

## AGENDA RESERVATION REQUEST

### CITY OF FRANKLIN COMMON COUNCIL

Please type or print

<b>Date Submitted:</b>	November 13, 2013	<b>Meeting Date:</b>	November 18, 2013
<b>Contact Information:</b>			
<b>Requested by:</b>	Joanna Myers, Senior Planner		
<b>On Behalf of Organization or Individual:</b>			
		Plan Commission	
<b>Telephone:</b>	317-736-3631		
<b>Email address:</b>	jmyers@franklin.in.gov		
<b>Mailing Address:</b>	70 E. Monroe St., Franklin, IN 46131		
<b>Describe Request:</b>			
Approval of Ordinance 2013-13: Annexation to be known as Hougham Family Trust Annexation (Public Hearing)			
<b>List Supporting Documentation Provided:</b>			
1. City Council memo			
2. Plan Commission Staff Report (PC 2013-26 & PC 2013-27)			
3. Ordinance 2013-13			
4.			
5.			
<b>Who will present the request?</b>			
<b>Name:</b>	Harry McNaught	<b>Telephone:</b>	317-655-3120

*The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:30 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.*



## CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

70 E. MONROE STREET › FRANKLIN, INDIANA 46131 › 877.736.3631 › FAX 317.736.5310 › [www.franklin.in.gov/planning](http://www.franklin.in.gov/planning)

### City Council - Memorandum

**To:** City Council Members

**CC:** Joe McGuinness, Mayor and Janet Alexander, Clerk-Treasurer

**From:** Joanna Myers, Senior Planner

**Date:** October 30, 2013

**Re:** **Hougham Family Trust Annexation (Ordinance 2013-13)**

On October 15, 2013 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced annexation petition from Harry McNaught & Tippmann Group (Plan Commission Resolution #2013-26). The Plan Commission voted 6-2 for a favorable recommendation to be forwarded.

The petitioner is requesting that 85.213 acres of property located at the southwest corner of CR 50 S and CR 550 E be annexed into the City of Franklin and rezoned from Agriculture (A) to Industrial: Light (IL). The attached staff report prepared for the Plan Commission meeting further describes this request.

The subject property is located within the Needham Fire Protection District. According to IC 36-4-3-7(d), the effective date of the annexation would be the second January 1 that follows the date the ordinance is adopted.

In addition, IC 36-4-3-7(e) states that if the fire protection district is indebted or has outstanding unpaid bonds or other obligations at the time the annexation is effective, the city is liable for and shall pay that indebtedness in the same ratio as the assessed valuation of the property in the annexed territory bears to the assessed valuation of all property in the fire protection district. According to the Indiana Gateway website, the Needham Fire Protection District purchased a fire truck in 2011 with final payment due January 1, 2018. The Clerk-Treasurer is assisting in determining the amount the city would be responsible for in accordance with the above.

The petition was properly advertised for the Plan Commission meeting. A copy of the annexation ordinance is included. A copy of the appropriate fiscal plan and resolution adopting the fiscal plan will accompany the ordinance. The proposed timeline for the petition is as follows:

Introduction:	November 4, 2013
Public Hearing:	November 18, 2013 (Fiscal Plan adopted after annexation public hearing.)
Action Taken:	December 2, 2013
Annexation Effective Date:	January 1, 2015

If you have any questions regarding this petition please feel free to contact me directly at 736-3631.



# CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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## Plan Commission Staff Report

**To:** Plan Commission Members

**From:** Joanna Myers, Senior Planner

**Date:** October 9, 2013

**Re:** Case PC 2013-26 (A) & PC 2013-27 (R): Hougham Family Trust Annexation & Rezoning

### REQUEST:

**Case PC 2013-26 (A) & PC 2013-27 (R)...Hougham Family Trust Annexation & Rezoning.** A request by Tippmann Group to annex and rezone 85.213 acres to IL (Industrial: Light). The subject property is located at the southwest corner of CR 50 S and CR 550 E. The property is currently zoned A (Agriculture).

### ADJACENT PROPERTIES:

#### Surrounding Zoning:

North: IL (Industrial: Light)  
South: A (Agriculture)  
East: A (Agriculture)  
West: RT-1 (Residential: Traditional One)

#### Surrounding Land Use:

North: Industrial & woodland  
South: Agriculture  
East: Agriculture  
West: Agriculture

### CURRENT ZONING:

The A", Agricultural zoning district is intended to provide locations for agricultural operations and related land uses. This district is further intended to reduce conflicts between residential and agricultural areas with the viability of agricultural operations, and limit development in areas with minimal infrastructure. This district should be used to protect agricultural operations from land uses that are incompatible with the available infrastructure.

