

easement for a pipeline on and along the westernmost boundary, which is the real estate owned in fee simple by Cleo Smith, Robert K. Yeager and Ralph E. Zinn, and which real estate is described in the petition of said parties for annexation, and which petition for annexation has been dedicated and acknowledged by the fee simple owners for general business use pursuant to Chart 7 of the Zoning Ordinance of the City of Lebanon, Boone County, Indiana, as to the above described real estate, and said fee simple owners have further dedicated and acknowledged for apartment house and single family use the following described real estate, to wit:

TRACT II:

A part of the Southeast Quarter of Section 24, Township 19 North, Range 1 West, and a part of the Southwest Quarter of Section 19, Township 19 North, Range 1 East; situated in Center Township, Boone County, Indiana; and being more particularly described as follows, to wit:

From a railroad rail at the northeast corner of the Southwest Quarter of the aforesaid Section 19, proceed thence South 89 degrees, 41 minutes, 19 seconds East (the bearing computed from solar observation) along the quarter section line for a distance of 331.98 feet; thence South 0 degrees 18 minutes, 06 seconds West for a distance of 1000.00 feet to a point of beginning; thence South 0 degrees, 18 minutes, 06 seconds West for a distance of 1654.52 feet to the section line; thence North 89 degrees, 44 minutes, 55 seconds West, with said section corner; thence South 0 degrees, 06 minutes, 08 seconds West, with a section line, for a distance of 44.08 feet to the southeast corner of Section 24; thence North 89 degrees, -3 minutes, 48 seconds West, with a section line, for a distance of 828.94 feet; thence North 10 degrees, 04 minutes, 09 seconds West for a distance of 310.94 feet; thence North 10 degrees, 14 minutes, 39 seconds West for a distance of 1050.17 feet; thence North 89 degrees, 38 minutes, 29 seconds West for a distance of 45.42 feet; thence North 0 degrees, 07 minutes, 34 seconds East for a distance of 226.30 feet; thence South 89 degrees, 39 minutes, 34 seconds East for a distance of 1470.92 feet to the point of beginning, containing 50.83 acres, more or less. Subject, however, to all public highways, legal rights-of-way and easements of record,

and further providing that petitioners will construct said single and apartment houses and shopping center in conformance with Charts 4 and 7 of the Zoning Ordinance of Lebanon, Boone County, Indiana, as regards set backs, height, lot size and other requirements; that petitioners will install sewage and electrical systems in accordance with the existing State Board of Health Code and the requirements of the Lebanon Utilities, and with all streets to be constructed pursuant to regulations of the City of Lebanon and the City of Lebanon Street Department.

That a survey of the two tracts to be annexed, containing 67.71 acres, more or less, has been made by William K. Elsey, Inc. March 28th, 1972, which survey shows said real estate to adjoin and being contiguous with the present boundary lines to the City of Lebanon, Boone County, 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, Boone County, 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, purposes, et cetera, pertaining to each tract thereto as the same is heretofore described, as tendered by Cleo Smith, Robert K. Yeager and Ralph E. Zinn, be declared as accepted; and now said real estate and dedication thereof for the uses and purposes set forth in the petition for annexation and dedication is hereby accepted and the same is hereby declared to be a part of the incorporated City of Lebanon, Boone County, Indiana, but subject to the following conditions:

1. The petitioners will install their own sewage and electrical systems in accordance with existing Indiana State Board of Health Code and any requirement of the Lebanon Utilities.

2. That the real estate herein annexed is hereby declared annexed for the specific use of a general business use pursuant to Chart 7 of the Zoning Ordinance of the City of Lebanon, Indiana, as to Tract I, that said real estate as to Tract II is hereby declared annexed for the specific use of apartment houses pursuant to Chart 4 of the Zoning Ordinance of the City of Lebanon.

3. That all plans for the construction of any buildings shall be approved by the City Plan Commission of Lebanon, Indiana, before any construction