

**RESOLUTION NUMBER 2011-19
OF THE FRANKLIN REDEVELOPMENT COMMISSION**

**APPROVING A REAL ESTATE TRANSFER
FROM THE CITY OF FRANKLIN, INDIANA TO THE
FRANKLIN REDEVELOPMENT COMMISSION**

WHEREAS, the City of Franklin, Indiana ("City") owns the following real estate (the "City Parcels") located in the City, all of which are in need of redevelopment, and with respect to each, the City is the "Transferring Party" and the Franklin Redevelopment Commission ("RDC") is the "Receiving Party":

- A. The Oren Wright Property. The City owns fee simple title to approximately one and nine hundred forty-eight thousandths (1.948) acres of real property formerly known as the Oren Wright Building site, located at 80 South Jackson Street, Franklin, Johnson County, Indiana and legally described on Exhibit "A" attached hereto and incorporated herein by reference.
- B. G.C. Murphy Property. The City owns fee simple title to approximately two hundred nine thousandths (.209) acres of real property and improvements thereon located at 56-58 East Jefferson Street, Franklin, Johnson County, Indiana and legally described on Exhibit "B" attached hereto and incorporated herein by reference.
- C. Old City Hall. The City owns fee simple title real property and improvements located at 55 West Madison Street, Franklin, Johnson County, Indiana, and legally described on Exhibit "C" attached hereto and incorporated herein by reference.
- D. Wayne/Jackson Street Properties. The City owns fee simple title to four (4) contiguous lots comprising approximately five hundred twenty thousandths (.520) acres of real property located at the northeast corner of Wayne and Jackson Streets, Franklin, Johnson County, Indiana and legally described on Exhibit "D" attached hereto and incorporated herein by reference.

WHEREAS, the RDC, by a resolution adopted on May 8, 2008, as confirmed by a resolution adopted on June 18, 2008 (the "Consolidated Resolution") designated an area known as the Franklin Downtown/I-65 Integrated Economic Development Area (the "Integrated Economic Development Area"), as an economic development area pursuant to Section 41 of the Act and approving an economic development plan for the Integrated Economic Development Area (the "Integrated Economic Development Plan".)

WHEREAS, the City Parcels are located within the Integrated Economic Development Area;

WHEREAS, pursuant to Indiana Code Section 36-7-14-2, the clearance, re-planning, and redevelopment of areas needing redevelopment, including the City Parcels, are public uses and public purposes.

WHEREAS, pursuant to Indiana Code Section 36-7-14-2.5, the assessment, planning, re-planning, remediation, development, and redevelopment of economic development areas:

- A. are public and governmental functions that cannot be accomplished through the ordinary operations of private enterprise because of: (1) the necessity for requiring the proper use of the land so as to best serve the interests of the county and its citizens; and (2) the costs of these projects;
- B. will benefit the public health, safety, morals, and welfare; increase the economic well-being of the unit and the state; and serve to protect and increase property values in the unit and the state; and
- C. are public uses and purposes for which public money may be spent and private property may be acquired.

WHEREAS, the RDC is empowered to and is the appropriate entity to redevelop properties within the City that are in need of redevelopment. Specifically, the RDC's statutory duties pursuant to Indiana Code Section 36-7-14-11 include the duties to:

- A. investigate, study, and survey areas needing redevelopment within the corporate boundaries of the unit;
- B. investigate, study, determine, and, to the extent possible, combat the causes of areas needing redevelopment;
- C. promote the use of land in the manner that best serves the interests of the unit and its inhabitants;
- D. cooperate with the departments and agencies of the unit;
- E. select and acquire the areas needing redevelopment to be redeveloped under this chapter; and
- F. replan and dispose of the areas needing redevelopment in the manner that best serves the social and economic interests of the unit and its inhabitants.

WHEREAS, pursuant to Indiana Code Section 36-7-14-12.2, the RDC may further do the following:

- A. acquire by purchase, exchange, gift, grant, condemnation, or lease, or any combination of methods, any personal property or interest in real property needed for the redevelopment of areas needing redevelopment that are located within the corporate boundaries of the unit.
- B. hold, use, sell (by conveyance by deed, land sale contract, or other instrument), exchange, lease, rent, or otherwise dispose of property acquired for use in the redevelopment of areas needing redevelopment on the terms and conditions that the commission considers best for the unit and its inhabitants.
- C. sell, lease, or grant interests in all or part of the real property acquired for redevelopment purposes to any other department of the unit or to any other governmental agency for public ways, levees, sewerage, parks, playgrounds, schools, and other public purposes on any terms that may be agreed on.

