

**ORDINANCE NO. 2023-13**

**AN ORDINANCE VACATING A PORTION OF A CERTAIN  
PUBLIC STREET LOCATED ON MAIN STREET**

WHEREAS, Scott and Miranda Finley submitted a Application For Vacating Public Ways (“Application”) pursuant to Indiana Code 36-7-3-12 to the Edinburgh Town Council (“Council”). (“Petition”)

WHEREAS, the Application requested that the Council vacate the following portion of public street:

***The vacation of the eastern half of the public alley that exists East to West between S. Main Street and S. Pleasant Street abutting properties commonly known as: 502 and 504 S. Main Street, Edinburgh IN 46124.***

The street is located between properties at:

***502 S Main St, Edinburgh (PT SW O L S34 T11 R5)  
504 S Main St, Edinburgh (HARVEY LEWIS ADDITION LOT 1)***

(referred to as “Street”)

WHEREAS, the Street is located within the Town of Edinburgh’s town limits and therefore the Council has authority under Indiana Code 36-9-2-5 to vacate the same.

WHEREAS, the Council deemed the Application was submitted in proper form and contained the required information proscribed by Indiana Code 36-7-3-12.

WHEREAS, the Council held a public hearing at the Edinburgh Town Hall on the Petition on the 8<sup>th</sup> day of November, 2021 in accordance with Indiana Code 36-7-3-12(d). (“Hearing”)

WHEREAS, that prior to the Hearing, the Town of Edinburgh’s Clerk-Treasurer issued notices of the Hearing to the property landowners in accordance with Indiana Code 36-7-3-12(c).

WHEREAS, that at the Hearing, the Council approved the Petition and vacated the Street.

**NOW, THEREFORE, BE IT ORDAINED BY THE EDINBURGH TOWN  
COUNCIL, AS FOLLOWS:**

**I. SECTION 1. VACATION OF ALLEYS**

- a. That in accordance with Indiana Code 36-7-3-12(e) the Council hereby vacates the following public street:

***The vacation of the eastern half of the public alley that exists East to West between S. Main Street and S. Pleasant Street abutting properties commonly known as: 502 and 504 S. Main Street, Edinburgh IN 46124.***

II. SECTION 2. RECORDATION

- a. That in accordance with Indiana Code 36-7-3-12(e), the Town of Edinburgh’s Clerk-Treasurer shall furnish a copy of this Ordinance to the Johnson County Recorder for purposes of recording the same and to the Johnson County Auditor.

III. SECTION 3. REPEALER

- a. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

IV. SECTION 4. SEVERABILITY

- a. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

V. SECTION 5. EFFECTIVE DATE

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

ADOPTED this 11<sup>th</sup> day of September, 2023.

EDINBURGH TOWN COUNCIL

Absent  
M. Ryan Piercefield, President

[Signature]  
Dawn Graham, Vice President

[Signature]  
Debbie Buck, Member

[Signature]  
Miriam Rooks, Member

[Signature]  
Jeff Simpson, Member

ATTEST: [Signature]  
Scott Finley, Clerk-Treasurer