

ORDINANCE 2013-6

AN ORDINANCE OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS DENYING THE VACATION REQUEST OF SCOTT
ODLE TO VACATE A PORTION OF A COUNTY ROAD 325 EAST
BETWEEN COUNTY ROAD 1000 NORTH AND 1100 NORTH

WHEREAS, on June 7, 2013, Scott Odle filed with the Board his Petition to Vacate County Road 325 East between County Road 1000 North and 1100 North in Montgomery County;

AND WHEREAS, the County Auditor mailed notice of this petition and public hearing to all persons owning real estate which abuts the county road requested to be vacated;

AND WHEREAS, the County Auditor also caused notice of a public hearing to be published in accordance with Indiana law;

AND WHEREAS, the Board conducted a public hearing on the petition on July 8, 2013:

AND WHEREAS, having considered the petition and evidence heard at the public hearing, the Board of Commissioners now finds as follows:


1. Scott Odle, the petitioner, is the tenant of farm land abutting the county road requested to be vacated and, therefore, has an interest in land adjacent to the county road requested to be vacated;
2. The county road is used significantly as a public road by various farmers in the area;
3. Vacation of this county road will not:
 - a. hinder the growth and orderly development in the area;
 - b. hinder the public's access to a church, school, or other public building; or
 - c. hinder the use of the road by a neighborhood in which it is located or contiguous; but
 - d. the vacation will make access to land adjacent to the County Road more difficult and will inconvenience farmers in the area.
4. All persons required by law have been notified of these proceedings, and several adjacent owners objected to the vacation because of how the vacation would affect them;

5. The Board finds that it is not in the best interests of the citizens of Montgomery County to vacate County Road 325 East, between County Road 1000 North and County Road 1100 North, and, therefore, Scott Odle's request for vacation should be denied.

IT IS, THEREFORE, ORDAINED that Scott Odle's request to vacate County Road 325 East, between County Road 1000 North and County Road 1100 North, is hereby denied.

Montgomery County Board of
Commissioners

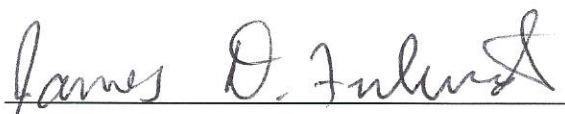
Adopted: July 22, 2013



Phil Bane, President



Terry Hockersmith, Vice President



James D. Fulwider, Member

Attest: 

Michelle Cash, Auditor