

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF LEBANON, BOONE COUNTY, INDIANA

WHEREAS, the City of Lebanon Common Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3: and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) have filed a voluntary petition with the Council pursuant to Indiana Code 36-4-3-5.1; and,

WHEREAS, the City of Lebanon Advisory Plan Commission held a public hearing at their regularly scheduled meeting on July 20, 2020 and forwarded Docket 20-17 to the Council with a favorable recommendation (9-0) to assign the Single-Family Residential (SF2) zoning classification for the Annexation Area; and,

WHEREAS, the Council has conducted a public hearing on July 27, 2020, as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 2020-05); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Boone County, Indiana, meeting in regular session, as follows:

Section 1. The Annexation Area, generally bordered by Edgewood Subdivision to the west, John Bart Road to the east, Fordice Road to the north, and Washington Street to the south and adjacent to the existing corporate limits along the southern and western boundaries of the Annexation Area, is hereby declared annexed to and declared to be part of the City of Lebanon, Indiana.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the Annexation Area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to Council District 1 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. The Annexation Area is hereby assigned the Single-Family Residential (SF2) zoning classification.

Section 5. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, upon the passage of the applicable thirty (30) day waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED THIS _____ day of _____, 2020.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell

Keith Campbell

Keith Campbell

John Copeland

John Copeland

John Copeland

Morris Jones

Morris Jones

Morris Jones

Mike Kincaid

Mike Kincaid

Mike Kincaid

Sierra Messenger

Sierra Messenger

Sierra Messenger

Dick Robertson

Dick Robertson

Dick Robertson

Brent Wheat

Brent Wheat

Brent Wheat

ATTEST:

Tonya Thayer, Clerk-Treasurer

I hereby certify that ORDINANCE 2020-07 was delivered to the Mayor of Lebanon on the _____ day of _____, 2020, at _____ m.

Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2020-07
this ___ day of _____, 2020

I hereby VETO ORDINANCE 2020-07
this ___ day of _____, 2020

Matthew T. Gentry, Mayor

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer, Clerk-Treasurer

ANNEXATION LEGAL DESCRIPTION

Part of the Northeast Quarter of Section 31, Township 19, Range 1 East of the Second Principal Meridian, Boone County, Indiana, more particularly described as follows:

Commencing at the Northeast Corner of said Northeast Quarter; thence South 00 degrees 17 minutes 38 seconds West (the basis of bearings is the Indiana Geospatial Coordinate System, Boone Zone) 1,944.85 feet along the east line of said Northeast Quarter to a "Hause" rebar at the centerline of East Washington Street; thence North 89 degrees 25 minutes 58 seconds West 544.22 feet along said centerline to the southeast corner of the parcel conveyed to Artman in Instrument Number 201500005156, on file in the Office of said Recorder, being the POINT OF BEGINNING; thence continue North 89 degrees 25 minutes 58 seconds West 794.70 feet along the south line of said Artman parcel to the southeast corner of the parcel described in Ordinance No. 12-70, the following eight (8) courses are along the east line thereof; 1)thence North 00 degrees 32 minutes 46 seconds East 1,075.40 feet; 2)thence North 13 degrees 47 minutes 14 seconds West 137.57 feet; 3)thence North 33 degrees 27 minutes 14 seconds West 105.00 feet; 4)thence North 47 degrees 27 minutes 14 seconds West 205.00 feet; 5)thence North 53 degrees 09 minutes 14 seconds West 195.00 feet; 6)thence North 63 degrees 09 minutes 58 seconds West 145.00 feet; 7)thence North 42 degrees 27 minutes 14 seconds West 70.00 feet; 8)thence North 00 degrees 32 minutes 46 seconds East 130.00 feet a corner of said Artman parcel, the remaining courses in this description are along the west, north and east lines thereof; thence North 89 degrees 27 minutes 14 seconds West 42.50 feet; thence North 00 degrees 32 minutes 50 seconds East 140.91 feet; thence South 89 degrees 42 minutes 53 seconds East 455.27 feet; thence South 54 degrees 14 minutes 34 seconds East 215.41 feet; thence South 00 degrees 05 minutes 17 seconds West 205.01 feet; thence South 89 degrees 42 minutes 35 seconds East 786.31 feet; thence South 23 degrees 06 minutes 12 seconds East 111.74 feet; thence South 00 degrees 00 minutes 00 seconds East 31.15 feet; thence South 24 degrees 58 minutes 22 seconds West 96.78 feet; thence South 43 degrees 00 minutes 14 seconds West 76.19 feet; thence South 18 degrees 33 minutes 31 seconds West 40.00 feet; thence South 11 degrees 57 minutes 15 seconds East 121.21 feet; thence South 32 degrees 27 minutes 53 seconds West 36.21 feet; thence South 59 degrees 34 minutes 53 seconds West 51.79 feet; thence South 71 degrees 30 minutes 49 seconds West 44.17 feet; thence South 41 degrees 45 minutes 22 seconds West 20.82 feet; thence South 18 degrees 04 minutes 07 seconds East 106.70 feet; thence South 02 degrees 55 minutes 37 seconds West 80.90 feet; thence South 16 degrees 42 minutes 12 seconds East 43.05 feet; thence South 44 degrees 13 minutes 39 seconds East 49.90 feet; thence South 25 degrees 03 minutes 21 seconds East 105.62 feet; thence South 04 degrees 01 minute 12 seconds East 132.53 feet; thence South 88 degrees 57 minutes 22 seconds East 12.04 feet; thence South 00 degrees 17 minutes 38 seconds West 603.73 feet to the POINT OF BEGINNING. Containing 34.766 acres, more or less.

