

City of Franklin Common Council

**ORDINANCE # 2013-12**

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 Creekside Annexation 1)

**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 #2013-24 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 #2013-24"); and

**WHEREAS**, pursuant to IC 36-7-4-605, Resolution #2013-24 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 retain its current zoning of Institutional (IN).
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all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and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 3; 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 7<sup>th</sup> day of October, 2013.

**PUBLIC HEARING** held on the 21 day of October, 2013.

**DULY ADOPTED** on this 4 day of November 2013, by the Common Council of the City of Franklin, Johnson County, Indiana having been passed by a vote of \_\_\_\_\_ in Favor and \_\_\_\_\_ Opposed.

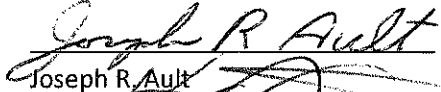
City of Franklin, Indiana, by its Common Council:

**Voting Affirmative:**



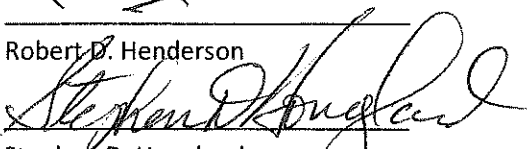
Stephen D. Barnett, Council President

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

  
Joseph R. Ault

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

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

  
Stephen D. Hougland  
Richard L. Wertz

**Voting Opposed:**

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

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

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

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Kenneth W. Austin

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Robert D. Henderson

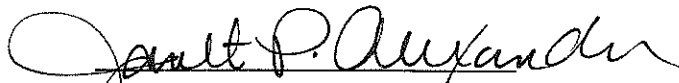
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Stephen D. Hougland

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Richard L. Wertz

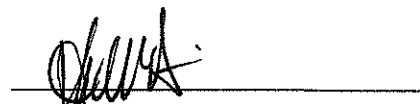
Attest:

  
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 5 day of November at 8<sup>30</sup> o'clock ~~A~~<sup>A</sup>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 5 day of November at 9 00 o'clock ~~P~~<sup>A</sup>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'**

A PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN JOHNSON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 04 MINUTES 33 SECONDS WEST (DEED BEARINGS) ON AND ALONG THE EAST LINE OF SAID QUARTER SECTION, 1364.75 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 50 MINUTES 54 SECONDS WEST, ON AND ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION, 200.00 FEET; THENCE SOUTH 77 DEGREES 45 MINUTES 46 SECONDS WEST 600.00 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 54 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SAID QUARTER QUARTER, 200.00 FEET; THENCE NORTH 77 DEGREES 45 MINUTES 46 SECONDS EAST 600.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.58 ACRES, MORE OR LESS, SUBJECT TO ANY AND ALL EASEMENTS, AGREEMENTS AND RESTRICTION OF RECORD.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2013-24  
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

**NAME OF PETITIONER:**

Franklin Community Schools 1996 Building Corporation  
d/b/a Franklin Community School Corporation

**PLAN COMMISSION DOCKET NUMBER:**

PC 2013-24

**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 2002 Comprehensive Plan's recommendation for Institutional Center; 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 17<sup>th</sup> day of September, 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.

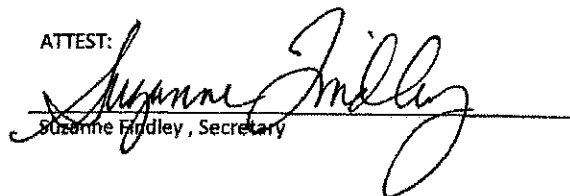
**NOW THEREFORE BE IT RESOLVED THAT THE FRANKLIN CITY PLAN COMMISSION HEREBY FORWARDS A FAVORABLE RECOMMENDATION TO THE FRANKLIN COMMON COUNCIL THAT:**

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 17<sup>th</sup> day of September, 2013.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:

  
Suzanne Findley, Secretary

  
Jim Martin, President

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