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AMENDED ORDINANCE NO. 95-6

MARY ALICE BALDWIN
RECORDER OF BOONE COUNTY
LEBANON, INDIANA, 46052

Misc BK 154 PG 781

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

WHEREAS, the Lebanon City Plan Commission and the Common Council of the City of Lebanon, Indiana, have been approached by Jack Lenox and Miriam Lenox, husband and wife, Ivan Riley, Trustee, and Ivan Riley and Martha Riley, husband and wife, and have petitioned for the annexation of certain real estate owned by them contiguous to the City of Lebanon, and located in and adjacent to the Lebanon Industrial Park, the legal description of which real estate is described herein; and

WHEREAS, the Lebanon City Plan Commission has conducted two (2) public hearings on the proposed annexation and has recommended approval of the amended annexation ordinance to the Common Council; and

WHEREAS, the Common Council of the City of Lebanon has deemed it appropriate that the annexation be conducted pursuant to the provisions of the Lebanon City Zoning Code and the Indiana Statutes governing such annexation; and

WHEREAS, the City of Lebanon has previously adopted a study identifying areas appropriate for annexation and an overall plan to provide for a policy to serve the areas proposed for annexation with governmental and proprietary services, and in addition the City of Lebanon and co-petitioners herein recognize that the annexed areas will be made a part of the Lebanon Industrial Park; and

WHEREAS, the co-petitioners have specifically expressed their preference that the annexed area have electrical services and other utilities provided by the City of Lebanon Municipal Utilities; and

WHEREAS, the Common Council has adopted a fiscal plan and has established a definite policy that furnishes the territory to be annexed within a period of three (3) years governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services now furnished

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August 23, 1995
C. L. ...
AUDITOR BOONE COUNTY

by the City of Lebanon to all other areas of the City which areas have the same characteristics of topography patterns of land utilization, and population density similar to the annexed area; and

WHEREAS, the annexation of the Lebanon Industrial Park is consistent with the planned growth and development of the City of Lebanon and is consistent to and a part of the overall planned growth of the City of Lebanon.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, as follows:

Section 1. That the real estate as described herein:

Lenox Property, Tract I

The east half of the northeast quarter of Section 2, Township 18 North, Range 1 West, containing 83.045 acres, more or less, located in Center Township, Boone County, Indiana.

EXCEPT: A part of the Northeast Quarter of Section 2, Township 18 North, Range 1 West of the Second Principal Meridian, located in Center Township, Boone County, Indiana, being more particularly described as follows:

Beginning at the Northeast corner of the Northeast Quarter of Section 2, Township and Range aforesaid; thence South 0 degrees 58 minutes 26 seconds West along the East line of the Northeast Quarter for a distance of 298.00 feet; thence North 89 degrees 35 minutes 14 seconds West for a distance of 65.00 feet; thence North 0 degrees 58 minutes 26 seconds East for a distance of 156.05 feet; thence North 79 degrees 12 minutes 38 seconds West for a distance of 9.44 feet; thence North 0 degrees 58 minutes 26 seconds East for a distance of 140.25 feet to the North line of the Northeast Quarter; thence South 89 degrees 35 minutes 14 seconds East along the North line for a distance of 74.30 feet to the point of beginning, containing 0.47 acres, more or less.

Lenox Property, Tract III

That part of the Southeast Quarter of Section 35, Township 19 North, Range 1 West, Center Township, Boone County, Indiana, more fully described by:

Commencing at a Railroad Rail at the Southeast Corner of the South Half of Section 35; thence North 89°46'28" West (an assumed bearing), along the Section line, a distance of 1293.69 feet to the Point of Beginning; thence continuing

North 89°46'28" West, along the Section line, a distance of 150.00 feet; thence North 00°13'32" East, a distance of 150.00 feet; thence South 89°46'28" East, a distance of 150.00 feet; thence South 00°13'32" West, a distance of 150.00 feet to the Point of Beginning.

Lenox Property, Tract IV

Beginning at the northwest corner of said tract, thence south 1965.0 feet, thence west 1320.0 feet, to the west line of said northeast quarter, thence north, along said west line, 1966.0 feet to the northwest corner of said half quarter section, thence east 1328.9 feet to the place of beginning, containing 59.75 acres, more or less.

EXCEPT: A part of the northeast quarter of Section 2, Township 18 North, Range 1 West in Center Township, Boone County, Indiana, and being more particularly described as follows, to-wit:

From a railroad rail (on end) at the northeast corner of the aforesaid northeast quarter, proceed thence north 89 degrees 46 minutes 28 seconds west, (the bearing computed from solar observation), along the section line 1323.68 feet; thence south 01 degree 05 minutes 34 seconds west along the approximate centerline of a county road 1202.43 feet to the point of beginning. From said point of beginning, continue thence south 01 degree 05 minutes 34 seconds west 100.00 feet; thence north 88 degrees 54 minutes 26 seconds west 200.00 feet; thence north 01 degree 05 minutes 34 seconds east 100.00 feet; thence south 88 degrees 54 minutes 26 seconds east 200.00 feet to the point of beginning, containing 0.4591 acres, more or less.

