

ORDINANCE NO. 2020-15

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF LEBANON, BOONE COUNTY, INDIANA

WHEREAS, the City of Lebanon Common Council (the "Council") has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in **Exhibit A** and **Exhibit B** (the "Annexation Area") have filed a voluntary petition with the Council pursuant to Indiana Code 36-4-3-5.1; and,

WHEREAS, the City of Lebanon Advisory Plan Commission held a public hearing at their regularly scheduled meeting on November 16, 2020 and forwarded Docket 20-36 to the Council with a favorable recommendation (8-0) to assign the Planned Business Industrial (PBI) zoning classification for the Annexation Area; and,

WHEREAS, the Council has conducted a public hearing on November 23, 2020, as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 2020-11); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Boone County, Indiana, meeting in regular session, as follows:

Section 1. The Annexation Area, generally south of the existing Lebanon Business Park, adjacent to Ken's Foods, directly west of Middle Jamestown Road and adjacent to the existing corporate limits along the northern boundary of the Annexation Area, is hereby declared annexed to and declared to be part of the City of Lebanon, Indiana.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the Annexation Area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to Council District 2 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. The Annexation Area is hereby assigned the Planned Business Industrial (PBI) zoning classification.

Section 5. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, upon the passage of the applicable thirty (30) day waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED THIS 14 day of DECEMBER 2020.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain



Keith Campbell

Keith Campbell

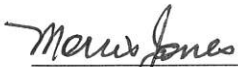
Keith Campbell

ABSENT

John Copeland

John Copeland

John Copeland



Morris Jones

Morris Jones

Morris Jones



Mike Kincaid

Mike Kincaid

Mike Kincaid

VIA phone

Sierra Messenger

Sierra Messenger

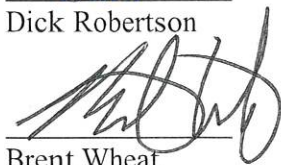
Sierra Messenger



Dick Robertson

Dick Robertson

Dick Robertson

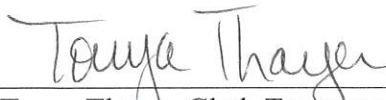


Brent Wheat

Brent Wheat

Brent Wheat

ATTEST:



Tonya Thayer, Clerk-Treasurer

I hereby certify that ORDINANCE 2020-15 was delivered to the Mayor of Lebanon on the 14
day of DECEMBER, 2020, at 7:37p.m.

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2020-15
this 14 day of December, 2020

[Signature]
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2020-15
this ___ day of _____, 2020

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

EXHIBIT "A"

Part of the south half of the Northeast and Northwest Quarters of Section 11, Township 18 North, Range 1 West of the Second Principal Meridian in Boone County, Indiana, being that 51.974 acre tract of land shown on the plat of an Land Title Survey of said tract certified by Jon Polson, PS #LS21500011 on September 21, 2020 as Banning Engineering project number 20241 (all reference monuments and courses herein are as shown on said plat of survey) described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of said section, marked by a Harrison monument; thence South 00 degrees 07 minutes 23 seconds East along the west line of said Northwest Quarter of the Northeast Quarter 1,318.90 feet to the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section; thence North 89 degrees 54 minutes 49 seconds West along the North line of the South Half of the Northwest Quarter of said Section, 1,326.49 feet to the west line of the land of The City of Lebanon recorded as Instrument Number 201600000008 in the Office of the Recorder of Boone County, marked by a 8 inch wood post; thence South 00 degrees 12 minutes 16 seconds East along said west line 330.64 feet to the center line of Sanitary Ditch the next 10 calls follow the centerline of said ditch; 1) thence South 76 degrees 28 minutes 25 seconds East 559.42 feet; 2) thence South 70 degrees 14 minutes 10 seconds East 604.71 feet; 3) thence South 69 degrees 55 minutes 43 seconds East 284.58 feet; to the beginning of a non-tangent curve to the left having a radius of 270.94 feet and a central angle of 20 degrees 47 minutes 21 seconds; the radius point of which bears North 14 degrees 12 minutes 26 seconds East; 4) thence easterly along the arc of said curve 98.31 feet to a point which bears South 06 degrees 34 minutes 55 seconds East from said radius point; 5) thence North 88 degrees 58 minutes 57 seconds East 599.70 feet; to the beginning of a non-tangent curve to the right having a radius of 258.19 feet and a central angle of 64 degrees 51 minutes 31 seconds; the radius point of which bears South 00 degrees 31 minutes 47 seconds East; 6) thence southeasterly along the arc of said curve 292.27 feet to a point which bears North 64 degrees 19 minutes 44 seconds East from said radius point; 7) thence South 23 degrees 14 minutes 21 seconds East 194.14 feet; 8) thence South 26 degrees 23 minutes 45 seconds East 86.91 feet; 9) thence South 29 degrees 59 minutes 12 seconds East 52.82 feet; 10) thence South 30 degrees 15 minutes 49 seconds East 125.25 feet to the centerline of Middle Jamestown Road, marked by a mag nail with Banning-Eng Firm #0060 washer, also to the beginning of a non-tangent curve to the left having a radius of 632.44 feet and a central angle of 07 degrees 58 minutes 43 seconds; the radius point of which bears North 44 degrees 10 minutes 12 seconds West; thence northeasterly along the arc of said curve 88.07 feet to a point which bears South 52 degrees 08 minutes 55 seconds East from said radius point marked by a mag nail with Banning-Eng Firm #0060 washer; thence North 37 degrees 04 minutes 57 seconds East along the centerline of said Middle Jamestown Road 965.52 feet to the southeast corner of the land of Damon & Wanda Krug recorded as Instrument Number 1995-114998 in the Office of the Recorder of Boone County; thence North 00 degrees 07 minutes 37 seconds West along the west line of said land of Krug 480.70 feet to the North Line of the South half of the Northeast Quarter of said Section 11; thence South 89 degrees 55 minutes 13 seconds West along said south line 1,831.81 feet to the POINT OF BEGINNING containing 2,256,152 square feet 51.794 acres, more or less.



- ParcelsFromCounty
- Lebanon City Line
- Roads
- Highways

EXHIBIT B

