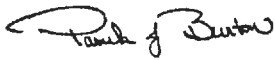


FILED

SUBJECT TO FINAL ACCEPTANCE

NOV 22 2021



AUDITOR, JOHNSON COUNTY

**ORDINANCE NUMBER 2021-21
OF THE CITY OF FRANKLIN, INDIANA**

2021-034524
RECORDED ON
11/22/2021 01:19:42 PM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 25.00
PAGES: 4

AN ORDINANCE APPROVING VACATING RIGHT-OF-WAY WITHIN THE CITY OF FRANKLIN, INDIANA

BETWEEN LOTS 8 & 15 OF GIDEON DRAKE'S ADDITION

(To be known as Gideon Drake's Addition Lots 8 & 15 Alley Vacation)

WHEREAS, Franklin College 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 of constructing the Johnson Memorial Health Athletic Annex (PC 2021-33) on Lots 8, 15, & 16 of the Gideon Drake's Addition; and

WHEREAS, Franklin College has agreed to relocate all utilities that are in conflict with said project and incur all associated costs with relocation; and

WHEREAS, upon relocation of all utilities in conflict, said public right-of-way as described herein be vacated for the reason that said public ways are not at that 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 10 feet in width and runs northeast and southwest between Lots 8 and 15 in the Gideon Drake's Addition, an addition to the City of Franklin as recorded in Plat Book 1, Page 24 in the Office of the Recorder of Johnson County, Indiana; and as shown on 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 7th day of SEPT, 2021.

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) All utilities must be relocated prior to recording this Ordinance;
- 5) This Ordinance shall become effective at the time of recording;
- 6) City Staff is authorized to execute all deeds necessary in accomplishment of the herein above.

INTRODUCED and Filed on the 16th day of August, 2021.

PASSED on this 7 day of September 2021, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 4 in Favor and 0 Opposed.

**Sale Disclosure NOT Required
Johnson County Assessor**

5Z599661X1

6882728:81200



City of Franklin, Indiana, by its Common Council:

Voting Affirmative:

Absent

Kenneth Austin, President

Melissa Jones

Melissa Jones

Daniel J. Blankenship

Daniel J. Blankenship

Robert D. Heuchan

Robert D. Heuchan

Anne McGuinness

Anne McGuinness

Absent

Chris Rynerson

abstain

Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Attest:

Jayne Rhoades

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 1 day of September, 2021 at 7:20 o'clock p.m.

Jayne Rhoades

Jayne Rhoades, City Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me was 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 1 day of September, 2021 at 7:20 o'clock p.m.

Steve Barnett

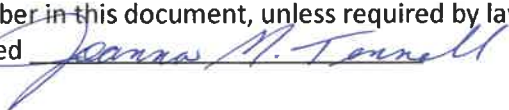
Steve Barnett, Mayor

Attest:


Jayne Rhoades, City Clerk-Treasurer

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.

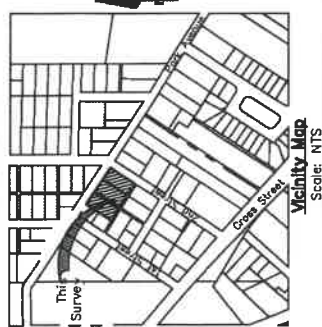
Signed



Prepared by:

*Joanna Tennell, Senior Planner
Department of Planning & Engineering
70 E. Monroe Street
Franklin, IN 46131*

Sec. 24-T12N-RAE



Record Land Descriptions

DR 2000-018686
Lot Numbered 15 in Global Drake Addition No. 3, to the City of Franklin, as recorded in Plat Book 1, page 24, in the Office of the Recorder of Johnson County, Indiana.

DR 94016985
Lot Numbered 15 in Global Drake Addition No. 3, to the City of Franklin, as recorded in Plat Book 1, page 24, in the Office of the Recorder of Johnson County, Indiana.

