

**NOV 27 2024**

*Elizabeth A. Avey*  
AUDITOR, JOHNSON COUNTY

**GREENWOOD COMMON COUNCIL**

2024-020828  
RECORDED ON  
11/27/2024 03:46:17 PM  
TERESA K. PETRO  
JOHNSON COUNTY RECORDER  
REC FEE: 25.00  
PAGES: 7  
RECORDED AS PRESENTED

**ORDINANCE NO. 24-36**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF GREENWOOD, INDIANA, PLACING IT WITHIN THE CORPORATE BOUNDARIES AND MAKING IT A PART OF THE CITY OF GREENWOOD AND REDEFINING THE CORPORATE BOUNDARIES OF THE CITY OF GREENWOOD, INDIANA TO INCLUDE APPROXIMATELY 80.9 ACRES LOCATED SOUTH OF E. COUNTY LINE ROAD AND WEST OF N. FIVE POINTS ROAD (H & I Amick Farm, LLC Property)**

WHEREAS, the Greenwood Advisory Plan Commission conducted a public hearing on the voluntary petition for annexation of approximately 80.9 acres of land generally located south of E. County Line Road and west of N. Five Points Road;

WHEREAS, the Commission requested, and the Owner agreed to, the following commitments regarding the use and development of said real estate:

For the RM-Residential Medium Lot and CM- Commercial-Medium Format Zones:

1. Trails shall be developed in accordance with Exhibit G: Comprehensive Plan 2024: Future Trail Map, to the Staff Report.
2. Require a minimum of two pedestrian crossings over Grubbs ditch;

For the CM- Commercial- Medium Format Zone:

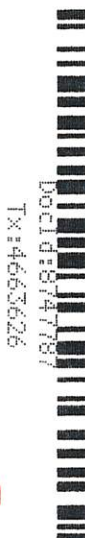
1. Businesses may not operate between the hours of 12:00 a.m. and 6:00 a.m. to reduce noise and light pollution on residential uses.
2. Primary vehicular access shall be from either Five Points or County Line Road, not through residential neighborhoods.
3. A shared parking agreement shall be required between commercial tenants to reduce the overall number of parking spaces.
4. No Electronic Variable Message Signs (EVMS) or illuminated signage facing the residential areas south of Grubbs Ditch shall be permitted.
5. Any commercial buildings that have rear façades which are adjacent to and oriented towards Grubbs Ditch shall treat those rear façades as front façades for Commercial Building Design Standards purposes.
6. A pedestrian walkway shall be provided on the south side of the commercial buildings, adjacent to Grubbs Ditch, ensuring connectivity to the residential areas.
7. Pedestrian pathways along the creek shall be lit with decorative pedestrian scaled lighting.
8. At least one outdoor gathering area, with landscaping and/or hardscaping features, shall be provided between the commercial buildings and Grubbs Ditch. The outdoor gathering area may or may not be associated with a commercial use. Examples include a restaurant's outdoor seating area, a childcare playground, a gazebo or shade structure connected to the trail system, or other recreational outdoor uses.

WHEREAS, the Owner offered the following additional commitments regarding the use and development of said real estate:

For the RM-Residential Medium Lot and CM-Commercial-Medium Format Zones:

1. Vinyl siding shall be prohibited.
2. When the real estate is improved, the Unified Development Ordinance requirements as amended, inclusive of landscaping, pedestrian facilities, right-of-way dedication, connectivity, stormwater, parking requirements, etc., will be incorporated.
3. All single-family structures shall follow Single-Family Residential Building Design Standards unless a variance is obtained for a standard.
4. A trail shall be developed and constructed along Grubbs Ditch.
5. A traffic study shall be completed.

