

ORDINANCE NUMBER 2018-04
OF THE CITY OF FRANKLIN, INDIANA

2019-009528
RECORDED ON
05/14/2019 02:27:34 PM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 25.00
PAGES: 5

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

WHEREAS, Sunbeam FTP, LLC 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, a description of the subject public way is attached hereto, incorporated herein and marked as Exhibit "A" and is schematically shown on the attached Exhibit "B";

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 2nd day of July, 2018.

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

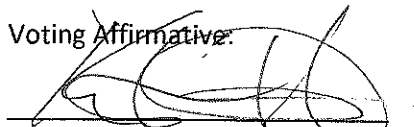
- 1) The public way described above is hereby, pursuant to IC 36-7-3-12, declared vacated;
- 2) Utility easements shall be provided for any existing utilities that lie within the vacated right-of-way. The utility easements shall be recorded and may be recorded as part of a plat;
- 3) A copy of this Ordinance 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 18th day of June, 2018.


PASSED on this 2nd day of July, 2018, 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:


Kenneth Austin, Council President

Voting Opposed:



Kenneth Austin, Council President

FILED
SUBJECT TO FINAL ACCEPTANCE
MAY 14 2019


AUDITOR, JOHNSON COUNTY

Sales Disclosure NOT Required
Johnson County Assessor





Andrew Eggers, Vice President

Absent

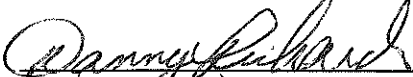
Joseph P. Abban



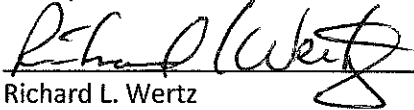
Daniel J. Blankenship



Robert D. Heuchan



Danny Richards



Richard L. Wertz

Andrew Eggers, Vice President

Joseph P. Abban

Daniel J. Blankenship

Robert D. Heuchan

Danny Richards

Richard L. Wertz


Attest:


Jayne Rhoades, City 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, and 16, this 2 day of July, 2018, at 6:10 o'clock p.m.


Jayne Rhoades, Clerk-Treasurer

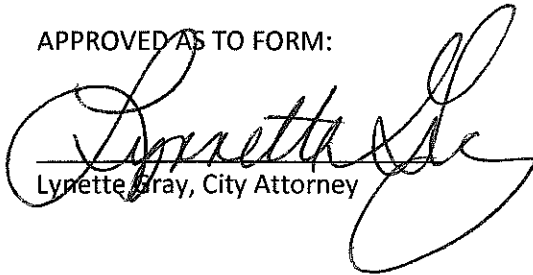
This Ordinance having been passed by the legislative body and presented to me [**Approved** by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 2 day of July, 2018 at 6:10 o'clock p.m.


Steve Barnett, Mayor

Attest:

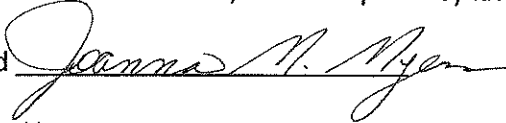

Jayne Rhoades, Clerk-Treasurer

APPROVED AS TO FORM:


Lynette Gray, City Attorney

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed



Prepared by:

Joanna M. Myers, Senior Planner

City of Franklin

Department of Planning & Engineering

70 E. Monroe Street

Franklin, IN 46131

EXHIBIT "A"

