

ORDINANCE NO. 2007-26

AN ORDINANCE TO AMEND ARTICLE 4, SECTION 8-6 OF THE
LAPORTE COUNTY MASTER PLAN AND THE ZONE MAP WHICH IS A
PART THEREOF IN ORDER TO REZONE AND RECLASSIFY A PARCEL
OF REAL ESTATE IN THE COUNTY OF LAPORTE

WHEREAS, the parcel of real estate described below is now zoned and classified as an
Agricultural District under the Zone Map in Article 4, Section 8-6 of the LaPorte County Master
Plan of LaPorte, Indiana:

SEE ATTACHED EXHIBIT "A"

and,

WHEREAS, Horizon Development, Inc., filed a Petition for Rezoning with the Plan
Commission of LaPorte County, Indiana, to rezone the aforementioned parcel of real estate from
Agricultural to R-1 Residential; and,

WHEREAS, upon notice having been duly published, the Plan Commission of the County
of LaPorte held a public hearing on September 18, 2007, to determine whether it should
recommend to the LaPorte County Commissioners that the subject parcel should be rezoned and
placed in a different use district; and,

WHEREAS, the Plan Commission of LaPorte County at said public hearing considered
those matters required to be considered by Indiana Code 36-7-4-603; and,

WHEREAS, it was the recommendation of the Plan Commission of LaPorte County that
the Zone Maps of the LaPorte County Master Plan should be changed so that the subject parcel of
real estate be rezoned and reclassified as set forth below and as evidenced by the findings of the
Plan Commission of LaPorte County filed with the LaPorte County Commissioners to allow
further consideration of the proposed development and use by Horizon Development, Inc.; and,

WHEREAS, this Ordinance would be an amendment to Article 4, Section 8-6 of the LaPorte County Master Plan, and specifically to the Zone Maps of the County of LaPorte, Indiana, together with all amendments and supplements thereto.

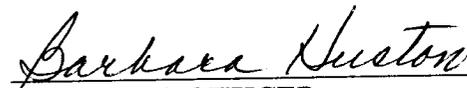
NOW THEREFORE,

Section 1. Be it, and it is hereby ordained by the LaPorte County Commissioners that the following described real estate situate in the County of LaPorte, State of Indiana, which is now zoned Agricultural be, and the same is hereby, rezoned and reclassified as "R-1" Residential District:

PLEASE SEE ATTACHED EXHIBIT "A"

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the LaPorte County Commissioners and publication as required by law.

ADOPTED by the LaPorte County Commissioners this ^{4th}~~13th~~ day of ~~November~~^{December}, 2007.



PRESIDING OFFICER



Commissioner



Commissioner

ATTEST:



Exhibit "A"

A parcel of land described as being a strip containing old Goshen, South Bend and Chicago Railroad right of way in Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); West of the Monon Railroad, in Section Seventeen (17), Township Thirty-six (36) North, Range Four (4) West, containing Six and Fifty-three hundredths (6.53) acres, situated in New Durham Township, LaPorte County, Indiana more particularly described as follows:

Commencing at the Northwest corner of Section Seventeen (17), Township Thirty-six (36) North, Range Four (4) West of the Second Principal Meridian, LaPorte County, Indiana and running thence North Eighty-nine degrees Forty-one minutes East (N 89° 41' E) on the North line of said Section, a distance of One thousand Six hundred Sixteen and Sixty-five hundredths (1616.65) feet; thence continuing same course along the North line of said Section a distance of Nine hundred Eighteen and Eighty hundredths (918.80) feet to the Westerly right of way of the Chicago, Indianapolis and Louisville Railroad; thence South Nine degrees Five minutes East (S 09° 05' E) along said right of way a distance to Two thousand Five hundred Ten Thirty-seven hundredths (2510.37) feet to the Northerly side of the Old Railroad property and the place of beginning; thence South Eighty-nine degrees Fifteen minutes West (S 89° 15' W) along the North line of the Old Railroad property, a distance of One thousand Five hundred Eleven (1511) feet; thence South Two degrees Thirty-three minutes East (S 02° 33' E), a distance of One hundred Twenty-six and Two tenths (126.2) feet to the East and West center line of said Section Seventeen (17); thence East along the East and West center line of said Section Seventeen (17) to the West line of the Chicago, Indianapolis and Louisville Railroad; thence North Nine degrees Five minutes West (N 09° 05' W) along the West side of the Chicago, Indianapolis and Louisville Railroad, a distance of One hundred Twenty-two (122) feet to the place of beginning, containing Four and Three tenths (4.3) acres, more or less.