### PROPOSED ZONING:

The "IL", Industrial: Light zoning district is intended to provide locations for light production, assembly, warehousing, research & development facilities, and similar uses. This district is intended to accommodate only industrial uses that are completely contained within structures and do not involve the outdoor storage of materials or the release of potential environmental pollutants. This district should be used to support industrial retention and expansion in Franklin.

### CONSIDERATIONS:

1. The Tippmann Group is requesting that 85.213 acres located at the southwest corner of CR 50 S and CR 550 E be annexed into the City of Franklin and that the property be rezoned to IL (Industrial: Light) to plan for the future expansion of their facility located to the north. See attached aerial.

2. Indiana Code requirements (IC 36-4-3-5) for voluntary annexation are:
  - a. Consent of 51% of the property owners or owners of 75% of the total assessed value of the land for property tax purposes.
  - b. At least one-eighth (1/8 or 12.5%) of the aggregate external boundary of the proposed annexation area must be contiguous with the existing city limits. A strip of land less than one hundred fifty (150) feet wide is not considered contiguous. (IC 36-4-3-1.5)
3. The proposed annexation area is 21.78% contiguous to the City of Franklin and 100% of the property owners (Hougham Family Trust) are parties to the petition.
4. Tippmann Group owns 70 acres located immediately to the north of the subject property. Interstate Warehousing is located on this property. Construction of Phases 1-4 have been completed to date. Future expansion of the facility is planned.
5. City sewer is currently available near the north property line of the subject property.
6. The proposed annexation is located within the Needham Fire Protection District (est. 3-19-90 by Ord. 1990-5). IC 36-4-3-7 outlines the effectiveness of an annexation within a fire protection district. Effective date of annexation would be the second January 1 that follows the date the ordinance is adopted.
7. The Technical Review Committee reviewed the petition at their September 26, 2013 meeting. Mac McNaught and Jason Bransteter, Tippmann Group, presented the petition to the committee and there were no adverse comments at the meeting.
8. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Light Industrial. "Light industrial areas include a variety of employment and production facilities. Uses in this area may include warehouses, distribution centers, assembly facilities, technology centers, research and manufacturing facilities, professional offices. Light industrial areas are distinguished from manufacturing areas in that manufacturing areas focus on the manipulation of unfinished products and raw materials. Light industrial facilities generally do not produce emissions of light, heat, sound, vibration, or odor and are completely contained within buildings. Some limited outdoor storage of finished products may occur. Light industrial areas may also include facilities which are complimentary to their role as employment centers. Such uses would include day care centers, parks and recreation facilities, banks, dry-cleaners, and other facilities designed to provide goods and services to the employees in the area."

**PC 2013-26 (A): HOUGHAM FAMILY TRUST ANNEXATION**

**PLAN COMMISSION ACTION – ANNEXATION :**

Plan Commission action (either *favorable*, *unfavorable*, or *no recommendation*) is a recommendation to the City Council, which takes action on the annexation petition.

**STAFF RECOMMENDATION – ANNEXATION:**

Staff recommends a *favorable recommendation* be forwarded to the City Council.

**PC 2013-27 (R): HOUGHAM FAMILY TRUST REZONING**

**CRITERIA FOR DECISIONS – REZONING:**

In taking action on rezoning requests, the Plan Commission shall pay reasonable regard to the decision criteria outlined in Article 11.6 (I) of the City of Franklin Zoning Ordinance.

1. ***Comprehensive Plan: The City of Franklin Comprehensive Plan and any other applicable, adopted planning studies or reports.***

**Staff Finding:**

The long term land use plan of the 2013 Comprehensive Plan identifies the subject property as Light Industrial. The request to rezone the property to IL is consistent with this plan.

2. ***Current Conditions: The current conditions and the character of current structures and uses in each district.***

**Staff Finding:**

The property located immediately to the north of the subject property is currently zoned IL and is the location of Interstate Warehousing.

