

ORDINANCE NO. 330 -95

AN ORDINANCE TO INCLUDE RECENTLY ANNEXED AREA IN THE BATTLE GROUND CONSERVANCY DISTRICT

WHEREAS, the Town of Battle Ground is included as a part of the Battle Ground Conservancy District; and

WHEREAS, the municipal boundaries of said town have recently been expanded by annexation to include certain property belonging to the Tippecanoe County Park and Recreation Board of Tippecanoe County the legal description of which is attached hereto and made a part hereof marked Exhibit A; and

WHEREAS, said real estate was not previously included in the Battle Ground Conservancy District; and

WHEREAS, the Town Board of Trustees desires to include said real estate in said district.

THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, Battle Ground, INDIANA, THAT

SECTION 1. Pursuant to I.C. 13-3-3-6 the real estate described on attached Exhibit A is hereby declared to be included in the Battle Ground Conservancy District.

SECTION 2. The attorney for the Town Board of Trustees of the Town of Battle Ground is hereby directed to file all necessary documents and petitions with the Tippecanoe Circuit Court and Indiana Department of Natural Resources pursuant to Indiana law to include said real estate in said Battle Ground Conservancy District.

SECTION 3. 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, Battle Ground, INDIANA ON AUGUST 7, 1995.

President

Trustee

Trustee

Trustee

EXHIBIT A

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 of 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 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.

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.