

**FILED**  
SUBJECT TO FINAL ACCEPTANCE

**JAN 30 2024**

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 23-54**

2024-001396  
RECORDED ON  
01/30/2024 03:49:20 PM  
TERESA K. PETRO  
JOHNSON COUNTY RECORDER  
REC FEE: 25.00  
PAGES: 5  
RECORDED AS PRESENTED

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY ON THE WEST SIDE OF  
MERIDIAN STREET SOUTH OF SURINA WAY AND NORTH OF SMITH VALLEY  
ROAD**

WHEREAS, a Petition has been filed with the Greenwood City Clerk on behalf of 523 Madison Townhomes, LLC and Madison Apartments, LLC to vacate approximately 1,086 feet (.254 acres) of public right-of-way along the west side of Meridian Street south of Surina Way and north of Smith Valley Road, to the east of The Madison Development, in accordance with Ind. Code § 36-7-3-12;

WHEREAS, Petitioner 523 Madison Apartments, LLC owns Block F in The Madison Final Plat, and Petitioner 523 Madison Townhomes, LLC owns The Madison Subplat of Block C and The Madison Subplat of Block D, and Petitioners desire to vacate the public right-of-way along their respective properties to integrate it into the adjacent platted Lots of Block F, and the Subplats of Blocks C and D, as part of their developments;

WHEREAS, vacation of the public right-of-way is necessary to accommodate the existing improvements within The Madison Apartments and The Madison Townhomes and the development of the properties;

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 public right-of-way will not hinder the growth or orderly development of the City of Greenwood or of the neighborhood in which the right-of-way is located or to which it is contiguous, will not make access to the lands of the owners abutting the right-of-way, or access by other persons, 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 properties are located or to which they are 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 December 4, 2023 at 7:00 p.m. and due notice of said hearing having been made in accordance with Indiana Code §§ 36-7-3-12 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:

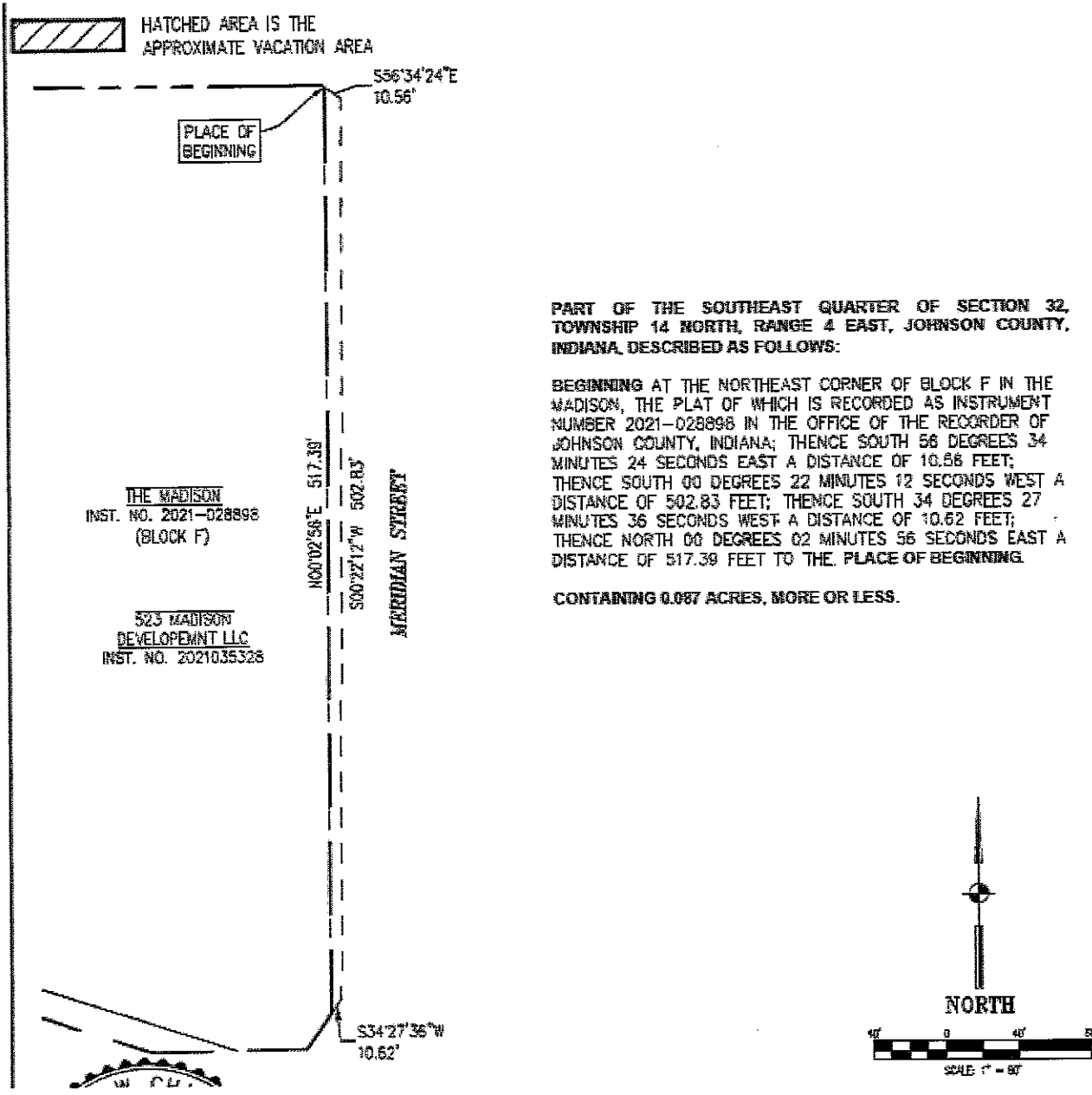
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**Sale Disclosure NOT Required**  
**Johnson County Assessor**

