

FOR IMMEDIATE RELEASE

Lawsuit Filed Against MAC Construction's Asphalt Plant!

Residents and Landowners Take Legal Action Against Plant

Jeffersonville, August 19, 2010: MAC Construction & Excavating has been named as a defendant in a lawsuit filed in Clark County Circuit Court on August 18 by local residents and property owners. The subject of the lawsuit is MAC's controversial asphalt plant located at the Hanson Quarry in Jeffersonville.

The lawsuit challenges the process used for the special exception zoning granted to MAC that allowed the asphalt plant to begin operations in 2006. The asphalt plant has been a source of conflict for several years. Local senior citizens, property owners, and residents have repeatedly raised issues about noise, fumes, and odors from the plant.

Marilyn Widman, attorney for the plaintiffs, said of the legal action taken, "This legal action is unique because our clients are not asking for money at all. They are asking the City to enforce its own zoning ordinance and to follow state law. They are asking the court to review what occurred with regard to permitting the asphalt plant and to declare the process was not legally sufficient and not legally correct."

Also, named in the lawsuit are the City of Jeffersonville, the Jeffersonville Planning and Zoning Department, the Jeffersonville Board of Zoning Appeals, the Jeffersonville Building Commission, and Ingram Land Corp. Ingram Land Corp. is the apparent owner of the property on which the asphalt plant is located.

The lawsuit seeks a declaratory judgment from the court finding that the zoning variance was improperly issued and that a improvement location permit was also improperly issued. The lawsuit asks the court to revoke the zoning interpretation and the improvement location permit.

More about the issues surrounding the MAC asphalt plant may be found on the **MAC Construction & Excavating Exposed** web site at: www.macexposed.org

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