

ORDINANCE NO. 2018-13

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 July 16, 2018 and forwarded Docket 18-28 to the Council with a favorable recommendation (9-0) to assign the Single-Family Residential (SF2) zoning classification for the Annexation Area; and,

WHEREAS, the Council has conducted a public hearing on October 22, 2018, 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 2018-40); 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 west of Elm Swamp Road on both sides of Elmwood Drive, known as Elmwood Subdivision, and adjacent to the existing corporate limits along the northern and eastern 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 4 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. The Annexation Area is hereby assigned the Single-Family Residential (SF2) zoning classification.

Section 5. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and 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 13 day of NOVEMBER 2018.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell
Keith Campbell

Keith Campbell

Keith Campbell

ABSENT
John Copeland

John Copeland

John Copeland

Dan Fleming
Dan Fleming

Dan Fleming

Dan Fleming

Morris Jones
Morris Jones

Morris Jones

Morris Jones

Absent
Mike Kincaid

Mike Kincaid

Mike Kincaid

Dick Robertson
Dick Robertson

Dick Robertson

Dick Robertson

Brent Wheat
Brent Wheat

Brent Wheat

Brent Wheat

I hereby certify that ORDINANCE 2018-__ was delivered to the Mayor of Lebanon on the 13th
day of November, 2018, at 7:30pm.

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2018-13
this 14 day of November, 2018

[Signature]
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2018-__
this __ day of _____, 2018

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

EXHIBIT A

Part of the South half of the Southwest Quarter of Section 19, Township 19 North, Range 1 East in Boone County, Indiana described as follows:

Commencing at a point 22.34 chains east of the northwest corner of said tract, and running thence south 1299 feet, thence east 445 feet to the center of the Elm Swamp gravel road, thence north 1 degree west 500 feet with the center line of said road, thence north 799 feet, thence west 420 feet to the point of beginning, containing 12.66 acres more or less.

Said subdivision is divided into parcels or lots numbered 1 through 33, both numbers inclusive, and may be described by lot numbers or by metes and bounds as shown on the plat or by both. The beginning point for all lot descriptions shown on the plat shall be located with reference to a point 22.34 chains east of the northwest corner of the south half of the southwest quarter of Section 19, Township 19 North, Range 1 East in Boone County, Indiana.



- ParcelsFromCounty
- Lebanon City Li
- Roads
- Highways

Exhibit B

