

ORDINANCE NO. 2019-04

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 April 15, 2019 and forwarded Docket 19-9 to the Council with a favorable recommendation (8-0) to assign the Single-Family Residential (SF) zoning classification for the Annexation Area; and,

WHEREAS, the Council has conducted a public hearing on May 13, 2019, 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 2019-05); 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 on the north side of 300 N approximately 1000 feet east of State Road 39 and adjacent to the existing corporate limits along the southern boundary 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 (SF) zoning classification.

Section 5. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, upon the passage of the applicable thirty (30) day waiting period, and no earlier than January 1, 2020, 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 28 day of May, 2019.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell
Keith Campbell

Keith Campbell

Keith Campbell

ABSENT
John Copeland

John Copeland

John Copeland

D Fleming
Dan Fleming

Dan Fleming

Dan Fleming

Morris Jones
Morris Jones

Morris Jones

Morris Jones

Mike Kincaid
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 2019-04 was delivered to the Mayor of Lebanon on the 28 day of May, 2019, at 8:05p.m.

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2019-04 this 28 day of May, 2019

Matthew T. Gentry
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2019-04 this ___ day of _____, 2019

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

EXHIBIT A

Parcel I

A part of the East Half of the Southeast Quarter of Section 13, Township 19 North, Range 1 West, Center Township, Boone County, Indiana, being more particularly described as follows:

Commencing at a Railroad Rail found marking the Southeast corner of the Southeast Quarter of said Section 13; thence North 89 degrees 49 minutes 07 seconds West 187.29 feet along the South line of the Southeast Quarter of said Section 13 to the Southwest corner of the Richardson Minor Residential Plat recorded in Plat Book 24, Page 54 and re-recorded in Plat Book 24, Page 82, both recorded in the Office of the Recorder of Boone County, Indiana, thence North 00 degrees 12 minutes 03 seconds West 510.00 feet along the West line of said Richardson Minor Residential Plat to the Point of Beginning of this description; thence North 89 degrees 49 minutes 06 seconds West 539.82 feet; thence South 00 degrees 07 minutes 12 seconds East 200.00 feet parallel with and 612.00 feet East of the West line of the Southeast Quarter of said Section 13 to the Northeast described corner of the Skelton Parcel recorded in Instrument Number 200900004386, said Recorder's Office; thence North 89 degrees 49 minutes 07 seconds West 612.00 feet along the North described line of said Skelton Parcel, the North described line of the McCurdy Parcel recorded in Instrument Number 9801337, said Recorder's Office and the North described line of the Heck Parcel recorded in Deed Record 246, Page 764, said Recorder's Office to the Northwest described corner thereof and the West line of the East Half of the Southeast Quarter of said Section 13; thence North 00 degrees 07 minutes 12 seconds West 1800.00 feet along the West line of the East Half of the Southeast Quarter of said Section 13; thence South 89 degrees 49 minutes 07 seconds East 1149.57 feet to the West line of said Richardson Minor Residential Plat; thence South 00 degrees 12 minutes 03 seconds East 1600.02 feet along the West line of said Richardson Minor Residential Plat to the Point of Beginning.

Containing 45.08 acres (1,963,485.07 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of record.



- ParcelsFromCounty
- Lebanon City Li
- Roads
- Highways

THINK



EXHIBIT B

