

ORDINANCE 90-11
ORDINANCE FOR ALLEY VACATION

IN RE: THE VACATION OF ALLEY BETWEEN LOTS 58 & 59
IN JAMES EVANS ADDITION

WHEREAS, a Petition for Vacation of Alley has been filed by the Petitioners, Gary and Gladys Hale, with the Common Council of the City of Lebanon, Boone County, Indiana; and

WHEREAS, it appearing to the satisfaction of the Common Council of the City of Lebanon, the Legislative body thereof, that proof of notice was given pursuant to statute, to-wit; that notice was published ten (10) days before the hearing, to-wit: on June 23, 1990, in the Lebanon Reporter, a daily newspaper of general circulation, printed and published in the City of Lebanon, Boone County, Indiana; and

WHEREAS, abutting and adjoining landowners have been given notice by certified mail; and

WHEREAS, evidence having been heard, the Common Council of the City of Lebanon, Boone County, Indiana, finds that the alley hereinafter described should be vacated and become part and parcel of the adjoining property and such vacation would be in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Lebanon, County of Boone, State of Indiana, as follows:

That the following described alley is hereby vacated as a public way:

Commencing on the south west corner of Lot no. 59 in the James Evans Addition to the town of Lebanon, Indiana, thence running east along the south line of said lot 120 feet to Oak Street, thence running south 16.5 feet, thence west 120 feet along the north line of Lot No. 58 to the alley, thence north 16.5 feet to the place of beginning

That further, the vacated alley shall become part and parcel of the real estate owned by Gary and Gladys Hale.

That further, a copy of this vacation ordinance shall be furnished to the Boone County Recorder for recording and to the Boone County Auditor.

That further, easements for utilities, if any, running to the City of Lebanon, Boone County, Indiana, across, over, under or through the vacated alley shall remain in force in favor of the City of Lebanon, Indiana

ALL OF WHICH IS CONSIDERED AND PASSED BY the Common Council of the City of Lebanon, Indiana, this 23d day of August, 1990.

Presiding Officer:

s/ Ann Garoffolo, Mayor

ATTEST: s/ Helen M. Harman, Clerk-Treasurer

ORDINANCE NO. 90-12
AN ORDINANCE TO ESTABLISH A MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE CITY OF LEBANON, INDIANA

WHEREAS, I.C. 36-9-15.5, et seq., provides that municipalities may establish a Municipal Cumulative Capital Development Fund; and

WHEREAS, municipalities are empowered by law to levy an additional tax on taxable real and personal property within the City of Lebanon by virtue of said legislation and at the maximum rates prescribed therein; and

WHEREAS, the City of Lebanon has previously adopted an ordinance establishing the Municipal Cumulative Capital Development Fund which they found to be necessary and prudent having adopted the same on June 25, 1984, and re-adopting the same pursuant to Ordinance No. 86-16, on August 25, 1986. Due to a lapse in the adoption procedures, Ordinance No. 89-10, previously adopted by the Common Council on August 14, 1989, was unable to be implemented by the authority of the State Board of Tax Commissioners. As a result, the City of Lebanon now wishes to re-establish a Municipal Cumulative Capital Development Fund following the procedures set forth by Indiana law in order to continue the usage of said Municipal Cumulative Capital Development Fund for the financial well-being and preservation of the municipality; and

WHEREAS, the City having given notice to the public of a hearing on said proposed establishment of the Cumulative Capital Development Fund via notice in the Lebanon Reporter newspaper on or about 7/10, 1990 and 7/20, 1990, and having received a publisher's affidavit to the publication of the same, and having conducted said public hearing on the adoption of said funds:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, the governing body of said municipality as follows:

Section 1: The City Council as the legislative body of the City of Lebanon establishes a Municipal Cumulative Capital Development Fund.

Section 2: That an ad valorem property tax levy will be imposed and the revenues from the levy will be retained in the City of Lebanon Cumulative Capital Development Fund.

Section 3. Rate of tax. The City of Lebanon Municipal Cumulative Capital Development Fund shall be established for a period of three (3) years and will be funded with the levying of an additional tax on each One Hundred Dollars (\$100.00) of taxable real and personal property within the City of Lebanon pursuant to the following maximum rates of levy for each designated year set forth hereinbelow pursuant to Indiana Code, I.C. 36-9-15.5-6(b):

| Year | Tax Rate Per \$100.00 of Assessed Valuation | For the Year |
|------|--|--------------|
| 1 | \$0.15 | 1991 |