3. ***Desired Use: The most desirable use for which the land in each district is adapted.***

**Staff Finding:**

The property is immediately adjacent to other industrial properties and is a logical expansion of the existing Franklin Tech Park. In addition, the property's close proximity to the I-65 interchange provides excellent access to a regional transportation route and provides easy truck access.

4. ***Property Values: The conservation of property values throughout the City of Franklin's planning jurisdiction.***

**Staff Finding:**

The rezoning request should increase the property values in the area as the city continues to grow towards to east.

5. ***Responsible Growth: Responsible growth and development.***

**Staff Finding:**

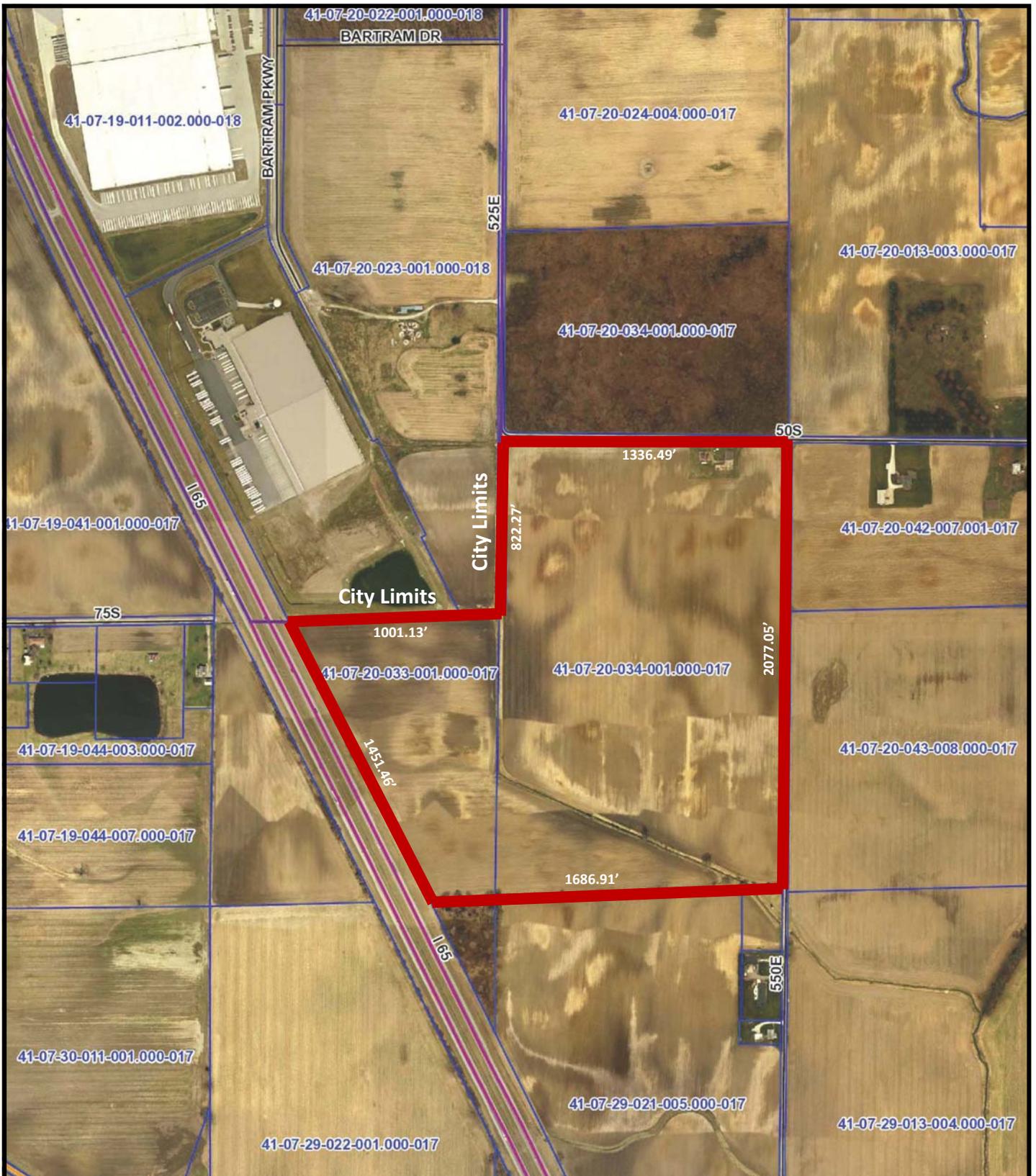
The proposed rezoning and annexation is immediately adjacent to existing city limits and will provide the City with additional industrial zoned property. The City's current inventory needs to be expanded to promote additional growth and expansion of the tax base and provide additional job opportunities for the community.