EXCEPT: A part of the northeast quarter of Section 2, Township 18 North, Range 1 West, situated in Center Township, Boone County, Indiana; and being more particularly described as follows, to wit:

From a railroad rail (on end) at the northeast corner of the aforesaid northeast quarter, proceed thence North 89°46'28" West (the bearing computed from solar observation), along the section line, 1,323.68 feet; thence South 1°05'34" West, along the approximate centerline of a county road, 1,052.43 feet to the point of beginning. From said point of beginning, continue thence South 01°05'34" West, 150.00 feet; thence North 88°54'26" West, 200.00 feet; thence North 01°05'34" East, 150.00 feet; thence South 88°54'26" East 200.00 feet to the point of beginning, containing 0.6887 Acres, more or less; subject to a 30 foot easement for a county highway on and along the entire easternmost boundary, and subject to a 25 foot drainage and utility easement along

the entire westernmost boundary. All dimensions computed from electronic measurements.

EXCEPT: A part of the northeast quarter of Section 2, Township 18 North, Range 1 West, situated in Center Township, Boone County, Indiana, particularly described as follows:

From a railroad rail (on end) at the northeast corner of the aforesaid northeast quarter, proceed thence north 89 degrees 46 minutes 28 seconds west (the bearing computed from solar observation), 1,323.68 feet, along the section line; thence south 01 degrees 05 minutes 34 seconds west, 876.96 feet along the approximate centerline of a county highway to the point of beginning. From said point of beginning, continue thence south 01 degrees 05 minutes 34 seconds West, 175.47 feet along the aforesaid approximate centerline; thence north 88 degrees 54 minutes 26 seconds west, 200.00 feet; thence north 01 degrees 05 minutes 34 seconds east, 175.47 feet; thence south 88 degrees 54 minutes 26 seconds east, 200.00 feet to the point of beginning. Subject to an easement for a county highway on and along the entire easternmost boundary.

EXCEPT: A part of the west half of the northeast quarter of Section 2, Township 18 North, Range 1 West of the Second Principal Meridian, in Center Township, Boone County, Indiana, and being more particularly described as follows, to wit:

Beginning on the east line of said half quarter section 1302.43 feet south of the northeast corner thereof; thence continuing south on said east line 100 feet; thence west 200 feet; thence north, parallel to the east line of aforesaid half quarter section, 100 feet; thence east 200 feet to the place of beginning, containing 0.459 acres, more or less.

EXCEPT: A part of the West Half of the Northeast Quarter of Section 2, Township 18 North, Range 1 West, Center Township, Boone County, Indiana, more fully described by:

Commencing at the Northeast Corner of the West Half of the Northeast Quarter of said Section 2; thence South 01°05'34" West, along the Quarter-Quarter Section line and the approximate centerline of Mt. Zion Road, a distance of 1402.43 feet to the Point of Beginning, located at the Southeast Corner of the French Property, as recorded in Deed Record 246, Page 504; thence continuing South 01°05'34" West, along the Quarter-Quarter Section line and the approximate centerline of Mt. Zion Road, a distance of 200.00 feet; thence North 88°54'26" West, a distance of 200.00 feet; thence North 01°05'34" East, parallel to the East line of the West Half of the Northeast Quarter, a distance of 200.00 feet; thence South 88°54'26" East along

the South described line of the French Property, as described in Deed Record 246, Page 504, a distance of 200.00 feet to the Point of Beginning, containing 0.9183 of an Acre, being subject to the Right of Way of Mt. Zion Road, on and along the entire East Boundary.

Riley Property

A part of the Northeast Quarter of the Southeast Quarter of Section 2, Township 18 North, Range 1 West, more fully described by:

Beginning at the Northeast corner of the Southeast Quarter; thence South, along the Quarter Section line, 1320.00 feet, more or less; thence West, along the Quarter-Quarter Section line, 1320.00 feet, more or less; thence North, along the Quarter-Quarter Section line, 840.00 feet, more or less; thence East 21.00 feet, more or less; thence North 474.00 feet, more or less; thence East, along the Quarter Section line, 1296.75 feet to the Point of Beginning

be annexed into the City of Lebanon, Indiana, pursuant to the provisions of Indiana law. Said real estate, as described hereinabove, is hereby declared by the action of the Common Council of the City of Lebanon, to be annexed and shall become a part of the City of Lebanon, State of Indiana, and the City's boundaries shall be amended accordingly.

Section 2. Be it further declared by the action of the Common Council of the City of Lebanon, Indiana, and upon recommendation by the Plan Commission that the real estate is hereby assigned a zoning classification of PB-1 pursuant to the provisions of the City of Lebanon Zoning Code.

Section 3. Be it further declared that the Common Council of the City of Lebanon, Indiana, makes specific note of the co-petitioners' preference that the annexed areas be serviced by the Lebanon Municipal Utilities, subject however to any regulatory approvals required.

Section 4. The newly annexed territory consisting of Lenox Property, Tract III, shall be assigned to Councilmatic District Number 4, consisting of Precinct Number 2; the newly annexed territory consisting of Lenox Property, Tract I, Lenox Property, Tract IV, and Riley Property shall be assigned to Councilmatic

District Number 2, consisting of Precinct Number 3, all as revised in Ordinance No. 90-20.

James H. Acton, Mayor
James H. Acton, Mayor

COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA

Eric D. Hungate
Eric D. Hungate

John W. Lasley
John W. Lasley

Douglas W. Campbell
Douglas W. Campbell

Afne Good
Afne Good

James K. Urban
James K. Urban

David L. Lenck
David L. Lenck

Jack S. Bland
Jack S. Bland

Attest: *Laurie A. Gross*
Laurie A. Gross
Clerk/Treasurer

5-22-95