

RES. # 3428

ALLEY EAST OF
MICHIGAN ST

NORTH OF MARION ST

198' TO THE E.-W.

ALLEY N. OF MARION

PETITION

SOUTH BEND, INDIANA _____, 19____

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

GENTLEMEN:

WE, THE UNDERSIGNED PROPERTY OWNERS, PETITION YOUR HONORABLE BOARD TO VACATE
North-South ALLEY running north from Marion Street to the intersection of said
alley with the East-West alley running west from St. Joseph Street.
STREET FROM _____ TO _____

YOURS RESPECTFULLY,

NAME

ADDRESS

Hills + Phil
Phil

516 N Mich ST

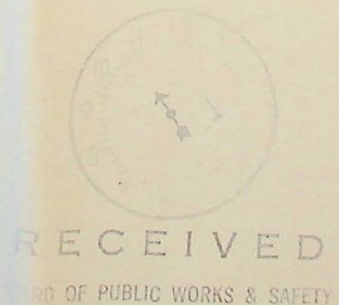
Matt King

115-121 Marion St

Robert D. Lee
Frederick K. Baer
502 First Bank Building
South Bend, Indiana 46601
Attorneys for Petitioner

FILED IN THE OFFICE OF THE BOARD THIS _____ DAY _____ APR 9 '76 PM
19____

ROOM 7 CITY HALL SOUTH BEND, INDIANA



Petitioners seek the closing of the alley in the foregoing petition for the reason that petitioners wish to expand their present facility and it will be necessary to vacate said alley. Petitioners own the property on both sides of said alley.



CITY of SOUTH BEND

PETER J. NEMETH, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601



Rollin E. Farrand, Sr., P.E.
Director, Public Works

Reply To:

Bureau of Design &
Administration

May 5, 1976

Board of Public Works
County/City Building
South Bend, Indiana 46601

Gentlemen:

The Department of Engineering has reviewed the proposed vacation of the north-south alley running north from Marion Street to the intersection of said alley with the east-west alley running west from St. Joseph Street.

The Department has no objections to the foregoing vacation, subject to public utility easements as noted on the attached drawing, as well as the dedication of a forty-five (45) foot turning radius over the following real-estate described to-wit:

Beginning at the southwest corner of Lot Seven(7) of Rochstroh's Sub-division of lots 42, 43, 44, & 45 of Rochstroh's 2nd Addition,
Thence, due east along the south property line of said Lot Seven(7) a distance of forty-five (45) feet;
Thence, in a northwesterly direction along a curve to the right with a radius of forty-five(45) feet to a point, forty-five (45) feet due north of the point of beginning and in the west property line of Lot Six (6) of said Rochstroh's Sub-division;
Thence, due south along the west line of said Lots Six (6) and Seven (7) a distance of forty-five(45) feet to the point of beginning, all in South Bend, Portage Township, St. Joseph County, Indiana.

Very truly yours,

Rollin E. Farrand

Rollin E. Farrand, Sr., P.E.
Director, Public Works

David A. Wells

David A. Wells, P.E. - Manager
Bureau of Design & Administration

October 8, 1976

To: Bureau of Engineering -
Area Plan Commission
Portage Township Assessor
Bureau of Traffic and Lighting

From: Board of Public Works

Re: Vacation Resolution No. 3428, 1976

All proceedings with regard to Vacation Resolution No. 3428, 1976, for the vacation of the north-south alley running north from Marion Street to the intersection of said alley with the east-west alley running west from St. Joseph Street, are closed and this alley is now vacated.

