

9762

RESOLUTION ACKNOWLEDGING SULLIVAN ROAD AS A PUBLIC ROADWAY

FLOYD COUNTY RESOLUTION NO. 1987- 2

WHEREAS, Sullivan Road, as said roadway is disclosed upon various official maps of the roads and highways of Floyd County, Indiana, extends northwardly from its intersection with Featheringill Road; and

WHEREAS, the records of the Board of Commissioners of the County of Floyd and the Floyd County Highway Department disclose that the Sullivan Road as located in Floyd County, Indiana, was used as a public roadway for more than twenty (20) years and that a portion of said Sullivan Road, as said portion is more particularly described and set forth in a Survey prepared by Thomas J. Boofter, Floyd County Surveyor, on the 28th day of January, 1987, a copy of which Survey is appended hereto and made a part of this Resolution, continues to be used as a public roadway and for the passage of those members of the public who choose to use such roadway; and

WHEREAS, Hugh P. Dare and Berneice Dare, husband and wife, resident freeholders of Floyd County, Indiana, and users of said roadway as a means of ingress and egress to and from the Featheringill Road and the real estate owned by the said Hugh P. Dare and Berneice Dare, have petitioned the Board of Commissioners of the County of Floyd to adopt a Resolution acknowledging a portion of Sullivan Road as being a highway by use, as such a highway is more particularly described and defined by I.C. 8-20-1-15; and

WHEREAS, the Board of Commissioners of the County of Floyd having reviewed the records of the Board, the Floyd County Highway Department, has determined that that portion of Sullivan Road more particularly set forth on the Survey prepared by Thomas J. Boofter is highway by use, said road having been used as a public right of way and thoroughfare for more than twenty (20) years, and are desirous of adopting this Resolution evidencing such determination.

NOW THEREFORE:

BE IT RESOLVED, that the Board of Commissioners of the County of Floyd do hereby declare that the records of this Board fully and adequately disclose that the Sullivan Road, and that portion thereof as more particularly set forth in a certain Survey prepared by Thomas J. Boofter, Floyd County Surveyor, on the 28th day of January, 1987, a copy of which Survey is incorporated herein by reference and made a part of this Resolution, has been used as a public roadway for more than twenty (20) years; that the portion of said roadway shown upon said Survey is presently being used by those members of the public having a desire to traverse same; and, that the portion of Sullivan Road disclosed by said Survey is deemed to be a highway by use as such highway is more particularly described and defined by the provisions of I.C. 8-20-1-15.

BE IT FURTHER RESOLVED, that this Resolution and acknowledgment by the Board of Commissioners of the County of Floyd as to the existence of Sullivan Road as a highway by use shall not be deemed as a decision and determination by the Board of Commissioners of the County of Floyd to assume responsibility for the maintenance of said roadway, but, to the contrary, this Board resolves that no action shall be presently taken by this Board to assume the maintenance responsibility for said roadway.

BE IT FURTHER RESOLVED, that the Auditor of Floyd County, Indiana, be and she hereby is directed to record a copy of this Resolution in the records of the Board of Commissioners of the County of Floyd as a public record of the action taken hereunder.

DATED this 19th day of September, 1987.

