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MAY 15 2018

RESOLUTION 2018-17

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

John C. Garofalo
TOWN CLERK

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a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and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

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.

[Remainder of this page intentionally left blank.]

ALL OF WHICH IS ADOPTED this 14 day of May, 2018 by the Lebanon
Common Council of the City of Lebanon, Indiana.

Voting For

Voting Against

Abstain

Keith Campbell
Keith Campbell

Keith Campbell

Keith Campbell

ABSENT
John Copeland

John Copeland

John Copeland

ABSENT
Dan Fleming

Dan Fleming

Dan Fleming

Mike Kincaid
Mike Kincaid

Mike Kincaid

Mike Kincaid

Corey Kutz
Corey Kutz

Corey Kutz

Corey Kutz

Dick Robertson
Dick Robertson

Dick Robertson

Dick Robertson

ABSENT
Brent Wheat

Brent Wheat

Brent Wheat

ATTEST:

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby certify that Resolution 2018-17 was delivered to the Mayor of Lebanon on the 14 day of May, 2018, at 8:00 p.m.

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE RESOLUTION 2018-17 this 14 day of May, 2018, at 8:10 p.m.

Matthew T. Gentry
Matthew T. Gentry, Mayor

I hereby VETO RESOLUTION 2018-17 this ___ day of _____, 2018, at ___:___ m.

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer
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 WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 1 WEST, CENTER TOWNSHIP, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE NORTH 00°02'53" WEST, ALONG THE SECTION LINE AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 200 WEST, A DISTANCE OF 1080.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°02'53" WEST, ALONG THE SECTION LINE AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 200 WEST, A DISTANCE OF 573.00 FEET; THENCE SOUTH 89°41'16" EAST, A DISTANCE OF 394.69 FEET; THENCE NORTH 00°18'54" WEST, A DISTANCE OF 259.44 FEET; THENCE NORTH 34°47'12" WEST, A DISTANCE OF 72.71 FEET; THENCE NORTH 00°48'58" WEST, A DISTANCE OF 392.99 FEET; THENCE SOUTH 89°56'10" EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 661.25 FEET; THENCE SOUTH 00°08'47" WEST, ALONG THAT PART OF THE WEST DESCRIBED LINE OF THE AG-CHEM PROPERTY AS RECORDED IN DEED RECORD 248, PAGES 990-991 AND ALONG THAT PART OF THE NELSON PROPERTY AS RECORDED IN DEED RECORD 202, PAGES 766-767, FOR A DISTANCE OF 1287.72 FEET; THENCE NORTH 89°40'31" WEST, ALONG THE NORTH DESCRIBED LINE OF THE NEWMAN PROPERTY AS RECORDED IN DEED RECORD 203, PAGE 31, A DISTANCE OF 1003.67 FEET TO THE POINT OF BEGINNING, CONTAINING 23.6816 ACRES.

EXHIBIT B

Area is generally located south of SR 32, between N 200 W and N Enterprise Blvd

