



**\*\*Re-record to correct legal description\*\***

City of Franklin Common Council

**ORDINANCE # 2018-11**

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 Kelsay Annexation)

2018-027168  
RECORDED ON  
12/12/2018  
09:39:12 AM  
JILL L JACKSON  
JOHNSON COUNTY  
RECORDER  
REC FEE: 25.00  
TAX: 1.00

2020-022972  
RECORDED ON  
08/25/2020 08:31:01 AM  
TERESA K. PETRO  
JOHNSON COUNTY RECORDER  
REC FEE: 25.00  
PAGES: 8

**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 #2018-24 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 #2018-24"); and

**WHEREAS**, pursuant to IC 36-7-4-605, Resolution #2018-24 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.
2. Pursuant to I.C. 36-4-3-4.1, all portions of the annexation territory that are assessed as agricultural land under the real property assessment rules and guidelines of the department of local government finance shall be exempt from all property tax liability under I.C. 6-1.1 for municipal purposes and shall remain exempt from the property tax liability for so long as the property's assessment classification remains agricultural. There may not be a change in the zoning classification of the annexation territory without the consent of the owner of the annexed territory.
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

**FILED**

SUBJECT TO FINAL ACCEPTANCE

AUG 25 2020

*Pamela J. Burton*  
AUDITOR, JOHNSON COUNTY

**FILED**

SUBJECT TO FINAL ACCEPTANCE

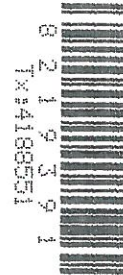
DEC 12 2018

*Pamela J. Burton*  
AUDITOR, JOHNSON COUNTY

**Sale Disclosure NOT Required  
Johnson County Assessor**

8/25/2020 SKB

**Sales Disclosure NOT Required  
Johnson County Assessor**



0007098

# EXHIBIT "A"

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

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF THE INDIANAPOLIS & LOUISVILLE RAILROAD AND THE NORTH LINE OF SAID SECTION 34; THENCE SOUTHEASTERLY ALONG SAID WEST RIGHT OF WAY TO A POINT 16.5 FEET BY PARALLEL LINES SOUTH OF THE NORTH LINE OF SAID SECTION 34 AND THE PLACE OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID WEST RIGHT OF WAY TO THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 34; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE EAST RIGHT OF WAY OF US HIGHWAY 31; THENCE NORTHWESTERLY ALONG SAID EAST RIGHT OF WAY TO THE SOUTH LINE OF PARCEL 7 IN INSTRUMENT NUMBER 97004567, AS RECORDED IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY; THENCE ALONG SAID PARCEL 7 THE FOLLOWING TWO COURSES: 1) EASTERLY TO THE SOUTHEAST CORNER THEREOF; 2) NORTHWESTERLY PARALLEL TO SAID EAST RIGHT OF WAY TO A POINT 16.5 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 34; THENCE EASTERLY PARALLEL TO SAID NORTH LINE TO THE PLACE OF BEGINNING.

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~~



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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.

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 5; 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 1<sup>st</sup> day of October, 2018.

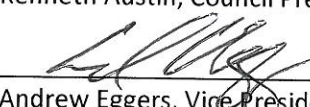
**PUBLIC HEARING** held on the 15<sup>TH</sup> day of OCTOBER, 2018.

**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:

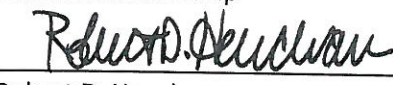
**Voting Affirmative:**

  
Kenneth Austin, Council President

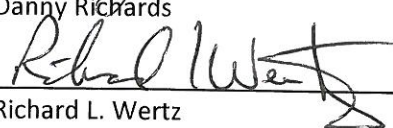
  
Andrew Eggers, Vice President

  
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  
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 6:14 o'clock p.m.

Jayne Rhoades  
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 6:14 o'clock p.m.

Steve Barnett  
Steve Barnett, Mayor

Attest:

Jayne Rhoades  
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

Joanna M. Myers

Prepared by:

Joanna Myers, Senior Planner  
Department of Planning & Engineering  
70 E. Monroe Street  
Franklin, IN 46131



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2018-24  
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

**NAME OF PETITIONER:**

Joe Kelsay

**PLAN COMMISSION DOCKET NUMBER:**

PC 2018-24

**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 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 18<sup>th</sup> 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:**

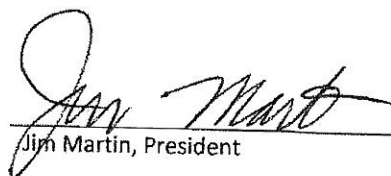
1. The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be approved for annexation to the City of Franklin.
2. On behalf of the secretary, staff of the Plan Commission is hereby directed to forward a copy of this resolution to the Petitioner and the City of Franklin 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 18<sup>th</sup> day of September, 2018.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:

  
Suzanne Indley, Secretary

  
Jim Martin, President



**EXHIBIT "A"**

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