

SYCAMORE INDUSTRIAL PARK

GENERAL ORDINANCE NO. 86-3

AN ORDINANCE AMENDING THE MASTER PLAN OF THE COUNTY OF WABASH, (GENERAL ORDINANCE NO. 1, 1966, AMENDED) BY CHANGING THE ZONE CLASSIFICATION OF CERTAIN REAL ESTATE FROM AGRICULTURAL TO INDUSTRIAL.

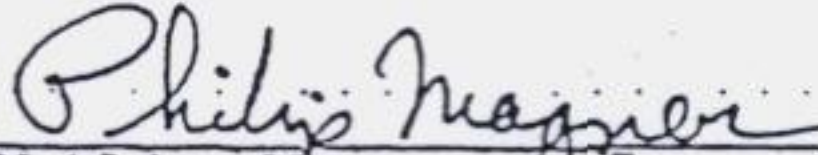
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WABASH COUNTY, INDIANA:

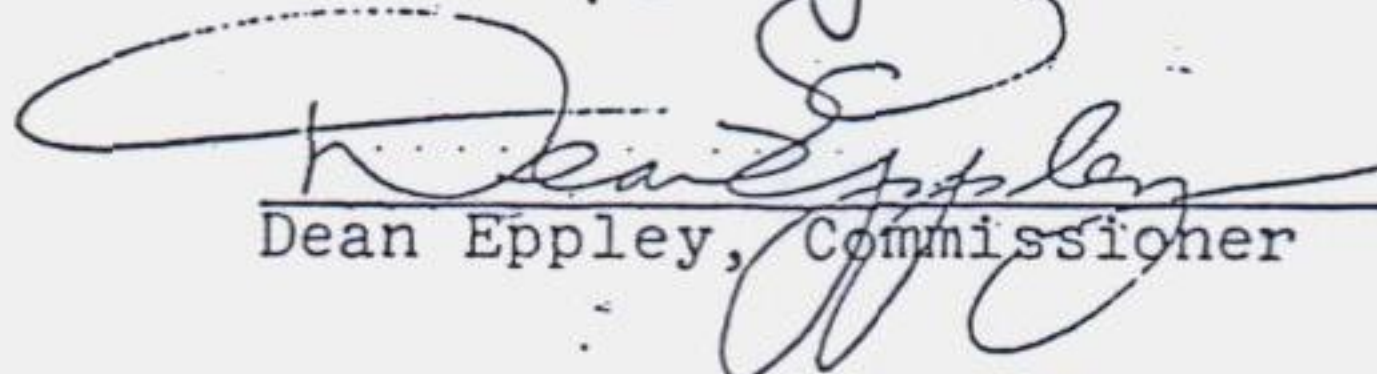
SECTION 1. The Master Plan and Zoning Ordinance of Wabash County, Indiana, the same being General Ordinance No. 1, 1966, as amended, is further amended, and the classification of the real estate hereinafter described is changed from "Agriculture" to "Industrial", such real estate described as follows, to wit:

The North Half ( $\frac{1}{2}$ ) of the Northwest Quarter ( $\frac{1}{4}$ ) of Section Six (6) in Township Twenty-nine (29) North, of Range Eight (8) East, containing seventy-six (76) Acres, more or less, in Chester Township, Wabash County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

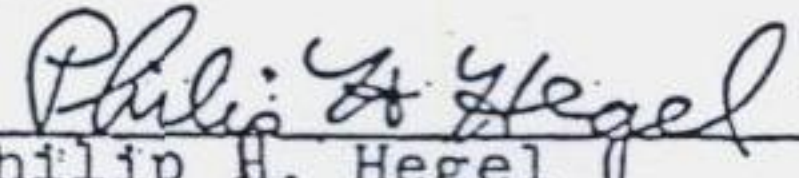
PASSED by the Board of County Commissioners of Wabash County, Indiana, this 7 day of April, 1986.

  
Philip Wagner, Jr., Commissioner

  
Dean Eppley, Commissioner

John P. Schuler, Commissioner

ATTEST:

  
Philip A. Hegel  
Wabash County Auditor

86-3

DULY ENTERED FOR TAXATION

THIS 24 DAY OF Oct 19 94

Jean Gilbert  
Auditor Wabash County

303544

RECORDED OCT. 28, 1994 at 3:15 P.M.  
CAROL STEFANATOS, WABASH CO. RECORDER

MAIL DEED TO:

Stephen L. Fink, Esq.  
Barnes & Thornburg  
600 One Summit Square  
Fort Wayne, IN 46802

MAIL TAX BILLS TO:

Tomkins Industries, Inc.  
4801 Springfield Street  
P.O. Box 943  
Dayton, Ohio 45401-0943

TAX KEY NO: Parcel No. 001-00807-00 and  
Parcel No. 001-01210-00

**AUDITOR'S RECORD**

Transfer No. \_\_\_\_\_

Taxing Unit \_\_\_\_\_

Date \_\_\_\_\_

VOL 288 PAGE 356

**WARRANTY DEED**

THIS INDENTURE WITNESSETH, that NORWEST BANK INDIANA, N.A. f/k/a Norwest Bank Fort Wayne, N.A. CONVEYS AND WARRANTS TO TOMKINS INDUSTRIES, INC. for one dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Wabash County, Indiana:

**TRACT 1:**

The North Half (1/2) of the Northwest Quarter (1/4) of Section Six (6) of Township Twenty-nine (29) North of Range Eight (8) East, containing Seventy-six (76) acres, more or less, subject, however, to all legal highways.

**EXCEPT THEREFROM:**

A part of the North Half of the Northwest Quarter of Section 6, Township 29 North, Range 8 East, Wabash County, Indiana, described as follows: Commencing at the northwest corner of said quarter section; thence North 19 degrees 04 minutes 00 seconds East 502.80 feet along the north line of said section; thence South 0 degrees 56 minutes 00 seconds East 40.00 feet to the south boundary of S.R. 114 and the point of beginning of the description; thence North 89 degrees 04 minutes 00 seconds East 415.30 feet along the boundary of said S.R. 114; thence South 85 degrees 21 minutes 22 seconds East 100.50 feet along said boundary; thence North 89 degrees 04 minutes 00 seconds East 284.70 feet along said boundary; thence South 83 degrees 28 minutes 42 seconds West 256.22 feet; thence South 83 degrees 29 minutes 13 seconds West 45.51 feet; thence South 83 degrees 28 minutes 40 seconds West 140.69 feet; thence South 0 degrees 56 minutes 00 seconds East 25.00 feet; thence South 89 degrees 04 minutes 00 seconds West 80.00 feet; thence North 0 degrees 56 minutes 00 seconds West 25.00 feet; thence South 89 degrees 04 minutes 00 seconds West 210.00 feet; thence North 80 degrees 43 minutes 46 seconds West 254.02 feet to the point of beginning, and containing 0.666 acres, more or less.

Subject, however, to (i) the real estate taxes for November, 1993, due and payable on November 10, 1994, and all installments of real estate taxes due and payable thereafter; (ii) all easements, rights-of-way, rights, duties, obligations, covenants, conditions, restrictions, limitations and agreements of record; (iii) all legal highways and public rights-of-way; (iv) all matters that would be disclosed by an accurate survey or inspection of said real estate; and (v) the provisions of all applicable zoning laws. The property is conveyed pursuant to the provisions of the Purchase Agreement dated September 7, 1994.

Grantor represents and warrants to Grantee that, as of the date hereof, the real estate being conveyed hereby does not constitute "property" as that term is defined in I.C. § 13-7-22.5-6 and, therefore, it is unnecessary for Grantor to deliver an environmental disclosure document for transfer of real property.

Grantor further represents and warrants that no Indiana Gross Income Tax is due as a result of this conveyance.

Grantor further represents that Norwest Bank Indiana, N.A. f/k/a Norwest Bank Fort Wayne N.A. was also formerly known as Lincoln National Bank and Trust Company.

SPECIAL ORDINANCE NO. 86-6, 1986  
COMMISSIONERS OF THE  
COUNTY OF WABASH, INDIANA  
AN ORDINANCE TO VACATE A  
PUBLIC ALLEY

This matter concerning the Petition of Paul Baker and Kathryn Baker, to vacate a public alley came on for hearing before the Commissioners of Wabash County, Indiana on the \_\_\_\_\_ day of May, 1986; and,

WHEREAS, the public alley to be vacated, hereinafter described, lies entirely within the boundaries of the Town of Lagro, in Wabash County, Indiana; and,

WHEREAS, the Petitioners are the owner of all real estate abutting the south side of the alley to be vacated, with the Board of Trustees of the I O O F Cemetary being the owners of all real estate abutting the north side of said alley; and,

WHEREAS, notice of a public hearing on this matter was published in the Wabash Plain Dealer on May 5, 1986, as shown by the proof of publication filed this date with the County Commissioners; and,

WHEREAS, notice of a public hearing was mailed to the Board of Trustees of the I O O F Cemetary by certified mail, return receipt requested, proofs of which mailing are on file with the County Commissioners;

NOW THEREFORE, BE IT HERE BY ORDAINED, that the following public way and alley, to-wit:

The entire portion of east-west alley, being Four hundred Seventy-eight and One-half feet (478.5) feet long and Sixteen (16) feet wide, lying parallel to the north of Jefferson Street, between Canal Street to the West, and Clinton Street to the East, in the Town of Lagro, in Wabash County, Indiana

is hereby vacated and the fee thereof shall revert to the adjoining or abutting property owners in accordance with law;

This Ordinance shall become final from and after its approval and adoption by the Commissioners of Wabash County, Indiana.

