

RESOLUTION 2017-17

**A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF LEBANON, INDIANA, ESTABLISHING A FISCAL PLAN FOR THE
ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF LEBANON, BOONE
COUNTY, INDIANA**

WHEREAS, the Common Council of the City of Lebanon, Indiana is considering the annexation of certain territory to the City of Lebanon, Indiana; and

WHEREAS, the area to be annexed is legally described in **Exhibit A** and depicted in **Exhibit B**; and

WHEREAS, pursuant to Indiana Code § 36-4-3-3.1(d), the Common Council of the City of Lebanon, Indiana is required to adopt a written fiscal plan prior to the passage of Annexation Ordinance 2017-13; and

WHEREAS, the required fiscal plan, included as **Exhibit C** (the “Fiscal Plan”) and attached hereto and made a part hereof, has been prepared and presented to the Common Council of the City of Lebanon, Indiana for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code § 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED AND ADOPTED by the Common Council of the City of Lebanon, Indiana meeting in regular session that the Fiscal Plan is hereby approved and approved for the area sought to be annexed.

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ALL OF WHICH IS ADOPTED this 11th day of September, 2017 by the Lebanon Common Council of the City of Lebanon, Indiana.

Voting For

Voting Against

Abstain

Keith Campbell
Keith Campbell

Keith Campbell

Keith Campbell

John Copeland
John Copeland

John Copeland

John Copeland

Dan Fleming
Dan Fleming

Dan Fleming

Dan Fleming

Mike Kincaid
Mike Kincaid

Mike Kincaid

Mike Kincaid

Corey Kutz
Corey Kutz

Corey Kutz

Corey Kutz

ABSENT
Jeremy Lamar

Jeremy Lamar

Jeremy Lamar

Dick Robertson
Dick Robertson

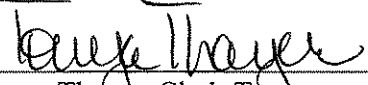
Dick Robertson

Dick Robertson

ATTEST:

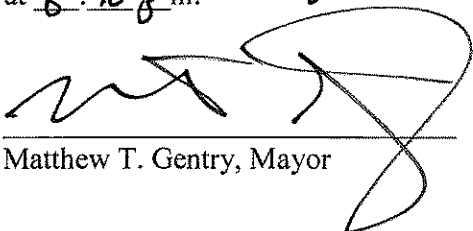
Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby certify that Resolution 2017-17 was delivered to the Mayor of Lebanon on the 11 day of September 2017, at 8:12 P.m.



Tonya Thayer, Clerk-Treasurer

I hereby APPROVE RESOLUTION 2017-17 this 11 day of September, 2017, at 8:10 P.m.



Matthew T. Gentry, Mayor

I hereby VETO RESOLUTION 2017-17 this ____ day of _____, 2017, at ____:____m.

Matthew T. Gentry, Mayor

ATTEST:



Tonya Thayer, Clerk-Treasurer

This document prepared by:
Robert S. Schein, Esq.
KRIEG DEVAULT, LLP
(317) 238-6276

EXHIBIT A

OVERALL ANNEXATION PARCEL DESCRIPTION:

A part of the Southwest Quarter of Section 24, Township 19 North, Range 1 West, Center Township, Boone County, Indiana, being more particularly described as follows:

Commencing at a Stone found marking the Southeast corner of the Southwest Quarter of said Section 24; thence South 89 degrees 31 minutes 30 seconds West 847.49 feet along the South line of the Southwest Quarter of said Section 24 to the Eastern Right-of-way line of the CSX Railroad (Formerly the Indianapolis and Frankfort Railroad Company described in Deed Record 102, Page 240 as recorded in the Office of the Recorder of Boone County, Indiana), said point being the Point of Beginning of this description; thence continuing South 89 degrees 31 minutes 30 seconds West 101.66 feet along the South line of the Southwest Quarter of said Section 24 to the Western Right-of-way line of said CSX Railroad; thence North 10 degrees 50 minutes 50 seconds East 118.67 feet along the Western Right-of-way of said CSX Railroad to the Northeast described corner of the Quick Parcel recorded in Instrument Number 201600005756, said Recorder's Office; thence South 89 degrees 31 minutes 29 seconds West 362.33 feet along the North described line of said Quick Parcel, the North described line of the Pinedo Parcel recorded in Instrument Number 201600010230, said Recorder's Office, and the North described line of the Wagner Parcel recorded in Instrument Number 201600005757, said Recorder's Office to the Northwest corner thereof and the Eastern described line of the Milakovic Parcel recorded in Instrument Number 200900010393, said Recorder's Office; thence North 00 degrees 31 minutes 30 seconds West 680.17 feet along the Eastern described line of said Milakovic Parcel to the Northeast corner thereof; thence North 89 degrees 44 minutes 05 seconds West 315.80 feet along a Northern described line of said Milakovic Parcel to a Northern corner thereof; thence South 02 degrees 09 minutes 54 seconds West 398.60 feet along a Western described line of said Milakovic Parcel to a Northern corner thereof; thence North 68 degrees 52 minutes 59 seconds West 506.48 feet along a Northeastern described line of said Milakovic Parcel to a Northern corner thereof and the East described line of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints Parcel (hereafter called Latter-day Saints Parcel) recorded in Instrument Number 9913080, said Recorder's Office; thence North 01 degree 33 minutes 25 seconds West 274.39 feet along the East described line of said Latter-day Saints Parcel to the Northeast corner thereof; thence South 87 degrees 03 minutes 57 seconds West 225.00 feet along the North described line of said Latter-day Saint Parcel to the Southeast described corner of the Schuetter Parcel recorded in Instrument Number 2017006163, said Recorder's Office; thence North 00 degrees 32 minutes 55 seconds West 140.00 feet along the East described line of said Schuetter Parcel to the Northeast corner thereof; thence South 87 degrees 03 minutes 57 seconds West 349.24 feet along the North described line of said Schuetter Parcel to the Northwest corner thereof and the West line of the Southwest Quarter of said Section 24; thence North 00 degrees 32 minutes 55 seconds West 349.24 feet along the West line of the Southwest Quarter of said Section 24 to the Southwest described corner of the Lett Parcel recorded in Instrument Number 201600012348, said Recorder's Office; thence North 89 degrees 50 minutes 11 seconds East 260.00 feet along the South described line of said Lett Parcel to the Southeast corner thereof; thence North 00 degrees 32 minutes 55 seconds West 360.00 feet along the East described line of said Lett Parcel, the East described line of the Kinslow Parcel recorded in Instrument Number 201600011933, said Recorder's Office and the East described line of the Emenhiser Parcel recorded in Instrument Number 0203930, said Recorder's Office to the Northeast corner thereof; thence South 89 degrees 50 minutes 11 seconds West 260.00 feet along the North described line of said Emenhiser Parcel to the Northwest corner thereof and the West line of the Southwest Quarter of said Section 24; thence North 00 degrees 32 minutes 55 seconds West 83.76 feet along the West line of the Southwest Quarter of said Section 24 to the Southwest described line of the Pollock Parcel recorded in

Instrument Number 201700001334, said Recorder's Office; thence North 89 degrees 45 minutes 00 seconds East 260.00 feet along the South described line of said Pollock Parcel to the Southeast corner thereof; thence North 00 degrees 32 minutes 55 seconds West 670.28 feet along the East described line of said Pollock Parcel, the East described line of the Neilson Parcel recorded in Instrument Number 0310541, said Recorder's Office, then East described line of the Pittman Parcel recorded in Instrument Number 0316095, said Recorder's Office, and the East described line of the Henry Parcel described in Instrument Number 201600009935, said Recorder's Office to the Northeast corner thereof and the South described line of the Kent Parcel recorded in Instrument Number 201100001089, said Recorder's Office; thence North 89 degrees 43 minutes 25 seconds East 366.23 feet along the South described line of said Kent Parcel and the South described line of the Nordstrom Parcel recorded in Instrument Number 201500000365, said Recorder's Office to the Southeast corner thereof; thence North 00 degrees 34 minutes 30 seconds West 208.71 feet along the East described line of said Nordstrom Parcel to the Northeast corner thereof and the North line of the Southwest Quarter of said Section 24; thence North 89 degrees 43 minutes 25 seconds East 75.00 feet along the North line of the Southwest Quarter of said Section 24 to the Northwest described corner of the Tegtman Parcel recorded in Instrument Number 201400000638, said Recorder's Office; thence South 00 degrees 16 minutes 35 seconds East 208.71 feet along the West described line of said Tegtman Parcel to the Southwest corner thereof; thence North 89 degrees 43 minutes 25 seconds East 574.21 feet along the South described line of said Tegtman Parcel, the South described line of the Ellis Parcel recorded in Instrument Number 0115743, said Recorder's Office, and the South described line of the Judd Parcel recorded in Instrument Number 201000005404, said Recorder's Office to the Southeast corner thereof and the Western Right-of-way line of said CSX Railroad; thence North 10 degrees 50 minutes 50 seconds West 212.31 feet along the Western Right-of-way line of said CSX Railroad to the North line of the Southwest Quarter of said Section 24; thence North 89 degrees 43 minutes 25 seconds East 101.73 feet along the North line of the Southwest Quarter of said Section 24 to the Eastern Right-of-way line of said CSX Railroad; thence South 10 degrees 50 minutes 50 seconds East 2692.22 feet along the Eastern Right-of-way line of said CSX Railroad to the Point of Beginning.

Containing 60.53 acres, more or less.

This land description was prepared by Jonathan E. Hause, P.S. 20600040, on the 20th day of July 2017, and is based upon a Survey performed by Mr. Cary B. Dodge, P.S. S-0288, dated April 27, 1998, Anderson and Associates job number 980383, a Survey performed by Mr. Jerry Carter, P.S. S-0350, dated December 20, 2001, Anderson and Associates job number 011138 and a Survey I performed dated June 22, 2016, Hause Surveying and Engineering job number 16S229.

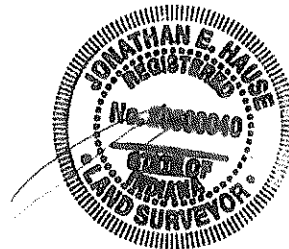


EXHIBIT B



EXHIBIT C