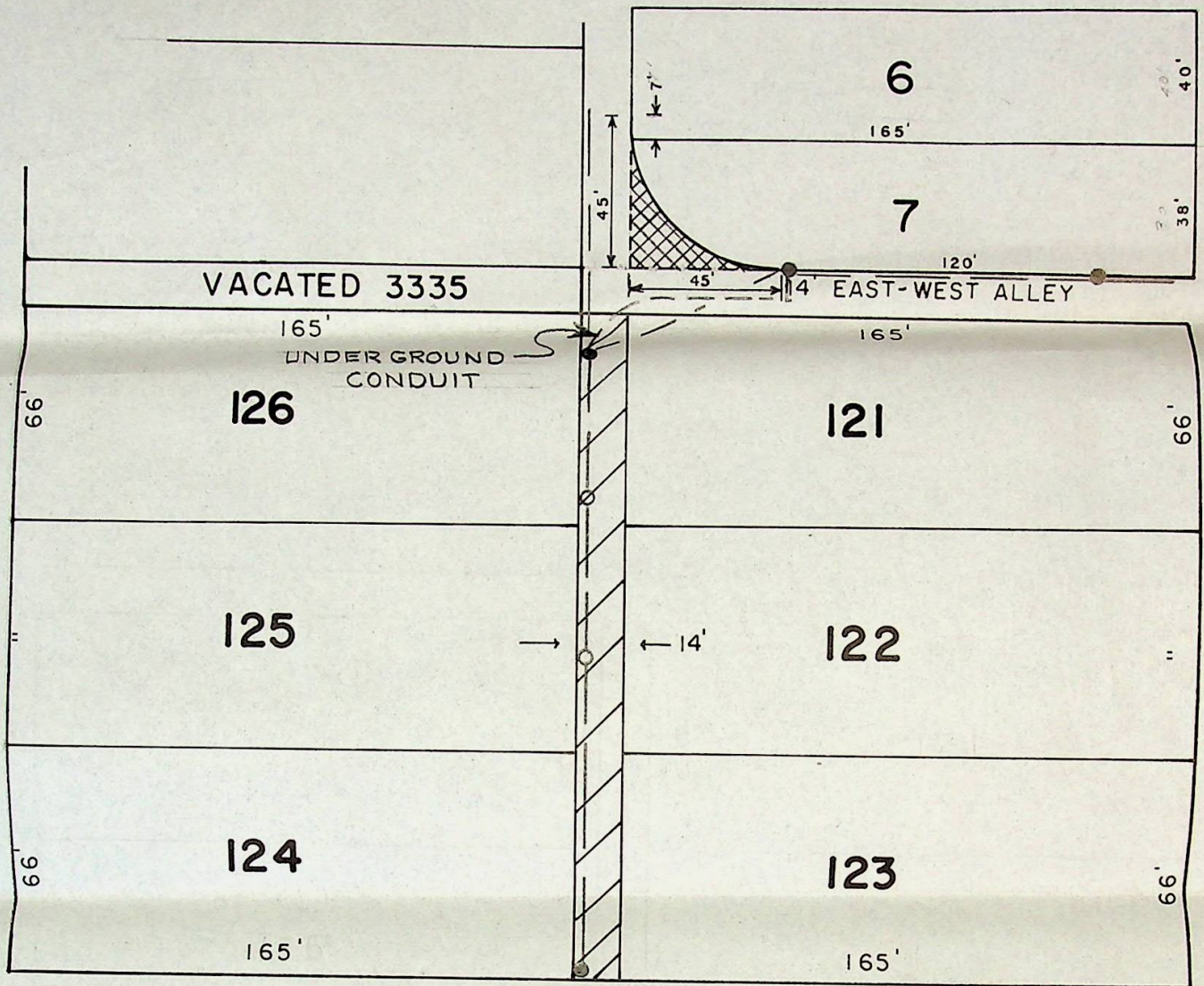
BOARD OF PUBLIC WORKS

patricia DeClercq, Clerk

mp
Att.

PETITION TO VACATE

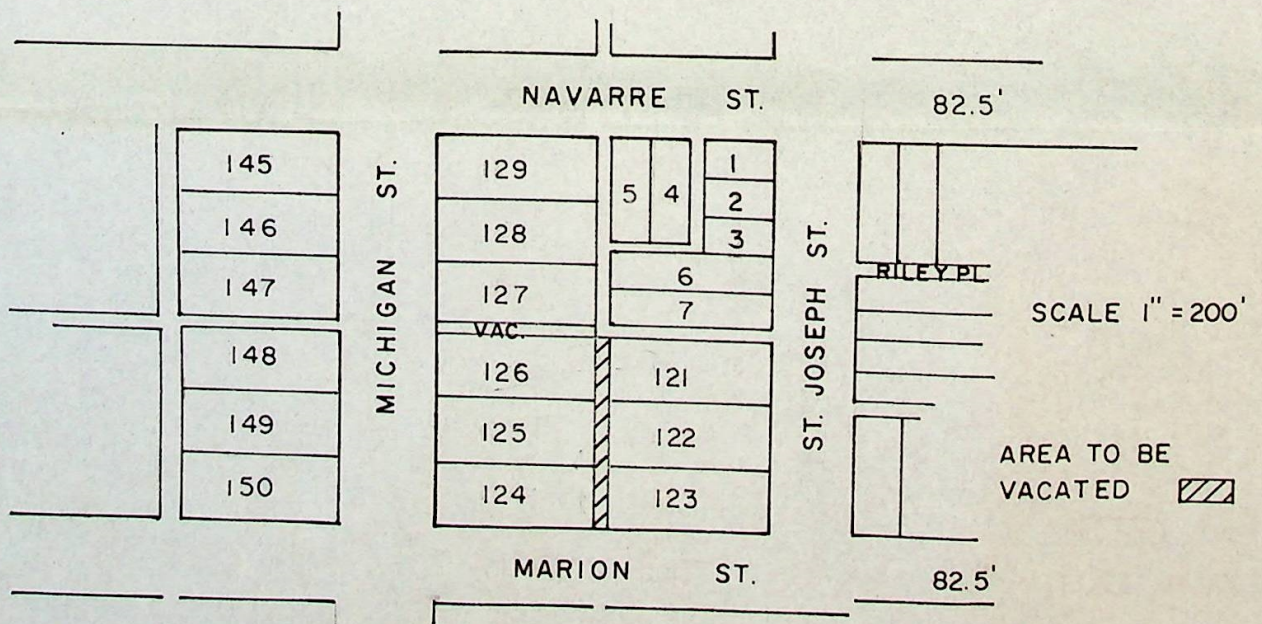
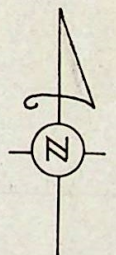
THE NORTH-SOUTH ALLEY RUNNING NORTH FROM MARION ST. TO THE INTERSECTION OF SAID ALLEY WITH THE EAST-WEST ALLEY RUNNING WEST FROM ST. JOSEPH ST.



