

FILED
SUBJECT TO FINAL ACCEPTANCE

DEC 26 2023

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 23-50

2023-020193
RECORDED ON
12/26/2023 03:29:30 PM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 25.00
PAGES: 3
RECORDED AS PRESENTED

AUDITOR: *Emily J. Allen*
**ORDINANCE VACATING PLATTED VARIABLE WIDTH ACCESS, DRAINAGE
AND UTILITY EASEMENT IN LOTS 4 AND 5, WORTHVILLE COMMERCE
CENTER PHASE II**

WHEREAS, a Petition has been filed with the Greenwood City Clerk on behalf of GLA Properties, LLC ("GLA Properties") to vacate the approximately 0.393 acre platted variable width access, drainage and utility easement in Lot 4 and Lot 5 Replat of Lot 1, Lot 2 & Block A Worthsville Commerce Center Phase II, in accordance with Ind. Code §§ 36-7-3-12 and 16;

WHEREAS, GLA Properties owns Lot 4 and Lot 5 Replat of Lot 1, Lot 2 & Block A Worthsville Commerce Center Phase II and needs to relocate the planned access for the site within the platted easement and the existing storm sewer within the platted easement as part of tenant revisions for the development planned for Lot 4 and Lot 5 of the site;

WHEREAS, vacation of the variable width access, drainage and utility easement is necessary to accommodate the relocation of the easement to the revised access location to the site, the new storm location, 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;

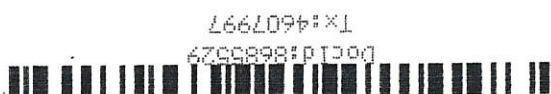
WHEREAS, the vacation of the variable width access, drainage and utility easement will not hinder the growth or orderly development of the property on which the easement is located, will not make access to the property by means of a public way difficult or inconvenient, will not hinder the public's access 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;