Passed on the third reading this 23<sup>rd</sup> day of June, 1986.

Philip Wagner  
President

ATTEST:

Philip A. Hegel  
Secretary

AN ORDINANCE REVOKING PRIOR ACTIONS AND ESTABLISHING  
RULES AND REGULATIONS FOR APPLYING FOR AND DESIGNATING  
ECONOMIC REVITALIZATION AREAS AS PROVIDED BY IC 6-1.1-12.1-1  
THROUGH 6-1.1-12.1-5.7 AS AMENDED

WHEREAS, the Commissioners of Wabash County, Indiana recognize the need to stimulate growth and to maintain a sound economy within their jurisdiction; and

WHEREAS, the County Commissioners further recognize that it would be beneficial to designate certain areas within Wabash County as Economic Revitalization Areas for tax abatement purposes; and

WHEREAS, Indiana law provides for tax abatement for non-retail rehabilitation or development of real property and equipment in Economic Revitalization Areas, it is advisable that a procedure be established for processing applications for Economic Revitalization Area designation within the county; and

WHEREAS, it is the desire of the Commissioners of Wabash County, Indiana to designate an agency of government of the County to process, hold public hearings, and investigate and determine the best interests of the County with regard to all applicants who desire Economic Revitalization Area status.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Board of Commissioners of Wabash County, Indiana, as follows:

Section One. The prior ordinance numbered 86-2 passed and approved by the Board of Wabash County Commissioners on the 3rd day of February of 1986 entitled "An Ordinance Establishing Rules and Regulations For Applying for and Designating Economic Revitalization Areas as Provided By IC 6-1.1-12.1-1 through 6-1.1-12.1-5.7 as Amended" is hereby revoked and that replacement, amended, and revised ordinance as named hereinabove on the terms and conditions as stated hereinafter is hereby enacted to replace the revoked prior ordinance.

Section Two. The Plan Commission of Wabash County, Indiana is hereby designated as the agency of Wabash County which shall receive all applications from persons, firms, organizations or corporations requesting that certain real estate be designated as an Economic Revitalization Area.

Section Three. The fees to be paid by the applicants of the real estate to be designated as an Economic Revitalization Area, shall be paid to the Auditor of Wabash County, and shall thereafter remain the property of the County. Said fees are as follows:

<u>Value of Proposed Improvements</u>	<u>Fee</u>
\$0 to \$25,000	\$ 50.00
\$25,001 to \$75,000	\$150.00
\$75,001 to \$500,000	\$300.00
\$500,001 and over	\$500.00

Section Four. The Plan Commission of Wabash County, Indiana shall prepare printed forms and require all applicants applying for designation of real estate as an Economic Revitalization Area to use such forms in making application for such designation. At a minimum, the Plan Commission shall consider the following items in preparing such printed forms: proposed use of real estate; proposed type and cost of buildings and equipment, and; employment impact.

Section Five. The Plan Commission, after receiving an application requesting Economic Revitalization Area designation, shall conduct such investigations as are appropriate and necessary to determine the best

interests of the County, shall hold at least one public hearing, and shall thereafter make written recommendations to the Wabash County Council as to the desirability or non-desirability of designating the area described in the application as an Economic Revitalization Area. The County Council shall, by Resolution, make final approval of all applications, and said application shall be attached to the Resolution.

Section Six. The Wabash County Council shall prepare and adopt a Resolution which establishes general standards to be used, along with the requirements set forth in the definition of an Economic Revitalization Area, in the review of the applications by the Plan Commission and itself.

Section Seven. This ordinance shall apply to real estate located within the jurisdiction of Wabash County which is zoned for industrial use, and/or other zoning classification within the limits of zoning jurisdiction of the City of Wabash and Town of North Manchester.

Section Eight. If improvements as proposed in the application for Economic Revitalization Area status are not started within one (1) year from the date of designation by the County Council, such Economic Revitalization Area designation shall expire; however, the applicant may re-apply, and the application fee therefore shall be 50% of the original fee, provided such re-application is made within ninety (90) days from the date of the expiration of the (1) year period.

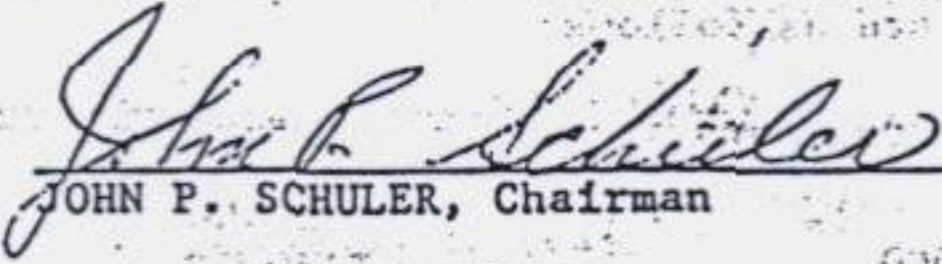
Section Nine. Where an area has been designated as an Economic Revitalization Area, such status shall expire five (5) years after the date of designation; however, such expiration shall not affect any persons, firms, organizations or corporations who have applied for and received tax abatement status, in accordance with law.

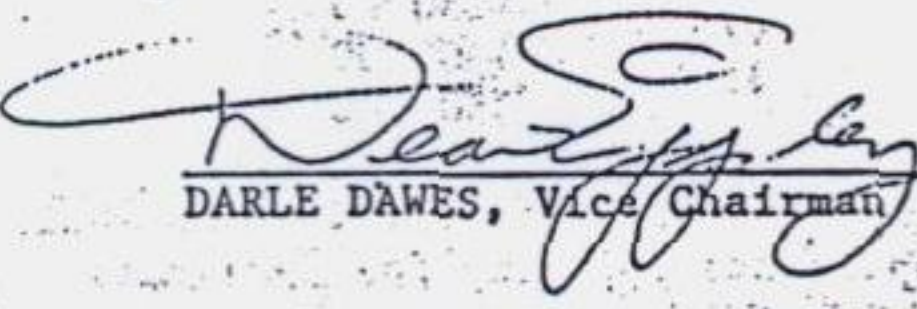
Section Ten. This Ordinance shall not give any person, firm, organization or corporation any rights as to tax abatement status as would be a longer period of time, or greater than as provided by the laws of the State of Indiana.

Section Eleven. This Ordinance shall be in full force and effect from and after the date of its passage.

Adopted by the Board of Commissioners of Wabash County, Indiana this 12<sup>th</sup> day of Jan., 1987.

BOARD OF WABASH COUNTY COMMISSIONERS

  
JOHN P. SCHULER, Chairman

  
DARLE DAWES, Vice Chairman

  
DEAN EPPLEY, Member

ATTEST:

  
Philip H. Hegel, Auditor

This Ordinance was prepared by Thomas J. Mattern, Wabash County Attorney, 70 West Hill Street, Wabash, Indiana.

