

County of Tippecanoe

Ordinance # 2019-18-CM

Vacating a Portion of a Public Right-of-Way

Fairfield Township, Tippecanoe County, Indiana

Whereas, The Board of Commissioners of Tippecanoe County is authorized to vacate public ways pursuant to IC 36-9-2-5; and IC 36-7-3-12.

Whereas, the Love's Travel Stops & Country Stores, Inc. has requested the Board of Commissioners to vacate 0.6460 acres of right-of-way on tract with PID 79-07-10-400-006.000-003, Fairfield Township, Tippecanoe County, Indiana, and files a Petition with the Board of Commissioners in support of such request: and

Whereas, proper notice was given to all abutting land owners; and

Whereas, a public hearing was held on July 15, 2019 at 10 a.m. on the petition; and

Whereas, the Board of Commissioners has determined that the petition is in order and should be granted;

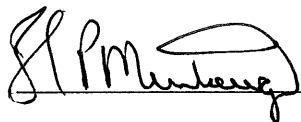
Whereas, the road and the right-of-way way had existed for many years and been abandoned but never vacated

Now, therefore, be it ordained that the right-of-way of the Tippecanoe County as described in "Exhibit A" and highlighted in "Exhibit B", Fairfield Township, Tippecanoe County, Indiana, should be, and hereby is, vacated.

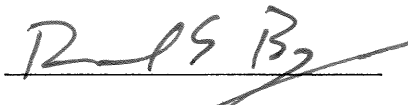
This Ordinance shall be in full force and effect immediately upon its passage and signing.

1st Reading - 7/15 / 19

Board of Commissioners of Tippecanoe County

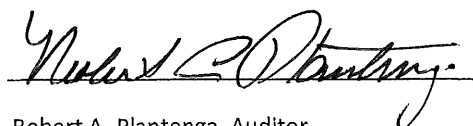


Thomas P. Murtaugh, ~~Member~~ President



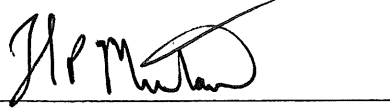
David S. Byers, ~~Member~~ Vice President


Tracy A. Brown, ~~Member~~ Vice President

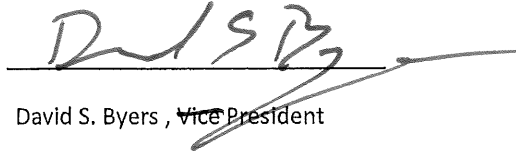
Attest: 
Robert A. Plantenga, Auditor

2nd Reading - 7/15/19

Board of Commissioners of Tippecanoe County



Thomas P. Murtaugh, ~~President~~



David S. Byers, ~~Vice President~~



Tracy A. Brown, ~~Member~~ Vice President

Attest: 

Robert A. Plantenga, Auditor

LEGAL DESCRIPTION

SITUATED IN THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 23 NORTH, RANGE 4 WEST STATE OF INDIANA, TIPPECANOE COUNTY, FAIRFIELD TOWNSHIP AND DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND CONCRETE RIGHT OF WAY MONUMENT ALONG THE SOUTHEASTERLY RIGHT OF WAY OF STATE ROUTE 25 (SCHUYLER AVENUE), SOUTH 51° 38' 23" WEST, A DISTANCE OF 108.24 FEET TO A POINT IN SAID RIGHT OF WAY LINE, SAID POINT ALSO BEING THE EAST RIGHT OF WAY LINE OF COUNTY ROAD AS SHOWN ON STATE ROAD NO. 25, SECTION C, F.A. PROJECT NO. F-243 RECORD PLANS, SAID POINT ALSO BEING THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED TRACT OF LAND;

THENCE WITH SAID EAST RIGHT OF WAY LINE, THROUGH A TRACT OF LAND CONVEYED TO STEINER PROPERTIES, LLC BY INSTRUMENT NUMBER 02022875, SOUTH 11° 23' 18" EAST, A DISTANCE OF 100.68 FEET TO A POINT;

THENCE CONTINUING WITH SAID COUNTY ROAD RIGHT OF WAY LINE, SOUTH 59° 38' 41" EAST, A DISTANCE OF 308.31 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD E 200 N AS DESCRIBED IN BOOK 236, PAGE 355;

