

ORDINANCE 2015-19

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City of Lebanon

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEBANON, INDIANA, ANNEXING TERRITORY TO THE CITY OF LEBANON, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND MAKING THE SAME A PART OF THE CITY OF LEBANON

WHEREAS, the City Council ("Council") of the City of Lebanon ("City"), Indiana, deems it desirable and in the best interest of the City to annex to the City certain territory as hereinafter described ("Annexation Territory"); and

WHEREAS, the Annexation Territory is owned by one (1) owner ("Owner"), who owns and controls one hundred percent (100%) of the property comprised of approximately 85 acres; and

WHEREAS, the Owner has filed with Council a Petition for Voluntary Annexation ("Petition"), pursuant to IC 36-4-3-5.1; and

WHEREAS, the Petition states the Owner waives any statutory right to public notice under IC 5-3-1 and further waives any right to the adoption of a fiscal plan; and

WHEREAS, the Annexation Territory is described in the Exhibit A (legal description) and Exhibit B (map) attached hereto and incorporated herein; and

WHEREAS, the Annexation Territory consists of approximately eighty-five (85) acres; and

WHEREAS, the Annexation Territory is contiguous to the existing corporate boundaries of the City; and

WHEREAS, the City has introduced the Petition and Annexation Ordinance at a public meeting as required by law; and

WHEREAS, the Council finds that the Annexation pursuant to the terms of this Ordinance is fair and equitable and should be accomplished.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Lebanon, Indiana, as follows:

1. The above recitals are incorporated herein by this reference as though fully set forth herein below.
2. In accordance with I.C. §36-4-3 *et seq.*, the Annexation Territory is hereby annexed to the City and thereby included within its corporate boundaries pursuant to the terms of this Ordinance. The Annexation Territory is assigned to Council District No. 2.
4. The Annexation Territory shall be zoned Planned Business - Industrial (PBI).
5. The tax rate paid by the Owner on the Annexation Territory shall remain the unincorporated agricultural rate until the it is sold,

FILED

DEC 17 2015

Deanna L. [Signature]
Boone County Auditor

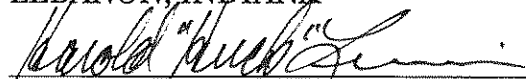
developed, or for ten (10) years, whichever occurs first, pursuant to I.C. 36-4-3-4.1 (b)

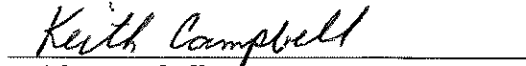
All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby repealed. The paragraphs, sentences, and words of this Ordinance are separable, and if a court of competent jurisdiction hereof declares any portion unconstitutional, invalid or unenforceable, such declaration shall not affect the remaining portions of this Ordinance.

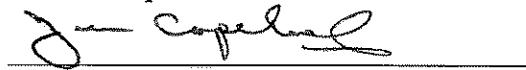
The effective date of this annexation shall be not less than thirty (30) days following its adoption and execution and publication as required by law.

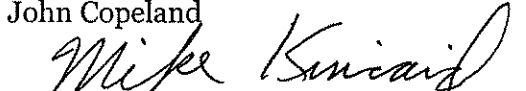
Adopted by the City Council of the City of Lebanon, Indiana, on the 14th day of December, 2015.

THE CITY COUNCIL OF THE TOWN OF
LEBANON, INDIANA


Harold "Huck" Lewis, Mayor


Keith Campbell


John Copeland


Mike Kincaid

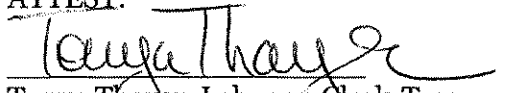
ABSENT
Lana Kruse


Jeremy Lamar


Steve Large

ABSENT
Preston Myers

ATTEST:


Tonya Thayer, Lebanon Clerk-Treasurer

I affirm under penalties for perjury that I have taken reasonable care to redact each Social Security Number in this document unless required by law. *Printed name:* Bob Clutter

This instrument prepared by Bob Clutter, Attorney at Law, Indiana Supreme Court #13942-49, 117 W. Main Street, Lebanon, Indiana 46052.