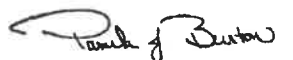


FILED
SUBJECT TO FINAL ACCEPTANCE
JUN 29 2021


AUDITOR, JOHNSON COUNTY

City of Franklin Common Council

ORDINANCE # 2021-05

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 Oakleaf Farms Annexation)

2021-019329
RECORDED ON
06/29/2021 01:09:00 PM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 25.00
PAGES: 8
RECORDED AS PRESENTED

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 #2021-01 forwarded no recommendation 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 #2021-01"); and

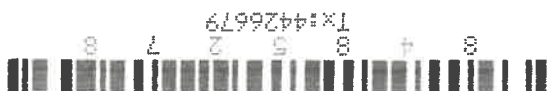
WHEREAS, pursuant to IC 36-7-4-605, Resolution #2021-01 has been certified to City's Common Council; and

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 north of State Road 44 shall become a part of Council District 2 and territory south of State Road 44 shall become a part of Council District 4; and

Sale Disclosure NOT Required
Johnson County Assessor



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 19th day of April, 2021.

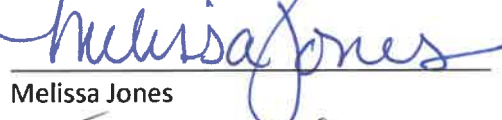
PUBLIC HEARING held on the 3rd day of May, 2021.

DULY ADOPTED on this 17 day of May 2021, 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, President


Melissa Jones


Daniel J. Blankenship


Robert D. Heuchan


Anne McGuinness


Chris Rynerson


Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

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 17 day of May, 2021 at 6:35 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 17 day of May, 2021 at 6:35 o'clock p.m.

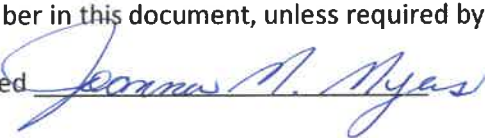

Steve Barnett, Mayor

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

EXHIBIT "A"

PARCEL I

A part of the West Half of the Northwest Quarter of Section 16, Township 12 North, Range 5 East of the Second Principal Meridian in Needham Township, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter of said Section 16; thence North 00 degrees 15 minutes 05 seconds West (Basis of Bearings is State Plane Coordinate System – Indiana East) along the West line of said Southwest Quarter Section 2708.06 feet to the Southwest corner of the Northwest Quarter of aforesaid Section 16, said point being the POINT OF BEGINNING of the herein described parcel; thence North 00 degrees 32 minutes 00 seconds East along the West line of said Northwest Quarter Section 791.96 feet; thence North 86 degrees 39 minutes 32 seconds East parallel with the South line of the West Half of said Northwest Quarter Section 1143.02 feet; thence South 00 degrees 27 minutes 34 seconds West parallel with the East line of said West Half Quarter Section 791.89 feet to the South line of said West Half Quarter Section; thence South 86 degrees 39 minutes 32 seconds West along said South line 1144.04 feet to the POINT OF BEGINNING, containing 20.74 acres, more or less.

PARCEL II

A part of the West Half of the Southwest Quarter of Section 16, Township 12 North, Range 5 East of the Second Principal Meridian in Needham Township, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter Section; thence North 00 degrees 15 minutes 05 seconds West (Basis of Bearings is State Plane Coordinate System – Indiana East) along the West line of said Southwest Quarter Section 1906.50 feet to the POINT OF BEGINNING of the herein described parcel, said point being on the Northern Right-of-Way line of State Road 44 as per Indiana Department of Transportation Project No. STP-068-4; thence continuing North 00 degrees 15 minutes 05 seconds West along said West line 801.56 feet to the Northwest corner of aforesaid Southwest Quarter Section; thence North 86 degrees 39 minutes 32 seconds East along the North line of the West Half of said Southwest Quarter Section 554.21 feet; thence South 00 degrees 05 minutes 27 seconds East 560.81 feet to the aforesaid Northern Right-of-Way line of State Road 44; thence the next four (4) courses being along said Right-of-Way line: (1) South 63 degrees 55 minutes 18 seconds West 7.02 feet; (2) South 72 degrees 01 minute 15 seconds West 205.00 feet; (3) South 59 degrees 20 minutes 26 seconds West 366.66 feet to a Point of Tangency of a curve concave Northwesterly having a radius of 2196.83 feet; (4) Southwesterly along said curve through a Central Angle of 01 degree 01 minute 24 seconds, a distance of 39.24 feet to the POINT OF BEGINNING, containing 8.43 acres, more or less.

PARCEL III

A part of the West Half of the Southwest Quarter of Section 16, Township 12 North, Range 5 East of the Second Principal Meridian in Needham Township, Johnson County, Indiana, being more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter Section; thence North 00 degrees 15 minutes 05 seconds West (Basis of Bearings is State Plane Coordinate System – Indiana East) along the West line of said Southwest Quarter Section 1623.87 feet; thence North 89 degrees 44 minutes 55 seconds East 16.50 feet to a point on the Southern Right-of-Way line of State Road 44 as per Indiana Department of Transportation Project No. STP-068-4; thence the next six (6) courses being along said Right-of-Way line: (1) North 19 degrees 28 minutes 58 seconds East 99.11 feet to a Point of Non-Curvature of a curve concave Northwesterly having a Radius of 2386.83

feet; (2) Northeasterly along said curve through a Central Angle of 02 degrees 12 minutes 19 seconds a distance of 91.87 feet to a Point of Tangency of said curve; (3) North 59 degrees 20 minutes 26 seconds East 366.79 feet; (4) North 45 degrees 18 minutes 16 seconds East 206.16 feet; (5) North 59 degrees 20 minutes 26 seconds East 105.00 feet; (6) North 65 degrees 51 minutes 37 seconds East 8.81 feet; thence South 01 degree 29 minutes 03 seconds West 172.04 feet; thence North 86 degrees 19 minutes 13 seconds East 661.41 feet to the East line of the West Half of aforesaid Southwest Quarter Section; thence South 00 degrees 37 minutes 27 seconds East along said East line 1936.15 feet to the Southeast corner of said West Half Quarter Section; thence South 86 degrees 22 minutes 04 seconds West along the South line of said West Half Quarter Section 1362.19 feet to the POINT OF BEGINNING, containing 59.26 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 # 2021-01
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:

Oakleaf Farms, LLC

PLAN COMMISSION DOCKET NUMBER:

PC 2021-01

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 16th day of March, 2021 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

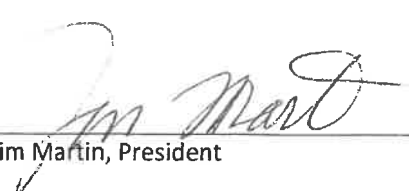
WHEREAS, the Franklin Plan Commission took all of the public comments received at said public hearing under advisement prior to taking any action on said annexation petition.

NOW THEREFORE BE IT RESOLVED THAT THE FRANKLIN CITY PLAN COMMISSION HEREBY FORWARDS NO 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 16th day of March, 2021.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA


Jim Martin, President

ATTEST:


Suzanne Findley, Secretary

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