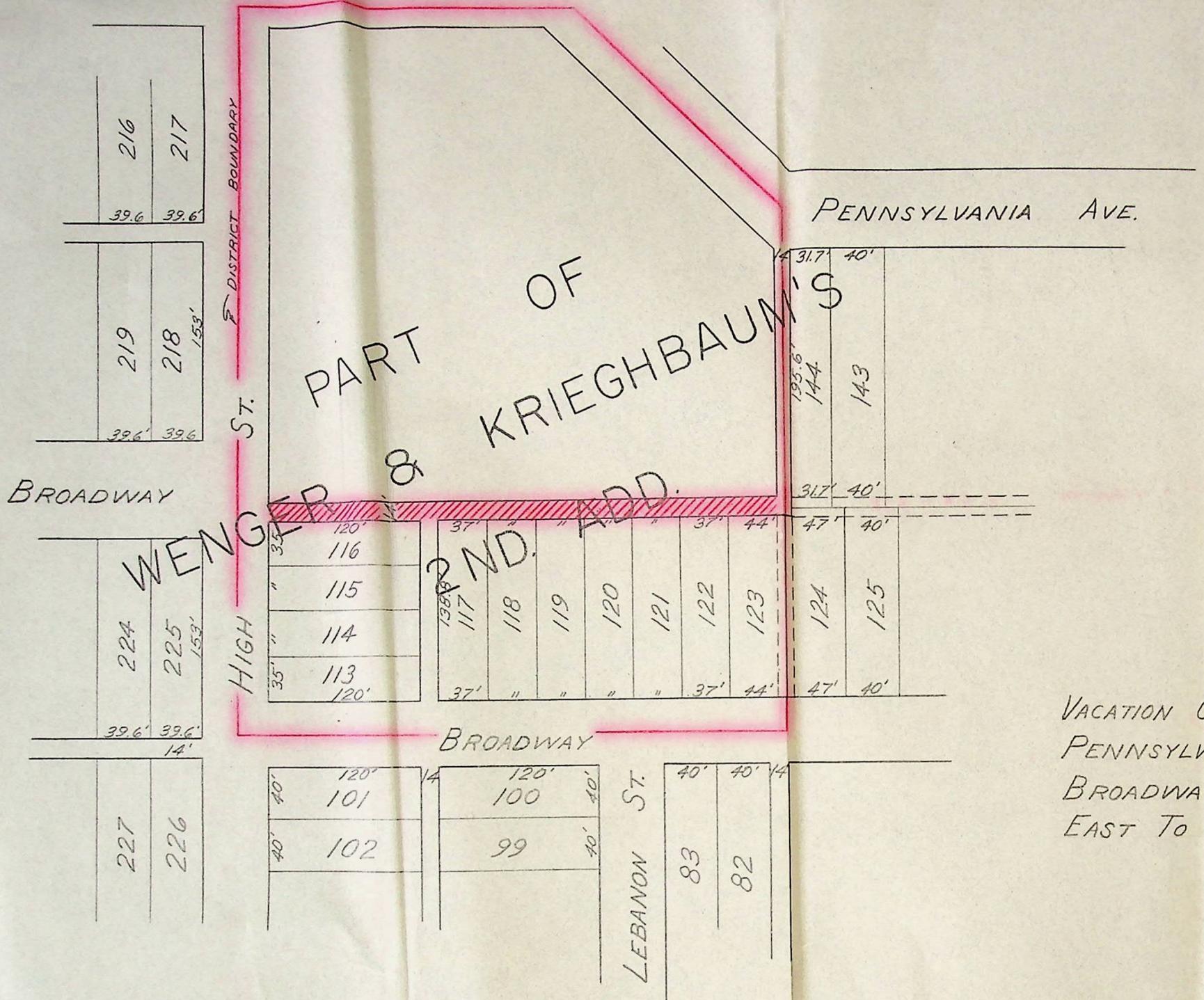
Respectfully requested,

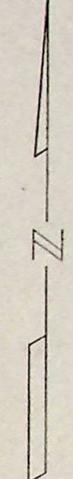
CARDINAL BOTTLING COMPANY, INC.

By Frank Palmer, Jr.

RELIABLE DAIRY, INC.

By Frank Palmer, Jr.




 SCALE 1"=100'

VACATION OF ALLEY BETWEEN
 PENNSYLVANIA AVE AND
 BROADWAY FROM HIGH ST.
 EAST TO ITS TERMINATION

3105

COPY OF VACATION RESOLUTION

NO. 3106, 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 NORTH OF BROADWAY

From High St.

To 2nd alley East of High St.

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

Property bounded by High St, Pennsylvania Ave, 2nd Alley East of High St. and Broadway.

Notice of this resolution shall be published on the 17 day of July and on the 24 day of July 1964 in the South Bend Daily Tribune. & Tri-County News

This Board, at its office in the City Hall on the 3 day of August 1964 at 7:15 p.m. will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 13 day of July

Robert J. DeLoach

BOARD OF PUBLIC WORKS