

**BOARD OF PUBLIC WORKS AND SAFETY  
Agenda Request Form**

(Form B-01-2012)

*Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.*

<b>Date Submitted:</b>	November 15, 2023	<b>Meeting Date:</b>	November 20, 2023
<b>Contact Information:</b>			
<b>Requested by:</b>	Mark Richards		
<b>On Behalf of Organization or Individual:</b> City of Franklin			
<b>Telephone:</b>	317-736-3631		
<b>Email address:</b>	mrichards@franklin.in.gov		
<b>Mailing Address:</b>	70 E. Monroe Street, Franklin, IN 46131		
<b>Describe Request:</b>			
Request acceptance of temporary and permanent sanitary sewer easements for Phase 2 of Westside Sanitary Sewer Interceptor.			
<b>List Supporting Documentation Provided:</b>			
Temporary Construction Easements Permanent Sanitary Sewer Easements			
<b>Who will present the request?</b>			
<b>Name:</b>	Joanna Tennell	<b>Telephone:</b>	317-736-3631

*In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.*

Project: Franklin Westside Interceptor  
Key No.: 41-08-23-043-021.000-008

STATE OF INDIANA                    )  
  )  
COUNTY OF JOHNSON                )                    **SANITARY SEWER EASEMENT**  
  )                    SS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and legal sufficiency of which is now acknowledged, Good Shepherd Lutheran Church, Inc. (hereinafter referred to as "GRANTOR"), warrant to the City of Franklin, Indiana, its successors, and assigns (hereinafter collectively referred to as "GRANTEE"), that GRANTOR have title to said real estate and are fully empowered to convey said interest in real estate, and grant, bargain, sell, transfer, dedicate, and convey unto the GRANTEE an easement with the right to erect, construct, install and lay, use, operate, inspect, repair, maintain, replace and remove, sanitary sewer line(s) and appurtenances thereto, which is/are part of, or are to become part of, the GRANTEE's sanitary sewer utility system over, across, and through the land of the GRANTOR situated in Johnson County, State of Indiana, and said easement being described as follows:

**A perpetual permanent easement, which is described on attached Exhibit "A" and depicted on the Parcel Plat Exhibit "B" and made a part hereof.**

Cross-referencing Instrument No. unknown and on Unknown

The GRANTEE covenants to maintain the easement in good repair so that no damage will result from its use to the adjacent land of the GRANTOR, his trustees, successors and assigns.

This easement grant shall include, but not be limited to, the following respective rights and duties of Grantor and Grantee:

1. Grantee shall have the right of ingress and egress over the Easement Area, and over the adjoining land of Grantor's Property (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches, and/or other vegetation upon or over the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches, and/or other vegetation which are adjacent to the Easement Area but only to the extent such vegetation may endanger, as reasonably determined by Grantee, the safe or reliable operation of the Facilities, or where such vegetation is trimmed consistent with generally accepted arboricultural practices.

3. Grantee shall have the right to allow third parties to trench with Grantee's Facilities, and any such equipment shall include but not be limited to, wires, cables, and other fixtures; provided, that Grantors shall pursue any claim with the third party and not Grantee, if any such claim arises out of any third party's facility location.
4. To the best of Grantor's knowledge, the Easement Area and the adjoining land of Grantor's Property, have never been used to release, discharge, generate or store any toxic, hazardous, corrosive, radioactive or otherwise harmful substance or material.
5. Grantor shall not place, or permit the placement of, any obstructions, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such obstruction.
6. Grantee shall have the right to pile dirt and other material and to operate equipment upon the surface of the Easement Area and the adjoining land of Grantor's Property, *but only* during those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, relocating, adding to, modifying, or removing the Facilities.
7. Excluding the removal of vegetation and obstructions as provided herein, any physical damage to the surface area of the Easement Area and the adjoining land of Grantor's Property resulting from the exercise of the rights granted herein to Grantee, shall be promptly paid by Grantee, or repaired or restored by Grantee to a condition which is reasonably close to the condition it was in prior to the damage, all to the extent such damage is caused by Grantee or its contractors or employees. In the event that Grantee does not, in the opinion of Grantor, satisfactorily repair any damage, Grantor must, within ninety (90) days after such damage occurs, file a claim for such damage with Grantee at 70 E. Monroe Street, Franklin, Indiana 46131.
8. Grantor shall have the right to use the Easement Area and the adjoining land of Grantor's Property in any manner which is consistent with the rights granted herein to Grantee and shall comply with all applicable codes when making use of the land near the Facilities.
9. Notwithstanding anything to the contrary contained herein, Grantor shall not without the prior written consent of Grantee (a) construct or install, or permit the construction or installation of any building, house, or other above-ground structure, or portion thereof, upon the Easement Area; or (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area.
10. Grantor warrants that it has the necessary authority and title to Grantor's Property to grant this easement to Grantee and shall defend and hold Grantee harmless from the claim of any third party that Grantors do not have such authority or title.
11. The respective rights and duties herein of Grantor and Grantee shall inure to the benefit of, and shall be binding upon the respective successors, assigns, heirs, personal representatives, lessees, licensees, and/or tenants of Grantors and Grantee. Easement, Grantor and Grantee, as used herein, shall be deemed to be plural, when required to be so. The exercise of any or all the rights and privileges of Grantee set forth herein, shall be at the sole discretion of Grantee.

The undersigned persons executing this easement on behalf of GRANTOR represent and certify that they have been authorized to execute and deliver this easement.

IN WITNESS WHEREOF, the said GRANTOR has hereunto affixed its name, this 30 day of October, 2023.

Good Shepherd Lutheran Church, Inc.

By: Larry D. Hill

By: \_\_\_\_\_

Printed: LARRY D. HILL

Printed: \_\_\_\_\_

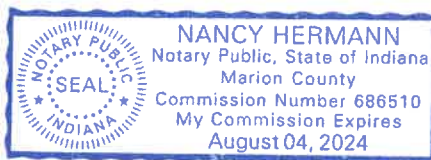
Title: TREASURER

Title: \_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF JOHNSON )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, Good Shepherd Lutheran Church, Inc., By: Larry D. Hill, Treasurer, being first duly sworn upon their oath, and acknowledged the execution of the foregoing and the facts therein set forth are true and correct.

WITNESS MY HAND AND NOTARIAL SEAL THIS 30th DAY OF October, 2023.



Nancy Hermann

Notary Public

Printed: Nancy Hermann

Resident of Marion County

Commission No. 686510

My Commission Expires: August 4, 2024

**INTRODUCED & APPROVED** by the Board of Public Works and Safety of the City of Franklin,  
Johnson County, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Tina Gross

\_\_\_\_\_  
Tina Gross

Attest:

\_\_\_\_\_  
Jayne Rhoades, 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  
City of Franklin  
Department of Planning & Engineering  
70 E. Monroe Street  
Franklin, IN 46131*

Interests in land acquired by the  
City of Franklin, Indiana

Grantee mailing address:  
70 E. Monroe Street  
Franklin, IN 46131

## EXHIBIT "A"

Project: Franklin – West Side Interceptor  
Grantor: Good Shepherd Lutheran Church, Inc.  
Parcel: 25  
Key Nos: Parcel # 41-08-23-043-021.000-008  
Form: Permanent Easement

Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana, being depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land twenty feet (20') in uniform width, lying ten feet (10') wide on both sides of the following described centerline:

Beginning at Station 32+23.66 of Line "A" as shown on the route survey recorded as Instrument Number 2022-021326 in said Recorder's Office, also being the southern boundary of C.R. 80 S.; thence South 43 degrees 58 minutes 09 seconds West 15.55 feet along Line "A" to Station 32+39.21 on Line "A"; thence along a non-tangent curve to the right having a central angle of 18 degrees 14 minutes 19 seconds and a radius of 326.46 feet, having a chord bearing of North 79 degrees 08 minutes 57 seconds West and a chord distance of 103.48 feet; thence northwesterly along said curve and said Line "A" 103.92 feet to the terminus of this centerline being Station 33+43.13 on Line "A" and the historic centerline of Public Road (C.R. 80 S.).

The side lines of said twenty-foot (20') easement to be extended or shortened to meet at the southern boundary of C.R. 80 S. and the historic centerline of Public Road (C.R. 80 S.).

Containing 0.056 Acres, more or less.

This description was prepared for City of Franklin, Indiana by Justin R. Frazier, Indiana Professional Surveyor, License Number LS20600035, on May 22, 2023.



## EXHIBIT "A"

Project: Franklin – West Side Interceptor  
Grantor: Good Shepherd Lutheran Church, Inc.  
Parcel: 25A  
Key Nos: Parcel # 41-08-23-043-021.000-008  
Form: Permanent Easement

Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana, being depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land twenty feet (20') in uniform width, lying ten feet (10') wide on both sides of the following described centerline:

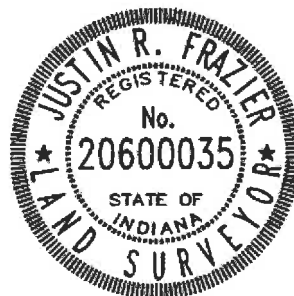
Beginning at Station 31+50.77 of Line "A" as shown on the route survey recorded as Instrument Number 2022-021326 in said Recorder's Office, being a point on the east line of said southwest quarter section; thence South 88 degrees 58 minutes 09 seconds West 6.67 feet along Line "A" to Station 31+57.44 on Line "A"; thence South 43 degrees 58 minutes 09 seconds West along Line "A" 43.59 feet to the terminus of this centerline being Station 32+01.03 on Line "A" and the northeastern boundary of C.R. 80 S.

The side lines of said twenty-foot (20') easement to be extended or shortened to meet at the northeastern boundary of C.R. 80S and the east line of said southwest quarter section.

Containing in all 0.023 Acres, more or less.

This description was prepared for City of Franklin, Indiana by Justin R. Frazier, Indiana Professional Surveyor, License Number LS20600035, on May 22, 2023.

*Justin R. Frazier*



# EXHIBIT "B"

Permanent & Temporary Easements Exhibit prepared for  
the City of Franklin, Indiana  
by Wessler Engineering (Job #231120)  
Franklin - West Side Interceptor



0 75 150  
1"=150'

THE FLORENCIA L. PROVINCE  
REVOCABLE TRUST  
INSTRUMENT #2008-003927  
PARCEL  
41-08-23-034-018.000-008

APPROXIMATE HISTORIC CENTERLINE OF  
PUBLIC ROAD AS DEPICTED ON PLANS  
FOR INDOT PROJECT NO. 762 SEC B (1)

GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-23-033-033.000-008

SW 1/4, SECTION 23-T12N-R4E

NW 1/4, SECTION 26-T12N-R4E

SE CORNER, SW 1/4,  
SECTION 23-T12N-R4E

POINT OF BEGINNING  
STA: 32+23.66  
LINE A

STA: 32+39.21  
LINE A  
\*\*SEE STATION NOTE  
PARCEL  
41-08-23-043-021.000-008  
SE 1/4, SECTION 23-T12N-R4E

GOOD SHEPHERD LUTHERAN  
CHURCH, INC.  
DEED RECORD 214, PAGE 960  
PARCELS  
41-08-26-012-009.001-008  
41-08-26-012-009.000-008

## LINE DATA

LINE	BEARING	DISTANCE
L1	S43°58'09"W	15.55'

## CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	103.92'	326.46'	18°14'19"	103.48'	N79°08'57"W

### \*\*STATION NOTE (FOR CLARIFICATION)

THE PC STATION FOR LINE A SHOWN ON THIS EXHIBIT  
WAS INCORRECTLY LABELED ON THE ROUTE SURVEY  
REFERENCED HEREON. THE CORRECT STATION FOR  
THE LINE A PC IS 32+39.21.

PERMANENT SANITARY EASEMENT  
0.056± ACRES

TEMPORARY EASEMENT  
0.077± ACRES



= PERMANENT EASEMENT AREA

= TEMPORARY EASEMENT AREA

OWNER:  
GOOD SHEPHERD LUTHERAN CHURCH,  
INC.

LINE A SHOWN ON ROUTE SURVEY BY  
NORTHPOINTE ENGINEERING &  
SURVEYING, INC., INST. #2022-021326

DRAWN BY	CHECKED BY	APPROVED BY
JRF	JAR	JRF
DRAWING SCALE		
1" = 150'		
PROJECT NUMBER		
231120-48-001		

**W**  
**WESSLER**  
ENGINEERING  
*More than a Project™*

## EXHIBIT "B"

PREPARED FOR:  
CITY OF FRANKLIN

EASEMENT EXHIBIT  
OWNER: GOOD SHEPHERD LUTHERAN CHURCH, INC.  
PARCEL 25

CURRENT SHEET NO.

