

ORDINANCE NO. 2020-02

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 January 21, 2020 and forwarded Docket 20-06 to the Council with a favorable recommendation (6-0) to assign the Single-Family Residential (SF) zoning classification for the Annexation Area; and,

WHEREAS, the Council has conducted a public hearing on January 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 2020-02); 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 located on the south side of 100 S and on both the east and west sides of 400 E 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 2 and shall become a part thereof immediately upon the effective date of this Ordinance.

Kent Frandsen 2/26/20

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

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PASSED AND ADOPTED THIS 24TH day of FEBRUARY, 2020.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell
Keith Campbell

Keith Campbell

Keith Campbell

John Copeland
John Copeland

John Copeland

John Copeland

Caleb Edwards
Caleb Edwards

Caleb Edwards

Caleb Edwards

ABSENT
Mike Kincaid

Mike Kincaid

Mike Kincaid

Sierra Messenger
Sierra Messenger

Sierra Messenger

Sierra Messenger

Dick Robertson
Dick Robertson

Dick Robertson

Dick Robertson

ABSENT
Brent Wheat

Brent Wheat

Brent Wheat

ATTEST:

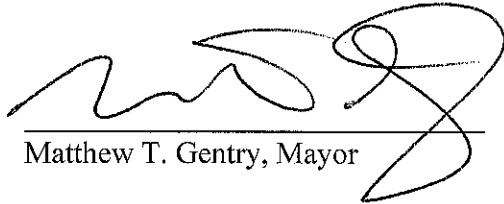
Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby certify that ORDINANCE 2020-02 was delivered to the Mayor of Lebanon on the 24 day of FEBRUARY, 2020, at 7 40 p.m.



Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2020-02
this 24 day of February, 2020

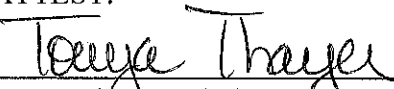


Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2020-02
this ___ day of _____, 2020

Matthew T. Gentry, Mayor

ATTEST:



Tonya Thayer, Clerk-Treasurer

EXHIBIT A

Legal Description

Part of the East Half of Section 9, Section 10, the Southwest Quarter of Section 11, and the West Half of Section 14, Township 18 North, Range 1 East, Boone County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 10; thence South 00 degrees 32 minutes 47 seconds East (basis of bearings is Indiana State Plane Grid Bearing, West Zone) along the East line of said Northeast Quarter 2657.65 feet to the Southeast corner of said Northeast Quarter and the Northwest corner of a parcel of land described as Tract III, Parcel G, in Instrument Number 2019000956 in the Recorder's Office of Boone County, Indiana (the following 12 calls are along the northerly, easterly, and southerly lines of said Tract III, Parcel G); (1) thence North 88 degrees 23 minutes 36 seconds East 859.34 feet; (2) thence South 52 degrees 33 minutes 41 seconds East 119.48 feet; (3) thence South 50 degrees 16 minutes 16 seconds East 157.99 feet; (4) thence South 43 degrees 03 minutes 02 seconds East 39.68 feet; (5) thence South 30 degrees 29 minutes 08 seconds East 262.25 feet; (6) thence South 29 degrees 16 minutes 01 seconds East 189.39 feet; (7) thence South 00 degrees 35 minutes 20 seconds East 1468.07 feet; (8) thence North 63 degrees 16 minutes 25 seconds West 1268.81 feet; (9) thence North 60 degrees 25 minutes 51 seconds West 197.50 feet; (10) thence North 07 degrees 54 minutes 56 seconds West 55.40 feet; (11) thence South 00 degrees 32 minutes 52 seconds East 99.40 feet; (12) thence North 63 degrees 16 minutes 25 seconds West 20.16 feet to the East line of the Southeast Quarter of said Section 10; thence South 00 degrees 33 minutes 00 seconds East along said East line 1254.36 feet to the Southeast corner of said Southeast Quarter and the Northwest corner of a parcel of land described as Tract III, Parcel A, in Instrument Number 2019000956 in said Recorder's Office (the following 11 calls are along the northerly, easterly, and southerly lines of said Tract III, Parcel A); (1) thence North 88 degrees 33 minutes 05 seconds East 1880.68 feet; (2) thence South 63 degrees 14 minutes 06 seconds East 79.96 feet; (3) thence South 00 degrees 37 minutes 21 seconds East 496.38 feet; (4) thence North 89 degrees 22 minutes 39 seconds East 384.16 feet; (5) thence North 00 degrees 37 minutes 21 seconds West 297.36 feet; (6) thence South 63 degrees 14 minutes 06 seconds East 352.19 feet; (7) thence South 00 degrees 38 minutes 25 seconds East 2906.82 feet; (8) thence South 88 degrees 28 minutes 02 seconds West 1325.68 feet; (9) thence North 00 degrees 32 minutes 35 seconds West 663.67 feet; (10) thence North 00 degrees 38 minutes 19 seconds West 214.50 feet; (11) thence South 88 degrees 25 minutes 35 seconds West 1324.46 feet to the West line of the Northwest Quarter of said Section 14; thence North 00 degrees 37 minutes 48 seconds West along said West line 2442.38 feet to the Southeast corner of the Southeast Quarter of said Section 10; thence South 88 degrees 51 minutes 11 seconds West along the South line of said Southeast Quarter 2646.23 feet to the Southeast corner of the Southwest Quarter of said Section 10; thence South 88 degrees 50 minutes 41 seconds West along the South line of said Southwest Quarter 2646.42 feet to the Southeast corner of the East Half of said Section 9; thence South 88 degrees 38 minutes 36 seconds West along the South line of said East Half 2667.49 feet to the Southwest corner thereof; thence North 00 degrees 21 minutes 17 seconds West along the West line of said East Half 5321.50 feet to the Northwest corner thereof; thence North 88 degrees 42 minutes 20 seconds East along the North line of said East Half 2655.49 feet to the Northwest corner of Northwest Quarter of said Section 10 and the

