

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	August 10, 2022	Meeting Date:	Aug. 15, 2022
Contact Information:			
Requested by:	Joanna Tennell, Senior Planner		
On Behalf of Organization or Individual:			
		JART Properties, LLC	
Telephone:	317-736-3631		
Email address:	jtennell@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 2022-04: Gateway Drive Right-of-Way Vacation (Introduction)			
List Supporting Documentation Provided:			
1. Petition for Vacation of Public Way			
2. Ordinance 2022-04			
Who will present the request?			
Name:	Joanna Tennell	Telephone:	317-736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.



July 14, 2022

Mrs. Joanna Tennell, AICP
City of Franklin Planning
70 E. Monroe Street
Franklin, IN 46131

RE: Gateway Drive Right-of-Way Vacation Request

Dear Joanna,

It is being requested to vacate the Gateway Drive right-of-way within the Paris Drive Park West – Section 1 Commercial Subdivision. During the initial planning of the commercial subdivision, it was anticipated to provide a public right-of-way for the construction of a cul-de-sac for access to Block A. The cul-de-sac has not been installed, nor has any public infrastructure, and the initial concept has changed negating the need for the cul-de-sac and right-of-way. Additionally, it is desired to combine Block A and Block B into one parcel for a future project and access to the parcel will be maintained from Longest Drive (south) and adjacent Gateway Drive right-of-way (east). A primary plat, incorporating the combination of the blocks, will be forthcoming upon approval of the right-of-way vacation.

Feel free to call me with any questions, or if additional information is required, regarding this request.

Sincerely,

CrossRoad Engineers, P.C.

A handwritten signature in black ink, appearing to read "Greg Ilko", is positioned below the typed name. The signature is fluid and cursive.

Gregory J. Ilko, P.E.
Project Manager

**COMMON COUNCIL
CITY OF FRANKLIN, INDIANA**

PETITION FOR VACATION OF A PUBLIC WAY

Comes now Trent Newport in person, with a mailing address of 51 W. Monroe St., Franklin, IN 46131, to petition the Common Council of the City of Franklin, Indiana for the vacation of a public way adjacent to their property and in support thereof would show the Council as follows:

1. That JART Properties, Inc. owns certain property commonly known as Block A & B & Common Area 1 in Paris Drive Park West Sec. 1, and is more particularly described on the document which is attached hereto, made apart hereof, and marked Exhibit "A" (attach copy of the property legal description).
2. That the petitioner seeks to vacate a public way running East and West along the South line of the property which is shown on the document attached hereto, made apart hereof, and marked Exhibit "B" (attach copy of plat and/or exhibit & legal description of subject public way to be vacated).
3. That the names and addresses of all owners of land that abuts the property proposed to be vacated is attached hereto, made apart hereof, and marked Exhibit "C".
4. Said public way should serve no governmental purpose and is not essential for the use of the City of Franklin for any of the municipal purposes of the City since there are streets in the area for the purposes of servicing the property involved and conveying area traffic.

THEREFORE, the petitioner asks that the Council grant their petition and pass an ordinance vacating said public way and that said public way should be added to the adjoining properties as described by law.

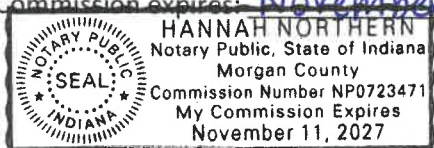
The above information and attached exhibits, to my knowledge and beliefs, are true and correct.

Trent Newport
Petitioner
317-502-2760
Phone number

State of Indiana)
County of Marion) SS

Subscribed and sworn to me this 14th day of July, 2022.