**1**

TOTAL SHEETS

**1**

Drawing: J:\Franklin\Project\231120 Franklin Westside Interceptor\CAD\DWG\Easement\EXHIBIT\231120 - PARCEL 25 - LUTHERAN CHURCH - EXHIBIT B.dwg | Layout: 1 | Plotted: 05/25/23 @ 09:24:18 | User: Justin Frazer



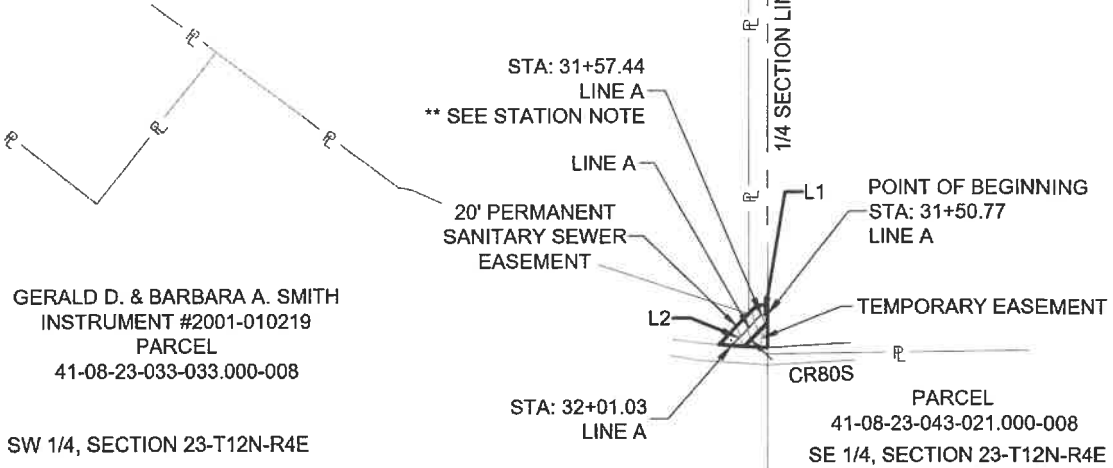
# EXHIBIT "B"

Permanent & Temporary Easements Exhibit prepared for  
the City of Franklin, Indiana  
by Wessler Engineering (Job #231120)  
Franklin - West Side Interceptor



0 75 150  
1"=150'

THE FLORENCIA L. PROVINCE  
REVOCABLE TRUST  
INSTRUMENT #2008-003927  
PARCEL  
41-08-23-034-018.000-008



SECTION LINE

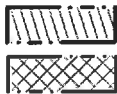
NW 1/4, SECTION 26-T12N-R4E

SE CORNER, SW 1/4,  
SECTION 23-T12N-R4E

NE 1/4, SECTION 26-T12N-R4E

LINE DATA		
LINE	BEARING	DISTANCE
L1	S88°58'09"W	6.67'
L2	S43°58'09"W	43.59'

**\*\*STATION NOTE (FOR CLARIFICATION)**  
STATION 31+57.44 FOR LINE A SHOWN ON THIS  
EXHIBIT WAS INCORRECTLY SHOWN ON THE ROUTE  
SURVEY REFERENCED HEREON AS 29+09.40.



= PERMANENT EASEMENT AREA

= TEMPORARY EASEMENT AREA

PERMANENT SANITARY EASEMENT  
0.023± ACRES

TEMPORARY EASEMENT  
0.007± ACRES

OWNER:  
GOOD SHEPHERD LUTHERAN CHURCH,  
INC.

LINE A SHOWN ON ROUTE SURVEY BY  
NORTHPOINTE ENGINEERING &  
SURVEYING, INC., INST. #2022-021326

DRAWN BY	CHECKED BY	APPROVED BY
JRF	JAR	JRF
DRAWING SCALE		
1" = 150'		
PROJECT NUMBER		
231120-48-001		

**W**  
**WESSLER**  
ENGINEERING  
*More than a Project™*

**EXHIBIT "B"**  
PREPARED FOR:  
CITY OF FRANKLIN  
**EASEMENT EXHIBIT**  
**OWNER: GOOD SHEPHERD LUTHERAN CHURCH, INC.**  
**PARCEL 25A**

CURRENT SHEET NO.  
**1**  
TOTAL SHEETS  
**1**

Drawing: J:\Franklin\Property\231120 Franklin Westside Interceptor\CAD\DWG\Exhibit\EXHIBIT B.dwg | Layout: 1 | Printed: 05/25/23 @ 09:27:02 | User: Justin Fricker

Project: Franklin Westside Interceptor  
Key No.: 41-08-23-043-021.000-008

STATE OF INDIANA                     )  
  )  
COUNTY OF JOHNSON                )                     **TEMPORARY SANITARY SEWER EASEMENT**  
  )  
  )                     **SS:**

That in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and legal sufficiency of which is now acknowledged, Good Shepherd Lutheran Church, Inc. (hereinafter referred to as "GRANTOR"), Grants to the City of Franklin, Indiana, by and through its Board of Public Works and Safety, its successors, and assigns (hereinafter collectively referred to as "GRANTEE"), that GRANTOR has title to said real estate and is fully empowered to convey said interest in real estate, and grants a temporary easement with the right to enter upon and have access for the purpose of general construction, which said work is incidental to the construction of a sanitary sewer facility known as the Westside Interceptor Project, and more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference which temporary easement shall be extinguished, become void and revert to the Grantor and/or the Grantor's successor(s) in title upon completion of the said Project. Said extinguishment shall be evidenced by a release document, which shall be executed and recorded by the Grantee, at no cost to the Grantor.

Cross-referencing Instrument No. unknown and on unknown

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the temporary easement granted herein shall become the property of the City of Franklin, Indiana, except: None

The said Grantor acknowledges that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of Franklin, Indiana, by and through its Board of Public Works and Safety to accept this grant and to pay the hereinbefore referenced consideration, represent that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

The undersigned persons executing this easement on behalf of GRANTOR represents and certifies that they have been authorized to execute and deliver this temporary easement.

IN WITNESS WHEREOF, the said GRANTOR has hereunto affixed its name, this 30 day of October, 2023.

Good Shepherd Lutheran Church, Inc.

By: Larry D. Hill

By: \_\_\_\_\_

Printed: TREASURER LARRY D. Hill

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

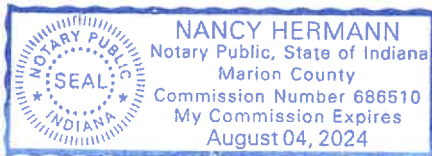
Title: \_\_\_\_\_

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF JOHNSON                )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, Good Shepherd Lutheran Church, Inc., By: Larry D. Hill, Treasurer

being first duly sworn upon their oath, and acknowledged the execution of the foregoing and the facts therein set forth are true and correct.

WITNESS MY HAND AND NOTARIAL SEAL THIS 30<sup>th</sup> DAY OF October, 2023.



Nancy Hermann  
Notary Public

Printed: Nancy Hermann

Resident of Marion County

Commission No. 686510

My Commission Expires August 4, 2024

**INTRODUCED & APPROVED** by the Board of Public Works and Safety of the City of Franklin,  
Johnson County, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Tina Gross

\_\_\_\_\_  
Tina Gross

Attest:

\_\_\_\_\_  
Jayne Rhoades, 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*  
*City of Franklin*  
*Department of Planning & Engineering*  
*70 E. Monroe Street*  
*Franklin, IN 46131*

Interests in land acquired by the  
City of Franklin, Indiana

Grantee mailing address:  
70 E. Monroe Street  
Franklin, IN 46131

## EXHIBIT "A"

Project: Franklin – West Side Interceptor  
Grantor: Good Shepherd Lutheran Church, Inc.  
Parcel: 25  
Key Nos: Parcel # 41-08-23-043-021.000-008  
Form: Temporary Easement

Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

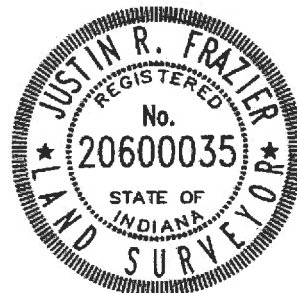
A strip of land thirty feet (30') in uniform width, the northern boundary lying ten feet south, adjacent and parallel with the following described line.

Beginning at Station 32+23.66 of Line "A" as shown on the route survey recorded as Instrument Number 2022-021326 in said Recorder's Office, also being the southern boundary of C.R. 80 S.; thence South 43 degrees 58 minutes 09 seconds West 15.55 feet along Line "A" to Station 32+39.21 on Line "A"; thence along a non-tangent curve to the right having a central angle of 18 degrees 14 minutes 19 seconds and a radius of 326.46 feet, having a chord bearing of North 79 degrees 08 minutes 57 seconds West and a chord distance of 103.48 feet; thence northwesterly along said curve and said Line "A" 103.92 feet to the terminus of this centerline being Station 33+43.13 on Line "A" and the historic centerline of Public Road (C.R. 80 S.).

The side lines of said thirty-foot (30') easement to be extended or shortened to meet at the southern boundary of C.R. 80 S. and the historic centerline of Public Road (C.R. 80 S.).

Containing 0.077 Acres, more or less.

This description was prepared for City of Franklin, Indiana by Justin R. Frazier, Indiana Professional Surveyor, License Number LS20600035, on May 22, 2023.



## EXHIBIT "A"

Project: Franklin – West Side Interceptor  
Grantor: Good Shepherd Lutheran Church, Inc.  
Parcel: 25A  
Key Nos: Parcel # 41-08-23-043-021.000-008  
Form: Temporary Easement


Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

Beginning at a point on the east line of said southwest quarter section South 0 degrees 12 minutes 04 seconds West 10.00 feet from Station 31+50.77 on Line "A" as shown on the route survey recorded as Instrument Number 2022-021326 in said Recorder's Office; thence South 0 degrees 12 minutes 04 seconds West 23.64 feet along said east line to the northern boundary of C.R. 80 S.; thence South 86 degrees 47 minutes 29 seconds West 3.83 feet along the northern boundary of said C.R. 80 S.; thence North 85 degrees 54 minutes 12 seconds West 20.04 feet along said boundary to a point South 85 degrees 54 minutes 12 seconds East 13.03 feet from Station 32+01.03 on said Line "A"; the next two courses are parallel and adjacent, ten feet (10') southeastern and south of said Line "A": 1) North 43 degrees 58 minutes 09 seconds East 31.09 feet; 2) North 88 degrees 58 minutes 09 seconds East 2.31 feet to the point of beginning.

Containing in all 0.007 Acres, more or less.

This description was prepared for City of Franklin, Indiana by Justin R. Frazier, Indiana Professional Surveyor, License Number LS20600035, on May 22, 2023.



# EXHIBIT "B"

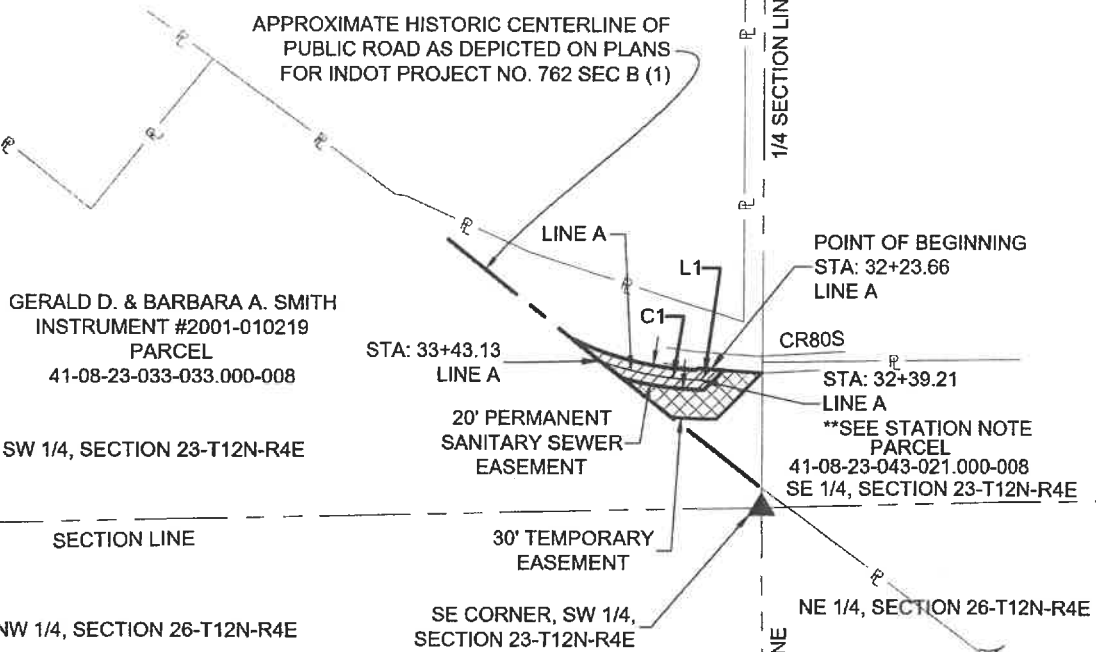
Permanent & Temporary Easements Exhibit prepared for  
the City of Franklin, Indiana  
by Wessler Engineering (Job #231120)  
Franklin - West Side Interceptor



0 75 150  
1"=150'

THE FLORENCIA L. PROVINCE  
REVOCABLE TRUST  
INSTRUMENT #2008-003927  
PARCEL  
41-08-23-034-018.000-008

APPROXIMATE HISTORIC CENTERLINE OF  
PUBLIC ROAD AS DEPICTED ON PLANS  
FOR INDOT PROJECT NO. 762 SEC B (1)



## LINE DATA

LINE	BEARING	DISTANCE
L1	S43°58'09"W	15.55'

## CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	103.92'	326.46'	18°14'19"	103.48'	N79°08'57"W

## \*\*STATION NOTE (FOR CLARIFICATION)

THE PC STATION FOR LINE A SHOWN ON THIS EXHIBIT  
WAS INCORRECTLY LABELED ON THE ROUTE SURVEY  
REFERENCED HEREON. THE CORRECT STATION FOR  
THE LINE A PC IS 32+39.21.

