

**RESOLUTION 2018-20**

**A RESOLUTION OF THE COMMON COUNCIL OF THE  
CITY OF LEBANON, INDIANA, CONFIRMING RESOLUTION 2018-17 AND  
DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC  
REVITALIZATION AREA HAVE BEEN MET**

**WHEREAS**, pursuant to Indiana Code 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a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and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 adopted its Resolution 2018-17 (the “Declaratory Resolution”) on May 14, 2018 pursuant to the Act declaring the area whose boundaries are located within the corporate boundaries of the City comprising 23+/- acres more particularly described in Exhibit A (the “Area”) attached hereto and made a part hereof which 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 making application to the City pursuant to the Act subsequently 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; and

**WHEREAS**, the Council has caused to be published a notice (the “Notice”) pursuant to the Act and Indiana Code 5-3-1 of the adoption and substances of the Declaratory Resolution, including notice that the Council would hold a public hearing (the “Public Hearing”) in accordance with the Act which Notice was published as least ten (10) days prior to the date of the Public Hearing; and

**WHEREAS**, the Council in accordance with Section 2 of the Act has caused to be filed a copy of the Notice and the Declaratory Resolution with the Boone County Assessor and the officers of each taxing unit which is authorized to fix budgets, tax rates, and tax levies under Indiana Code 6-1.1-17-5 in the Area at least ten (10) days prior to the date of the Public Hearing; and

**WHEREAS**, at the Public Hearing held on the date hereof, the Council received, heard and considered any remonstrances and objections from interested persons and heard evidence concerning the qualifications of the Area as an Economic Revitalization Area; and

**WHEREAS**, after considering the evidence, this Council desires to take final action determining whether the qualifications for an economic revitalization area have been met and further, to take final action confirming the Declaratory Resolution.

**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 undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property or is an area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to decline in employment and tax revenues.
- Section 3.** Resolution 2018-17 adopted by the Council on May 14, 2018 is hereby confirmed and approved.
- Section 4.** 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 29 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

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

Dick Robertson  
Dick Robertson

Dick Robertson

Dick Robertson

Brent Wheat  
Brent Wheat

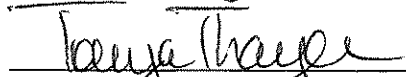
Brent Wheat

Brent Wheat

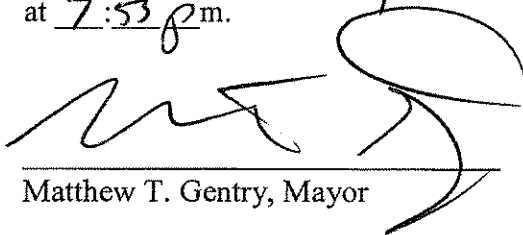
ATTEST:

Tonya Thayer  
Tonya Thayer, Clerk-Treasurer

I hereby certify that Resolution 2018-20 was delivered to the Mayor of Lebanon on the 29 day of May, 2018, at 7:51 pm.

  
\_\_\_\_\_  
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE RESOLUTION 2018-20 this 29 day of May, 2018, at 7:53 pm.

  
\_\_\_\_\_  
Matthew T. Gentry, Mayor

I hereby VETO RESOLUTION 2018-20 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 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  $00^{\circ}02'53''$  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  $00^{\circ}02'53''$  WEST, ALONG THE SECTION LINE AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 200 WEST, A DISTANCE OF 573.00 FEET; THENCE SOUTH  $89^{\circ}41'16''$  EAST, A DISTANCE OF 394.69 FEET; THENCE NORTH  $00^{\circ}18'54''$  WEST, A DISTANCE OF 259.44 FEET; THENCE NORTH  $34^{\circ}47'12''$  WEST, A DISTANCE OF 72.71 FEET; THENCE NORTH  $00^{\circ}48'58''$  WEST, A DISTANCE OF 392.99 FEET; THENCE SOUTH  $89^{\circ}56'10''$  EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 661.25 FEET; THENCE SOUTH  $00^{\circ}08'47''$  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  $89^{\circ}40'31''$  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

