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BOOK 116 O'CLOCK P. M. 53
PAGE

**TOWN OF CLOVERDALE
ORDINANCE 1999-8**

SEP 30 1999

Marty G. Watts
PUTNAM COUNTY RECORDER

**AN ORDINANCE AMENDING
THE CLOVERDALE PLANNING AND ZONING ORDINANCE
BY AMENDING THE ZONING MAP**

WHEREAS, the Plan Commission of the Town of Cloverdale has initiated and proposed this ordinance to amend the Cloverdale Planning and Zoning Map; and

WHEREAS, the Cloverdale Plan Commission held a public hearing on September 9, 1999, after timely notice of the hearing was given by publication in the Banner Graphic, Greencastle, Indiana, on May 20, 1999; and

WHEREAS, the Cloverdale Plan Commission has reported that it paid reasonable regard to the following factors enumerated in I.C. 36-7-4-603 in consideration of the ordinance and determination of a recommendation to be made to the Town Council:

1. The comprehensive plan;
2. Current condition and character of current structures and uses in each district;
3. The most desirable use for the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction;
5. Responsible development and growth; and

WHEREAS, the Cloverdale Plan Commission has recommended that such area be rezoned from A-1 to I-2; and

WHEREAS, the Town Council has considered the recommendation of the Cloverdale Plan Commission and has paid reasonable regard to the facts enumerated in I.C. 36-7-4-603 before acting on this ordinance; and

WHEREAS, the Town Council has determined that this ordinance should be adopted without amendment as certified by the Cloverdale Plan Commission.

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Cloverdale as follows:

SECTION 1. REZONING

That the Town of Cloverdale Zoning Map is hereby amended by changing the zoning classification for the following described real estate from A-1 to I-2:

BOOK 116 PAGE 532

Williams Parcel

Situate in the State of Indiana, County of Putnam and being a part of the Northeast quarter of Section 26, Township 13 North, Range 4 West of the Second Principal Meridian, more particularly described to-wit:

Beginning at a railroad spike marking the Northwest corner of the Northeast quarter of Section 26, Township 13 North, Range 4 West; thence South 89 degrees 47 minutes 47 seconds East 1297.54 feet with the North line of said Northeast quarter to a 5/8 inch rebar on the West right-of-way line of the CSX Railroad; thence with said West right-of-way line South 26 degrees 17 minutes 31 seconds East 188.83 feet to a 5/8 inch rebar; thence Southeasterly 888.92 feet on a curve to the right having a radius of 2834.93 feet and subtended by a long chord bearing South 17 degrees 18 minutes 31 seconds East a distance of 885.33 feet to a 5/8" rebar; thence South 08 degrees 34 minutes 24 seconds East 1268.48 feet to a wood corner post; thence leaving the West right-of-way line of the CSX Railroad South 87 degrees 47 minutes 25 seconds West 428.96 feet with an established property line fence to a 5/8 inch rebar; thence North 00 degrees 40 minutes 52 seconds West 11.88 feet to a 5/8 inch rebar; thence South 89 degrees 19 minutes 08 seconds West 1426.26 feet to a stone on the West line of said Northeast quarter marking the Southwest corner of an 86 acre tract described in Deed Record 172, page 95 in the office of the Recorder of Putnam County, Indiana; thence North 00 degrees 31 minutes 51 seconds East 1122.64 feet with the West line of said Northeast quarter to a 5/8 inch rebar marking the most Southerly corner of a 1.67 acre tract described in Deed Record 209, page 679 in the aforesaid Recorder's Office; thence with the East side of said 1.67 acre tract North 29 degrees 33 minutes 24 seconds East 278.87 feet to a 5/8 inch iron rod; thence North 03 degrees 40 minutes 15 seconds East 52.33 feet to a T bar; thence North 03 degrees 34 minutes 06 seconds West 199.86 feet to a 5/8 inch iron rod; thence North 17 degrees 43 minutes 02 seconds West 77.81 feet to a 5/8 inch iron rod; thence North 17 degrees 58 minutes 03 seconds West 123.95 feet to a 5/8 inch iron rod; thence North 18 degrees 22 minutes 34 seconds West 185.77 feet to a 5/8 inch rebar on the West line of said Northeast quarter and the most Northerly corner of said 1.67 acre tract; thence North 00 degrees 31 minutes 51 seconds East 309.89 feet with said West line to the point of beginning, containing 84.57 acres, more or less.