PERMANENT SANITARY EASEMENT  
0.056± ACRES

TEMPORARY EASEMENT  
0.077± ACRES



= PERMANENT EASEMENT AREA  
= TEMPORARY EASEMENT AREA

OWNER:  
GOOD SHEPHERD LUTHERAN CHURCH,  
INC.

LINE A SHOWN ON ROUTE SURVEY BY  
NORTHPOINTE ENGINEERING &  
SURVEYING, INC., INST. #2022-021326

DRAWN BY	CHECKED BY	APPROVED BY
JRF	JAR	JRF
DRAWING SCALE		
1" = 150'		
PROJECT NUMBER		
231120-48-001		



EXHIBIT "B"
PREPARED FOR: CITY OF FRANKLIN
EASEMENT EXHIBIT
OWNER: GOOD SHEPHERD LUTHERAN CHURCH, INC.
PARCEL 25

CURRENT SHEET NO.

1

TOTAL SHEETS

1

Drawing: J:\Franklin\Project\231120-Franklin West Side Interceptor\CAD\DWG\GCS\Exhibit\EXHIBIT B.dwg | Layout: 1 | Plotter: 052223.ctb | User: Justin Fricker

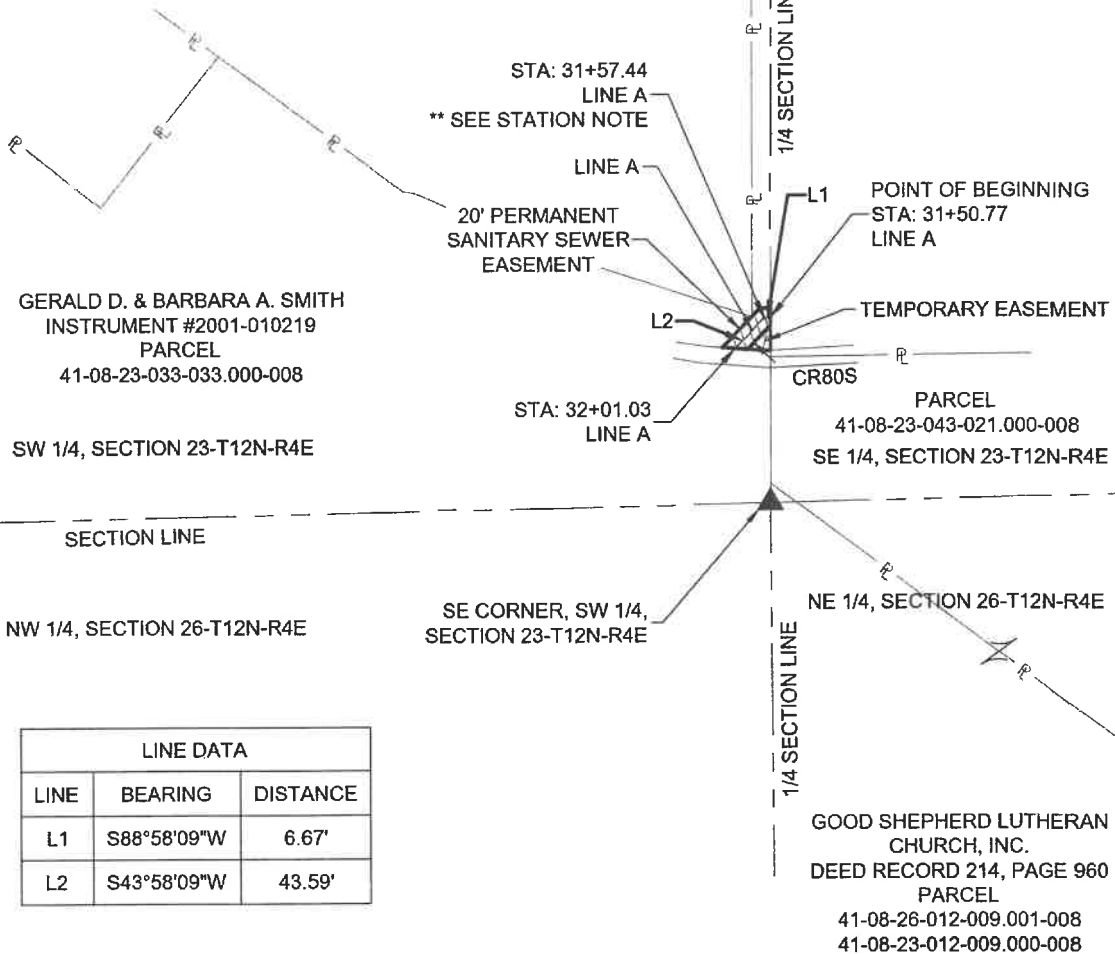
# EXHIBIT "B"

Permanent & Temporary Easements Exhibit prepared for  
the City of Franklin, Indiana  
by Wessler Engineering (Job #231120)  
Franklin - West Side Interceptor



0 75 150  
1"=150'

THE FLORENCIA L. PROVINCE  
REVOCABLE TRUST  
INSTRUMENT #2008-003927  
PARCEL  
41-08-23-034-018.000-008



## LINE DATA

LINE	BEARING	DISTANCE
L1	S88°58'09"W	6.67'
L2	S43°58'09"W	43.59'

## \*\*STATION NOTE (FOR CLARIFICATION)

STATION 31+57.44 FOR LINE A SHOWN ON THIS  
EXHIBIT WAS INCORRECTLY SHOWN ON THE ROUTE  
SURVEY REFERENCED HEREON AS 29+09.40.



= PERMANENT EASEMENT AREA

= TEMPORARY EASEMENT AREA

PERMANENT SANITARY EASEMENT  
0.023± ACRES

TEMPORARY EASEMENT  
0.007± ACRES

OWNER:  
GOOD SHEPHERD LUTHERAN CHURCH,  
INC.

LINE A SHOWN ON ROUTE SURVEY BY  
NORTHPOINTE ENGINEERING &  
SURVEYING, INC., INST. #2022-021326

DRAWN BY	CHECKED BY	APPROVED BY
JRF	JAR	JRF
DRAWING SCALE		
1" = 150'		
PROJECT NUMBER		
231120-48-001		



EXHIBIT "B"
PREPARED FOR: CITY OF FRANKLIN
EASEMENT EXHIBIT OWNER: GOOD SHEPHERD LUTHERAN CHURCH, INC. PARCEL 25A

CURRENT SHEET NO.
1
TOTAL SHEETS
1

Drawing: J:\Franklin\Projects\231120 Franklin West Side Interceptor\CAD\DWG\SE\EASEMENT EXHIBIT B.dwg | Layout: 1 | Plotset: 052522.dwg | User: Justin Frasier



Project: Franklin Westside Interceptor  
Key No.: 41-08-23-033-033.000-008; 41-08-26-022-010.000-008;  
41-08-27-011-002.000-008; 41-08-27-012-002.001-008;  
41-08-27-021-002.002-008

STATE OF INDIANA                    )  
  )  
COUNTY OF JOHNSON            )                   **SANITARY SEWER EASEMENT**  
  )                   SS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and legal sufficiency of which is now acknowledged, Barbara A. Smith (hereinafter referred to as "GRANTOR"), warrant to the City of Franklin, Indiana, its successors, and assigns (hereinafter collectively referred to as "GRANTEE"), that GRANTOR have title to said real estate and are fully empowered to convey said interest in real estate, and grant, bargain, sell, transfer, dedicate, and convey unto the GRANTEE an easement with the right to erect, construct, install and lay, use, operate, inspect, repair, maintain, replace and remove, sanitary sewer line(s) and appurtenances thereto, which is/are part of, or are to become part of, the GRANTEE's sanitary sewer utility system over, across, and through the land of the GRANTOR situated in Johnson County, State of Indiana, and said easement being described as follows:

**A perpetual permanent easement, which is described on attached Exhibit "A" and depicted on the Parcel Plat Exhibit "B" and made a part hereof.**

Cross-referencing Instrument No. 2001-010219 and Recorded on 4/18/2001

The GRANTEE covenants to maintain the easement in good repair so that no damage will result from its use to the adjacent land of the GRANTOR, his trustees, successors and assigns.

This easement grant shall include, but not be limited to, the following respective rights and duties of Grantor and Grantee:

1. Grantee shall have the right of ingress and egress over the Easement Area, and over the adjoining land of Grantor's Property (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches, and/or other vegetation upon or over the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches, and/or other vegetation which are adjacent to the Easement Area but only to the extent such vegetation may endanger, as reasonably determined by Grantee, the safe or reliable operation of the Facilities, or where such vegetation is trimmed consistent with generally accepted arboricultural practices.
3. Grantee shall have the right to allow third parties to trench with Grantee's Facilities, and any such equipment shall include but not be limited to, wires, cables, and other fixtures; provided,

that Grantors shall pursue any claim with the third party and not Grantee, if any such claim arises out of any third party's facility location.

4. To the best of Grantor's knowledge, the Easement Area and the adjoining land of Grantor's Property, have never been used to release, discharge, generate or store any toxic, hazardous, corrosive, radioactive or otherwise harmful substance or material.
5. Grantor shall not place, or permit the placement of, any obstructions, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such obstruction.
6. Grantee shall have the right to pile dirt and other material and to operate equipment upon the surface of the Easement Area and the adjoining land of Grantor's Property, *but only* during those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, relocating, adding to, modifying, or removing the Facilities.
7. Excluding the removal of vegetation and obstructions as provided herein, any physical damage to the surface area of the Easement Area and the adjoining land of Grantor's Property resulting from the exercise of the rights granted herein to Grantee, shall be promptly paid by Grantee, or repaired or restored by Grantee to a condition which is reasonably close to the condition it was in prior to the damage, all to the extent such damage is caused by Grantee or its contractors or employees. In the event that Grantee does not, in the opinion of Grantor, satisfactorily repair any damage, Grantor must, within ninety (90) days after such damage occurs, file a claim for such damage with Grantee at 70 E. Monroe Street, Franklin, Indiana 46131.
8. Grantor shall have the right to use the Easement Area and the adjoining land of Grantor's Property in any manner which is consistent with the rights granted herein to Grantee and shall comply with all applicable codes when making use of the land near the Facilities.
9. Notwithstanding anything to the contrary contained herein, Grantor shall not without the prior written consent of Grantee (a) construct or install, or permit the construction or installation of any building, house, or other above-ground structure, or portion thereof, upon the Easement Area; or (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area.
10. Grantor warrants that it has the necessary authority and title to Grantor's Property to grant this easement to Grantee and shall defend and hold Grantee harmless from the claim of any third party that Grantors do not have such authority or title.
11. The respective rights and duties herein of Grantor and Grantee shall inure to the benefit of, and shall be binding upon the respective successors, assigns, heirs, personal representatives, lessees, licensees, and/or tenants of Grantors and Grantee. Easement, Grantor and Grantee, as used herein, shall be deemed to be plural, when required to be so. The exercise of any or all the rights and privileges of Grantee set forth herein, shall be at the sole discretion of Grantee.

The undersigned persons executing this easement on behalf of GRANTOR represent and certify that she has been authorized to execute and deliver this easement.

Barbara A. Smith represents and warrants that she is the surviving spouse of Gerald D. Smith, who died in the County of Marion, State of Indiana on December 16, 2022, and that they lived together continuously as husband and wife until the date of decedent's death, that husband and wife held title to the subject real estate as tenants by the entireties, that all funeral expenses, expenses of last illness, and debts of every kind and character were fully paid, that state, federal, or any other taxes which might have been assessed against the decedent's estate have been paid in full. Barbara A. Smith makes these representations for the purpose of inducing the Auditor of said County to remove decedent's name from the tax records, and to induce the City of Franklin, Indiana, by its Board of Public Works and Safety to accept an easement from the Grantor conveying the subject real state to the City of Franklin, Indiana, by its Board of Public Works and Safety.

IN WITNESS WHEREOF, the said GRANTOR has hereunto affixed its name, this 30<sup>th</sup> day of October, 2023.

By: Barbara A. Smith

Printed: Barbara A. Smith

Title: \_\_\_\_\_

STATE OF INDIANA                     )  
   ) SS:  
COUNTY OF JOHNSON                     )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, Barbara A. Smith, being first duly sworn upon her oath, and acknowledged the execution of the foregoing and the facts therein set forth are true and correct.

WITNESS MY HAND AND NOTARIAL SEAL THIS 30<sup>th</sup> DAY OF October, 2023.



Nancy Hermann  
Notary Public

Printed: Nancy Hermann

Resident of Marion County

Commission No. 686510

My Commission Expires August 4, 2024

**INTRODUCED & APPROVED** by the Board of Public Works and Safety of the City of Franklin,  
Johnson County, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Tina Gross

\_\_\_\_\_  
Tina Gross

Attest:

\_\_\_\_\_  
Jayne Rhoades, 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  
City of Franklin  
Department of Planning & Engineering  
70 E. Monroe Street  
Franklin, IN 46131*

Interests in land acquired by the  
City of Franklin, Indiana

Grantee mailing address:  
70 E. Monroe Street  
Franklin, IN 46131

## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2  
Key No: Parcel # 41-08-23-033-033.000-008  
Form: Permanent Easement

Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land twenty feet (20') in uniform width, lying ten feet (10') wide on both sides of the following described centerline.

