

3221 VAC.

NORTH & SOUTH ALLEY BETWEEN  
RUSH & MARIETTA - DUBAIL TO  
INDIANA AVE.

0  
m

Assessment Roll No. ....

**VACATION**

~~OR~~ The N & S alley between ~~Street~~  
From Rush Street and Marietta St.  
~~XXX~~ from DuBail Ave. to Indiana  
~~To~~ Ave.

under Improvement Resolution No. 3221, 1967

adopted on the 31st day of

July, 1967, and

recorded in Record Page

Contract signed on the day of

19

NET BENEFITS -- \$00.00

~~Contractor~~

NET DAMAGES -- 00.00

~~Net Amount \$~~

Assessment Roll Filed Sept. 5, 1967

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~~ <sup>vacation</sup> is \$..00.00 ..... Amount assessed to City \$.00.00 .....

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.

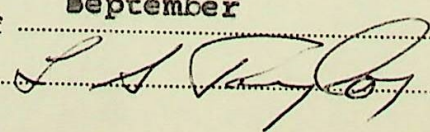
In describing said real estate, the following abbreviations are made to-wit: N. for North; S. for South; E. for East; W. for West; ft. for feet; ex. for except; Sd. for side; Ed. for end; C. for chains; L. for links; O. P. for original plat; B, L, for lots contained in the State Bank of Indiana's 1st, 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.			\$	Cts.	\$	Cts.	NET BENEFITS \$ Cts.	NET DAMAGES \$ Cts.
<p><u>COPY OF VACATION RESOLUTION NO. 3221, 1967</u></p> <p>RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND,                      INDIANA: That it is desirable to vacate the following:</p> <p style="padding-left: 40px;">The north and south alley between Rush Street and                      Marietta Street from Dubail Avenue to Indiana Avenue.</p> <p style="padding-left: 40px;">Reserving the right of the Municipal City of South Bend,                      Indiana to construct and maintain all publicly owned                      utilities, and surface water control structures and                      ditches within the vacated right-of-way.</p> <p>The following property may be injuriously or beneficially effected                      by such vacation:</p> <p style="padding-left: 40px;">Lots 14, 15, 40, 41 in the Henry Studebaker Addition.</p>										
								00.00	00.00	



Total amount due the Contractor for the ~~xxxxxxx~~ <sup>vacation</sup> improvement, \$ 00.00

Respectfully submitted this 5th day of September, 1967

 Civil Engineer



# COPY OF VACATION RESOLUTION

NO. 3121, 1967

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

**The North and South alley between Rush Street and Marietta Street from Dubail Avenue to Indiana Avenue.**

**Reserving the right of the Municipal City of South Bend, Indiana to construct and maintain all publicly owned utilities, and surface water control structures and ditches within the vacated right-of-way.**

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

**Lots 14, 15, 40, 41 in the Henry Studebaker Addition.**

Notice of this resolution shall be published on the 4<sup>th</sup> day of Aug and on the 11<sup>th</sup> day of Aug 1967, in the South Bend Daily Tribune.

This Board, at its office in the City Hall on the 21<sup>st</sup> day of Aug 1967 at 10:00 am will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 31<sup>st</sup> day of July, 1967

BOARD OF PUBLIC WORKS

*L. A. [Signature]*  
*J. Beckel*



Petition to vacate the North-South Alley  
between Rush & Marietta Sts., and running  
North from Subail Ave to Indiana Ave.

Reserving the right of the City of South Bend  
to construct or maintain any Public owned  
Utility, also the right to Control all surface water  
within the Vacated Right-of-Way.

The Following property may be injuriously or  
beneficially affected by such Vacations  
in the Plat  
lots 14-15-40-41 Henry Studebaker addn.

Res. To Bd 7/26/67



AREA PLAN COMMISSION  
OF [unclear] COUNTY, IND

July 25, 1967

MEMO TO: ENGINEERING DEPARTMENT  
SUBJECT: JAMES M. GORDON ALLEY VACATION

The attached petition for alley vacation has been referred to your office for the preparation of a Vacation Resolution

RICHARD J. DUCK  
BOARD OF PUBLIC WORKS AND SAFETY

*Handwritten:*  
↑  
7/26/67  
JW

Gordon, et al,  
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Commission  
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AREA PLAN COMMISSION  
OF ST. JOSEPH COUNTY, IND.