DR 2015-019807
Part of Lot 7
Fence Cor. 1.7± NW of Line

DR 95018375
Part of Lot 7
Fence Cor. 0.8± NW of Line

Certificate of Survey

A Part of the Northwest Quarter of Section 24
Township 12 North, Range 4 East, Franklin Township, Johnson County, Indiana

Exhibit "B"
Proposed Alley Vacation

Surveyor's Report

In accordance with Title 855, Article 1, Chapter 12, of the Indiana Administrative Code "Rule 12", the following observations and opinions are submitted regarding the various monuments, measurements, and calculations used in this survey as a result of A) visibility and condition of reference monuments, B) monumentation lines, C) clarity or ambiguity of the record description used and of adjacent descriptions, and the relationship of the lines of the subject tract with adjacent lines, and D) the relative positional accuracy of the measurements.

The relative positional accuracy of the corners of the subject lot established in this survey meets the requirements for an URBAN survey as defined in IAC 855.

Comments: This is a retracement survey of Lots 8, 15 and 16 in Drake's Addition to the Town, now City of Franklin. The basis of bearing for this survey is GPS derived utilizing the Indiana National Coordinate System, East Zone, NAD83 Network. Monumentation consists of iron pins, iron rods, and concrete monuments. Our initial field investigation revealed that there is minimal monumentation to the south and west of the subject lots. In order to determine the lot lines for the subject lots, we used the monumentation marked as "HOLD" and made the line parallel through the found monumentation. The monumentation was found to be in the line of the subject lot and the plat width of 10' for the alley between Lots 8 and 15.

The following previous surveys and plats were referenced:
Plat Book 1, page 24 in the Office of the Recorder of Johnson County, Indiana. This plat was used to recover setting monumentation with said addition and determine the geometry of the subject lots.

Due to visibility and condition of reference monuments, Monumentation labeled as (HOLD) were used to define the location of the boundary lines for this survey. Estimated uncertainty: 0.1 feet

Due to acquisition or possession lines: Refer to the drawing for the location of the subject lot. The subject lot is located in the southeast corner of Lot 8. The subject lot is as much as 7 feet. There are also overhead utility lines that cross over Lot 15. This survey is unaware of any easements associated with these overhead utility lines. Estimated uncertainty: 7 feet relative to the capitol near the southeast corner of Lot 8

Due to clarity or ambiguity of the record description used and of adjacent descriptions and the relationship of the lines of the subject tract with adjacent lines, none

Legend

- 0 5/8" Rebar and Cap Set (Barnes 20200084)
- A Mag Nail Set
- (v) Record Dimension
- (m) Measured Dimension
- (c) Calculated Dimension
- FL Mon. Flush with Ground
- 0.1' Elev. of Mon. above Ground (Typ.)
- Power Pole
- Wood Fence
- Overhead Line



Franklin College
101 Branigan Blvd.
Franklin, IN 46131

Franklin College
101 Branigan Blvd.
Franklin, IN 46131

DATE: 04/10/2021	DRAWN BY: JMB	SURVEYED: 03/17/2021
SCALE: 1" = 30'	CHECKED BY: JMB	JOB NO: 2021-0106
PROJECT: Franklin College Practices Facility	CERTIFICATE OF SURVEY	C-1615
LOC: NW 1/4 Sec. 24-T12N-RAE, Franklin Twp.		

Sheet 1 of 1

Certification
I, Jeffrey S. Barnes, Registered Land Surveyor, licensed in accordance with the laws and statutes of the State of Indiana, hereby certify that the following plat represents a survey done by me or under my supervision, in accordance with Title 855, Article 1, Chapter 12 of the Indiana Administrative Code.

I affirm, under the penalties for perjury, that I have taken reasonable precautions to protect each Social Security number in this document, unless required by law.

Jeffrey S. Barnes
04/10/2021

PLS 20200084



(In Feet)
1 inch = 30 ft.