Beginning at Station 41+77.75 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence South 88 degrees 58 minutes 09 seconds West along Line "A" 239.40 feet to Station 44+17.16; thence North 51 degrees 13 minutes 00 seconds West along Line "A" 436.66 feet to the terminus of this centerline being Station 48+53.82 of Line "A".

Containing in all 0.310 Acres (13521 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2A  
Key No: Parcel # 41-08-23-033-033.000-008  
Form: Permanent Easement

Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land twenty feet (20') in uniform width, lying ten feet (10') wide on both sides of the following described centerline.

Beginning at Station 50+73.82 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence North 51 degrees 13 minutes 00 seconds West along Line "A" 546.52 feet to Station 56+20.34; thence South 87 degrees 38 minutes 03 seconds West along Line "A" 494.47 feet to Station 61+14.81; thence South 34 degrees 43 minutes 17 seconds West along Line "A" 1156.40 feet to the terminus of this centerline being Station 72+71.21 of Line "A".

Containing in all 1.009 Acres (43948 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2B  
Key No: Parcel # 41-08-26-022-010.000-008  
Form: Permanent Easement

Sheet 1 of 1

Part of the Northwest Quarter of Section 26, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land twenty feet (20') in uniform width, lying ten feet (10') wide on both sides of the following described centerline.

Beginning at Station 72+71.21 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence South 34 degrees 43 minutes 17 seconds West along Line "A" 73.26 feet to Station 73+44.46; thence South 79 degrees 54 minutes 28 seconds West along Line "A" 11.18 feet to Station 73+55.64; thence North 55 degrees 10 minutes 48 seconds West along Line "A" 23.53 feet to the terminus of this centerline being Station 73+79.17 of Line "A".

Containing in all 0.050 Acres (2159 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2C  
Key No: Parcel # 41-08-27-011-002.000-008, 41-08-27-012-002.001-008  
41-08-27-021-002.002-008  
Form: Permanent Easement

Sheet 1 of 1

Part of the North Half of Section 27, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land twenty feet (20') in uniform width, lying ten feet (10') wide on both sides of the following described centerline.

Beginning at Station 82+45.10 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence South 88 degrees 26 minutes 33 seconds West along Line "A" 2127.06 feet to Station 103+72.16; thence South 88 degrees 08 minutes 39 seconds West along Line "A" 1345.11 to the terminus of this centerline being Station 117+17.26 of Line "A".

Containing in all 1.594 Acres (69443 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



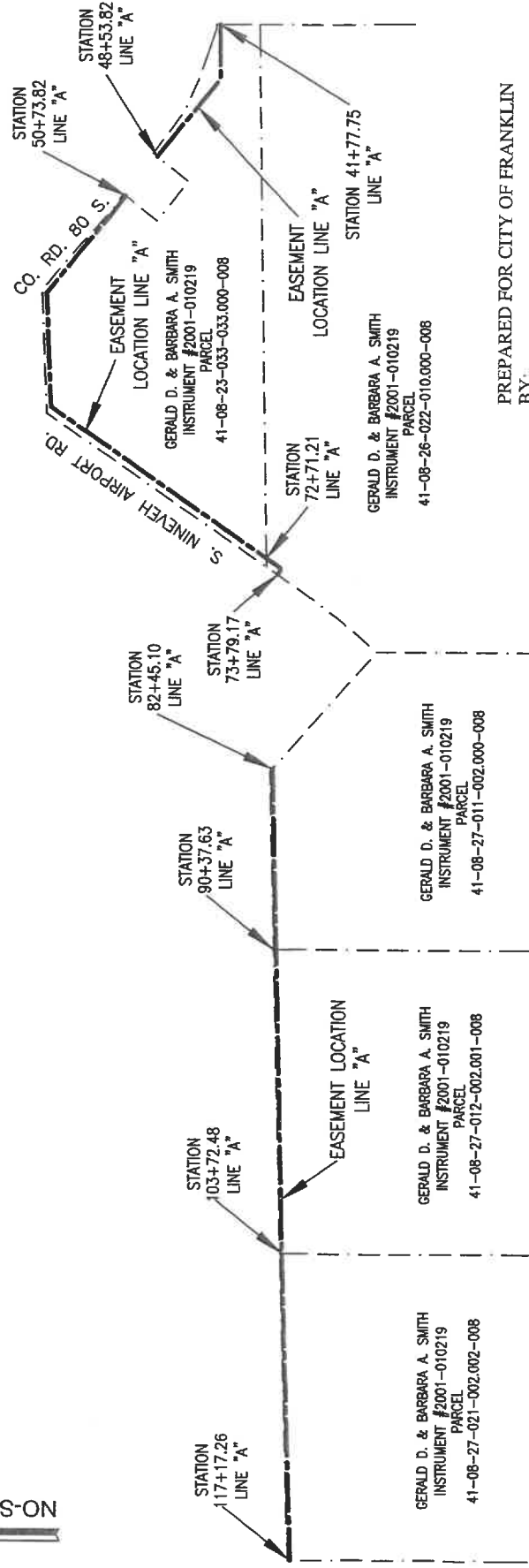


# EXHIBIT B

## PARCEL 2

OWNER:	GERALD D. & BARBARA A. SMITH	CODE:	NA
PROJECT:	West Side Interceptor	ROAD:	NA
COUNTY:	S/T/R SEC. 23, 26 & 27 T12N-R4E	DRAWN BY:	DJS
	Johnson	CHECKED BY:	DJS

Inst. No. 2001-010219  
 DIMENSIONS SHOWN ARE FROM THE  
 ABOVE LISTED RECORD DOCUMENTS  
 NPES PROJ. #21-0115  
 LINE A SHOWN ROUTE SURVEY INST. #XXXXXX



PREPARED FOR CITY OF FRANKLIN  
 BY:



**SURVEYING, Inc.**  
 6125 South East Street, Suite "B"  
 Indianapolis, Indiana 46227-2147  
 Office - 317-884-3020  
 www.npesindy.com

# EXHIBIT B

## PARCEL 2

OWNER: GERALD D. & BARBARA A. SMITH	CODE: NA
PROJECT: West Side Interceptor	DES. NO: NA
COUNTY: Johnson	CHECKED BY: DJS
S/T/R SEC. 23-T12N-R4E	DRAWN BY: MKS
	ROAD: NA

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT

0.310± ACRES

13521 S.F.

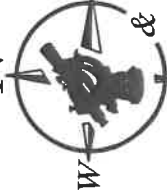
TEMPORARY EASEMENT

0.478± ACRES

20805 S.F.

PREPARED FOR CITY OF FRANKLIN  
BY:

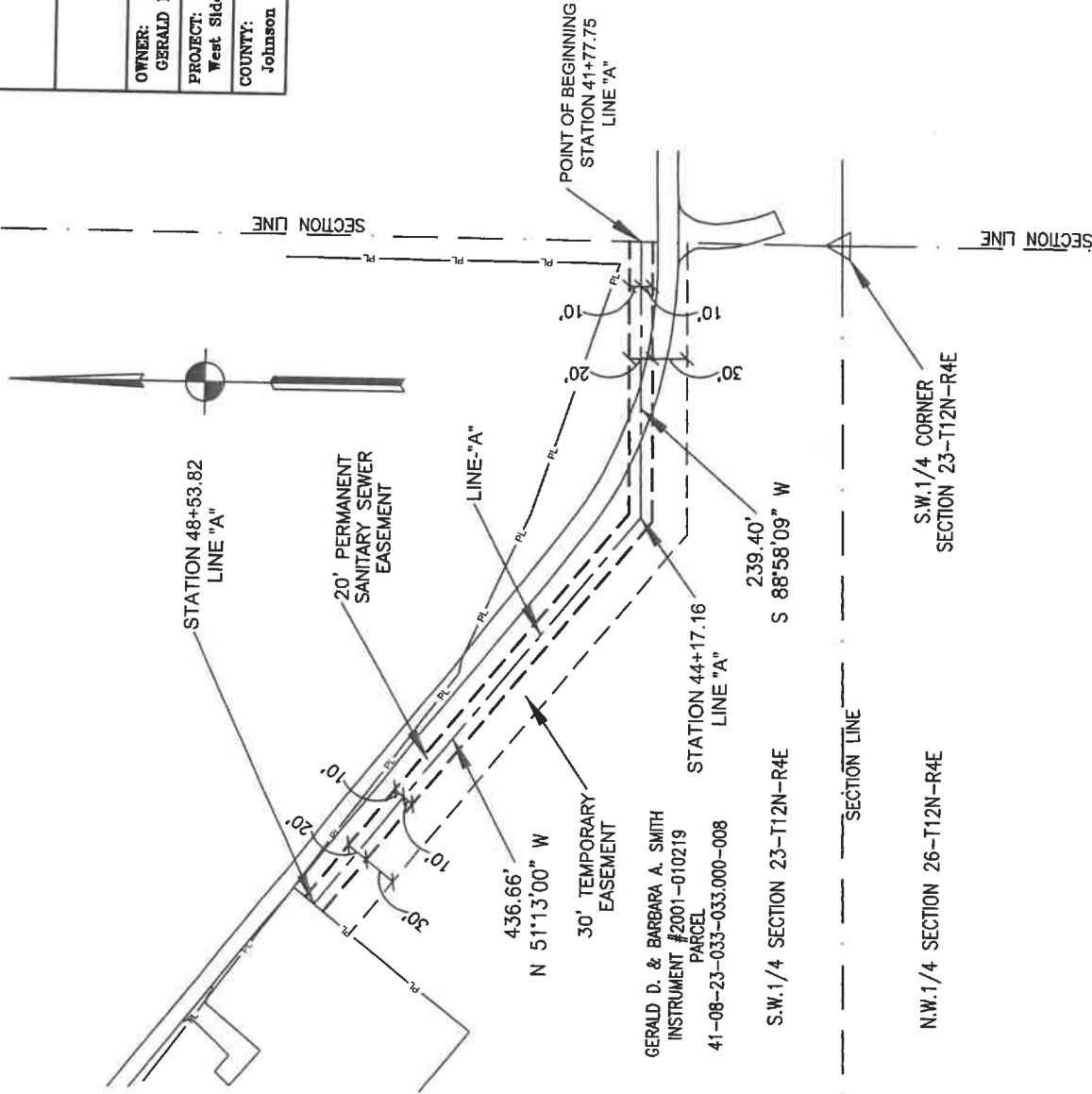
**NORTHPOINTE**



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npesindy.com

SCALE: 1"=150'



GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-23-033-033.000-008

S.W. 1/4 SECTION 23-T12N-R4E

N.W. 1/4 SECTION 26-T12N-R4E

Inst. No. 2001-010219

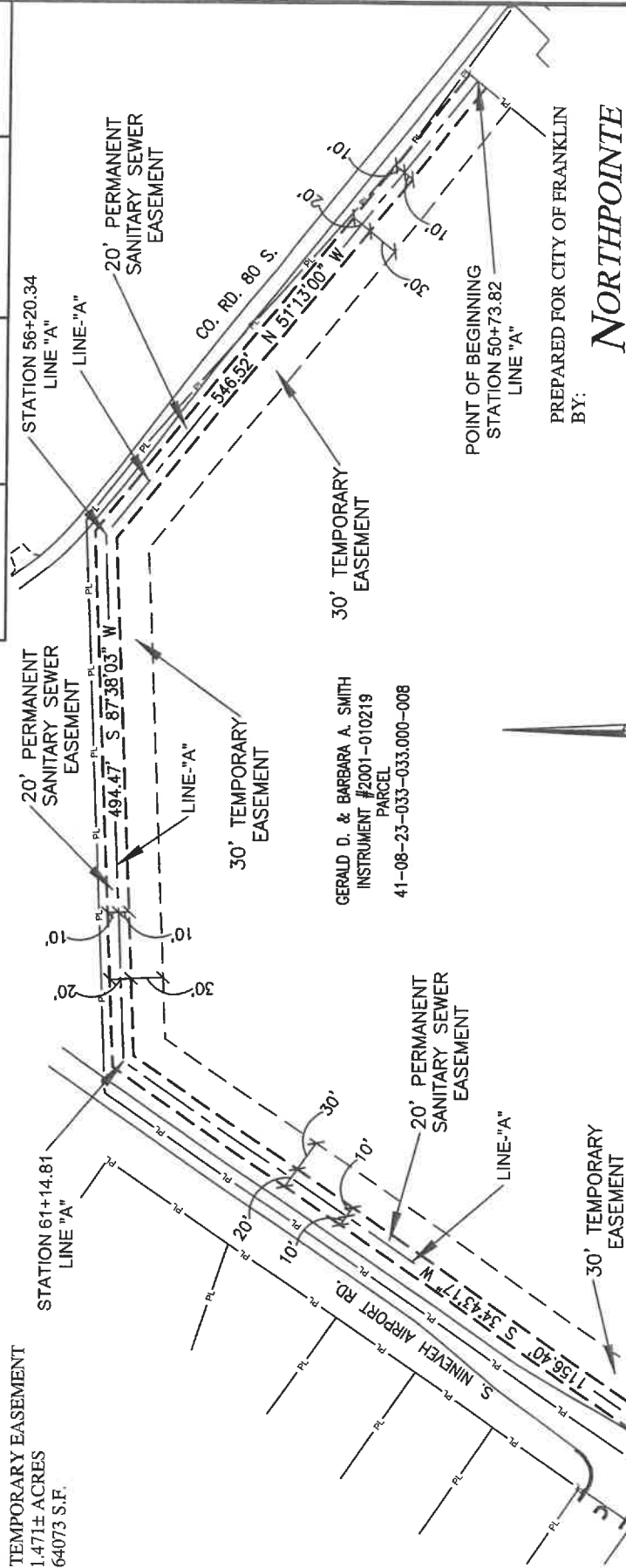
DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
1.009± ACRES  
43948 S.F.

