

**ORDINANCE NUMBER 2018-05
OF THE CITY OF FRANKLIN, INDIANA**

AN ORDINANCE APPROVING VACATING DRAINAGE & UTILITY EASEMENTS WITHIN THE CITY OF
FRANKLIN, INDIANA
(To be known as Heritage Road/Bartram Parkway D&UE Vacation)

WHEREAS, Sunbeam FTP, LLC has filed before the Common Council of the City of Franklin a petition requesting that said drainage & utility easements as described herein be vacated for the reason that said easements 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, descriptions of the subject drainage & utility easements are attached hereto, incorporated herein and marked as Exhibit "A" and are 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:

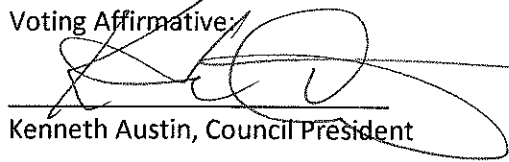
- 1) The drainage & utility easements described above are hereby, pursuant to IC 36-7-3-16, declared vacated;
- 2) Utility easements shall be provided for any existing utilities that lie within the vacated easement. The utility easements shall be recorded and may be recorded as part of a plat;
- 3) A 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:

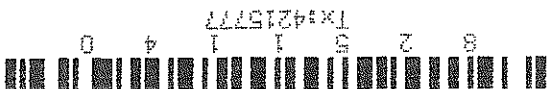

Kenneth Austin, Council President

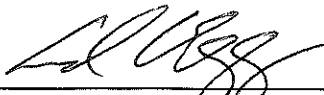
Voting Opposed:


Kenneth Austin, Council President

FILED
SUBJECT TO FINAL ACCEPTANCE
MAY 14 2019

AUDITOR, JOHNSON COUNTY

**Sales Disclosure NOT Required
Johnson County Assessor**

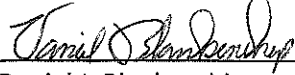



Andrew Eggers, Vice President

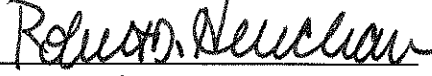
Andrew Eggers, Vice President

Absent
Joseph P. Abban

Joseph P. Abban


Daniel J. Blankenship

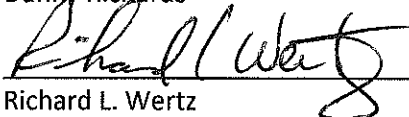
Daniel J. Blankenship


Robert D. Heuchan

Robert D. Heuchan


Danny Richards

Danny Richards


Richard L. Wertz

Richard L. Wertz

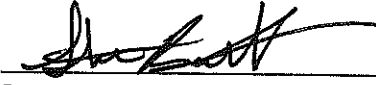
Attest:


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 2nd day of July, 2018, at 6:15 o'clock p.m.


Jayne Rhoades, Clerk-Treasurer

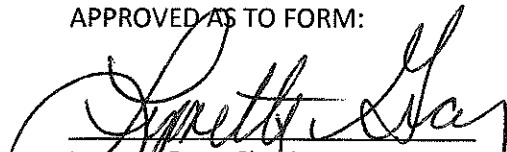
This Ordinance having been passed by the legislative body and presented to me **[Approved]** by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 2nd day of July, 2018 at 6:15 o'clock p.m.


Steve Barnett, Mayor

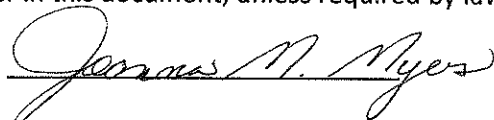
Attest:


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

North Easement

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, the following four (4) courses are along said west right-of-way line; 1)thence South 00 degrees 00 minutes 06 seconds West 264.26 feet; 2)thence South 43 degrees 58 minutes 41 seconds West 28.80 feet to the POINT OF BEGINNING; 3)thence continue South 43 degrees 58 minutes 41 seconds West 21.56 feet; 4)thence South 87 degrees 57 minutes 16 seconds West 29.45 feet to the southwest corner of a Drainage and Utility Easement as defined in said Plat Cabinet D, Page 429, the following three (3) courses are along the west and north lines thereof; 1)thence North 02 degrees 02 minutes 44 seconds West 15.00 feet; 2)thence North 87 degrees 57 minutes 16 seconds East 16.19 feet; 3)thence North 43 degrees 58 minutes 41 seconds East 41.42 feet; thence South 00 degrees 00 minutes 06 seconds West 28.80 feet along the southerly extension of the west line of said Easement to the POINT OF BEGINNING. Containing 0.022 acres, more or less.