THENCE CONTINUING WITH SAID COUNTY ROAD E 200 N RIGHT OF WAY, NORTH 54° 07' 29" EAST, A DISTANCE OF 25.60 FEET TO A POINT IN THE RIGHT OF WAY LINE OF COUNTY ROAD E 200 N;

THENCE WITH SAID RIGHT OF WAY LINE OF COUNTY ROAD E 200 N, SOUTH 35° 52' 31" EAST, A DISTANCE OF 165.97 FEET TO A POINT IN THE SOUTHERLY RIGHT OF COUNTY ROAD;


THENCE LEAVING SAID RIGHT OF WAY LINE OF COUNTY ROAD E 200 N, AND WITH SAID SOUTHERLY AND WESTERLY RIGHT OF WAY LINES OF COUNTY ROAD, THE FOLLOWING THREE COURSES:

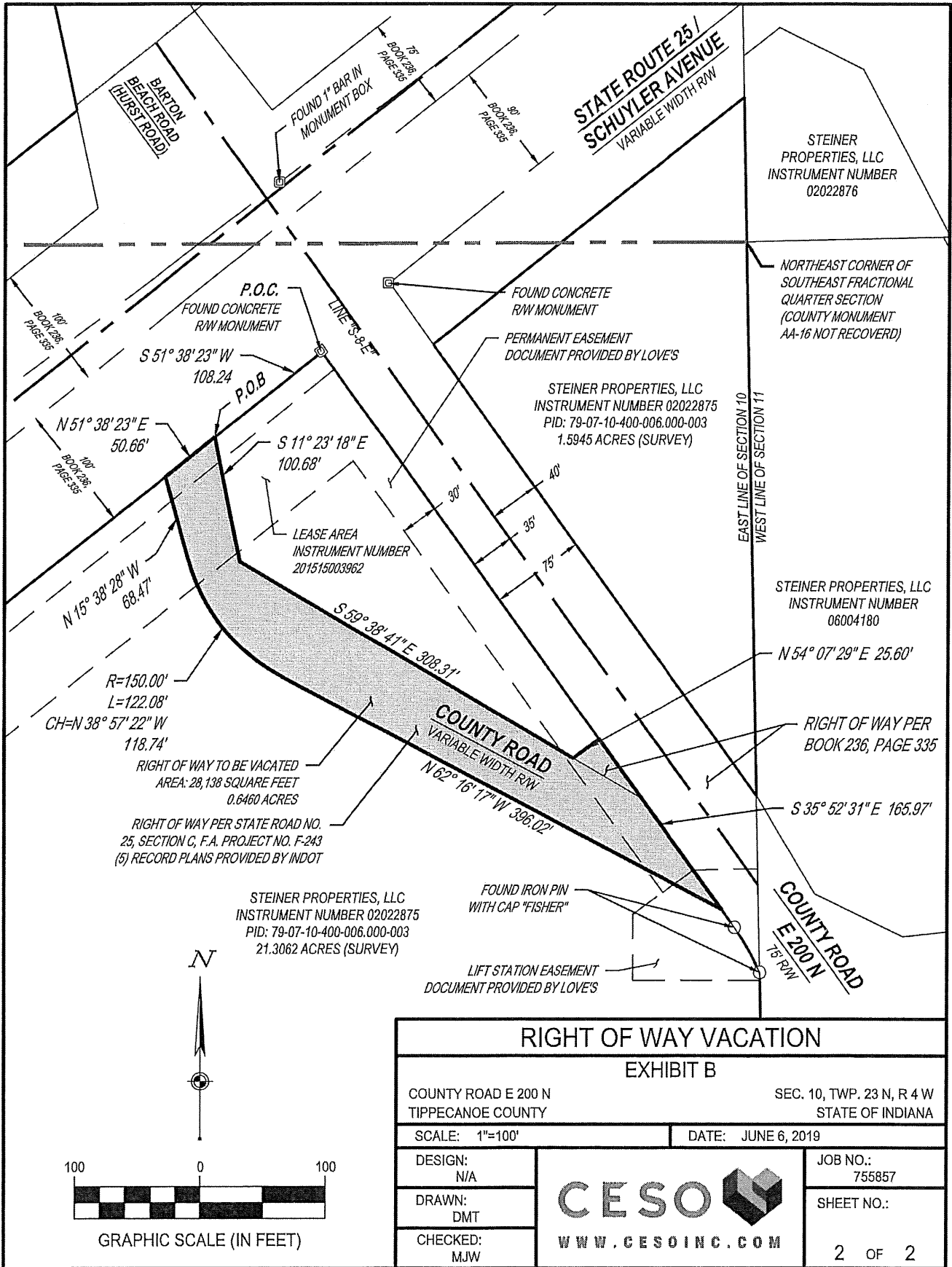
- (1) NORTH 62° 16' 17" WEST, A DISTANCE OF 396.02 FEET TO A POINT;
- (2) WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET AND A CHORD BEARING NORTH 38° 57' 22" WEST, A CHORD DISTANCE OF 118.74 FEET TO A POINT;
- (3) NORTH 15° 38' 28" WEST, A DISTANCE OF 68.47 FEET TO A POINT IN THE RIGHT OF STATE ROUTE 25 (SCHUYLER ROAD);