TEMPORARY EASEMENT  
1.471± ACRES  
64073 S.F.



GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-23-033-033.000-008

S.W. 1/4 SECTION 23-T12N-R4E

GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-23-033-033.000-008



NORTH  
POINT



SCALE: 1"=150'



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npsindy.com

# EXHIBIT B

## PARCEL 2A

OWNER: GERALD D. & BARBARA A. SMITH	CODE: NA
PROJECT: West Side Interceptor	DES. NO.: NA
COUNTY: Johnson	DRAWN BY: MKS
S/T/R SEC. 23-T12N-R4E	CHECKED BY: DJS

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT

1.009± ACRES

43948 S.F.

TEMPORARY EASEMENT

1.471± ACRES

64073 S.F.

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



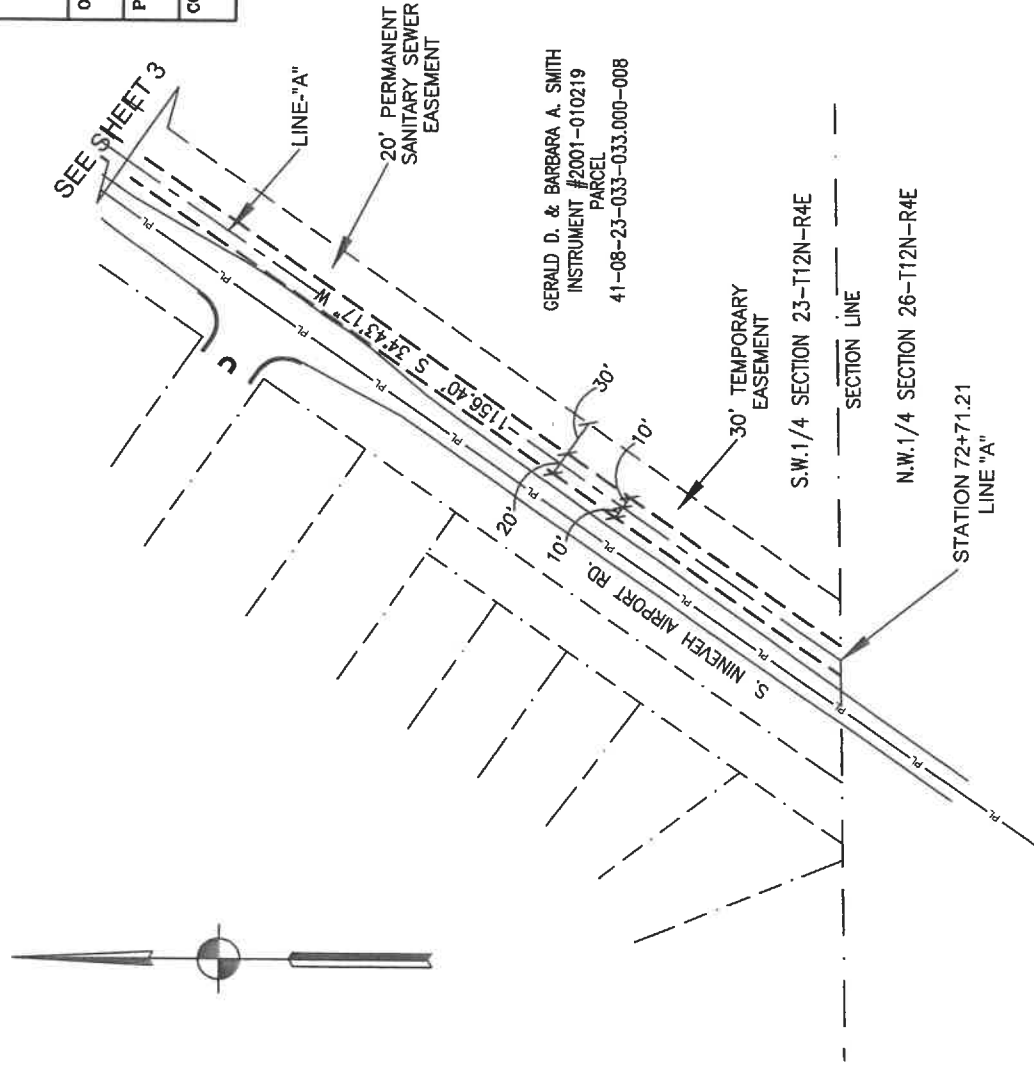
SCALE: 1"=150'

0' 75' 150'



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npsindy.com



# EXHIBIT B

## PARCEL 2B

OWNER:	GERALD D. & BARBARA A. SMITH	CODE:	NA
PROJECT:	West Side Interceptor	ROAD:	NA
COUNTY:	Johnson	S/R	SEC. 26-T12N-R4E
		DRAWN BY:	MKS
		CHECKED BY:	DJS

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #xxxxxx

PERMANENT EASEMENT  
0.050± ACRES  
2159 S.F.

TEMPORARY EASEMENT  
0.115± ACRES  
5031 S.F.

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



**ENGINEERING**

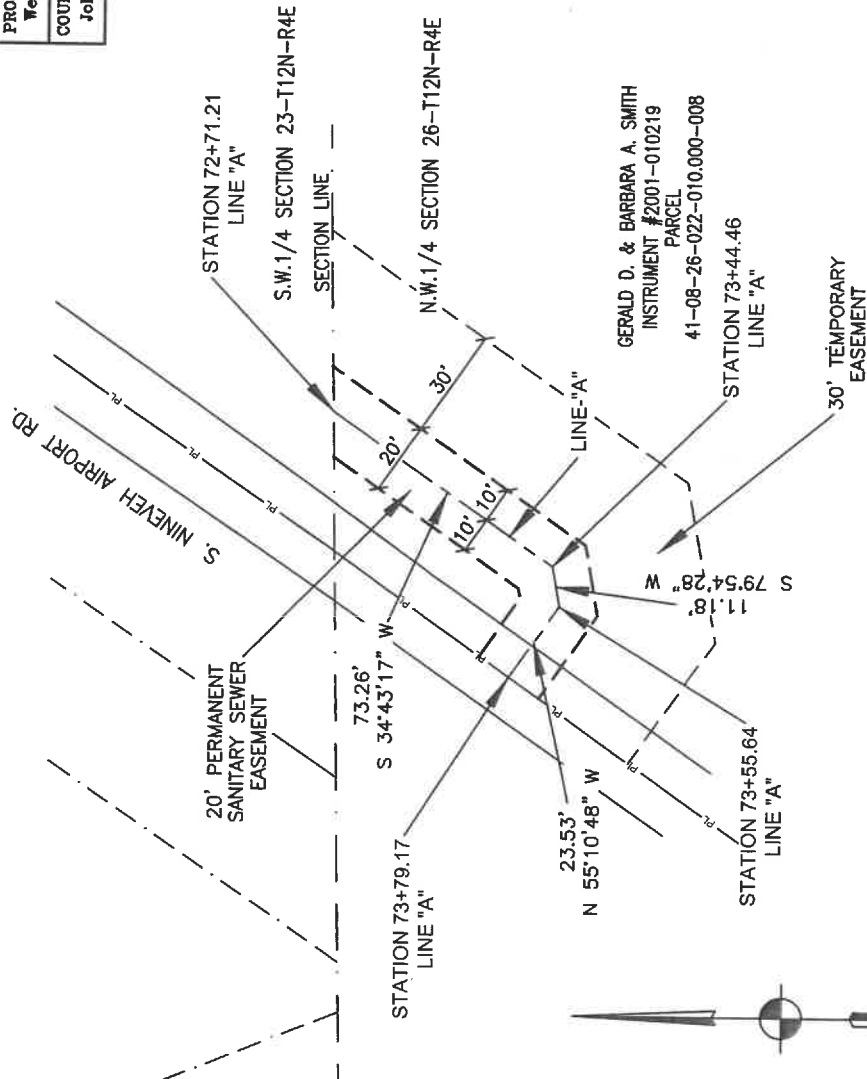
SCALE: 1"=150'

0' 75' 150'



**SURVEYING, Inc.**

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Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
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Inst. No. 2001-010219

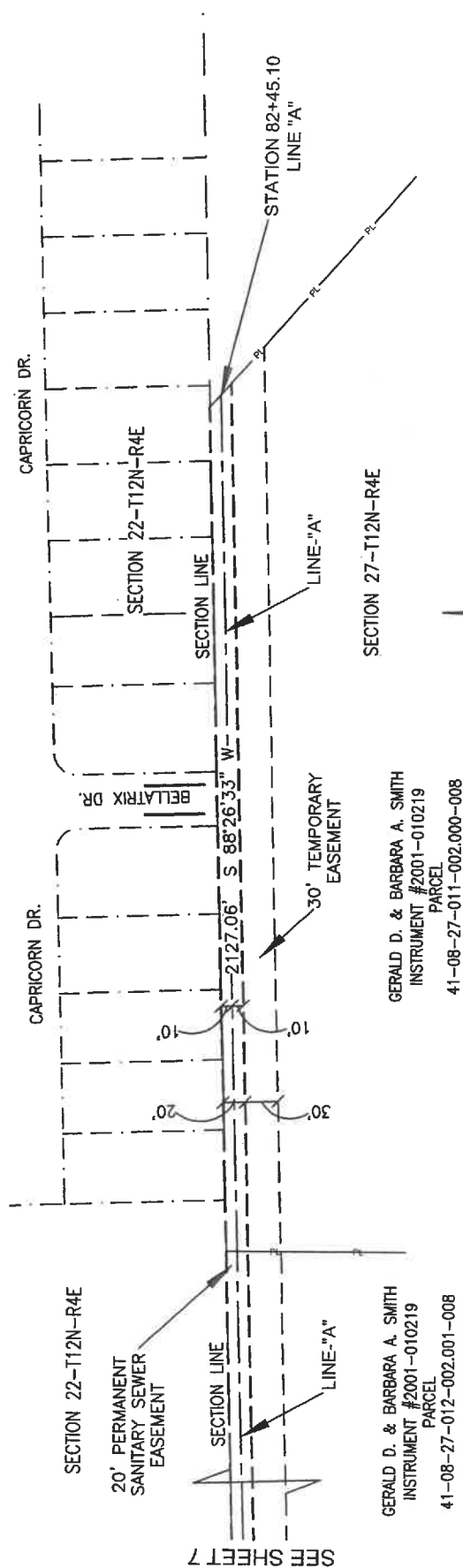
DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
1.594± ACRES  
69443 S.F.

TEMPORARY EASEMENT  
2.410± ACRES  
104996 S.F.