My Commission expires: November 11, 2027



Hannah Northern
Notary Public

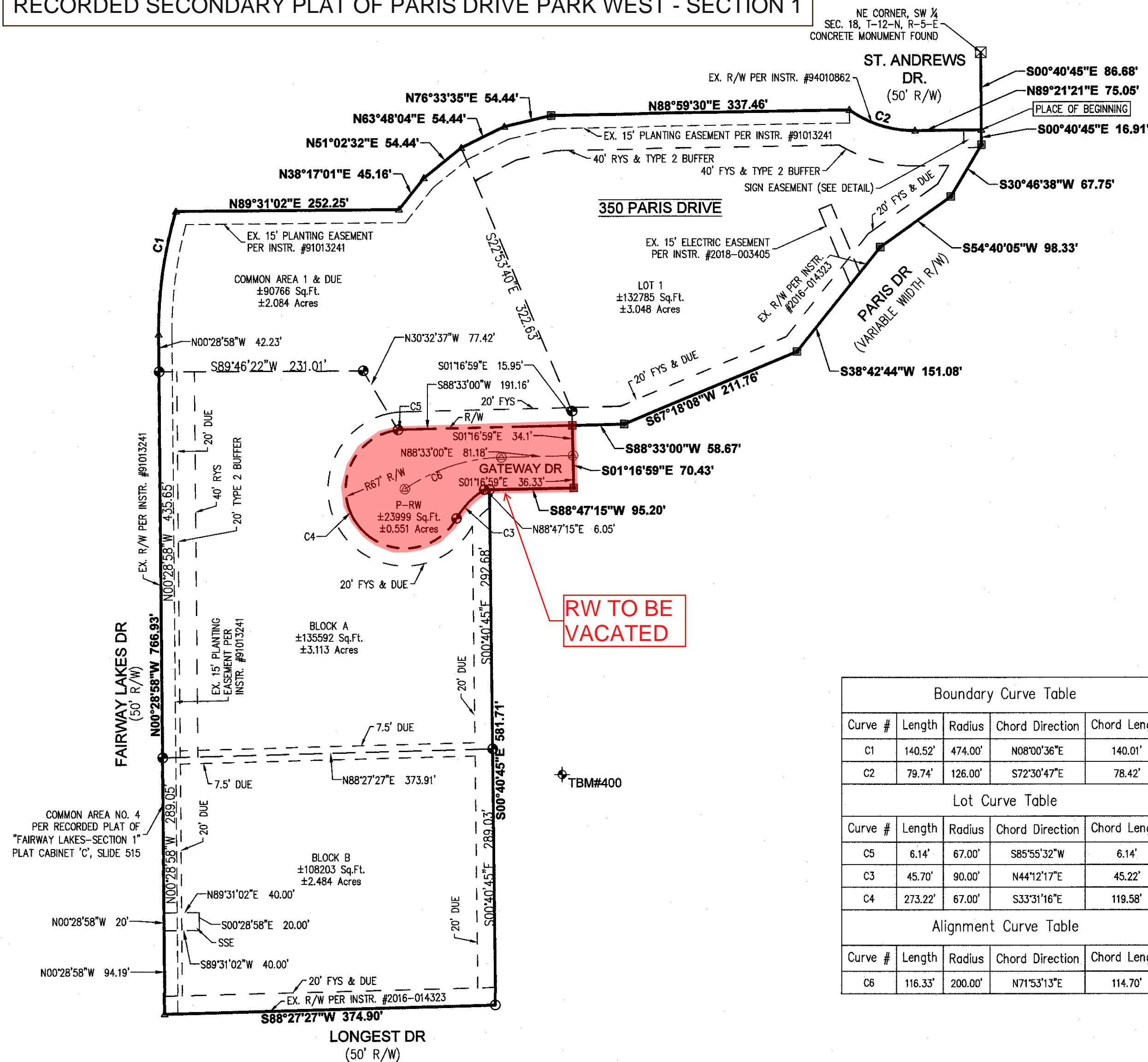
EXHIBIT "A"

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 12 NORTH, RANGE 5 EAST, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

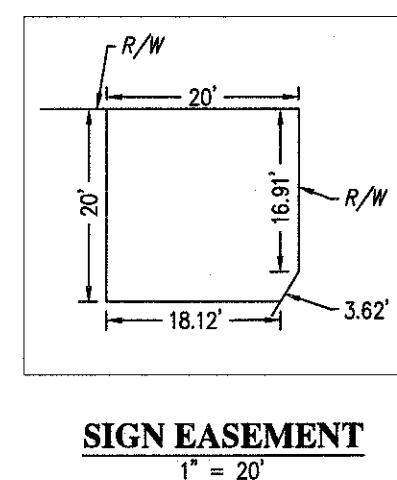
BLOCK A, BLOCK B, AND COMMON AREA 1 & DUE WITHIN THE PARIS DRIVE PARK WEST – SECTION 1 COMMERCIAL SUBDIVISION AS RECORDED IN INSTRUMENT NO. 2019-014782 IN THE JOHNSON COUNTY RECORDER'S OFFICE.

CONTAINING 7.681 ACRES, MORE OR LESS.








EXHIBIT B
RECORDED SECONDARY PLAT OF PARIS DRIVE PARK WEST - SECTION 1









Boundary Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	140.52'	474.00'	N08°00'36"E	140.01'
C2	79.74'	126.00'	S72°30'47"E	78.42'
Lot Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C5	6.14'	67.00'	S85°55'32"W	6.14'
C3	45.70'	90.00'	N44°12'17"E	45.22'
C4	273.22'	67.00'	S33°31'16"E	119.58'
Alignment Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C6	116.33'	200.00'	N71°53'13"E	114.70'



LEGEND

	PROPERTY LINE
	SECTION LINE
	ADJOINER LINE
	RIGHT-OF-WAY
	LOT LINE
	EASEMENT LINE
	BENCHMARK

DUE	DRAINAGE & UTILITY EASEMENT
SSE	SANITARY SEWER EASEMENT
FYS	FRONT YARD SETBACK
SYS	SIDE YARD SETBACK
RYs	REAR YARD SETBACK
P-WW	PUBLIC RIGHT-OF-WAY

	EXTERIOR MONUMENTS
	4' x 4' x 36" PRECAST CONCRETE MONUMENT, SCORED ON TOP WITH CROSS, SET FLUSH
	EXTERIOR MONUMENTS
	PIPE W/ CAP "GWCHARLES LS0800117" SET FLUSH
	CENTERLINE MONUMENTS
	MIN. 5/8" BY 24" LONG STEEL ROD EPOXY GROUTED, SET 1/4" BELOW FINISHED PAVEMENT GRADE (TO BE SET BY CONTRACTOR)
	EXTERIOR MONUMENTS
	PIN W/ "SEA GROUP FIRM #0091" CAP FOUND
	EXTERIOR MONUMENTS
	5/8" REBAR FOUND

