

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 23-16**

**AN ORDINANCE VACATING PLATTED DETENTION EASEMENT IN THE REPLAT  
BLOCK B GREENBROOKE PARKE**

WHEREAS, a Petition has been filed with the Greenwood City Clerk on behalf of County Line Properties, LLC ("County Line") to vacate the approximately 1.54 acre platted detention easement in the Replat Block B Greenbrooke Parke, in accordance with Ind. Code §§ 36-7-3-12 and 16;

WHEREAS, County Line owns Block B of Greenbrooke Parke and has worked with Smith/Packett (AL Investors LLC) to develop the subject property as an upscale senior living community;

WHEREAS the proposed site development plan for the senior living community relocates the detention pond from the northwest portion of the parcel to the southern portion, and vacation of the platted detention easement is necessary to accommodate the relocation of the detention pond and the development of the property;

WHEREAS, the Greenwood Advisory Plan Commission and the Greenwood Board of Public Works and Safety have favorably recommended to the Greenwood Common Council the approval of said Petition;

WHEREAS, the vacation of the platted detention easement will not hinder the growth or orderly development of the property on which the easement is located, will not make access to the property by means of a public way difficult or inconvenient, will not hinder the public's access to a church, school or other public building or place, will not hinder the use of a public way by the neighborhood in which the subject property is located or to which it is contiguous, nor will it adversely affect the health, safety, or welfare of the general public or the delivery of services to the public;

WHEREAS, said Petition was scheduled for a hearing before the Greenwood Common Council on Monday, June 19, 2023 at 7:00 p.m. and due notice of said hearing having been made in accordance with Indiana Code §§ 36-7-3-12, 36-7-3-16 and 5-3-1, the same is now properly before the Greenwood Common Council for action.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, AS FOLLOWS:

Section 1. The approximately 1.54 acre platted detention easement on the Final Plat Replat Block B Greenbrooke Parke, recorded in Plat Cabinet "E 268", Page Slide A & B, on July 21, 2017 as Instrument Number 2017-016319, in the Office of the Johnson County Recorder, more particularly described and shown as follows:

THE DETENTION EASEMENT AS SHOWN ON THE FINAL PLAT REPLAT BLOCK B GREENWBROOKE PARKE, INSTRUMENT NO. 2017-016319, JOHNSON COUNTY RECORDER.




Section 2. In accordance with Indiana Code § 36-7-3-12(f), within thirty (30) days after the adoption of this Ordinance, any aggrieved person may appeal the same to the Johnson County Circuit Court.

Section 3. The sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are separable, and if any word, phrase, clause, sentence paragraph or section of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 5<sup>th</sup> day of July, 2023.

  
Michael Campbell, President  
Greenwood Common Council

ATTEST:

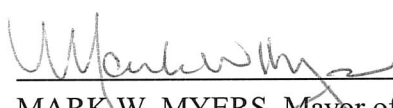
I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 5<sup>th</sup> day of July, \_\_\_\_\_, by the following vote:

	AYE:	NAY:
Ronald Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Erin Betron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill <u>Absent</u>	<input type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bradley Pendleton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 5<sup>th</sup> day of July, 2023, is presented by me this 5<sup>th</sup> day of July, 2023, at 7:55 o'clock P.m., to the Mayor of the City of Greenwood, Indiana.

  
Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 5<sup>th</sup> day of July, 2023, is approved by me this 5<sup>th</sup> day of July, 2023, at 8:00 o'clock P.m.

  
MARK W. MYERS, Mayor of  
the City of Greenwood, Indiana