Northwest corner of a parcel of land described as Tract III, Parcel C, in Instrument Number 2019000956 in said Recorder's Office (the following 4 calls are along the northerly and easterly lines of said Tract III, Parcel C); (1) thence North 88 degrees 51 minutes 25 seconds East 1002.46 feet; (2) thence South 02 degrees 24 minutes 35 seconds West 505.64 feet; (3) thence North 89 degrees 28 minutes 29 seconds East 350.82 feet; (4) thence South 00 degrees 36 minutes 32 seconds East 644.16 feet to the Northwest corner of a parcel of land described as Tract III, Parcel F, in Instrument Number 2019000956 in said Recorder's Office (the following 4 calls are along the northerly and easterly lines of said Tract III, Parcel F); (1) thence North 87 degrees 45 minutes 03 seconds East 627.24 feet; (2) thence South 02 degrees 14 minutes 57 seconds East 300.00 feet; (3) thence North 87 degrees 45 minutes 03 seconds East 606.20 feet; (4) thence South 17 degrees 40 minutes 30 seconds East 269.09 feet to the East line of the Northwest Quarter of said Section 10 and the Northwest corner of a parcel of land described as Tract III, Parcel D, in Instrument Number 2019000956 in said Recorder's Office (the following 5 calls are along the northerly lines of said Tract III, Parcel D); (1) thence South 18 degrees 26 minutes 40 seconds East 118.10 feet; (2) thence North 88 degrees 31 minutes 20 seconds East 448.88 feet; (3) thence North 01 degrees 06 minutes 34 seconds West 466.00 feet; (4) thence North 88 degrees 46 minutes 10 seconds East 834.19 feet; (5) thence North 00 degrees 17 minutes 49 seconds West 1329.47 feet to the North line of the Northeast Quarter of said Section 10; thence North 88 degrees 52 minutes 00 seconds East along said North line 1317.08 feet to the POINT OF BEGINNING, containing 1099.434 acres, more or less.

