

City of Franklin Common Council

ORDINANCE # 2018-13

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 Linville Annexation – 8.711 ac.)

2018-027170
RECORDED ON
12/12/2018
09:39:12 AM
JILL L JACKSON
JOHNSON COUNTY
RECORDER
REC FEE: 25.00
TECHNICAL

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 #2018-22 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 #2018-22"); and

WHEREAS, pursuant to IC 36-7-4-605, Resolution #2018-22 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.
2. 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
3. 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all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and
4. 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
5. The provisions set forth in this ordinance become and will remain in full force and effect on the second January 1 that follows the date the ordinance is adopted pursuant to Indiana Code; and
6. Said newly annexed territory shall become a part of Council District 2; and

FILED

SUBJECT TO FINAL ACCEPTANCE

DEC 12 2018

Randa J. Burton
AUDITOR, JOHNSON COUNTY

File Disclosure NOT Required
Johnson County Assessor

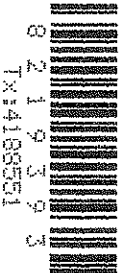


EXHIBIT "A"

Part of the Southwest Quarter of Section 2, Township 12 North, Range 4 East of the Second Principal Meridian, Franklin Township, Johnson County, Indiana, described as follows:

Commencing at the Southeast corner of said Quarter Section; thence North 00 degrees 30 minutes 12 seconds West (the basis of bearings are referenced to grid bearings based on NAD 83 Indiana State Plane Coordinate System, East Zone per Indiana Department of Transportation (INDOT) Continuously Operating Reference Stations (InCORS) real-time kinematic (RTK) correction service July 2018) along the east line thereof 598.46 feet to the northeast corner of the land described in a Warranty Deed to the Board of Commissioners of Johnson County, IN recorded as Instrument 2006-016491 in the Office of the Recorder of Johnson County, Indiana, and the POINT OF BEGINNING; thence South 89 degrees 29 minutes 48 seconds West along the north line thereof 726.00 feet to the northwest corner thereof; thence North 00 degrees 30 minutes 12 seconds West 327.56 feet; thence North 89 degrees 18 minutes 52 seconds East 176.00 feet; thence North 00 degrees 30 minutes 12 seconds West 255.27 feet; thence North 89 degrees 09 minutes 26 seconds East 550.01 feet to the east line of the Southwest Quarter; thence South 00 degrees 30 minutes 12 seconds East along said east line 586.65 feet to the POINT OF BEGINNING, containing 8.711 acres (379,460 SF), more or less.

AND INCLUDING ALL CONTIGUOUS AREAS OF PUBLIC HIGHWAYS AND RIGHTS-OF-WAY OF THE PUBLIC HIGHWAYS WHICH ARE NOT ALREADY CONTAINED WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FRANKLIN.

7. 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),

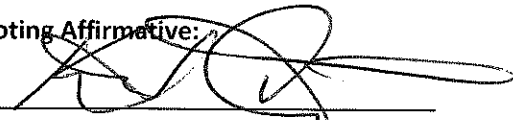
INTRODUCED AND FILED on the 1st day of October, 2018.

PUBLIC HEARING held on the 15th day of OCTOBER, 2018.

DULY ADOPTED 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.

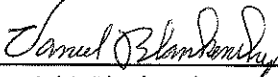
City of Franklin, Indiana, by its Common Council:

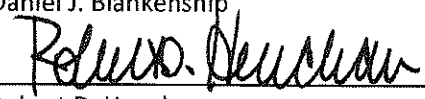
Voting Affirmative:

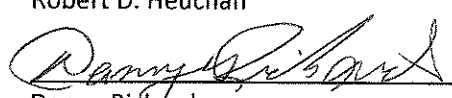

Kenneth Austin, Council President

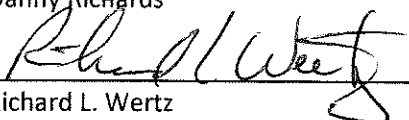

Andrew Eggers, Vice President


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 6:11 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 6:12 o'clock p.m.

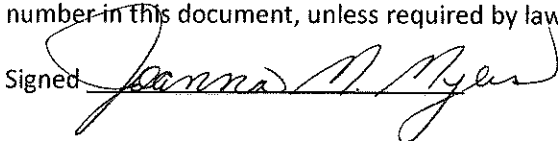

Steve Barnett, Mayor

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



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2018-22
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:

Fred Linville

PLAN COMMISSION DOCKET NUMBER:

PC 2018-22

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 and proposed improvements have been submitted and reviewed by the Plan Commission; and

WHEREAS, the said improvements are consistent with the 2013 Comprehensive Plan; 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 18th day of September, 2018 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

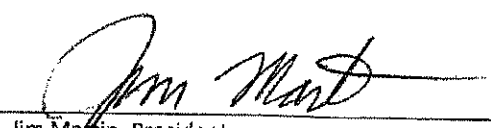
WHEREAS, the Franklin Plan Commission took all of the public comments received at said public hearing under advisement prior to taking any action on said annexation petition.

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 18th day of September, 2018.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA


Jim Martin, President

ATTEST:


Suzanne Findley, Secretary

EXHIBIT "A"

Part of the Southwest Quarter of Section 2, Township 12 North, Range 4 East of the Second Principal Meridian, Franklin Township, Johnson County, Indiana, described as follows:

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