

# ORDINANCE # 323 - 94

AN ORDINANCE TO ANNEX CERTAIN LANDS TO THE TOWN OF BATTLE GROUND,  
TIPPECANOE COUNTY, INDIANA

WHEREAS, the land described herein is contiguous to the current boundary of the Town of Battle Ground; and

WHEREAS, the Town Board of Trustees of the Town of Battle Ground pursuant to I.C. 36-4-3-3 desires to annex the land described herein; and

WHEREAS, all of the requirements of statute for the annexation of such land have been met.

THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, TIPPECANOE COUNTY, INDIANA, THAT:

SECTION I: The following described lands be, and the same are, hereby annex to and declared a part of Battle Ground, Tippecanoe county, Indiana:

See attached exhibits A (Battle Ground Sewage Treatment Plant) and B (Tippecanoe County Park and Recreation Board of Tippecanoe County Property)

SECTION II: Be it further ordained that the boundaries of the Town of Battle Ground, Tippecanoe County, Indiana, shall be, and the same hereby are, declared to extend so as to include all of the land described above as part of the Town of Battle Ground, Tippecanoe County, Indiana.

SECTION III: Be it further ordained that the above described land shall become a part of and be assigned to WARD NUMBER ONE for voting purposes during election years.

SECTION IV: This ordinance shall be in full force and effect from and after its passage and signing and notice, as provided by law.

PASSED AND ADOPTED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, TIPPECANOE COUNTY, INDIANA ON NOVEMBER 7, 1994.

David L. Ferringer  
David L. Ferringer, President

Stanley J. Cunningham  
Stanley J. Cunningham

Donald D. McKee  
Donald D. McKee

Marie McCoy

Marie McCoy

Steven C. Egly  
Steven C. Egly

Geraldine Berghoff  
Geraldine Berghoff, Clerk-Treasurer

## EXHIBIT A

Auditor Key #: 124-03600-049 NT

Beginning at a point in the apparent center of Prophet's Rock Road approximately 300 feet South of the North line of the South West quarter of the South West Quarter of Section 23, Township 24 North, Range 4 West, thence South 89 degrees 50 minutes East 901.5 feet to the center line of Burnett's Creek, then along the meandering of said creek in a southerly direction to a point 200 feet South of the preceding course, thence North 89 degrees 50 minutes West 950.5 feet to the apparent center of Prophet's Rock Road, thence in a northeasterly direction along the center line of Prophet's Rock Road to the place of beginning, containing 4.25 acres, more or less, in Tippecanoe Township, Tippecanoe County, State of Indiana.

ALSO a tract of land which is a part of the South West quarter of Section 23, Township 24 North, Range 4 West, Tippecanoe Township, Tippecanoe County, Indiana, more fully described as follows, to wit:

Beginning at a point in the approximate center of Prophet's Rock Road on the North line of the South West quarter of the South West quarter of Section 23, said point being 420.5 feet East of the West line and 1340.0 feet South of the North West corner of the South West quarter of said section, Said point being marked with an existing nail in said road; thence South 89 degrees 50 minutes East for 962.5 feet along the existing fence line, to the approximate center of Burnett's Creek; thence in a southerly direction, along the meandering of Burnett's Creek, South 41 degrees 48 minutes West for 401.4 feet; thence North 89 degrees 50 minutes West for 901.5 feet to a steel railroad spike in Prophet's Rock Road; thence North 34 degrees 34 minutes East for 363.7 feet along the apparent center line of Prophet's Rock Road to the place of beginning, said tract containing 6.4 acres, more or less.

## EXHIBIT B

Auditor Key #'s: 124-03600-026 NT

124-03600-050 NT

124-03500-011 NT

124-03900-022 NT

The South East quarter of the South East quarter of Section twenty-two (22), in Township Twenty-four (24) North, Range four (4) West, containing thirty nine and ninety five hundredths (39.95) acres. ALSO twelve and forty-five hundredths (12.45) acres off the entire south end of that portion of the South West quarter of the South West quarter of Section twenty three (23), Township and Range aforesaid, as platted in the County Surveyor's Records of Tippecanoe County, in Book "B", Page 29, containing twenty-nine and twenty hundredths (29.20) acres more or less, the north boundary of said 12.45 acres being parallel to the south boundary of the South West quarter of said Section twenty-three (23).

ALSO a part of the North East quarter of the North East quarter of Section twenty-seven, Township twenty-four (24) North, Range four (4) West, described as follows: Beginning at the North West corner of said North East quarter of said North East quarter of said Section twenty-seven (27), and running thence South sixty seven (67) degrees and 28 minutes East five hundred eighty-eight (588) feet to the center of the Riverside and Battle Ground Gravel Road; thence North Easterly along said road to the North line of said section twenty-seven (27); thence West on said Section twenty-seven (27) to the place of beginning containing one and sixty five hundredths (1.65) acres more or less.

ALSO all that portion of the South West quarter of the South West quarter of Section twenty-three (23), Township twenty-four (24) North, Range four (4) West, as platted in the County Surveyor's Records of Tippecanoe County, in Book "B", Page 29, containing twenty-nine and twenty hundredths (29.20) acres more or less.

EXCEPT real estate taken for County Highway described in Deed Record 71, Page 3075.

ALSO EXCEPT a tract of land which is a part of the South West quarter of Section 23, Township 24 North, Range 4 West, Tippecanoe Township, Tippecanoe County, Indiana, more fully described as follows, to wit:

Beginning at a point in the approximate center of Prophet's Rock Road on the North line of the South West quarter of the South West quarter of Section 23, said point being 420.5 feet East of the West line and 1340.0 feet South of the North West corner of the South West quarter of said section, said point being marked with an existing nail in said road; thence South 89 degrees 50 minutes East for 962.5 feet along the existing fence line, to the approximate center of Burnett's Creek; thence in a southerly direction, along the meandering of Burnett's Creed, South 41 degrees 48 minutes West for 401.4 feet; thence North 89 degrees 50 minutes West for 901.5 feet to a steel railroad spike in Prophet's Rock Road; thence North 34 degrees 34 minutes East for 363.7 feet along the apparent center line of Prophet's Rock Road to the place of beginning, said tract containing 6.4 acres, more or less.

ALSO EXCEPT Beginning at a point in the apparent center of Prophet's Rock Road approximately 300 feet South of the North line of the South West quarter of the South West Quarter of Section 23, Township 24 North, Range 4 West, thence South 89 degrees 50 minutes East 901.5 feet to the center line of Burnett's Creek, then along the meandering of said creek in a southerly direction to a point 200 feet South of the preceding course, thence North 89 degrees 50 minutes West 950.5 feet to the apparent center of Prophet's Rock Road, thence in a northeasterly direction along the center line of Prophet's Rock Road to the place

of beginning, containing 4.25 acres, more or less, in Tippecanoe Township, Tippecanoe County, State of Indiana.