

**FILED**  
SUBJECT TO FINAL ACCEPTANCE

DEC 26 2023

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 23-51**

2023-020194  
RECORDED ON  
12/26/2023 03:29:31 PM  
TERESA K. PETRO  
JOHNSON COUNTY RECORDER  
REC FEE: 25.00  
PAGES: 3  
RECORDED AS PRESENTED

**ORDINANCE VACATING PLATTED VARIABLE WIDTH DRAINAGE EASEMENT  
IN LOT 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 0.403 acre platted variable width drainage easement in Lot 5 Replat of Lot 1, Lot 2 & Block A Worthville Commerce Center Phase II, in accordance with Ind. Code §§ 36-7-3-12 and 16;

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

WHEREAS, vacation of the variable width drainage easement is necessary to accommodate the relocation of the existing storm sewer located within the easement to 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 drainage 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.

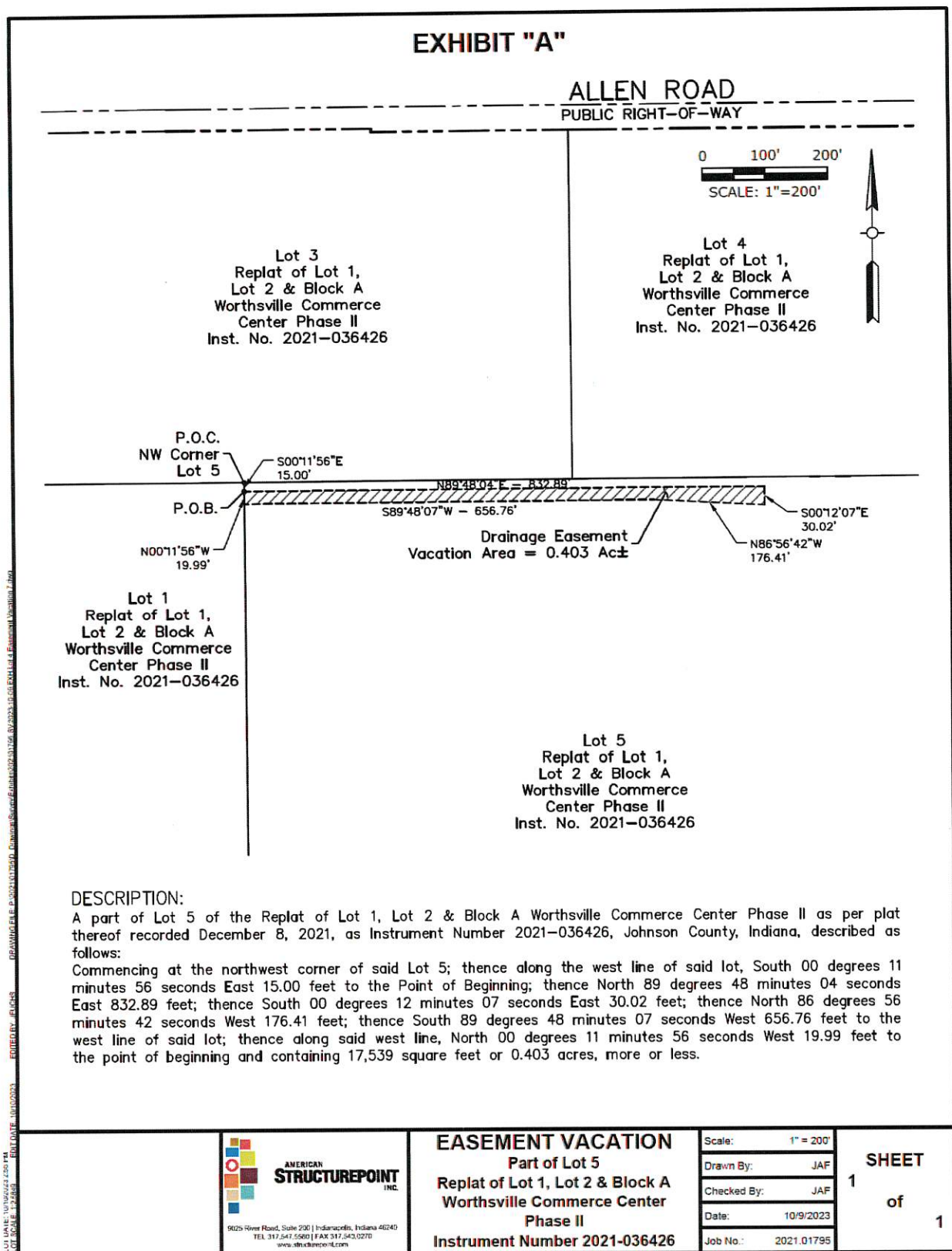
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, AS FOLLOWS:

Section 1. The approximately 0.403 acre platted variable width drainage easement on Lot 5, in Worthville 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**

DocId:36685030  
TX:4607997





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 20<sup>th</sup> 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 20<sup>th</sup> 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 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 20<sup>th</sup> day of November, 2023, is presented by me this 20<sup>th</sup> day of November, 2023, at 8:00 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 20<sup>th</sup> day of November, 2023, is approved by me this 21<sup>st</sup> day of November, 2023, at 9:00 o'clock A.m.

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

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

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