

that if the territory north of Brendanwood is developed according to the plans which have been shown to us, it will be one of the most outstanding subdivisions in Central Indiana, and a definite asset to the future growth of Lebanon.

However, there remains the potential for a commercial use of the ground north of the apartments under construction along the east side of State Road 39 is decidedly not in the established pattern of development and so long as the possibility exists for commercial development between State Road 39 and the Ulen Country Club, our organization must continue to object to such commercial usage. Commercial development in this area has been established along the west side of State Road 39 and should be confined to that side of the road.

Again, let me commend the city for their recent actions which have served to maintain the high quality of Lebanon's residential neighborhoods.

We ask that the Common Council and the Plan Commission make this letter a part of their records concerning the development of the territory north of Brendanwood.

Sincerely,

James P. Buchanan (Signed)

James P. Buchanan
Attorney for Brendanwood Neighborhood Association, Inc.

JPB/ty

cc: Dan Wheat	Robert Spolyar
Robert Copeland	John Pratt
Thomas Payne	Cleo Smith
Robert C. Berry	
Janice Clauser	
Ross A. Pauley	
Richard A. Linton	
James George	

May 19, 1976

Mr. James P. Buchanan
Attorney at Law
108 N. Lebanon Street
Lebanon, Indiana 46052

Re: Cause No. C74-76 and C74-150
Boone Circuit Court
Cause No. S76-132
Hamilton Superior Court

Dear Jim:

I have refferred your proposal contained in your letter of April 20, 1976, to the Board of Works and the Common Council. Please be advised that they have rejected the proposal for settlement and will proceed with the appeal and any necessary trail on this matter in the future.

Sincerely yours,

Wendell B. Iddings (Signed)

WENDELL B. IDDINGS
Attorney for the City of Lebanon, Indiana

WBI/sr

STATE OF INDIANA:
 SS:
COUNTY OF BOONE:

IN THE BOONE CIRCUIT COURT
1976 TERM

THE BRENDANWOOD NEIGHBORHOOD ASSOCIATION, INC.,

Plaintiff

vs.

CAUSE NO. C74-76

THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA,
ROBERT C. HULSE
ROBERT E. WALKER
ROBERT C. HULSE AND ROBERT F. WALKER d/b/a/ H & W DEVELOPMENT CO., a general partnership,
Defendants

AGREEMENT OF SETTLEMENT AND COMPROMISE

Come now the parties above named and in consideration of thier respective and mutual promises as hereinafter set out, settle and compromise litigation pending between the parties as follows:

1. That the Plaintiff and the proposed Plaintiffs, Dan and Carolyn Wheat, will dismiss with prejudice the above captioned cause and cause number C74-150 in the Boone Circuit Court.

2. That the Defendants, Robert C. Hulse, Robert E. Walker, and Robert C. Hulse and Robert E. Walker d/b/a/ H & W Development Co., will dismiss with prejudice