BENCHMARK INFORMATION

DESIGNATING BENCHMARK
 DESIGNATION -X 13
 PID - KA0010
 STATE/COUNTY - IN/MORGAN
 USGS QUAD - MOORESVILLE EAST (1980)
 VERT ORDER - FIRST CLASS II
 DESCRIBED BY COAST AND GEODETIC SURVEY 1946
 1.2 MI N FROM WAVERLY.
 IN JOHNSON COUNTY, 1.2 MILES NORTH ALONG STATE HIGHWAY 37 FROM THE
 INTERSECTION OF STATE HIGHWAY 144 AT WAVERLY, MORGAN COUNTY, 26 FEET WEST OF
 THE CENTERLINE OF THE HIGHWAY, IN LINE WITH THE WEST RIGHT-OF-WAY FENCE, 1.5
 FEET SOUTH OF A WHITE WOODEN WITNESS POST, AND ABOUT 2 FEET HIGHER THAN THE
 HIGHWAY. A STANDARD DISK, STAMPED 686.370 X 13 1930 AND SET IN THE TOP OF A
 CONCRETE POST PROJECTING 7 INCHES ABOVE GROUND.
 RECOVERY NOTE BY IN DEPT OF NAT RES 1985
 NEW SEC- AT THE INTERSECTION OF THE NEW STATE ROAD 144 AND OLD STATE ROAD
 37, IN THE SOUTHWEST QUARTER OF THE INTERSECTION, WITNESS POST IS GONE
 RIGHT-OF-WAY FENCE IS GONE, ALL OTHER INFORMATION APPEARS TO BE CORRECT.
 ELEVATION = 685.94 (NAVD 88)
 TBM#400
 CUT 'X' ON S.E. ANCHOR BOLT OF BIG (FOR INTERSTATE) McDONALDS SIGN NW OF
 McDONALDS BUILDING. ELEV.=751.96

DEVELOPMENT DATA SUMMARY

TOTAL DEVELOPMENT AREA:	10.729 AC. (EXCLUDING RIGHT-OF-WAY)
TOTAL DEDICATED R/W:	0.551 AC.
MAXIMUM NO. OF FUTURE LOTS:	
BLOCK 'A':	3 LOTS (MAX.)
BLOCK 'B':	2 LOTS (MAX.)

OWNER/DEVELOPER

JART PROPERTIES, INC.
1037 W JEFFERSON STREET
FRANKLIN, IN 46131
PHONE: (317) 979-3559
CONTACT: ROB RICHARDSON
EMAIL: ROB.HHSLLC@GMAIL.COM

SURVEYOR

CROSSROAD ENGINEERS, PC
3417 SHERMAN DRIVE
BEECH GROVE, IN 46107
PHONE: (317)780-1555
CONTACT: G.W. CHARLES
EMAIL: gwcharles@crossroadengineers.com

DEED INFORMATION

GRANTEE: JART PROPERTIES, INC.
INSTR. #2017-013521
DATED MAY 30, 2017

GRANTEE: FRANKLIN HOTEL ASSOCIATES, LLC
INSTR. #2018-009330
DATED MAY 1, 2018

FLOODPLAIN INFORMATION

THE SUBJECT PARCEL LIES OUTSIDE ALL FLOODWAYS, FLOODWAY FRINGES, AND FLOODPLAINS. BY GRAPHIC PLOTTING ONLY, THIS TRACT OF LAND DESCRIBED HEREON LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS PLOTTED BY HAND ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR THE CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA, COMMUNITY PANEL NO. 18081C0232D, WHICH BEAR EFFECTIVE DATES OF AUGUST 2, 2007.

5				
4				
3				
2	06-27-19	REVISED PLAT PER 06-21-19 PLANNING COMMENTS	DMS	GWC
1	02-15-18	REVISED PLAT PER TRC COMMENTS DATED 02-05-18	DMS	GWC
NO.	DATE	REVISIONS	BY	APPR.

PARIS DRIVE PARK WEST-SECTION 1 COMMERCIAL SUBDIVISION SECONDARY PLAT

A PART OF THE NORTHEAST QUARTER OF SECTION 13, ALL IN TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA	JOB No.	DRAWN	KLF	CHECKED	GJI	Transportation & Development Consultants <small>3447 STATEWAY DR. SUITE 200, INDIANAPOLIS, IN 46216 (317) 760-1550</small>
	DATE JANUARY 12, 2018	DESIGNED	DMS	APPR.	GWC	



DEDICATION CERTIFICATE

WE THE UNDERSIGNED, JART PROPERTIES, INC. AND FRANKLIN HOTEL ASSOCIATES, LLC, OWNERS OF REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT.

THE SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS PARIS DRIVE PARK WEST - SECTION 1 COMMERCIAL SUBDIVISION, AN ADDITION TO THE CITY OF FRANKLIN. ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.