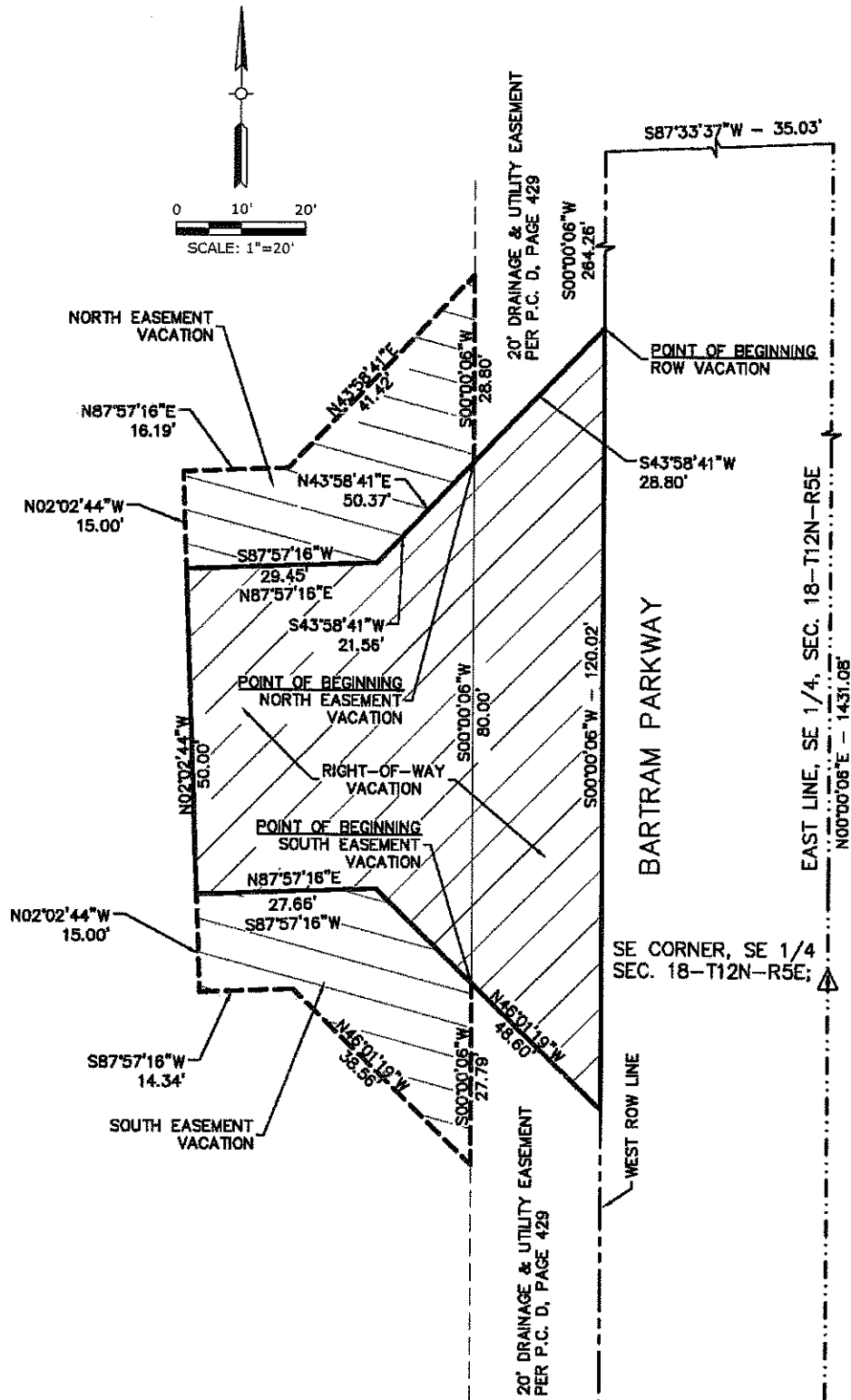
LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 18, Township 12 North, Range 5 East of the Second Principal Meridian, Johnson County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said Southeast Quarter; thence North 00 degrees 00 minutes 06 seconds East 1,431.08 feet (assumed basis of bearings) along the east line of said Southeast Quarter to the easterly extension of the north line of the 0.116-acre parcel described in Instrument Number 2012-021072, on file in the Office of the Recorder of Johnson County, Indiana; thence South 87 degrees 33 minutes 37 seconds West 35.03 feet along said extension to the northeast corner of said 0.116-acre parcel and the west right-of-way line of Bartram Parkway as defined in Plat Cabinet D, Page 429, on file in the Office of said Recorder; thence South 00 degrees 00 minutes 06 seconds West 264.26 feet along said west right-of-way line to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 06 seconds West 120.02 feet along the extension of said west right-of-way line to a corner of said right-of-way, the following five (5) courses are along said west right-of-way line; 1)thence North 46 degrees 01 minute 19 seconds West 48.60 feet; 2)thence South 87 degrees 57 minutes 16 seconds West 27.66 feet; 3)thence North 02 degrees 02 minutes 44 seconds West 50.00 feet; 4)thence North 87 degrees 57 minutes 16 seconds East 29.45 feet; 5)thence North 43 degrees 58 minutes 41 seconds East 50.37 feet to the POINT OF BEGINNING. Containing 0.101 acres, more or less.

EXHIBIT "B"

PLOT SCALE: 1"=20' EDIT DATE: 3/21/18 - 11:27 AM EDITED BY: MSMITH DRAWING FILE: P:\2017\02280\0.D. DRAWINGS\SURVEY\201702280.SV.2018-03-21.EXH.VACATIONS.DWG



PARCEL EXHIBIT

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 3-21-18

DRAWN BY: MJS

JOB NO. 17.02280

SHEET NO.

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