

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------|--------------|
| Date Submitted: | 03/21/18 | Meeting Date: | 04/02/18 |
| Contact Information: | | | |
| Requested by: | Lynn Gray | | |
| On Behalf of Organization or Individual | | City of Franklin | |
| Telephone: | 317-738-3365 | | |
| Email address: | Lynng@jgmlawfirm.com | | |
| Mailing Address: | 63 E. Court Street, Franklin, IN 46131 | | |
| Describe Request | | | |
| Request approval of Resolution 2018-03, A Resolution Adopting A Partial Mortgage Release Policy for the West Jefferson, Jeff and Westview, and South Main Street Improvement Projects. | | | |
| List Supporting Documentation Provided: | | | |
| Attached Resolution 2018-03 | | | |
| Who will present the request? | | | |
| Name: | Lynn Gray | Telephone: | 317-738-3365 |

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

Resolution of the City of Franklin Board of Works

Resolution No.: 2018-03

**A RESOLUTION ADOPTING A PARTIAL MORTGAGE RELEASE POLICY
FOR THE WEST JEFFERSON, JEFF AND WESTVIEW, AND SOUTH MAIN STREET
IMPROVEMENT PROJECTS**

WHEREAS, the City of Franklin by and through its Board of Works (hereinafter referred to as "City") is a government organization providing services to the citizens of Franklin, Indiana; and

WHEREAS, the City of Franklin has currently undertaken certain Public Works Projects which are commonly known and identified as follows:

- a. West Jefferson Path Project
- b. Jeff Street and Westview Street Project
- c. South Main Street Project

WHEREAS, in conjunction with completing said projects, certain conveyance documents are required from owners of parcels of real estate in order to acquire property to construct the necessary improvements associated with each project therein; and

WHEREAS, those conveyance documents include certain easements and warranty deeds from the owners of the parcels of real estate; and

WHEREAS, some of the parcels of real estate may be encumbered by mortgages and there is a cost associated with obtaining a partial release of mortgage in addition to an uncertain amount of time or delay in obtaining said partial release; and

WHEREAS, the property acquired by the City as to individual parcels and necessary for completion of the above identified projects and their improvements is limited in nature and receipt of the property by the City, without a partial mortgage release on small projects is of minimal risk to the City versus the costs and additional time incurred in obtaining the same; and

WHEREAS, the costs to the parcel owner of a mortgage release fee in conjunction with the lengthy release process and the additional delay and time required are undue burdens on both the City and the property owner; and

WHEREAS, the Indiana Department of Transportation ("INDOT") has adopted a policy wherein a partial mortgage release is not required for an acquisition of less than \$25,000.00 and a copy of said policy is attached hereto as Exhibit "A"; and

WHEREAS, after careful consideration the Board of Works of the City of Franklin does hereby adopt the INDOT policy referenced above for parcels of property necessary to complete

the West Jefferson Street Path Project; the Jeff Street and Westview Project; and the South Main Street Project; and

WHEREAS, the City shall follow the Partial Mortgage Release Policy adopted by INDOT for acquisitions of less than \$25,000.00 related to the applicable project all as set forth on the attached "Exhibit "A".

BE IT THEREFORE RESOLVED the City of Franklin does hereby adopt the above aforementioned as findings of fact;

IT IS FURTHER RESOLVED that for the West Jefferson Path Project; the Jeff Street and Westview Project; and South Main Street Projects the City shall follow the Partial Mortgage Release Policy adopted by INDOT for acquisitions of less than \$25,000.00 which is attached hereto and marked as Exhibit "A";

IT IS FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and as provided for by applicable law.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of _____, 2018.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

Mayor Steve Barnett

Mayor Steve Barnett

Melissa Jones, Member

Melissa Jones, Member

Robert Swinehamer, Member

Robert Swinehamer, Member

Attest:

Jayne Rhoades, Clerk Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41