

4122 Cross
Stacey
City of Lebanon

ORDINANCE NO. 99-5

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 petitioned by Texon Distributing L.P., by its authorized representative, for the annexation of certain real estate contiguous to the City of Lebanon and located in and adjacent to the Lebanon Business Park, the legal description of which real estate is described herein; and

WHEREAS, the Lebanon City Plan Commission has conducted a public hearing on the proposed annexation and has recommended approval of the 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 petitioner herein recognizes that the annexed areas will be made a part of the Lebanon Business Park; 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 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 Business 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.

DULY ENTERED FOR TAXATION

7-9-99

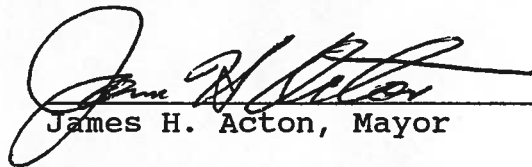
Connie J. Laman
SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

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

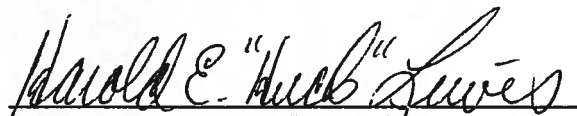
Section 1. That the real estate as described herein as Exhibit A be annexed into the City of Lebanon, Indiana, pursuant to the provisions of Indiana law. Said real estate, as described hereinabove, is hereby declared by the action of the Common Council of the City of Lebanon, to be annexed and shall become a part of the City of Lebanon, State of Indiana, and the City's boundaries shall be amended accordingly.

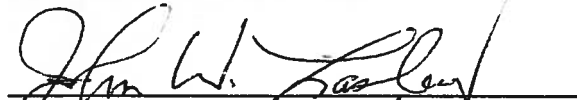
Section 2. Be it further declared by the action of the Common Council of the City of Lebanon, Indiana, and upon recommendation by the Plan Commission that the real estate is hereby assigned a zoning classification of PB-1 pursuant to the provisions of the City of Lebanon Zoning Code.

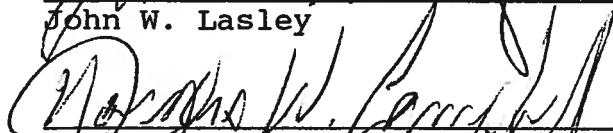
Section 3. The newly annexed territory shall be assigned a Councilmatic District Number 8, all as revised in Ordinance No. 90-20.

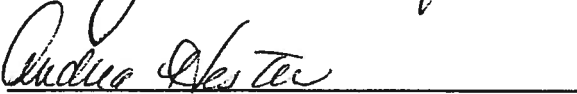

James H. Acton, Mayor

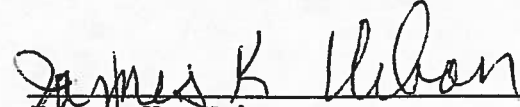
COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA


Harold E. "Huck" Lewis

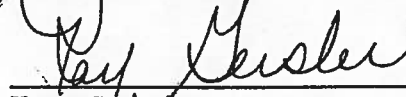

John W. Lasley


Douglas W. Campbell


Andrea Hester

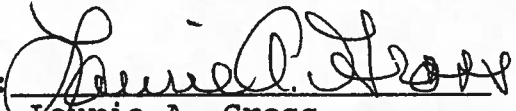


James K. Urban



Kay Geisler

Jack S. Bland

Attest: 

Laurie A. Gross
Clerk/Treasurer

Part of the Southwest Quarter of Section 1, Township 18 North, Range 1 West and also part of the Northwest Quarter of Section 12, Township 18 North, Range 1 West, Second Principal Meridian, Center Township, Boone County, Indiana, and being more particularly described as follows, to-wit:

Commencing at a wood corner post marking the southeast corner of the Southwest Quarter of said Section 1, said corner lying South 01 degrees 13 minutes 55 Seconds East (bearing based upon the bearing system for Lebanon Business Park and all bearings contained herein are based thereon) a distance of 2649.14 feet from an iron pin marking the northeast corner of said Southwest Quarter and North 89 degrees 24 minutes 21 seconds East a distance of 2744.39 feet from an iron pin marking the southwest corner of said Southwest Quarter and said southeast corner also being the Point of Beginning of the tract of land described herein, and thence running South 01 degrees 02 minutes 18 seconds West along the east line of the northwest quarter of said Section 12 a distance of 86.16 feet to a capped iron rebar; Thence running North 89 degrees 04 minutes 04 seconds West a distance of 285.10 feet to a capped iron rebar; Thence running South 00 degrees 48 minutes 52 seconds West a distance of 71.00 feet to a capped iron rebar; Thence running North 89 degrees 12 minutes 21 seconds West a distance of 49.82 feet to a capped iron rebar; Thence running North 01 degrees 01 minutes 48 seconds East a distance of 148.37 feet to a point in the south line of the Southwest Quarter of said Section 1 which lies South 89 degrees 24 minutes 21 seconds West a distance of 334.80 feet from the southeast corner thereof; Thence running North 01 degrees 01 minutes 48 seconds East a distance of 125.96 feet to a capped iron rebar; Thence running North 89 degrees 22 minutes 33 seconds West a distance of 156.61 feet to a capped iron rebar set in the east right of way line of the Conrail Railroad; Thence running North 00 degrees 07 minutes 34 seconds East along the east right of way line of said railroad 867.99 feet to a capped iron rebar set at the northwest corner of a tract of land conveyed to Indiana Gas Company, Inc. by a deed recorded in Deed Record 211 at Page 187, Boone County Recorder's Office; Thence running North 89 degrees 41 minutes 54 seconds East along the north line of said Indiana Gas tract 465.82 feet to a capped iron rebar set in the east line of the Southwest Quarter of said Section 1; Thence running South 01 degrees 13 minutes 55 seconds East along the east line of said Southwest Quarter 994.84 feet to the Point of Beginning.

Said above described tract containing 10.464 acres in the Southwest Quarter of Section 1 and 0.709 acres in the Northwest Quarter of Section 12 for a total of 11.173 acres.