MARION ST. 82.5'

SCALE 1" = 50'

- XXXX DEDICATED FOR TURNING RADIUS.
- I.B.M. POLES & POWER LINE.
- I.B. TEL. POLES & TEL. LINE. ALSO CABLE VISION LINE.
- UNDER GROUND TEL. CONDUIT LINE.



VACATION RESOLUTION

NO. 3428, 1976

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

The north-south alley running north from Marion Street to the intersection of said alley with the east-west alley running west from St. Joseph Street.

Reserving 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.

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

Lots 6 and 7 of Rockstroh's Subdivision and Lots 121 to 126 of the Original Plat of South Bend

Notice of this Resolution shall be published on the 9th and 16th day of July, 1976, in the South Bend Tribune and in the Tri-County News.

This Board, at its office, on the 2nd day of August, 1976, at 9:30 o'clock, A M., will hear and receive remonstrances from all persons interested in or affected by these proceedings.

Adopted this 6th day of July, 1976.

BOARD OF PUBLIC WORKS ~~XXXXXXXXXX~~ AND SAFETY

Rollie E. Farson
Thomas J. Brown
Peter J. Muller

ATTEST:

Patricia DeCluy
Clerk

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 180 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 <small>Bordering on the Improvement</small>		No. of feet front	ASSESSMENT							
PART OF LOT	Name of Addition or Sub-Div.		NAME OF OWNER							
No. of Lots			\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
<p>VACATION RESOLUTION NO. 3428, 1976</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-south alley running north from Marion Street to the intersection of said alley with the east-west alley running west from St. Joseph Street.</p> <p>Reserving 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.</p> <p>The following property may be injuriously or beneficially affected by such vacation:</p> <p style="padding-left: 40px;">Lots 6 and 7 of Rockstroh's Subdivision and Lots 121 to 126 of the Original Plat of South Bend.</p> <p style="text-align: right;">Total Net Benefits \$0.00 Total Net Damages \$0.00</p>										

FILED

AUG 9 1976

Board of Public Works
PATRICIA DeCLERCO Clerk

Vacation

XXXXXXXX

-0-

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

Respectfully submitted this **9th** day of **August**, 19**76**

Rollin E. Farrand, P.E. Civil Engineer

COPY OF
FINAL ESTIMATE

Vacation
of the Cost of the Improvement of The north-south alley running north
from Marion St. to the intersection of Street said alley with the east-west
alley running west from St. Joseph Street.
To the Honorable Board of Public Works of the City of South Bend, Indiana:

The undersigned, City Civil Engineer of said City, hereby reports to the Board of Public Works thereof the following Final Estimate of the Improvement known as the.....
Improvement, authorized by resolution of the Board of Public Works, adopted on the.....day of....., 19.....

Said estimate is based upon the terms of the contract for said work, dated the.....day of....., 19.....
and signed by the Board of Public Works, on the part of the City, and by
Contractor.

.....	at	per	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
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.....	"	"	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
.....	"	"	\$.....
Total Contract Cost			\$.....
Advertising			\$.....
Chemical Inspection			\$.....
Municipal Inspection			\$.....
Abstracting			\$.....
Engineering			\$.....
Total cost of Improvement.....			\$..... -0- -0-

Before the letting of said contract, owners of property abutting on said improvement had made improvements in front of lots owned by them, in accordance with the general plan for the improvement of such street, and under the direction of the City Engineer, for which said Engineer has determined that the following allowances are reasonable, and therefore made in favor of said owners on their proportion of the cost of the improvement:

NAME OF OWNER	DESCRIPTION OF PROPERTY	DESCRIPTION OF IMPROVEMENT	Amount of Allowance	
			\$	Cts.

BOARD OF PUBLIC WORKS

INTER-OFFICE MEMO

Date October 8, 1976

To: Bureau of Engineering ✓
Area Plan Commission
Portage Township Assessor
Bureau of Traffic and Lighting

From: Board of Public Works

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BOARD OF PUBLIC WORKS

Patricia DeClercq, Clerk PDC

mp
Att.

*Marion St
alley*

ENTERED IN PLATT-BOOKS

10-11-76

By MAG.