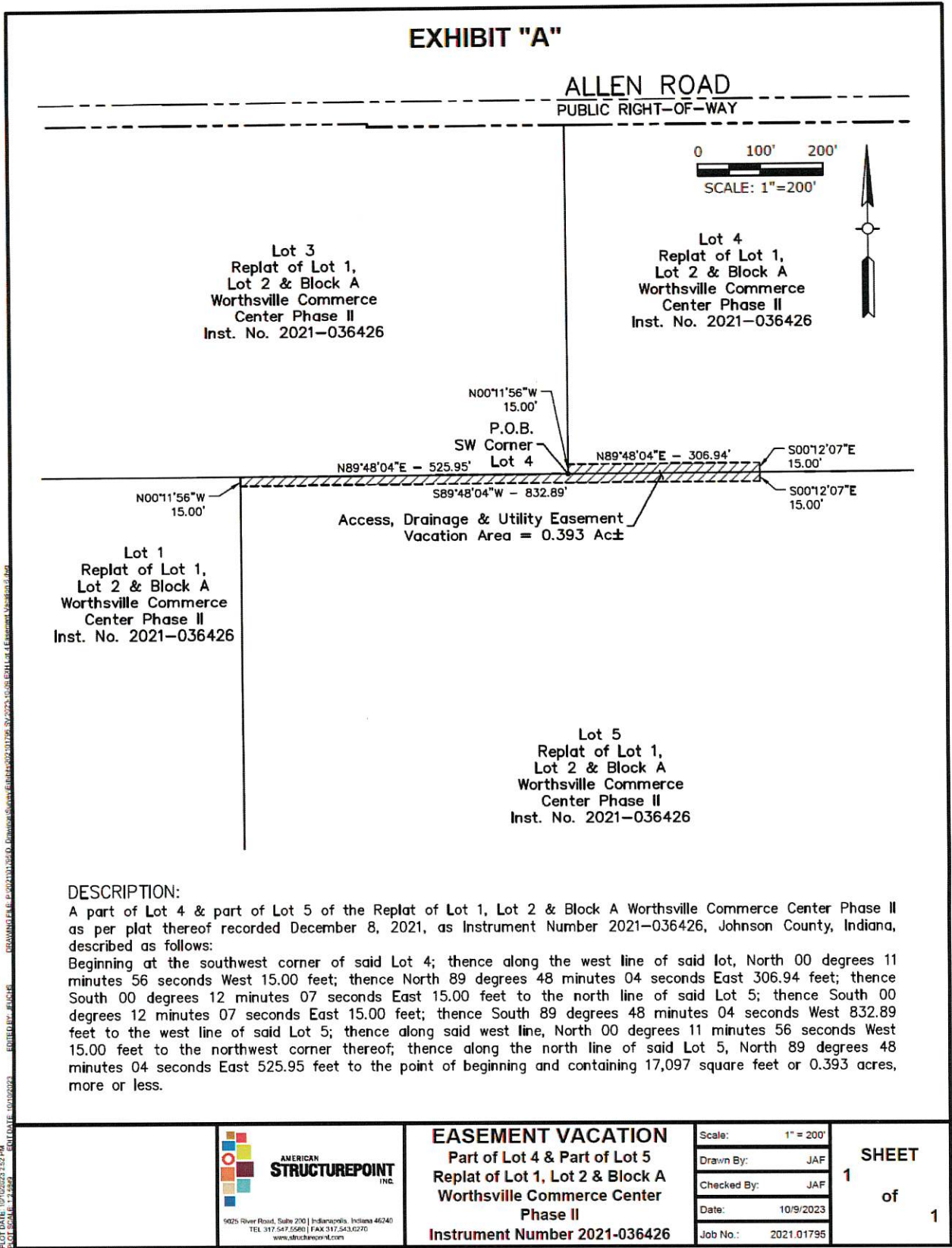
WHEREAS, said Petition was scheduled for a hearing before the Greenwood Common Council on Wednesday November 8, 2023 at 7:00 p.m. and due notice of said hearing having been made in accordance with Indiana Code §§ 36-7-3-12, 36-7-3-16 and 5-3-1, the same is now properly before the Greenwood Common Council for action.

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

Section 1. The approximately 0.393 acre platted variable width access, drainage and utility easement on Lot 4 and Lot 5, in Worthsville Commerce Center Phase II, as per plat thereof recorded in Plat Cabinet "E, page 540 A-D, on December 8, 2021 as Instrument Number 2021-036426, in the Office of the Johnson County Recorder, more particularly described and shown as follows:

**Sale Disclosure NOT Required
Johnson County Assessor**





is vacated.

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 20th day of November, 2023.

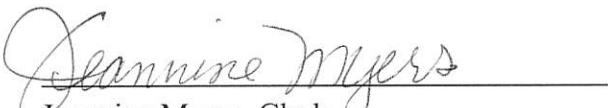

Michael Campbell, President
Greenwood Common Council

ATTEST:

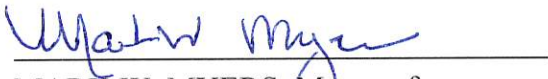
I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 20th day of November, 2023, by the following vote:

	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	<input checked="" 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 20th day of November, 2023, is presented by me this 20th day of November, 2023, at 8:00 o'clock A.m., to the Mayor of the City of Greenwood, Indiana.

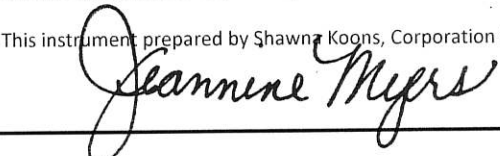

Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 20th day of November, 2023, is approved by me this 21st day of November, 2023, at 9:00 o'clock A.m.


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

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.

This instrument prepared by Shawn Koons, Corporation Counsel, 300 S. Madison Avenue, Greenwood, IN 46142


Jeannine Myers, IAMC, CMC, MMI1
City of Greenwood, Clerk