

**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.

Date Submitted:	November 14, 2023	Meeting Date:	Nov. 20, 2023
Contact Information:			
Requested by:	Joanna Tennell		
On Behalf of Organization or Individual: The Links at Franklin, LLC			
Telephone:	317-736-3631		
Email address:	jtennell@franklin.in.gov		
Mailing Address:	70 E. Monroe Street, Franklin, IN 46131		
Describe Request:			
Acceptance and execution of Dedication of Right-of-Way, Variable Drainage Easement and Right-of-Way and Sidewalk Easement related to The Links at Franklin.			
List Supporting Documentation Provided:			
1. Dedication of Right-of-Way			
2. Variable Drainage Easement and Right-of-Way (2)			
3. Sidewalk Easement			
Who will present the request?			
Name:	Joanna Tennell	Telephone:	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.

DEDICATION OF RIGHT-OF-WAY

The undersigned, Christopher Dowty, of Johnson County, State of Indiana, as President for and on behalf of The Links at Franklin, LLC, an Indiana limited liability company ("Grantor"), in exchange for valuable consideration, the receipt and legal sufficiency of which the Grantor acknowledges, grants, dedicates, and conveys to the City of Franklin, Indiana, and its successors and assigns ("Grantee"), a fee simple perpetual public right-of-way as specified in the Grant of Right-of-Way Description identified in the attached Exhibit "A", and which is schematically shown on the attached Exhibit "B", relative to real property commonly known as, City of Franklin, Johnson County, Indiana, 46131.

(See Instrument No. 2021-016277 recorded June 1, 2021 for reference.)

The undersigned certifies and warrants that:

1. no Indiana gross income tax is due or payable by reason of this conveyance;
2. all conditions precedent to said dedication have been satisfied and/or waived;
3. the undersigned is the owner in fee simple of the above-referenced real property; and
4. authorized to execute this instrument on Grantor's behalf.

This dedication is hereby declared to be permanent and irrevocable, and the above-described property shall forever be subject to said dedicated right-of-way.

IN WITNESS WHEREOF, Christopher Dowty, President of The Links at Franklin, LLC, has executed this Dedication of Right-Of-Way this 7 day of November, 2023.

GRANTOR:

THE LINKS AT FRANKLIN, LLC

By: 

Printed: Christopher Dowty, President

STATE OF INDIANA)

) SS:

ACKNOWLEDGMENT

COUNTY OF JOHNSON)

Before me, a Notary Public in and for said County and State, personally appeared Christopher Dowty, President and an authorized signor on behalf of THE LINKS AT FRANKLIN, LLC, acknowledged the execution of the foregoing Dedication of Right-Of-Way, and who, having been duly sworn, stated that any representation therein contained are true.

Witness my hand and Notarial Seal this 7th day of November, 2023.

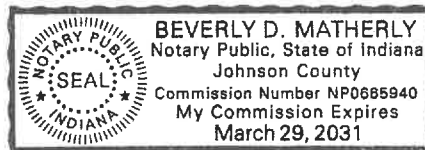
My Commission Expires:

March 29, 2031

Signature: 

Printed: Beverly D. Matherly, Notary Public

Resident of Johnson County, Indiana.



IN WITNESS WHEREOF, the GRANTEE has caused this instrument to be executed in its corporate capacity by its duly qualified and acting Board of Public Works and Safety, consisting of Steve Barnett, Mayor, Ken Austin, Member, and Tina Gross, Member, all of whom say that they are the duly qualified and acting members of the Board of Public Works and Safety of the City of Franklin, Indiana, and as such are empowered to accept the above and foregoing dedication.

Signed this _____ day of _____, 2023.

CITY OF FRANKLIN, INDIANA
BOARD OF PUBLIC WORKS AND
SAFETY

Steve Barnett
Mayor and Member

ATTEST:


Ken Austin, Member

Jayne Rhoades
Clerk-Treasurer

Tina Gross, Member

Return document to Grantee at: City of Franklin, 70 E. Monroe Street, Franklin, Indiana, 46131.

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.