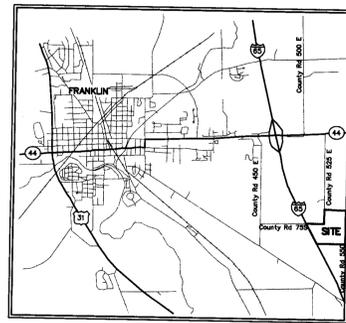
In the rezoning process, the Plan Commission has the authority to review the provisions of the Comprehensive Plan and the Zoning Ordinance. Plan Commission action (either *favorable, unfavorable, or no recommendation*) is a recommendation to the City Council, which takes action on the rezoning petition.

**STAFF RECOMMENDATION – REZONING:**

Based on the criteria for decisions above, staff recommends a *Favorable Recommendation* be forwarded to the Franklin City Council rezoning the property to IL (Industrial: Light).

# Hougham Family Trust—85.213 acres





VICINITY MAP  
not to scale

**SURVEYOR'S REPORT**

In accordance with 865 IAC 1-12-1 et seq., the following observations and opinions are submitted regarding the causes and the amount of uncertainty in the locations of the lines and corners found or established during this survey as a result of:

- A.) availability and condition of reference monuments,
- B.) occupation or possession lines,
- C.) clarity or ambiguity of the record descriptions for the site and its adjoiners, and
- D.) the relative positional accuracy of the measurement.

A. The following monuments were found or re-established marking the corners common to the Southwest Quarter of Section 20, Township 12 North, Range 5 East. Unless otherwise noted, there is negligible uncertainty associated with the locations of these corners.

Southeast corner: A mag nail with an unreadable washer was found per County Surveyor's records.

Southeast corner: No monument found. The County Surveyor has no records for this corner. The right-of-way plans for I-65 (Project No. 65-3 (92)85 R/W) show a stone found in this location. The location was established by the I-65 plans and the right-of-way grant documents for I-65. A 14-inch diameter concrete fence post was found 10.2 feet southeast of the location.

Northeast corner: No monument found. The County Surveyor has no records for this corner. No monument was set at this location during the original land subdivision.

No monument was found at the North Quarter corner of Section 20 either. Several concrete fence posts (no fence remaining) and a large wooden corner post were found along the east edge of the woods on the north side of C.R. 50. A farmer familiar with the area stated that those posts had been in place "since the 1940s" and were set to mark the boundary line of the woods, which would be on the east line of the Quarter Section. For this survey, the east line of the Quarter Section was established as the line from the mag nail to the corner wooden post. This solution creates a line that isn't centered on C.R. 50. In most cases section lines generally follow the roadways, where one is present. However, I put more weight on the old concrete fence posts and wood corner post than I did on the location of the county road. At the northeast corner of the subject parcel, the section line is about 14 feet west of the centerline of the road.

B. Unless otherwise noted, there is no physical evidence of occupation or possession along the boundary lines of the subject parcel.

1336.49' Line: Several utility poles and overhead utility lines are on line.

207.05' Line: The east edge of pavement for C.R. 550 is 4.7 feet east of the line at the north end. The south end of the line falls in the centerline of the pavement.

1686.91' Line: An electric meter is 3.4 feet south of the line. The north side of a silo is as close as 3.3 feet south of the line. A fence ranges from on line to 6.4 feet south of the line.

1451.40' Line: A fence ranges from 1.9 to 3.1 feet east of the line.

96.96' - 221.05' Lines: These lines generally follow a flow line.

C. The record descriptions for the site and its adjoiners were obtained from the office of the Recorder of Johnson County (the latest research date was July 16, 2013). The record descriptions for the adjoiners were mathematically retraced to disclose any gaps and/or overlaps between the boundary lines of the site and its adjoiners. The following observations are made as a result of this retracement: There are no gaps or overlaps between the lines of the subject parcel and its adjoiners.

D. The relative positional accuracy (uncertainty due to random errors in measurement) of any point on the survey relative to any other point on the survey at the ninety-five percent (95%) confidence level is within the specifications for an Urban Survey (0.07 feet + 50 ppm) as defined in 865 IAC 1-12-7.

