

ORDINANCE NUMBER 2011-08
OF THE CITY OF FRANKLIN, INDIANA

File **2011-020283**

AN ORDINANCE APPROVING VACATING RIGHT-OF-WAY WITHIN THE CITY OF FRANKLIN, INDIANA
BETWEEN LOTS 49 & 50 OF JOHN HERRIOTT'S NORTH ADDITION
(To be known as John Herriott's North Addition Lots 49 & 50 Alley Vacation)

WHEREAS, Jordan Allen and Deloris Goldsmith 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 144 feet between lots 49 and 50 in John Herriott's North Addition to the City of Franklin as recorded in Plat Book 2, Page 90 in the Office of the Recorder of Johnson County, Indiana.

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 4 day of October, 2011.

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

- 1) The public way described above in John Herriott's North Addition 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 19th day of September, 2011.

PASSED on this 4 day of October, 2011, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:

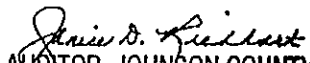
Voting Opposed:


Dr. William T. Murphy, President

Dr. William T. Murphy, President

FILED
SUBJECT TO FINAL ACCEPTANCE

OCT 12 2011


AUDITOR, JOHNSON COUNTY


Joseph P. Abban

Joseph P. Abban


Joseph R. Ault

Joseph R. Ault


Kenneth Austin

Kenneth Austin


Steve Barnett

Steve Barnett

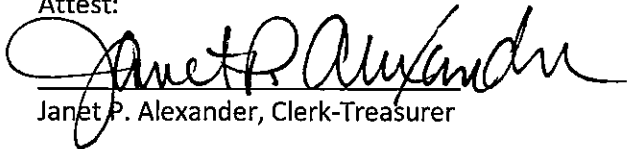

Ann Gordon

Ann Gordon

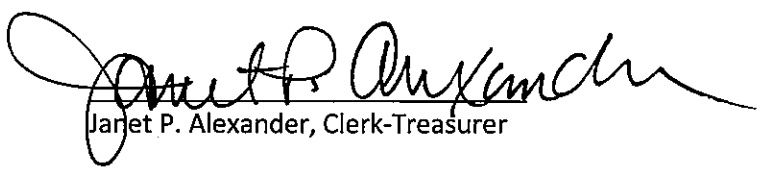

Stephen Hougland

Stephen Hougland

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 4 day of October, 2011, at 6:40 o'clock p.m.


Janet P. Alexander, Clerk-Treasurer

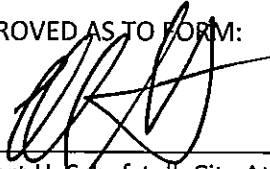
This Ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 4 day of October, 2011 at 6:40 o'clock p.m.


Fred Paris, Mayor

Attest:


Janet P. Alexander, Clerk-Treasurer

APPROVED AS TO FORM:


Robert H. Schafstall, 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 PO Box 280
City State Franklin, IN 46131
(Governmental Unit)
Acct. # Alley Vacation Goldsmith
Order # 11977627
County: Johnson

Daily Journal
2575 N Morton Street
Franklin, IN 46131
FED I.D. #35-0917579

PUBLISHER'S CLAIM

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 equivalent lines -----

Head -- number of lines -----

Body -- number of lines -----

Tail -- number of lines -----

Total number of lines in notice -----

42

COMPUTATION OF CHARGES

.....42.... lines,1..... column wide equals ...42.... equivalent lines at ..0.2829.....

cents per line -----

\$ 11.88

Additional charges for notices containing rule or tabular work (50 per cent of above amount) -----

\$

Charge for extra proofs of publication (\$5.00 for each proof in excess of two) -----

\$

TOTAL AMOUNT OF CLAIM -----

\$ 11.88

DATA FOR COMPUTING COST

Width of single column in picas.....7p3.....

Size of type...7....point.

Number of insertions.....

1

Pursuant to the provisions and penalties of IC 5-11-10-1, 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 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 duly published in said paper1..... time. The dates of publication being as follows

Legal Advertisement
THE COMMON COUNCIL
OF THE CITY OF
FRANKLIN, INDIANA

NOTICE OF PUBLIC HEARING

09/23/11

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

..... Newspaper has a Web site but refuses to post the public notice.

D. Amisay Barker

Date September 23, 2011

Title.....Legal Advertising Representative...

ATTACH COPY
OF ADVERTISEMENT
HERE

The Common Council of the City of Franklin, Indiana, having received the petition of Jordan Allen and Deloris Goldsmith, for the vacation of that portion of a public way in the City of Franklin which abuts their properties to the east and west, respectively, more particularly described as follows, an alley 12 feet in width, running north and south 144 feet between lots 49 and 50 in John Herriott's North Addition to the City of Franklin as recorded in Plat Book 2, Page 90 in the Office of the Recorder of Johnson County, Indiana has set this matter for public hearing on the 3rd day of October, 2011, at 7:00 p.m. at the City Hall, 70 East Monroe Street, Franklin, Indiana. All persons aggrieved by or interested in such action may appear on said date to present their remonstrance or comments.

Jordan Allen and Deloris
Goldsmith, Petitioners
(J) 09-23-11