James R. Admire
SCHAFSTALL & ADMIRE, LLP

This instrument prepared by:
James R. Admire
SCHAFSTALL & ADMIRE, LLP
98 N. JACKSON STREET
FRANKLIN, INDIANA 46131
317-736-7146

35' RIGHT-OF-WAY GRANT

CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA

Part of the Southwest Quarter of Section 18, Township 12 North, Range 5 East of the Second Principal Meridian, Johnson County, Indiana described as follows:

Beginning at the Southeast Corner of said Quarter Section; thence along the South line thereof South 89 degrees 17 minutes 10 seconds West (bearings based on State Plane Coordinates) 35.01 feet; thence North 00 degrees 10 minutes 36 seconds West parallel with the East line of said Quarter Section 740.22 feet; thence North 89 degrees 27 minutes 54 seconds East 35.01 feet to the East line of said Quarter Section; thence along last said East line South 00 degrees 10 minutes 36 seconds East 740.11 feet to the Point of Beginning of this described Grant of Right-of-Way containing 25,882 square feet, more or less, subject to all rights-of-way, easements and restrictions.

Prepare by: Jeffrey D. Knarr, P.S. Projects Plus, 1257 Airport Parkway, Suite "A", Greenwood, Indiana 46143 (317) 882-5003 ex 301

