

RESOLUTION 2018-14

**A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF LEBANON, INDIANA, REGARDING THE DESIGNATION OF AN
ECONOMIC REVITALIZATION AREA**

WHEREAS, pursuant to I.C. 6-1.1-12.1-1, *et. seq.* (the "Act"), the City of Lebanon, Indiana (the "City") by and through its Common Council acting in its capacity as the fiscal body of the City and acting as the designating body identified in the Act (the "Council") has the right and opportunity to abate the payment of real property taxes for real estate located within an area declared by the Council to be an Economic Revitalization Area and to also abate the payment of personal property taxes within an Economic Revitalization Area (as defined in the Act); and

WHEREAS, pursuant to the Act, the Council may find that a particular area within the jurisdiction of the City is an Economic Revitalization Area and may by adoption of a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and

WHEREAS, the Council desires to declare an area located in Lebanon, Indiana, more particularly described in Exhibit A (the "Area") attached hereto and made a part hereof which Area is also shown on the map attached hereto as Exhibit B and made a part hereof as an Economic Revitalization Area in which property owners and lessees may make application to the City for abatement of real and/or personal property taxes which, if pursuant to the Act subsequently is approved by this Council pursuant to the Act, may receive real property tax abatement and/or personal property tax abatement pursuant to the applicable procedures of the Act.

NOW, THEREFORE, be it resolved and adopted by the Common Council of the City of Lebanon, Indiana as follows:

- Section 1.** The Area is located within the corporate boundaries of the City.
- Section 2.** The Area is hereby declared to be an "Economic Revitalization Area" as defined in the Act.
- Section 3.** A public hearing shall be held at the time and place of the regular meeting of the Council. The Council shall publish or cause to be published, pursuant to the Act, notice (the "Notice") of the adoption and substance of this Resolution in accordance with I.C. 5-3-1 one (1) time at least ten (10) days before the date of the public hearing on this matter (the "Public Hearing"), which Notice shall state the date and time for the Public Hearing, that the Council will hear all remonstrances and objections from interested persons at the Public Hearing, that at the conclusion of the Public Hearing the Council may take final action on the proposed designation determining whether the qualifications for an economic revitalization area have been met and confirming, modifying, or rescinding this Resolution, and that a copy of this Resolution, including

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APR 26 2018

Lisa C. Haroffolo
BOONE COUNTY ASSESSOR

the description of the Area, has been filed with and shall be available for inspection in the office of the Boone County Assessor.

Section 4. Pursuant to Section 2.5(b) of the Act, a copy of this Resolution shall be filed with the Boone County Assessor.

Section 5. Pursuant to Section 2.5(c) of the Act, the Council shall file a copy of the Notice with each taxing unit that has authority to levy property taxes in the geographic area where the Area is located. Such information shall be filed with the officers of the taxing unit who are authorized to fix budgets, tax rates, and tax levies under I.C. 6-1.1-17-5 at least ten (10) days prior to the date of the Public Hearing.

Section 6. This Resolution shall be in full force and effect immediately upon its adoption.

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ALL OF WHICH IS ADOPTED this 23 day of April, 2018 by the Lebanon Common Council of the City of Lebanon, Indiana.

Voting For

Voting Against

Abstain


Keith Campbell

Keith Campbell

Keith Campbell


John Copeland

John Copeland

John Copeland


Dan Fleming

Dan Fleming

Dan Fleming


Mike Kincaid

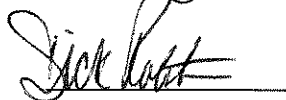
Mike Kincaid

Mike Kincaid


Corey Kutz

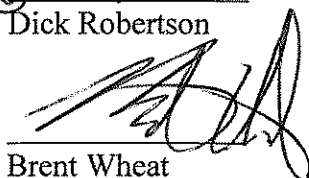
Corey Kutz

Corey Kutz


Dick Robertson

Dick Robertson

Dick Robertson


Brent Wheat


Brent Wheat

Brent Wheat

ATTEST:

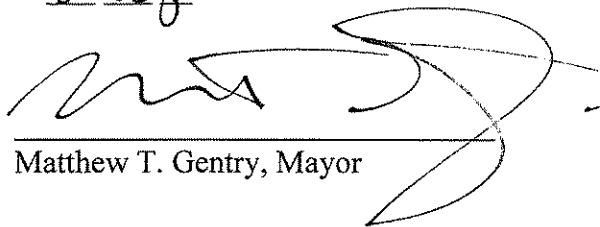

Tonya Thayer, Clerk-Treasurer

I hereby certify that Resolution 2018-14 was delivered to the Mayor of Lebanon on the 23 day of April, 2018, at 7:48 p.m.



