

FEB 27 2024

City of Franklin Common Council

ORDINANCE # 2023-16

Elizabeth A. Alway
AUDITOR, JOHNSON COUNTY

**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 DPW 4.5 ac. Annexation)**

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 #2023-23 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 #2023-23"); and

WHEREAS, pursuant to IC 36-7-4-605, Resolution #2023-23 has been certified to City's Common Council; and

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

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

1. The real estate described in Exhibit "A" is hereby declared annexed to the City of Franklin, Indiana.
2. The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain; and
3. The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed; and
4. If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance; and
5. The provisions set forth in this ordinance become and will remain in full force and effect on the second January 1 that follows the date the ordinance is adopted pursuant to Indiana Code; and
6. Said newly annexed territory shall become a part of Council District 4; and
7. The Clerk-Treasurer is hereby directed to advertise this ordinance pursuant to IC 36-4-3-7 and to make the filings as required by IC 36-4-3-22(a).

Sales Disclosure NOT Required
Johnson County Assessor



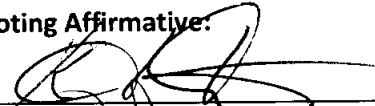
INTRODUCED AND FILED on the 4th day of December, 2023.

PUBLIC HEARING held on the 2 day of January, 2024

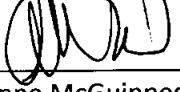
DULY ADOPTED on this 17 day of January, 2024, by the Common Council of the City of Franklin, Johnson County, Indiana having been passed by a vote of 7 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

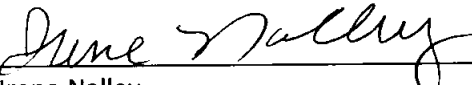
Voting Affirmative:



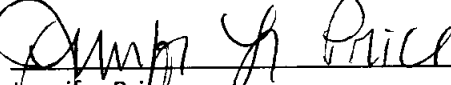
Kenneth Austin, President



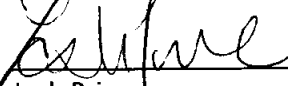
Anne McGuinness




Irene Nalley



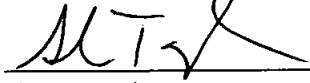
Jennifer Price



Josh Prine



Todd Shuck



Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Anne McGuinness

Irene Nalley

Jennifer Price

Josh Prine

Todd Shuck

Shawn Taylor

Attest:



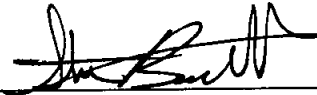
City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 17 day of January, 2024 at 6:10 o'clock p.m.



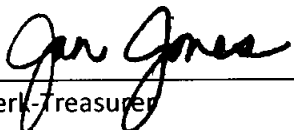
City Clerk-Treasurer

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 day of January, 2024 at 6:10 o'clock p.m.



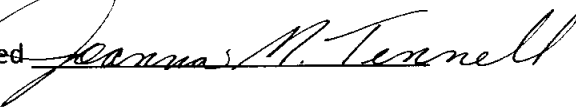
Steve Barnett, Mayor

Attest:



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"

In Johnson County, Indiana,

A part of the east half of the southwest quarter of Section 24, Township 12 North and Range 4 East: Beginning at a point on the west line twenty-one and fifty-seven hundredths (21.57) chains north of the southwest corner; thence east three (3) chains; thence north and parallel with the west line of said quarter to the center of the Madison and Indianapolis State Road; thence north fifty-six and three-fourths ($56 \frac{3}{4}$) degrees west with said road, to the west line of said half quarter section; thence south on said line to the place of beginning, containing four and fifty hundredths (4.50) acres.

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 # 2023-23
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:
City of Franklin

PLAN COMMISSION DOCKET NUMBER:
PC-23-23

RESOLUTION

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

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

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

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

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

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

WHEREAS, a public hearing was held on the 21st day of November, 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 21st day of November, 2023.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

Jim Martin, President

ATTEST:

Joe Abban, Secretary