GENERAL ORDINANCE NUMBER # 4 OF 1987

AN ORDINANCE AMENDING THE ZONING ORDINANCE

OF WABASH COUNTY, INDIANA, BEING

GENERAL ORDINANCE NUMBER 1 OF 1966, AS AMENDED

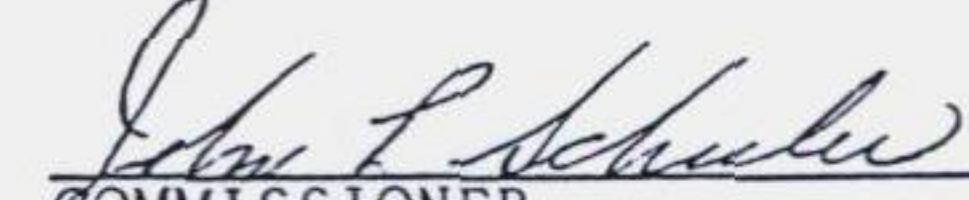
WHEREAS, section 3.1 of the Zoning Ordinance of Wabash County, Indiana requires a special exception for any private swimming pool; and,


WHEREAS, the Wabash County Plan Commission has determined that, throughout the area of its jurisdiction, authorization for construction of a private swimming pool should be permitted as an accessory use; and,

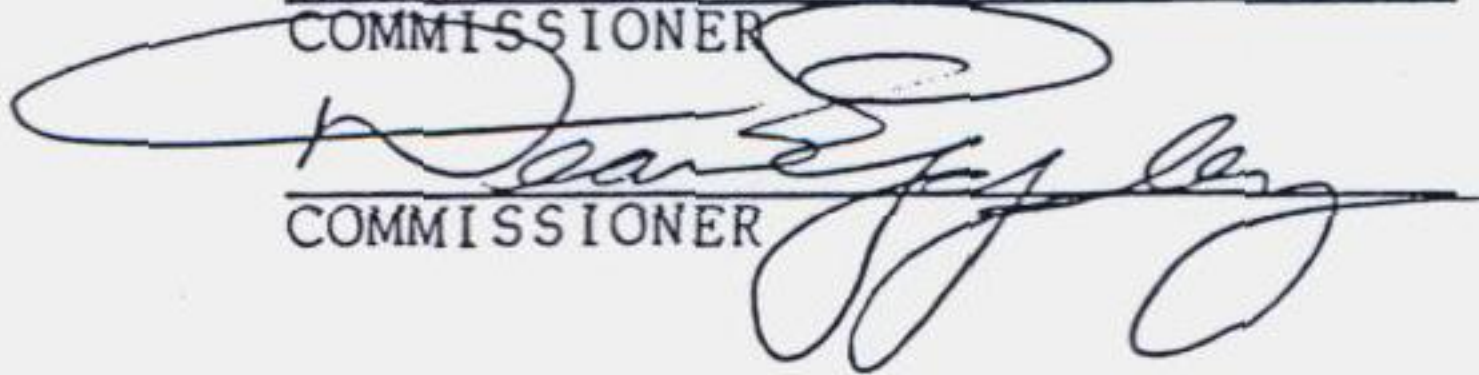
WHEREAS, the Wabash County Plan Commission has presented to this board its proposal for amending the Zoning Ordinance of Wabash County, Indiana to authorize, throughout the are of the jurisdiction of the Wabash County Plan Commission, the construction of private swimming pools as an accessory use.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Wabash County that section 3.1 of the Zoning Ordinance of Wabash County, Indiana be amended to permit the construction of private swimming pools as an accessory use throughout the jurisdictional area of the Wabash County Plan Commission.

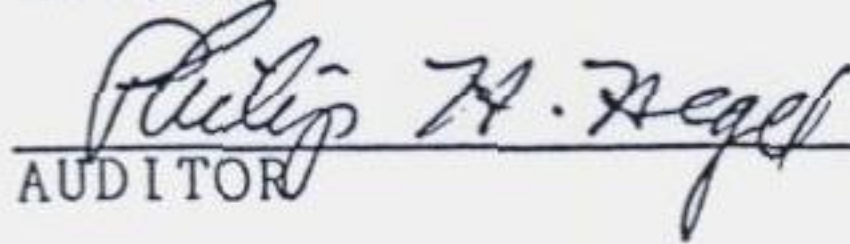
Passed by the Board of Commissioners of Wabash County, Indiana this 17<sup>th</sup> day of Aug, 1987.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

Attest:

  
AUDITOR

PROPOSAL FOR AMENDMENT TO THE WABASH COUNTY ZONING ORDINANCE

WHEREAS, section 3.1 of the Wabash County Zoning Ordinance requires a special exception for any private swimming pool; and,

WHEREAS, the Wabash County Plan Commission has determined that, throughout the area of its jurisdiction, authorization for construction of a private swimming pool should be permitted as an accessory use,

NOW THEREFORE, be it resolved by the Wabash County Plan Commission that the Wabash County Zoning Ordinance should be amended to authorize, throughout the jurisdictional area of the Wabash County Plan Commission, the construction of private swimming pools as an accessory residential use without the necessity of obtaining a special exception from the Wabash County Board of Zoning Appeals.

BE IT FURTHER RESOLVED by the Wabash County Plan Commission that a public hearing be held before the Plan Commission and that notice of said hearing be given pursuant to Indiana code 36-7-4-604.

Duly adopted this 23rd day of July, 1987.

THE WABASH COUNTY PLAN COMMISSION:

  
PRESIDENT

  
SECRETARY

Schewars

GENERAL ORDINANCE NO. 88-4

AND ORDINANCE AMENDING THE ZONE MAP OF THE MASTER PLAN AND ZONING ORDINANCE OF WABASH COUNTY, INDIANA (GENERAL ORDINANCE NO. 1, 1966 AS AMENDED) BY CHANGING THE DISTRICT CLASSIFICATION OF 13.28 ACRES IN THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 6 EAST, WABASH COUNTY, INDIANA FROM AN R1 DISTRICT TO AN INDUSTRIAL DISTRICT.

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

SECTION 1. The Zone Map of the Master Plan and Zoning Ordinance of Wabash County, Indiana, the same being General Ordinance No. 1, 1966, as amended, is hereby further amended by changing the zoning district classification of the following described real estates from an R1 District to an Industrial District:

Part of the Southwest Quarter of Section 36, Township 28 North, Range 6 East, Wabash County, Indiana, being more particularly described as follows:

Beginning at the northwest corner of said Southwest Quarter, marked by an iron rebar set over a stone found; thence North 89 degrees 45 minutes 00 seconds East (recorded bearing), along the north line of said Southwest Quarter, a distance of 2444.40 feet to the northerly right of way line of Federal Road number 24, marked by an iron rebar set; thence traversing the northerly right of way line of Federal Road number 24, the following four courses;

1) along a curve to the left having a central angle of 6 degrees 44 minutes 13 seconds, a radius of 7726.44 feet, an arc length of 908.48 feet to the point of tangency, the radius point of said curve being South 11 degrees 45 minutes 47 seconds East, a distance of 7726.44 feet from said point of tangency;

2) thence South 78 degrees 37 minutes 17 seconds West, a distance of 303.66 feet;

3) thence South 72 degrees 24 minutes 27 seconds West, a distance of 152.00 feet to the point of curvature of a curve to the left, the radius point of said curve being South 15 degrees 08 minutes 17 seconds East, a distance

of 7726.44 feet from said point of curvature:

4) thence along a curve to the left, have a central angle of 8 degrees 40 minutes 17 seconds, a radius of 7726.44 feet, an arc length of 1169.34 feet to the West line of said Southwest Quarter, marked by an iron rebar set;

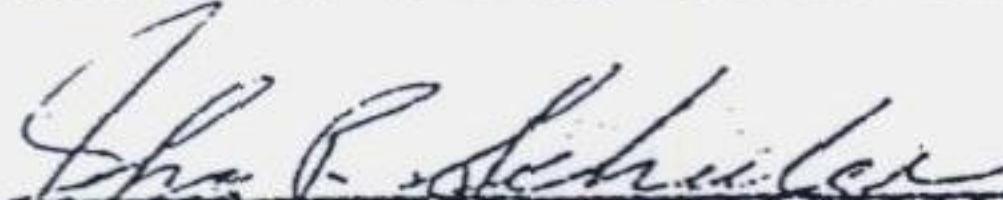
thence North 00 degrees 12 minutes 06 seconds West, along the west line of said Southwest Quarter, a distance of 617.19 feet to the point of beginning.


Containing 13.28 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed by the County Commissioners of Wabash County, Indiana this 18<sup>th</sup> day of April, 1988.

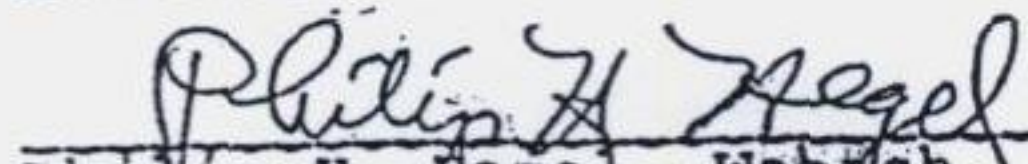
Board of County Commissioners of Wabash County, Indiana, by:

  
John P. Schuler

  
Darle Dawes

  
Dean Eppley

Attest:

  
Philip H. Hagel, Wabash  
County Auditor

D/schwan.d

Schulans

CERTIFICATE OF SURVEY

I, John Henry Stephens, hereby certify that I am a registered land surveyor licensed in compliance with the laws of the State of Indiana; that the accompanying plat of survey and following description, represent a survey completed by me on February 5, 1988; that all monuments shown thereon actually exist, and their location and type are accurately shown to the best of my knowledge and belief; that there are no encroachments except as noted; that there is an open ditch located within the boundaries; and that there are no improvements within the boundaries of the following described tract of land.