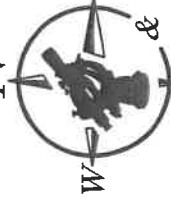


GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-011-002.000-008

GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-012-002.001-008

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



SCALE: 1"=150'



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
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Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #xxxxxx

PERMANENT EASEMENT

1.594± ACRES

69443 S.F.

TEMPORARY EASEMENT

2.410± ACRES

104996 S.F.

SECTION 22-T12N-R4E

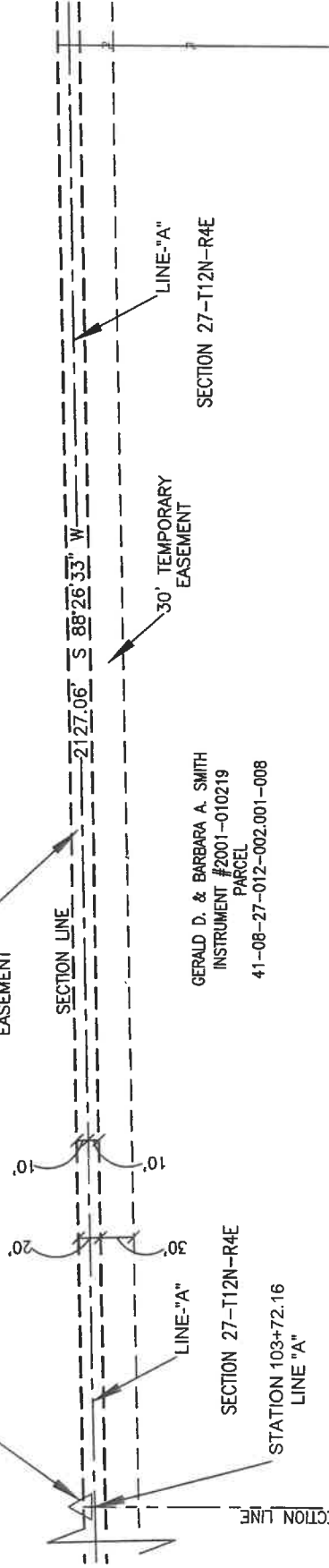
N.E. CORNER N.W. 1/4, N.W. 1/4

SECTION 27-T12N-R4E

SECTION 22-T12N-R4E

20' PERMANENT  
SANITARY SEWER  
EASEMENT

SEE SHEET 8



GERALD D. & BARBARA A. SMITH

INSTRUMENT #2001-010219

PARCEL

41-08-27-012-002.001-008

SECTION 27-T12N-R4E

STATION 103+72.16

LINE "A"

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTH**POINTE



SCALE: 1"=150'

0' 75' 150'



**ENGINEERING**

**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147

Office - 317-884-3020

www.npesindy.com

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT

1.594± ACRES

69443 S.F.

TEMPORARY EASEMENT

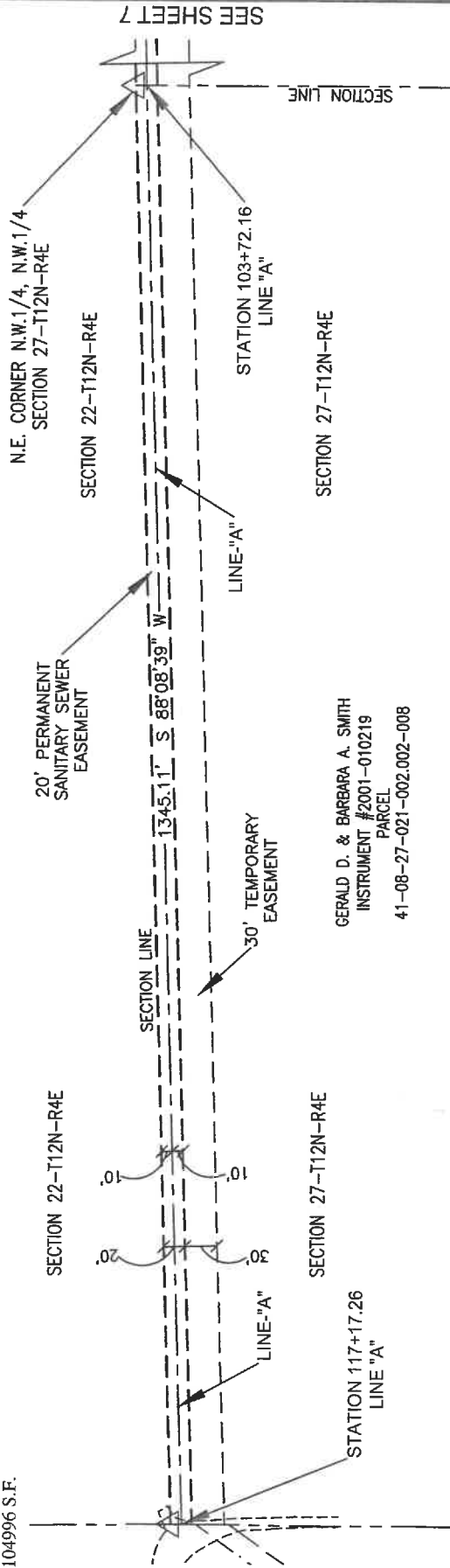
2.410± ACRES

104996 S.F.

## EXHIBIT B

## PARCEL 2C

OWNER: GERALD D. & BARBARA A. SMITH	CODE: NA
PROJECT: West Side Interceptor	ROAD: NA
COUNTY: Johnson	S/T/R SEC. 27-T12N-R4E
	DRAWN BY: MKS
	CHECKED BY: DJS



GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-021-002.002-008



PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



SCALE: 1"=150'

0' 75' 150'

**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npesindy.com



Project: Franklin Westside Interceptor  
Key No.: 41-08-23-033-033.000-008; 41-08-26-022-010.000-008;  
41-08-27-011-002.000-008; 41-08-27-012-002.001-008;  
41-08-27-021-002.002-008

STATE OF INDIANA                    )  
  )  
COUNTY OF JOHNSON                )               SS:               **TEMPORARY SANITARY SEWER EASEMENT**

That in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and legal sufficiency of which is now acknowledged, Barbara A. Smith (hereinafter referred to as "GRANTOR"), Grants to the City of Franklin, Indiana, by and through its Board of Public Works and Safety, its successors, and assigns (hereinafter collectively referred to as "GRANTEE"), that GRANTOR has title to said real estate and is fully empowered to convey said interest in real estate, and grants a temporary easement with the right to enter upon and have access for the purpose of general construction, which said work is incidental to the construction of a sanitary sewer facility known as the Westside Interceptor Project, and more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference which temporary easement shall be extinguished, become void and revert to the Grantor and/or the Grantor's successor(s) in title upon completion of the said Project. Said extinguishment shall be evidenced by a release document, which shall be executed and recorded by the Grantee, at no cost to the Grantor.

Cross-referencing Instrument No. 2001-010219 and Recorded on 4/18/2001

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the temporary easement granted herein shall become the property of the City of Franklin, Indiana, except: None

The said Grantor acknowledges that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of Franklin, Indiana, by and through its Board of Public Works and Safety to accept this grant and to pay the hereinbefore referenced consideration, represent that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

The undersigned persons executing this easement on behalf of GRANTOR represent and certify that she has been authorized to execute and deliver this easement.

Barbara A. Smith represents and warrants that she is the surviving spouse of Gerald D. Smith, who died in the County of Marion, State of Indiana on December 16, 2022, and that they lived together continuously as husband and wife until the date of decedent's death, that husband and wife held title to the subject real estate as tenants by the entireties, that all funeral expenses, expenses of last illness, and debts of every kind and character were fully paid, that state, federal, or any other taxes which might have been assessed against the decedent's estate have been paid in full. Barbara A. Smith makes these representations for the purpose of inducing the Auditor of said County to remove decedent's name from the tax records, and to induce the City of Franklin, Indiana, by its Board of Public Works and Safety to accept an easement from the Grantor conveying the subject real state to the City of Franklin, Indiana, by its Board of Public Works and Safety.

IN WITNESS WHEREOF, the said GRANTOR has hereunto affixed its name, this 30 day of October, 2023.

By: Barbara A. Smith

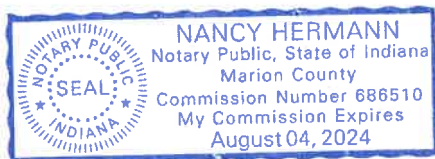
Printed: Barbara A. Smith

Title: \_\_\_\_\_

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF JOHNSON                )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, Barbara A. Smith, being first duly sworn upon her oath, and acknowledged the execution of the foregoing and the facts therein set forth are true and correct.

WITNESS MY HAND AND NOTARIAL SEAL THIS 30<sup>th</sup> DAY OF October, 2023.



Nancy Hermann  
Notary Public  
Printed: Nancy Hermann  
Resident of Marion County  
Commission No. 686510  
My Commission Expires August 4, 2024

**INTRODUCED & APPROVED** by the Board of Public Works and Safety of the City of Franklin,  
Johnson County, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Mayor Steve Barnett

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Kenneth Austin

\_\_\_\_\_  
Tina Gross

\_\_\_\_\_  
Tina Gross

Attest:

\_\_\_\_\_  
Jayne Rhoades, 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  
City of Franklin  
Department of Planning & Engineering  
70 E. Monroe Street  
Franklin, IN 46131*

Interests in land acquired by the  
City of Franklin, Indiana

Grantee mailing address:  
70 E. Monroe Street  
Franklin, IN 46131

## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2  
Key No: Parcel # 41-08-23-033-033.000-008  
Form: Temporary Easement

Sheet 1 of 1


Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land thirty feet (30') in uniform width, the north line lying ten feet (10') south, adjacent and parallel with the following described line.

Beginning at Station 41+77.75 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence South 88 degrees 58 minutes 09 seconds West along Line "A" 239.40 feet to Station 44+17.16; thence North 51 degrees 13 minutes 00 seconds West along Line "A" 436.66 feet to the terminus of this centerline being Station 48+53.82 of Line "A".

Containing in all 0.478 Acres (20805 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



---



## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2A  
Key No: Parcel # 41-08-23-033-033.000-008  
Form: Temporary Easement

Sheet 1 of 1

Part of the Southwest Quarter of Section 23, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land thirty feet (30') in uniform width, the north line lying ten feet (10') south, adjacent and parallel with the following described line.

Beginning at Station 50+73.82 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence North 51 degrees 13 minutes 00 seconds West along Line "A" 546.52 feet to Station 56+20.34; thence South 87 degrees 38 minutes 03 seconds West along Line "A" 494.47 feet to Station 61+14.81; thence South 34 degrees 43 minutes 17 seconds West along Line "A" 1156.40 feet to the terminus of this centerline being Station 72+71.21 of Line "A".

Containing in all 1.471 Acres (64073 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



---



## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2B  
Key No: Parcel # 41-08-26-022-010.000-008  
Form: Temporary Easement

Sheet 1 of 1

Part of the Northwest Quarter of Section 26, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land thirty feet (30') in uniform width, the north line lying ten feet (10') south, adjacent and parallel with the following described line.

Beginning at Station 72+71.21 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence South 34 degrees 43 minutes 17 seconds West along Line "A" 73.26 feet to Station 73+44.46; thence South 79 degrees 54 minutes 28 seconds West along Line "A" 11.18 feet to Station 73+55.64; thence North 55 degrees 10 minutes 48 seconds West along Line "A" 23.53 feet to the terminus of this centerline being Station 73+79.17 of Line "A".

Containing in all 0.115 Acres (5031 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



---



## EXHIBIT "A"

Project: Franklin Sanitary Sewer  
Parcel: 2C  
Key No: Parcel # 41-08-27-011-002.000-008, 41-08-27-012-002.001-008  
41-08-27-021-002.002-008  
Form: Temporary Easement

Sheet 1 of 1

Part of the North Half of Section 27, Township 12 North, Range 4 East located in Franklin Township, Johnson County, Indiana; being a part of a tract recorded as Instrument Number 2001-010219 in the Office of the Johnson County Recorder, and depicted on the attached Parcel Plat, marked Exhibit "B", described as follows:

A strip of land thirty feet (30') in uniform width, the north line lying ten feet (10') south, adjacent and parallel with the following described line.

Beginning at Station 82+45.10 of Line "A" as shown on the route survey recorded as Instrument Number 0000000 in said Recorder's Office; thence South 88 degrees 26 minutes 33 seconds West along Line "A" 2127.06 feet to Station 103+72.16; thence South 88 degrees 08 minutes 39 seconds West along Line "A" 1345.11 to the terminus of this centerline being Station 117+17.26 of Line "A".

Containing in all 2.410 Acres (104996 Square Feet) more or less.

This description was prepared for City of Franklin, Indiana by Donna Jo Smithers, Indiana Professional Surveyor, License Number LS20100076, on February 14, 2022.



---



Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

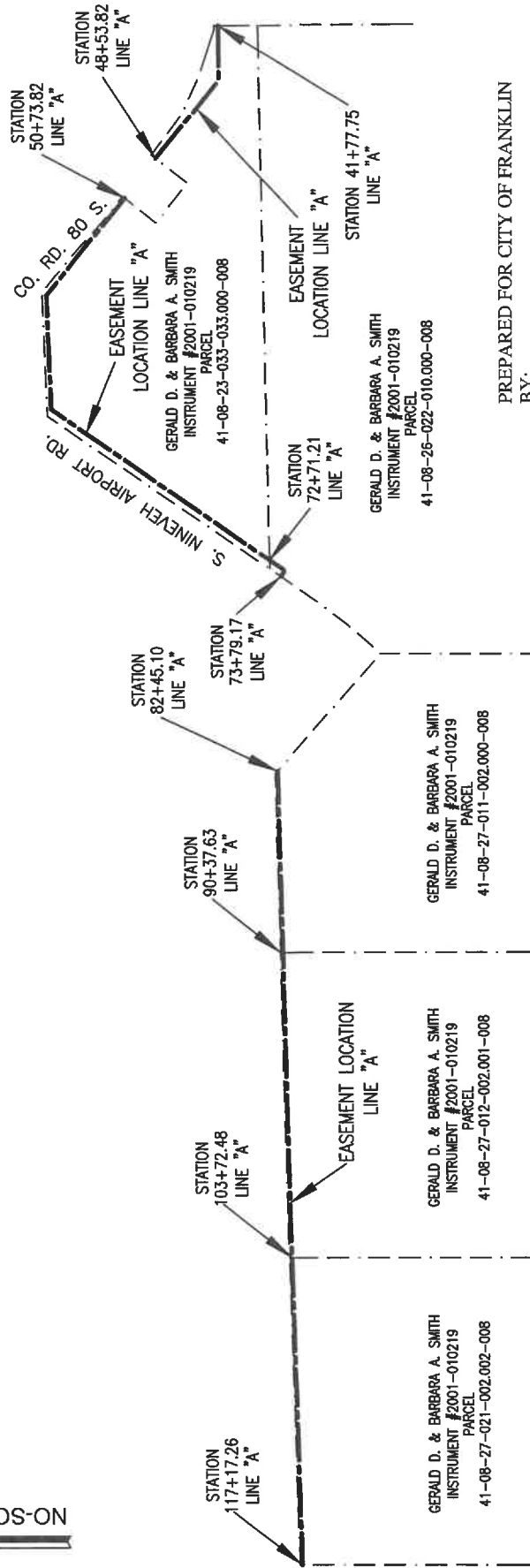
NIPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #xxxxxx

# EXHIBIT B

## PARCEL 2

OWNER:	GERALD D. & BARBARA A. SMITH	CODE:	NA
PROJECT:	West Side Interceptor	ROAD:	NA
COUNTY:	S/T/R SEC. 23.26 & 27 T12N-R4E	DRAWN BY:	DJS
	Johnson	CHECKED BY:	DJS



PREPARED FOR CITY OF FRANKLIN  
BY:

NORTHPOINTE



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office • 317-884-3020  
www.npesindy.com



# EXHIBIT B

## PARCEL 2

OWNER: GERALD D. & BARBARA A. SMITH	CODE: NA
PROJECT: West Side Interceptor	DES. NO: NA
COUNTY: Johnson	DRAWN BY: MKS
S/T/R SEC. 23-T12N-R4E	CHECKED BY: DJS

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
0.310± ACRES  
13521 S.F.

