

**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;

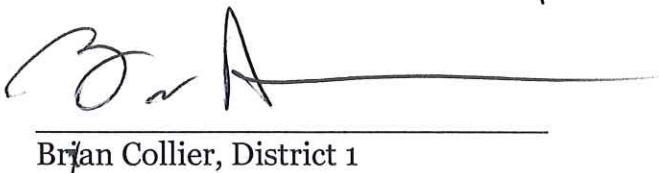
WHEREAS, the Board of the County Commissioners in Morgan County, after diligent review of the matter pertaining to the vacation, such review having occurred at the Public Hearing;

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.

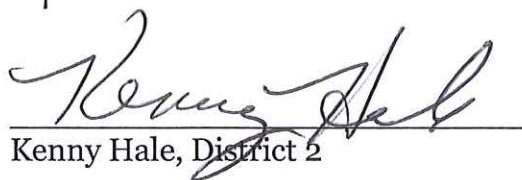
NOW, THEREFORE BE IT ORDAINED that the roadway identified above shall be vacated and shall from this day forward be the private property of Gary Koger.

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



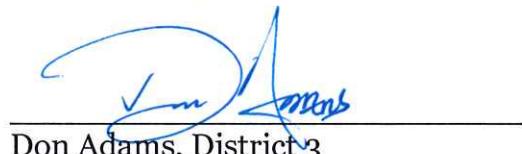
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Brian Collier, District 1



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Kenny Hale, District 2



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Don Adams, District 3