EXCEPT:

Part of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and part of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Seventeen (17), Township Thirty-six (36) North, Range Four (4) West of the Second Principal Meridian in the County of LaPorte, State of Indiana, described as follows:

Beginning at an iron stake marking the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Seventeen (17), said iron stake also being the Southwest corner of land conveyed to Edward Peter and Marian Maxine Nicholson, husband and wife, in LaPorte County Deed Record 279, page 509; thence East along the South line of the North half (N $\frac{1}{2}$) of said Section Seventeen (17) and along the South line of said Nicholson land a distance of One thousand Five hundred Twenty-five and Four tenths (1525.4) feet to an iron stake on the West right-of-way line of the Monon Railroad; thence Northwestwardly with a deflection angle of Ninety-eight degrees Twenty-three minutes Forty-five seconds (98° 23' 45") to the left and along the West right-of-way line of said Monon Railroad, a distance of Thirty-three and Fifty-six hundredths (33.56) feet to a point; thence Westwardly with a deflection angle of Seventy-eight degrees Forty-five minutes (78° 45') to the left, a distance of One thousand Five hundred Twenty-five and Eighty-five hundredths (1525.85) feet to a point on the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the

Northwest Quarter (NW $\frac{1}{4}$) of said Section Seventeen (17); thence South with a deflection angle of Ninety-four degrees Thirty-nine minutes Fifteen seconds (94° 39' 15") to the left and along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Seventeen (17) a distance of One hundred Nine and Twenty-three hundredths (109.23) feet to the place of beginning of this description, containing Two and Eight tenths (2.8) acres, more or less.

ALSO:

Commencing at the Northwest corner of Section Seventeen (17), Township Thirty-six (36) North, Range Four (4) West of the Second Principal Meridian, LaPorte County, Indiana, and running thence North Eighty-nine degrees Forty-one minutes East (N 89° 41' E) on the North line of said Section, a distance of One thousand Six hundred Sixteen and Sixty-five hundredths (1616.65) feet for the place of beginning; thence continuing same course along the North line of said Section a distance of Nine hundred Eighteen and Eighty hundredths (918.80) feet to the Westerly right of way of the Chicago, Indianapolis and Louisville Railroad; thence South Nine degrees Five minutes East (S 09° 05' E) along said right of way a distance to Two thousand Five hundred Ten and Thirty-seven hundredths (2510.37) feet to the Northerly side of the Old Railroad property; thence South Eighty-nine degrees Fifteen minutes West (S 89° 15' W) along the Northerly side of said property a distance of One thousand Three hundred Fifteen and Twenty-hundredths (1315.20) feet; thence North a distance to Two thousand Four hundred Ninety-one (2491) feet to the place of beginning-the foregoing described property containing Sixty-three and Seventy-seven hundredths (63.77) acres, more or less.

EXCEPT:

Commencing at the Northwest corner of Section Seventeen (17), Township Thirty-six (36) North, Rang Four (4) West of the Second Principal Meridian, LaPorte County, Indiana, and running thence North Eighty-nine degrees Forty-one minutes East (N 89° 41' E) along the North side of Section Seventeen (17) for a distance of One thousand Six hundred Sixteen and Sixty-five hundredths (1616.65) feet to the place of beginning; thence continuing North Eighty-nine degrees Forty-one minutes East (N 98° 41' E) for a distance of Three hundred Twenty (320) feet; thence South for a distance of Five hundred Fifty (550) feet; thence South Eighty-nine degree Forty-one minutes West (S 89° 41' W) for a distance of Three hundred Twenty (320) feet; thence North for a distance of Five hundred Fifty (550) feet to the place of beginning, containing Four and Four hundredths (4.04) acres, more or less.

ALSO:

A part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Seventeen (17), Township Thirty-six (36) North, Range Four (4) West of the Second Principal Meridian described as follows:
Commencing at the Northwest corner of Section Seventeen (17), thence North Eighty-nine degrees Forty-one minutes East on the North line of the Section, a distance of One thousand Five hundred Three and Five hundredths (1503.05) feet to the place of beginning; thence continuing on the same course along the North line of the Section, a distance of One hundred Thirteen and Six tenths (113.6) feet; thence South Two thousand Four hundred Ninety-one (2491) feet; thence South Eighty-nine degrees Fifteen minutes West (S 89° 15' W) a distance of One hundred Ninety-five and Eight tenths (195.8) feet; thence North Two degrees

Thirty-three minutes West (N 02° 33' W) a distance of Eight hundred Fifty-four and Four tenths (854.4) feet; thence North Eighty-nine degrees Thirty-one minutes East (N 89° 31' E) a distance of One hundred Twenty and Two tenths (120.2) feet; thence North Sixteen hundred Thirty-seven and Ninety-nine hundredths (1637.99) feet to the place of beginning, containing Eight and Five tenths (8.5) acres, more or less.