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10/12/21  
CC

Butler Ross

**ORDINANCE NO. 2021-19**

**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 September 20, 2021 and forwarded Docket 21-44 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 September 27, 2021, 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 2021-17); 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 at the northwest corner of State Road 39 and 300 N 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, 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 12 day of October, 2021.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell  
Keith Campbell

\_\_\_\_\_  
Keith Campbell

\_\_\_\_\_  
Keith Campbell

ABSENT  
John Copeland

\_\_\_\_\_  
John Copeland

\_\_\_\_\_  
John Copeland

Morris Jones  
Morris Jones

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Morris Jones

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

Mike Kincaid  
Mike Kincaid

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Mike Kincaid

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Mike Kincaid

Sierra Messenger  
Sierra Messenger

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Sierra Messenger

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Sierra Messenger

Dick Robertson  
Dick Robertson

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Dick Robertson

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Dick Robertson

Brent Wheat  
Brent Wheat

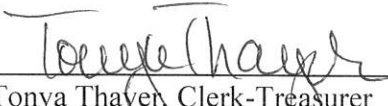
\_\_\_\_\_  
Brent Wheat

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Brent Wheat

ATTEST:

Tonya Thayer  
Tonya Thayer, Clerk-Treasurer

I hereby certify that ORDINANCE 2021-19 was delivered to the Mayor of Lebanon on the 12 day of October, 2021, at 7:51 p.m.

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


I hereby APPROVE ORDINANCE 2021-19  
this 12<sup>th</sup> day of October, 2021

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

I hereby VETO ORDINANCE 2021-19  
this \_\_\_ day of \_\_\_\_\_, 2021

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

ATTEST:

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

**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PART OF THE CENTER PART OF THE SOUTH HALF OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 1 WEST, BOONE COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE EAST LINE OF THE INDIANAPOLIS & FRANKFORT RAILROAD COMPANY GROUND AT IT POINT 1060.6 FEET OF THE SOUTHWEST CORNER OF THE ABOVE SECTION; THENCE ALONG THE EAST LINE OF SAID RAILROAD COMPANY'S GROUND NORTH 10 DEGREES 50 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 766.26 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 1950.64 FEET TO THE CENTER OF STATE ROAD NO. 39; THENCE SOUTH 11 DEGREES 07 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 767.00 FEET TO THE SOUTH LINE OF THE ABOVE SECTION; THENCE ALONG THE SOUTH LINE OF SAID SECTION NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 1954.50 FEET TO THE POINT OF BEGINNING. CONTAINING 33.74 ACRES OF LAND, MORE OR LESS.

**EXHIBIT B**





- ParcelsFromCounty
- Lebanon City Lim
- Highways

