Ordinance Privatizing a Public Crossing

Ordinance Number 2011-5

Whereas, on March 1, 20 11 at a regular scheduled meeting of the Board of Commissioners of Vermillion County, Indiana, the Commissioners voted in favor of privatizing a portion of a public crossing in Helt Twp to-wit:

1) Legal description. Beginning at the intersection of the north right-of way line of the CSX Railroad and the west right-of way line of CR 50 West, thence easterly along a line parallel with the south right-of way line of the CSX Railroad 35.00 feet to a point on the east right-of way line of CR 50 West, thence southerly along the east right-of way of CR 50 West 125.00 feet to a point on the south right-of-way of the CSX railroad, thence westerly along the south right-of-way of the CSX railroad 35.00 feet to appoint on the west right-of-way of CR 50 West, thence northerly along the west right-of-way of CR 50 West 125.00 feet to the point of beginning, being situated in Helt Township, Vermillion County, Indiana.

2) That the Petitioners are Cargill, Incorporated.

3) The privatizing of the public crossing would not hinder the growth or orderly development of the surrounding neighborhood.

4) The privatizing of the public crossing would not hinder access to the land of any other person, firm, or corporation because adjacent landowners as well as emergency personnel will be given keys to the gates that will be installed. Adjacent landowners currently are Ray Parks, Delbert Fravel and Jim Lewis.

5) The privatizing of the public crossing will not endanger the public health, safety, morals, comfort, or general welfare.

Therefore, the Board of Commissioners of Vermillion County, Indiana, now ordains as follows,

1) Beginning at the intersection of the north right-of way line of the CSX Railroad and the west right-of way line of CR 50 West, thence easterly along a line parallel with the south right-of way line of the CSX Railroad 35.00 feet to a point on the east right-of way line of CR 50 West, thence southerly along the east right-of way of CR 50 West 125.00 feet to a point on the south right-of-way of the CSX railroad, thence westerly along the south right-of-way of the CSX railroad 35.00 feet to appoint on the west right-of-way of CR 50 West, thence northerly along the west right-of-way of CR 50 West 125.00 feet to the point of beginning, being situated in Helt Township, Vermillion County, Indiana is a privatized crossing.

2) That the Vermillion County Board of Commissioners shall have final approval over all signage and gate placements and during periods of time when the

crossing is blocked by a gate Cargill, Incorporated shall take reasonable measures to monitor the area for illegal activity.

Passed by the Board of County Commissioners of Vermillion County, Indiana, on the 1st day of March, 2011

Tim Wilson

Harry Crossley

Mike Craig

Attest: Phyllis Orman
Phyllis Orman, Auditor