

Doc ID: 006473020004 Type: MIS Kind: ORDINANCE Recorded: 09/21/2012 at 08:55:42 AM Fee Amt: \$19.00 Page 1 of 4 Workflow# 0000054815-0002 Johnson County-Recorded as Presented Jill L. Jackson County Recorder

ORDINANCE NUMBER 2012-22 OF THE CITY OF FRANKLIN, INDIANA

File 2012-021021

AN ORDINANCE APPROVING VACATING RIGHT-OF-WAY WITHIN THE CITY OF FRANKLIN, INDIANA WEST OF LOT 1 OF FRANKLIN ADDITION NO. 2 BY GEORGE KING (To be known as Franklin Addition No. 2 by George King Lot 1 Alley Vacation)

WHEREAS, Johnson County Board of Commissioners and City of Franklin Redevelopment Commission 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 an alley 12 feet in width and runs north and south being a part of Franklin Addition No. 2 by George King of the City of Franklin, Johnson County, Indiana, described as follows:

Beginning at the Northwest corner of Lot 1 in said Franklin Addition No. 2 by George King; thence West 12 feet to the Northeast corner of Lot 49 in the Original Plat of Franklin; thence South 144 feet along the East line of said Lot 49 and Lot 50 to the Southeast corner of Lot 50 in the Original Plat of Franklin; thence east 12 feet to the Southwest corner of Lot 1 in said Franklin Addition No. 2 by George King; thence North 144 feet along the West line of said Lot 1 to the Place of Beginning.

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 10° day of 30° , 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) A utility easement shall remain for the length and width of the vacated right-of-way with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more utility lines above or below ground, whether the facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of the utility, upon, over, under and across said strip of land together with the right of ingress and egress over the land to and from said facilities in the exercise of the rights herein granted. The Utility also reserves the right to trim or remove, at the Utility's sole discretion and expenses, any and all trees located within said strip of land, and the right to remove brush or other obstructions from said strip of land;
- 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 and/or easements necessary in accomplishment of the herein above.

 SUBJECT TO FINAL ACCEPTANCE

SEP 2 1 2012

Sales Disclosure NOT Required Johnson County Assessor

AUDITOR, JOHNSON DOULTY

INTRODUCED and Filed on the 20th day of A	ugust, 2012.	
PASSED on this <u>In</u> day of <u>Supt</u> , 20 County, Indiana, having been passed by a vot	012, by the Common Council of the Cit re of in Favor and Oppose	y of Franklin, Johnson d.
City of Franklin, Indiana, by its Common Cour	ncil:	
Voting Affirmative:	Voting Opposed:	
Han Bad f		
Steve Barnett, President	Steve Barnett, President	-
MAN		
Joseph P. Abban	Joseph P. Abban	•
Joseph R. Ault	Joseph R. Ault	
Absent Kenneth Austin	Kenneth Austin	
RH		
Robert Henderson	Robert Henderson	
Stephen Hougland	Stephen Hougland	
Rihad West		
Richard Wertz	Richard Wertz	

Attest:

Janet/P Alexander, Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his ap	proval or veto pursuant to Indiana Code §
36-4-6-15,16, this <u>in</u> day of <u>Supt</u> , 2012, at <u>7:10</u>	o'clock p.m.

AGMATT (LUVAMAN) 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 \cancel{N} day of \cancel{Supf} , 2012 at \cancel{N} o'clock p.m.

Joe McGulnness, Mayor

Attest:

Janet P. Alexander, Clerk-Treasurer

APPROYED AS TO FORM

nette 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

DAILY JOURNAL

Prescribed by State Board of Accounts

General Form No. 99P /Rev. 2009A

Attn: Accounts Payable
Name City of Franklin
Address P.O.Box 280
City State Franklin, IN 46131
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Daily Journal 2575 N Morton Street Franklin, IN 46131 FED LO_#35-0917579 ion as Link tures (A. 1 Oct.

LINE COUNT Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivelent lines Head — number of lines Body — number of lines Total number of lines Total number of lines Total number of lines COMPUTATION OF CHARGES One, 56 lines,	7.1	· · ·	PUBLISH	ER'S CLAIM	1.11	
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just and correct, that the amount claimed is legally dus, after allowing all just credits, and that no part of the same has been paid. I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duty published in said paper		DATA FOR COMPUTING COST Width of single column in p	T picas,7p3			
Additionally, the statement checked below is true and correct: Newspaper does not have a Web site. x Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper. Newspaper has a Web site, but due to technical problem or error, public notice was posted on	¥ 	just and correct, that the amount has been paid. I also certify that the printe	of claimed is legally due, after a and matter attached herelo is a	allowing all just credits, and that true copy, of the same column	t no part of the sar width and type size	o,
Date Aug 29 2012 TitleLegal Advertising Representative		Additionally, the statement Newspaper does not it x Newspaper has a Wel the newspaper Newspaper has a Wel	checked below is true and cor have a Web site. It site and this public notice was to site, but due to technical pro	rect: se posted on the same day as i blem or error, public notice we	t was published in	
		Date Aug 29 2012		TitleLegal Advertising	Representative	

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has out this matter for cubibities in the 17th day of September 2012 and 6:30 pm at the City that 70 East Montro. Street Prantime, Indiana. All personal day on many acceptance of the many acceptance of the many acceptance of the many construction.