THERE ARE STRIPS OF GROUND VARIOUS FEET IN WIDTH AS SHOWN ON THIS PLAT AND MARKED "EASEMENT", RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION AND MAINTENANCE OF WATER AND SEWER MAINS, POLES, DUCTS, LINES AND WIRES, SIGNS, AND STORM DRAINAGE SYSTEMS SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES.

THE MAINTENANCE OF THE STORM DRAINAGE SYSTEM FOR THIS SUBDIVISION BY THE LOT OWNERS AND/OR DEVELOPMENT CORPORATION SHALL INCLUDE BUT SHALL NOT BE LIMITED TO THE MAINTENANCE OF ALL INLETS, OPEN DITCHES, PIPES, SWALES, MANHOLES AND DETENTION POND. THE DETENTION POND LOCATED IN COMMON AREA 1 SHALL BE INSPECTED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED OPERATIONS AND MAINTENANCE (O&M) MANUAL. THE COST AND EXPENSE OF SUCH MAINTENANCE SHALL BE THE LOT OWNER'S AND/OR DEVELOPMENT CORPORATION'S RESPONSIBILITY.

INVALIDATION OF ANY OF THE FOREGOING COVENANTS AND RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT REMAINING PORTIONS NOT SO AFFECTED.

THE RIGHT TO ENFORCE THESE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERRECTED OR MAINTAINED IN VIOLATION HEREOF, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

THE REAL ESTATE DESCRIBED IN THIS PLAT IS SUBJECT TO THE DEDICATIONS, COVENANTS, AND RESTRICTIONS AS SEPARATELY RECORDED IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA AND REFERENCED TO THIS PLAT.

WITNESS OUR HANDS AND SEALS THIS 1ST DAY OF July, 2019.

JART PROPERTIES, INC. BY:

Robert Richardson

Robert Richardson - President
(PRINTED NAME AND TITLE)

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED Robert Richardson
FOR EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS OUR HANDS AND SEALS THIS 1 DAY OF July, 2019.

NOTARY PUBLIC DERREK BYE

RESIDENT OF HAMILTON COUNTY, INDIANA

MY COMMISSION EXPIRES: 12-14-2019

WITNESS OUR HANDS AND SEALS THIS 28TH DAY OF JUNE, 2019.

FRANKLIN HOTEL ASSOCIATES, LLC BY:

DAVID C. WESPISER - MANAGER
(PRINTED NAME AND TITLE)

STATE OF OHIO)
) SS:
COUNTY OF BUTLER)

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED DAVID C. WESPISER
FOR EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS OUR HANDS AND SEALS THIS 28 DAY OF June, 2019.

Rhonda Marcum
Notary Public
In and For the State of Ohio
Recorded in Butler County
My Commission Expires
03/03/2023

NOTARY PUBLIC Rhonda Marcum
RESIDENT OF Butler COUNTY, OHIO
MY COMMISSION EXPIRES: 03/03/2023

CERTIFICATE OF APPROVAL

AFTER HAVING GIVEN PUBLIC NOTICE OF THE TIME, PLACE AND NATURE OF HEARING ON THE APPLICATION FOR PRIMARY APPROVAL OF THIS SUBDIVISION BY PUBLICATION IN A NEWSPAPER OF LOCAL CIRCULATION MORE THAN TEN (10) DAYS BEFORE THE HEARING THEREON, UNDER AUTHORITY PROVIDED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY A MAJORITY OF THE MEMBERS OF THE FRANKLIN PLAN COMMISSION AT A MEETING HELD ON THE 21ST DAY OF NOVEMBER, 2017.

CITY OF FRANKLIN PLAN COMMISSION BY:

Jim Martin
JIM MARTIN, PRESIDENT

Suzanne Findley
SUZANNE FINDLEY, SECRETARY

THIS PLAT IS HEREBY RECOMMENDED FOR ACPTANCE BY THE CITY OF FRANKLIN BY:

Joanna Myers
JOANNA MYERS, SENIOR PLANNER

Mark A. Richards
MARK RICHARDS, CITY ENGINEER

ENTERED FOR TAXATION THIS 18 DAY OF July, 2019

Pamela J. Burton NO. 2019-014782
PAMELA J. BURTON, COUNTY AUDITOR

RECEIVED FOR RECORD THIS 18TH DAY OF July, 2019
AT 3:14 PM AND RECORDED IN PLAT CABINET E SLIDE 380

Teresa K. Petro 2019-014782
TERESA K. PETRO, COUNTY RECORDER
RECORDED ON
07/18/2019 03:19:45 PM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 30.00
PAGES: 1

COPY RECEIVED BY COUNTY ASSESSOR

Mark Alexander
MARK ALEXANDER, COUNTY ASSESSOR

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY, CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA, THAT THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED THIS 1ST DAY OF July, 2019.

