

**ORDINANCE 2024 - 16**

BEFORE THE BOARD OF THE COUNTY COMMISSIONERS IN MORGAN  
COUNTY, INDIANA UPON THE APPLICATION OF Gary Koger.

**An Ordinance Vacating Roadway** commonly known as West Birch Lane  
located in Ashland Township, Morgan County, Indiana.

WHEREAS, a Public Hearing was held on the 16<sup>th</sup> day of September, 2024, on the  
application of Gary Koger, with Notice given as required by law, for the vacation of a  
portion of West Birch Lane located within the jurisdiction of Morgan County, Indiana;

WHEREAS, the Petitioner presented evidence at the Public Hearing in which he  
is the owner of property described in attached Exhibit A;

WHEREAS, pursuant to Indiana Code 36-7-3-12, Petitioner made a valid  
application with the Board of County Commissioners in Morgan County, stating that he  
was the owner of property within Morgan County, Indiana, stated circumstances and  
requested vacation of the roadway, and specifically described the property proposed to  
be vacated, as he provided proof as the owners of land and adjoining the property  
proposed to be vacated were notified and all notices according to law were made;

WHEREAS, the Board of the County Commissioners in Morgan County, after  
diligent review of the matter pertaining to the vacation, such review having occurred at  
the Public Hearing;

WHEREAS, the Board of the County Commissioners of Morgan County now finds  
that the portion of the roadway known as West Birch Lane, located 700 feet west of a  
line commencing at the west edge of pavement of Wakeland Road and beginning at that  
point traveling the length of West Birch Lane 2,993 feet to the end of West Birch Lane,  
then proceeding 28 feet to the west, then traversing east along West Birch Lane 2,993

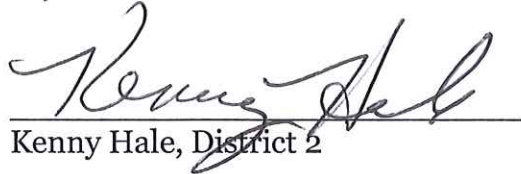
feet, then north 28 feet to the place of beginning and since Gary Koger owns property on both sides of the road to be vacated, all of the roadway shall be vacated and become the property of Gary Koger.

NOW, THEREFORE BE IT ORDAINED that the roadway identified above shall be vacated and shall from this day forward be the private property of Gary Koger.

Dated this 16<sup>th</sup> day of September, 2024.

A handwritten signature in black ink, appearing to read "Bryan Collier", written over a horizontal line.

Bryan Collier, District 1

A handwritten signature in black ink, appearing to read "Kenny Hale", written over a horizontal line.

Kenny Hale, District 2

A handwritten signature in blue ink, appearing to read "Don Adams", written over a horizontal line.

Don Adams, District 3