

remonstrators' real estate as the same is to be assessed.

4. That said proposed improvement will not benefit remonstrators' real estate in any manner.

5. That in addition to the above, in 1956 the City of Lebanon annexed real estate now owned by the remonstrators, which was the subject of litigation; that in 1958 in Cause No. _____ in the Boone Circuit Court, said annexation was held to be lawful, but included therein was a proviso that the tax minies to be paid on the land of the remonstrators was to be held in a special fund for the use and benefit of municipal improvements constructed on, over or under the lands of the remonstrators; that in either 1961 or 1962, said special fund by special ordinance of the Common Council of the City of Lebanon, Indiana, was transferred to the general fund; that said funds for the use and benefit of remonstrators' lands no longer exists and that the same has been converted by the City of Lebanon, Indiana, for the use and benefit of the entire community and not specifically allocated for any proposed improvement allegedly benefiting the lands of these remonstrators.

WHEREFORE, the above named remonstrators pray the Lebanon Board of Works and Safety that the proposed assessment to the lands of the remonstrators be revoked; or in the alternative, that an accounting be rendered and the remonstrators receive the benefit of the special fund created by ordinance in 1956, and for all other just and proper relief.

Mrs. Mary Tyre, James R. Tyre,
and Janet Tyre,

BY James Goodwin (Signed)
James L. Goodwin,
Attorney for Remonstrators

Approval Sewer to Scott

October 8, 1973

American Equity Developers, Inc.
1402 Parkway Towers
Nashville, Tennessee-37219

Attention: David C. Bowen

Dear Sir:

The Lebanon Utility Service Board reviewed plans, as submitted by William K. Elsey, Inc., for extension of the sanitary sewer system of the City of Lebanon to serve the Scott property on State Road #39, South. The plans, as submitted, consisted of 400' of 12" sewer and one manhole.

The Board has recommended to the Board of Works of the City of Lebanon thst the project would be satisfactory from an engineering standpoint. State Board of Health and final approval of plans by the Board of Works of the City of Lebanon would be necessary before construction would be permitted.

Yours Truly,

James Nelson (Signed)

James Nelson, Engr.
Lebanon Utilities

JN/py
C.C./ Don Morton
Robert Campbell, Mayor

IN THE MATTER OF THE)
PETITION FOR ANNEXATION)
BY CHARLES M. STUCKER.)

Stucker - Annexation Petition 1975

PETITION FOR ANNEXATION

Comes now Charles M. Stucker and respectfully shows:

1. That he is owner of the following described property in Boone County, Indiana:

A part of the southwest quarter of the southwest quarter of Section 29, Township 19 North, Range 1 East of the Second Principal Meridian and being more particularly described as follows, to-wit:

Beginning on the west line of said tract 250 feet south of the northwest corner thereof, thence east parallel to the north line of said quarter quarter section 230 feet, thence south parallel to the west line of said quarter quarter section 110 feet, thence west parallel to the north line of said quarter quarter section 230 feet to a point in the west line thereof, thence north on said west line 110 feet to the place of beginning, containing 0.581 acres, more or less, but subject to legal highways, rights of way and easements.

That said real estate is contingous to and adjacent to the present city limits of Lebanon, Indiana.

2. That your petitioner is the sole and only owner of the aforesaid real estate and, as such, constitutes more than fifty-one (51%) per cent of the ownership of said real estate as required by Burns Indiana Statute 48-720.

3. That the annexation of the above described territory into the city limits of Lebanon, Indiana, would be just and equitable both to the city and its property owners and inhabitants and to the annexed territory and its property owner.