09521961X1

DocId:34889047

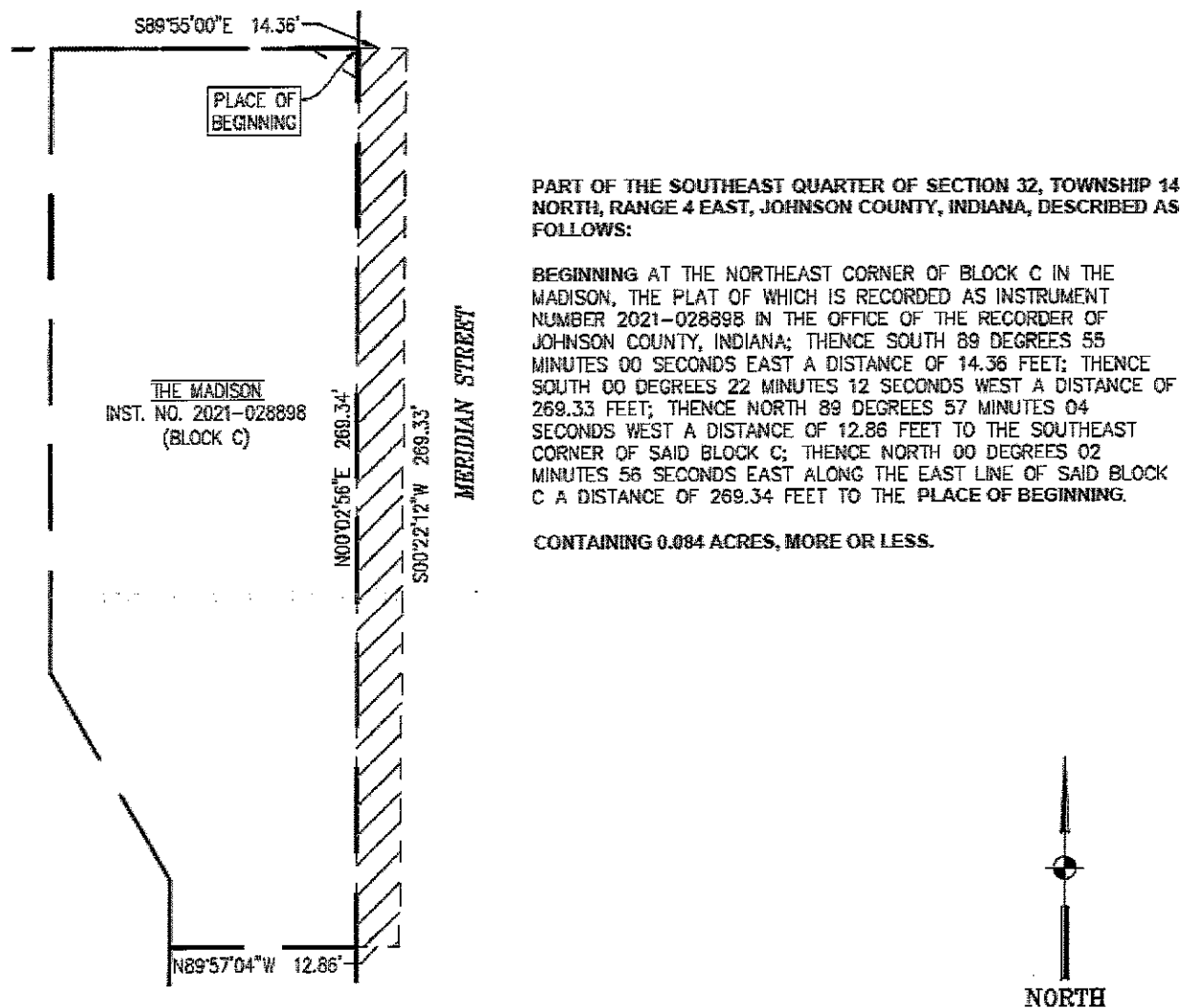
Section 1. The approximately 517.39 feet (0.087 acre) public right-of-way along the west side of Meridian Street adjacent to Block F in the The Madison Final Plat, as per plat thereof recorded in Plat Cabinet F Page 529, on September 27, 2021 as Instrument Number 2021-028898, in the Office of the Johnson County Recorder, more particularly described and shown as follows:



is vacated.

