

**ORDINANCE NO. 21-13**

**TO REZONE CERTAIN REAL ESTATE WITHIN  
THE CITY OF WEST LAFAYETTE, INDIANA  
AND DESIGNATING THE TIME WHEN THE  
SAME SHALL TAKE EFFECT.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
WEST LAFAYETTE, INDIANA**

**Section 1:** Ordinance No. 32-97 of the City of West Lafayette, Indiana, is hereby amended to rezone the following described real estate, to-wit:

(See legal description attached hereto)

**Section 2:** Said real estate is hereby rezoned as follows:

FROM: GB District  
TO: PDNR District

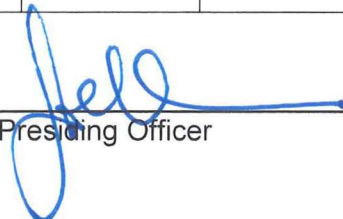
**Section 3:** This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

INTRODUCED ON FIRST READING ON THE 3 DAY OF September, 2013.

MOTION TO ADOPT MADE BY COUNCILOR Keen, AND SECONDED BY COUNCILOR Burch.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 3 DAY OF September, 2013, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			
VanBogaert	✓			

  
\_\_\_\_\_  
Presiding Officer

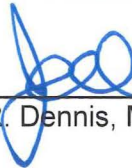
Attest:

  
Judith C. Rhodes, Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON  
THE 4 DAY OF September, 2013, AT THE HOUR OF  
\_\_\_\_\_.

  
Judith C. Rhodes, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 4 DAY OF  
September, 2013, AT THE HOUR OF 9:00 A.M.

  
John R. Dennis, Mayor

Attest:

  
Judith C. Rhodes, Clerk-Treasurer

## LEGAL DESCRIPTION

### SHEN, LLC PARCEL (Key #164-03100-0056 & 164-03100-0045)

(Parent Tract Instrument No. 06023071)

Land being a part of Lot 17 in Chauncey's Plat of Bottom Lands adjoining the Town of Chauncey, now the City of West Lafayette, as per plat thereof recorded in Deed Record 48, Pages 277-279 in the Office of the Recorder of Tippecanoe County, Indiana, said Plat being laid out on part of the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, both in Township 23 North, Range 4 West of the Second Principal Meridian in Wabash Township, County and State aforesaid being depicted on an ALTA/ACSM Land Title Survey by John E. Fisher & Associates, P.C., Commission No. 91.59.9, recorded as Document No. 08-021689 on November 12, 2008 in said Recorder's Office, and being more particularly described as follows:

Beginning at the intersection of the south line of Wood Street as per said Plat of Bottom Lands with the southwest right-of-way of State Road 26 (State Street), as per a Warranty Deed to the State of Indiana recorded as Document No. 97-02524 in said Recorder's Office, said corner being marked by a concrete INDOT Right-of-Way marker found; thence South 26°52'21" East along said southwest right-of-way line 185.62' to the north right-of-way line of Tapawingo Drive, as per a Warranty Deed to the City of West Lafayette recorded as Document No. 05010450 in said Recorder's Office; thence on the following three courses along said Tapawingo Drive:

- (1) South 36°23'57" West 64.19 feet;
- (2) South 48°25'15" West 166.28 feet to a non-tangent curve to the right, having a radius of 729.04 feet and a central angle of 11°05'05";
- (3) westerly along said curve an arc distance of 141.05 feet (said arc being subtended by a chord having a bearing of South 77°47'20" West and a length of 140.83 feet);

thence North 02°27'31" East 365.97 feet to the south line of Wood Street; thence South 87°38'22" East along said Wood Street 200.67 feet to the Point of Beginning, containing 79,773 square feet (1.831 acres), more or less.

Subject to all easements, rights-of-way, restrictions, and covenants of record.

**ALSO,**

### STATE STREET PARCEL (Key # 164-03000-0177)

(Parent Tract Instrument No. 97-02524)

Land being a part of Lot 17 in Chauncey's Plat of Bottom Lands adjoining the Town of Chauncey, now the City of West Lafayette, as per plat thereof recorded in Deed Record 48, Pages 277-279 in the Office of the Recorder of Tippecanoe County, Indiana, said Plat being laid out on part of the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, both in Township 23 North, Range 4 West of the Second Principal Meridian in Wabash Township, County and State aforesaid being depicted on an ALTA/ACSM Land Title Survey by John E. Fisher & Associates, P.C., Commission No. 91.59.9, recorded as Document No. 08-021689 on November 12, 2008 in said Recorder's Office, and being more particularly described as follows:

