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*Marcie Shepherd*  
WABASH CO. AUDITOR

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WABASH COUNTY RECORDER  
REC FEE: 0.00  
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**BEFORE THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA**

**ORDINANCE # 2022-85-13**

**AN ORDINANCE VACATING PARTS OF COUNTY ROAD 50 EAST AND 1050 SOUTH, INCLUDING BRIDGE #144**

This matter is before the Board of Commissioners ("Commissioners") on the amended petition filed by the Wabash County Highway Department to vacate parts of County Road 50 East and 1050 South, more particularly described as follows:

- (a) two thousand six hundred seventy-six feet (2,676') of County Road 50 East (which includes Bridge #144), situated immediately south of its intersection with County Road 1000 South, Wabash County, Indiana, and
- (b) one thousand one hundred feet (1,100') of County Road 1050 South, situated immediately east of that part of County Road 50 East described above,

("Roadways").

Notice of a public hearing on the Department's amended petition scheduled for July 21, 2021, was mailed to owners and lessees of lands abutting the Roadway to be vacated, and notice of such was also published, all as required by law.

A public hearing on the Department's amended petition was held July 12, 2021, at which time the Commissioners heard comments from the Highway Department Superintendent and number of citizens, after which the Commissioners took the matter under advisement.

**THE COMMISSIONERS NOW FIND AS FOLLOWS:**

1. Bridge #144 has been closed since February, 2018, because it has fallen into disrepair and is no longer safe for motor vehicle traffic.
2. In early 2020, the Highway Department investigated replacing Bridge #144, and received cost estimates ranging from \$1.7 million to \$4.4 million.

3. The County could not afford to budget the funds necessary to replace Bridge #144, so it advertised for bids to repair Bridge #144. Those bids came in at between \$734,000 and \$847,000. The County could not afford to budget the funds necessary to repair Bridge #144, so all bids were rejected.

4. The County is faced with replacing a number of other bridges in the near future, all of which are more essential to the County Highway system than is Bridge #144. Accordingly, it would not be in the County's best interest to budget money to repair or replace Bridge #144, since such would divert funding away from the repair or replacement of other, more essential, County bridges.

5. Based on the likely costs to repair or replace Bridge #144, and the needs of other more essential bridges, it was the recommendation of Butler Fairman and Seufert, Inc., a civil engineering firm retained by the County to advise it on repairing or replacing Bridge #144, that the Bridge should be closed and the Roadways vacated.

6. Since the hearing, the Commissioners searched for potential sources of federal funding to assist with the repair or replacement of Bridge #144, but have been unable to locate any funding sufficient to allow the Commissioners to budget for the repair or replacement of Bridge #144.

7. Vacating the Roadways is in the best interest of the public and in the best economic interest of the County.

8. Vacating the Roadways will not unreasonably interfere with the flow of traffic on the County highway system, will not hinder the growth or orderly development of the County or of the neighborhood in the area of the Roadways, will not hinder the public's access to a church, school or other public building or place, and will not deny or deprive anyone of access to their properties.

9. The relief requested in the Department's amended petition should be granted.

**NOW, THEREFORE, BE IT ORDAINED THAT:**

1. The following Roadways:

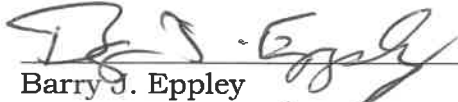
- (a) two thousand six hundred seventy-six feet (2,676') of County Road 50 East (which includes Bridge #144), situated immediately south of its intersection with County Road 1000 South, Wabash County, Indiana, and
- (b) one thousand one hundred feet (1,100') of County Road 1050 South, situated immediately east of that part of County Road 50 East described above,

are now vacated.

2. The Auditor shall furnish a copy of this Ordinance to the County Recorder for recording.

ADOPTED THIS 21<sup>st</sup> DAY OF November, 2022.

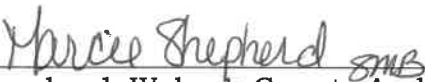
WABASH COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Barry J. Eppley

  
\_\_\_\_\_  
Brian K. Haupert

  
\_\_\_\_\_  
Jeff Dawes

Attest:

  
\_\_\_\_\_  
Marcie Shepherd, Wabash County Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law. Stephen H. Downs

This document prepared by Stephen H. Downs, 99 W. Canal Street, Wabash, Indiana.