

ORDINANCE NO. 96-02-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN
REAL ESTATE, FROM IR TO GB.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF TIPPECANOE, INDIANA:**

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code, is hereby amended to rezone the following described real estate situated in Wabash Township, Tippecanoe County, Indiana, to wit:

Description of Parcel A:

A part of the West half of the Northeast quarter of Section ten (10), Township twenty-three (23) North, Range five (5) West, Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, with basis of bearing being the North American Datum of 1983 (NAD 83), Indiana State Plane Coordinate System, West Zone, as monumented and published by the Tippecanoe County Surveyor's Office Section Corner Perpetuation Project:

Commencing at a Berntsen A1NB aluminum monument, representing the Southeast corner of the Northeast quarter of Section ten (10), Township twenty-three (23) North, Range five (5) West; thence South 89° 26' 13" West, 1828.28 feet along the South line of said quarter section and the approximate center line of County Road 250 North, to a Berntsen nail with washer, stamped "Daniel L. Pusey, PLS#S03088", and the point of beginning:

thence continuing South 89° 26' 13" West, 235.00 feet along the South line of said Northeast quarter, to a point being 0.32 feet South and 0.29 feet West of a railroad spike:

thence North 00 degrees 04' 54" East, 556.51 feet to a 5/8 inch capped rebar, stamped "Daniel Pusey #S0388" hereinafter referred to as a capped rebar;

thence North 89 degrees 26' 13" East, 234.67 feet parallel to the South line of said Northeast quarter to a capped rebar;

thence South 00 degrees 02' 54" West, 556.50 feet to the South line of said Northeast quarter, the approximate center line of County Road 250 North, and the point of beginning, containing 3.000 acres, more or less, being subject to an electric line right-of-way easement to Tipmont R.E.M.C., dated June 29, 1994, a sanitary sewer easement for Tippecanoe Meat and Fish, Inc., Instrument 81-3062, recorded in the Office of the Recorder of Tippecanoe County, a 20 foot ingress/egress and drainage easement along the East side of the above described parcel, a 30 foot half-width right-of-way for county (sic) Road 250 North, dedicated to Tippecanoe County Board of Commissioners, Instrument 82-1105, and any other easements, restrictions, and rights-of-way of record.

Description of Tract B

A part of the West half of the Northeast quarter of Section ten (10), Township twenty-three (23) North, Range five (5) West, Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, with basis of bearing being the North American Datum of 1983 (NAD 83), Indiana State Plane Coordinate System West Zone, as monumented and published by the Tippecanoe County Surveyor's Office Section corner Perpetuation Project:

Commencing at a Berntsen A1NB aluminum monument, representing the Southeast corner of the Northeast quarter of Section ten (10), Township twenty three (23)

North, Range five (5) West; thence South 89 26' 13" West, 19226.28 feet along the South line of said quarter section and the approximate center line of County Road 250 North, to a Berntsen nail with washer, stamped "Daniel I. Pusey, PLS#S088", hereinafter referred to as capped rebar and the point of beginning;

thence South 89 degrees 26' 13" West, 234.67 feet parallel to the South line of said Northeast quarter, to a capped rebar;

thence South 00 degrees 04' 54" West, 193.51 feet to the Northeast corner of a 1 acre tract described in Instrument 93-05753 in the office of the Tippecanoe County Recorder;

thence South 89 degrees 26' 13" West, 120.00 feet along the North line of aforesaid 1 acre tract;

thence North 00 degrees 04' 54" East, 1668.46 feet to an iron pipe and the Southwesterly right-of-way of the Kankakee, Beavertail, and Southern Railroad;

thence Southeasterly along said right-of-way, on a curve concave to the Southwest having a radius of 5679.65 feet, a central angle of 10 degrees 04' 47", and a chord bearing South 45 degrees 18' 09" East, 997.90 feet, to a rebar:

thence South 89 degrees 35' 21" West, 356.15 feet to a capped rebar:

thence South 00 degrees 02' 54" West, 767.03 feet to the point of beginning, containing 12.87 8 acres, more or less, being subject to an electric line right-of-way easement to Tipmont R.E.M.C., dated June 29, 1994, a sanitary sewer easement for Tippecanoe Meat and Fish, Inc., Instrument 81-3062, recorded in the Office of the Recorder of Tippecanoe County, and any other easements, and rights-of-way of record.

Modernized Description of Instrument 93-05753 (Key# 132-01500-0579)

A part of the Southwest quarter of the Northeast quarter of Section ten (10), Township twenty-three (23) North, Range five (5) West, Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, with basis of bearing being the North American Datum of 1983 (NAD 83), Indiana State Plane Coordinate System West Zone as monumented and published by the Tippecanoe County Surveyor's Office Section Corner Perpetuation Project:

Commencing at a Berntsen A1NB aluminum monument, representing the Southeast corner of the Northeast quarter of Section ten (10), Township twenty-three (23) North, Range five (5) West; thence South 89 degrees 26' 13" West, 2161.28 feet along the South line of said quarter section and the approximate center line of County Road 250 North, to a point being 0.32 feet South and 0.29 feet West of a railroad spike and the point of beginning;

thence continuing South 89 degrees 26' 13" West 120.00 feet along the South line of said Northeast quarter, to a point being 0.12 feet South of a railroad spike;

thence North 00 degrees 04' 54" East, 363.00 feet to a capped rebar, stamped (sic) Daniel Pusey #S0388", hereinafter referred to as capped rebar;

thence North 89 degrees 26' 13" East, 120.00 feet parallel with the South line of said quarter section, to a capped rebar;

thence South 00 degrees 04' 54" West, 363.00 feet to the South line of said quarter section, the approximate center line of County Road 250 North, and the point of beginning, containing 1.00 acre, more or less, being subject to an electric line right-of-way easement to Tipmont R.E.M.C., dated June 29, 1994, a sanitary sewer easement for Tippecanoe Meat and Fish, Inc., Instrument 81-3062, recorded in the Office of the

Recorder of Tippecanoe County, a 30 foot half-width right-of-way for County Road 250 North, and any other easements, restrictions, and rights-of-way of record.

Section 2. The real estate described above should be and the same is hereby rezoned from IR to GB.

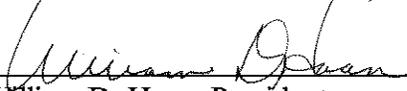
Section 3. This ordinance shall be in full force and effect from and after its passage.

DENIED by the Board of Commissioners of Tippecanoe County, Indiana, this **2nd day of January, 1996.**

VOTE:

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE, INDIANA

NO


William D. Haan, President

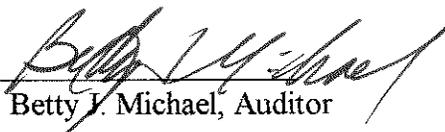
NO


Nola J. Gentry Vice President

YES


Gene Jones, Member

Attest:


Betty J. Michael, Auditor