- D. clear real property acquired for redevelopment purposes.
- E. repair and maintain structures acquired for redevelopment purposes.
- F. remodel, rebuild, enlarge, or make major structural improvements on structures acquired for redevelopment purposes.
- G. use any legal or equitable remedy that is necessary or considered proper to protect and enforce the rights of and perform the duties of the department of redevelopment.

WHEREAS, the RDC has performed and has plans to perform its statutory duties with respect to redevelopment as shown on the attached Exhibit "E", with the acquisition of the City Parcels being additions thereto.

WHEREAS, the parties desire that the City Parcels be transferred by deed from the City to the RDC for redevelopment by the RDC consistent with its statutory duties and powers, including those enumerated above.

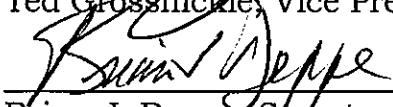
NOW, THEREFORE, in consideration of the foregoing and other valuable consideration, including the RDC's continuing statutory duty to redevelop the City Parcels, the receipt and legal sufficiency of which the parties acknowledge, the City agrees to transfer the City Parcels to the RDC and the RDC agrees to accept the transfer pursuant to the terms and conditions of a Real Estate Transfer Agreement attached hereto and approved in substantially final form.

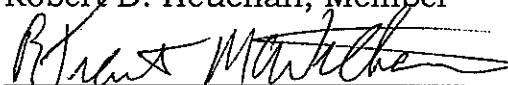
This resolution shall be in full force and effect from and after its adoption this 27th day of October, 2011.

FRANKLIN REDEVELOPMENT COMMISSION


Larry Koenes, President


Ted Grossnickle, Vice President


Brian J. Deppe, Secretary

Robert D. Heuchan, Member

Trent McWilliams, Member

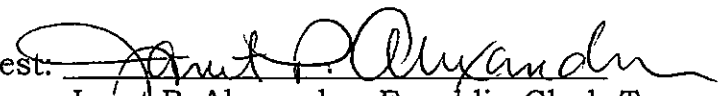
Attest: 
Janet P. Alexander, Franklin Clerk-Treasurer

Exhibit A

Legal Description for Oren Wright Property

Tract 1:

The East half of the South half, and the East half of the North half of Lot Numbered 56 in the Original Plat of the Town, now City of Franklin, Indiana.

Tract 2:

Part of the Original Plat to the City of Franklin, Indiana.

Beginning on the North line of Monroe Street at the Southwest corner of Lot Numbered 57 in the said plat; thence North 00 degrees 26 minutes 10 seconds East on and along the West line of said lot 144.00 feet; thence North 86 degrees 41 minutes 50 seconds East on and along the North line of said lot 145.00 feet; thence North 00 degrees 18 minutes 10 seconds West 19.00 feet; thence North 78 degrees 26 minutes 30 seconds East 40.45 feet; thence North 00 degrees 02 minutes 00 seconds West 7.00 feet; thence North 86 degrees 48 minutes 00 seconds East 52.00 feet to the West line of Lot Numbered 42; thence North 00 degrees 24 minutes 00 seconds West along the West line of Lot Numbered 42 and Lot Numbered 41 a distance of 123.95 feet to the North line of said Lot Numbered 41; thence North 86 degrees 46 minutes 00 seconds east on and along said North line 144.00 feet to the East line of said lot; thence South 00 degrees 00 minutes 00 seconds East on and along said East line of Lots Numbered 41, 42 and 55 a distance of 227.73 feet to the Northeast corner of Lot numbered 56; thence South 86 degrees 40 minutes 30 seconds West on and along the north line of Lot Numbered 56 a distance of 72.00 feet; thence South 00 degrees 00 minutes 00 seconds east 72.00 feet to the South line of said Lot Numbered 56; thence South 86 degrees 40 minutes 30 seconds West on and along the South line of Lots Numbered 56 and 57, 309.00 feet to the Place of Beginning, and containing in the above described real estate, Lots Numbered 41, 42, 55 and 57, and the West half of Lot Numbered 56, and part of Lot Numbered 40 in the Original Plat to the City of Franklin, Indiana, together with all the buildings and improvements erected thereon. Subject to all legal rights-of-way, which rights-of-way consist of a 12 foot alley adjoin the West sides of said lots 41, 42, 55 and 56, and a 12 foot alley adjoining the North side of Lot 57, and the alley intersection.

Exhibit B

Legal Description for G.C. Murphy Property

The West One-half and the West One-half of the East one-half of Lot Numbered 30 in the Original Plat of the City of Franklin, as recorded in Plat Book 1, Page 1, in the Office of the Recorder of Johnson County, Indiana.