Steve Barnett
STEVE BARNETT, MAYOR

Melissa L. Jones
MELISSA L. JONES, MEMBER

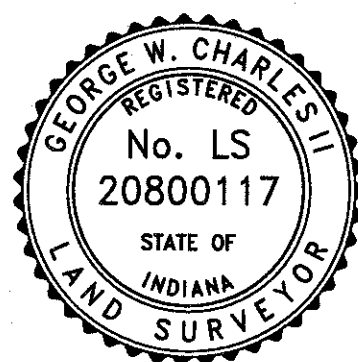
Bob Swinehamer
BOB SWINEHAMER, MEMBER

ATTEST:

Jayne Rhoades
JAYNE RHOADES, CLERK-TREASURER

SURVEYOR'S CERTIFICATE

I, GEORGE W. CHARLES II, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. THAT THIS PLAT WAS PREPARED BASED UPON INFORMATION FROM AN ALTA/ACSM LAND TITLE SURVEY PERFORMED BY SEA GROUP, LLC DATED DECEMBER 13, 2016 (LATEST REVISIONS) AND THAT THIS SURVEY IS IN ACCORDANCE WITH TITLE 865, ARTICLE 1, AND RULE 12 OF INDIANA ADMINISTRATIVE CODE.



G. W. Charles II
GEORGE W. CHARLES II
INDIANA LAND SURVEYOR
No. LS 20800117
DATED: NOVEMBER 1, 2017

LEGAL DISCRPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 12 NORTH, RANGE 5 EAST, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 40 MINUTES 45 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 86.68 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 00 DEGREES 40 MINUTES 45 SECONDS EAST A DISTANCE OF 16.91 FEET; THENCE SOUTH 30 DEGREES 46 MINUTES 38 SECONDS WEST A DISTANCE OF 67.75 FEET; THENCE SOUTH 54 DEGREES 40 MINUTES 05 SECONDS WEST A DISTANCE OF 98.33 FEET; THENCE SOUTH 38 DEGREES 42 MINUTES 44 SECONDS WEST A DISTANCE OF 151.08 FEET; THENCE SOUTH 67 DEGREES 18 MINUTES 08 SECONDS WEST A DISTANCE OF 211.76 FEET; THENCE SOUTH 88 DEGREES 33 MINUTES 00 SECONDS WEST A DISTANCE OF 58.67 FEET; THENCE SOUTH 01 DEGREE 16 MINUTES 59 SECONDS EAST A DISTANCE OF 70.43 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 15 SECONDS WEST A DISTANCE OF 95.20 FEET; THENCE SOUTH 00 DEGREES 40 MINUTES 45 SECONDS EAST A DISTANCE OF 581.71 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 27 SECONDS WEST A DISTANCE OF 374.90 FEET; THENCE NORTH 00 DEGREES 28 MINUTES 58 SECONDS WEST A DISTANCE OF 766.93 FEET TO A TANGENT CURVE; THENCE NORTHEASTERLY 140.52 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 474.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 08 DEGREES 00 MINUTES 36 SECONDS EAST AND A LENGTH OF 140.01 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 02 SECONDS EAST A DISTANCE OF 252.25 FEET; THENCE NORTH 38 DEGREES 42 MINUTES 44 SECONDS WEST A DISTANCE OF 45.16 FEET; THENCE NORTH 51 DEGREES 02 MINUTES 32 SECONDS EAST A DISTANCE OF 54.44 FEET; THENCE NORTH 63 DEGREES 48 MINUTES 04 SECONDS EAST A DISTANCE OF 54.44 FEET; THENCE NORTH 76 DEGREES 33 MINUTES 35 SECONDS EAST A DISTANCE OF 54.44 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 337.46 FEET TO A NON-TANGENT CURVE; THENCE SOUTHEASTERLY 79.74 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 126.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 72 DEGREES 30 MINUTES 47 SECONDS EAST AND A LENGTH OF 78.42 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 21 SECONDS EAST A DISTANCE OF 75.05 FEET TO THE PLACE OF BEGINNING.

CONTAINING 11.280 ACRES, MORE OR LESS.

COMMON AREA 1 & DUE DESCRIPTION

PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 12 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 86.68 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 46 MINUTES 45 SECONDS EAST A DISTANCE OF 16.91 FEET; THENCE SOUTH 30 DEGREES 46 MINUTES 38 SECONDS WEST A DISTANCE OF 67.75 FEET; THENCE SOUTH 54 DEGREES 40 MINUTES 05 SECONDS WEST A DISTANCE OF 98.33 FEET; THENCE SOUTH 38 DEGREES 42 MINUTES 44 SECONDS WEST A DISTANCE 151.08 FEET; THENCE SOUTH 67 DEGREES 18 MINUTES 08 SECONDS WEST A DISTANCE OF 211.76 FEET; THENCE SOUTH 88 DEGREES 33 MINUTES 00 SECONDS WEST A DISTANCE OF 58.67 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 88 DEGREES 33 MINUTES 00 SECONDS WEST A DISTANCE 191.16 FEET TO A TANGENT CURVE; THENCE SOUTHWESTERLY 6.14 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 67.00 FEET AND SUBTENDED BY A LONG CHORD HAVING BEARING OF SOUTH 85 DEGREES 55 MINUTES 32 SECONDS WEST AND A LENGTH OF 6.14 FEET; THENCE NORTH 30 DEGREES 32 MINUTES 37 SECONDS WEST A DISTANCE OF 77.42 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 22 SECONDS WEST A DISTANCE OF 231.02 FEET; THENCE NORTH 00 DEGREES 28 MINUTES 58 SECONDS WEST A DISTANCE OF 42.23 FEET TO A TANGENT CURVE; THENCE NORTHEASTERLY 140.52 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 474.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 08 DEGREES 00 MINUTES 36 SECONDS EAST AND A LENGTH OF 140.01 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 02 SECONDS EAST A DISTANCE OF 252.25 FEET; THENCE NORTH 38 DEGREES 42 MINUTES 44 SECONDS WEST A DISTANCE OF 45.16 FEET; THENCE NORTH 51 DEGREES 02 MINUTES 32 SECONDS EAST A DISTANCE OF 322.63 FEET; THENCE SOUTH 01 DEGREE 16 MINUTES 59 SECONDS EAST A DISTANCE OF 15.95 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.084 ACRES, MORE OR LESS.