As a result of the above observations, it is my opinion that the uncertainties in the locations of the lines and corners established during this survey are as follows:

- Due to variances in reference monuments: 14 feet;
- Due to inconsistencies in lines of occupation: see "B" above;
- Due to discrepancies in the record descriptions: 0.0 feet; and
- Due to random errors in measurement: within the specifications for an Urban Survey (0.07 feet + 50 ppm) as defined in 865 IAC 1-12-7.

**SUBJECT:**  
 RICHARD E. & ADELAIDE W. HOUGHAM, TRUSTEES (½ INTEREST)  
 PART OF INSTR. NO. 94023082  
 ROBERT J. GUERNE, JR. AND LARRY R. GUERNE (½ INTEREST)  
 PART OF INSTR. NO. 2011-010966  
 85.213 ACRES±

**LEGAL DESCRIPTION**

Part of the Southwest Quarter of Section 20, Township 12 North, Range 5 East, Johnson County, Indiana, more particularly described as follows:  
 BEGINNING at the southeast corner of said Southwest Quarter; thence South 87 degrees 39 minutes 48 seconds West 1,686.91 feet along the south line of said Southwest Quarter (assumed basis of bearings) to the east right-of-way line of Interstate 65 per INDOT Project Number I-65-3(92)85; thence North 26 degrees 41 minutes 45 seconds West 1,451.46 feet along said east right-of-way line to the southwest corner of the Amended Plat for Franklin Tech Park, Lot 2, recorded in Plat Book D, Slide 589, Pages A - B in the Office of the Recorder of Johnson County, Indiana, the following four (4) courses are along the south line of said Lot 2: 1) thence North 85 degrees 52 minutes 35 seconds East 96.96 feet; 2) thence North 88 degrees 31 minutes 28 seconds East 141.78 feet; 3) thence North 87 degrees 15 minutes 07 seconds East 263.34 feet; 4) thence North 88 degrees 23 minutes 00 seconds East 221.05 feet to the southeast corner of said Lot 2; thence continuing Quarter; thence North 00 degrees 15 minutes 24 seconds West 823.77 feet along the east line of said West Half to the south right-of-way line of County Road 50 South; thence South 89 degrees 29 minutes 06 seconds East 1,336.49 feet along said south right-of-way line to the east line of the West Half of said Southwest Quarter; thence South 27 degrees 27 seconds West 2,075.55 feet along said east line to the POINT OF BEGINNING. Containing 85.213 acres, more or less.

**SURVEYOR'S NOTES**

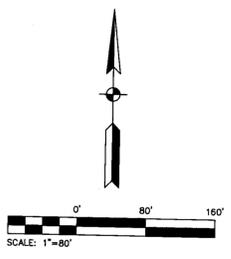
1. This plat of an ALTA/ACSM LAND TITLE SURVEY is based upon the Escrow and Title Services, LLC commitment for title insurance having Commitment No. 106180 and the effective date of July 23, 2013.
2. No comment is made regarding the following Special Exceptions in Schedule B - Section II of the commitment for title insurance: 1-12.
3. The following notes are keyed to the Special Exceptions in Schedule B - Section II of the commitment for title insurance.  
 Item 13: Gas Line Easement per Book 238, Page 863 - Does not affect the subject parcel.  
 Partial Release and Quitclaim of Certain Easement Rights per Instrument Number 2004-010991 - Does not affect the subject parcel.  
 Item 14: Application for Classification of Land as Forest Land per Misc. Record 21, Page 305 - Does not affect the subject parcel.  
 Application for Withdrawal of Classified Forest per Instrument Number 96027622 - Does not affect the subject parcel.  
 Item 15: Property Owner's Consent for Drainage Tile Installation per Instrument Number 2004-027067 - does not affect the subject parcel.  
 Item 16: Ingress and Egress Easement per Instrument Number 2009-023526 - Does not affect the subject parcel. The easement is adjacent to the west line of the northern portion of the subject parcel.  
 Item 17: Drainage Easement per Instrument Number 2009-023527 - Affects the subject parcel along the north line of the western portion.
4. The purpose of this survey was to prepare an ALTA/ACSM Land Title Survey for the site.
5. This plat of an ALTA/ACSM LAND TITLE SURVEY represents the conditions of the site on: July 16, 2013.
6. The accuracy of any flood hazard data shown on this survey is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Maps. Flood Insurance Rate Maps having Community-Panel Numbers 180111 0234 D, 180111 0232 D and 180111 0275 D (effective date August 2, 2007) of the National Flood Insurance Program indicates this site to be within zone "X" (areas determined to be outside 500-year floodplain).
7. Basis of Bearing System: The basis of bearings for this survey is Amended plat of Franklin Tech Park Lot 2 per Instrument Number 2005-019745.
8. The locations of any underground utilities shown on this plat are based upon above ground evidence (including, but not limited to, manholes, inlets, and marks made on the ground by others) and are speculative in nature. There may be underground utilities for which there is no above ground evidence or for which the above ground evidence was not observed (i.e. buried or paved over).
9. American Structurepoint, Inc. makes no warranty, either expressed or implied, as to our staking, findings, recommendations, plans, specifications, or professional advice except that the work was performed pursuant to generally accepted standards of practice and degree of care exercised by members of the same (certified, certification, and/or certificate) shall be interpreted as meaning a professional opinion regarding the conditions of those facts and/or findings which are the subject of the certification and does not constitute a warranty or guarantee, either express or implied.
10. This plat of an ALTA/ACSM LAND TITLE SURVEY represents a survey made under my supervision and in compliance with "Rule 12" of TITLE 865 of the INDIANA ADMINISTRATIVE CODE (establishes minimum standards for the competent practice of land surveying) and the MINIMUM STANDARD DETAIL REQUIREMENTS AND CLASSIFICATIONS for ALTA/ACSM LAND TITLE SURVEYS (a copy of which is attached hereto and is hereby made a part hereof) with corners established as shown.