DESCRIPTION: Part of the Southwest Quarter of Section 36, Township 28 North, Range 6 East, Wabash County, Indiana, being more particularly described as follows:

Beginning at the northwest corner of said Southwest Quarter, marked by an iron rebar set over a stone found; thence North 89 degrees 45 minutes 00 seconds East (recorded bearing), along the north line of said Southwest Quarter, a distance of 2444.40 feet to the northerly right of way line of Federal Road number 24, marked by an iron rebar set; thence traversing the northerly right of way line of Federal Road number 24, the following four courses:

- 1) along a curve to the left, having a central angle of 6 degrees 44 minutes 13 seconds, a radius of 7726.44 feet, an arc length of 908.48 feet to the point of tangency, the radius point of said curve being South 11 degrees 45 minutes 47 seconds East, a distance of 7726.44 feet from said point of tangency;
- 2) thence South 78 degrees 37 minutes 17 seconds West, a distance of 303.66 feet;
- 3) thence South 72 degrees 24 minutes 27 seconds West, a distance of 152.00 feet to the point of curvature of a curve to the left, the radius point of said curve being South 15 degrees 08 minutes 17 seconds East, a distance of 7726.44 feet from said point of curvature;
- 4) thence along a curve to the left, having a central angle of 8 degrees 40 minutes 17 seconds, a radius of 7726.44 feet, an arc length of 1169.34 feet to the west line of said Southwest Quarter, marked by an iron rebar set; thence North 00 degrees 12 minutes 06 seconds West, along the west line of said Southwest Quarter, a distance of 617.19 feet to the point of beginning.

Containing 13.28 acres, more or less.

Subject to right of way for County Road 50 North.

Also subject to a drainage easement for Charley Creek ditch.

Also subject to easements and rights of way of record.

Surveyed for:

Public Service Company of Indiana, Inc.  
1200 Manchester Avenue  
Wabash,  
Indiana 46997

Certified:

*John Henry Stephens*

John H. Stephens, R.L.S., Inc.  
By: John Henry Stephens, Pres.  
Registered Land Surveyor



ORDINANCE NUMBER 6, 1988

AN ORDINANCE PROVIDING FOR THE INSPECTION, REPAIR OR REMOVAL  
OF UNSAFE BUILDINGS WITHIN WABASH COUNTY, INDIANA.

Be it ordained by the Commissioners of Wabash County, Indiana as follows:

1. Pursuant to the provisions of Indiana Code 36-7-9, there is hereby established the Wabash County Unsafe Building Law.

2. The provisions of Indiana Code 36-7-9 are hereby incorporated by reference into this ordinance. Within the jurisdiction of the Wabash County Plan Commission, all proceedings for the inspection, repair and removal of unsafe buildings shall be governed by the provisions of Indiana Code 36-7-9 and the provisions of this ordinance. In the event of any conflict between the provisions of this ordinance and the provisions of the Indiana Code, then the Indiana Code provisions shall control.

3. As used in this ordinance:

"Department" refers to the Wabash County Plan Commission, which shall be authorized to administer this ordinance.

"Enforcement Authority" refers to the Director of the Wabash County Plan Commission.

"Hearing Authority" refers to the Wabash County Plan Commission.

"Substantial Property Interest" means any right in real property that may be affected in a substantial way by actions authorized by this ordinance, including a fee interest, a life estate interest, a future interest, a present possessory interest, or an equitable interest of a contract purchaser.

4. Unsafe Building and Unsafe Premises Described. For purposes of this chapter, a building or structure is considered an unsafe building if any part of such building or structure is:

1. In an impaired structural condition that makes it unsafe to any person or property;
2. A fire hazard;
3. A hazard to the public health;
4. A public nuisance; or

5. Dangerous to any person or property because of violation of a statute or ordinance concerning building condition or maintenance.

For the purposes of this ordinance, an unsafe building and the tract of real estate on which the unsafe building is located, are considered unsafe premises.

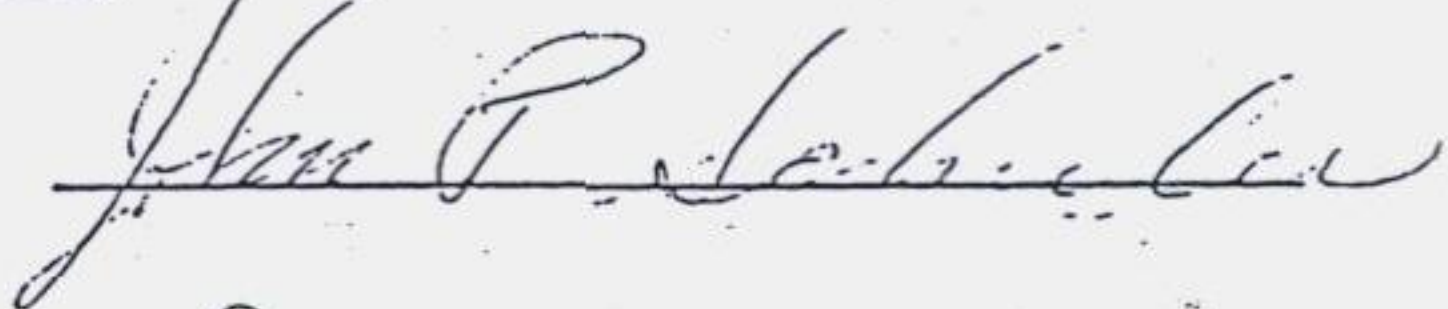
5. The Wabash County Plan Commission Director, as the enforcement authority, is hereby authorized to administer and to proceed under the provisions of Indiana Code 36-7-9 in issuing any orders requiring action relative to any unsafe premises.

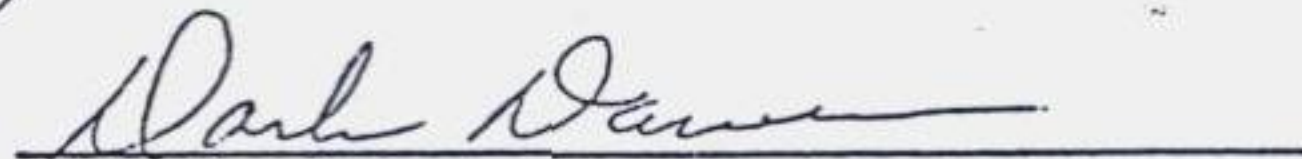
6. An Unsafe Building Fund is hereby established in the operating budget of the Wabash County Plan Commission in accordance with the provisions of Indiana Code 36-7-9-14.

7. Should any portion of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall remain in effect.

8. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 1988, according to the laws of the State of Indiana. All former ordinances which conflict with this ordinance are hereby repealed.

Passed by the Board of Commissioners of Wabash County, Indiana this 13<sup>th</sup> day of June, 1988.

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

This instrument was prepared by Larry C. Thrush  
Attorney at Law  
One North Wabash  
Wabash, Indiana 46992

ORDINANCE NUMBER II, 1992

AN ORDINANCE AMENDING THE WABASH COUNTY MASTER PLAN  
CONCERNING ENFORCEMENT PROVISIONS

Be it ordained by the Board of Commissions of Wabash County,  
Indiana as follows:

Part I, Chapter 7, Section 7.4(b), of the Wabash County  
Master Plan Ordinance is hereby amended to provide as follows:

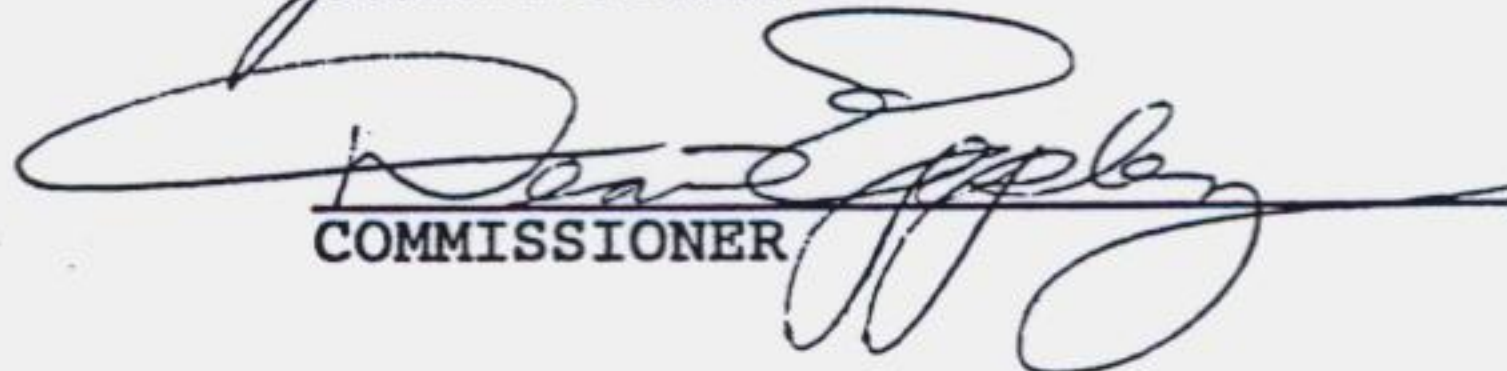
The Commission or the Board may, by mandatory injunction in  
the Wabash Circuit Court, require compliance with the provisions  
of this ordinance. In the event of court proceedings, the Com-  
mission or the Board shall be entitled to recover it's reasonable  
attorney fees.