Weber Parcel

Situate in the State of Indiana, County of Putnam and being a part of the South half of the Northeast quarter and part of the North half of the Southeast quarter all in Section 26, Township 13 North, Range 4 West of the Second Principal Meridian more particularly described to-wit:

Commencing at a railroad spike marking the Northwest corner of the Northeast quarter of Section 26, Township 13 North, Range 4 West; thence South 00 degrees 31 minutes 15 seconds West 2295.16 feet with the West line of said Northeast quarter to a stone marking the Southwest corner of an 84.57 acre tract and the true point of beginning of the real estate herein described; thence with the South line of said 84.57 acre tract North 89 degrees 19 minutes 08 seconds East

1426.26 feet to a 5/8 inch rebar; thence South 00 degrees 40 minutes 52 seconds East 11.88 feet to a 5/8 inch rebar; thence North 87 degrees 47 minutes 25 seconds East 428.96 feet to a wood corner post of the West right-of-way line of the CSX Railroad and the Southeast corner of said 84.57 acre tract; thence with the West right-of-way line of the CSX Railroad South 08 degrees 34 minutes 24 seconds East 429.65 feet to a 5/8 inch rebar; thence Southeasterly 1294.86 feet on a curve to the left having a radius of 2894.93 feet and subtended by a long chord bearing South 21 degrees 23 minutes 14 seconds East a distance of 1284.09 feet to a 5/8 inch rebar on the North right-of-way line of Interstate 70; thence leaving the West right-of-way line of the CSX Railroad and with the North right-of-way line of Interstate 70 North 89 degrees 16 minutes 42 seconds West 318.58 feet to a 5/8 inch rebar; thence South 85 degrees 00 minutes 40 seconds West 854.24 feet to a 5/8 inch rebar; thence North 89 degrees 16 minutes 42 seconds West 1231.90 feet to a 5/8 inch rebar on the West line of the Southeast quarter of Section 26 Township 13 North, Range 4 West; thence leaving the North right-of-way line of Interstate 70 North 00 degrees 28 minutes 36 seconds East 1294.74 feet to a stone marking the Northwest corner of said Southeast quarter; thence North 00 degrees 31 minutes 51 seconds East 358.99 feet with the West line of the Northeast quarter to the point of beginning containing 78.23 acres, more or less.

North Parcel

A strip of land lying long ways, East and West, between State Road 43 and the East line of the Monon Railroad right of way, described as follows, to-wit:

A part of the South half of the Southwest quarter of Section 24 and a part of the South half of the Southeast quarter of Section 23 in Township 13 North of Range 4 West, described as follows, to-wit:

Commencing on the South line of the Southwest quarter of said Section 24 at a point 8 chains and 55 links West of the Southeast corner of said tract, the point being 4 links West of the West line of the Electric Light Transformer Station situated on said State Road 43 and the Putnamville Rock Road running West; thence North 89 links to a point 4 links North and 4 links West of the light transformer enclosure; thence East 118 links to a point which was in the middle of the Old Rock Road; thence North 8 ½ degrees West 14 chains and 67 links in said road to the South line of the Campbell Lane to premises; thence West, parallel to the South line of said quarter sections; a distance of 56 chains and 44 links to the East line of the Monon Railroad's East fence line; thence South 20 degrees East 6 chains; and thence South 27 ½ degrees East 10 chains with said railroad fence to the South line of the Southeast quarter of Section 23 in the middle of the Putnamville Rock Road; thence East on said line of said Sections 23 and 24 a distance of 50 chains and 58 links to the place of beginning, and containing 83.75 acres, more or less.

EXCEPT THEREFROM, a part of the Southeast quarter of the Southwest quarter of Section 24, Township 13 North, Range 4 West of the Second Principal Meridian more particularly described, to-wit:

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Commencing at the Southeast corner of the Southwest quarter of Section 24, Township 13 North, Range 4 West, thence Westerly 449.0 feet with the South line of said Southwest quarter; thence North 14 degrees 15 minutes West 41.10 feet; thence South 75 degrees 45 minutes West 97.0 feet; thence North 0 degrees 07 minutes 53 seconds East 40.26 feet; thence North 87 degrees 50 minutes 41 seconds East 57.27 feet to the West right-of-way line of Indiana State Road 43 (U.S. 231) as it existed in the year 1960; thence with said West right-of-way North 4 degrees 51 minutes 47 seconds West 298.19 feet, the true point of beginning of the real estate herein described, which point is on the East right-of-way line of Indiana State Road 43 as it currently exists (1977); thence from said true point of beginning North 16 degrees 39 minutes 30 seconds West 499.25 feet; thence North 10 degrees 56 minutes 52 seconds West 100.50 feet; thence North 16 degrees 39 minutes 30 seconds West 25.58 feet; thence North 16 degrees 39 minutes 51 seconds West 0.23 feet to an established property line; thence leaving said East right-of-way line North 89 degrees 52 minutes 00 seconds East 194.17 feet with said property line to the East right-of-way of Old State Road #43; thence South 3 degrees 57 minutes East 891.67 feet with said East right-of-way; thence North 16 degrees 39 minutes 30 seconds West 300.0 feet to the point of beginning, containing 2.07 acres, more or less.

