

**RESOLUTION 2018-43**

**COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA**

**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a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and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 on November 13, 2018 at 7:15 p.m. (local time) at the City of Lebanon Municipal Building, 401 South Meridian Street, Lebanon, Indiana 46052. 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 29 day of OCTOBER, 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

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Dan Fleming

\_\_\_\_\_  
Dan Fleming

ABSENT  
Mike Kincaid

\_\_\_\_\_  
Mike Kincaid

\_\_\_\_\_  
Mike Kincaid

Morris Jones  
Morris Jones

\_\_\_\_\_  
Morris Jones

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Morris Jones

ABSENT  
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 2018-43 was delivered to the Mayor of Lebanon on the 29 day of October, 2018, at 6:15p m.

Tonya Thayer  
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE RESOLUTION 2018-43 this 29 day of October, 2018, at 6:25p m.

[Signature]  
Matthew T. Gentry, Mayor

I hereby VETO RESOLUTION 2018-43 this \_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_:\_\_\_ m.

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

ATTEST:

Tonya Thayer  
Tonya Thayer, Clerk-Treasurer

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

## EXHIBIT A

### **Legal Description of Area**

Part of the Southwest Quarter of the Southeast Quarter of Section 1, Township 18 North, Range 1 West of the Second Principal Meridian, Center Township of Boone County, Indiana being more particularly described as follows:

Commencing at the Southwest Corner of said Southwest Quarter of the Southeast Quarter of Section 1; thence North 01 degrees 13 minutes 55 seconds West along the west line of said quarter-quarter section a distance of 994.61 feet; thence North 89 degrees 06 minutes 51 seconds East a distance of 575.48 feet to the POINT OF BEGINNING, thence North 00 degrees 53 minutes 10 seconds West a distance of 270.00 feet; thence North 89 degrees 06 minutes 50 seconds East a distance of 426.72 feet to the centerline of State Road 39; thence South 36 degrees 08 minutes 36 seconds West along said centerline a distance of 338.21 feet; thence South 89 degrees 06 minutes 50 seconds West a distance of 223.05 feet to the point of beginning, containing 2.014 acres of land, more or less.

**EXHIBIT B**

