

ORDINANCE NO. 94-8

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE
INTO THE CITY OF LEBANON, INDIANA AND
ASSIGNMENT OF ZONING CLASSIFICATION

WHEREAS, the Lebanon Plan commission and the Lebanon City Council have been approached by Dennis S. Finch and Fern R. Finch, who have petitioned for annexation of certain lands contiguous to the City of Lebanon; and,

WHEREAS, the Lebanon Plan Commission has conducted a public hearing on the proposed annexation and has recommended approval to the legislative body; and

WHEREAS, the Lebanon City Council has deemed it appropriate that this annexation be conducted pursuant to the Lebanon Zoning Code and the Indiana statutes governing annexation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lebanon, Indiana, as follows:

Section 1. That the real estate as is hereinafter described, to-wit:

TRACT I

A part of the northeast quarter of Section 24, Township 19 North, Range 1 West, Center Township, Boone County, Indiana, more fully described by:

Commencing at the southeast corner of the northeast quarter of said Section 24, thence north 89 degrees 19 minutes 50 seconds west, along the quarter section line and the approximate centerline of County Road 250N, a distance of 837.76 feet to the point of beginning; thence continue north 89 degrees 19 minutes 50 seconds west, along the quarter section line and the approximate centerline of County Road 250N, a distance of 726.40 feet; thence north 00 degrees 40 minutes 10 seconds east, along the easterly right of way line of State Road 39, as conveyed to the State of Indiana by Deed Record 239, pages 710-711, a distance of 15.00 feet; thence north 77 degrees 59 minutes 45 seconds west along said easterly right of way of State Road 39, a distance of 165.51 feet; thence north 28 degrees 32 minutes 06 seconds west, along said easterly right of way of State Road 39, a distance of 63.25 feet; thence north 10 degrees 06 minutes 00 seconds west, along said easterly right of way of State Road 39, a distance of 1144.24 feet; thence north 82 degrees 48 minutes 04 seconds east, along that part of the south described line of the Kernodle Property, as recorded in Deed Record 236, page 269 and said line extended, a distance of 885.28 feet; thence south 10 degrees 06 minutes 00 seconds east, parallel to the west described line of said State of Indiana Property, a distance of 1372.19 feet to the point of beginning, containing 26.4530 acres, being subject to the right of way of County Road 250N, on and along the entire south boundary, also subject to a Maintenance Easement for the Burns Legal Tile Drain measured 75 feet each side of the centerline of the tile, as located in the northwest portion thereof.

DULY ENTERED FOR TAXATION
Sept. 30, 1994
Cheri Leman
AUDITOR BOONE COUNTY

10:38
SEP 30 10 18 AM '94

MARY ALICE BALDWIN
RECORDER OF BOONE COUNTY
LEBANON, INDIANA, 46052
Misc. BK 148 PG 564

TRACT II:

A part of the northeast quarter of Section 24, Township 19 North, Range 1 West and that part of the southwest quarter of the northwest quarter of Section 19, Township 19 North, Range 1 East, all of which is situated in Center Township, Boone County, Indiana, more fully described by:

Beginning at the northeast corner of the northeast quarter of said Section 24; thence south 00 degrees 25 minutes 54 seconds west, along the section line, the range line common to Range 1 East and Range 1 West and the Second Principal Meridian Line, for a distance of 1356.87 feet; thence south 89 degrees 18 minutes 30 seconds east, along the south described line of the Lenox Property, as recorded in Deed Record 245, page 822 and being the same line as recorded in Deed Record 240, page 754, a distance of 348.87 feet; thence south 00 degrees 25 minutes 00 seconds west, along the west described line of Ulen Countryside Estates, Section One, as recorded in Plat Book 7, pages 70 and 71, a distance of 931.97 feet; thence north 89 degrees 22 minutes 40 seconds west, along the north described line of the Quick Property, as recorded in Deed Record 223, page 733, the north described line of the Shepherd Property, as recorded in Deed Record 237, page 812 and that part of the north described line of the Shepherd Property, as recorded in Deed Record 202, Page 493, for a distance of 349.11 feet; thence south 00 degrees 25 minutes 54 seconds west, along said section line, a distance of 2.88 feet; thence north 89 degrees 19 minutes 50 seconds west, along that part of the north described line of the Shepherd Property, as recorded in Deed Record 202, page 493 and the north described line of the Adams Property, as recorded in Deed Record 167, page 541 and Deed Record 202, page 287, for a distance of 331.77 feet; thence south 00 degrees 09 minutes 31 seconds west along the west described line of said Adams Property, as recorded in Deed Record 202, page 287, a distance of 348.52 feet; thence north 89 degrees 19 minutes 50 seconds west, along the quarter section line and the approximate centerline of County Road 250 North, a distance of 507.65 feet; thence north 10 degrees 06 minutes 00 seconds west, a distance of 1372.19 feet; thence south 82 degrees 48 minutes 04 seconds west, a distance of 732.13 feet to an existing steel post; thence north 10 degrees 05 minutes 27 seconds west, along the easterly described lines of the following deed holders:

- 1.) Kernodle Property - Deed Record 236, page 269;
- 2.) Dafoe Property - Deed Record 211, page 55;
- 3.) Johnson Property - Deed Record 248, pages 79 and 80;
- 4.) Kincaid Property - Deed Record 231, page 197;
- 5.) Hamke Property - Deed Record 224, page 147;
- 6.) Edwards Property - Deed Record 211, page 57;
- 7.) Dwyer Property - Deed Record 211, page 52;
- 8.) Harman/Wilson Property - Deed Record 211, page 54; for a total measured distance of 843.50 feet to an existing iron pipe located in an east-west fence line; thence south 89 degrees 34 minutes 48 seconds east, along that part of the south described line of the George property, as recorded in Deed Record 243, pages 981-982, the Hale Property, as recorded in Deed Record 188, page 711 and that part of the Haughton Property, as recorded in Deed Record 231, page 706 for a distance of 782.75 feet; thence north 00 degrees 27 minutes 54 seconds east, along the east described line of said Haughton Property a distance of 562.32 feet; thence south 89 degrees 15 minutes 20 seconds east, along the north line of said Section 29 and the approximate centerline of County Road 300 North, a distance of 34.02 feet; thence south 49 degrees 03 minutes 20 seconds east, along the approximate centerline of the Storms Legal Open Drain, being the southwesterly described line of the Unverzagt Property, as recorded in Deed Record 230, page 873, a distance of 588.73 feet; thence south 48 degrees 11 minutes 12 seconds east, along the approximate center line the Storms Legal Open Drain, being the southwesterly described line of the Hasty Property, as recorded in Deed Record 230, page 402, a distance of 329.54 feet; thence north 00 degrees 44 minutes 40 seconds east, along the east

described line of said Hasty Property, a distance of 596.50 feet; thence south 89 degrees 15 minutes 20 seconds east, along the north line of said Section 24 and the approximate centerline of County Road 300 North, a distance of 453.05 feet to the point of beginning, containing 77.9234 acres, of which 70.4551 acres are located in the northeast quarter of said Section 24, Township 19 North, Range 1 West and the remaining 7.4683 acres are situated in the southwest quarter of the northwest quarter of said Section 19, Township 19 North, Range 1 East, Center Township, Boone County, Indiana,

be annexed into the City of Lebanon, Indiana, pursuant to the provisions of Indiana Code Sec. 36-4-3-1, et seq. The above legal description of such real estate, as has been made and prepared by Cary B. Dodge, R.L.S. #S0288, establishes the real estate as being adjoining and contiguous to the present boundaries of the City of Lebanon. Said real estate, as described herein, is hereby declared by the action of the City Council of the City of Lebanon to be annexed to and shall become a part of the City of Lebanon, State of Indiana, and the Town's boundary ordinance shall be amended accordingly.

Section 2. Be it further declared by the action of the City Council of the City of Lebanon, Indiana, and upon recommendation of the Lebanon Plan Commission, that such real estate is hereby assigned a zoning classification of PB-2 as to Tract I and a zoning classification of "AA" Residential as to Tract II, pursuant to the provisions of Section 27-32 and 27-25 of the Basic Zoning Ordinance of the City of Lebanon.

Section 3. Tracts I and II as set forth above are hereby designated Councilmanic District 5. *prec 9*

Section 4. This Ordinance shall become effective from and after its passage and publication as required thereof by law.

ALL OF WHICH IS CONSIDERED AND PASSED BY THE CITY COUNCIL OF THE CITY OF LEBANON, INDIANA, this 11th day of July, 1994.

CITY COUNCIL OF THE CITY OF LEBANON, INDIANA

By [Signature]
[Signature]
David L. Beuch
Gene Good
Jack Bland
Eric D. Hunsgett
James K Urban
3 [Signature]

Attest:
[Signature]
Clerk-Treasurer