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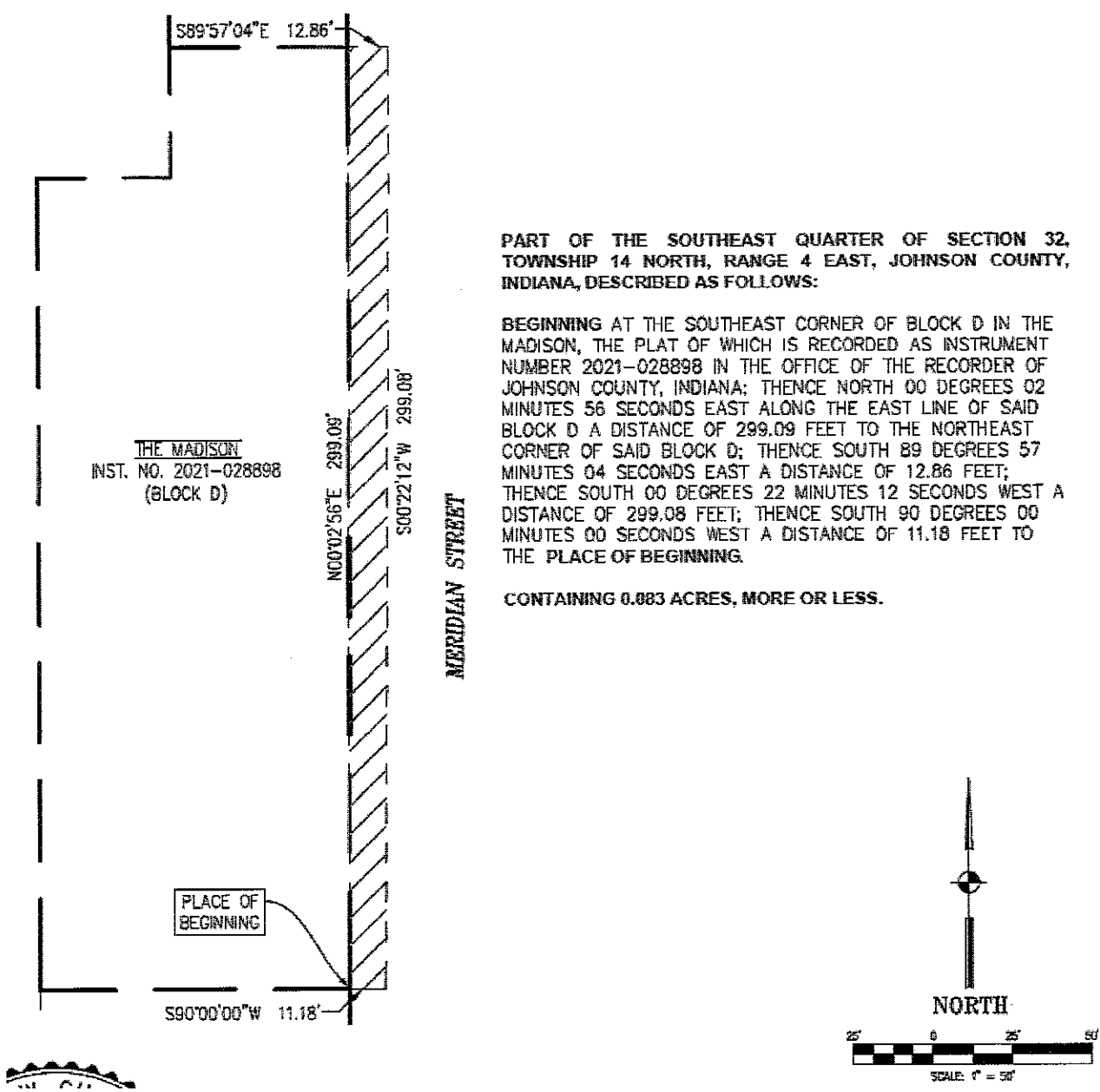
Section 2. The approximately 269.4 feet (0.084 acre) public right-of-way along the west side of Meridian Street adjacent to The Madison Subplat of Block C, as per plat thereof recorded in Plat Cabinet F Page 643, on September 26, 2023 as Instrument Number 2023-015516, in the Office of the Johnson County Recorder, more particularly described and shown as follows:



is vacated.

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Section 3. The approximately 299.08 feet (0.083 acre) public right-of-way along the west side of Meridian Street adjacent to The Madison Subplat of Block D, as per plat thereof recorded in Plat Cabinet F Page 644, on September 26, 2023 as Instrument Number 2023-015515, in the Office of the Johnson County Recorder, more particularly described and shown as follows:



is vacated.

Section 4. 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 5. 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 6. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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Passed by the Common Council of the City of Greenwood, Indiana, this 4<sup>th</sup> day of December, 2023.

Michael Campbell  
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 4<sup>th</sup> day of December, 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 4<sup>th</sup> day of December, 2023, is presented by me this 5<sup>th</sup> day of December, 2023, at 2023 8:10 o'clock a.m., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers  
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 December, 2023, is approved by me this 5<sup>th</sup> day of December, 2023, at 3:00 o'clock p.m.

Mark W. Myers  
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."

NAME

Jeannine Myers

Prepared by Jeannine Myers