

**ORDINANCE NO. 96-58-CM**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN  
REAL ESTATE FROM R1 TO R3.**

**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, Tippecanoe County, Indiana, to-wit:

**EXHIBIT A**

Legal Description  
Elmer W. and Lorine L. Roth

A part of the west half of the southeast quarter of Section 31, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, being a part of Lot No. 2 in the partition of Levi Hawkins estate, and described as follows:

From the northeast corner of the west half of the southeast quarter of said Section 31, measure west along the north line of said quarter a distance of 666.2 feet to the west line of said Lot No. 2; thence South along the west line of said lot a distance of 683.1 feet to a point on the north line of the Lafayette and Southern Road, said road having a right of way of 50 feet in width; thence South 84 degrees and 11 minutes East along the north line of said road a distance of 122.4 feet to the place of Beginning;

Thence North 2 degrees and 35 minutes East a distance of 104.45 feet; thence South 84 degrees and 11 minutes East a distance of 153.0 feet; thence South 2 degrees and 35 minutes west a distance of 104.45 feet to a point on the north line of said road; thence North 84 degrees and 11 minutes west along the north line of said road a distance of 153.0 feet to the place of beginning, containing 0.36 acre, more or less.

A part of the West Half of the Southeast Quarter of Section Thirty-three (23) (sic) North, Range Four (4) West, being a part of Lots Number One (1) and Two (2) in the partition of Levi Hawkins Estate; beginning at a stake twenty-eight and 28/100 (28.28) rods South of the Northwest corner of Lot Number Two (2) aforesaid, and running thence South thirteen and 12/100 (13.12) rods to the North line of the Lafayette and Southern Gravel Road; thence South 83 3/4° East with the north line of said road thirty-seven and 4/100 (37.04) poles to a stake in the old road and thence with said old road North 24 1/2° West twenty-one and 24/100 (21.24) rods to a stake; thence West twenty-eight and 80/100 (28.80) rods to the place of beginning, containing three and 14/100 (3.14) acres, more or less.

ALSO, a part of the West Half of the West Half of the Southeast Quarter of said Section, Town and Range, described as follows:

Beginning at the Northeast corner of said tract and running thence South on the East line thereof twenty-eight and 8/100 (28/08) rods; thence West twenty-two and 48 /100 (22.48) rods to the center of the gravel road; thence with said center North 27° East thirty-one and 76/100 (31.76) rods to the North Line of said tract; thence East seven and 88/100 (7.88) rods to the place of beginning, containing two and 66/100 (2.66) acres, more or less;

ALSO Part of the West Half of the Southeast Quarter of said Section Thirty-one (31), Town and Range aforesaid, embracing part of Lots Numbered One (1) and Two (2) in the Subdivision of the Estate of Levi Hawkins, described as follows:

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Beginning at the Northwest corner of said Lot Numbered Two (2); thence East sixteen and 20/100 (16.20) poles to a stake in the old road leading from Lafayette to Harters Mill; thence South with said road thirty-one and 20/100 (31.20) poles; thence West twenty-eight and 80/100 (28.80) poles to the West line of said Lot Numbered Two (2); thence North with said line twenty eight and 28/100 (28.28) poles to the place of beginning, containing four acres, more or less.

EXCEPTING THEREFROM, the following described real estate heretofore conveyed to Elmer W. Roth and Lorine L. Roth, husband and wife, to-wit:

A part of the West Half of the Southeast Quarter of Section 31, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, being a part of Lot No. 2 in the partition of Levi Hawkins Estate, and described as follows:

From the Northeast corner of the West Half of the Southeast Quarter of said Section 31, measure West along the North line of said Quarter a distance of 666.2 feet to the West line of said Lot No. 2; thence South along the West line of said Lot a distance of 683.1 feet to a point on the North line of the Lafayette and Southern Road, said road having a right-of-way 50 feet in width; thence South 84 degrees and 11 minutes East along the North line of said road a distance of 122.4 feet to the place of beginning; thence North 2 degrees and 35 minutes East a distance of 129.45 feet; thence South 84 degrees and 11 minutes East a distance of 153.30 feet; thence South 2 degrees and 35 minutes West a distance of 129.45 feet to a point on the North line of said road; thence North 84 degrees and 11 minutes West along the North line of said road a distance of 153.0 feet to the place of beginning, containing 0.36 acre, more or less.

ALSO EXCEPTING THEREFROM the following described real estate heretofore conveyed to Harold Bernard Clark and Helen Louise Clark, husband and wife, to-wit:

A part of the West Half of the Southeast Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, being a part of Lots 3 and 4 in the partition of the Levi Hawkins Estate, and described as follows: Beginning at a point on the East line, 454.5 feet South of the Northeast corner of Lot No. 3 in the partition of the Levi Hawkins Estate, said Northeast corner of Lot No. 3 being 666.2 feet West of the the (sic) Southeast Quarter of said Section 31, and running thence West a distance of 148.3 feet to the starting point of this description; thence West a distance of 223.7 feet to a point in the center line of the old brick pavement running from Lafayette to Elston; thence North 27 degrees and 47 minutes East along the center line of said brick pavement a distance of 157.8 feet; thence Easterly a distance of 157.6 feet; thence Southerly a distance of 128.9 feet to the place of beginning, containing 0.59 acre, more or less.

A part of the West Half of the Southeast Quarter of Section 31, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, being a part of Lot #2 in the partition of Levi Hawkins Estate, described as follows:

ALSO EXCEPTING THEREFROM, commencing at the Northeastern corner of the West Half of the Southeast Quarter of said Section 31; thence West along the Northern line of the West Half of the Southeast Quarter of said Section Thirty-one (31), 662.2 feet (deed record to the Western line of said Lot #2 in Levi Hawkins Estate; thence South 00° 00' 00" East along the Western line of said Lot #2, 683.1 feet (deed record) to an iron pipe found on the Northern right-of-way line of Elston Road (formerly the Lafayette and Southern Road), said point being located 25 feet from the centerline of said Elston Road and also being the point of beginning of this description; thence North 00° 00' 00" West, along the Western line of said Lot Number Two, 129.93 feet to a reinforcing bar; thence South 84° 08' 00" East, 128.20 feet to an iron pipe found; thence South 02° 38' 30" West, 129.46 feet to the Northern right-of-way line of Elston Road; thence North 84° 08' 00" West, along the Northern right-of-way line of Elston Road, 122.20 feet to the point of beginning, containing 0.372 of an acre, more or less. Located in Fairfield Township, Tippecanoe County, Indiana.

Subject to all roadways, easements, restrictions of record, taxes and all facts as would be revealed by an accurate survey.

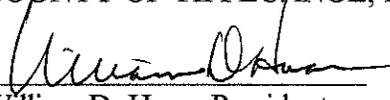
**Section 2.** The real estate described above should be and the same is hereby rezoned from R1 to R3.

**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 2nd day of December, 1996.

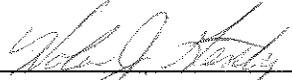
**VOTE:**

BOARD OF COMMISSIONERS OF THE  
COUNTY OF TIPPECANOE, INDIANA

YES

  
\_\_\_\_\_  
William D. Haan, President

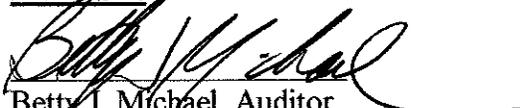
YES

  
\_\_\_\_\_  
Nola J. Gentry, Vice President

YES

\_\_\_\_\_  
Gene Jones, Member

**ATTEST:**

  
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Betty J. Michael, Auditor