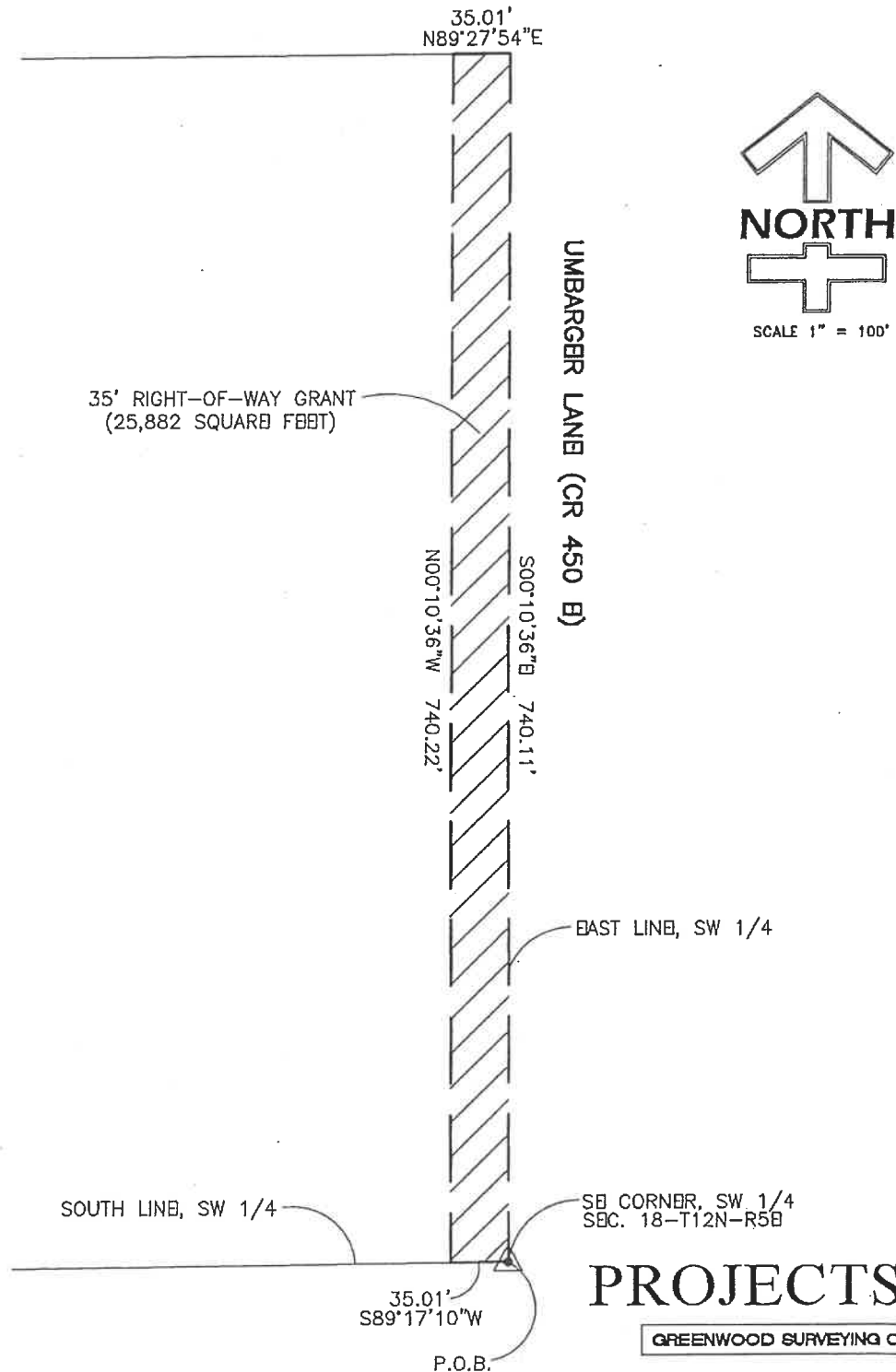


PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
1257 Airport Parkway Suite A - Greenwood, Indiana 46143
(317)-882-5003

35' RIGHT-OF-WAY GRANT
CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA



PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
1257 Airport Parkway Suite A - Greenwood, Indiana 46143
(317)-882-5003

VARIABLE DRAINAGE EASEMENT AND RIGHT-OF-WAY

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

In exchange for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and legal sufficiency of which the undersigned The Links at Franklin, LLC ("Grantor"), by its President, Christopher Dowty, acknowledges, grants, bargains, sells, transfers and conveys to the City of Franklin, Indiana ("Grantee"), its successors and assigns, an exclusive easement and right-of-way described as follows:

A perpetual permanent easement as shown on Exhibit "A"

Cross-referencing Instrument No. 2021-016277
Recorded on June 1, 2021

With the right to erect, construct, install, lay, use, operate, inspect, repair, maintain, replace, and remove Drainage Improvements across and through the Grantor's land and use said land as a right-of-way.

This easement is being given in consideration of Grantor's site development plans and constitutes good and valuable consideration for this grant and constitutes full payment for any reasonable damage to Grantor's land, its successors and assigns. The Grantor covenants that it and its successors and assigns shall install and maintain, at their sole cost and expense, the easement, right-of-way, and any and all improvements therein, in good repair upon installation and after all improvements are complete.

Grantee shall have the right to inspect the improvements and in the event Grantor fails to maintain the easement and right-of-way in good operation and repair, Grantee may come upon the property described herein and make said repairs or maintain said property and Grantee's costs, including reasonable expenses in enforcing said agreement, shall become a lien against the property to be paid by Grantor.

In acquiring this easement and right-of-way, the Grantor, its successors and assigns, reserve the right to use and fully enjoy the easement and right-of-way for all purposes consistent with the necessary and convenient use of the easement and right-of-way by the Grantee, its successors and assigns. Specifically, the Grantor reserves the right to cross small sections of the easement and right-of-way with driveways, sewers, utilities, drains, and the like, provided that the Grantee's facilities, operations, and/or maintenance of the easement and right-of-way are not disturbed. The Grantor will permit no structure to be erected or permitted on the easement and right-of-way, unless the Grantee consents in writing to such structure.

The grant of this easement and right-of-way, with its provisions, is a covenant running with the land for the Grantee's, its successors and assigns benefit.

The Grantor certifies that he/she/it is the owner of the real property described in this easement and right-of-way, and is fully authorized to grant this easement and right-of-way.

Executed this 7 day of November, 2023.
By: Chris B. Dowty

Printed: Christopher Dowty

Title: President, The Links at Franklin, LLC

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

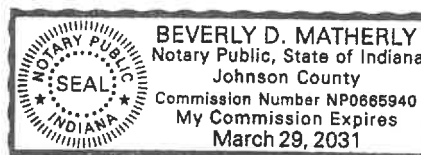
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, Christopher Dowty, President, The Links at Franklin, LLC being first duly sworn upon his oath, and acknowledged the execution of the foregoing Variable Drainage Easement and Right-of-Way and the facts therein set forth are true and correct.

WITNESS MY HAND AND NOTARIAL SEAL THIS 7th DAY OF November, 2023.

