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City of Lebanon

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Maryln J. Smith, Boone County Recorder

ORIGINAL

ORDINANCE NO. 01-09

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY OF
LEBANON, INDIANA, AND ASSIGNMENT OF ZONING CLASSIFICATION

WHEREAS, the Lebanon City Plan Commission and the Common Council of the City of Lebanon, Indiana, have been petitioned by landowners for the annexation of certain real estate contiguous to the City of Lebanon and located in and on Anderson Lane, Lebanon, Indiana, formerly known as County Road 250 North, Boone County, Indiana, the legal description of which real estate is described herein and which consists of residential real estate along the right-of-way of property previously made a part of the City of Lebanon, Indiana; and

WHEREAS, the Lebanon City Plan Commission has conducted a public hearing on the proposed annexation and has recommended approval of the annexation ordinance to the Common Council; and

WHEREAS, the Common Council of the City of Lebanon has deemed it appropriate that the annexation be conducted pursuant to the provisions of the Lebanon City Zoning Code and the Indiana Statutes governing such annexation; and

WHEREAS, the City of Lebanon has previously adopted a study identifying areas appropriate for annexation and an overall plan to provide for a policy to serve the areas proposed for annexation with governmental and proprietary services, and in addition the City of Lebanon and petitioners herein recognize that the annexed areas are being made a part of existing property which is already within the jurisdictional limits of the City of Lebanon and governmental and proprietary services already are provided to said area, including police, fire and utility services; and

WHEREAS, the Common Council has earlier established policies with respect to furnishing the territory to be annexed with governmental and proprietary services which are substantially equivalent in standard and scope to the governmental and proprietary services now furnished by the City of Lebanon to all other areas of the City which areas have the same characteristics

DULY ENTERED FOR TAXATION

1-29-02
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SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

of topography, patterns of land utilization, and population density similar to the annexed area; and

WHEREAS, the annexation of this land is consistent with the planned growth and development of the City of Lebanon and is consistent to and a part of the overall planned expansion of the City of Lebanon; and

WHEREAS, the land sought to be annexed is a part of a section of the City of Lebanon which has been within the City limits for a considerable period of time and which will have a minimal impact upon the cost of providing services to said annexed territory.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, as follows:

Section 1. See Attached Legal Description

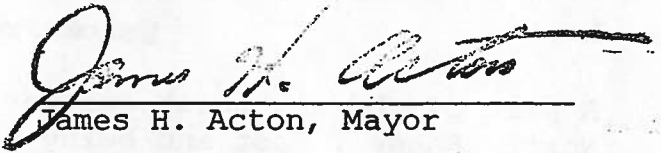
be annexed into the City of Lebanon, Indiana, pursuant to the provisions of Indiana law. Said real estate, as described hereinabove, is hereby declared by the action of the Common Council of the City of Lebanon, to be annexed and shall become a part of the City of Lebanon, State of Indiana, and the City's boundaries shall be amended accordingly as allowed by law.

Section 2. Be it further declared by the action of the Common Council of the City of Lebanon, Indiana, and upon recommendation by the Plan Commission that the real estate is hereby assigned a zoning classification of SF1 pursuant to the provisions of the City of Lebanon Zoning Code.

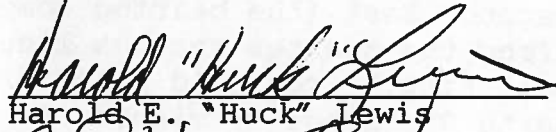
Section 3. The newly annexed territory shall be assigned a Councilmatic District Number 5, consisting of Precinct Number 9, all as revised in Ordinance No. 90-20.

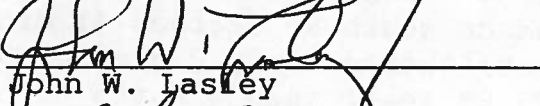
Section 4. By passage of this Ordinance, the Council confirms that all public notices and public hearings have been held, all pursuant to the provisions of I.C. 36-4-3, et. seq., and this Ordinance shall take effect after completion of all public hearings, expiration of remonstrations periods, and publication as required by law.

CONSIDERED AND PASSED BY THE COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA, THIS 22 DAY OF October, 2001.


