

For Immediate Release

### **City of New Albany Withholding Public Records in Mount Tabor Road Land Grab**

New Albany, IN — The Indiana Public Access Counselor has affirmed that the city of New Albany has unlawfully denied public records to a landowner who is pushing back against the city's use of eminent domain in a Mount Tabor Road expansion project.

Colin Receveur — a local business owner and land developer — had sent three formal requests for the city of New Albany to supply building permits, curb cut, and driveway permit for two of his properties, 815 and 819 Mount Tabor Road. These are two of the many properties being affected by the city's long and winding \$6.5 million federally funded project to repair drainage and erosion issues and provide sidewalk space.

All of Receveur's requests for public records to the city were denied without a cause stated. Luke H. Britt, Indiana's public access counselor, has found that those denials have put the city of New Albany in violation of Indiana Public Records Access Act.

"The city has switched gears and project proposals more times than I can count, and the property owners affected by the project are being left in the dark," Receveur said. "This recent decision to keep public records out of the hands of property owners makes it plain to see that the city is expecting landowners to cough up their properties in exchange for unjust sums and virtually zero documentation."

Receveur appealed to the Indiana Public Access Counselor after outright public record refusals from New Albany City Attorney Shane Gibson, members of the New Albany City Council, and members of the New Albany Board of Works and Safety.

Receveur isn't the only New Albany landowner upset with the city's handling of the Mount Tabor Road project. Residents have packed city councils meetings to oppose the project, and Receveur has compiled 117 pages of complaints.

"It's unfortunate that the city is ignoring such a large portion of its constituents," Receveur said. "This has been a boondoggle from start to finish. It's a project that is said to help erosion issues on the road, but the city's tactics have eroded the trust between local landowners and our local government."

Receveur's chief concern is the fate of his apartment building at 815 Mount Tabor Road. The city's proposal will snatch all six of the available parking spaces for the apartment residents. The plan brings a dangerous change to Receveur's tenants and his business.

He worries that his business will not be able to operate under the proposed road changes. Even worse, he said his current tenants will not have access to available parking and may have to park their vehicles across Mount Tabor Road or the busy Grant Line Road.

The city has informed Receveur that those parking spaces at 815 Mount Tabor Road (which have existed since at least 1992) are unpermitted but has denied document verification. Receveur said he hopes the Indiana Public Access Counselor decision helps other local residents who have also been denied records or explanations from the city.

“Our goal here is to have the city provide adequate documentation, transparency, and just compensation,” Receveur said. “Right now, the city of New Albany is asking us to forfeit our land but is slamming the door in our faces when we request documentation that we are legally entitled to see.”

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