

ORDINANCE NO. 2004-23-CM

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE REAL ESTATE,
FROM R1 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 Fairfield Township, Tippecanoe County, Indiana, to wit:

SEE ATTACHED LEGAL DESCRIPTION

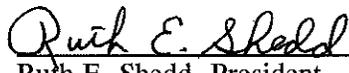
Section 2. The real estate described above should be and the same is hereby rezoned from R1 to GB.

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

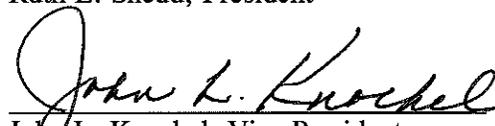
Adopted and passed by the Board of Commissioners of Tippecanoe County, Indiana, this 6th day of July, 2004.

VOTE:

Yes


Ruth E. Shedd, President

Yes


John L. Knochel, Vice President

Yes


KD Benson, Member

ATTEST:


Robert A. Plantenga, Auditor

LEGAL DESCRIPTION

1000 feet off the entire south side of the following 117.70 acres, consisting of approximately 46 acres:

The East half of the South East Quarter of Section Twenty six (26) Township Twenty three (23) North, Range Four (4) West, containing Eighty (80) acres.

Also, the West half of the West half of the Southwest Quarter of Section Twenty five (25) Township Twenty three (23) North, Range Four (4) West, containing forty (40) acres.

Except:

A PART OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 23 NORTH, RANGE 4 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN FAIRFIELD TOWNSHIP, TIPPECANOE COUNTY, INDIANA, BEING PART OF THE GIPE TRUST, NBD BANK, N.A. TRUSTEE, PROPERTY DESCRIBED IN DOCUMENT NUMBER 9000647 RECORDED IN THE OFFICE OF THE TIPPECANOE COUNTY RECORDER, LYING WITHIN THE PROPOSED RIGHT OF WAY LINES OF PARCEL 29 AS DEPICTED ON THE ROUTE SURVEY PLAT FOR PROJECT 96-549 RECORDED AS DOCUMENT NUMBER 9905475 IN THE OFFICE OF THE RECORDER OF THE AFORESAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 25, WHICH IS ALSO THE CENTER OF COUNTY ROAD 100 SOUTH AND THE SOUTHWEST CORNER OF THE OWNER'S PROPERTY: (1)THENCE NORTH 01 DEGREES 14 MINUTES 35 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER AND OWNER'S WEST PROPERTY LINE 50.00 FEET; (2)THENCE SOUTH 89 DEGREES 53 MINUTES 12 SECONDS EAST 667.83 FEET TO THE OWNER'S EAST PROPERTY LINE; (3)THENCE SOUTH 01 DEGREES 04 MINUTES 42 SECONDS EAST ALONG SAID EAST LINE 50.00 FEET TO THE SOUTHEAST CORNER OF THE OWNER'S PROPERTY AND THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND THE CENTER OF SAID COUNTY ROAD; (4)THENCE NORTH 89 DEGREES 53 MINUTES 12 SECONDS WEST ALONG SAID SOUTH LINE 667.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.767 ACRE, MORE OR LESS. THE PORTION OF THE ABOVE DESCRIBED REAL ESTATE WHICH IS NOT ALREADY EMBRACED WITHIN THE APPARENT PUBLIC RIGHT-OF-WAY CONTAINS 0.460 ACRE, MORE OR LESS.

TOGETHER WITH THE PERMANENT EXTINGUISHMENT OF ALL RIGHTS AND EASEMENTS OF INGRESS AND EGRESS TO, FROM, AND ACROSS THE LIMITED ACCESS FACILITY (TO BE KNOWN AS COUNTY ROAD 100 SOUTH AND AS McCARTY

Except:

A PART OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 23 NORTH, RANGE 4 WEST OF THE-SECOND PRINCIPAL MERIDIAN, IN FAIRFMD TOWNSHIP, TIPPECANOE COUNTY, INDIANA, BEING PART OF GIPE TRUST, NBD BANK, N.A. TRUSTEE PROPERTY DESCRIBED IN DOCUMENT NUMBER 9000647 RECORDED IN THE OFFICE OF THE TIPPECANOE COUNTY RECORDER, LYING WITHIN THE PROPOSED RIGHT OF WAY LINES OF PARCEL 24 AS DEPICTED ON THE ROUTE SURVEY PLAT FOR PROJECT 96-549 RECORDED AS DOCUMENT NUMBER 9905475 IN THE OFFIC8 OF THE RECORDPR OF THE AFORESAID COUNTY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 26; THENCE NORTH 89 DEGREES 15 MINUTES 41 SECONDS EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 26, WHICH IS ALSO THE CENTER OF COUNTY ROAD 100 SOUTH, 1337.90 FEET TO THE SOUTHWEST CORNER OF THE OWNER'S PROPERTY AND THE POINT OF BEGINNING OF THIS DESCRIPTION: (1)THENCE NORTH 00 DEGREES 44 MINUTES 19 SECONDS WEST 50.00 FEET ALONG THE OWNER'S WEST PROPERTY LJNE; (2)THENCE NORTH 89 DEGREES 15 MINUTES 41 SECONDS EAST 1332.00 FEET TO THE OWNER'S EAST PROPERTY LINE AND THE EAST LINE OF SAID SECTION 26; (3)THENCE SOUTH 01 DEGREES 14 MINUTES 35 SECONDS EAST ALONG SAID EAST LINE 50.01 FEET TO THE SOUTHEAST CORNER OF THE OWNER'S PROPERTY AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER AND THE CENTER OF SAID COUNTY ROAD; (4)THENCE SOUTH 89 DEGREES 15 MINUTES 41 SECONDS WEST ALONG SAID SOUTH LINE 1332.44 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.529 ACRES, MORE OR LESS. THE PORTION OF THE ABOVE DESCRIBED REAL ESTATE WHICH IS NOT ALREADY EMBRACED WITHIN THE APPARENT PUBLIC RIGHT-OF-WAY CONTAINS 0.917 ACRES, MORE OR LESS.