

**FILED**

SUBJECT TO FINAL ACCEPTANCE

**AUG 11 2023**

*Elizabeth A. Alley*  
AUDITOR, JOHNSON COUNTY

City of Franklin Common Council

**ORDINANCE # 2023-05**

AN ORDINANCE APPROVING A RESOLUTION  
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION,  
AND ANNEXING CERTAIN PROPERTY CONTIGUOUS TO THE FRANKLIN CORPORATE LIMITS  
(to be known as Dunn & Snepp Annexation)

2023-012415  
RECORDED ON  
08/11/2023 11:10:07 AM  
TERESA K. PETRO  
JOHNSON COUNTY RECORDER  
REC FEE: 25.00  
PAGES: 6  
RECORDED AS PRESENTED

**WHEREAS**, a petition has been filed before the Common Council of the City of Franklin, Indiana, pursuant to IC 36-4-3-5.1, by the owners of certain real estate, requesting that said real estate be annexed by the City of Franklin, Indiana, a description of said property is attached hereto, incorporated herein and marked as Exhibit "A"; and

**WHEREAS**, the City of Franklin, Indiana Plan Commission is an advisory Plan Commission to the City of Franklin, and has by Resolution #2023-06 recommended that the City's Common Council approve the annexation of the real property described in the attachments (a copy of said Resolution, together with attached exhibits, is attached hereto, incorporated herein by reference, and marked "Resolution #2023-06"); and

**WHEREAS**, pursuant to IC 36-7-4-605, Resolution #2023-06 has been certified to City's Common Council; and

**WHEREAS**, it appears that it would be in the best interest of the City of Franklin, Indiana that said real estate described in Exhibit "A" be annexed to and become a part of the City of Franklin, Indiana.

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, ORDAINS AND ENACTS THE FOLLOWING:**

1. The real estate described in Exhibit "A" is hereby declared annexed to the City of Franklin, Indiana.
2. Pursuant to I.C. 36-4-3-4.1, all portions of the annexation territory that are assessed as agricultural land under the real property assessment rules and guidelines of the department of local government finance shall be exempt from all property tax liability under I.C. 6-1.1 for municipal purposes and shall remain exempt from the property tax liability for so long as the property's assessment classification remains agricultural. There may not be a change in the zoning classification of the annexation territory without the consent of the owner of the annexed territory.
3. The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain; and
4. The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and

0009577

**Sale Disclosure NOT Required  
Johnson County Assessor**

TX:4586931

DocId:38662098



5. If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance; and
6. The provisions set forth in this ordinance become and will remain in full force and effect pursuant to Indiana Code; and
7. Said newly annexed territory shall become a part of Council District 5; and
8. The Clerk-Treasurer is hereby directed to advertise this ordinance pursuant to IC 36-4-3-7 and to make the filings as required by IC 36-4-3-22(a).

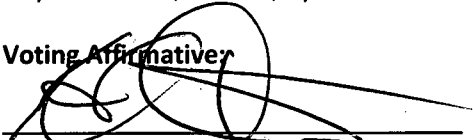
INTRODUCED AND FILED on the 5<sup>th</sup> day of June, 2023.

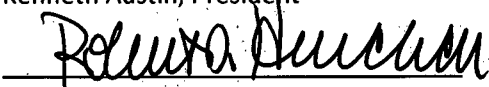
PUBLIC HEARING held on the 19<sup>th</sup> day of June, 2023.

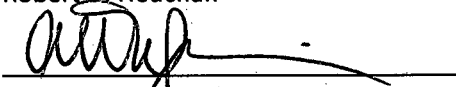
DULY ADOPTED on this 5 day of July, 2023, by the Common Council of the City of Franklin, Johnson County, Indiana having been passed by a vote of 7 in Favor and 0 Opposed.


City of Franklin, Indiana, by its Common Council:

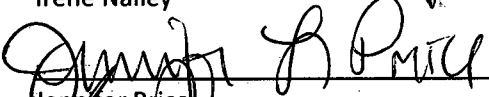
Voting Affirmative:

  
 \_\_\_\_\_  
 Kenneth Austin, President

  
 \_\_\_\_\_  
 Robert D. Heuchan

  
 \_\_\_\_\_  
 Anne McGuinness

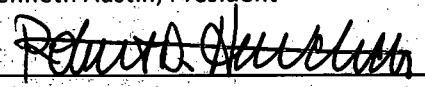
  
 \_\_\_\_\_  
 Irene Nalley

  
 \_\_\_\_\_  
 Jennifer Price

  
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 Josh Prine

  
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 Shawn Taylor

Voting Opposed:

\_\_\_\_\_  
 Kenneth Austin, President  
 ~~POA~~  
 \_\_\_\_\_  
 Robert D. Heuchan

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 Anne McGuinness

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 Irene Nalley

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 Jennifer Price

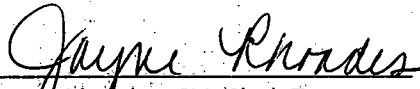
\_\_\_\_\_  
 Josh Prine

\_\_\_\_\_  
 Shawn Taylor

Attest:

  
 \_\_\_\_\_  
 Jayne Rhoades, City Clerk-Treasurer

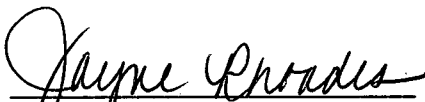
Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 5 day of July, 2023 at 6:10 o'clock p.m.