TO BE KNOWN AFTER PLATTING AS "COMMON AREA 1 & DUE" IN PARIS DRIVE PARK WEST.

THIS SUBDIVISION IS SUBJECT TO ALL DRAINAGE SYSTEM DESIGN AND CONSTRUCTION STANDARDS OF THE FRANKLIN SUBDIVISION CONTROL ORDINANCE, ALL OTHER APPLICABLE ADOPTED STANDARDS OF THE CITY OF FRANKLIN, AND THE REQUIREMENTS OF THE CITY ENGINEER THAT PROVIDE FOR THE REPAIR AND MAINTENANCE OF THE SYSTEM. PROPER FUNCTION AND MAINTENANCE OF THE DRAINAGE SYSTEM MAY BE ENFORCED BY THE BOARD OF PUBLIC WORKS AND THE CITY ENGINEER. DRAINAGE EASEMENTS SHALL PROVIDE THE CITY OF FRANKLIN THE RIGHT OF ACCESS.



LOCATION MAP
NO SCALE

5					
4					
3					
2	06-27-19	REVISED PLAT PER 06-21-19 PLANNING COMMENTS	DMS	GWC	
1	02-15-18	REVISED PLAT PER TRC COMMENTS DATED 02-05-18	DMS	GWC	
NO.	DATE	REVISIONS	BY	APPR.	
PARIS DRIVE PARK WEST-SECTION 1 COMMERCIAL SUBDIVISION SECONDARY PLAT					
A PART OF THE NORTHEAST QUARTER OF SECTION 13, ALL IN TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA			JOB No.	DRAWN	KLF
			CHECKED	GJI	
			DATE	JANUARY 12, 2018	
			DESIGNED	DMS	
			APPR.	GWC	
			SHEET	2 of 2	



THIS PLAT IS BASED UPON INFORMATION FROM AN ALTA/ACSM LAND TITLE SURVEY PERFORMED BY SEA GROUP, LLC DATED DECEMBER 13, 2016 (LATEST REVISION)

EXHIBIT "B"

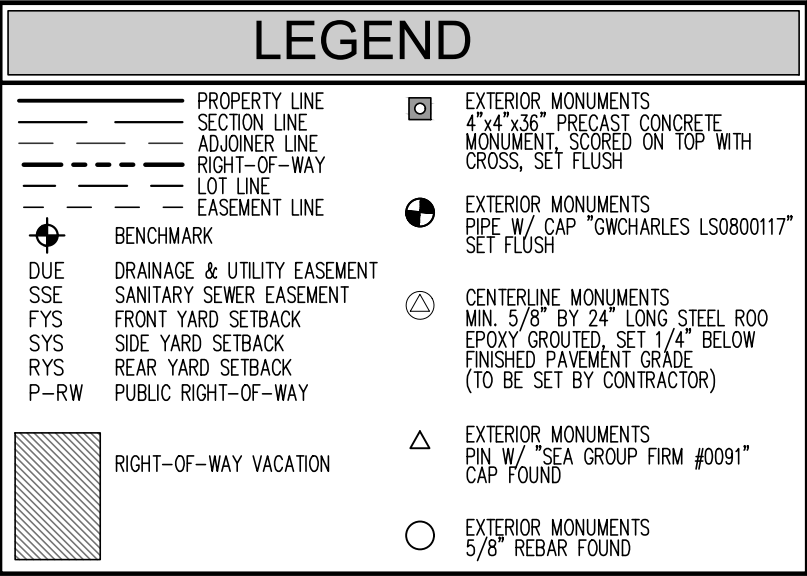


EXHIBIT "C"

PARCEL ID: 41-07-18-031-006.001-018

- OWNER: McDONALD'S CORPORATION
- ADDRESS: 3129 25th STREET, #374 St., COLUMBUS, IN 47203

PARCEL ID: 41-07-18-031-008.000-018

- OWNER: FRANKLIN HOTEL ASSOCIATES, LLC
- ADDRESS: 2501 S. HIGH SCHOOL ROAD, INDIANAPOLIS, IN 46241

PARCEL ID: 41-07-18-031-040.000-018

- OWNER: JART PROPERTIES INC.
- ADDRESS: 51 W. MONROE STREET, FRANKLIN, IN 46131

PARCEL ID: 41-07-18-031-041.000-018

- OWNER: JART PROPERTIES INC.
- ADDRESS: 51 W. MONROE STREET, FRANKLIN, IN 46131

**ORDINANCE NUMBER 2022-04
OF THE CITY OF FRANKLIN, INDIANA**

AN ORDINANCE APPROVING VACATING RIGHT-OF-WAY WITHIN THE CITY OF FRANKLIN, INDIANA
BETWEEN COMMON AREA 1 AND BLOCK A IN PARIS DRIVE PARK WEST – SECTION 1
(To be known as Gateway Drive Right-of-Way Vacation)

WHEREAS, JART Properties, 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;

WHEREAS, an updated primary plat has been submitted for review and approval by the City of Franklin Plan Commission at their September 20, 2022 meeting;

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 ____ day of _____, 2022.