**SURVEYOR'S CERTIFICATION**

To Tippmann Realty Partners, LLC, The Hougham Family Trust, Fidelity National Title Insurance Company and Escrow & Title Services, LLC.  
 This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6b, 8, 9, 11(b), 13, 14, and 16 of Table A thereof. The field work was completed on July 16, 2013.

This document is not valid unless imprinted with a land surveyor's seal.

Michael J. Smith  
 Professional Land Surveyor 20500025  
 msmith@structurepoint.com  
 Date: 9-27-13



- LEGEND**
- GUY WIRE
  - POST
  - SIGN
  - ELECTRIC METER
  - UTILITY POLE
  - TELEPHONE MARKER
  - TELEPHONE PEDESTAL
  - OVERHEAD ELECTRIC LINE

ALTA/ACSM LAND TITLE SURVEY		PREPARED FOR:
HOUGHAM PROPERTY AT SW CORNER OF C.R. 50 S & C.R. 550 E, FRANKLIN, INDIANA		TIPPMANN REALTY PARTNERS
I offer, under penalties for perjury, that I have taken reasonable care to read each Social Security number in this document, unless required by law.		AMERICAN STRUCTUREPOINT INC.
7280 SHADELAND STATION INDIANAPOLIS, IN 46256-3607 TEL 317.547.5580 FAX 317.543.0270 www.structurepoint.com		SCALE: 1" = 80'
DATE: Sept. 27, 2013	REVISIONS:	DATE:
DRAWN BY: CMW	CHECKED BY:	JOB NO. 201301242
CHECKED BY:	JOB NO. 201301242	ARCHIVE NO.
SHEET NO. 1		OF 1

PLOT SCALE: 1" = 80' DATE: 7/27/13 - 8:17 AM EDITED BY: MSMTM DRAWING FILE: P:\2013\01242\01 DRAWINGS\SURVEY\201301242-01.DWG

City of Franklin Common Council

**ORDINANCE # 2013-13**

AN ORDINANCE APPROVING A RESOLUTION  
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION,  
AND ANNEXING CERTAIN PROPERTY CONTIGUOUS TO THE FRANKLIN CORPORATE LIMITS  
(to be known as Hougham Family Trust Annexation)

**WHEREAS**, a petition has been filed before the Common Council of the City of Franklin, Indiana, pursuant to IC 36-4-3-5.1, by the owners of certain real estate, requesting that said real estate be annexed by the City of Franklin, Indiana, a description of said property is attached hereto, incorporated herein and marked as Exhibit "A"; and

**WHEREAS**, the City of Franklin, Indiana Plan Commission is an advisory Plan Commission to the City of Franklin, and has by Resolution #2013-26 recommended that the City's Common Council approve the annexation of the real property described in the attachments (a copy of said Resolution, together with attached exhibits, is attached hereto, incorporated herein by reference, and marked "Resolution #2013-26"); and

**WHEREAS**, pursuant to IC 36-7-4-605, Resolution #2013-26 has been certified to City's Common Council; and

**WHEREAS**, it appears that it would be in the best interest of the City of Franklin, Indiana that said real estate described in Exhibit "A" be annexed to and become a part of the City of Franklin, Indiana.

