FILED SUBJECT TO FINAL ACCEPTANCE AUG 2 5 2020

AUDITOR, JOHNSON COUNTY

City of Franklin Common Council

**ORDINANCE # 2020-07** 

2020-022973
RECORDED ON
08/25/2020 08:31:02 AM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 25.00
PAGES: 8

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 Tresslar/GR2 Land/Davis 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 #2020-10 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 #2020-10"); and

WHEREAS, pursuant to IC 36-7-4-605, Resolution #2020-10 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all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and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 pursuant to Indiana Code; and
- 6. Said newly annexed territory shall become a part of Council District 2; and



| INTRODUCED AND EUCD and Arthur                                |  |
|---|--|
| INTRODUCED AND FILED on the 15 <sup>th</sup> day of June, 2   |  |
| PUBLIC HEARING held on the day of                             | ne, 2020.  |
| the City of Franklin, Johnson County, Indiana havin  Opposed. | 2020, by the Common Council of g been passed by a vote of in Favor and |
| City of Franklin, Indiana, by its Common Council:             |  |
| Voting Affirmatives   | Voting Opposed:  |
| Kenneth Austin, President                                     | Kenneth Austin, President  |
| Absent  |  |
| Melissa Jones Vanil J. Blampung                               | Melissa Jones  |
| Daniel J. Blankenship   | Daniel J. Blankenship  |
| Robert D. Heuchan   | Robert D. Heuchan  |
| Anne McGuinness   | Anne McGuinness  |
| Chris Rynerson  | Chris Rynerson   |
| Absent.   |  |
| Shawn Taylor  | Shawn Taylor   |
| Attest:  Jame Rhoades City Clerk-Treasurer                    |  |

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),

| Indiana Code § 36-4-6-15 and 16, this day of, 2020 at, 2020 at  |
|---|
| 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 20day of 2020 at 6:50 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 Agansa M. Myer   |
| Prepared by:  |

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

### **EXHIBIT "A"**

A part of the Northwest Quarter and the Southwest Quarter of Section 17, Township 12 North, Range 5 East, in Needham Township, Johnson County, Indiana, being more particularly described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 87 degrees 40 minutes 37 seconds East along the North line thereof a distance of 2664.25 feet to the Northeast corner of said Northwest Quarter; thence South 00 degrees 03 minutes 15 seconds East along the East line thereof a distance of 2718.45 feet to the Northeast corner of said Southwest Quarter; thence South 00 degrees 11 minutes 09 seconds West along the East line thereof a distance of 1038.83 feet to the North right-ofway of State Road 44 per INDOT plans per Project STP-068-4 (011), the next eight (8) course along said North right-of-way; thence South 87 degrees 57 minutes 35 seconds West a distance of 358.25 feet; thence South 87 degrees 57 minutes 35 seconds West a distance of 863.17 feet; thence South 88 degrees 15 minutes 36 seconds West a distance of 100.86 feet; thence South 88 degrees 15 minutes 36 seconds West a distance of 1.90 feet; thence along a curve to the left with an arc length of 173.06 feet and a radius of 11547.16 feet with a chord bearing of South 87 degrees 01 minutes 14 seconds West and a chord length of 173.06 feet; thence South 86 degrees 35 minutes 23 seconds West a distance of 237.88 feet; thence along a curve to the right with an arc length of 209.05 feet and a radius of 11371.16 feet with a chord bearing of South 87 degrees 07 minutes 07 seconds West and a chord length of 209.05 feet; thence South 87 degrees 49 minutes 23 seconds West a distance of 68.71 feet to the East line of the South Central Business Plaza, said plat being recorded in Instrument Number 2005032499 in the Office of the Recorder for Johnson County, Indiana; thence North 00 degrees 13 minutes 23 seconds East along the East line thereof a distance of 670.27 feet to the Northeast corner of said plat; thence South 87 degrees 56 minutes 21 seconds West along the North line thereof a distance of 632.27 feet to the West line of said Southwest Quarter; thence North 00 degrees 13 minutes 23 seconds East along the West line thereof a distance of 380.22 feet to the Southwest corner of said Northwest Quarter; thence North 00 degrees 28 minutes 30 seconds West along the West line thereof a distance of 2704.50 feet to the Point of Beginning, containing 218.67 acres, more or less.

## AND

# **Land Description per Deeds**

(A part of Instrument Number 2011-010458 "Mark S. and Carol M. Davis", Instrument Number 2018-007314 "GR2 LAND LLC", and Instrument Number 2020-004338 "GR2 LAND LLC")

A part of the Northeast Quarter and the Southeast Quarter of Section 17, Township 12 North, Range 5 East, in Needham Township, Johnson County, Indiana, being more particularly described as follows:

Beginning at the Northeast corner of said Northeast Quarter; thence South 00 degrees 34 minutes 58 seconds West (assumed bearing) along the East line of said Northeast Quarter a distance of 2711.94 feet to the Northeast Quarter of said Southeast Quarter; thence South 00 degrees 18 minutes 10 seconds East along the East line of said Southeast Quarter a distance of 812.47 feet to the Northern boundary of State Road 44 (the next seven (7) courses along said Northern boundary); thence Southwesterly along a curve to the right with an arc length of 566.32 feet and a radius of 2196.83 feet with a chord bearing of South 67 degrees 46 minutes 49 seconds West and a chord length of 564.75 feet; thence South 85 degrees 06 minutes 57 seconds West a distance of 62.95 feet; thence South 67 degrees 39 minutes 19 seconds West a distance of 19.39 feet; thence North 00 degrees 05 minutes 22 seconds East a distance of 9.70 feet; thence South 67 degrees 40 minutes 04 seconds West a distance of 39.02 feet; thence

South 83 degrees 08 minutes 00 seconds West a distance of 369.97 feet; thence South 87 degrees 57 minutes 49 seconds West a distance of 1630.12 feet to the West line of said Southeast Quarter; thence North 00 degrees 11 minutes 09 seconds East along the West line of said Southeast Quarter a distance of 1038.83 feet to the Southwest corner of said Northeast Quarter; thence North 00 degrees 03 minutes 15 seconds West along the West line of said Northeast Quarter a distance of 2348.15 feet; thence North 87 degrees 50 minutes 01 seconds East parallel with the North line of said Northeast Quarter a distance of 504.49 feet; thence South 00 degrees 11 minutes 00 seconds East a distance of 215.98 feet; thence North 87 degrees 50 minutes 01 seconds East parallel with the North line of said Northeast Quarter a distance of 466.28 feet; thence North 00 degrees 11 minutes 00 seconds West a distance of 420.54 feet; thence North 87 degrees 50 minutes 01 seconds East parallel with the North line of said Northeast Quarter a distance of 324.29 feet; thence North 00 degrees 13 minutes 38 seconds East a distance of 165.75 feet to the North line of said Northeast Quarter; thence North 87 degrees 50 minutes 01 seconds East along the North line of said Northeast Quarter a distance of 1364.95 feet to the Point of Beginning, containing 214.34 acres, 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.



# CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2020-10 TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION

#### NAME OF PETITIONER:

Sunbeam Development Corporation

# PLAN COMMISSION DOCKET NUMBER:

PC 2020-10

#### 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 sald 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 19th day of May, 2020 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 Frankiin 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:

- The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be approved for annexation to the City of Franklin.
- 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.
- 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 19th day of May, 2020.

PLAN COMMISSON OF THE CITY OF FRANKLIN, INDIANA

Jim Martin, President

ATTEST)

Suzanne Findley . Secretary

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