  
Jayne Rhoades, City Clerk-Treasurer

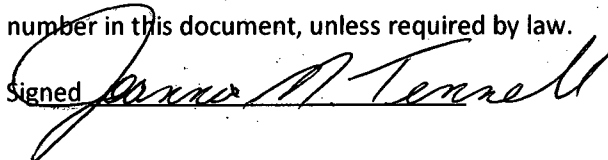
This Ordinance having been passed by the legislative body and presented to me was **Approved** by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1) [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 5 day of July, 2023 at 6:10 o'clock p.m.

  
Steve Barnett, Mayor

Attest:

  
Jayne Rhoades, City Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed 

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

**EXHIBIT "A"**

**HUGH DUNN**

The West half of the Southeast quarter of Section 35, Township 13 North, Range 4 East, containing 80 acres, more or less.

Including all contiguous areas of public highways and rights-of-way of the public highways which are not already contained within the corporate boundaries of the City of Franklin.

AND

**SNEPP JOINT TRUST**

The West half of the Southwest quarter of Section Thirty-six (36), Township Thirteen (13) North, Range Four (4) East of the Second Principal Meridian, containing eighty (80) acres, more or less.

ALSO, The East half of the Southeast quarter of Section Thirty-five (35), Township and Range aforesaid, EXCEPTING THEREFROM twenty-one (21) acres by parallel lines off of the entire South end of said half quarter section, containing in said Tract, less said exception, fifty-nine (59) acres, more or less.

And containing in both tracts, herein described one hundred thirty-nine (139) acres, more or less, subject to all legal highways.

AND

A part of the East half of the Southeast quarter of Section 35, Township 13 North, Range 4 East of the Second Principal Meridian, described as follows: Beginning at the Southeast corner of the said half quarter; thence North on and along the East line 697.14 feet; thence West 655.35 feet; thence South 695.18 feet to the South line of said half quarter; thence East on and along said South line 640.70 feet to the place of beginning, containing 10.36 acres, more or less, subject to all legal rights-of-way.

AND

A part of the east half of the southeast quarter of section 35, township 13 north, range 4 east of the second principal meridian, described as follows:

Beginning at the southwest corner of said half quarter; thence north on and along the west line of said half quarter 692.30 feet; thence east 681.25 feet; thence south 431.18 feet; thence west 330 feet; thence south 264.00 feet to the south line of said half quarter; thence west on and along said south line 360.82 feet to the place of beginning, containing 8.93 acres, more or less, subject to all legal rights of way.

AND

Including all contiguous areas of public highways and rights-of-way of the public highways which are not already contained within the corporate boundaries of the City of Franklin.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2023-06  
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

**NAME OF PETITIONER:**  
Hugh Dunn & Snepp Joint Trust

**PLAN COMMISSION DOCKET NUMBER:**  
PC-23-06

**RESOLUTION**

**WHEREAS**, the City of Franklin, Indiana has received an annexation petition to have the property described in Exhibit "A" annexed into the corporate limits of Franklin, Indiana; and

**WHEREAS**, the petitioner has submitted a statement of reasons for having said property annexed; and

**WHEREAS**, said property meets the condition of being one-eighth contiguous to the present corporate limits; and

**WHEREAS**, the existing improvements have been submitted and reviewed by the Plan Commission; and

**WHEREAS**, the said improvements are consistent with the 2013 Comprehensive Plan; and

**WHEREAS**, the required Plan of Services (fiscal plan) is being written and shall be submitted to the Franklin Common Council for its adoption; and

**WHEREAS**, a public hearing was held on the 16<sup>th</sup> day of May, 2023 to give the public an opportunity to offer comments on said annexation petition; and

**WHEREAS**, the Franklin City Plan Commission has given due consideration to the future growth and prosperity of the City of Franklin, as well as the health, safety, and general welfare of its residents; and


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

**NOW THEREFORE BE IT RESOLVED THAT THE FRANKLIN CITY PLAN COMMISSION HEREBY FORWARDS A FAVORABLE RECOMMENDATION TO THE FRANKLIN COMMON COUNCIL THAT:**

1. The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be approved for annexation to the City of Franklin.
2. On behalf of the secretary, staff of the Plan Commission is hereby directed to forward a copy of this resolution to the Petitioner and the City of Franklin Common Council.
3. This resolution is forwarded to the Common Council of the City of Franklin for further proceedings consistent with the provisions of Indiana Code.

Resolved by the Franklin City Plan Commission this 16<sup>th</sup> day of May, 2023.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

  
Jim Martin, President

ATTEST:

  
Joe Apban, Secretary

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