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, ORDAINS AND ENACTS THE FOLLOWING:**

1. The real estate described in Exhibit "A" is hereby declared annexed to the City of Franklin, Indiana and shall be rezoned from Agriculture (A) to Industrial: Light (IL).
2. The Plan Commission is directed to amend the zoning maps of the City in a manner consistent with this ordinance; and
3. The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain; and
4. The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and
5. If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance; and
6. The provisions set forth in this ordinance become and will remain in full force and effect pursuant to Indiana Code; and

7. Said newly annexed territory shall become a part of Council District 4; and
8. The Clerk-Treasurer is hereby directed to advertise this ordinance pursuant to IC 36-4-3-7 and to make the filings as required by IC 36-4-3-22(a),

**INTRODUCED AND FILED** on the 4<sup>th</sup> day of November, 2013.

**PUBLIC HEARING** held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**DULY ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_ 2013, 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:**

**Voting Opposed:**

\_\_\_\_\_  
Stephen D. Barnett, Council President

\_\_\_\_\_  
Stephen D. Barnett, Council President

\_\_\_\_\_  
Joseph P. Abban

\_\_\_\_\_  
Joseph P. Abban

\_\_\_\_\_  
Joseph R. Ault

\_\_\_\_\_  
Joseph R. Ault

\_\_\_\_\_  
Kenneth W. Austin

\_\_\_\_\_  
Kenneth W. Austin

\_\_\_\_\_  
Robert D. Henderson

\_\_\_\_\_  
Robert D. Henderson

\_\_\_\_\_  
Stephen D. Hougland

\_\_\_\_\_  
Stephen D. Hougland

\_\_\_\_\_  
Richard L. Wertz

\_\_\_\_\_  
Richard L. Wertz

Attest:

\_\_\_\_\_  
Janet P. Alexander, Clerk-Treasurer

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

\_\_\_\_\_  
Janet P. Alexander, 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 \_\_\_\_\_ at \_\_\_\_\_ o'clock p.m.

\_\_\_\_\_  
Joseph McGuinness, Mayor

Attest:

\_\_\_\_\_  
Janet P. Alexander, Clerk-Treasurer

*Prepared by:  
Joanna Myers, Senior Planner  
Department of Planning & Engineering  
70 E. Monroe Street  
Franklin, IN 46131*

## EXHIBIT 'A'

Part of the Southwest Quarter of Section 20, Township 12 North, Range 5 East, Johnson County, Indiana, more particularly described as follows:

BEGINNING at the southeast corner of said Southwest Quarter; thence South 87 degrees 39 minutes 48 seconds West 1,686.91 feet along the south line of said Southwest Quarter (assumed basis of bearings) to the east right-of-way line of Interstate 65 per INDOT Project Number I-65-3(92)85; thence North 26 degrees 41 minutes 45 seconds West 1,451.46 feet along said east right-of-way line to the southwest corner of the Amended Plat for Franklin Tech Park, Lot 2, recorded in Plat Book D, Slide 589, Pages A – B in the Office of the Recorder of Johnson County, Indiana, the following four (4) courses are along the south line of said Lot 2; 1)thence North 85 degrees 52 minutes 35 seconds East 96.96 feet; 2)thence North 88 degrees 31 minutes 28 seconds East 141.78 feet; 3)thence North 87 degrees 15 minutes 07 seconds East 263.34 feet; 4)thence North 88 degrees 23 minutes 00 seconds East 278.00 feet to the southeast corner of said Lot 2; thence continuing North 88 degrees 23 minutes 00 seconds East 221.05 feet to the east line of the West Half of said Southwest Quarter; thence North 00 degrees 15 minutes 24 seconds West 823.77 feet along the east line of said West Half to the south right-of-way line of County Road 50 South; thence South 89 degrees 29 minutes 06 seconds East 1,336.49 feet along said south right-of-way line to the east line of said Southwest Quarter; thence South 00 degrees 07 minutes 27 seconds West 2,075.55 feet along said east line to the POINT OF BEGINNING. Containing 85.213 acres, more or less.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2013-26  
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