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



6. The proposed east-west road shall be public right-of-way and have connections to both Five Points Road and stub to the west property line
7. Road improvements shall be completed in coordination with the City Engineer.
8. The following uses shall be prohibited in the CM zoned area:
  - a. Any use in the "Automotive Retail" category.
  - b. Any use in the "Automotive Services" category.
  - c. Crematorium.
  - d. Overnight-Lodging – Extended Stay
  - e. Overnight Lodging – Hotel
  - f. Shooting Range
  - g. Dwelling – Multi-Unit Building
  - h. Dwelling – Multi-Unit Building Complex
  - i. Tattoo Services

WHEREAS, the Greenwood Advisory Plan Commission has given a **favorable recommendation** (9-0) regarding said annexation petition;

WHEREAS, in connection with Ind. Code §36-4-3-3.1, Ind. Code §36-4-3-13 and Greenwood Common Council Resolution No. 86-2, as amended, a written fiscal plan has been prepared by the City's Department of Community Development Services – Planning Division Director for said annexation;

WHEREAS, the parcel is currently zoned AR – Agricultural/Residential use under the Johnson County Zoning Ordinance, and the petitioner requests the acreage be rezoned to CM – Commercial - Medium Format Zone and RM - Residential - Medium Lot Zone use under the Greenwood Unified Development Ordinance upon annexation;

WHEREAS, the area to be voluntarily annexed into the City includes a portion of or is contiguous to certain portions of the roadways known as County Line Road and Five Points Road;

WHEREAS, the Greenwood Common Council conducted a public hearing concerning the passage of this annexation ordinance prior to its adoption.

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

Section 1. In accordance with Ind. Code § 36-4-3-1 *et seq.* which authorizes the Common Council to declare and define the corporate boundaries of the City of Greenwood, Indiana, said corporate boundaries are hereby extended so as to include the following property generally located south of County Line Road and west of N. Five Points Road, which falls within the following boundaries as described and shown as follows, and the real estate located within said boundaries is hereby annexed to and made a part of the City; and the property is zoned CM-Commercial-Medium Format Zone and RM-Residential-Medium Lot Zone as further described and shown as follows:

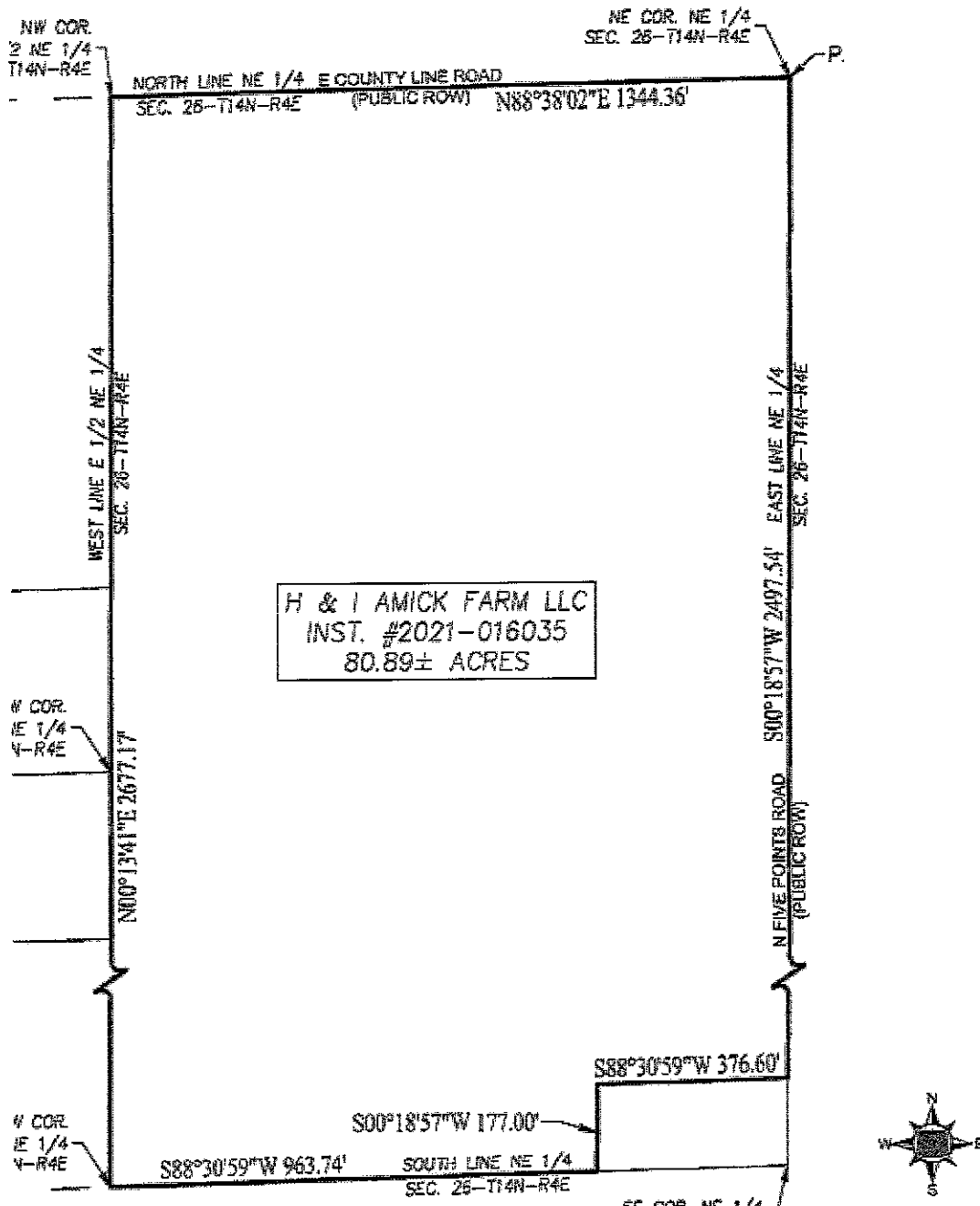
ANNEXATION PARCEL LEGAL DESCRIPTION

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN JOHNSON COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 2497.54 FEET TO A POINT BEING 177.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID EAST HALF; THENCE PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF SOUTH 88 DEGREES 30 MINUTES 59 SECONDS WEST 376.60 FEET; THENCE PARALLEL WITH THE EAST LINE OF SAID EAST HALF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 177.00 FEET TO THE SOUTH LINE OF SAID EAST HALF; THENCE ALONG SAID SOUTH LINE SOUTH 88 DEGREES 30 MINUTES 59 SECONDS WEST 963.74 FEET TO THE SOUTHWEST CORNER OF SAID EAST HALF; THENCE ALONG THE WEST LINE OF SAID EAST HALF NORTH 00 DEGREES 13 MINUTES 41 SECONDS EAST 2677.17 FEET TO THE NORTHWEST CORNER OF SAID EAST

HALF; THENCE ALONG THE NORTH LINE OF SAID EAST HALF NORTH 88 DEGREES 38 MINUTES 02 SECONDS EAST 1344.36 FEET TO THE POINT OF BEGINNING, CONTAINING 80.89 ACRES, MORE OR LESS.