Tonya Thayer, Clerk-Treasurer

I hereby APPROVE RESOLUTION 2018-14 this 23 day of April, 2018, at 8:06 p.m.



Matthew T. Gentry, Mayor

I hereby VETO RESOLUTION 2018-14 this _____ day of _____, 2018, at _____:_____ m.

Matthew T. Gentry, Mayor

ATTEST:



Tonya Thayer, Clerk-Treasurer

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

EXHIBIT A

Legal Description of Area

A PART OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 1 WEST, BOONE COUNTY, INDIANA, BEING A PART OF THE LAND SHOWN ON THE SURVEYS BY WOOLPERT CONSULTANTS RECORDED DECEMBER 5, 1995 IN SURVEY BOOK 2, PAGE 9 AS INSTRUMENT NUMBER 95-10958 AND SURVEY BOOK 2, PAGES 14-15 AS INSTRUMENT NUMBER 95-10962 IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, SAID CORNER BEING NORTH 89 DEGREES 24 MINUTES 21 SECONDS EAST 2,744.39 FEET FROM THE IRON PIN WITH CAP FOUND AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION AND SOUTH 01 DEGREE 13 MINUTES 55 SECONDS EAST 2,649.14 FEET FROM THE IRON PIN WITH ANDERSON & ASSOCIATES' CAP FOUND AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 01 DEGREE 13 MINUTES 55 SECONDS WEST 994.61 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT BEING THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED TO INDIANA GAS COMPANY, INC. RECORDED IN DEED RECORD 204, PAGE 633, IN SAID RECORDER'S OFFICE; THENCE NORTH 01 DEGREE 13 MINUTES 55 SECONDS WEST 0.23 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEED TO THE CITY OF LEBANON FOR ENTERPRISE BOULEVARD RECORDED AS INSTRUMENT NUMBER 98-11981 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 41 MINUTES 54 SECONDS WEST 194.19 FEET ALONG THE NORTH LINE OF SAID CITY OF LEBANON LAND TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN THE DEED TO THE CITY OF LEBANON RECORDED AS INSTRUMENT NUMBER 2000-9949; THENCE NORTH 70 DEGREES 47 MINUTES 51 SECONDS WEST 287.41 FEET ALONG THE NORTHEAST LINE OF SAID CITY OF LEBANON LAND TO THE EAST RIGHT-OF-WAY LINE OF CONRAIL RAILROAD; THENCE NORTH 00 DEGREES 07 MINUTES 34 SECONDS EAST 456.16 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN THE DEEDS TO DONALD L. KENYON AND OTHERS FIRST RECORDED IN DEED RECORD 230, PAGE 266 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 08 MINUTES 54 SECONDS EAST 1,674.00 FEET ALONG THE SOUTH LINE OF SAID KENYON LAND TO THE SOUTHEAST CORNER OF SAID KENYON LAND, SAID CORNER BEING ON THE CENTER LINE OF STATE ROAD 39 AS ESTABLISHED ON THE PLANS FOR THE IMPROVEMENTS OF SAID ROAD UNDER INDIANA DEPARTMENT OF TRANSPORTATION PROJECT 404 SECTION C; THENCE SOUTH 36 DEGREES 08 MINUTES 36 SECONDS WEST 696.47 FEET ALONG SAID CENTER LINE TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN THE DEED TO THE CITY OF LEBANON RECORDED AS 98-

782 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 06 MINUTES 50 SECONDS WEST 798.53 FEET ALONG THE NORTH LINE OF SAID CITY OF LEBANON LAND TO THE POINT OF BEGINNING AND CONTAINING 18.446 ACRES, MORE OR LESS. THE BEARINGS IN THIS DESCRIPTION ARE BASED UPON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1, HAVING A BEARING OF SOUTH 01 DEGREE 13 MINUTES 55 SECONDS EAST.

EXHIBIT B

Area is generally located at the NW corner of SR 39 and S. Enterprise Blvd