Beginning at the intersection of the south line of Wood Street as per said Plat of Bottom Lands with the southwest right-of-way line of State Road 26 (State Street), as per Warranty Deed to the State of Indiana recorded as Document No. 97-02524 in said Recorder's Office, said corner being marked by a concrete INDOT Right-of-Way marker found; thence South 87°38'22" East along the easterly prolongation of said south line of Wood Street 34.38 feet; thence South 26°52'21" East parallel with said southwest right-of-way line of State Street 221.42 feet to a non-tangent curve concave northwesterly, having a radius of 860.33 feet and a central angle of 02°02'22"; thence southwesterly along said curve an arc distance of 30.62 feet (said arc being subtended by a chord having a bearing of South 51°34'14" West and a length of 30.62 feet) to the southeasterly prolongation of said southwest right-of-way line of State Street; thence North 26°52'21" West along said southwest right-of-way line 244.34 feet to the Point of Beginning, containing 6,989 square feet (0.160 acres), more or less.

Subject to all easements, rights-of-way, restrictions, and covenants of record.

**ALSO,**

**TAPAWINGO DRIVE PARCEL (Key # 164-03100-0243)**

(Parent Tract Instrument No. 05010450)

Land being a part of Lot 17 in Chauncey's Plat of Bottom Lands adjoining the Town of Chauncey, now the City of West Lafayette, as per plat thereof recorded in Deed Record 48, Pages 277-279 in the Office of the Recorder of Tippecanoe County, Indiana, said Plat being laid out on part of the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, both in Township 23 North, Range 4 West of the Second Principal Meridian in Wabash Township, County and State aforesaid being depicted on an ALTA/ACSM Land Title Survey by John E. Fisher & Associates, P.C., Commission No. 91.59.9, recorded as Document No. 08-021689 on November 12, 2008 in said Recorder's Office, and being more particularly described as follows:

Commencing at the intersection of the south line of Wood Street as per said Plat of Bottom Lands with the southwest right-of-way line of State Road 26 (State Street), as per Warranty Deed to the State of Indiana recorded as Document No. 97-02524 in said Recorder's Office, said corner being marked by a concrete INDOT Right-of-Way marker found; thence South 26°52'21" East along said southwest right-of-way line of State Street 185.62 feet to the north right-of-way line of Tapawingo Drive as described in a Warranty Deed to the City of West Lafayette, Instrument Number 05010450, recorded May 11, 2005, in said Recorder's Office, said point being the Point of Beginning of the herein-described tract; thence continuing South 26°52'21" East along the southeasterly prolongation of said southwest right-of-way line 58.72 feet to a non-tangent curve concave northerly, having a radius of 860.33 feet and a central angle of 14°35'27"; thence westerly along said curve an arc distance of 219.09 feet (said arc being subtended by a chord having a bearing of South 59°53'08" West and a length of 218.50 feet) to the aforesaid north right-of-way line of Tapawingo Drive; thence North 48°25'15" West along said north right-of-way line 166.28 feet; thence North 36°23'57" West along said north right-of-way line 64.17 feet to the Point of Beginning, containing 6,309 square feet (0.145 acres), more or less.

Subject to all easements, rights-of-way, restrictions, and covenants of record.

**EXCEPT THEREFROM,**

**ONE PERCENT ANNUAL CHANCE FLOODPLAIN**

Land being a part of Lot 17 in Chauncey's Plat of Bottom Lands adjoining the Town of Chauncey, now the City of West Lafayette, as per plat thereof recorded in Deed Record 48, Pages 277-279 in the Office of the Recorder of Tippecanoe County, Indiana, said Plat being laid out on part of the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, both in Township 23 North, Range 4 West of the Second Principal Meridian in Wabash Township, County and State aforesaid being depicted on an ALTA/ACSM Land Title Survey by John E. Fisher & Associates, P.C., Commission No. 91.59.9, recorded as Document No. 08-021689 on November 12, 2008 in said Recorder's Office, and being more particularly described as follows:

Beginning at the intersection of the south line of Wood Street as per said Plat of Bottom Lands with the southwest right-of-way of State Road 26 (State Street), as per Warranty Deed to the State of Indiana recorded as Document No. 97-02524 in said Recorder's Office, said corner being marked by a concrete INDOT Right-of-Way marker found; thence South 26°52'21" East along said southwest right-of-way line 2.29 feet; thence North 87°38'22" West parallel with said south line of Wood Street 201.80 feet; thence North 02°27'31" East 2.00 feet to said south line; thence South 87°38'22" East along said Wood Street 200.67 feet to the Point of Beginning, containing 402 square feet (0.009 acres), more or less.