

**Ordinance No. 08-15**

**AN ORDINANCE VACATING PLATTED EASEMENT  
IN THE CITY OF WEST LAFAYETTE, INDIANA**

**WHEREAS**, the easement is approximately thirty (30) feet wide and two hundred twelve (212) feet long along the south side of Lots Numbered 2 and 8 in Northwestern Gardens, the easement description of which is marked Exhibit “A”, attached hereto and made a part hereof. Lot Number 2, Key Number 164-00300-0030, is shown on the plat recorded in Plat Book No. 6, Page 18 in the Office of the Recorder of Tippecanoe County. Lot Number 8, Key Number 164-00300-0238, is shown on the plat recorded in Plat Book No. 6, Page 18 in the Office of the Recorder of Tippecanoe County. A drawing of the vacated easement area is marked Exhibit “B”, attached hereto and made a part hereof; and

**WHEREAS**, the contiguous property to said area to be vacated is the property of the abutting landowner, Northwestern, LLC; and

**WHEREAS**, Family Express Corporation as an interested party pursuant to Indiana Code § 36-7-3-12(a)(1), petitioner for the vacation of such easement, has complied with the provisions of the Indiana Code; and

**WHEREAS**, Family Express Corporation, petitioner for the vacation of such easement, requests that the title to the vacated easement be transferred to the abovementioned abutting landowner.

**NOW THEREFORE, BE IT ORDAINED** by the Common Council of the City of West Lafayette, Indiana:

Section 1. The easement is approximately thirty (30) feet wide and two hundred twelve (212) feet long along the south side of Lot Number 2, Key Number 164-00300-0030, and Lot

Number 8, Key Number 164-00300-0238, in Northwestern Gardens, as depicted and shown on the abovementioned Exhibits “A” and “B.”

Section 2. That the vacated easement as described in Exhibits “A” and “B” attached hereto and incorporated herein are hereby conveyed to the abutting landowner, Northwestern, LLC.

Section 3: This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

**The jurat for this document was not printed on discussion copies, in order to save paper and copying resources. If you have questions about this, please contact the Office of the Clerk-Treasurer at [clerk@westlafayette.in.gov](mailto:clerk@westlafayette.in.gov). Thank you.**

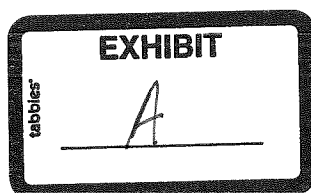
**EXHIBIT "A"**  
**EASEMENT DESCRIPTION**

**See Attached.**

**LEGAL DESCRIPTION – “FUTURE STREET EASEMENT” (TO BE VACATED):**

A part of Lots Numbered Two (2) and Eight (8) in Northwestern Gardens, being located in Wabash Township, Tippecanoe County, West Lafayette, Indiana and as depicted on the plat thereof, recorded in Plat Book 6, Page 18 in the Office of the Tippecanoe County Recorder, being a part of a 60 foot wide “Future Street Easement” as depicted on said plat and as shown on an ALTA / ACSM Land Title Survey prepared by TBIRD Design Services, Corp., Project No. 14110, and being more completely described as follows:

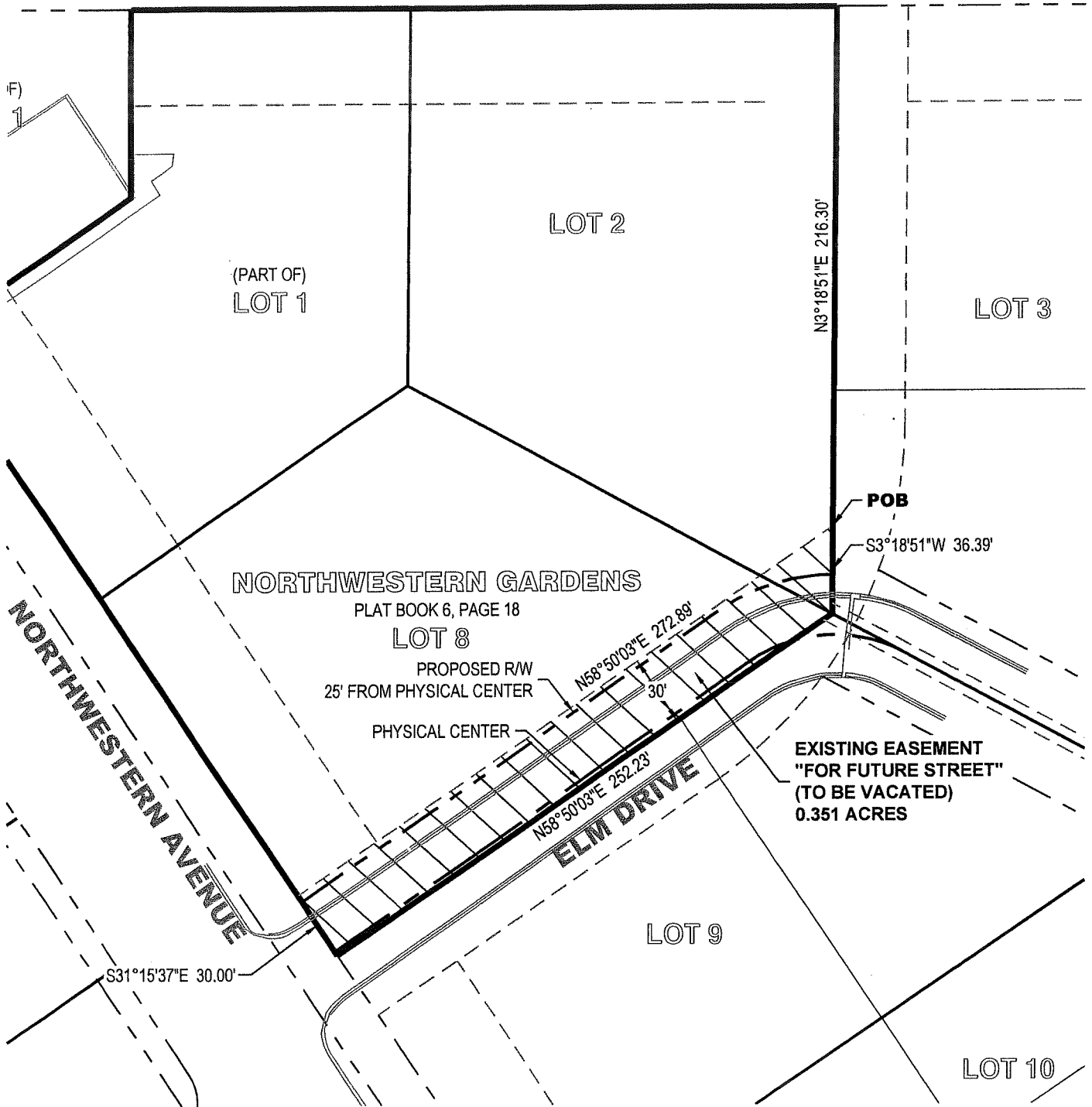
COMMENCING at an iron pipe marking the northeast corner of said Lot Number Two; thence along the east line of said Lot, South 3°18'51" West, 216.30 feet to the POINT OF BEGINNING; thence continue along said east line, South 3°18'51" West, 36.39 feet to a 2-inch long Mag nail with washer stamped “TBIRD FIRM #0052” hereinafter referred to as a TBIRD Mag nail marking the southeast corner of said Lot; thence along the southeasterly line of said Lot Number Eight, South 58°50'03" West, 252.23 feet to a TBIRD Mag nail marking the southerly corner of said Lot; thence along the westerly line of said Lot, being coincident with the northeasterly right of way of Northwestern Avenue, North 31°15'37" West, 30.00 feet to the northwesterly bounds of said “Future Street Easement”; thence along said northwesterly bounds North 58°50'03" East, 272.89 feet to the POINT OF BEGINNING, containing 0.181 acres, more or less.



**EXHIBIT "B"**  
**VACATED EASEMENT DRAWING**

**See Attached.**

**LINDBERG ROAD**



**TBIRD**  
**Design Services Corporation**  
 Engineering • Surveying • Environmental  
 Construction Management  
 105 NORTH 10TH STREET • LAFAYETTE, INDIANA  
 phone: (765) 742-1900 • fax: (765) 742-1905  
 www.tbirddesign.com

**RIGHT OF WAY / EASEMENT EXHIBIT**

LOTS 2, 8, & PART OF LOT 1 OF THE NORTHWESTERN  
 GARDENS ADDITIONS TO THE CITY WEST LAFAYETTE  
 AND  
 PART OF THE NORTH HALF OF SECTION 18, TOWNSHIP 23  
 NORTH, RANGE 4 WEST, WABASH TOWNSHIP, TIPPECANOE  
 COUNTY, INDIANA

PROJECT:  
14110

DATE:  
12/16/2014

CHECKED BY:  
PEW

DRAWN BY:  
NMD

DRAWING FILE:  
14110-VACATED EASEMENTS.DWG

SHEET:  
**1 of 1**