South Easement

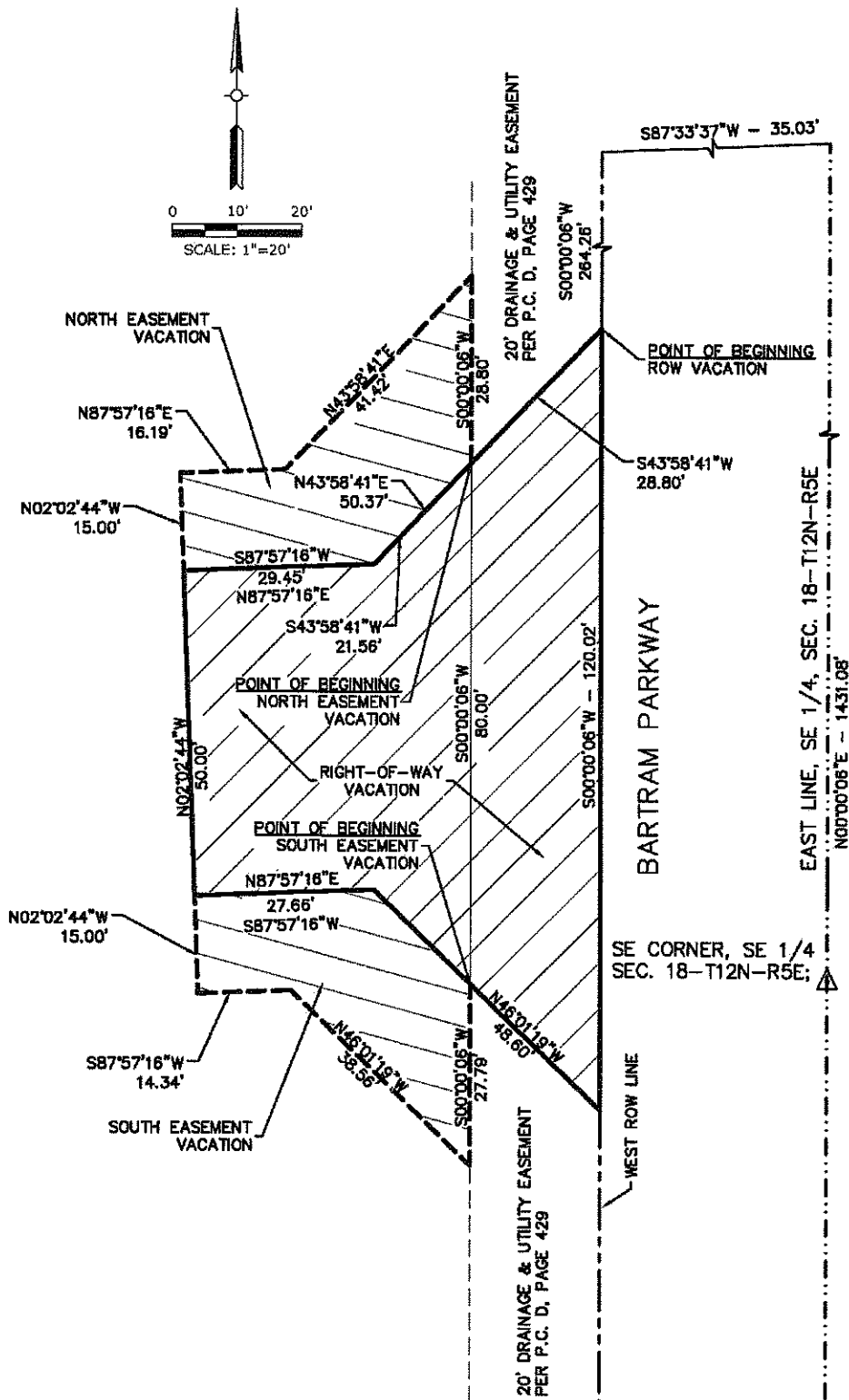
A part of the Southeast Quarter of Section 18, Township 12 North, Range 5 East of the Second Principal Meridian, Johnson County, Indiana, more particularly described as follows:

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, the following two (2) courses are along said west right-of-way line; 1)thence South 00 degrees 00 minutes 06 seconds West 264.26 feet; 2)thence South 43 degrees 58 minutes 41 seconds West 28.80 feet to the extension of the west line of a Drainage and Utility Easement as defined in said Plat Cabinet D, Page 429; thence South 00 degrees 00 minutes 06 seconds West 80.00 feet along said extension to its intersection with said west right-of-way line of Bartram Parkway, being the POINT OF BEGINNING; thence continue South 00 degrees 00 minutes 06 seconds West 27.79 feet along said extension to a corner of said Easement, the following three (3) courses are along

the west and south lines of said Easement; 1)thence North 46 degrees 01 minute 19 seconds West 38.56 feet; 2)thence South 87 degrees 57 minutes 16 seconds West 14.34 feet; 3)thence North 02 degrees 02 minutes 44 seconds West 15.00 feet to a corner of the west right-of-way line of said Bartram Parkway, the following two (2) courses are along said west right-of-way line; 1)thence North 87 degrees 57 minutes 16 seconds East 27.66 feet; 2)thence South 46 degrees 01 minute 19 seconds East 20.81 feet to the POINT OF BEGINNING. Containing 0.021 acres, more or less.

EXHIBIT "B"

PLOT SCALE: 1"=20' EDIT DATE: 3/21/18 - 11:27 AM EDITED BY: MSMTTH 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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