THENCE WITH STATE ROUTE 25 RIGHT OF WAY LINE, NORTH 51° 38' 23" EAST, A DISTANCE OF 50.66 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.6460 ACRES AND SHOWN ON EXHIBIT B;

BEARINGS BASED ON INDIANA STATE PLANE WEST COORDINATE SYSTEM.

RIGHT OF WAY VACATION			
EXHIBIT A			
COUNTY ROAD E 200 N TIPPECANOE COUNTY		SEC. 10, TWP. 23 N, R 4 W STATE OF INDIANA	
SCALE: 1"=100'		DATE: JUNE 6, 2019	
DESIGN: N/A	 CESO WWW.CESOINC.COM	JOB NO.: 755857	
DRAWN: DMT		SHEET NO.:	
CHECKED: MJW		1 OF 2	



STEINER PROPERTIES, LLC
INSTRUMENT NUMBER
02022876

NORTHEAST CORNER OF
SOUTHEAST FRACTIONAL
QUARTER SECTION
(COUNTY MONUMENT
AA-16 NOT RECOVERD)

STEINER PROPERTIES, LLC
INSTRUMENT NUMBER 02022875
PID: 79-07-10-400-006.000-003
1.5945 ACRES (SURVEY)

STEINER PROPERTIES, LLC
INSTRUMENT NUMBER
06004180

N 54° 07' 29" E 25.60'

RIGHT OF WAY PER
BOOK 236, PAGE 335

S 35° 52' 31" E 165.97'

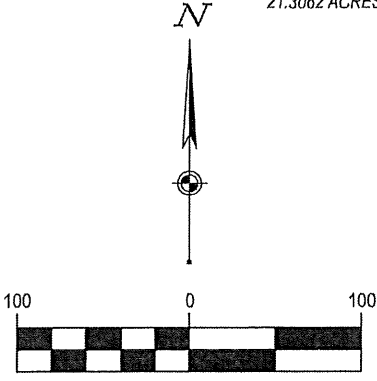
STEINER PROPERTIES, LLC
INSTRUMENT NUMBER 02022875
PID: 79-07-10-400-006.000-003
21.3062 ACRES (SURVEY)

FOUND IRON PIN
WITH CAP "FISHER"


LIFT STATION EASEMENT
DOCUMENT PROVIDED BY LOVE'S

RIGHT OF WAY TO BE VACATED
AREA: 28,138 SQUARE FEET
0.6460 ACRES

RIGHT OF WAY PER STATE ROAD NO.
25, SECTION C, F.A. PROJECT NO. F-243
(5) RECORD PLANS PROVIDED BY INDOT



GRAPHIC SCALE (IN FEET)

RIGHT OF WAY VACATION		
EXHIBIT B		
COUNTY ROAD E 200 N TIPPECANOE COUNTY		SEC. 10, TWP. 23 N, R 4 W STATE OF INDIANA
SCALE: 1"=100'	DATE: JUNE 6, 2019	
DESIGN: N/A	 CESO WWW.CESOINC.COM	JOB NO.: 755857
DRAWN: DMT		SHEET NO.:
CHECKED: MJW		2 OF 2