BOARD OF COUNTY COMMISSIONERS,
FLOYD COUNTY, INDIANA

Douglas A. Bierman Sr.
Douglas Bierman, Chairman

Edmund Knable
Edmund Knable, Member

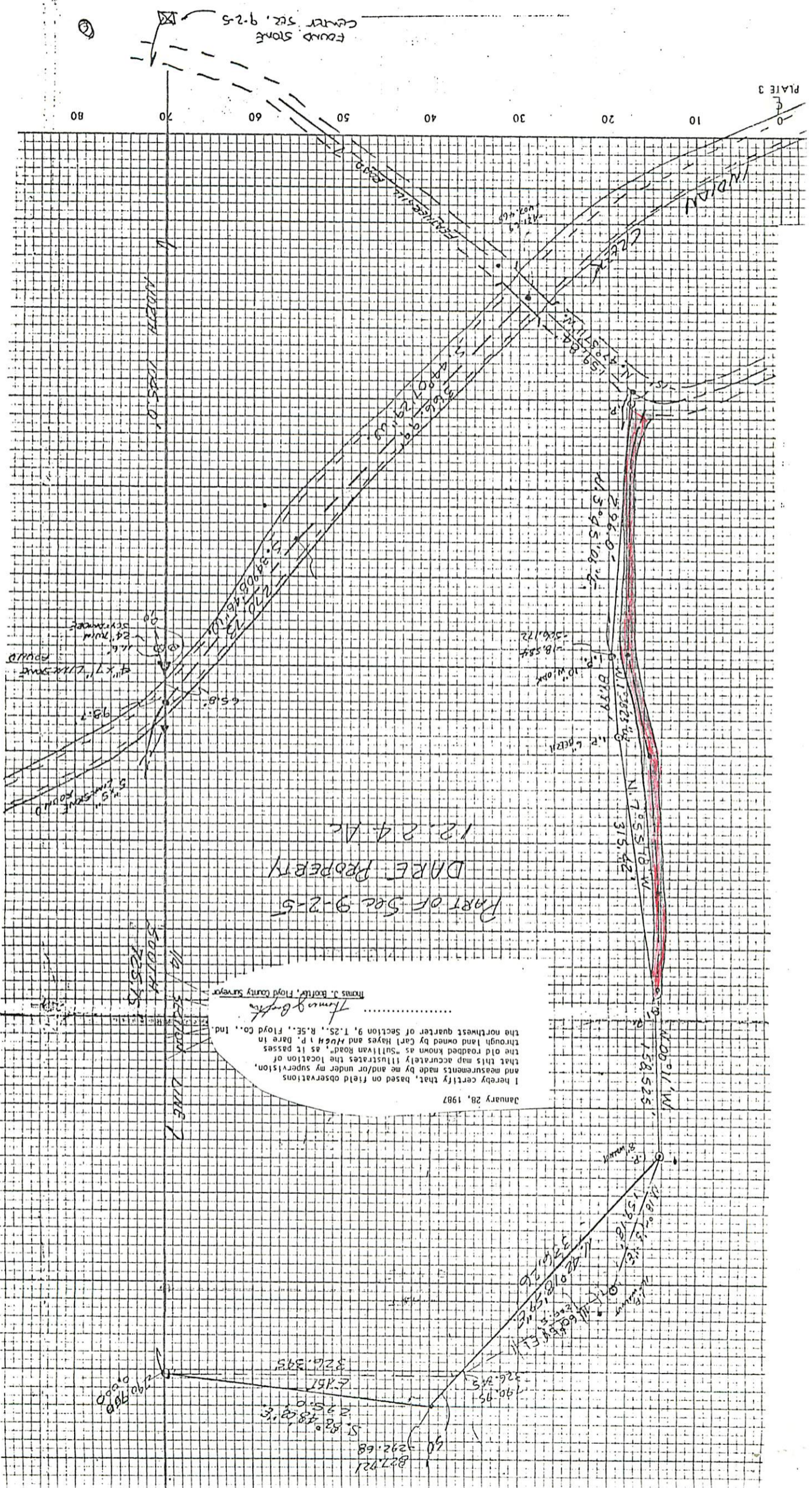
Carl Percy, Jr.
Carl Percy, Jr., Member

ATTEST:

Beth Sharp
Beth Sharp, Auditor

RECEIVED
FOR RECORD
TIME 9:50 AM
DATE Oct 2, 1987
RECORDED IN Map DRG. 14
INSTR. NO. 9762

Fredrick L. Hiltner
RECORDER OF FLOYD COUNTY



PART OF SEC 9-2-5
 DARE PROPERTY
 12.24 AC

I hereby certify that, based on field observations
 and measurements made by me and/or under my supervision,
 that this map accurately illustrates the location of
 the old roadbed known as "Sullivan Road", as it passes
 through land owned by Carl Hayes and Hugh P. Dare in
 the northwest quarter of Section 9, T.25., R.5E., Floyd Co., Ind.
 James G. Borker
 James J. Borker, Floyd County Surveyor

January 28, 1987

SOUTH 705.75
 SECTION 9
 DARE

"SULLIVAN ROAD"
 5' LIMBSTONE ROAD
 4" X 7" LIMBSTONE ROAD
 24" WOOD
 12" X 12" WOOD
 12" X 12" WOOD
 12" X 12" WOOD

FOUND STONE
 CENTER ST. 9-2-5