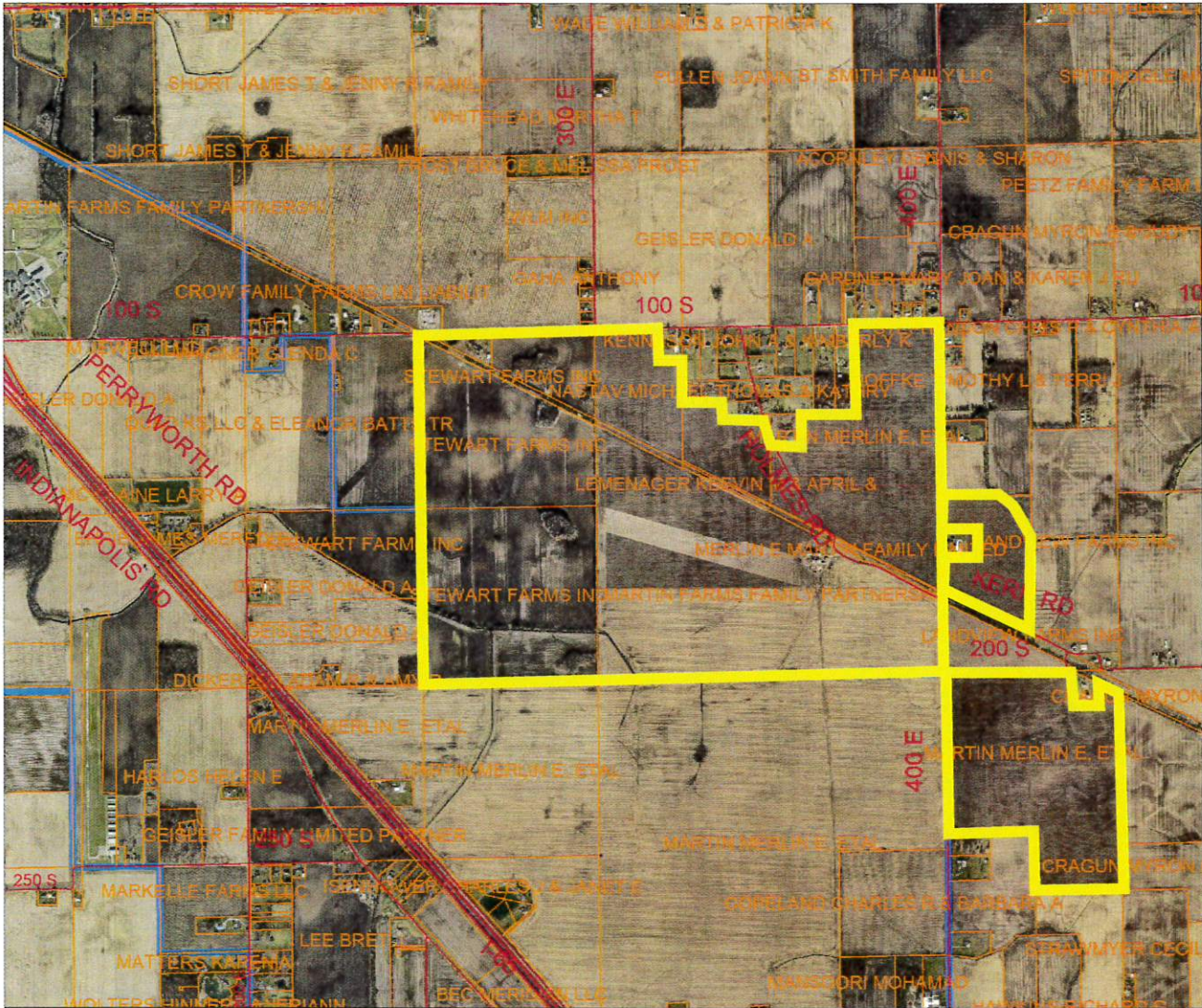
EXCEPTING THEREFROM:

Part of Southwest Quarter of Section 11, Township 18 North, Range 1 East, Boone County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter and the Northwest corner of a parcel of land described as Tract III, Parcel G, in Instrument Number 2019000956 in said Recorder's Office (the following 4 calls are along the westerly lines of said Tract III, Parcel G); (1) thence South 00 degrees 32 minutes 58 seconds East (basis of bearings is Indiana State Plane Grid Bearing, West Zone) 513.00 feet to the POINT OF BEGINNING; (2) thence North 89 degrees 04 minutes 42 seconds East 547.31 feet; (3) thence South 00 degrees 32 minutes 52 seconds East 399.83 feet; (4) thence South 89 degrees 27 minutes 08 seconds West 547.28 feet to the West line of said Southwest Quarter; thence North 00 degrees 32 minutes 58 seconds West along said West line 396.26 feet to the POINT OF BEGINNING, containing 5.001 acres, more or less.

For a total area of 1094.433 acres, more or less.

The annexation shall also include the full right-of-way of all road frontage of the above described parcels.



- ParcelsFromCounty
- Lebanon City Li
- Roads
- Highways

EXHIBIT B