**NAME OF PETITIONER:**

Harry McNaught & Tippmann Group

**PLAN COMMISSION DOCKET NUMBER:**

PC 2013-26

**RESOLUTION**

**WHEREAS**, the City of Franklin, Indiana has received an Annexation petition to have the property described in Exhibit "A" annexed into the corporate limits of Franklin, Indiana; and

**WHEREAS**, the petitioner has submitted a statement of reasons for having said property annexed; and

**WHEREAS**, said property meets the condition of being one-eighth contiguous to the present corporate limits; and

**WHEREAS**, the existing improvements have been submitted and reviewed by the Plan Commission; and

**WHEREAS**, the said existing improvements are consistent with the 2013 Comprehensive Plan's recommendation for Light Industrial; and

**WHEREAS**, the required Plan of Services (fiscal plan) is being written and shall be submitted to the Franklin Common Council for its adoption; and

**WHEREAS**, a public hearing was held on the 15<sup>th</sup> day of October, 2013 in the Franklin City Hall to give the public an opportunity to offer comments on said annexation petition; and

**WHEREAS**, the Franklin City Plan Commission has given due consideration to the future growth and prosperity of the City of Franklin, as well as the health, safety, and general welfare of its residents; and

**WHEREAS**, the Franklin Plan Commission took all of the public comments received at said public hearing under advisement prior to taking any action on said annexation petition.

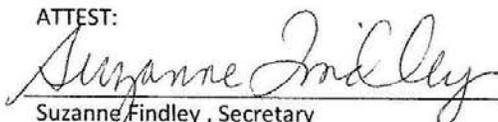
**NOW THEREFORE BE IT RESOLVED THAT THE FRANKLIN CITY PLAN COMMISSION HEREBY FORWARDS A FAVORABLE RECOMMENDATION TO THE FRANKLIN COMMON COUNCIL THAT:**

1. The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be approved for annexation to the City of Franklin.
2. On behalf of the secretary, staff of the Plan Commission is hereby directed to forward a copy of this resolution to the Petitioner and the City of Franklin Common Council.
3. This resolution is forwarded to the Common Council of the City of Franklin for further proceedings consistent with the provisions of Indiana Code.

Resolved by the Franklin City Plan Commission this 15<sup>th</sup> day of October, 2013.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:

  
Suzanne Findley, Secretary

  
Jim Martin, President

**EXHIBIT 'A'**

Part of the Southwest Quarter of Section 20, Township 12 North, Range 5 East, Johnson County, Indiana, more particularly described as follows:

BEGINNING at the southeast corner of said Southwest Quarter; thence South 87 degrees 39 minutes 48 seconds West 1,686.91 feet along the south line of said Southwest Quarter (assumed basis of bearings) to the east right-of-way line of Interstate 65 per INDOT Project Number I-65-3(92)85; thence North 26 degrees 41 minutes 45 seconds West 1,451.46 feet along said east right-of-way line to the southwest corner of the Amended Plat for Franklin Tech Park, Lot 2, recorded in Plat Book D, Slide 589, Pages A – B in the Office of the Recorder of Johnson County, Indiana, the following four (4) courses are along the south line of said Lot 2; 1)thence North 85 degrees 52 minutes 35 seconds East 96.96 feet; 2)thence North 88 degrees 31 minutes 28 seconds East 141.78 feet; 3)thence North 87 degrees 15 minutes 07 seconds East 263.34 feet; 4)thence North 88 degrees 23 minutes 00 seconds East 278.00 feet to the southeast corner of said Lot 2; thence continuing North 88 degrees 23 minutes 00 seconds East 221.05 feet to the east line of the West Half of said Southwest Quarter; thence North 00 degrees 15 minutes 24 seconds West 823.77 feet along the east line of said West Half to the south right-of-way line of County Road 50 South; thence South 89 degrees 29 minutes 06 seconds East 1,336.49 feet along said south right-of-way line to the east line of said Southwest Quarter; thence South 00 degrees 07 minutes 27 seconds West 2,075.55 feet along said east line to the POINT OF BEGINNING. Containing 85.213 acres, more or less.