

City of Franklin Common Council

ORDINANCE NUMBER 2018-12

AN ORDINANCE APPROVING RESOLUTION NUMBER 2018-25
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN
MXC (Mixed Use: Community Center) and IG (Industrial: General)
(To be known as Kelsay Rezoning)

2018-027169
RECORDED ON
12/12/2018
09:39:12 AM
JILL L JACKSON
JOHNSON COUNTY
RECORDER
PROPERTY
PAGES: 5

WHEREAS, the City of Franklin, Indiana Plan Commission (referred to hereafter as the "Plan Commission") is an advisory Plan Commission to the City of Franklin, Indiana (referred to hereafter as the "City"), and has, by Resolution Number 2018-25 recommended that the City's Common Council amend the Zoning Map and rezone the property described in Exhibit "A", attached hereto, to Mixed Use: Community Center (MXC) with the Gateway Overlay district (GW-OL) to remain and rezone property described in Exhibit "B", attached hereto, to Industrial: General (IG).

WHEREAS, pursuant to Indiana Code § 36-7-4-605, Resolution 2018-25 has been certified to the City's Common Council; and

WHEREAS, the recommendation of the Plan Commission should be adopted, and the rezoning of the property described in Exhibit "A" and Exhibit "B" should be approved.

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

1. **Zoning Map Amended:** The subject property described in Exhibit "A" is hereby rezoned to Mixed Use: Community Center (MXC), with Gateway Overlay district (GW-OL) to remain and property described in Exhibit "B" is hereby rezoned to Industrial: General (IG).
2. **Construction of Clause Headings.** 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.
3. **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect upon the remaining provisions of this ordinance.
4. **Severability of Provisions.** 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.
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-16.

FILED

SUBJECT TO FINAL ACCEPTANCE

DEC 12 2018

Paul J. Burton
AUDITOR, JOHNSON COUNTY

Sales Disclosure NOT Required
Johnson County Assessor

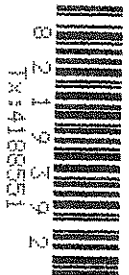


EXHIBIT "A"

PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 13 NORTH, RANGE 4 EAST, FRANKLIN TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF US HIGHWAY 31 AND THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE EASTERLY ALONG SAID NORTH LINE TO A POINT 600 FEET BY PARALLEL LINES EAST OF SAID CENTERLINE; THENCE SOUTHEASTERLY PARALLEL TO SAID CENTERLINE TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE WESTERLY ALONG SAID SOUTH LINE TO SAID CENTERLINE; THENCE NORTHWESTERLY ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING.

EXHIBIT "B"

PART OF THE NORTH HALF OF SECTION 34, TOWNSHIP 13 NORTH, RANGE 4 EAST, FRANKLIN TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF THE INDIANA & LOUISVILLE RAILROAD AND THE NORTH LINE OF SAID SECTION 34; THENCE SOUTHEASTERLY ALONG SAID WEST RIGHT OF WAY TO THE SOUTH LINE OF SAID NORTH HALF; THENCE WESTERLY ALONG SAID SOUTH LINE TO A POINT BEING 600 FEET BY PARALLEL LINES EAST OF THE CENTERLINE OF US HIGHWAY 31; THENCE NORTHWESTERLY PARALLEL TO SAID CENTERLINE TO THE NORTH LINE OF SAID SECTION 34; THENCE EASTERLY ALONG SAID NORTH LINE TO THE PLACE OF BEGINNING. CONTAINING 112 ACRES, MORE OR LESS.

AND

PART OF THE EAST HALF OF SECTION 34, TOWNSHIP 13 NORTH, RANGE 4 EAST AND PART OF THE WEST HALF OF SECTION 35, TOWNSHIP 13 NORTH, RANGE 4 EAST, ALL IN FRANKLIN TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:


BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID WEST HALF TO THE NORTHEAST CORNER OF A TRACT OF LAND RECORDED AS INSTRUMENT NUMBER 94013320 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY; THENCE ALONG SAID INSTRUMENT NUMBER 94013320 THE FOLLOWING THREE COURSES: 1) WESTERLY ALONG THE NORTH LINE OF SAID TRACT TO THE NORTHWEST CORNER THEREOF; 2) SOUTHERLY ALONG THE WEST LINE OF SAID TRACT TO THE SOUTHWEST CORNER THEREOF; 3) EASTERLY ALONG THE SOUTH LINE OF SAID TRACT TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTHERLY ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SAID SECTION 35 TO THE NORTHEAST CORNER OF AMBROSE MINOR SUBDIVISION, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET D, SLIDE 612 IN SAID RECORDER'S OFFICE; THENCE WESTERLY ALONG THE NORTH LINE OF SAID PLAT TO THE NORTHWEST CORNER OF SAID PLAT AND THE NORTHEAST CORNER OF BLUE CHIP INDUSTRIAL PARK, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET D, SLIDE 340 IN SAID RECORDER'S OFFICE; THENCE WESTERLY ALONG THE NORTH LINE OF SAID PLAT TO THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED AS INSTRUMENT NUMBER 2012-020896 IN SAID RECORDER'S OFFICE; THENCE ALONG SAID INSTRUMENT NUMBER 2012-020896 THE FOLLOWING TWO COURSES: 1) NORTHERLY ALONG THE EAST LINE OF SAID TRACT TO THE NORTHEAST CORNER THEREOF; 2) EASTERLY ALONG THE NORTH LINE OF SAID TRACT TO THE WEST LINE OF SAID SECTION 35; THENCE NORTHERLY ALONG SAID WEST LINE TO THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED AS INSTRUMENT NUMBER 97004567 IN SAID RECORDER'S OFFICE; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT TO THE EAST LINE OF THE LOUISVILLE & INDIANA RAILROAD; THENCE NORTHWESTERLY ALONG SAID EAST LINE TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE EASTERLY ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE PLACE OF BEGINNING.

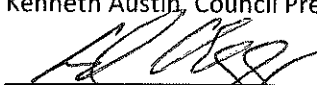
INTRODUCED on the 1st day of October, 2018.

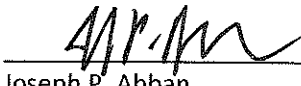
DULY PASSED on this 5 day of November, 2018, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

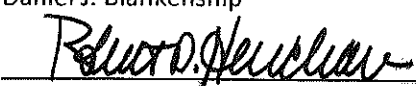
Voting Affirmative:


Kenneth Austin, Council President

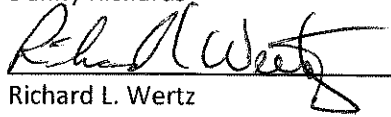

Andrew Eggers, Vice President


Joseph P. Abban


Daniel J. Blankenship


Robert D. Heuchan


Danny Richards


Richard L. Wertz

Voting Opposed:

Kenneth Austin, Council President

Andrew Eggers, Vice President

Joseph P. Abban

Daniel J. Blankenship

Robert D. Heuchan

Danny Richards

Richard L. Wertz

Attest:


Jayne Rhoades, City 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 and 16, this 5 day of November, 2018 at 6:10 o'clock p.m.


Jayne Rhoades, City 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, 2018 at 6:10 o'clock p.m.



Steve Barnett, Mayor

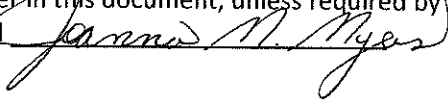
Attest:



Jayne Rhoades, City Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed



Prepared by:

Joanna Myers, Senior Planner

Department of Planning & Engineering

70 E. Monroe Street

Franklin, IN 46131