

STATE OF INDIANA
COUNTY OF CLARK

BEFORE THE BOARD OF COMMISSIONERS

ORDINANCE NO. 08-2025

IN RE: PETITION TO VACATE PART OF A DETENTION BASIN EASEMENT

WHEREAS, the Petitioners, Jason K. Mott, Christopher J. Romero, Brittney L. Romero, Dustin H. Lamkin, Melissa R. Lamkin, Alex M. Saulman, and Casey S. Saulman, have filed a petition to the provisions of I.C. 36-7-3-12 for the vacation of part of a detention basin easement, as shown on "Exhibit A", attached hereto; and,

WHEREAS, notice of public hearing was sent to all abutting landowners on February 7, 2025 and was published in the News and Tribune on February 13, 2025, as required by Indiana law;

WHEREAS, the area of land which is the subject of this Petition, was not developed as a detention basin and drainage measures were amended and installed elsewhere. As such, the basin encumbers the subject lots for no apparent reason, and the vacation of the easement would unencumber and allow a more practical use of the land;

WHEREAS, the Planning and Zoning Commission and the Drainage Board have both supported the vacation in writing;

WHEREAS, these Commissioners having held such public hearing at the date and time as stated in such published notification; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS FOR CLARK COUNTY, INDIANA as follows:

1. The Commissioners hereby find all of the following:
 - a. The proposed vacation will not hinder the growth or orderly development of Clark County, Indiana.
 - b. The proposed vacation will not make access to the lands of any aggrieved person by means of public way difficult or inconvenient.
 - c. The proposed vacation will not hinder the public's access to a church, school, or other public building or place.

- d. The proposed vacation will not hinder the utility company's ability to provide services to the residents in the surrounding area.
2. Pursuant to I.C. 36-7-3-12, the petition to vacate part of a detention basin easement is hereby granted, and the portion of the easement, excluding the southern 20 feet lying in Clark County, Indiana as depicted in the drawing attached hereto as Exhibit "A" is hereby vacated.
 3. Petitioners shall cause a certified copy of this Ordinance to be recorded in the office of the Recorder of Clark County, Indiana, in accordance with the provisions of I.C. 36-7-3-12(e), and thereafter shall file a recorded copy with the office of the Auditor of Clark County, Indiana.
 4. This ordinance shall be in force and effect upon its adoption.

So Ordered by majority vote of the entire membership of the Board of Commissioners for Clark County, Indiana at a properly noticed and convened public meeting held the 27th day of February, 2025 at 5:00 pm.

MEMBER VOTING "NO":

Connie Sellers, Commissioner District 1

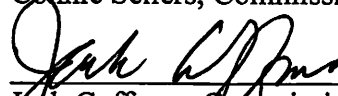
Jack Coffman, Commissioner District 2

Bryan Glover, Commissioner District 3

MEMBER VOTING "YES":



Connie Sellers, Commissioner District 1



Jack Coffman, Commissioner District 2



Bryan Glover, Commissioner District 3

ATTESTED BY:



Danny Yost, Clark County Auditor