Commonly known as: 56-58 East Jefferson Street, Franklin, Indiana, 46131

Exhibit C

Legal Description for Old City Hall

Lot Seventeen (17) and Eighteen (18) in the original plat of the town, now City of Franklin, Johnson County, Indiana

Exhibit D

Legal Description for Wayne/Jackson Street Properties

Tract 1:

Parts of Lots Numbered 79 and 80 in the Original Plat of the City of Franklin, Indiana, described as follows:

Beginning on the South line of said Lot Numbered 80, 41 feet west of the Southeast corner of said Lot Numbered 80; thence North 144 feet across the said Lots Numbered 79 and 80 to the North line of said lot 79; thence West along said North line of Lot Numbered 79, 31 feet; thence South 144 feet to the South line of Lot Numbered 80; thence East 31 feet to the Place of Beginning.

Commonly known as 82 West Wayne Street, Franklin, Indiana 46131

ALSO: Part of the West half of Lots 79 and 80 in the Original Plat to the Town, now City of Franklin, Indiana, described as follows:

Beginning on the South line of said Lot 80 in the above addition and 36 feet east of the Southwest corner of said Lot 80 and running thence East 36 feet along the South line of said Lot; thence North and parallel with the East line of said Lot 144 feet to the North line of Lot 79 in said addition; thence West along said North line of said Lot 79, 16 feet; thence South and parallel to the East line of said Lot 79, 72 feet to the South line of said Lot; thence West along the said South line of said Lot 79, 20 feet; thence South and parallel to the East line of Lot 80 to the Place of Beginning.

Commonly known as: 84 West Wayne Street, Franklin, Indiana 46131

Parts of Lots Numbered 79 and 80 of the Original Plat of the City of Franklin, Indiana, described as follows:

Beginning at the Southeast corner of Lot Numbered 80 and continuing on North along and on the East line of said Lot Numbered 79 to the Northeast corner of said Lot 79; thence West along the North side of Lot Numbered 79, Forty-One (41) feet to a stake; thence South One Hundred Forty-Four (144) feet across Lots 79 and 80 above mentioned to the South line of Lot Numbered 80; thence East along the South line of Lot Numbered 80, Forty-One (41) feet to the Place of Beginning.

Commonly known as 82 West Wayne Street, Franklin, Indiana 46131

Tract 2:

A part of the West half of Lot Numbered 79 in the Original Plat of the Town, now City of Franklin, Indiana, described as follows to-wit:

Beginning at the Southwest corner of Lot Numbered 79 in the above Addition and running thence East 56 feet along the South line of said Lot; thence North and parallel to the East line of said Lot, 72 feet to the North line of said Lot; thence West 56 feet along said North line to the West line said Lot; thence South 72 feet along said West line to the Place of Beginning, situate in the City of Franklin, Johnson County, Indiana.

Commonly known as: 50 West Wayne Street, Franklin, Indiana 46131

Tract 3:

A part of the West half of Lot Numbered 80 in the Original Plat of the Town, now City of Franklin, Indiana, described as follows, to-wit:

Beginning at the Southwest Corner of Lot Numbered 80 in the above addition and running thence East 36 feet along the South line of said Lot; thence North and parallel to the East line of said Lot, 72 feet; thence West and parallel to the South line of said Lot, 36 feet to the West line of said Lot; thence South along said West line 72 feet to the Place of Beginning.

Commonly known as: 169 South Jackson Street, Franklin, Indiana 46131

Exhibit E

Redevelopment Projects

10-01 Fire Station #22	\$1,750,000.00
10-02 Best Buy Sorter	\$592,000.00
10-05 Best Buy Equipment	\$17,000.00
10-07 Funding FDC operating expenses	\$2,200,050.00
10-08 Renovation of 425 E. Jefferson St.	\$50,100.00
10-09 KOE	\$8,000.00
10-10 TailGate Beer	\$15,100.00
10-11 Cornett Roofing	\$70,100.00
10-12 Gateway - survey	\$200,000.00
10-13 Mi-Yu	\$21,000.00
10-14 Outdoor Furnishing	\$14,500.00
10-15 Gateway - Crossroad Engineers	\$186,000.00
10-16 Bartram Parkway	\$265,000.00
10-17 Klaisler	\$4,300.00
10-19 Discover Downtown Franklin	\$100,100.00
11-02 FDC Corp Funding	\$2,225,050.00
11-03 Wayfinding Project	\$12,100.00
11-04 Gateway - Crossroad Engineers	\$447,500.00
11-05 Production Handling Systems	\$110,050.00
11-06 International Drive Drainage	\$564,000.00
11-08 151 W. Jefferson Street	\$66,000.00
11-09 151 W. Jefferson St. Demolition	\$30,000.00
11-10 Commerce Drive Project	\$23,600.00
11-12 Crossroad Engineers Addendum	\$16,500.00
11-13 Heartland Machine	\$110,500.00
11-14 International Drive Drainage Utility line	\$17,590.00