

ORDINANCE 1971 - 19-71

BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana, that the real estate as hereafter described, towit:

A part of the northeast quarter of Section 25, Township 19 North, Range 1 West, situated in Center Township, Boone County, Indiana; and being more particularly described as follows, towit:

From a stone at the northwest corner of the aforesaid tract, proceed thence South 89°21'53" East (the bearing computed from solar observation) along the section line for a distance of 290.51 feet to the point of beginning. From said point of beginning, continue thence South 89°21'53" East, with the section line, for a distance of 1036.42 feet to a point in the right-of-way of State Highway #39, thence South 09°54'01" East, with the centerline of the old gravel road, not the present road, for a distance of 370.68 feet; thence South 80°03'07" West for a distance of 452.58 feet; thence South 09°56'53" East for a distance of 238.96 feet; thence South 80°03'07" West for a distance of 565.89 feet; thence North 09°56'53" West for a distance of 800.00 feet to the point of beginning, containing 13.9987 Acres, more or less, and being subject to an easement for a State Highway, described as follows:

From the northwest corner of the northeast quarter of Section 25, proceed thence South 89°21'53" East for a distance of 1290.50 feet; thence South 89°21'53" East for a distance of 36.43 feet; thence South 09°54'01" East for a distance of 370.68 feet; thence South 80°03'07" West for a distance of 42.61 feet; thence curve right, with a 49867.42 foot radius curve for a distance of 222.30 feet (the chord of which bears North 08°52'40" West for a distance of 222.30 feet); thence curve left, with a 42,396.32 foot radius curve for a distance of 155.14 feet (the chord of which bears North 08°51'17" West for a distance of 155.14 feet) to the point of beginning, containing in said right-of-way, 0.3369 Acres, more or less.

which real estate is owned by Methodist Hospital of Indiana, Inc. which fee simple owner has executed an option to sell the real estate to Plaza 36, Inc., an Indiana Corporation, and has also executed a consent to zone and annex, which consent to zone and annex is attached hereto and made a part of said ordinance, and which real estate is described in the petition of Plaza 36, Inc., for annexation, and which Petition for annexation has been dedicated and acknowledged by Plaza 36, Inc. for the use of building a department store and other general business use pursuant to Chart 7 of the Zoning Ordinance of the City of Lebanon, Boone County, Indiana, and further providing that the petitioner will install its own water and sewage system in accordance with the existing State Board of Health Code.

That said survey is that as described in a survey made by Anderson & Associates, Consulting Engineers, prepared by Carl M. Anderson, Land Survey Registration No. 9801, said real estate being adjoining and contiguous with the present boundary lines of the City of Lebanon, Indiana.

That said real estate as described aforesaid, is hereby declared by action of the Common Council of the City of Lebanon, Indiana, to be annexed to and declared to be a part of said City of Lebanon, Indiana.

Be it further declared by action of the Common Council of the City of Lebanon, Indiana, that the annexation, dedication and acknowledgment of said real estate with the uses and purposes pertaining thereto as tendered by Plaza 36, Inc., be declared as accepted, and now said real estate and the dedication thereof for the use and purposes set forth in the petition for annexation and dedication is hereby accepted, and the same is hereby declared a part of the incorporated City of Lebanon, Boone County, Indiana, but subject to the following conditions:

(a) That Petitioner, Plaza 36, Inc., will install its own water and sewage system in accordance with existing Indiana State Board of Health Codes from the point where said water and sewage systems presently are located in the City of Lebanon, Indiana, and extend the water and sewage systems to the northern boundary line of said real estate.

(b) That the Petitioner will grant whomsoever necessary utility easements for the installation and maintenance of all utilities on said real estate.

(c) That the real estate herein described is hereby declared annexed for the purpose of building a department store and other general business use pursuant to Chart 7 of the Zoning Ordinance of the City of Lebanon, Boone County, Indiana, and which shall be a covenant running with the land which is being annexed herein.

Robert M. Campbell (signed)
Mayor

Approved by me this 14th day of June, 1971.

Robert M. Campbell (signed)
Mayor

Attest: Laura E. Hughes