

ORDINANCE NO. 99 - 12**AN ORDINANCE REZONING LAND
AND CHANGING THE ZONING MAPS
OF THE CITY OF LEBANON**

WHEREAS, Shaker Square, LLC has filed a petition seeking to change the zoning classification of a certain 4.6885 acre, more or less, parcel of real estate generally located to the west of the old K-mart building, the legal description of which is as set forth below (the "Real Estate") from its current PB-2 classification to a C Residential classification in order to allow the expansion of the existing Shaker Square apartments into such location; and

WHEREAS, following the duly noticed public hearings conducted by and before the Plan Commission, said Commission voted to pass the request on to the Common Council for the City of Lebanon with a neutral recommendation; and

WHEREAS, the Council, having considered the petition and the recommendation of the Plan Commission, the city's Comprehensive Plan, written notice of the County Drainage Board's consideration and approval of the drainage aspects of this project, and other pertinent comments in writing or orally at regularly scheduled meetings, now approves said rezoning, all as hereinafter set out.

IT IS, THEREFORE, CONSIDERED, ORDAINED, AND ADOPTED as follows:

1. The zoning classification of the Real Estate described as follows:

A part of the Northeast Quarter of Section 25, Township 19 North, Range 1 West, Center Township, Boone County, Indiana, more fully described by: Commencing at the Northwest Corner of the Northeast Quarter of said Section 25; thence South 89 degrees 21 minutes 53 seconds East, along the Section line, a distance of 290.51 feet to the point of beginning; thence continuing South 89 degrees 21 minutes 53 seconds East, along the Section line a distance of 470.46 feet; thence South 41 degrees 24 minutes 22 seconds West, a distance of 301.22 feet; thence South 09 degrees 56 minutes 53 seconds East, along the East described line of a 16 foot Gas Line Easement as recorded in Deed Record 193, pages 858-859 and said line extended, a distance of 525.48 feet; thence South 80 degrees 03 minutes 07 seconds West, along a portion of the North described line of the Lebanon Manor Village Property as recorded in Deed Record 206, Page 629, a distance of 227.19 feet; thence North 09 degrees 56 minutes 53 seconds West, along the East described line of the Regency Village North, L.L.D. Property, a distance of 800.00 feet to the point of beginning, containing 4.6885 acres, more or less

is hereby changed from PB-2 to C Residential effective upon adoption of this ordinance and publication, if any, required by law.

2. Considering the current conditions and character of the land, structures and other uses in and around the Real Estate, the rezoning will not be detrimental to the public health, safety, welfare and property values in the area. The rezoning does not violate the Comprehensive Plan.

3. From and after this date, the official zoning maps of the City shall be changed to reflect the rezoning in accordance with the above.

4. No development or construction on the Real Estate shall occur without compliance with and satisfaction of the requirements of the City Code and the orders of all applicable regulatory officials, including the Board of Zoning Appeals.

ORDAINED AND ADOPTED this 23rd day of August, 1999.

COMMON COUNCIL OF THE CITY OF LEBANON

Harold E. Spivey
James K. Hebray
Raymond W. Campbell
Ray Heisler
Andrew J. Westra
Jack P. [unclear]
John W. [unclear]
James H. Acton
 Mayor James H. Acton

Attest:

Dannie B. [unclear]
 Clerk-Treasurer

NOTICE IS HEREBY GIVEN THE TAXPAYERS OF COUNTY, CITY OR TOWN OF LEBANON, INDIANA, AT LEBANON, INDIANA, THAT THE COUNTY COUNCIL, COMMON COUNCIL, OR TOWN COUNCIL OF LEBANON, INDIANA, AT LEBANON, CITY COUNCIL CHAMBERS ON AUGUST 31ST, 1999, AT 5:30 P.M. A.M./P.M. WILL CONDUCT A PUBLIC HEARING ON THE BUDGET. FOLLOWING THIS MEETING, ANY TEN OR MORE TAXPAYERS MAY OBJECT TO A BUDGET, TAX RATE, OR TAX LEVY BY FILING AN OBJECTION PETITION WITH THE PROPER OFFICERS OF THE POLITICAL SUBDIVISION WITHIN SEVEN DAYS AFTER THE HEARING. THE OBJECTION PETITION MUST IDENTIFY THE PROVISIONS OF THE BUDGET, TAX RATE, OR TAX LEVY THAT TAXPAYERS OBJECT TO. IF A PETITION IS FILED, THE POLITICAL SUBDIVISION SHALL ADAPT WITH ITS BUDGET A FINDING CONCERNING THE OBJECTIONS FILED AND TESTIMONY PRESENTED. FOLLOWING THE AFOREMENTIONED HEARING, THE COUNCIL WILL MEET AT CITY COUNCIL CHAMBERS ON SEPTEMBER 10TH, 1999 AT 5:30 P.M. A.M./P.M. TO ADOPT THE FOLLOWING BUDGET:

COMPLETE DETAILS OF BUDGET ESTIMATES BY FUND AND/OR DEPARTMENT MAY BE SEEN AT THE COUNTY AUDITOR, CITY CONTROLLER, OR CLERK-TREASURER'S OFFICES.