James H. Acton, Mayor

COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA

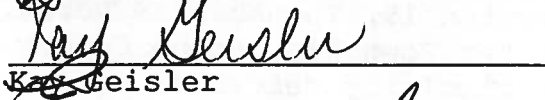

Harold E. "Huck" Lewis


John W. Lasley


Carl J. Rady

Andrea Hester


James K. Urban


Kay Geisler


Emmadell Sturgis

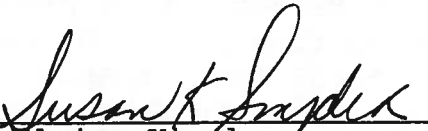
Attest: 
Elaine Kinsler
Deputy Clerk/Treasurer

EXHIBIT A**Quick Property**

A part of the northwest quarter of Section 19, Township 19 North, Range 1 East and being more particularly described as follows:

From the Southwest corner of the aforesaid Northwest quarter; proceed thence South 89 degrees 41 minutes 19 seconds East (the bearing computed from solar observation), along the quarter section line 218.57 feet to the point of beginning. From said point of beginning; proceed thence north 0 degrees 06 minutes 09 seconds East 299.88 feet; thence south 89 degrees 41 minutes 19 seconds East 130.57 feet; thence South 0 degrees 06 minutes 08 seconds West 299.88 feet; thence North 89 degrees 41 minutes 19 seconds West 130.57 feet to the point of beginning.

Strathers Property

A part of the northeast quarter of Section 24, Township 19 North, Range 1 West, and a part of the northwest quarter of Section 19, Township 19 North, Range 1 East, situated in Center Township, Boone County, Indiana, and being more particularly described as follows:

Begin at the southeast corner of the aforesaid northeast quarter, and proceed thence north 89 degrees 38 minutes 29 seconds west (the bearing computed from solar observation), along the quarter section line, 50.56 feet; thence north 02 degrees 10 minutes 23 seconds east, 348.68 feet; thence south 89 degrees 38 minutes 29 seconds east, 37.96 feet; thence north 00 degrees 06 minutes 08 seconds east, along the section line and meridian line, 2.88 feet; thence south 89 degrees 41 minutes 19 seconds east, 88.04 feet; thence south 00 degrees 06 minutes 35 seconds west 299.88 feet; thence north 89 degrees 41 minutes 19 seconds west, 88.00 feet; thence south 00 degrees 06 minutes 08 seconds west, along the section line and meridian line, 51.51 feet to the point of beginning, containing 0.9601 acres, more or less, subject to an easement for a county road along the southern boundary. (Deed Record 202, Page 493).

EXCEPTING THEREFROM: A part of the Northeast Quarter of Section 24, Township 19 North, Range 1 West, and a part of the Northwest Quarter of Section 19, Township 19 North, Range 1 East, Boone County, Indiana, and being a part of the land of or formerly owned by Virginia M. Shepherd (Deed Record 202, page 493, Office of the Recorder) more particularly described as follows:

Beginning at the southeast corner of the Northeast Quarter of said Section 24; thence North 89 degrees 59 minutes 59 seconds West (assumed bearing) 15.411 meters (50.56 feet) along the south line of said Northeast Quarter to the southwest corner of the owner's land; thence North 01 degree 48 minutes 53 seconds East 14.007 meters (45.95 feet) along the west line of the owner's land; thence North 77 degrees 28 minutes 44 seconds East 42.736 meters (340.21 feet) to the east line of the owner's land; thence South 00 degrees 14 minutes 03 seconds East 7.606 meters (24.95 feet) along said east line to the south line of said Northwest Quarter; thence South 89 degrees 58 minutes 03 seconds West 26.822 meters (88.00 feet) along said south line to the southwest corner of said Northwest Quarter; thence South 00 degrees 08 minutes 34 seconds East 15.644 meters (51.33 feet) along the west line of said Section 19 to the point of beginning and containing 0.024 hectares (0.038 acres), more or less, in Section 24, and containing 0.012 hectares (0.031 acres), more or less, in said Section 19; and containing in all 0.036 hectares (0.089 acres), more or less. The portion of the above described real estate which is not already embraced within the public rights of way contain 0.010 hectares (0.025 acres), more or less, in Section 24, and contains 0.007 hectares (0.018 acres), more or less, in said section 19; and contains in all 0.017 hectares (0.043 acres), more or less.

Adams Property

A part of the east half of the northeast quarter of Section 24, Township 19 North, Range 1 West of the Second Principal Meridian and a part of the west half of the northwest quarter of Section 19 Township 19 North, Range 1 East of the Second Principal Meridian, and being more particularly described as follows, to-wit: Commencing at the southeast corner of the east half of the northeast quarter of

aforesaid section 24, thence north 348.51 feet, thence west 293.81 feet, thence south 348.51 feet the southline of the east half of said northeast quarter, thence east 279.55 feet to the place of beginning, containing 2.293 acres, more or less.