This ordinance shall be in full force and effect upon pas-  
sage, according to the laws of the State of Indiana.

Passed by the Board of Commissioners of Wabash County,  
Indiana this 13 day of January, 1992.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

ATTEST:

  
AUDITOR

Prepared by

LARRY C. THRUSH  
Attorney at Law  
One North Wabash  
Wabash, Indiana 46992

ORDINANCE NUMBER 94-

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF WABASH COUNTY, INDIANA

BE IT ORDAINED, by the Board of Commissioners of Wabash County, Indiana, that the following provisions of the following sections of the Wabash County Zoning Ordinance are amended as follows:

**CHAPTER 1 - Section 1.2 - "MOBILE HOME":**

"mobile home" means a vehicle or other portable structure, more than forty-nine (49) feet in length, that is designed to move on the highway and designed or used as a dwelling;

**CHAPTER 1 - Section 1.2 - "TRAVEL TRAILER":**

"travel trailer" means a vehicle or other portable structure, forty-nine (49) feet or less in length, that is designed to move on the highway and designed or used as a dwelling;

**CHAPTER 1 - Section 1.2 - "CAMPER":**

"camper" means an individual residing in a travel trailer or a motor home for a period of time not longer than thirty-one (31) days out of any sixty (60) day period. A residential period of more than thirty-one (31) days shall constitute a permanent residence.

**CHAPTER 3 - Section 3.1 - "BUSINESS USES: MISCELLANEOUS":**

PRIMARY USE

DISTRICTS IN WHICH PERMITTED

Commercial facility for breeding and raising non-farm fowl and animals

A\*, I, IR\*

**CHAPTER 4 - Section 4.3 - "MINIMUM FLOOR AREA: RESIDENTIAL USES":**

Ground Floor Area in Square Feet, Per Dwelling Unit

<u>Kind of Dwelling</u>	A	FR	R1	R2	R3	LR	AB	LB	GB	IR
(A)										
(4) Mobile Home	700	720	--	720	720	700	720	720	720	720

**CHAPTER 4 - Section 4.6 - "STANDARD SETBACKS":**

- (c) The minimum side yard for a residential use is six (6) feet in an R3, AB, LB or GB district, and ten (10) feet in any other district in which the use is permitted. The minimum aggregate depth of both side yards for a residential use is sixteen (16) feet in an R3, AB, LB or GB district, and twenty-five (25) feet in any other district in which the use is permitted.

**CHAPTER 4 - Section 4.7 - "SETBACKS: ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS":**

- (a) In a residential district, an accessory building may be located no closer to a side lot line than six (6) feet.

*Section 4.11. Buffering: Fences and Walls*

*The following uses shall be fenced or walled as respectively prescribed by the following table:*

<u>Use</u>	<u>Enclosure</u>
<i>Airport or heliport (where located at ground level), if accessible to public</i>	<i>4 foot wire mesh fence</i>
<i>Junk yard</i>	<i>Solid wall or solid painted fence sufficient to hide from view</i>
<i>Kindergarten or day nursery (play area only)</i>	<i>4-foot wire mesh fence</i>
<i>Mineral extraction, borrow pit, topsoil removal, and their storage areas (where they abut residential uses)</i>	<i>4-foot wire mesh fence</i>
<i>Outdoor commercial recreation enterprise, if accessible to public</i>	<i>4 foot wire mesh fence</i>
<i>Private swimming pool, if accessible to public</i>	<i>4 foot wire mesh fence</i>
<i>Public or commercial refuse dump or garbage disposal plant</i>	<i>6-foot solid painted fence</i>
<i>Public or employee parking area (along front line and such other boundaries as the Commission considers necessary to protect residential property), except as approved entrances and exits</i>	<i>4-foot masonry wall, 6 inches thick</i>
<i>Theatre, outdoor</i>	<i>8-foot painted board fence</i>
<i>Wholesale produce terminal</i>	<i>4-foot wire mesh fence</i>

**THE WABASH COUNTY PLAN COMMISSION**

The Wabash County Plan Commission, having fully considered the following proposed amendment to the Wabash County Zoning Ordinance, and having conducted public hearing as required by law, hereby certifies to the Board of Commissioners of Wabash County, Indiana the favorable recommendation of said Plan Commission that the attached Ordinance be adopted.

SO CERTIFIED to the Board of Commissioners of Wabash County, Indiana this \_\_\_ day of October, 1994

WABASH COUNTY PLAN COMMISSION

  
PRESIDENT

  
SECRETARY

*Prepared by*

LARRY C. THRUSH  
Attorney at Law  
One North Wabash  
Wabash, Indiana 46992

**ORDINANCE NUMBER 94-**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF WABASH COUNTY, INDIANA**

BE IT ORDAINED, by the Board of Commissioners of Wabash County, Indiana, that the following provisions of the following sections of the Wabash County Zoning Ordinance are amended as follows:

**CHAPTER 1 - Section 1.2 - "MOBILE HOME":**

"mobile home" means a vehicle or other portable structure, more than forty-nine (49) feet in length, that is designed to move on the highway and designed or used as a dwelling;

**CHAPTER 1 - Section 1.2 - "TRAVEL TRAILER":**

"travel trailer" means a vehicle or other portable structure, forty-nine (49) feet or less in length, that is designed to move on the highway and designed or used as a dwelling;

**CHAPTER 1 - Section 1.2 - "CAMPER":**

"camper" means an individual residing in a travel trailer or a motor home for a period of time not longer than thirty-one (31) days out of any sixty (60) day period. A residential period of more than thirty-one (31) days shall constitute a permanent residence.

**CHAPTER 3 - Section 3.1 - "BUSINESS USES: MISCELLANEOUS":**

PRIMARY USE

DISTRICTS IN WHICH PERMITTED

Commercial facility for breeding and raising non-farm fowl and animals

A\*, I, IR\*

**CHAPTER 4 - Section 4.3 - "MINIMUM FLOOR AREA: RESIDENTIAL USES":**

Ground Floor Area in Square Feet, Per Dwelling Unit

<u>Kind of Dwelling</u>	A	FR	R1	R2	R3	LR	AB	LB	GB	IR
(A)										
(4) Mobile Home	700	720	--	720	720	700	720	720	720	720

Section 4.4. Minimum Lot Size: Residential Uses

(a) A lot on which a dwelling is erected or changed may not be smaller in area, in square feet per dwelling unit, than that prescribed for it by the following table:

Kind of Dwelling	LOT AREA SQUARE FEET PER DWELLING UNIT									
	District									
	<u>A</u>	<u>FR</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>LR</u>	<u>AB</u>	<u>LB</u>	<u>GB</u>	<u>IR</u>
Single-Family with Community Sewage Disposal System	15,000*	15,000*	10,000	10,000	6,000	8,000	7,200	7,200	7,200	10,000
Single-Family with Individual Sewage Disposal System	43560	43560	43560	43560	43560	43560	43560	43560	43560	43560
Two-Family with Community Sewage Disposal System	10,000	10,000	—	8,000	4,000	6,000	5,000	5,000	5,000	8,000
Two-Family with Individual Sewage Disposal System	43560	43560	-----	43560	43560	43560	43560	43560	43560	43560
Multi-Family with Community Sewage Disposal System	—	—	—	—	9,000**	—	9,000**	9,000**	9,000**	—
Multi-Family with Individual Sewage Disposal System	—	—	—	—	43560	—	43560	43560	43560	—

\* Lots of record or individually held prior to the passage of this ordinance may be smaller in area than the figure prescribed; provided however, that such lot may not be smaller in area than 10,000 square feet per dwelling unit.

\*\* This figure applies for the first three dwelling units -- add 1500 for each additional unit.

(b) A lot on which a dwelling is erected or changed may not be smaller in width, in linear feet, than that prescribed for it by the following table:

Kind of Dwelling	District									
	<u>A</u>	<u>FR</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>LR</u>	<u>AB</u>	<u>LB</u>	<u>GB</u>	<u>IR</u>
Single-Family	150	150	80	70	50	70	60	60	60	80
Two-Family	150	150		80	60	80	80	80	80	80
Multi-Family					80		90	90	90	
Individual Sewage	150	150	150	150	150	150	150	150	150	150

(c) If a subdivision designed for single-family dwellings contains at least the acreage shown below, 20 per cent of the lots in the subdivision may be 20 per cent smaller than the minimum lot size otherwise prescribed by subsection (a): Does not apply to individual septic systems.

