

GENERAL ORDINANCE NO. 4, 2021

**AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF WABASH, INDIANA AMENDING
GENERAL ORDINANCE NO. 1, 2021 TO CORRECT AN ERRONEOUS LEGAL
DESCRIPTION OF THE AREA OF THE ZONE MAP OF THE CITY OF WABASH
BEING CHANGED FROM HEAVY INDUSTRIAL TO GENERAL BUSINESS**

WHEREAS, Centon LLC of Porter County, Indiana filed with the Wabash City Plan Commission a request to amend the zoning ordinance for the City of Wabash by making certain changes to the Zone Map for the City of Wabash, Indiana; and

WHEREAS, the Plan Commission for the City of Wabash, Indiana did consider certain amendments to the zoning ordinance by amending the zone map for the City of Wabash, Indiana; and

WHEREAS, it was found that it would be beneficial to the orderly development and growth of the territory within the jurisdiction of the Wabash City Plan commission and would further enhance the purposes and intent of the comprehensive plan to amend a portion of the zoning map in order to provide for rezoning of certain property; and

WHEREAS, it was the intention of the Wabash City Council only to change the 1.376 acres that was located at the northwest corner of a 5.85 acre parcel and which 1.376 acres was the only part being used for the location of a retail business that would fall within the definition of General Business; and

WHEREAS, officials for the City of Wabash were provided an erroneous legal description for the area to be rezoned; and

WHEREAS, officials for the City of Wabash have now been provided a correct legal description for the area to be rezoned;

NOW THEREFORE BE IT RESOLVED by the Common Council for the City of Wabash, Indiana that General Ordinance 1, 2021 be amended to read as follows:

SECTION 1. The Common Council of the City of Wabash, Indiana pursuant to Indiana Code 36-7-4-608 amends the zone map incorporated by reference in General Ordinance No. 1, 1995, as amended, passed by the Common Council of the City of Wabash, Wabash County, Indiana on the 24th day of April 1995, at Article 2, Section 2.1 (Wabash City Code, Section 10-29) as follows:

By changing from Heavy Industrial (HI) to General Business (GB) the following described real estate located in Wabash County, Indiana, to-wit:

This description, prepared by Aaron J. Carl, Professional Surveyor License Number LS20800123 and employed by T-E Incorporated, was created as part of an Original Survey for Job No. 21055 on May 13, 2021. A part of the East Half of Indian Reserve Number 18, Township 27 North, Range 6 East, Noble Township, Wabash County, Indiana, also being part of a tract of land conveyed to Centon, LLC of Porter County by Document 2006R389781, all recorded documents in this description are recorded in the Office of the Recorder of Wabash County, and more particularly described as follows:

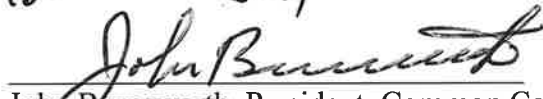
Commencing at the Southwest corner of said East Half of Indian Reserve Number 18, being marked by a survey marker mag spike; thence North 88 degrees 57 minutes 56 seconds East (being the basis of all bearings this description), on and along the South line of said East Half of Indian Reserve Number 18, a distance of 80.63 feet to the East right-of-way line of State Road 15; thence Northerly, on and along said East right-of-way line of State Road 15, being on a curve concave to the West, having an arc length of 458.51 feet, a chord length of 458.51 feet, a chord bearing North 01 degrees 46 minutes 57 seconds West, and a radius of 54,612.58 feet to a concrete right-of-way marker; thence North 02 degrees 01 minutes 22 seconds West, on and along said East right-of-way line of State Road 15, a distance of 1117.34 feet to the point of beginning of a curve; thence Northerly, on and along said East right-of-way line of State Road 15, being on a curve concave to the West, having an arc length of 563.99 feet, a chord length of 563.98 feet, a chord bearing North 02 degrees 32 minutes 07 seconds West, and a radius of 29,984.35 feet to the Point of Beginning, being marked by a 5/8-inch diameter rebar with an identification cap stamped "T-E INC FIRM ID #0070"; thence continuing Northerly, on and along said East right-of-wayline of State Road 15, being on a curve concave to the West, having an arc length of 223.05 feet, a chord length of 223.05 feet, a chord bearing North 03 degrees 17 minutes 14 seconds West, and a radius of 29,984.35 feet to the South right-of-way line of Dimension Street, being marked by a 5/8-inch diameter rebar with a "Stephens" identification cap; thence North 89 degrees 01 minutes 06 seconds East, on and along said South right-of-way line of Dimension Street, a distance of 281.62 feet to a 5/8-inch diameter rebar with an identification cap stamped "T-E INC FIRM ID #0070"; thence South 00 degrees 58 minutes 49 seconds East, a distance of 189.95 feet to a 5/8-inch diameter rebar with an identification cap stamped "T-E INC FIRM ID #0070"; thence South 45 degrees 20 minutes 56 seconds West, a distance of 32.97 feet to a 5/8-inch diameter rebar with an identification cap stamped "T-E INC FIRM ID #0070"; thence South 86 degrees 40 minutes 44 seconds West, a distance of 249.00 feet to the Point of Beginning, containing 1.376 acres, more or less, being subject to and/or together with all easements and rights-of-way of record.

SECTION 2. This proposal is taken for the purposes of:


(1) securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways; (3) promoting the public health, safety, comfort, morals, convenience, and general welfare; and (4) otherwise accomplishing the purposes of Indiana Code 36-7-4-101 et seq. and the Plan Commission also considered: (5) the Comprehensive Plan; (6) current conditions; (7) character of current structures and uses in each district; (8) the most desirable use for which the land in each district is adapted; (9) the conservation of property values throughout the jurisdiction; and (10) responsible development and growth.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval as required by applicable law.

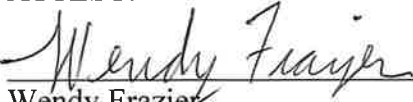
PASSED BY THE COMMON COUNCIL OF THE CITY OF WABASH, INDIANA THIS
^{28th}
^{12th} DAY OF ~~JUNE~~ ^{JULY} 2021.


John Burnsworth, President, Common Council
of the City of Wabash, Indiana

APPROVED this ^{12th} ~~28th~~ day of ^{JULY} ~~JUNE~~ 2021.


Scott A. Long,
Mayor, City of Wabash

ATTEST:


Wendy Frazier,
Clerk-Treasurer, City of Wabash

