

ORDINANCE NUMBER 2013-06  
OF THE CITY OF FRANKLIN, INDIANA

AN ORDINANCE APPROVING VACATING RIGHT-OF-WAY WITHIN THE CITY OF FRANKLIN, INDIANA  
BETWEEN LOTS 93, 94, & 99 OF HAMILTON & OYLER'S ADDITION  
(To be known as Hamilton & Oyler's Addition Lots 93, 94 & 99 Alley Vacation)

**WHEREAS**, City of Franklin has 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**, subject public way is an alley 16 feet in width and runs north and south described as follows:

The alley lying between Lots 93 and 94 and Lot 99 in Hamilton and Oyler's Addition to the City of Franklin, Indiana, as per plat thereof recorded in Plat Book 2, Page 6, in the Office of the Recorder of Johnson County, Indiana, more particularly described as follows:

Beginning at a point, said point being the Southwest corner of said Lot 99; thence Westwardly, 16 feet to the Southeast corner of said Lot 93; thence Northerly, along the East line of said Lots 93 and 94, 140 feet to the Northeast corner of said Lot 94; thence Eastwardly, 16 feet to the Northwest corner of said Lot 99; thence Southerly, along the West line of said Lot 99, 140 feet to the Southwest corner of said Lot 99, being the point of beginning of the herein described tract.

**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 20<sup>th</sup> day of May, 2013.

**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 6<sup>th</sup> day of May, 2013.

**PASSED** on this 20<sup>th</sup> day of May, 2013, 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.

**FILED**

SUBJECT TO FINAL ACCEPTANCE

JUN 07 2013

*Shirley D. Giddens*  
AUDITOR, JOHNSON COUNTY

Sales Disclosure NOT Required  
Johnson County Assessor

City of Franklin, Indiana, by its Common Council:

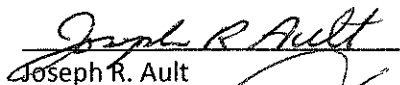
Voting Affirmative:



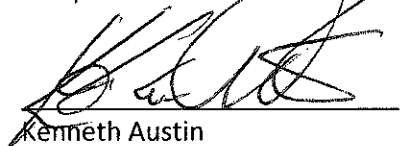
Steve Barnett, President

Absent

Joseph P. Abban



Joseph R. Ault



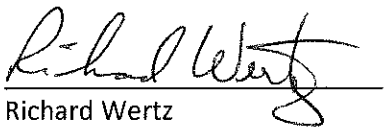
Kenneth Austin



Robert Henderson



Stephen Hougland



Richard Wertz

Voting Opposed:

Steve Barnett, President

Joseph P. Abban

Joseph R. Ault

Kenneth Austin

Robert Henderson

Stephen Hougland

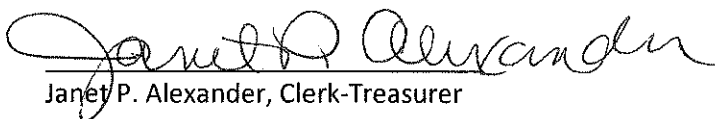
Richard Wertz

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 20th day of May, 2013, at 7:00 o'clock p.m.

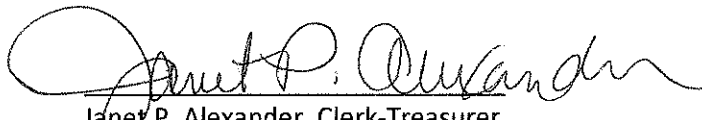


Janet P. Alexander, Clerk-Treasurer

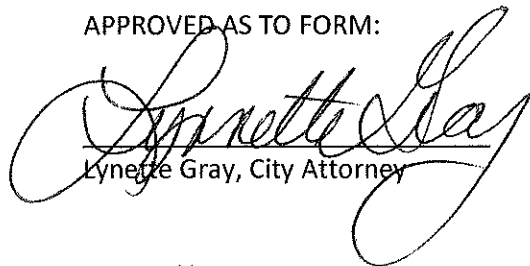
This Ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 20th day of May, 2013 at 7:10 o'clock p.m.

  
\_\_\_\_\_  
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 & Engineering  
70 E. Monroe Street  
Franklin, IN 46131