District	<u>A</u>	<u>FR</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>LR</u>	<u>AB</u>	<u>LB</u>	<u>GB</u>	<u>IR</u>
Acre	15	15	10	10	5	10	5	5	5	5

ORDINANCE NUMBER 96-

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF WABASH COUNTY, INDIANA**

BE IT ORDAINED, by the Board of Commissioners of Wabash County, Indiana, that the Wabash County Zoning Ordinance is hereby amended as follows:

1. A special exception shall be required prior to the placement of any mobile home, except as an accessory use or in a mobile home park.
2. No mobile home shall be placed that does not contain at least 800 square feet of living space.
3. No mobile home shall be placed that does not have a gabled roof.
4. The owner of a mobile home that was in place prior to the effective date of this ordinance may replace it without a special exception, provided the second mobile home contains at least 800 square feet of living space, has a gabled roof, meets all other requirements of the Wabash County Master Plan and Zoning Ordinance, and the Plan Commission is provided with a letter of approval issued by the Wabash County Sanitarian.
5. Any application for placement of such mobile home shall be accompanied by an adequate photograph that accurately depicts the condition of the mobile home at the time of placement.
6. Immediately upon placement, all wheels and hitch mechanisms shall be removed from the mobile home.
7. All mobile homes shall be placed on a permanent foundation or equipped with a suitable perimeter enclosure, and shall be anchored to the ground in accordance with the One And Two Family Dwelling Code.
8. Chapter 4; Section 4.3 - "MINIMUM FLOOR AREA: RESIDENTIAL USES" shall be as follows:

No dwelling may be erected or changed so that its ground floor area, in square feet, is less than that prescribed by the following table:

GROUND FLOOR AREA IN SQUARE FEET -- PER DWELLING UNIT

Kind of Dwelling                    A   FR   R1   R2   R3   LR   AB   LB   GB   IR

A. One-Story Dwellings

1. Single Family	800	800	960	960	800	840	960	960	960	960
2. Two Family	800	800		960	800	840	960	960	960	960
3. Multi-Family	(Same as Two-Family, plus 400 sq. ft. per dwelling unit.)									
4. Mobile Home	800	800		800	800	800	800	800	800	800

B. More than One-Story Dwellings

1. Single Family 720 720 720 720 720 720 720 720 720 720
2. Two Family 720 720 720 720 720 720 720 720 720
3. Multi-Family (Same as Two-Family, plus 400 sq. ft. per dwelling unit.)

9. Chapter 4; Section 4.3(C) shall be as follows: No addition may be added to a mobile home in order to make same comply with the aforementioned area requirements.

This amendment shall apply to all areas covered by the Wabash County Zoning Ordinance.

PASSED by the Board of Commissioners of Wabash County, Indiana this 15<sup>th</sup> day of October, 1996.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

ATTEST:

  
AUDITOR

Prepared by

LARRY C. THRUSH  
Attorney at Law  
One North Wabash  
Wabash, Indiana 46992

ORDINANCE NUMBER \_\_\_\_, 2002

AN ORDINANCE AMENDING THE  
WABASH COUNTY MASTER PLAN  
AND ZONING ORDINANCE

Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:

1. Part I, Chapter 7, Section 7.4(b), of the Wabash County Master Plan Ordinance is hereby amended to provide as follows:

**The Plan Commission or the Board of Zoning Appeals may, by proceedings filed in either the Wabash Circuit Court or the Wabash Superior Court, require compliance with the provisions of this ordinance. In the event of court proceedings, the Commission or the Board, as the case may be, shall be entitled to recover it's reasonable attorney fees and costs.**

2. Part I, Chapter 6, Sections 6.1(a) and 6.1(b), of the Wabash County Master Plan Ordinance are hereby amended to provide as follows:

(a) **No special exception may be granted under section 3.3, no SC District may be established under section 2.3, and no other change in the use of land that involves a change in any structure on or in any land, or in the condition of the land, may be made unless the Building Commissioner, on application, issues an improvement location permit authorizing the change. Permit requirements of this ordinance shall apply to all buildings and uses.**

(b) **The plan commission may establish a schedule of reasonable fees to defray the administrative costs connected with:**

(1) **processing and hearing administrative appeals and petitions for rezoning, special exceptions, special uses, contingent uses, and variances;**

(2) **issuing permits; and**

(3) **other official actions taken under this ordinance.**

3. **Part III, Title III, Article 2, Step 1, Paragraph C of the Wabash County Master Plan Ordinance is hereby deleted.**

4. **Notwithstanding any other provision of this Ordinance, no lake, pond or other earthen structure, more than 100 square feet in size, shall be constructed within the jurisdiction of the Wabash County Board of Zoning Appeals, without issuance of a special exception. In addition, no portion of such lake, pond or other earthen structure, more than 100 square feet in size, shall be permitted within one hundred (100) feet of any property line.**

This amendment shall be in full force and effect upon passage, according to the laws of the State of Indiana.

ORDINANCE NUMBER V, 2002

AN ORDINANCE AMENDING THE  
WABASH COUNTY MASTER PLAN  
AND ZONING ORDINANCE

Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:

1. Part I, Chapter 7, Section 7.4(b), of the Wabash County Master Plan Ordinance is hereby amended to provide as follows:

**The Plan Commission or the Board of Zoning Appeals may, by proceedings filed in either the Wabash Circuit Court or the Wabash Superior Court, require compliance with the provisions of this ordinance. In the event of court proceedings, the Commission or the Board, as the case may be, shall be entitled to recover it's reasonable attorney fees and costs.**

2. Part I, Chapter 6, Sections 6.1(a) and 6.1(b), of the Wabash County Master Plan Ordinance are hereby amended to provide as follows:

(a) **No special exception may be granted under section 3.3, no SC District may be established under section 2.3, and no other change in the use of land that involves a change in any structure on or in any land, or in the condition of the land, may be made unless the Building Commissioner, on application, issues an improvement location permit authorizing the change. Permit requirements of this ordinance shall apply to all buildings and uses.**

(b) **The plan commission may establish a schedule of reasonable fees to defray the administrative costs connected with:**

(1) **processing and hearing administrative appeals and petitions for rezoning, special exceptions, special uses, contingent uses, and variances;**

(2) **issuing permits; and**

(3) **other official actions taken under this ordinance.**

3. **Part III, Title III, Article 2, Step 1, Paragraph C of the Wabash County Master Plan Ordinance is hereby deleted.**

4. **Notwithstanding any other provision of this Ordinance, no lake, pond or other earthen structure, more than 100 square feet in size, shall be constructed within the jurisdiction of the Wabash County Board of Zoning Appeals, without issuance of a special exception. In addition, no portion of such lake, pond or other earthen structure, more than 100 square feet in size, shall be permitted within one hundred (100) feet of any property line.**

This amendment shall be in full force and effect upon passage, according to the laws of the State of Indiana.

**THE WABASH COUNTY PLAN COMMISSION**  
**PROPOSED AMENDMENT TO MASTER PLAN ORDINANCE**

BE IT RESOLVED, that the Wabash County Plan Commission favorably recommend to the Board of Commissioners of Wabash County, Indiana, the Town Board of LaFontaine, Indiana, the Town Board of Lagro, Indiana and the Town Board of Roann, Indiana passage of the following amendment to the Wabash County Master Plan Ordinance:

**ORDINANCE NUMBER 94, 2006**

**AN ORDINANCE AMENDING THE  
WABASH COUNTY MASTER PLAN  
AND ZONING ORDINANCE**

*Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:*

1. *Part I, Chapter 1, Section 1.2, of the Wabash County Master Plan Ordinance is hereby amended by deleting the "camper" definition.*

2. *Part I, Chapter 3, Section 3.6 is added to provide:*

*No person shall reside in a travel trailer or motor home for more than seven (7) days during any ninety (90) day period. However, this provision shall not apply to a person residing in a travel trailer or motor home that is located in a campground licensed by the State of Indiana.*

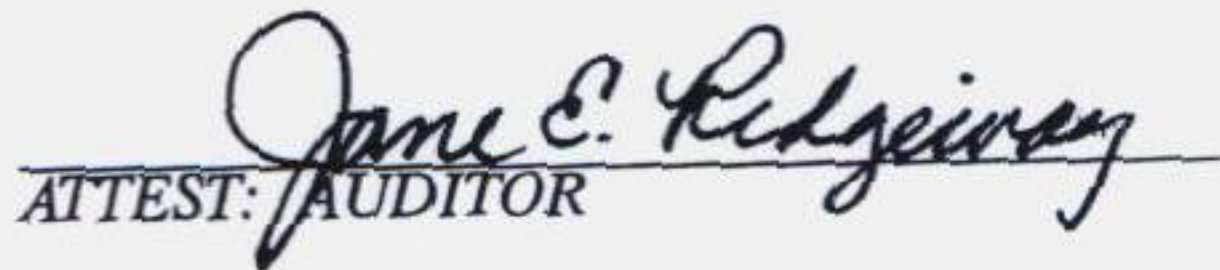
*This amendment shall be in full force and effect upon passage, according to the laws of the State of Indiana.*

*Passed by the Board of Commissioners of Wabash County, Indiana this 6<sup>th</sup> day of February, 2006.*

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
ATTEST: AUDITOR

ADOPTED this 2nd day of February, 2006.

