

Lebanon, City of

ORDINANCE 98- 7

**AN ORDINANCE ANNEXING TERRITORY
INTO THE CITY OF LEBANON**

WHEREAS, UMS, Inc. did file their Petition For Annexation To The City Of Lebanon and for a Zoning Classification; and

WHEREAS, a public hearing was held on August 17, 1998 before the Lebanon Plan Commission on the Petition for Annexation to the City of Lebanon and for a Zoning Classification; and

WHEREAS, the Lebanon Plan Commission did recommend to the Lebanon City Council that the Petitioner's property be annexed to the City of Lebanon and assigned a "C" Residential Zoning Classification; and

WHEREAS, the Common Council for the City of Lebanon has determined that the annexation of this property will not cause a detrimental impact on the ability of the City of Lebanon to provide non-capital services, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided to residents within the corporate boundaries for the City of Lebanon. Further, the cost of extending capital services to the area, when developed, will be absorbed by the developer and spread through the entirety of the property through the sale or lease of individual lots; and

WHEREAS, The Common Council for the City of Lebanon, having determined that the Petitioners are contiguous pursuant to I.C. 36-4-3-1.5, and that all other requirements contained in I.C. 36-4-3-5 have been met, the City Council now finds that Annexation shall occur.

IT IS THEREFORE ORDAINED AND ADOPTED as follows:

- 1. That the Petitioners are the fee simple owners of property located at 2875 North

DULY ENTERED FOR TAXATION
10-03-01
Maryln J. Smith
SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

State Road 39, Center Township, Boone County, Indiana, and lying contiguous to the City of Lebanon pursuant to I.C. 36-4-3-1.5, said property being more particularly described as follows:

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 1 WEST OF THE SECOND PRINCIPAL MERIDIAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

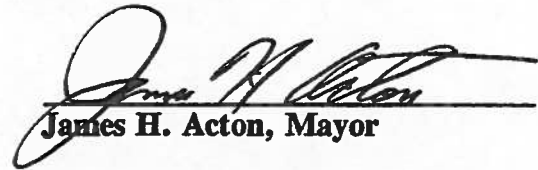
BEGINNING AT A POINT 562.32 FEET SOUTH, 668 FEET 5 INCHES WEST AND SOUTH 10 DEGREES EAST 738 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 1 WEST AND RUN THENCE SOUTH 82 DEGREES WEST 218 FEET TO THE CENTERLINE OF OLD STATE ROAD NO. 39 (BEFORE RECONSTRUCTION), THENCE SOUTH 10 DEGREES EAST 110 FEET FOLLOWING CENTERLINE OF OLD ROAD, THENCE NORTH 82 DEGREES EAST 218 FEET FOLLOWING AN EXISTING FENCE, THENCE NORTH 10 DEGREES WEST 110 FEET TO THE PLACE OF BEGINNING.

ALSO: FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF AFORESAID SECTION 24, RUN SOUTH 562.32 FEET, THENCE WEST A DISTANCE OF 668.42 FEET TO THE NORTHEAST CORNER OF A 0.508 ACRE TRACT PRESENTLY OWNED BY PATRICIA HARMAN MARTIN; THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS EAST 738.00 FEET TO THE PLACE OF BEGINNING, BEING THE NORTHEAST CORNER OF A TRACT PRESENTLY OWNED BY KENNETH E. SMITH AND JO NELL SMITH; THENCE CONTINUE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS EAST ALONG AND WITH THE EAST LINE OF THE SMITH TRACT, 110.00 FEET TO THE SOUTHEAST CORNER OF THE SMITH TRACT; THENCE NORTH 82 DEGREES 00 MINUTES 00 SECONDS EAST ON A PROJECTION OF THE SOUTHERLY LINE OF SAID SMITH TRACT, 40.00 FEET; THENCE NORTH 10 DEGREES 00 MINUTES 00 SECONDS WEST PARALLEL TO THE EAST LINE OF SAID SMITH TRACT 110.00 FEET; THENCE SOUTH 82 DEGREES 00 MINUTES 00 SECONDS WEST 40.00 FEET TO THE PLACE OF BEGINNING.

2. That upon the recommendation of the Lebanon Plan Commission, the above subject property is assigned a "C" Residential Zoning Classification. Accordingly, the official zoning maps for the City of Lebanon shall be amended and changed in accordance thereto.
3. That the Petitioners have met the legal requirements as set out in I.C. 36-4-3-5.
4. That based upon examination of the fiscal impact of this Annexation, it is not anticipated that the City of Lebanon will require any additional manpower in any of its departments to accommodate this annexation, nor will there be any adverse impact upon the essential services provided by the City, or its employees.


5. That this Ordinance will take effect only after final publication pursuant to I.C. 36-4-3-7 and I.C. 5-3-1.

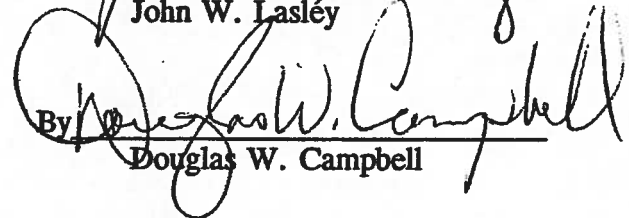
Ordained and Adopted this 26th day of October, 1998.


James H. Acton, Mayor

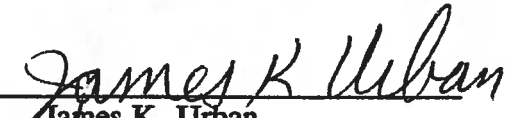
Common Council for the City of
Lebanon, Indiana

By 
Harold E. "Huck" Lewis


By 
John W. Lasley


By 
Douglas W. Campbell

By 
Andrea Hester

By 
James K. Urban

By 
Kay Geisler

By 
Jack S. Bland


Attest: _____
Laurie A. Gross
Clerk/Treasurer