

**EDINBURGH TOWN COUNCIL
ORDINANCE NO. 2023-7**

**AN ORDINANCE VACATING A PORTION OF A CERTAIN
PUBLIC STREET LOCATED IN GREEN ACRES SUBDIVISION,
BLOCK G**

WHEREAS, Gregory A. & Sherry Burton and Troy & Nancy Burton 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 southern portion (dead-end) of the public street that exists south of Morris Street between and abutting properties commonly known as: 307 & 209 Morris Street, Edinburgh IN 46124.

The street is located between properties at:

*307 Morris St, Edinburgh (Parcel #: 03-05-03-220-004.900-010, Legal Description: Lots 3 & 4 in Block G - Green Acres Subdivision)
209 Morris St, Edinburgh (Parcel #: 03-05-03-220-001.500-010, Legal Description: W/2 Lots 1 & 2 Block H - Green Acres Subdivision)*

(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 13th day of March, 2023 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 southern portion (dead-end) of the public street that exists south of Morris Street between and abutting properties commonly known as: 307 & 209 Morris 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

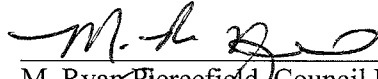
- a. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

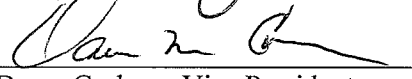
V. SECTION 5. EFFECTIVE DATE

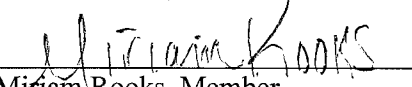
- a. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

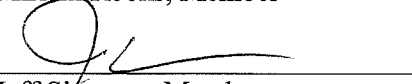
ADOPTED this 27th day of March, 2023.

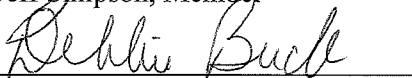
EDINBURGH TOWN COUNCIL


M. Ryan Piercefield, Council President


Dawn Graham, Vice President


Miriam Rooks, Member


Jeff Simpson, Member


Debbie Buck, Member

ATTEST: 
Scott Finley, Clerk-Treasurer