WABASH COUNTY PLAN COMMISSION

\_\_\_\_\_  
CHAIRMAN

## THE WABASH COUNTY PLAN COMMISSION

The Wabash County Plan Commission, having fully considered the attached proposed amendment to the Wabash County Master Plan Ordinance, and having conducted public hearing as required by law, hereby certifies to the *Board of Commissioners of Wabash County, Indiana*, the Town Board of LaFontaine, Indiana, the Town Board of Lagro, Indiana and the Town Board of Roann, Indiana, the favorable recommendation of said Plan Commission for the passage of such amendment.

SO CERTIFIED to the aforementioned Boards this 2nd day of February, 2006.

WABASH COUNTY PLAN COMMISSION

Warrior Melvin  
CHAIRMAN

ORDINANCE NUMBER 94, 2006

AN ORDINANCE AMENDING THE  
WABASH COUNTY MASTER PLAN  
AND ZONING ORDINANCE

Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:

1. Part I, Chapter 1, Section 1.2, of the Wabash County Master Plan Ordinance is hereby amended by deleting the "camper" definition.
2. Part I, Chapter 3, Section 3.6 is added to provide:

No person shall reside in a travel trailer or motor home for more than seven (7) days during any ninety (90) day period. However, this provision shall not apply to a person residing in a travel trailer or motor home that is located in a campground licensed by the State of Indiana.

This amendment shall be in full force and effect upon passage, according to the laws of the State of Indiana.

Passed by the Board of Commissioners of Wabash County, Indiana this 6<sup>th</sup> day of February, 2006.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
ATTEST: AUDITOR

**THE WABASH COUNTY PLAN COMMISSION**

**PROPOSED AMENDMENT TO MASTER PLAN ORDINANCE**

BE IT RESOLVED, that the Wabash County Plan Commission favorably recommend to the Board of Commissioners of Wabash County, Indiana, the Town Board of LaFontaine, Indiana, the Town Board of Lagro, Indiana and the Town Board of Roann, Indiana passage of the following amendment to the Wabash County Master Plan Ordinance:

**ORDINANCE NUMBER 85-4, 2007**

**AN ORDINANCE AMENDING THE  
WABASH COUNTY MASTER PLAN  
AND ZONING ORDINANCE**

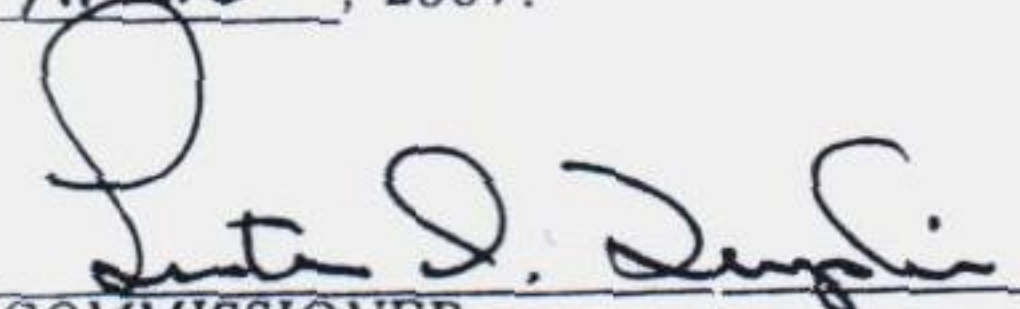
*Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:*

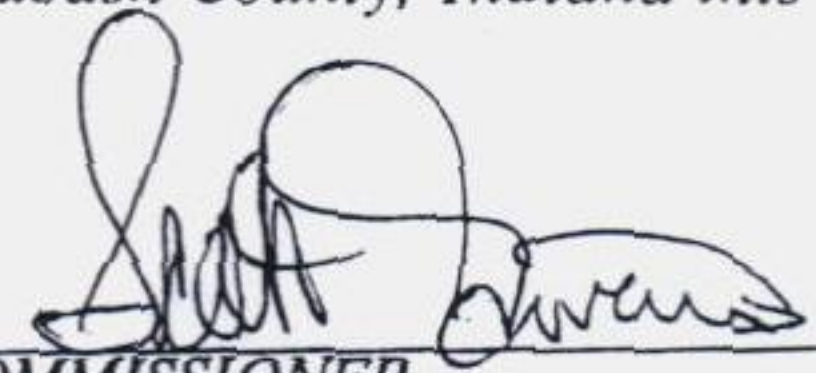
1. *Part I, Chapter 3, Section 3.1, of the Wabash County Master Plan Ordinance is hereby amended to add, under the "Industrial Uses" heading, a new use entitled "Agriculture Bio-Enterprise" which use may be placed, if a special exception is granted, in any of the following districts: Agriculture, Industrial and Industrial Reserve.*


2. *Part I, Chapter 1, Section 1.2, of the Wabash County Master Plan Ordinance is hereby amended to add the following definition: "Agriculture Bio-Enterprise" means a facility for the production of ethanol fuel or soy-diesel fuel.*

*This amendment shall be in full force and effect upon passage, according to the laws of the State of Indiana.*

Passed by the Board of Commissioners of Wabash County, Indiana this 12<sup>th</sup> day of APRIL, 2007.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
ATTEST: AUDITOR

ADOPTED this 12th day of April, 2007.

WABASH COUNTY PLAN COMMISSION

  
CHAIRMAN

ORDINANCE NUMBER 85-4 2007

AN ORDINANCE AMENDING THE  
WABASH COUNTY MASTER PLAN  
AND ZONING ORDINANCE

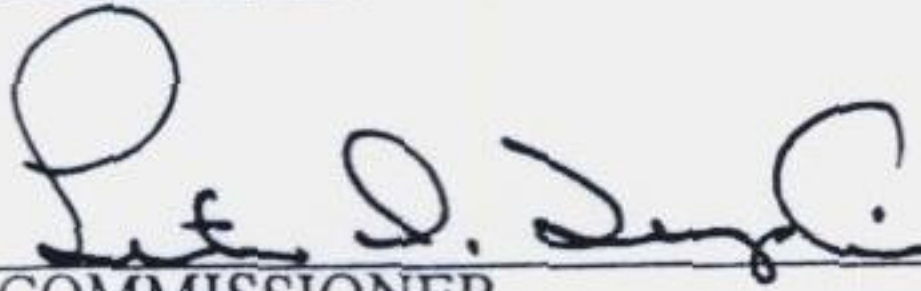
Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:

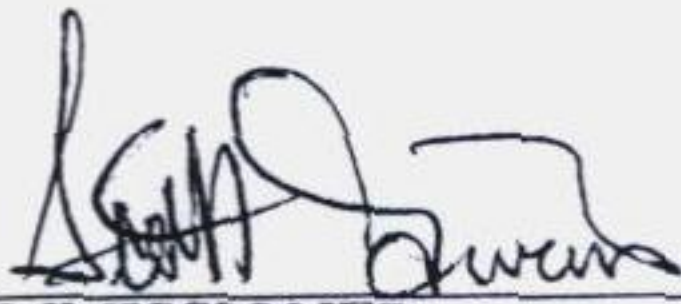
1. Part I, Chapter 3, Section 3.1, of the Wabash County Master Plan Ordinance is hereby amended to add, under the "Industrial Uses" heading, a new use entitled "Agriculture Bio-Enterprise" which use may be placed, if a special exception is granted, in any of the following districts: Agriculture, Industrial and Industrial Reserve.

2. Part I, Chapter 1, Section 1.2, of the Wabash County Master Plan Ordinance is hereby amended to add the following definition: "Agriculture Bio-Enterprise" means a facility for the production of ethanol fuel or soy-diesel fuel.

This amendment shall be in full force and effect upon passage, according to the laws of the State of Indiana.

