

ORDINANCE NO. 2007-42-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN
REAL ESTATE FROM AA 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 not a part of the unified county code, is hereby amended to rezone the following described real estate situated in Shelby Township, Tippecanoe County, Indiana, to-wit:

See Exhibit A

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

Section 3. This ordinance shall be in full force and effect from and after its passage. (Adopted and Passed) ~~(Denied)~~ by the Board of Commissioners of Tippecanoe County, Indiana, this 3rd day of December, 2007.

VOTE:

Yes

Yes

Yes

KD Bunn
President

John Koehler
Vice President

Ruth E. Shedd
Member

ATTEST:

Jennifer Weston

EXHIBIT A

A part of the Northwest Quarter of the Northwest Quarter of Section 6, Township 23 North, Range 5 West, Shelby Township, Tippecanoe County, Indiana, described as follows: Commencing at a Berntsen monument marking the Northwest corner of said Section 6; thence South 89° 40' 11" East 183.10 feet along the North line of said section to a capped rebar set marking the point of beginning of this description; thence continuing South 89° 40' 11" East 66.53 feet along said North line to a capped rebar set on the Southwesterly right-of-way line of US Highway 52; thence Southeasterly 41.26 feet along a curve to the left having a radius of 6,458.20 feet and subtended by a long chord with a bearing of South 65° 47' 14" East and a length of 41.26 feet along said right-of-way line to an existing bent iron pipe marking the Northwesterly corner of a tract of land owned by Jerry Christopher and Mike Weger as Document Number 97-03197 on 02/24/1997 in the office of the Recorder of Tippecanoe County, Indiana; thence South 15° 35' 12" West 64.98 feet along the westerly line of said Christopher-Weger tract to a capped rebar set on the Northeasterly right-of-way line of the Norfolk Southern Railroad right-of-way; thence North 74° 24' 48" West 103.02 feet along said right-of-way line; thence North 13° 29' 26" East 53.61 feet to the point of beginning and containing 0.154 of an acre, subject to an easement for ingress and egress

and

A tract of land in the North fraction of the Northwest fractional quarter of Section Six (6) in Township Twenty-three (23) North, Range Five (5) West, described as follows: Commencing at the Northwest corner of said fractional quarter, thence South twenty-four hundredths (24/100) poles (three and ninety-six hundredths (3.96) feet to the Northerly right-of-way line of what was formerly the Lafayette, Muncie & Bloomington Railroad, thence South 74° East along the railroad right-of-way to the center line of the old public road, which is also the Southerly line of U.S. Highway No. 52, thence North, 59.25° West along said right-of-way a distance of three hundred twenty-eight (328) feet to the North line of said fractional quarter, thence West to the point of beginning, containing one and one tenth (1.1) acres, more or less.

EXCEPT

A tract of land in the North fraction of the fractional Northwest Quarter of Section 6, Township 23 North, Range 5 West, situated in Shelby Township, Tippecanoe County, Indiana, and described as follows:

Beginning at the Northwest corner of the fractional Northwest Quarter of said Section and running thence South 01° 32' West a distance of 5.67 feet to the Penn Central right-of-way line; thence South 75° 04' E. along said right-of-way line a distance of 280.34 feet; thence North 14° 56" East a distance of 82.40 feet; thence South 89° 40" West a distance of 304.32 feet to the point of beginning, containing 0.284 acre, more or less and subject to U.S. 52 Highway right-of-way.

Subject also to all roadways, easements, restrictions of record.