Beverly D. Matherly
Notary Public
Printed: Beverly D. Matherly
Resident of Johnson County

My Commission Expires:

March 29, 2031



INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of _____, 2023.

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

Voting Affirmative:

Mayor Steve Barnett

Ken Austin

Tina Gross

Attest:

Jayne Rhoades, Clerk Treasurer

Voting Opposed:

Mayor Steve Barnett

Ken Austin

Tina Gross

Return document to Grantee: City of Franklin, 70 E. Monroe Street, Franklin, Indiana, 46131.

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 /s/ James R. Admire

Prepared by:

James R. Admire, Esq.

SCHAFSTALL ADMIRE, LLP

98 N. Jackson Street

Franklin, IN 46131

Telephone: (317) 736-7146

Facsimile: (317) 736-8005

jim@schafstalladmire.com

www.schafstalladmire.com

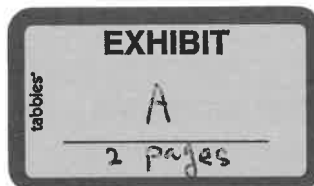
VARIABLE DRAINAGE EASEMENT

CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA

Part of the Southwest Quarter of Section 18, Township 12 North, Range 5 East of the Second Principal Meridian, Johnson County, Indiana described as follows:

Commencing at the Southeast Corner of said Quarter Section; thence along the South line thereof South 89 degrees 17 minutes 10 seconds West (bearings based on State Plane Coordinates) 71149.11 feet; thence North 00 degrees 42 minutes 50 seconds West 931.95 feet to the Point of Beginning of this described easement; thence North 00 degrees 00 minutes 00 seconds West 86.46 feet; thence North 89 degrees 49 minutes 34 seconds East 467.23 feet; thence South 00 degrees 32 minutes 06 seconds East 83.51 feet; thence South 89 degrees 27 minutes 54 seconds West 468.03 feet to the Point of Beginning containing 0.91 acres, more or less, subject to all rights-of-way, easements and restrictions.

Prepared by: Jeffrey D. Knarr, P.S. Projects Plus, 1257 Airport Parkway, Suite "A", Greenwood, Indiana 46143 (317) 882-5003 ex 301



PROJECTS *plus*

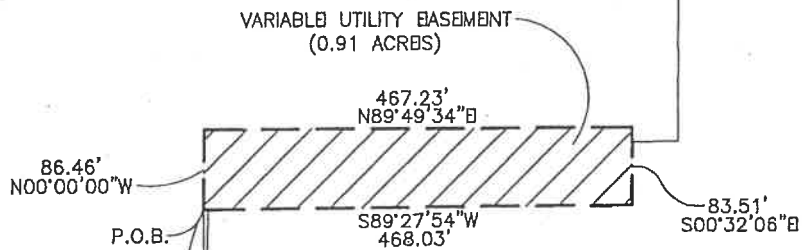
GREENWOOD SURVEYING COMPANY

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
1257 Airport Parkway Suite A - Greenwood, Indiana 46143
(317)-882-5003

VARIABLE DRAINAGE EASEMENT

CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA

STATE ROAD 44



SCALE 1" = 200'

EAST LINE, SW 1/4

UMBARGER LANE (CR 450 B)

SOUTH LINE, SW 1/4

S89°17'10"W 1149.11'

SE CORNER, SW 1/4
SEC. 18-T12N-R5E

PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
1257 Airport Parkway Suite A - Greenwood, Indiana 46143
(317)-882-5003

VARIABLE DRAINAGE EASEMENT AND RIGHT-OF-WAY

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

In exchange for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and legal sufficiency of which the undersigned The Links at Franklin, LLC ("Grantor"), acknowledges, grants, bargains, sells, transfers and conveys to the City of Franklin, Indiana ("Grantee"), its successors and assigns, an exclusive easement and right-of-way described as follows:

A perpetual permanent easement as shown on Exhibit "A"

Cross-referencing Instrument No. 2021-016277
Recorded on June 1, 2021

With the right to erect, construct, install, lay, use, operate, inspect, repair, maintain, replace, and remove Drainage Improvements across and through the Grantor's land and use said land as a right-of-way.

