

ORDINANCE NO 96-05-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE
FROM R-1 TO R-3.**

Be it ordained by the Board of Commissioner of the County of Tippecanoe, Indiana:

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and part of a unified county code, is hereby amended to rezone the following described real estate, situate (sic) in Fairfield Township, Tippecanoe County, Indiana, to-wit:

Exhibit

Ten (10) acres of uniform width off of the West side of the North Half of the East Half of the Southwest Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, described as follows, to-wit:

Beginning at the Southwest corner thereof and running thence North sixty (60) poles; thence East sixty-four and 45/100 (64.45) poles; thence South thirty and 50/100 (30.50) poles to the center of the State Road; thence South fifty-eight degrees (58°) West fifty-two and 87/100 (52.87) poles to the South line of said North Half; thence West nineteen and 52/100 (19.52) poles to the place of beginning.

Also: A part of the South Half of the East fraction of the Southwest Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, described as follows, to-wit:

Commencing at the Northwest corner of said tract of land and running thence East nineteen (19) poles to the center of the road leading from Lafayette to the Wea Plains; thence with the center of said road in a Southwest direction twenty-three (23) poles to the West line of said tract; thence North thirteen (13) poles to the place of beginning, containing three-fourths (3/4) of an acre, more or less.

Also: Part of the West Half of the Southwest Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, described as follows, to-wit:

Beginning at a point in the centerline of the State Road on the East line of said West Half, sixty-eight and 25/100 (68.25) poles from the Southeast corner thereof, and running from thence North ninety-three (93) poles to the Northeast corner of said West Half; thence West twenty-three and 88/100 (23.88) poles; thence South one hundred eight (108) poles to the centerline of the State Road; thence North fifty-eight (58) degrees East with the centerline of said State Road, twenty-eight poles to the place of beginning, containing fifteen (15) acres, more or less.

Except: One (1) acre, described as follows, to-wit:

Beginning twelve and 38/100 (12.38) poles West and one hundred one (101) poles South of the Northeast corner of the West Half of the Southwest Quarter of said Section, Township and Range; and running thence North thirty-six and 40/100 (36.40) poles; thence West four and 60/100 (4.60) poles; thence South thirty-seven and 50/100 (37.50) poles; thence North fifty-eight degrees (58°) East to the place of beginning.

ALSO EXCEPTING: A strip of land twenty-four (24) feet in width with an average length of one hundred eighty-eight (188) feet, more or less, adjoining the Southeasterly right-of-way line of the Wabash Railway Company, containing one-tenth (1/10) of an acre, more or less, as conveyed to said Railway Company by Oliver M. and

Laura D. Brant, by deed of conveyance recorded September 11, 1929 in Book 172, Page 386, of the Deed Records of said Tippecanoe County, Indiana.

ALSO EXCEPTING: A part of the Southwest Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, in Fairfield Township, Tippecanoe County, Indiana, described as follows:

Beginning at the Southwest corner of this tract, said corner being in the centerline of the Elston Road, and 1,073.16 feet North and 1,251.67 feet East of the Southwest corner of said Section 31; thence North 2 degrees West on a line parallel to an established fence line a distance of two hundred (200) feet to an iron pipe; thence North 57 degrees East and parallel to the centerline of Elston Road a distance of one hundred (100) feet to an iron pipe; thence South 2 degrees East and parallel to the established fence line a distance of two hundred (200) feet to an iron pin in the center of Elston Road; thence South 57 degrees West on said center of road a distance of one hundred (100) feet to the place of beginning, containing 0.45 acre, more or less.

ALSO EXCEPTING: A part of the Southwest Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, in Fairfield Township, Tippecanoe County, Indiana, described by metes and bounds as follows:

Beginning at the Southwest corner of tract, said corner being in the centerline of the Elston Road, and 1,018.7 feet North and 1,167.8 feet East of the Southwest corner of said Section 31, thence North 02° 00' West on the line of an established fence line a distance of 200 feet; thence North 57° 00' East and parallel to the centerline of the Elston Road a distance of 100 feet to an iron pin; thence South 02° 00' East and parallel to the West line of the tract a distance of 200 feet to the centerline of the Elston Road; thence South 57° West on the said centerline, 100 feet to the place of beginning.

ALSO EXCEPTING: A part of the West Half of the Southwest Quarter of Section Thirty-one (31), Township Twenty-three (23) North, Range Four (4) West, described as follows:

Beginning at an iron pin in the center of Elston Road, that is 394.02 feet West and 1,782 feet South of the Northeast corner of the West Half of the Southwest Quarter of Section 31-23-4; thence Easterly on a bearing of North 58° East a distance of one hundred forty-three (143) feet to an iron pin in the center of Elston Road; thence North 01° 25' West a distance of six hundred and four (604) feet to a fence post; thence on a bearing of South 89° West a distance of one hundred and eight (108) feet to an iron pipe in the fence line; thence South along said fence line a distance of six hundred seventy-eight and five-tenths (678.5) feet to the place of beginning, containing 1.84 acres, more or less.

ALSO EXCEPTING: A part of the West one-half of the Southwest Quarter of Section 31, Township 23 North, Range 4 West, Tippecanoe County, Indiana, described as follows:

Beginning at a point on the West line of the owner's land, which point is 394.02 feet West and 1,103.5 feet South of the Northeast corner of said Half-Quarter Section (the foregoing portion of this description is deduced from Deed Record 81, page 1143); thence North 02° 18' 09" West 990.52 feet along said West line to the Southeastern line of the right-of-way of the Norfolk & Southern Railroad, thence North 57° 32' 50" East 55.32 feet along the line of the right-of-way of said railroad; thence South 13° 56' 45" East 27.12 feet; thence South 05° 38' 47" West 333.80 feet; thence South 01° 33' 58" East 280.17 feet; thence Southeasterly 374.17 feet along an arc to the left and subtended by a long chord having a bearing of South 12° 39' 15" East and a length of 373.87 feet; thence South 14° 17' 18" East 12.30 feet to a Southern line of the owner's land; thence South 86° 45' 21" West 73.29 feet along said Southern line to the point of beginning and containing 0.576 acres, more or less. All bearing in this description which are not quoted from previous instruments are based on the bearing system for Indiana Department of Transportation project NH-07102(003).

Commonly known as 716 Elston Road, Lafayette, Indiana 47905.

Section II. The above described real estate should be and the same is hereby rezoned from R-1 to R-3.

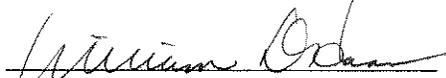
Section III. This Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED 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

YES


William D. Haan, President

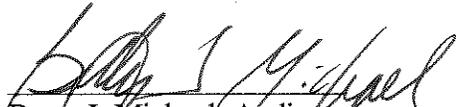
YES


Nola J. Gentry, Vice President

YES


Gene Jones, Member

Attest:


Betty J. Michael, Auditor