Passed by the Board of Commissioners of Wabash County, Indiana this 16<sup>th</sup> day of APRIL, 2007.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
ATTEST: AUDITOR

WABASH COUNTY PLAN COMMISSION

Wabash County Court House  
One West Hill Street  
Wabash, In 46992  
Telephone 260-563-0661 EXT 267, 252  
Fax 260-563-3451

COPY

GENERAL ORDINANCE NO. 2007-85-7

An Ordinance amending the Master Plan of The County of Wabash  
(General Ordinance No. 1, 1966 as amended)  
by changing the zone classification of certain real estate

from Residential One

to General Business

Be it ordained by the board of County Commissioners of Wabash County, Indiana:

Section 1.

the Master Plan and Zoning Ordinance of Wabash County, Indiana, the same being General Ordinance No. 1, 1966 as amended, is hereby further amended, and the classification of the real estate hereinafter described is change from Residential One to General Business such real estate described as follows towit:

See Attached Sheet for Legal Description

See Attachment "A" for Deed Restrictions

Section 2.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Board of County Commissioners of Wabash County, Indiana

this 6th day of AUGUST 2007.

[Signature]  
[Signature]  
[Signature]

Board of County Commissioners  
Wabash County, Indiana

ATTEST:

[Signature]  
Auditor, Wabash County, Indiana

A tract of land, being part of the West Half of the Northeast Quarter of Section number 35, Township 28 North, Range 6 East, Wabash County, Indiana, being contained entirely within the boundaries of a tract of land now (or formerly) owned by Joel Burnell Busch and Georgia Lavaughn Busch as recorded on page 550 of deed record 198 in the records of the office of Wabash County, Indiana Recorder, and being more particularly described as follows:

Commencing at the northwest corner of said Northeast Quarter, marked by a Wabash County section corner monument; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing), along the west line of said Northeast Quarter, 168.00 feet to the POINT OF BEGINNING; thence North 89 degrees 13 minutes 27 seconds East, along the southerly boundary of a tract of land now (or formerly) owned by George A. Barlow and Shirley M. Barlow as recorded on page 150 of deed record 245 in said Recorder's Office, a distance of 352.50 feet to the westerly boundary of a tract of land now (or formerly) owned by George A. Barlow and Shirley M. Barlow as recorded on page 154 of deed record 245 in said Recorder's Office; thence South 00 degrees 00 minutes 00 seconds West, along said westerly boundary, 492.53 feet to the southwest corner thereof; thence continuing South 00 degrees 00 minutes 00 seconds West, 1530.72 feet to an iron rebar stake with a plastic cap stamped LS80040428 at the northeast corner of a tract of land now (or formerly) owned by Thurman Hill as recorded on page 285 of deed record 307 in said Recorder's Office; thence South 89 degrees 39 minutes 37 seconds West, along said northerly boundary, 352.50 feet to the west line of said Northeast Quarter; thence North 00 degrees 00 minutes 00 seconds East, along said west line, 2020.57 feet to the POINT OF BEGINNING.

Containing 16.36 acres, more or less.

Subject to 30 feet of right of way off of the entire westerly boundary for County Road 150 West right of way. Also subject to easements, rights of way and restriction of record.

The rezoning change of general business will apply only to Lot 4 of the Busch Subdivision containing 3.17 acres.

**Attachment "A"**  
**Deed Restrictions for Property**

- 1 Only one residence on lot
- 2 Residential ground floor area of 1400 sq ft minimum
- 3 Residential roof pitch must be 7/12 pitch or greater  
Pole building roof pitch must be 4/12 pitch or greater
- 4 No unlicensed vehicles on property
- 5 No further subdivision of lot
- 6 All drainage easements for Busch Sub Division must be followed on this lot.
- 7 All septic perimeter drains must be hooked into field tile located within drainage easement no other drainage devices, including, but not limited to, downspouts, sump pump drains, geo thermal drains, etc. can be diverted to the field tile. Those must be dispersed upon the surface of the lot. No geo-thermal will be permitted.
- 8 The finished floor elevation of all buildings must be 1 1/2 feet higher than the adjacent road.
- 9 Once lot is improved with any structure, the remaining bare land within the lot must be maintained in stone or grass.
- 10 Lot must have an on premise turn around.
- 11 The owner of this real estate, for himself, and for all future owners and occupants of said real estate, for and in consideration of the right to develop the real estate for other than Agriculture uses hereby:

*First, acknowledges and agrees that this property is in or adjacent to an area zoned for agriculture uses, which uses include, but are not limited to, production of crops, animal husbandry, land application of animal waste, the raising, breeding and sale of livestock and poultry, including confinement feeding operations, use of farm machinery, and sale of farm products;*

*Second, waives any and all objections to any such agriculture uses on any real estate zoned for such uses within two miles of any boundary of this property, whether such uses currently exist, are enlarged, or changed in use in the future to another agriculture use*

*Third, agrees that such agriculture uses, whiter currently existing, or hereafter established, enlarged or changed, do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily injury to a third party, or directly endanger human health.*

*Fourth, agree that this covenant is for the benefit of all persons engaging in agriculture uses within two miles of any boundary of the property, and is enforceable by any of the foregoing.*

WABASH COUNTY PLAN COMMISSION

WCPC1041

Wabash County Court House  
One West Hill Street  
Wabash, In 46992  
Telephone 260-563-0661 EXT 267, 252  
Fax 260-563-3451

GENERAL ORDINANCE NO. 2008-85-1

An Ordinance amending the Master Plan of The County of Wabash  
(General Ordinance No. 1, 1966 as amended)  
by changing the zone classification of certain real estate

from Residential 2

to General Business

Be it ordained by the board of County Commissioners of Wabash County, Indiana:

Section 1.

the Master Plan and Zoning Ordinance of Wabash County, Indiana, the same being General Ordinance No. 1, 1966 as amended, is hereby further amended, and the classification of the real estate hereinafter described is change from Residential 2 to General Business such real estate described as follows to wit:

Part of the South East Quarter of Section 27, Township 26N,  
Range 7E, Liberty Township, Lafontaine Corp, Wabash County, Wabash, IN

(Legal Description Attached)

Section 2.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Board of County Commissioners of Wabash County, Indiana

this 12<sup>th</sup> day of January 20 08

[Signature]  
[Signature]  
[Signature]

Board of County Commissioners  
Wabash County, Indiana

ATTEST:

Auditor, Wabash County, Indiana

WABASH COUNTY PLAN COMMISSION

Wabash County Court House
One West Hill Street
Wabash, In 46992
Telephone 260-563-0661 EXT 267, 252
Fax 260-563-3451

GENERAL ORDINANCE NO. 2009-85-1

An Ordinance amending the Master Plan of The County of Wabash
(General Ordinance No. 1, 1966 as amended)
by changing the zone classification of certain real estate

from Residential 1

to General Business

Be it ordained by the board of County Commissioners of Wabash County, Indiana:

Section 1.

the Master Plan and Zoning Ordinance of Wabash County, Indiana, the same being General Ordinance No. 1, 1966 as amended, is hereby further amended, and the classification of the real estate hereinafter described is change from Residential 1 to General Business such real estate described as follows to wit:

Lot 6 & the West 20 Ft of Lot 5, of Logans Addition, Lafontaine Corp. Wabash County, IN
Commonly known as ( 212 Logan Street, Lafontaine, IN 46940)
(Legal Description Attached)

Section 2.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Board of County Commissioners of Wabash County, Indiana

this 20th day of January 2009

Three handwritten signatures of Board of County Commissioners, Wabash County, Indiana

ATTEST:

Auditor, Wabash County, Indiana

A TRACT OF LAND BEING THE WEST 20 FEET OF LOT NUMBER FIVE (5) IN JOHN M. LOGAN'S ADDITION TO THE TOWN OF ASHLAND (NOW LAFONTAINE) IN WABASH COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF LOT NUMBER FIVE (5) IN JOHN M. LOGAN'S ADDITION TO LAFONTAINE, THENCE EAST 20.0 FEET ALONG THE NORTH LINE OF LOT 5; THENCE SOUTH 132.0 FEET PARALLEL WITH THE WEST LINE OF LOT 5 TO THE SOUTH LINE OF LOT 5; THENCE WEST 20.0 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF LOT 5; THENCE NORTH 132.0 FEET ALONG THE WEST LINE OF LOT 5 TO THE PLACE OF BEGINNING.

ALSO:

LOT NO. 6 IN JOHN M. LOGAN'S ADDITION TO THE TOWN OF LAFONTAINE (FORMERLY ASHLAND), INDIANA.

Commonly known as: 212 Logan Street, La Fontaine, In 46940

Parcel #:85-19-27-401-122.000-006

Subject to all liens, encumbrances and easements of record.

To have and to hold the premises aforesaid with the privileges and appurtenances to said purchaser, their grantees and assigns, forever, in full and ample manner with all rights, title and interest held or claimed by the aforesaid Defendants.