July 21, 1967

The Honorable Board of  
Public Works and Safety  
City Hall  
South Bend, Indiana

Gentlemen:

The attached alley vacation of James M. Gordon, et al, was legally advertised under date of July 8 and 15 and given public hearing on July 18, 1967. The following action was taken:

Following considerable discussion, it was moved, seconded and unanimously carried that the petition be recommended favorably to the Board of Public Works and Safety.

Excerpts from the minutes of the Area Plan Commission meeting are hereby attached and made a part of this report.

Very truly yours,

John K. Wilson,  
Executive Director

JKW/cas  
Attach.



EXCERPTS FROM THE MINUTES OF THE AREA PLAN COMMISSION  
MEETING HELD JULY 18, 1967

A petition of James M. Gordon, et al, to vacate and close the north-south alley between Rush and Marietta Streets running from Dubail Avenue to Indiana Avenue

There appeared Mr. Gordon, 623 Dubail, owner of the lot on the east side of the subject alley. He indicated that he and the other property owners desire to have the alley vacated so that they could stop the school children from going through the alley and destroying property.

Commissioner Taylor now asked the petitioner if he realized that if the alley is vacated one-half of the fourteen feet would go to the adjoining property owner and that it could be fenced thereby obstructing ingress to his garage.

Mr. Gordon indicated that he was aware of this but that he anticipated no problems with the other property owner.

No one further appeared although the staff indicated that they had received a phone call from the land contract purchaser of the property at 622 Indiana Avenue stating that he objected to the vacation of the alley on the basis that entry to his garage would be almost impossible in the winter time.

It was noted that the owner of the property at 622 Indiana Avenue had signed the petition for vacation.

Following considerable discussion it was moved by Mr. Taylor, seconded by Mr. Benhart and unanimously carried that the petition be recommended favorably to the Board of Public Works and Safety.



June 2, 1967

*To Mr Kirkwood*  
*City Road*

MEMO TO: ENGINEERING DEPARTMENT  
SUBJECT: ALLEY VACATION

INDIANA May 18, 1967

**FILED**

MAY 22 1967

The attached copy of alley vacation has been referred to your office for the preparation of maps showing utility easements.

BOARD OF PUBLIC WORKS AND SAFETY  
RICHARD J. DUCK

Board of Public Works & Safety  
~~MORALE BOARD TO VACATE~~  
*alley between*  
*& Marietta*  
*Indiana Ave*

ULLY,

*Indiana Ave*  
*Dubois Ave 288-9823*  
*Indiana*  
*Subail*

**ED**  
1967

*R. J. Duck*  
RICHARD J. DUCK, Clerk

FILED IN THE OFFICE OF THE BOARD THIS \_\_\_\_\_ DAY \_\_\_\_\_

19 \_\_\_\_\_

ROOM 7 CITY HALL SOUTH BEND, INDIANA.

We want the alley vacated because the school children cut through the alley and destroy the property faster than we, the property owners, can repair. They throw rocks at anything they see to throw at. They broke every window in our garage. We put aluminum siding around it to cover that up, now they go along writing vulgar language with colored pencils.

They pull every flower they can get their hands on - if you say anything to them they will curse you out. They also throw pop bottles and break them - then walk off and leave it.

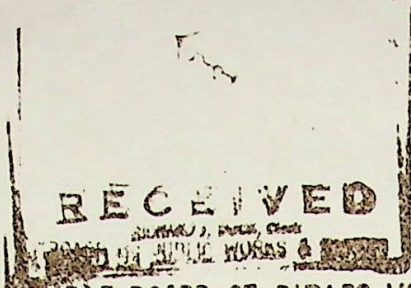
We have called the police about this and were told they wish they had an answer to the problem. They even went inside the car port and light cigarettes and scratched up the cars.

We the property owners feel that if we vacate the alley the children would go Indiana to Marietta, where the Patrol Lady is stationed at the intersection.



*Deposit Paid*

PETITION



SOUTH BEND, INDIANA May 18, 1967

FILED

MAY 22 1967

TO THE HONORABLE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA.

