

21, 22, 27, 28-14-1W

C.R. 0

1390



# Stanley M. Shartle

REGISTERED PROFESSIONAL ENGINEER  
REGISTERED LAND SURVEYOR  
6575 KINGS COURT  
AVON, IN 46123

April 17, 2002

Tara L. Sohlman, Attorney at Law  
Stephenson Daly Morow Horn & Semler  
8710 North Meridian Street  
Indianapolis, IN 46260-2331

Dear Ms. Sohlman:

The Board of Commissioners of Hendricks County, Indiana, at its meeting of April 3, 1900, considered the petition of G. W. Reitzel and several others for the improvement of the county road beginning two miles west of Hazelwood; thence East to Hazelwood; thence North to the Cumberland Road (now U. S. 40). The portion north of Hazelwood is now named County Road 0. The Board appointed the County Surveyor and two viewers to inspect the road and report back, which they did. The report, which was favorable, included specifications for the improvement that, among other things, called for a right of way width of 30 feet. (Road Record 3, page 495.) There were exceptions to that width, but none of them applied at or near County Road 900 South. After an election in the precincts affected (372 votes for the improvement; 118 against) the Commissioners ordered the road improved.

Actual notice at County Road 900 South suggests that the road has remained 30 feet wide since 1900. Nevertheless, I made further inquiry into the constructive notice provided by the county records. No evidence of widening was found. It is my opinion that the right of way width of County Road 0 at County Road 900 South is 30 feet.

Sincerely,