TEMPORARY EASEMENT  
0.478± ACRES  
20805 S.F.

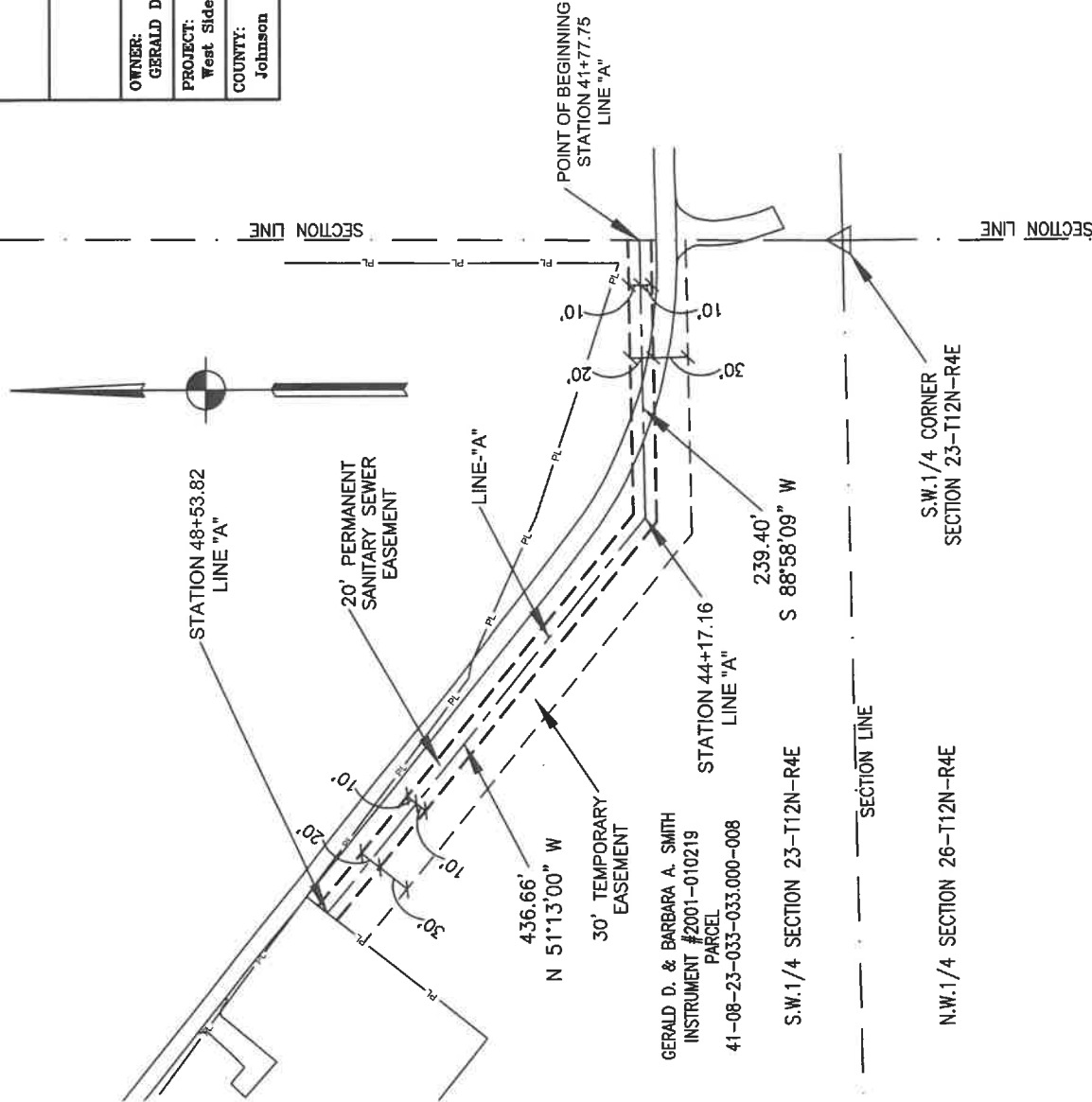
PREPARED FOR CITY OF FRANKLIN  
BY:



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npesindy.com

SCALE: 1"=150'



GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-23-033-033.000-008

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
1.009± ACRES  
64073 S.F.

TEMPORARY EASEMENT  
1.471± ACRES  
64073 S.F.

STATION 61+14.81  
LINE "A"

20' PERMANENT  
SANITARY SEWER  
EASEMENT

494.47' S 87°38'03" W

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LINE "A"

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20' PERMANENT  
SANITARY SEWER  
EASEMENT

546.52' N 51°13'00" W

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30' TEMPORARY  
EASEMENT

546.52' N 51°13'00" W

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20' PERMANENT  
SANITARY SEWER  
EASEMENT

1156.40' S 34°43'17" W

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EASEMENT

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30' TEMPORARY  
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20' PERMANENT  
SANITARY SEWER  
EASEMENT

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SANITARY SEWER  
EASEMENT

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EASEMENT

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20' PERMANENT  
SANITARY SEWER  
EASEMENT

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LINE "A"

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20' PERMANENT  
SANITARY SEWER  
EASEMENT

1156.40' S 34°43'17" W

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LINE "A"

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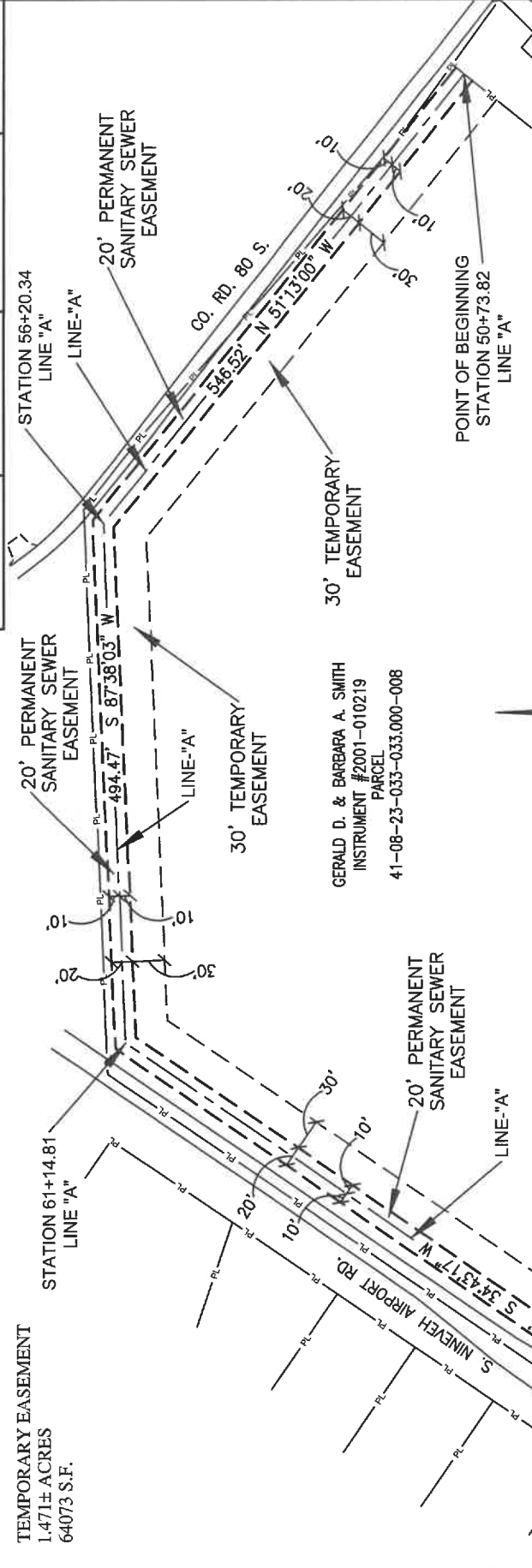
20'

30'

## EXHIBIT B

### PARCEL 2A

OWNER: GERALD D. & BARBARA A. SMITH	CODE: NA
PROJECT: West Side Interceptor	DES. NO: NA
COUNTY: Johnson	CHECKED BY: DJS
S/T/R SEC. 23-T12N-R4E	DRAWN BY: MKS



PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



SCALE: 1"=150'



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npesindy.com

# EXHIBIT B

## PARCEL 2A

OWNER: GERALD D. & BARBARA A. SMITH		CODE: NA
PROJECT: West Side Interceptor		DES. NO: NA
COUNTY: Johnson		CHECKED BY: DJS
S/T/R SEC. 23-T12N-R4E	ROAD: NA	DRAWN BY: MKS

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

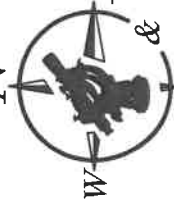
LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
1.009± ACRES  
43948 S.F.

TEMPORARY EASEMENT  
1.471± ACRES  
64073 S.F.

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



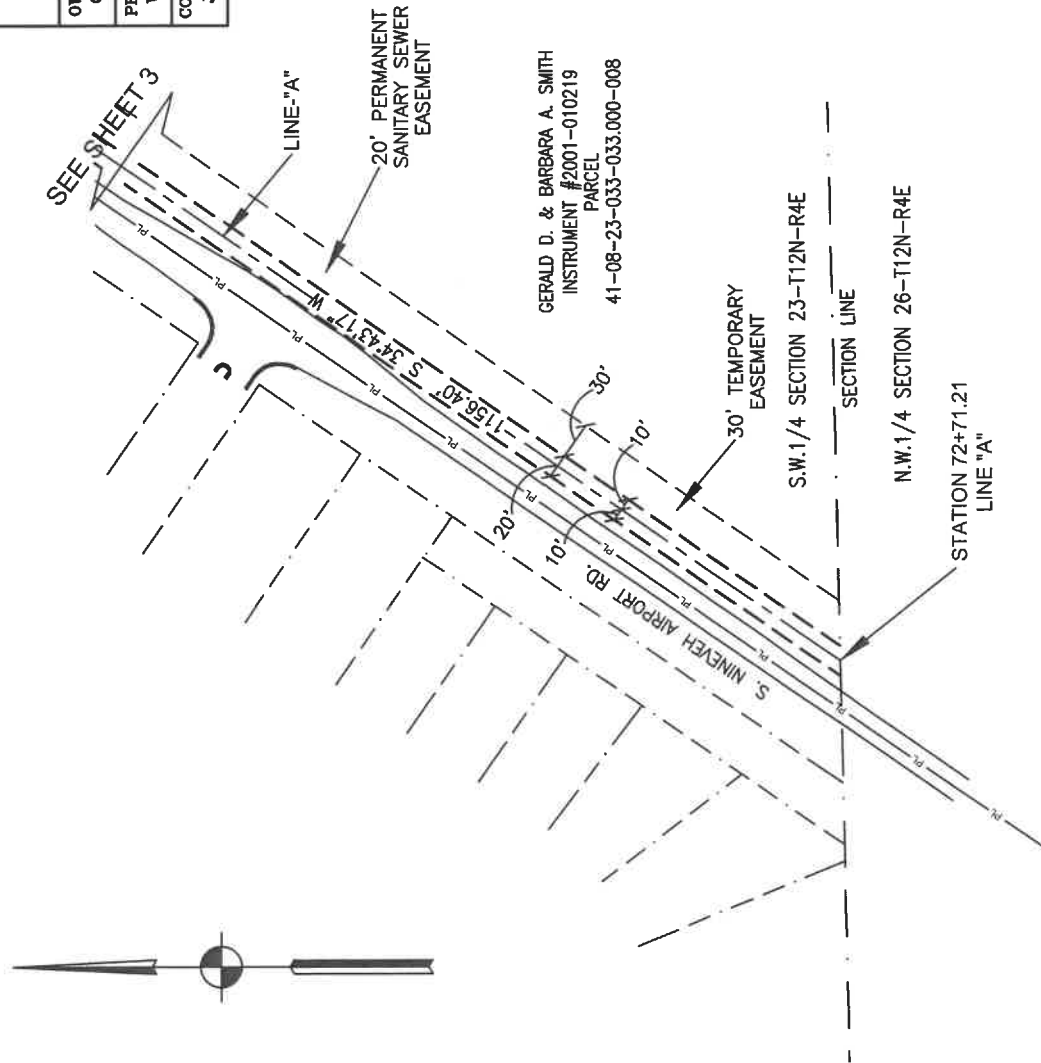
SCALE: 1"=150'

0' 75' 150'



**SURVEYING, Inc.**

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Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
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# EXHIBIT B

## PARCEL 2B

OWNER:	GERALD D. & BARBARA A. SMITH			CODE:	NA
PROJECT:	West Side Interceptor			DES. NO:	NA
COUNTY:	S/T/R	SEC. 28-T12N-R4E	DRAWN BY:	MKS	DJS
	Johnson				

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
0.050± ACRES  
2159 S.F.