GENTLEMEN:

Board of Public Works & Safety

WE, THE UNDERSIGNED PROPERTY OWNERS, PETITION YOUR HONORABLE BOARD TO VACATE

Side alley from Dubail to near alley between  
Dubail street FROM Dubail TO Indiana ave

YOURS RESPECTFULLY,

NAME

ADDRESS

Karl F. Rouch  
James M. Gordon  
D.H. Barnes  
Mrs Mary Todd

618 E. Indiana Ave.  
623 E. Dubail ave 288-9823  
622 E. Indiana  
617 E. Dubail

FILED

MAY 29 1967

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

FILED IN THE OFFICE OF THE BOARD THIS \_\_\_\_\_ DAY \_\_\_\_\_

19 \_\_\_\_\_

ROOM 7 CITY HALL SOUTH BEND, INDIANA.

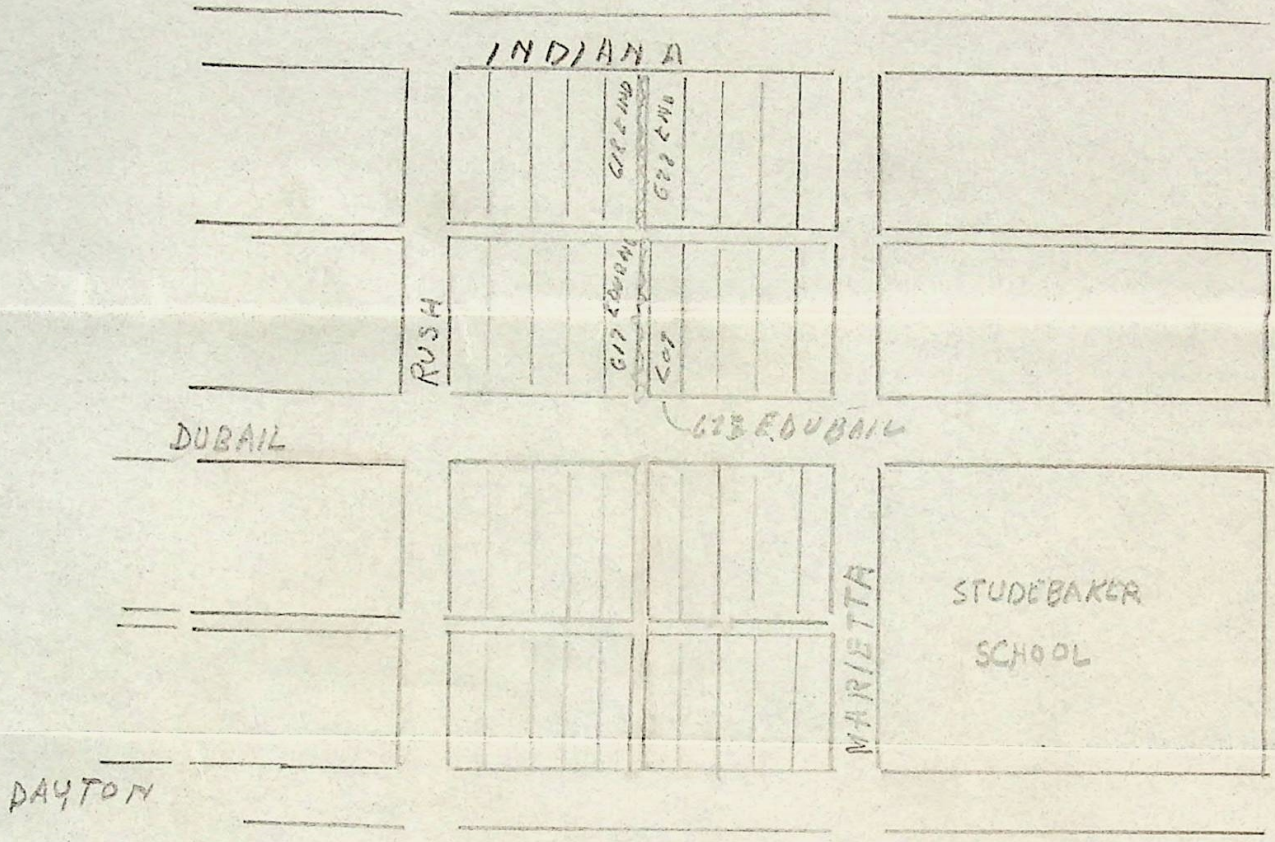
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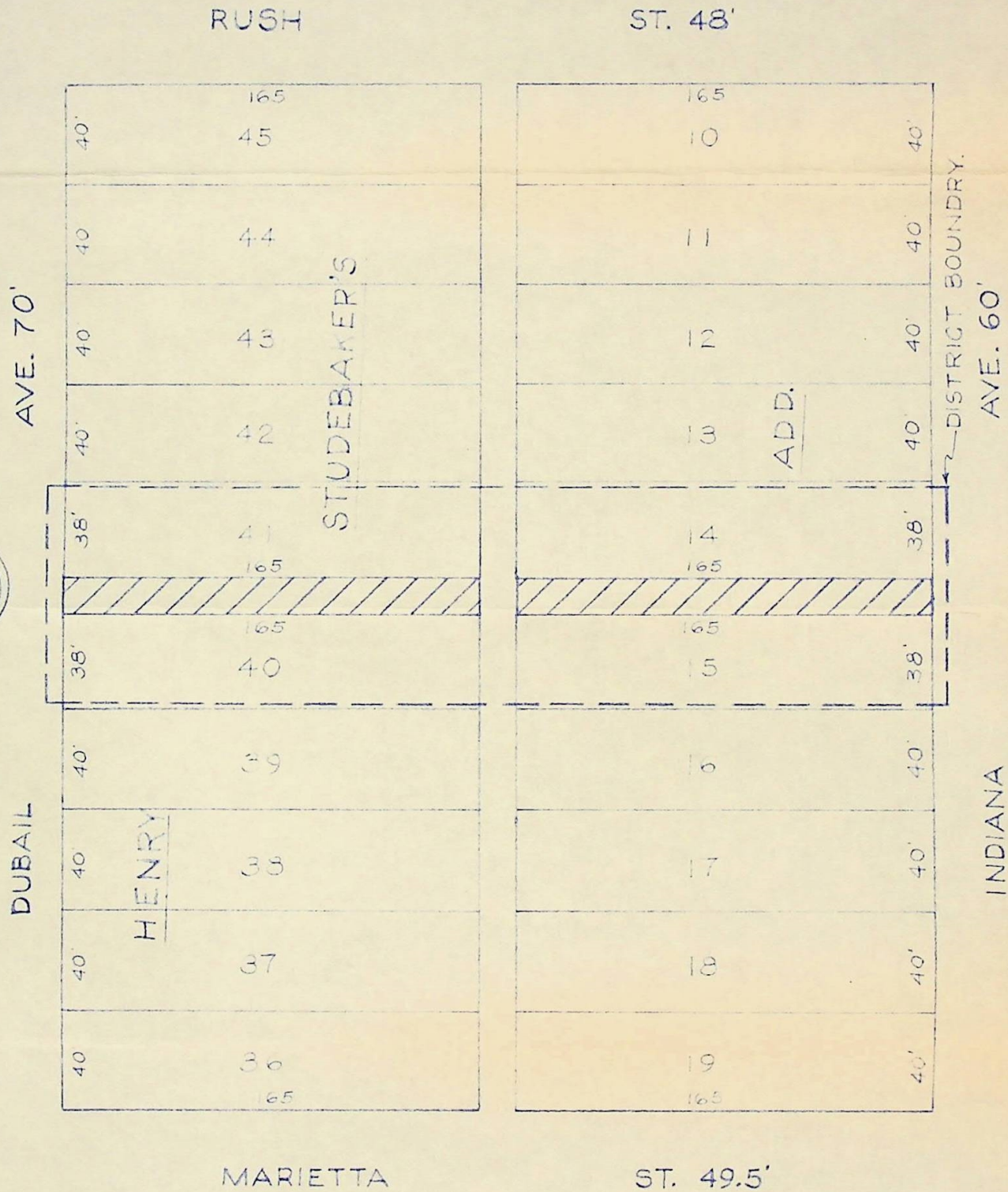
VACATE - N & S ALLEY BETWEEN RUSH & MARIETTA STS.  
 & RUNNING NORTH FROM DUBAIL TO INDIANA AVE

Called Mrs. Rodin to get location of alley to be  
 vacated  
 6-8-67  
 WWR

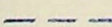


# VACATION OF ALLEY

VACATE THE NORTH & SOUTH ALLEY BETWEEN RUSH AND MARIETTA STS. AND RUNNING NORTH FROM DUBAIL AVE. TO INDIANA AVE.



ALLEY TO BE VACATED



DISTRICT BOUNDARY

SCALE: 1" = 60'