**Drawing of Whole Parcel**



ZONING LEGAL DESCRIPTIONS

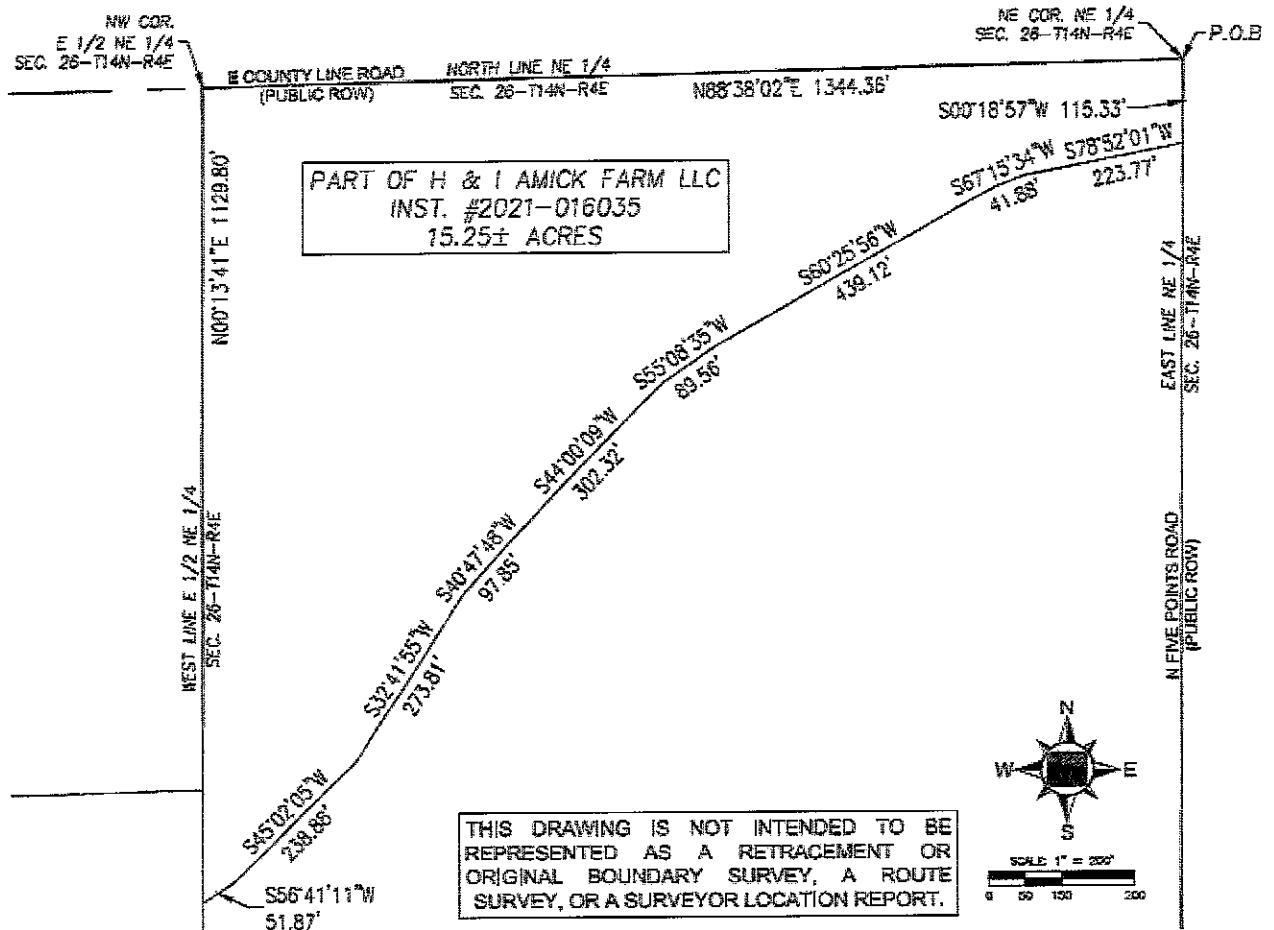
**CM-Commercial- Medium Format Zone (Northern Portion of the Parcel)**

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN JOHNSON COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST

115.33 FEET; THENCE SOUTH 78 DEGREES 52 MINUTES 01 SECONDS WEST 223.77 FEET; THENCE SOUTH 67 DEGREES 15 MINUTES 34 SECONDS WEST 41.88 FEET; THENCE SOUTH 60 DEGREES 25 MINUTES 36 SECONDS WEST 439.12 FEET; THENCE SOUTH 55 DEGREES 08 MINUTES 35 SECONDS WEST 89.56 FEET; THENCE SOUTH 44 DEGREES 00 MINUTES 09 SECONDS WEST 302.32 FEET; THENCE SOUTH 40 DEGREES 47 MINUTES 48 SECONDS WEST 97.85 FEET; THENCE SOUTH 32 DEGREES 41 MINUTES 55 SECONDS WEST 273.81 FEET; THENCE SOUTH 45 DEGREES 02 MINUTES 05 SECONDS WEST 238.88 FEET; THENCE SOUTH 56 DEGREES 41 MINUTES 11 SECONDS WEST 51.87 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 13 MINUTES 41 SECONDS EAST 1129.80 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE ALONG THE NORTH LINE OF SAID EAST HALF NORTH 88 DEGREES 38 MINUTES 02 SECONDS EAST 1344.36 FEET TO THE **POINT OF BEGINNING**, CONTAINING 15.25 ACRES, MORE OR LESS.

