

**FILED**

SUBJECT TO FINAL ACCEPTANCE

**NOV 22 2021**



AUDITOR, JOHNSON COUNTY

City of Franklin Common Council

**ORDINANCE NUMBER 2021-20**

AN ORDINANCE APPROVING RESOLUTION NUMBER 2021-28  
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO  
IL (Industrial: Light)  
(To be known as Yarnell Rezoning)

2021-034522

RECORDED ON

11/22/2021 01:19:40 PM

TERESA K. PETRO

JOHNSON COUNTY RECORDER

REC FEE: 25.00

RECORDED AS PRESENTED

**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 2021-28 recommended that the City’s Common Council amend the Zoning Map and rezone the property described in Exhibit “A”, attached hereto, from Industrial: Business Development (IBD) to Industrial: Light (IL).

**WHEREAS**, pursuant to Indiana Code § 36-7-4-605, Resolution 2021-28 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” 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 Industrial: Light (IL).
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.

**Sale Disclosure NOT Required**  
**Johnson County Assessor**

TX:446525

DocId:3528887

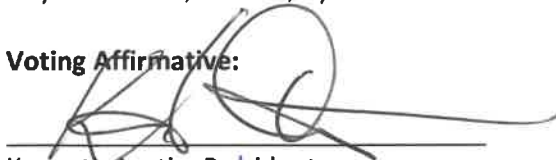


**INTRODUCED** on the 16<sup>th</sup> day of August, 2021.

**DULY PASSED** on this 18 day of October, 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

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Anne McGuinness

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Chris Rynerson

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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 18 day of October, 2021 at 6:25 o'clock p.m.

  
Jayne Rhoades, City Clerk-Treasurer

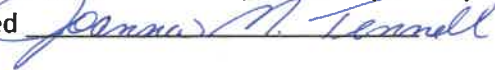
This Ordinance having been passed by the legislative body and presented to me was Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)) [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2), this 18 day of October, 2021 at 6:12 o'clock p.m.

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

## **EXHIBIT "A"**

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

BEGINNING at a railroad spike found per ties at the northeast corner thereof; thence South 00 degrees 23 minutes 05 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 September 2018) along the east line thereof 1781.98 feet to the southeast corner of the northwest quarter (rebar found leaning at the side of a ditch 0.6 feet south); thence South 89 degrees 23 minutes 44 seconds West along the south line thereof 960.03 feet to a rebar found 9 inches deep at the southeast corner of the 4.4-acres' land described in a Quitclaim Deed to Franklin Christian Fellowship recorded as Instrument 2007-010755; thence North 00 degrees 11 minutes 04 seconds East along the east line thereof and the east line of the 7-acres' plat of Miller Flex Space Section 2 recorded as Instrument 2008-017707 and the re-plat thereof recorded as Instrument 2008-025819 and the east line of the 5-acres' plat of Miller Flex Space Park recorded as Instrument 2004-014451 a distance of 822.11 feet to a mag spike set 2.55 feet east of the physical centerline of Graham Road and 1.46 feet west of the southwest corner of the 1.057-acres' land described in a Warranty Deed to Bradley M & Amanda K Denton recorded as Instrument 2011-025685; thence North 88 degrees 58 minutes 18 seconds East along the south line of said Denton land 159.98 feet to the southeast corner thereof (rebar found 6 inches deep 1.3 feet east); thence North 00 degrees 11 minutes 04 seconds East along the east line of said Denton land 290.55 feet to a rebar with orange plastic cap marked MAIN STREET FIRM 0034 set at the northeast corner thereof; thence South 88 degrees 58 minutes 18 seconds West 7.53 feet to a rebar with orange plastic cap marked MAIN STREET FIRM 0034 set at the southeast corner of the 0.35+0.49-acres' land described in a Warranty Deed to Paul R & Daphne J Mowery recorded in Deed Book 191 Page 409; thence North 00 degrees 11 minutes 04 seconds East along the east line thereof and the east line of the 0.49-acres' land described in a Warranty Deed to Ryan Goins recorded as Instrument 2017-024635 and the east line of the 0.49-acres' land described in a Warranty Deed to Sandra H and Patrick L Gray recorded in Deed Book 253 Page 057 and the east line of the 0.49-acres' land described in a Warranty Deed to Samuel W & Pamela K Phelps recorded in Deed Book 258 Page 648 a distance of 662.08 feet to a mag spike set at the northeast corner thereof on the north line of the northwest quarter of Section 02; thence North 88 degrees 58 minutes 18 seconds East along said north line 813.93 feet to the POINT OF BEGINNING, containing 35.932 acres (1,565,213 SF), more or less.