TEMPORARY EASEMENT  
0.115± ACRES  
5031 S.F.

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**

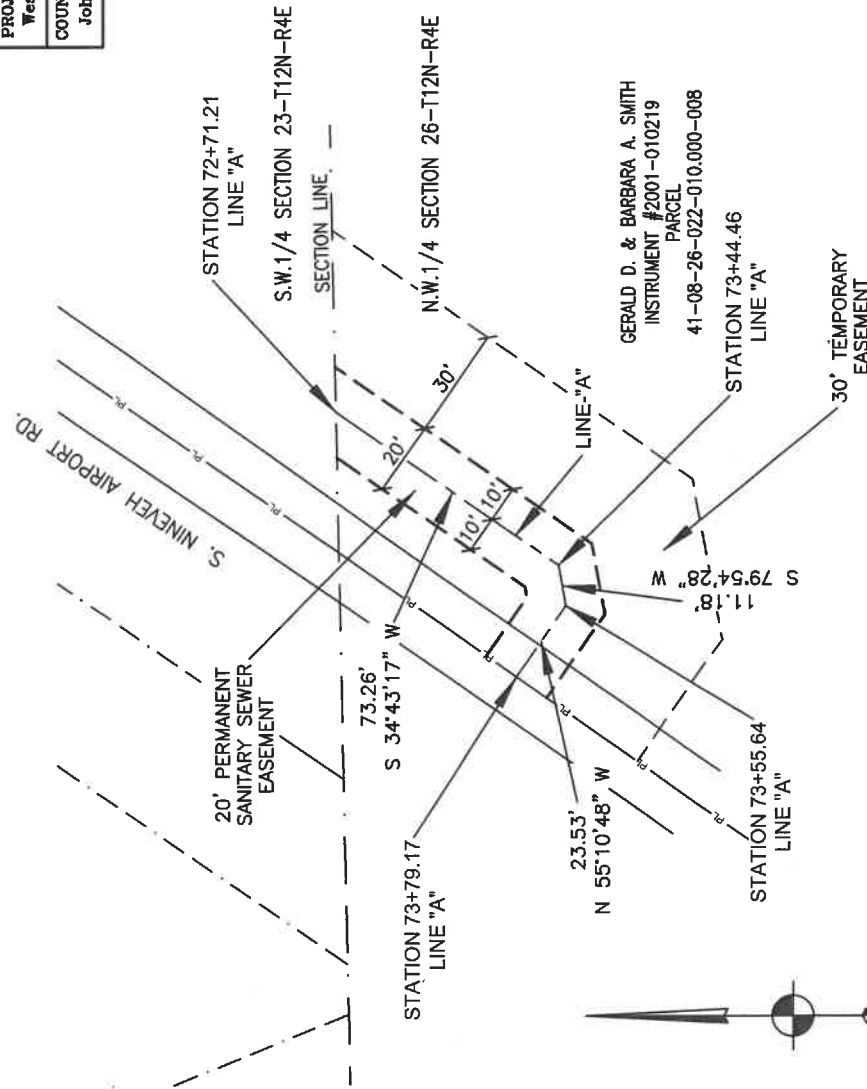


SCALE: 1"=150'

0' 75' 150'



**SURVEYING, Inc.**  
6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npesindy.com



Inst. No. 2001-010219

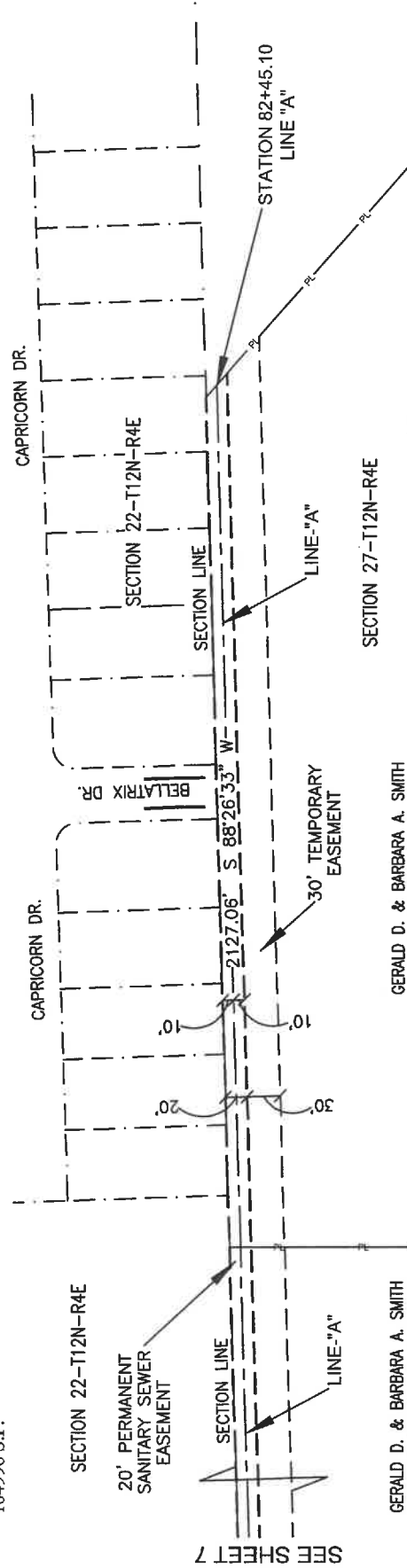
DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT  
1.594± ACRES  
69443 S.F.

TEMPORARY EASEMENT  
2.410± ACRES  
104996 S.F.

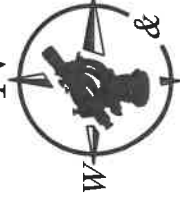


GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-011-002.000-008

GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-012-002.001-008

PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



SCALE: 1"=150'



**SURVEYING, Inc.**

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npsindy.com

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #XXXXXX

PERMANENT EASEMENT

1.594± ACRES  
69443 S.F.

TEMPORARY EASEMENT

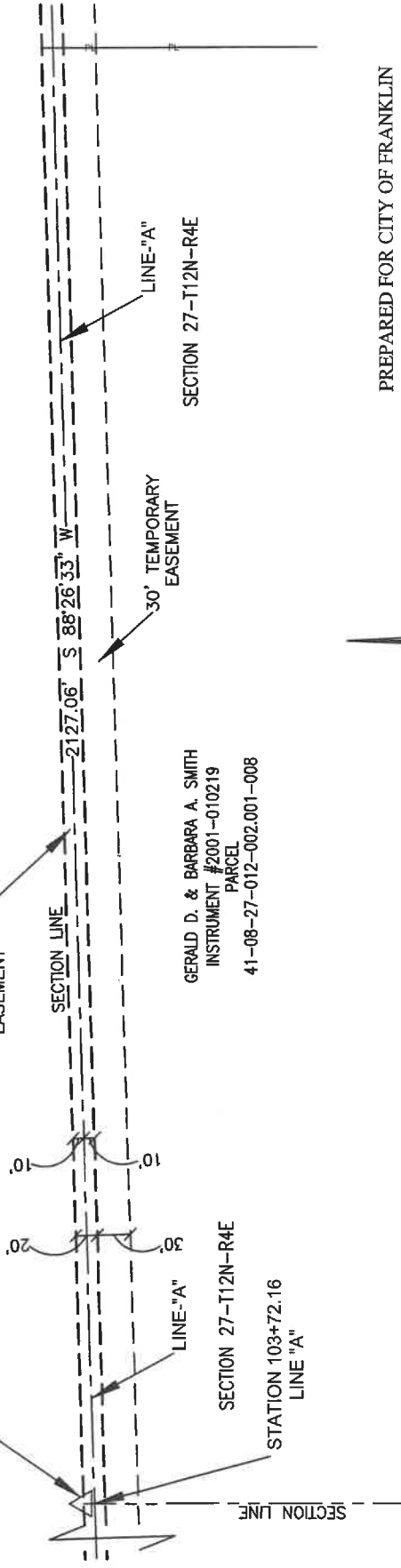
2.410± ACRES  
104996 S.F.

SECTION 22-T12N-R4E

N.E. CORNER N.W.1/4, N.W.1/4  
SECTION 27-T12N-R4E

20' PERMANENT  
SANITARY SEWER  
EASEMENT

SEE SHEET 8

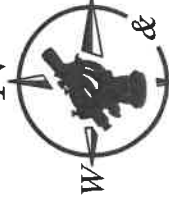


GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-012-002.001-008



PREPARED FOR CITY OF FRANKLIN  
BY:

*NORTHPOINTE*



SCALE: 1"=150'

0' 75' 150'



*SURVEYING, Inc.*

6125 South East Street, Suite "B"  
Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
www.npesindy.com

# EXHIBIT B

## PARCEL 2C

OWNER: GERALD D. & BARBARA A. SMITH		CODE: NA
PROJECT: West Side Interceptor		DES. NO: NA
COUNTY: Johnson	S/T/R SEC. 27-T12N-R4E	DRAWN BY: MKS
		CHECKED BY: DJS

Inst. No. 2001-010219

DIMENSIONS SHOWN ARE FROM THE  
ABOVE LISTED RECORD DOCUMENTS

NPES PROJ. #21-0115

LINE A SHOWN ROUTE SURVEY INST. #xxxxxx

PERMANENT EASEMENT

1.594± ACRES  
69443 S.F.

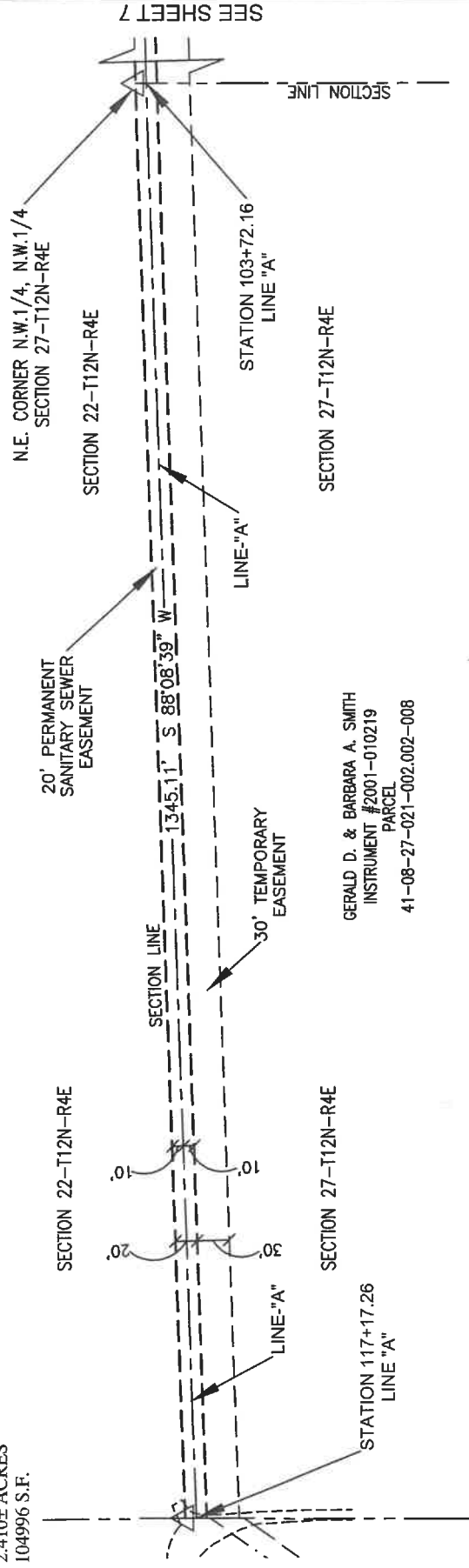
TEMPORARY EASEMENT

2.410± ACRES  
104996 S.F.

# EXHIBIT B

## PARCEL 2C

OWNER: GERALD D. & BARBARA A. SMITH		CODE: NA
PROJECT: West Side Interceptor		DES. NO: NA
COUNTY: Johnson		CHECKED BY: DJS
S/T/R SEC. 27-T12N-R4E	DRAWN BY: MKS	

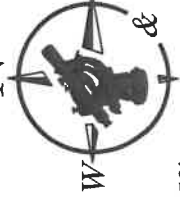


GERALD D. & BARBARA A. SMITH  
INSTRUMENT #2001-010219  
PARCEL  
41-08-27-021-002.002-008



PREPARED FOR CITY OF FRANKLIN  
BY:

**NORTHPOINTE**



SCALE: 1"=150'



**SURVEYING, Inc.**

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Indianapolis, Indiana 46227-2147  
Office - 317-884-3020  
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