This easement is being given in consideration of Grantor's site development plans and constitutes good and valuable consideration for this grant and constitutes full payment for any reasonable damage to Grantor's land, its successors and assigns. The Grantor covenants that it and its successors and assigns shall install and maintain, at their sole cost and expense, the easement, right-of-way, and any and all improvements therein, in good repair upon installation and after all improvements are complete.

Grantee shall have the right to inspect the improvements and in the event Grantor fails to maintain the easement and right-of-way in good operation and repair, Grantee may come upon the property described herein and make said repairs or maintain said property and Grantee's costs, including reasonable expenses in enforcing said agreement, shall become a lien against the property to be paid by Grantor.

In acquiring this easement and right-of-way, the Grantor, its successors and assigns, reserve the right to use and fully enjoy the easement and right-of-way for all purposes consistent with the necessary and convenient use of the easement and right-of-way by the Grantee, its successors and assigns. Specifically, the Grantor reserves the right to cross small sections of the easement and right-of-way with driveways, sewers, utilities, drains, and the like, provided that the Grantee's facilities, operations, and/or maintenance of the easement and right-of-way are not disturbed. The Grantor will permit no structure to be erected or permitted on the easement and right-of-way, unless the Grantee consents in writing to such structure.

The grant of this easement and right-of-way, with its provisions, is a covenant running with the land for the Grantee's, its successors and assigns benefit.

The Grantor certifies that he/she/it is the owner of the real property described in this easement and right-of-way, and is fully authorized to grant this easement and right-of-way.

Executed this _____ day of _____, 2021.

By: _____

Printed: Christopher Dowty

Title: Manager

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, Christopher Dowty, Manager, The Links at Franklin, LLC being first duly sworn upon his oath, and acknowledged the execution of the foregoing Variable Drainage Easement and Right-of-Way and the facts therein set forth are true and correct.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2021.

Notary Public
Printed: _____
Resident of _____ County

My Commission Expires:

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

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

Voting Affirmative:

Mayor Steve Barnett

Melissa L. Jones

Robert Swinehamer

Attest:

Jayne Rhoades, Clerk Treasurer

Voting Opposed:

Mayor Steve Barnett

Melissa L. Jones

Robert Swinchamer

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 /s/ James R. Admire

Prepared by:

James R. Admire, Esq.

SCHAFSTALL ADMIRE, LLP

98 N. Jackson Street

Franklin, IN 46131

Telephone: (317) 736-7146

Facsimile: (317) 736-8005

jim@schafstalladmire.com

www.schafstalladmire.com

VARIABLE DRAINAGE EASEMENT

CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA

Part of the Southwest Quarter of Section 18, Township 12 North, Range 5 East of the Second Principal Meridian, Johnson County, Indiana described as follows:

Commencing at the Southeast Corner of said Quarter Section; thence along the South line thereof South 89 degrees 17 minutes 10 seconds West (bearings based on State Plane Coordinates) 313.69 feet to the Point of Beginning of this described easement; thence continuing along said South line South 89 degrees 17 minutes 10 seconds West 1188.58 feet; thence North 00 degrees 47 minutes 49 seconds East 140.67 feet; thence North 89 degrees 34 minutes 55 seconds East 872.28 feet; thence North 00 degrees 31 minutes 56 seconds West 197.08 feet; thence North 89 degrees 27 minutes 37 seconds East 239.72 feet; thence North 00 degrees 32 minutes 23 seconds West 93.33 feet; thence North 89 degrees 27 minutes 54 seconds East 149.30 feet; thence South 00 degrees 10 minutes 36 seconds East 135.71 feet; thence South 89 degrees 49 minutes 24 seconds West 73.33 feet; thence South 00 degrees 10 minutes 36 seconds East 290.32 feet to the Point of Beginning containing 5.56 acres, more or less, subject to all rights-of-way, easements and restrictions.

