

ORDINANCE NO. 22-01-18-004

AN ORDINANCE AMENDING, AND TO AMEND
THE ZONING ORDINANCE OF KOSCIUSKO
COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF KOSCIUSKO
COUNTY, INDIANA:

ARTICLE 1.

Section 1. That the Kosciusko County Zoning Ordinance heretofore passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, and recorded under Miscellaneous Record 53, Page 130 be and the same is hereby amended in the particulars hereinafter set forth.

Section 2. That certain tract of land situated in Kosciusko County, Indiana, now lying without the corporate limits of any non-participating City or Town and under the jurisdiction of the Kosciusko County Area Plan Commission, as a part of the Comprehensive Plan for Kosciusko County, Indiana; to-wit:

"SEE ATTACHED"

be, and the same is hereby, removed from classification as an Industrial 2 and subject real estate shall be reclassified and rezoned as Commercial within the limitations, definitions and description of the Kosciusko County Zoning Ordinance.

Section 3. That the Ordinance Administrator, pursuant to said Zoning Ordinance be, and he is hereby authorized to issue Location Improvement Permits and Certificates of Occupancy with reference to the construction and improvements upon said described real estate so long as applications therefore comply with the Kosciusko County Zoning Ordinance and upon compliance with all applicable rules and regulations of the State of Indiana and local authorities, as the same may be applicable to the construction of streets, parking facilities, storm sewers, drains, sidewalks and sewer and water facilities.

ARTICLE 2.

2022010848 ORDN \$0.00
01/18/2022 02:51:45P 3 PGS
Joetta Mitchell
Kosciusko County Recorder IN
Recorded as Presented



Section 1. This ordinance shall be in full force and effect from and after its passage.

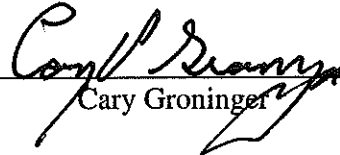
Passed and adopted at a regular and duly constituted meeting of the County Commissioners
of Kosciusko County, Indiana, on 01/18/2022.

Absent

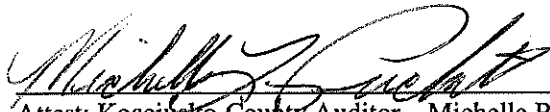
Robert Conley



Bradford Jackson



Cary Groninger



Attest: Kosciusko County Auditor – Michelle Puckett

I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.

Leena Pence

Part of the Southwest Quarter of Section 13, Township 32 North, Range 6 East, Kosciusko County, Indiana, (containing part of Elaine Drive as shown on the recorded Plat of Marathon Industrial Park, as recorded in Plat Book 7, page 83, of the records of Kosciusko County, Indiana), more particularly described as follows, to wit:

Commencing at the Northeast corner of the Southwest Quarter of said Section 13; thence S 00° 00' 10.011" W (assumed bearing), on and along the East line of said Southwest Quarter, a distance of 2399.9 feet to the Centerline of the right-of-way of County Road 100 S; thence N 83° 51' 10" W (recorded N 84° 12' 10" W), on and along the centerline of said County Road 100 S, a distance of 116.9 feet to a P.K. nail found; thence N 80° 30' W (recorded N 80° 44' 10" W), on and along said centerline, a distance of 93.71 feet to a railroad spike found at the Northeast corner of a certain tract of land as recorded in Document Number 95-03-0385 in the records of Kosciusko County, Indiana; thence S 16° 57' W, on and along the East line of said tract of land and on and along the Westerly right-of-way line of said Elaine Drive, a distance of 102.0 feet to an iron pin found at the true point of beginning; thence continuing S 16° 57' 10" W, on and along said East line and said Westerly right-of-way line, a distance of 361.1 feet to an iron pipe found at the point of intersection with the Northerly right-of-way line of U.S. Highway Number 30; thence S 70° 25' 10" E, on and along said northerly right-of-way line, a distance of 100.0 feet to an iron pin; thence N 16° 57' E, a distance of 336.22 feet to an iron pin on a Southwesterly line of a certain tract of land as recorded in Deed Record 339, page 374, in said records; thence N 33° 11' 10" W (recorded N 33° 03' 10" W), on and along said Southwesterly line, a distance of 28.13 feet to an iron pin at a corner of said tract of land as recorded in Deed Record 339, page 374; thence N 73° 05' 14.3" W, on and along a Southwesterly line of said tract of land as recorded in Deed Record 339, page 374, a distance of 28.33 feet to a Southwesterly corner of said tract of land as recorded in Deed Record 339, page 374; thence N 60° 07' 45" W, a distance of 51.27 feet to the true point of beginning, containing 0.809 acres of land, more or less, subject to all legal right-of-way, subject to an easement for a legal drain which crosses the Northerly part of the above described tract, subject to all other easements of record and the above described 0.809 acre tract also being subject to a non-exclusive ingress, egress and utility easement over, under and across the Southwest 50 feet of the above described tract. Said easement shall be adjacent to and parallel with the North right-of-way line of U.S. Highway Number 30. The 50 foot easement width shall be measured on a line perpendicular to said North right-of-way line on U.S. Highway Number 30.

A tract of land being a part of the Southwest Quarter of Section 13 and a part of the Northwest Quarter of Section 24, both in Township 32 North, Range 6 East, 2nd P.M., Wayne Township, Kosciusko County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of said Section 13; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing), along the East line of said Southwest Quarter, 2399.9 feet to the centerline of the right-of-way of County Road 100 South; thence North 84 degrees 12 minutes West, along the centerline of County Road 100 South 116.45 feet to a P.K. nail; thence North 80 degrees 44 minutes West, along said road centerline, 93.71 feet to a railroad spike and the Point of Beginning; thence South 16 degrees 57 minutes West, 464.0 feet (463.06 feet recorded) to an iron pipe on the North right-of-way line of U.S. Highway 30; thence North 70 degrees 25 minutes West, along said right-of-way line, 100.0 feet to an iron pipe; thence North 16 degrees 57 minutes East, 443.60 feet to a railroad spike located on the centerline of County Road 100 South; thence South 77 degrees 38 minutes 50 seconds East along the centerline of said road, 144.06 feet (South 75 degrees 52 minutes East, 144.0 feet recorded) to a P.K. nail; thence South 82 degrees 16 minutes East (South 80 degrees 44 minutes East recorded), along said road centerline, 6.29 feet to the Point of Beginning.