FUND NAME	BUDGET ESTIMATE	MAXIMUM ESTIMATED FUNDS TO BE RAISED (INCLUDING APPEALS AND LEVIES EXEMPT FROM MAXIMUM LEVY LIMITATIONS)	EXCESSIVE LEVY APPEALS (INCLUDED IN COLUMN 3)	CURRENT TAX LEVY	NET ASSESSED VALUATION				
					1	2	3	4	5
GENERAL	4,872,471	1,024,876		824,567					
CUM CAP DEVELOPMENT	726,350	131,759		139,323					
PARKS DEPT	482,349	326,685		293,496					
SANITATION DEPT	457,906	17,812		16,112					
TWN DEPT	490,621								
LOCAL/STREET & ROAD	195,500								
POLICE DEPT PENSION	157,600	50,000		51,075					
FIRE DEPT PENSION	197,264	24,000		52,339					
STORM WATER BOND & INT	585,000	504,077		499,163					
TOTAL									

THE 2000 ESTIMATED MAXIMUM LEVY LIMITATION FOR THIS UNIT IS 1.760,007. (COMPARE TO CONTROLLED LEVIES BOX ABOVE)

THE PROPERTY TAX REPLACEMENT CREDIT USED TO REDUCE THE RATE FOR THIS UNIT IS _____

TAXPAYERS APPEARING AT THE HEARING SHALL HAVE AN OPPORTUNITY TO BE HEARD, AFTER THE TAX LEVIES HAVE BEEN DETERMINED, FIXED BY THE APPROPRIATE GOVERNING BODY, AND THE TAX RATES PUBLISHED BY THE COUNTY AUDITOR, TEN OR MORE TAXPAYERS OBJECTING TO THE LEVIES MAY APPEAL TO THE STATE BOARD OF TAX COMMISSIONERS BY FILING A PETITION WITH THE COUNTY AUDITOR. THE PETITION MUST BE FILED ON OR BEFORE THE TENTH DAY AFTER PUBLICATION OF THE TAX RATES CHANGED. UPON CERTIFICATION OF THE OBJECTION PETITION BY THE COUNTY AUDITOR, THE STATE BOARD OF TAX COMMISSIONERS WILL FIX A DATE FOR A HEARING IN THIS COUNTY.

Aug 17, 1999

James O. Stebbins, Clerk-Treasurer

PROPERTY AUDITOR CITY CONTROLLER CLERK-TREASURER

ORDINANCE FOR APPROPRIATIONS AND TAX RATES

BE IT ORDAINED BY THE COUNTY, CITY OR TOWN OF LEBANON, INDIANA: THAT FOR THE EXPENSES OF THE COUNTY, CITY OR TOWN GOVERNMENT AND ITS INSTITUTIONS FOR THE YEAR ENDING DECEMBER 31, 19 00, THE SUMS OF MONEY SHOWN ON BUDGET FORM 4-A ARE HEREBY APPROPRIATED AND ORDERED SET APART OUT OF THE SEVERAL FUNDS HEREIN NAMED AND FOR THE PURPOSE HEREIN SPECIFIED, SUBJECT TO THE LAWS GOVERNING THE SAME. SUCH SUMS HEREIN APPROPRIATED SHALL BE HELD TO INCLUDE ALL EXPENDITURES AUTHORIZED TO BE MADE DURING THE YEAR, UNLESS OTHERWISE EXPRESSLY STIPULATED AND PROVIDED FOR BY LAW. IN ADDITION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSE OF COUNTY, CITY OR TOWN GOVERNMENT, TAX RATES ARE SHOWN ON BUDGET FORM 4-B AND INCLUDED HEREIN. TWO (2) COPIES OF BUDGET FORMS 4-A AND 4-B FOR ALL FUNDS AND DEPARTMENTS ARE MADE A PART OF THE BUDGET REPORT AND SUBMITTED HERewith.

APPROVED BY:

COMMON COUNCIL

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL BY THE COMMON COUNCIL AND MAYOR. ADOPTED BY THE FOLLOWING VOTE ON SEPTEMBER 10TH, 19 99.

YEA MAY

- James V. Wilkey COUNCIL MEMBER
- Ray Swisher COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER
- Walter Switzer COUNCIL MEMBER

APPROVED BY THE MAYOR Sept 10 1999.

ATTEST: David D. Brown CITY CLERK OR CLERK-TREASURER

TOWN COUNCIL

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL BY THE TOWN COUNCIL. ADOPTED WITH THE FOLLOWING VOTE ON _____, 19 ____.

YEA MAY

- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER
- _____ COUNCIL MEMBER

ATTEST:

_____ TOWN CLERK-TREASURER