Prepared by: Jeffrey D. Knarr, P.S. Projects Plus, 1257 Airport Parkway, Suite "A", Greenwood, Indiana 46143 (317) 882-5003 ex 301

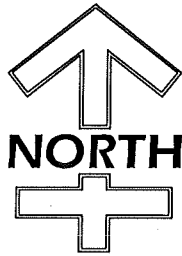
PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

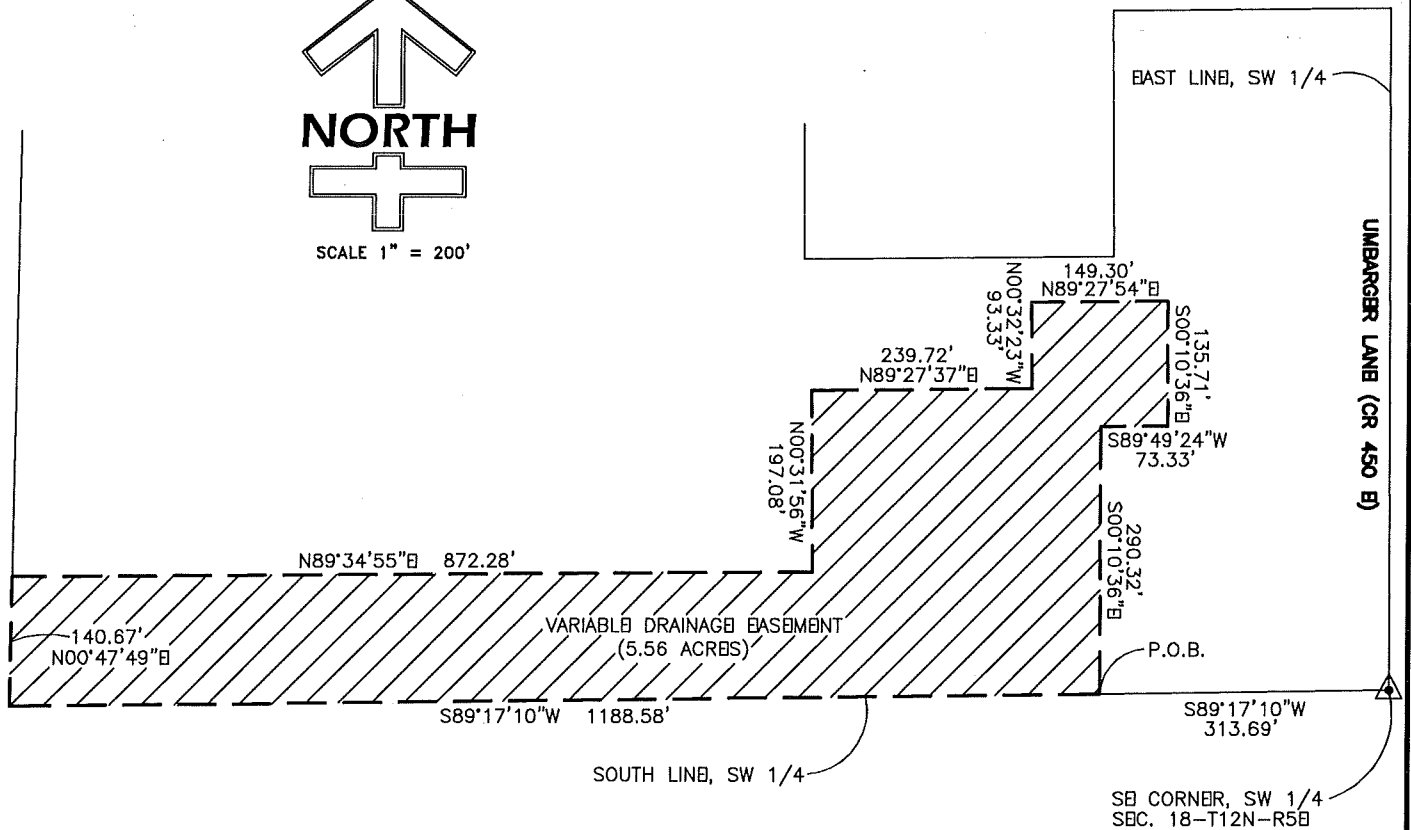
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
1257 Airport Parkway Suite A - Greenwood, Indiana 46143
(317)-882-5003

VARIABLE DRAINAGE EASEMENT

CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA



SCALE 1" = 200'



PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
1257 Airport Parkway Suite A - Greenwood, Indiana 46143
(317)-882-5003

STATE OF INDIANA)
) SS: SIDEWALK EASEMENT
COUNTY OF JOHNSON)

That in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and legal sufficiency of which is now acknowledged, The Links at Franklin, LLC, (hereinafter referred to as "GRANTOR"), by its President, Christopher Dowty, warrants to the City of Franklin, Indiana, 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, bargains, sells, transfers, dedicates, and conveys unto the GRANTEE an easement with the right to erect, construct, install and lay, use, operate, inspect, repair, maintain, replace and remove a sidewalk, which is/are part of, or are to become part of, the GRANTEE's sidewalk system over, across, and through the land of the GRANTOR situated in Johnson County, State of Indiana, and said easement being described as follows:

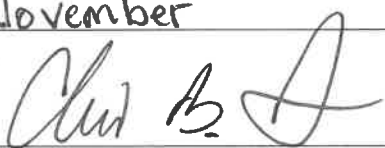
A perpetual permanent easement as shown on Exhibit "A"

Cross-referencing Instrument No. 2021-016277
Recorded on June 1, 2021

In acquiring said easement and rights-of-way, the right shall be reserved to the GRANTORS of the real estate to use and fully enjoy said permanent easement and right-of-way for all purposes not inconsistent with the necessary and convenient uses thereof by GRANTEE, its trustees, successors and assigns, for the purposes aforesaid; provided that no structure shall be erected or permitted on the permanent easement and right-of-way. The rights reserved by the GRANTOR shall include, but shall not be limited to, the right to cross small sections of the permanent easement and right-of-way with drives, sewers, utilities, drains and the like in such fashion as not to disturb GRANTEE's facilities or the operation or maintenance thereof. The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of GRANTEE, its trustees, successors, and assigns.

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 7 day of November, 2023.

By: 

Printed: Christopher Dowty

Title: President, The Links at Franklin, LLC

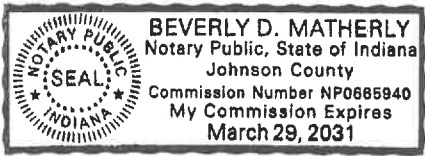
STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, **Christopher Dowty, President of The Links at Franklin, LLC**, 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 7th DAY OF November, 2023.

Beverly D. Matherly
Notary Public
Printed: Beverly D. Matherly
Resident of Johnson County

My Commission Expires:
March 29, 2031



INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of _____, 2023.

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

Voting Affirmative:

Voting Opposed:

Mayor Steve Barnett

Mayor Steve Barnett

Ken Austin

Ken Austin

Tina Gross

Tina Gross

Attest:

Jayne Rhoades, Clerk Treasurer

Return document to Grantee: City of Franklin, 70 E. Monroe Street, Franklin, Indiana, 46131.

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 /s/ James R. Admire

Prepared by:
James R. Admire
SCHAFSTALL ADMIRE, LLP
98 N. Jackson Street
Franklin, IN 46131
Telephone: (317) 736-7146

15' SIDEWALK EASEMENT

CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA

Part of the Southwest Quarter of Section 18, Township 12 North, Range 5 East of the Second Principal Meridian, Johnson County, Indiana described as follows:

Commencing at the Southeast Corner of said Quarter Section; thence along the East line thereof North 00 degrees 10 minutes 36 seconds West (bearings based on State Plane Coordinates) 180.87 feet; thence South 89 degrees 49 minutes 24 seconds West 35.01 feet to the Point of Beginning of this described easement thence continuing South 89 degrees 49 minutes 24 seconds West 15.00 feet; thence North 00 degrees 10 minutes 36 seconds West parallel with the East line of said Quarter Section 418.05 feet; thence North 89 degrees 49 minutes 24 seconds East 15.00 feet; thence South 00 degrees 10 minutes 36 seconds East parallel with the East line of said Quarter Section 418.05 feet to the Point of Beginning containing 6,271 square feet, more or less, subject to all rights-of-way, easements and restrictions.