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

- 1) 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 west and north of said vacated public way identified on Exhibit “B” herein as Common Area 1 and Block A.
- 2) A copy of this Ordinance shall be transmitted to the Recorder of Johnson County, Indiana;
- 3) This Ordinance shall become effective at the time of recording;
- 4) City Staff is authorized to execute all deeds necessary in accomplishment of the herein above.

INTRODUCED and Filed on the 15th day of August, 2022.

PASSED on this ____ day of _____, 2022, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of ____ in Favor and ____ Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:

Kenneth Austin, President

Voting Opposed:

Kenneth Austin, President

Robert D. Heuchan

Robert D. Heuchan

Melissa Jones

Melissa Jones

Anne McGuinness

Anne McGuinness

Irene Nalley

Irene Nalley

Josh Prine

Josh Prine

Shawn Taylor

Shawn Taylor

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 ____ day of _____, 2022 at _____ o'clock p.m.

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 __ day of _____, 2022 at _____ o'clock p.m.

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

EXHIBIT "A"

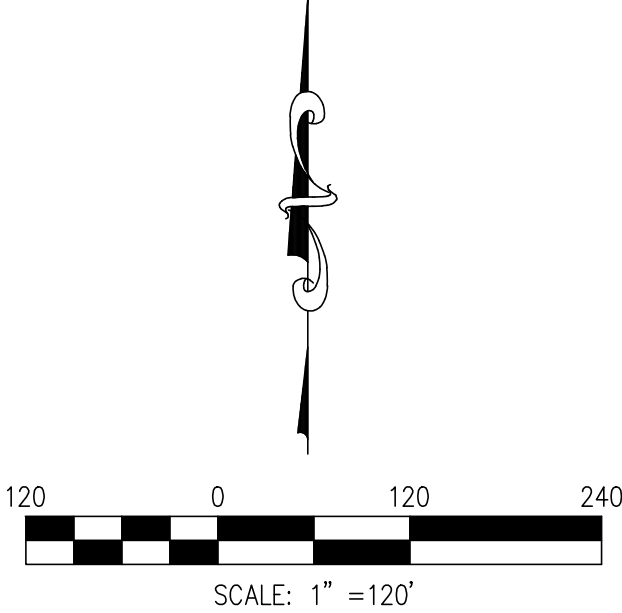
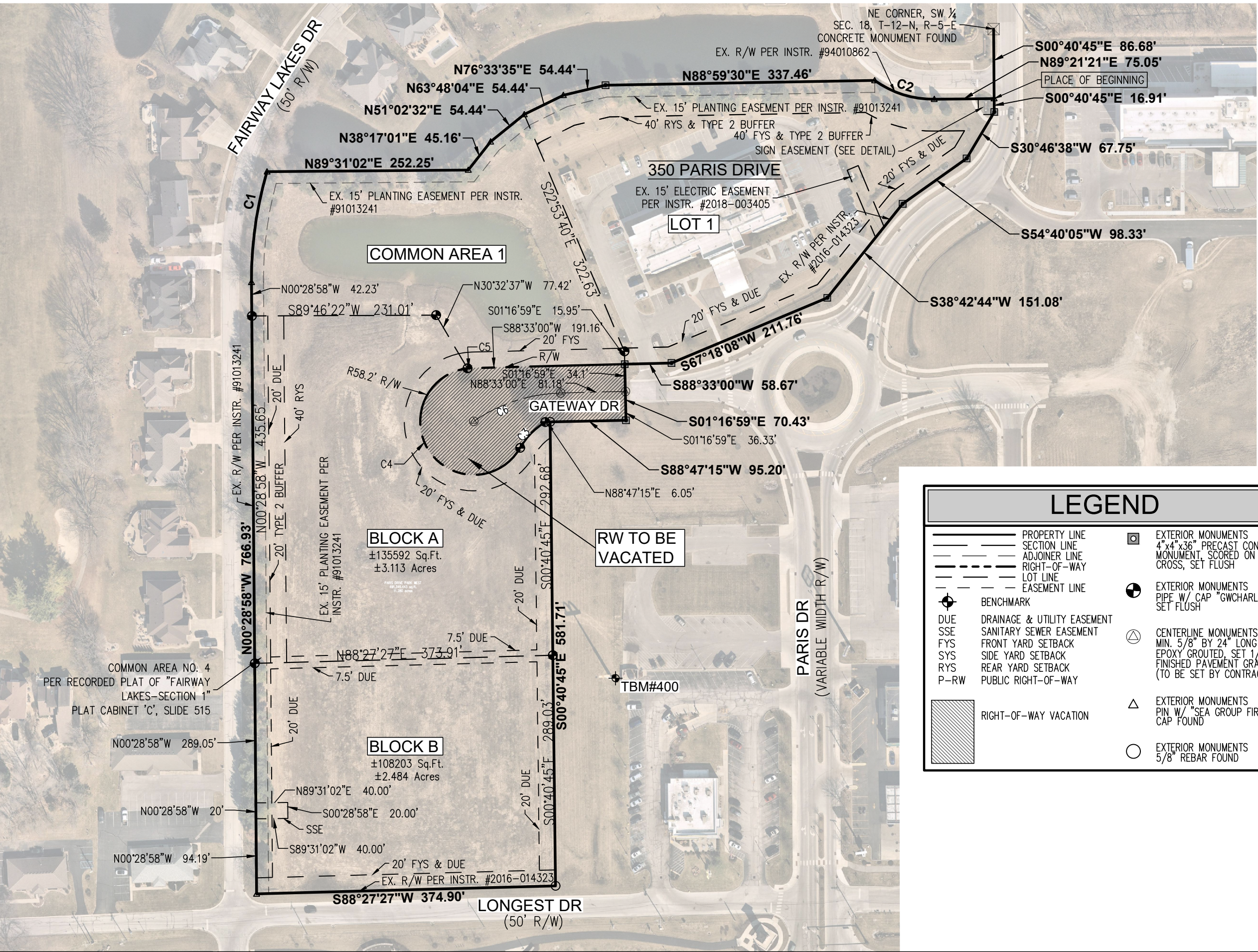
PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 12 NORTH, RANGE 5 EAST, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 40 MINUTES 45 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 86.68 FEET TO NORTHEAST CORNER OF A TRACT OF LAND OWNED BY FRANKLIN HOTEL ASSOCIATES AS PER INSTR. NO. 2018009330 IN THE OFFICE OF THE JOHNSON COUNTY RECORDER; THE NEXT SIX (6) CALLS ARE ALONG THE SOUTH LINE OF SAID TRACT OF LAND: (1) THENCE SOUTH 00 DEGREES 40 MINUTES 45 SECONDS EAST A DISTANCE OF 16.91 FEET; (2) THENCE SOUTH 30 DEGREES 46 MINUTES 38 SECONDS WEST A DISTANCE OF 67.75 FEET; (3) THENCE