ALSO EXCEPT, one-half of that part of the following described Real Estate which lies adjacent to the above described excepted real estate as vacated by the County Commissioners of Putnam County, Indiana, on September 17, 1977, and as certified by the Auditor on the 6th day of October, 1980, and recorded herein on the 8th day of October, 1980, in Miscellaneous Record No. 54, at page 343.

A part of the South East quarter of the South West quarter of Section 24, Township 13 North, Range 4 West of the Second Principal Meridian, more particularly described, to-wit:

Commencing at the South East corner of the South West quarter of Section 24, Township 13 North, Range 4 West, thence Westerly 449.0 feet with the South line of said South West quarter; thence North 14 degrees 15 minutes West 41.10 feet; thence South 75 degrees 45 minutes West 97.0 feet; thence North 0 degrees 07 minutes 53 seconds East 40.26 feet; thence North 87 degrees 50 minutes 41 seconds East 57.27 feet to the West right-of-way line of Indiana State Road 43 (U.S. 231) as it existed in the year 1960; thence with said West right-of-way North 4 degrees 51 minutes 47 seconds West 298.19 feet to the true point of beginning of the real estate herein described, the true point of beginning being on the East right-of-way of Indiana State Road 43 as it currently exists (1977); thence from said true point of beginning continuing with the West right-of-way of the 1960 location of Indiana State Road 43 North 4 degrees 51 minutes 47 seconds West 426. feet; thence North 13 degrees 43 minutes West 182.7 feet to the North line of real estate once held by Elbert McCoy and Inez P. McCoy, husband and wife; thence North 89 degrees 52 minutes East 104 feet with the Easterly prolongation of said North property line to the East right-of-way line of the aforesaid 1960 location of Indiana State Road 43; thence South 3 degrees 57 minutes East 891.67 feet with said East right-of-way line to the intersection of said East right-of-way line with the present (1977) East right-of-way line of State Road #43; thence

North 16 degrees 39 minutes 30 seconds West 300.0 feet with the last mentioned right-of-way line to the point of beginning, containing 1.26 acres.

This Ordinance shall have full force and effect upon passage of the Cloverdale Town Council.

The Clerk-Treasurer of the Town of Cloverdale is directed to publish this ordinance by inserting a copy of this ordinance in the official set(s) of the Town of Cloverdale Code maintained on file for public inspection in the office of the Clerk-Treasurer and by noting the zoning amendments on the Zoning Map.

PASSED AND ADOPTED by the Town Council of the Town of Cloverdale, Indiana, this 21st day of Sept, 1999.

Dan Johnson
Dan Johnson, President

Lonnie Brumfield
Lonnie Brumfield

Maurice Mann
Maurice Mann

Ann McCammack
Ann McCammack

Brice Jones
~~Sandy Oliver~~ Brice Jones

ATTEST:

Patti Truax
Patti Truax, Clerk-Treasurer

SYNOPSIS

This ordinance amends the Cloverdale Zoning Map of the Town of Cloverdale to rezone the aforementioned real estate from A-1 (Agricultural) to I-2 (Stone Quarries).

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PUTNAM COUNTY RECORDER

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PASSED AND ADOPTED by the Town Council of the Town of Cloverdale, Indiana, this 21st day of Sept, 1999.

Dan Johnson
Dan Johnson, President

Lonnie Brumfield
Lonnie Brumfield

Maurice Mann
Maurice Mann

Ann McCammack
Ann McCammack

Brice Jones
~~Sandy Oliver~~ Brice Jones

ATTEST:

Patti Truax
Patti Truax, Clerk-Treasurer

SYNOPSIS

This ordinance amends the Cloverdale Zoning Map of the Town of Cloverdale to rezone the aforementioned real estate from A-1 (Agricultural) to I-2 (Stone Quarries).

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