

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all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and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 4th day of November, 2013.

PUBLIC HEARING held on the 18 day of November, 2013.

DULY ADOPTED on this 2 day of December 2013, by the Common Council of the City of Franklin, Johnson County, Indiana having been passed by a vote of 6 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

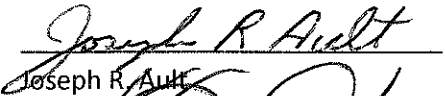
Voting Affirmative:



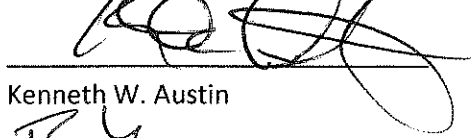
Stephen D. Barnett, Council President



Joseph P. Abban



Joseph R. Ault



Kenneth W. Austin



Robert D. Henderson



Stephen D. Hougland

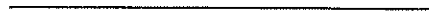
Absent

Richard L. Wertz

Voting Opposed:



Stephen D. Barnett, Council President



Joseph P. Abban



Joseph R. Ault



Kenneth W. Austin



Robert D. Henderson



Stephen D. Hougland



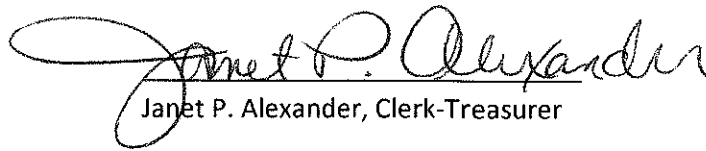
Richard L. Wertz

Attest:

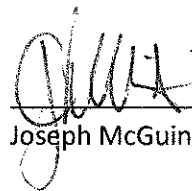


Janet P. Alexander, Clerk-Treasurer

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 3 day of December at 2⁰⁰ 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 3 day of December at 2:00 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 15th 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 15th day of October, 2013.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:


Suzanne Findley, Secretary


Jim Martin, President

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