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 EDITED BY: RWINHOFERST
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INC.**

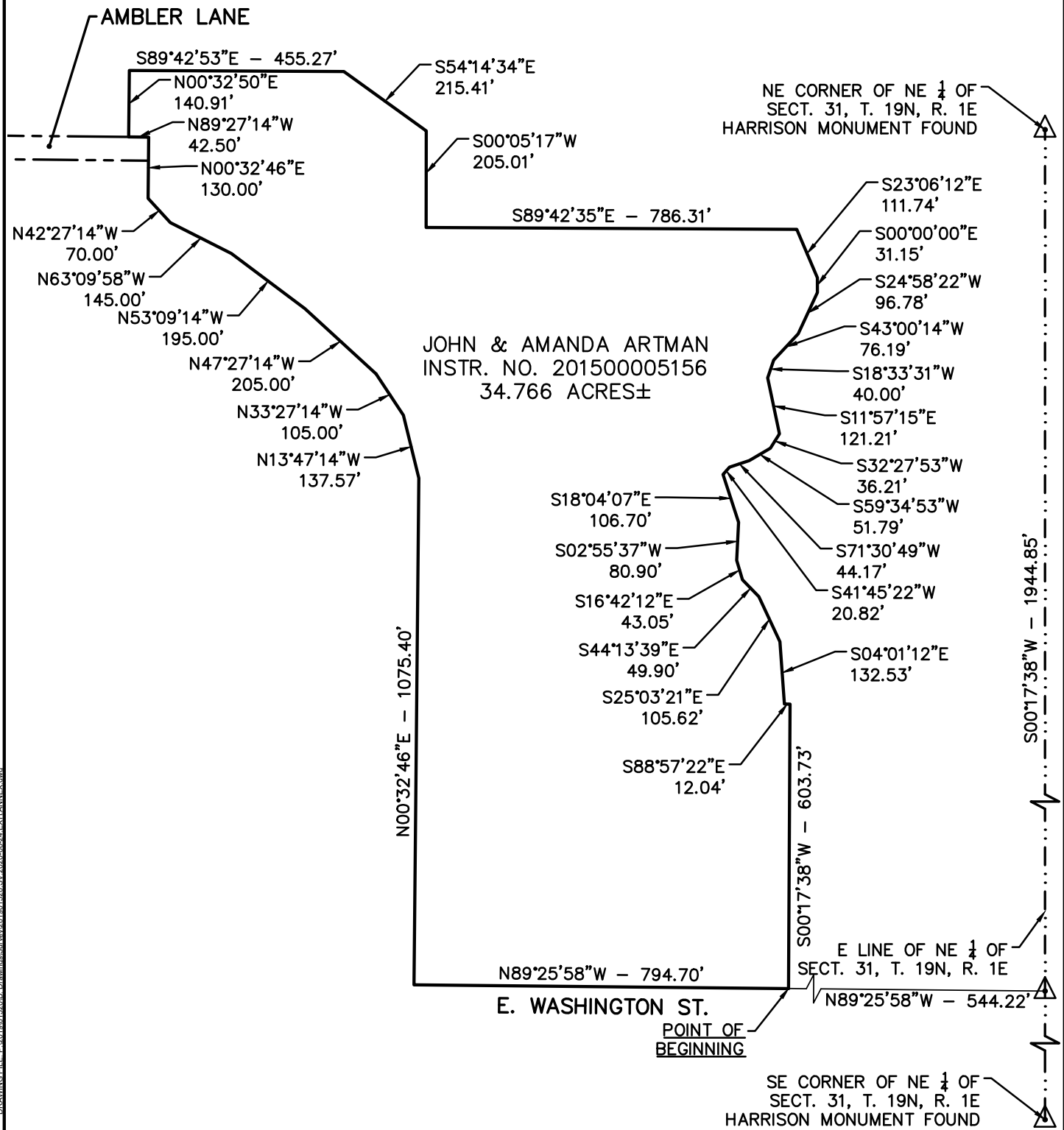
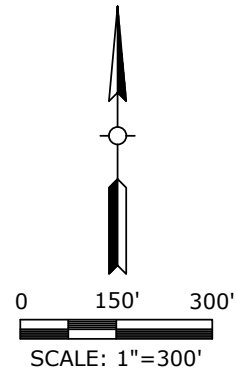
9025 River Road, Suite 200 | Indianapolis, Indiana 46240
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PARCEL EXHIBIT

Scale:	1" = 300'
Drawn By:	REW
Checked By:	MJS
Date:	06/24/2020
Job No.:	2019.01520

1 of 2

EXHIBIT B



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