SOUTH 54 DEGREES 40 MINUTES 05 SECONDS WEST A DISTANCE OF 98.33 FEET; (4) THENCE SOUTH 38 DEGREES 42 MINUTES 44 SECONDS WEST A DISTANCE OF 151.08 FEET; (5) THENCE SOUTH 67 DEGREES 18 MINUTES 08 SECONDS WEST A DISTANCE OF 211.76 FEET; (6) THENCE SOUTH 88 DEGREES 33 MINUTES 00 SECONDS WEST A DISTANCE OF 58.67 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 01 DEGREE 16 MINUTES 59 SECONDS EAST A DISTANCE OF 70.43 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 15 SECONDS EAST A DISTANCE OF 101.25 FEET TO A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHERLY 45.70 FEET ALONG SAID CURVE HAVING A RADIUS OF 90.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 44 DEGREES 12 MINUTES 17 SECONDS EAST AND A LENGTH OF 45.22 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE NORTHERLY 279.35 FEET ALONG SAID CURVE HAVING A RADIUS OF 67.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 30 DEGREES 53 MINUTES 48 SECONDS WEST AND A LENGTH OF 116.69 FEET; THENCE NORTH 88 DEGREES 33 MINUTES 00 SECONDS EAST A DISTANCE OF 191.16 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.551 ACRES, MORE OR LESS.

EXHIBIT "B"

PARIS DRIVE PARK WEST SECTION 1 - RIGHT-OF-WAY VACATION EXHIBIT



LEGEND			
	PROPERTY LINE		EXTERIOR MONUMENTS 4"x4"x36" PRECAST CONCRETE MONUMENT, SCORED ON TOP WITH CROSS, SET FLUSH
	SECTION LINE		EXTERIOR MONUMENTS PIPE W/ CAP "GWCHARLES LS0800117" SET FLUSH
	ADJOINER LINE		CENTERLINE MONUMENTS MIN. 5/8" BY 24" LONG STEEL ROO EPOXY GROUTED, SET 1/4" BELOW FINISHED PAVEMENT GRADE (TO BE SET BY CONTRACTOR)
	RIGHT-OF-WAY		EXTERIOR MONUMENTS PIN W/ "SEA GROUP FIRM #0091" CAP FOUND
	LOT LINE		EXTERIOR MONUMENTS 5/8" REBAR FOUND
	EASEMENT LINE		
	BENCHMARK		
	DUE		
	SSE		
	FYS		
	SYS		
	RYS		
	P-RW		
	RIGHT-OF-WAY VACATION		
	DRAINAGE & UTILITY EASEMENT		
	SANITARY SEWER EASEMENT		
	FRONT YARD SETBACK		
	SIDE YARD SETBACK		
	REAR YARD SETBACK		
	PUBLIC RIGHT-OF-WAY		