### Drawing of North Parcel



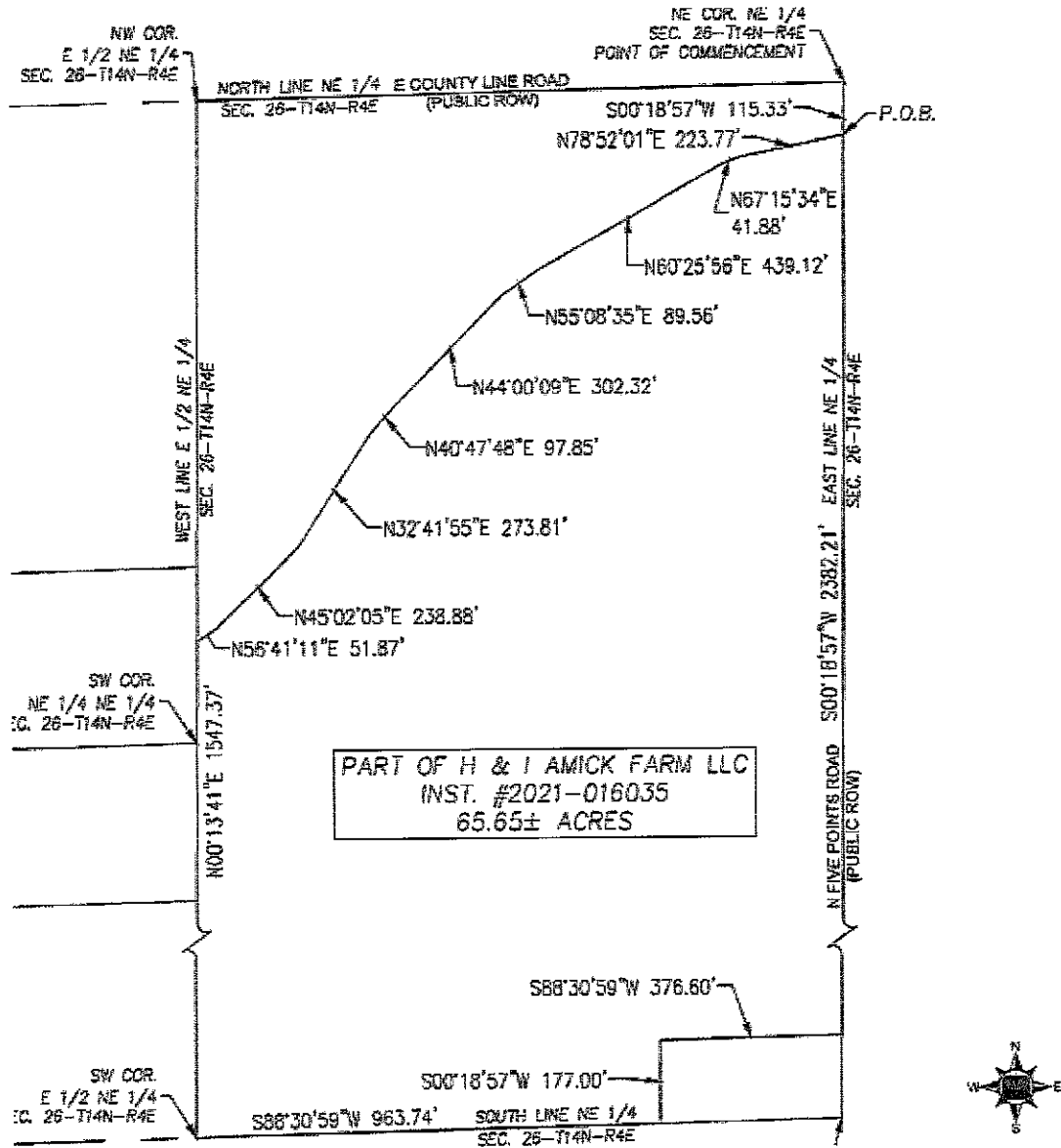
### RM-Residential- Medium Lot Zone (Southern Portion of the Parcel)

