

DEC 07 2018

JOHNSON COUNTY AUDITOR

**ORDINANCE NUMBER 2018-06
OF THE CITY OF FRANKLIN, INDIANA**

2018-026933
RECORDED ON
12/07/2018
03:21:41 PM
JILL L JACKSON
JOHNSON COUNTY
RECORDER
REC FEE: 25.00
PAGES: 4

AN ORDINANCE APPROVING VACATING A PORTION OF PARIS DRIVE RIGHT-OF-WAY WITHIN THE
CITY OF FRANKLIN, INDIANA
(To be known as Paris Drive Right-of-Way Vacation)

WHEREAS, J Enterprises Inn of Nashville, LLC and Triple T Property Investments, Inc. (f/k/a Thompson Farms, Inc.) 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, subject public way is shown and described on Exhibit "A";

WHEREAS, the source of the public way was originally obtained or dedicated from property now owned or to be acquired by the petitioners requesting the public right-of-way be vacated;

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) That pursuant to I.C. 36-7-3-12(e), the Common Council as the legislative body of the City of Franklin finds the public way as described on Exhibit "A" shall be vacated and that the entirety of said vacated public way shall inure to the benefit of and become part and parcel of the adjoining real properties to the east of said vacated public way identified on Exhibit "B" herein. A copy of this ordinance is directed to the Johnson County Recorder for recording purposes and to the Johnson County Auditor as required.
- 3) 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;
- 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.

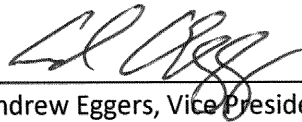
**Sales Disclosure NOT Required
Johnson County Assessor**



City of Franklin, Indiana, by its Common Council:

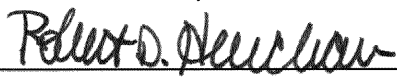
Voting Affirmative:


Kenneth Austin, Council President



Andrew Eggers, Vice President

Absent
Joseph P. Abban


Daniel J. Blankenship


Robert D. Heuchan


Danny Richards


Richard L. Wertz

Voting Opposed:

Kenneth Austin, Council President

Andrew Eggers, Vice President

Joseph P. Abban

Daniel J. Blankenship

Robert D. Heuchan

Danny Richards

Richard L. Wertz


Attest:


Jayne Rhoades, City Clerk-Treasurer

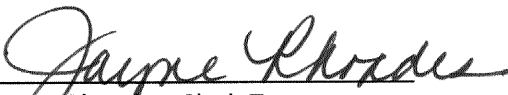
Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, and 16, this 2nd day of July, 2018, at 6:15 o'clock p.m.


Jayne Rhoades, Clerk-Treasurer

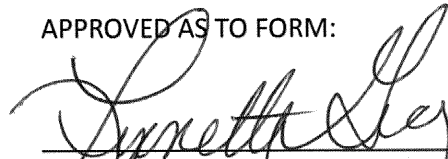
This Ordinance having been passed by the legislative body and presented to me [**Approved** by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 2nd day of July, 2018 at 6:15 o'clock p.m.


Steve Barnett, Mayor

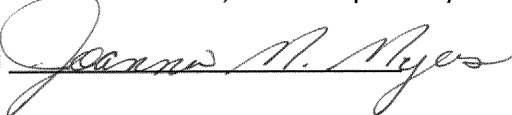
Attest:


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

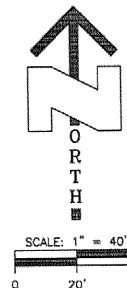
EXHIBIT "A"

N.W. CORNER,
W. 1/2, S.E. 1/4,
SEC. 18, T12N, R5E

ST. ANDREWS DR.

N 89°41'46" E
(AN ASSUMED
BEARING)
50.50'(R&S)

PARIS DRIVE



TRIPLE T PROPERTY INVESTMENTS, INC.
INST. #2012-004323
AUDITOR'S MAP #41-07-18-042-001.000-018

P.O.B.

JART PROPERTIES INC.
INST. #2017-013521
AUDITOR'S MAP #41-07-18-031-006.002-018

RIGHT-OF-WAY DEDICATION
INST. #2016-14323

JART PROPERTIES INC.
INST. #2017-013521
AUDITOR'S MAP #41-07-18-031-003.000-018

CITY OF FRANKLIN
RIGHT-OF-WAY TO BE VACATED
0.24 ACRES

J ENTERPRISES INN OF NASHVILLE, LLC.
INST. #2017-016364
AUDITOR'S MAP #41-07-18-042-011.000-018

RIGHT-OF-WAY VACATE DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 12 NORTH, RANGE 5 EAST, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CAPPED REBAR (FOUND) MARKING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 89°41'46" EAST (AN ASSUMED BEARING) ALONG THE NORTH LINE OF SAID QUARTER A DISTANCE OF 50.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF PARIS DRIVE AND THE NORTHWEST CORNER OF "TRIPLE T PROPERTY INVESTMENTS, INC." (INST.#2012-004323); THENCE SOUTH 00°21'14" EAST ALONG SAID RIGHT-OF-WAY AND "TRIPLE T PROPERTY INVESTMENTS, INC." LINE A DISTANCE OF 187.15 FEET TO A 5/8" CAPPED REBAR (SET); THENCE SOUTH 53°43'06" WEST A DISTANCE OF 62.37 FEET TO A 5/8" CAPPED REBAR (SET) ON THE WEST RIGHT-OF-WAY OF PARIS DRIVE; THENCE SOUTH 00°21'14" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 187.74 FEET TO A 5/8" CAPPED REBAR (SET); THENCE NORTH 89°38'46" EAST A DISTANCE OF 50.50 FEET TO A 5/8" CAPPED REBAR (SET) ON THE EAST RIGHT-OF-WAY OF PARIS DRIVE AND THE WEST LINE OF "J ENTERPRISES INN OF NASHVILLE, LLC." (INST.#2017-016364); THENCE NORTH 00°21'14" EAST ALONG SAID RIGHT-OF-WAY, SAID "J ENTERPRISES INN OF NASHVILLE, LLC." AND SAID "TRIPLE T PROPERTY INVESTMENTS, INC." A DISTANCE OF 224.33 FEET TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

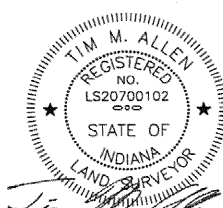


EXHIBIT "B"
RIGHT-OF-WAY VACATE
CITY OF FRANKLIN,
JOHNSON COUNTY, IN

| | |
|---------------------------|--------------------|
| SHEET: 1 OF 1 | JOB #17174 |
| SCALE: 1"= 40' | DWG REVISION DATES |
| DRAWN BY: DEK | - |
| DWG DATE: 5/10/18 | - |
| DWG NAME: 17174 RW VACATE | - |
| EXHIBIT.dwg | - |

Independent Land Surveying
www.ilsurveying.com
3640 Commerce Drive
Columbus, Indiana 47201
Phone: 812-372-0996
Fax: 812-372-0996
414 South Main Street
Brownstown, Indiana 47220
Phone: 812-358-2882
Fax: 812-358-2605