Prepare by: Jeffrey D. Knarr, P.S. Projects Plus, 1257 Airport Parkway, Suite "A", Greenwood, Indiana 46143 (317) 882-5003 ex 301

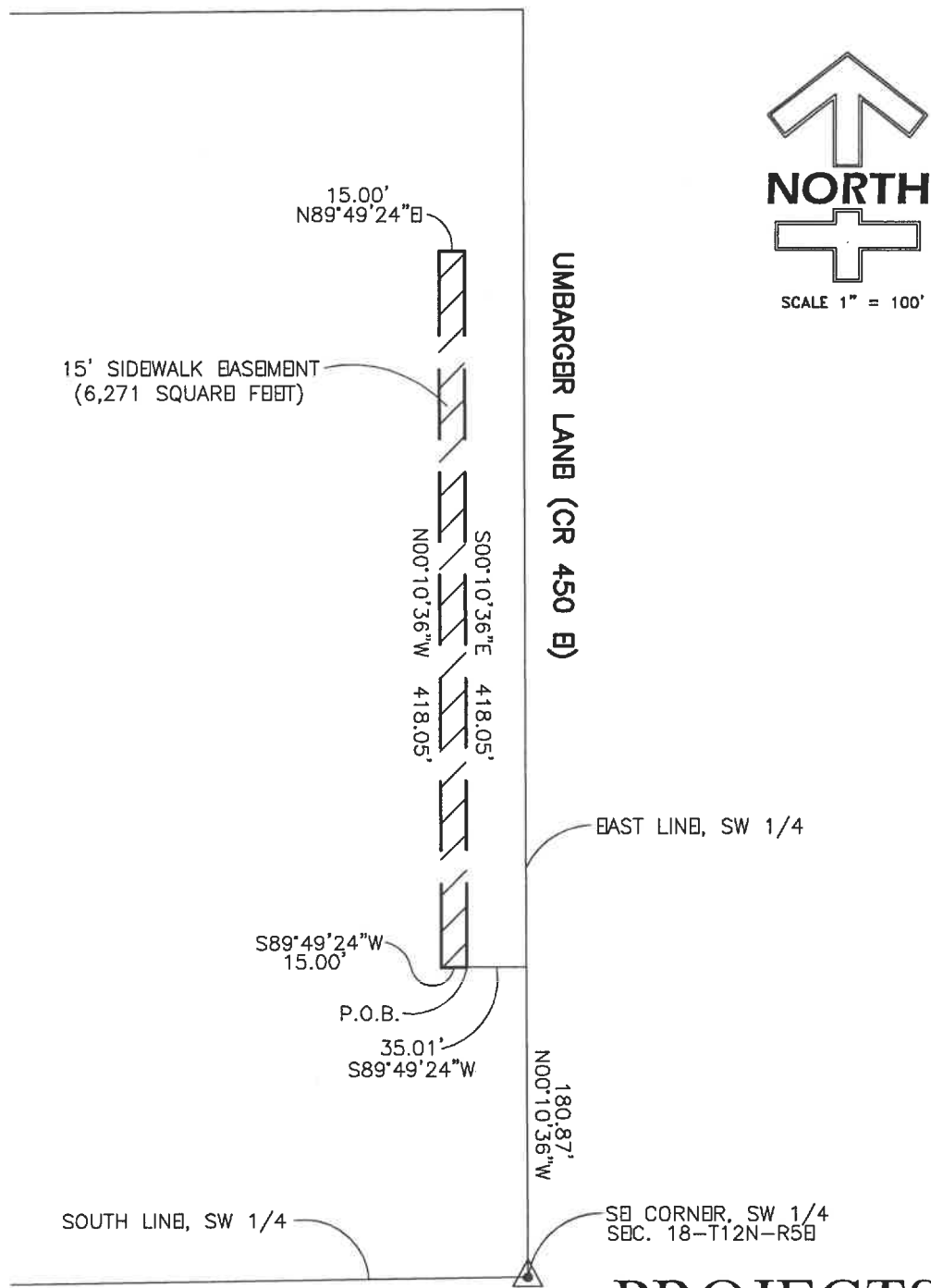


PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
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(317)-882-5003

15' SIDEWALK EASEMENT
CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA



PROJECTS *plus*

GREENWOOD SURVEYING COMPANY

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