

RESOLUTION 2008- 02

**A FISCAL POLICY RESOLUTION**  
**FOR ANNEXING CONTIGUOUS TERRITORY**  
**TO THE CITY OF LEBANON, INDIANA**

**SOUTH I-65 ANNEXATION**

WHEREAS, I.C. § 36-4-3-3.1 requires that the municipality has developed a written fiscal plan and has established a definite policy, by resolution of the legislative body that meets the requirements set forth in I.C. § 36-4-3-13(d) for the area proposed to be annexed (the "Annexation Territory") into the City of Lebanon (the "City") pursuant to Ordinance No. 2008- 05, introduced on March 24, 2008; and

WHEREAS, this Council adopted definite annexation and growth policies for further annexations for the City and these policies are acceptable and appropriate for the Annexation Territory in addition to the policies attached and incorporated as Exhibit A; and

WHEREAS, the written fiscal plan and definite policy complies with the requirements of Indiana law to provide services of a noncapital nature to the Annexation Territory within one year after the effective date of the annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density; and

WHEREAS, the written fiscal plan and definite policy complies with the requirements of Indiana law to provide services of a capital nature to the Annexation Territory within three years after the effective date of the annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

THEREFORE, BE IT RESOLVED by the City Council of the City of Lebanon, State of Indiana, that:

Section 1. The above recitals are incorporated herein by reference and shall be deemed part of the written fiscal plan and definite policy.

Section 2. The written fiscal plan and definite policy, as attached and incorporated herein as Exhibit A are adopted for the annexation set forth in Ordinance 2008- 05.

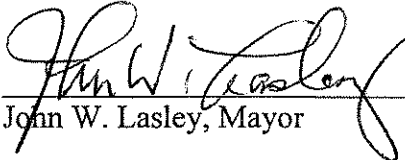
Section 3. Other than the annexation policies in conflict with or amended by Exhibit A, the annexation policies set forth in Resolution No. 2004-10 adopted November 24, 2004, shall apply to the Annexation Territory.

Section 4. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution.

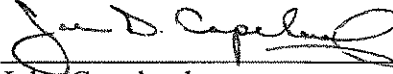
Section 5. This Resolution shall be in full force and effect from and after the date of its passage and such publication as is required by law.

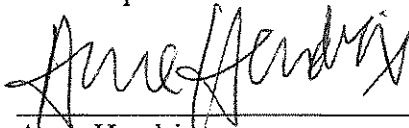
**PASSED** by the City Council of the City of Lebanon, Indiana, this 12 day of MAY, 2008, by a vote of SEVEN (7) ayes and TWO (0) nays.

THE CITY COUNCIL OF THE TOWN OF  
LEBANON, INDIANA

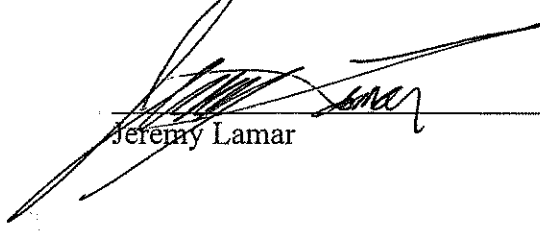
  
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John W. Lasley, Mayor


  
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Keith Campbell


  
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John Copeland

  
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Anne Hendrix

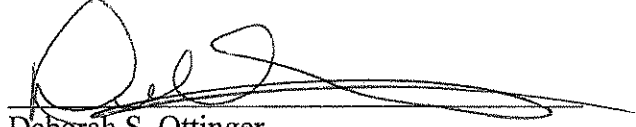
  
\_\_\_\_\_  
Mike Kincaid

  
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Jeremy Lamar

  
\_\_\_\_\_  
Steve Large

  
\_\_\_\_\_  
Richard Robertson

ATTEST:

  
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Deborah S. Ottinger  
Clerk-Treasurer