

ORDINANCE 72-13

See Minutes
BOOK Pg. 347

Entitled: An Ordinance annexing certain contiguous territory into the City of Lebanon, Indiana, and acknowledgement of the use thereof.

BE IT ORDAINED by the Mayor and Councilmen of the City of Lebanon, Indiana:

SECTION 1. The territory described in this section is hereby annexed into the City of Lebanon, Indiana, upon the terms and conditions contained herein and designated as "B" residential use, said property being located in Center Township, Boone County, Indiana, and described as follows:

(See Exhibits A, B, C, and D attached hereto)

SECTION 2. Stanley Herman Homes, Inc., its successors or assigns, intends to develop that portion of the real estate described in Exhibit A for residential occupation and in connection with said development agrees to extend the sanitary sewers and municipal water service from the present termination point to said real estate, after which the same shall be dedicated to the City of Lebanon.

It is agreed that the extension of the water mains and the cost thereof shall be made pursuant to Rule 24 of the Public Service Commission of Indiana.

It is agreed that upon request of owners through whose property the above mentioned services are extended said owners shall have the right to connect to said services; provided, however, the City agrees to prohibit other connections to said sewer if such connections would restrict or impair the development of the above described real estate by reason of insufficient sewage capacity. It is further agreed that all construction shall conform to the "Ten State Code" and the City of Lebanon reserves the right to inspect and approve all construction.

The terms and conditions hereinabove set forth shall be binding upon the heirs, assigns or successors in interest of all parties hereto and all parties effected by this Ordinance.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are hereby amended accordingly.

SECTION 4. The provisions of this Ordinance are hereby declared severable. If any of the sections, provisions or phrases be held unconstitutional, the remainder of said Ordinances shall remain in full force and effect.

SECTION 5. This Ordinance shall become effective October 23, 1972.

Passed by the Common Council and approved by me this 23rd day of October, 1972.

Robert M. Campbell (signed)
Robert M. Campbell, Mayor
of the City of Lebanon

Attest:

Ann Garoffolo (signed)
Ann Garoffolo, Clerk-Treasurer

This is to certify that the foregoing is a true copy of Ordinance No. 72-13 passed by the Common Council and approved the 23rd day of October, 1972.

Ann Garoffolo (signed)
Ann Garoffolo, Clerk-Treasurer

EXHIBIT A

A part of the Southwest Quarter of the Northeast Quarter and a part of the West half of the Southeast Quarter and a part of the Northeast Quarter of the Southwest Quarter of Section 23, Township 19 North, Range 1 West of the Second Principal Meridian, Located in Center Township, Boone County, Indiana, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of the Southeast Quarter of Section 23, Township and Range aforesaid, proceed North 0 Degrees 09 minutes 16 seconds East with the quarter section line for a distance of 188.25 feet to the center line of Prairie Creek Court Drain; thence following the center line Easterly by the following courses and distances, North 63 Degrees 30 Minutes 38 Seconds East for a distance of 174.18 feet; thence North 72 Degrees 05 Minutes 53 Seconds East for a distance of 512.06 feet; thence South 79 Degrees 09 Minutes 19 Seconds East for a distance of 407.18 feet; thence South 84 Degrees 08 Minutes 59 Seconds East for a distance of 276.93 feet to the Quarter-Quarter line; thence South 0 Degrees 04 Minutes 09