

**ORDINANCE NUMBER 2012-03
OF THE CITY OF FRANKLIN, INDIANA**

AN ORDINANCE APPROVING VACATING A PORTION OF BARTRAM PARKWAY RIGHT-OF-WAY WITHIN THE
CITY OF FRANKLIN, INDIANA N
(To be known as Bartram Parkway Right-of-Way Vacation)

WHEREAS, Tippmann Realty Partners have filed before the Common Council of the City of Franklin a petition requesting that said public right-of-way as described herein be vacated for the reason that said public ways are not at this time used for any public purpose and are not foreseeably needed by the City of Franklin for any public purpose; and

WHEREAS, the subject public way is shown and described on Exhibit A;

WHEREAS, the notices and advertisements required by IC 36-7-3-12 have been given, and a public hearing was held upon said petition on the 19 day of March, 2012.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, ORDAINS THAT:

- 1) The public way described above is hereby, pursuant to IC 36-7-3-12, declared vacated;
- 2) Any utility easements shall remain for the length and width of the vacated right-of-way;
- 3) A copy of this Ordinance shall be transmitted to the Recorder of Johnson County, Indiana;
- 4) This Ordinance shall become effective at the time of recording;
- 5) City Staff is authorized to execute all deeds necessary in accomplishment of the herein above.

INTRODUCED and Filed on the 6th day of February, 2012.

PASSED on this 19 day of March, 2012, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 6 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:



Steve Barnett, President

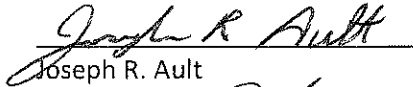
Voting Opposed:

Steve Barnett, President

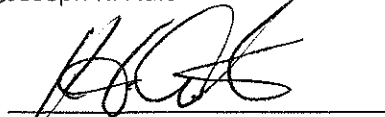
Absent

Joseph P. Abban

Joseph P. Abban


Joseph R. Ault

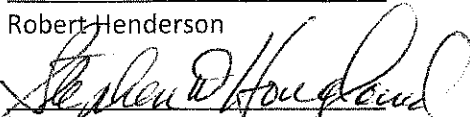
Joseph R. Ault


Kenneth Austin

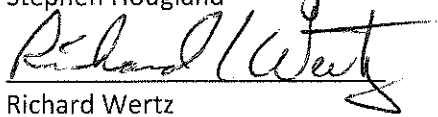
Kenneth Austin


Robert Henderson

Robert Henderson

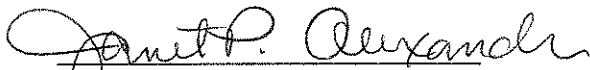

Stephen Hougland

Stephen Hougland



Richard Wertz

Richard Wertz


Attest:


Janet P. Alexander, Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 19 day of March, 2012, at 8:00 o'clock p.m.


Janet P. Alexander, Clerk-Treasurer

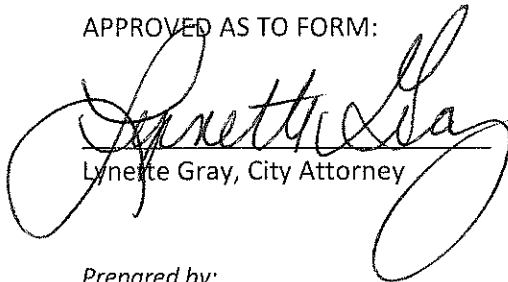
This Ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 19 day of March, 2012 at 8:00 o'clock p.m.


Joe McGuinness, Mayor

Attest:


Janet P. Alexander, Clerk-Treasurer

APPROVED AS TO FORM:


Lynette Gray, City Attorney

Prepared by:

Joanna M. Myers, Senior Planner

City of Franklin

Department of Planning & Economic Development

70 E. Monroe Street

Franklin, IN 46131

EXHIBIT "A"

Vacated Parcel

LAND DESCRIPTION

(Part of the Public Right-of-Way for
Bartram Parkway to be Vacated)

A part of a 70.00 foot wide public right-of-way as established by the Final Plat for Franklin Tech Park Lot 2 as per plat thereof recorded in Plat Cabinet D, Slide 545 A, B & C and the entire additional right-of-way as established by Franklin Tech Park – Blocks D & E, an addition to the City of Franklin, Johnson County, Indiana, as per plat thereof recorded as Instrument No. 2009-026716 in the Office of the Recorder of said County, being more particularly described as follows:

BEGINNING at the northeast corner of Lot 2 in said Franklin Tech Park, being also the northeast corner of the Amended Plat for Franklin Tech Park Lot 2, recorded in Plat Cabinet D, Slide 589 A & B in said Recorder's Office; thence North 00 degrees 00 minutes 06 seconds East along the west right-of-way line of Bartram Parkway a distance of 561.37 feet; thence South 89 degrees 59 minutes 54 seconds East a distance of 70.00 feet to the east right-of-way line of said Bartram Parkway; thence South 00 degrees 00 minutes 06 seconds West along said right-of-way line a distance of 613.92 feet to a point on a tangent curve to the left having a radius of 115.00 feet, the radius point of which bears South 89 degrees 59 minutes 54 seconds East; thence southerly along said curve and right-of-way line an arc distance of 53.68 feet to a point which bears South 63 degrees 15 minutes 34 seconds West from said radius point; thence South 26 degrees 44 minutes 26 seconds East along said right-of-way line a distance of 104.29 feet to a point on a tangent curve to the left having a radius of 40.00 feet, the radius point of which bears North 63 degrees 15 minutes 34 seconds East; thence southeasterly and easterly along said curve and additional right-of-way of Bartram Parkway an arc distance of 44.72 feet to a point which bears South 00 degrees 47 minutes 46 seconds East from said radius point, said end of curve being a point of reverse curvature of a tangent curve to the right having a radius of 40.00 feet, the radius point of which bears South 00 degrees 47 minutes 46 seconds East; thence easterly, southeasterly, southerly and southwesterly along said curve and additional right-of-way an arc distance of 107.55 feet to a point which bears South 26 degrees 44 minutes 26 seconds East from said radius point; thence South 63 degrees 15 minutes 34 seconds West along the south line of said additional right-of-way line and the aforesaid 70.00 foot right-of-way line a distance of 75.00 feet to the southwest corner thereof; thence North 26 degrees 44 minutes 26 seconds West along the west right-of-way line of said Bartram Parkway a distance of 216.22 feet to a point on a tangent curve to the right having a radius of 185.00 feet, the radius point of which bears North 63 degrees 15 minutes 34 seconds East; thence northwesterly and northerly along said curve an right-of-way an arc distance of 86.35 feet to a point which bears North 89 degrees 59 minutes 54 seconds West from said radius point; thence North 00 degrees 00 minutes 06 seconds East along said right-of-way a distance of 52.55 feet to the POINT OF BEGINNING, containing 1.52 acres more or less.

EXHIBIT "A"

