

ORDINANCE NUMBER 2025-16_____
OF THE TOWN OF ZIONSVILLE, INDIANA

**AN ORDINANCE VACATING A PORTION OF A PUBLIC WAY
WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES
PURSUANT TO INDIANA CODE §36-7-3-12**

WHEREAS, Indiana Code §36-7-3-12 provides for the process by which public ways may be vacated; and,

WHEREAS, on June 9, 2025, Foxlane Homes at Indy 2, LLC (the “Petitioner”), petitioned the Town of Zionsville (“Town”) to vacate a portion of the public way known as Marketplace Drive, a 60-foot right-of-way, dedicated per the Secondary Plat of The Club At Holliday Farms – Section 7, the plat thereof recorded as Instrument No. 2021016198 and in Plat Book 30, Pages 67 – 76 in the office of the Office of the Recorder of Boone County, Indiana, and pursuant to Indiana Code §36-7-3-12; and,

WHEREAS, the Town caused to be published notice of the petition and the time and place of the public hearing in the June 24, 2025, issue of the Lebanon Reporter, a copy of which proof of publication was submitted to the Town Council of Zionsville, Indiana (“Town Council”) and the Petitioner notified each owner of land abutting the area of the portion of the public way to be vacated; and,

WHEREAS, on July 7, 2025, the Town Council held a public hearing on the petition to vacate the portion of the public way, with proper notice under Indiana Law to all interested and potentially aggrieved parties; and,

WHEREAS, no potentially aggrieved individual has objected under the statutory grounds provided under Indiana Code §36-7-3-13; and,

WHEREAS, the Town Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant vacation of the public way described herein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana, that:

Section 1. Description of the Public Way: A portion of Marketplace Drive, a 60-foot right-of-way, dedicated per the Secondary Plat of The Club At Holliday Farms – Section 7, the plat thereof recorded as Instrument No. 2021016198 and in Plat Book 30, Pages 67 – 76 in the office of the Office of the Recorder of Boone County, Indiana, legally described and schematically illustrated on Exhibit A attached hereto, under the terms set forth herein, is hereby vacated.

Ordinance 2025-16

Section 2. Savings Clause: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 3. Construction of Clause Headings: The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope of intent of the clause to which the appertain.

Section 4. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

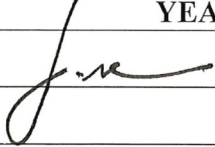
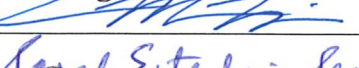
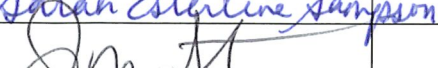
Section 5. Severability: If any part of the Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 6. Duration and Effective Date: The provisions of this Ordinance shall become and remains in full force and effect upon passage and until its repeal by ordinance.

Introduced and filed on the 7th day of July, 2025. A motion to consider on First Reading was sustained by a vote of seven (7) in favor and zero (0) opposed, pursuant to Indiana Code 36-5-2-9.8.

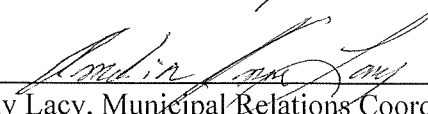
DULY PASSED AND ADOPTED this 21st day of July, 2025, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of six (6) in favor and (0) opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

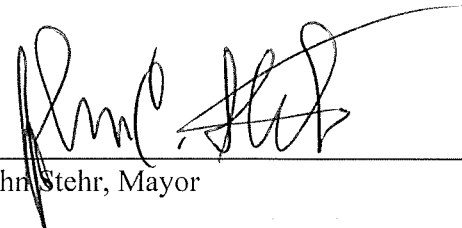
	YEA	NAY
Jason Plunkett, President		
Brad Burk, Vice-President		
Tim McElderry		
Craig Melton		
Evan Norris		
Sarah Esterline Sampson		
Joe Stein		

2025-16

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville Mayor John Stehr on the 21st day of July, 2025 at 9:30 A.M. P.M.

ATTEST: 
Amy Lacy, Municipal Relations Coordinator

MAYOR'S
APPROVAL


John Stehr, Mayor

7-21-2025
DATE

MAYOR'S
VETO

John Stehr, Mayor

DATE