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN JOHNSON COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 115.33 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID EAST LINE SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 2382.21 FEET TO A POINT BEING 177.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID EAST HALF; THENCE PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF SOUTH 88 DEGREES 30 MINUTES 59 SECONDS WEST 376.60 FEET; THENCE PARALLEL WITH THE EAST LINE OF SAID EAST HALF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 177.00 FEET TO THE SOUTH LINE OF SAID EAST HALF; THENCE ALONG SAID SOUTH LINE 88 DEGREES 30 MINUTES 59 SECONDS WEST 963.74 FEET TO THE SOUTHWEST CORNER OF SAID EAST HALF; THENCE ALONG THE WEST LINE OF SAID EAST HALF NORTH 00 DEGREES 13 MINUTES 41 SECONDS EAST 1547.37 FEET; THENCE NORTH 56 DEGREES 41 MINUTES 11 SECONDS EAST 51.87 FEET; THENCE NORTH 45 DEGREES 02 MINUTES 05 SECONDS EAST 238.88 FEET; THENCE NORTH 32 DEGREES 41 MINUTES 55 SECONDS EAST 273.81 FEET; THENCE NORTH 40 DEGREES

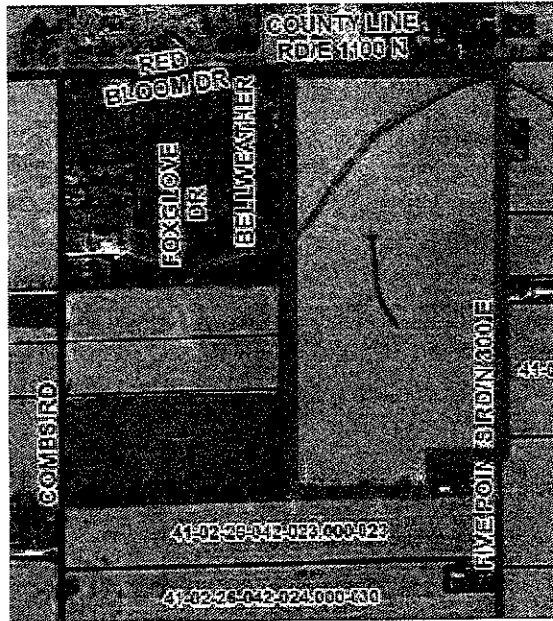
47 MINUTES 48 SECONDS EAST 97.85 FEET; THENCE NORTH 44 DEGREES 00 MINUTES 09 SECONDS EAST 302.32 FEET; THENCE NORTH 55 DEGREES 08 MINUTES 35 SECONDS EAST 89.56 FEET; THENCE NORTH 60 DEGREES 25 MINUTES 56 SECONDS EAST 439.12 FEET; THENCE NORTH 67 DEGREES 15 MINUTES 34 SECONDS EAST 41.88 FEET; THENCE NORTH 78 DEGREES 52 MINUTES 01 SECONDS EAST 223.77 FEET TO THE POINT OF BEGINNING, CONTAINING 65.65 ACRES, MORE OR LESS.

**Drawing of South Parcel**



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Aerial of Annexation Territory



Section 2. The territory annexed by this Ordinance is hereby assigned to the Greenwood Common Council District Three (3).

Section 3. The official zoning map referred to in Greenwood Ordinance No. 20-29, Section 2, as amended, shall reflect and the Greenwood Common Council states that upon the effective date of this annexation ordinance, the property within the above described annexation area is zoned as CM-Commercial-Medium Format Zone and RM-Residential-Medium Lot Zone.


Section 4. The real estate shall be developed and used in conformance with the commitments set forth in the second and third "Whereas clauses" above.

Section 5. 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.

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 18<sup>th</sup> day of November, 2024.

  
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 18<sup>th</sup> day of November, 2024, by the following vote:

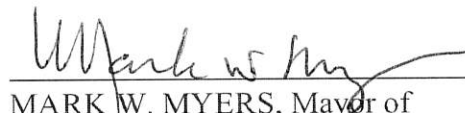
AYE: NAY:

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"/>
Teri Manship	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Moan	<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 18<sup>th</sup> day of November, 2024, is presented by me this 19<sup>th</sup> day of November, 2024, 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 18<sup>th</sup> day of Nov., 2024, is approved by me this 21<sup>st</sup> day of November, 2024, at 4:00 o'clock P.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 Shawna Koons, Corporation Counsel, 300 S. Madison Avenue, Greenwood, IN 46142