

ORDINANCE NO. 2022-19

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 owners of approximately 1,400 acres of land located in unincorporated Boone County but contiguous to the City (the “LEAP Annexation Area”) have petitioned to have their land voluntarily annexed into the City of Lebanon (“City”); and,

WHEREAS, the Common Council of the City (the “Council”) is legally authorized to annex lands that qualify for annexation as defined by Indiana Code § 36-4-3 and is desirous of approving the annexation of the LEAP Annexation Area; and,

WHEREAS, the LEAP Annexation Area is a transformational economic development opportunity for the State of Indiana, Boone County, and the City, having already attracted an anticipated \$2.1 billion investment from Eli Lilly & Company for construction and operation of new manufacturing and research and development facilities within the LEAP Annexation Area and with other not yet secured, but anticipated users for other land within the LEAP Annexation Area; and,

WHEREAS, the Council supports the proposed development and use of the LEAP Annexation Area in order to attract and support new business investment, with a focus on attracting advanced manufacturing, agri-science, bioscience, and other “economy-of-the-future” businesses that will yield a diversified tax base and high paying job opportunities for local residents;

WHEREAS, the LEAP Annexation Area consists of fifty-six (56) separate parcels containing a total of approximately 1400 acres owned by thirty-two (32) landowners, not including the adjacent public roadways. The LEAP Annexation Area is identified more particularly in **Exhibit A** and **Exhibit B**; and,

WHEREAS, the Council finds that one hundred percent (100%) of the landowners comprising the LEAP Annexation Area have signed and filed a voluntary annexation petition with the Council under Indiana Code § 36-4-3-5.1; and,

WHEREAS, the LEAP Annexation Area does not include any parcel of land for which its owner(s) have not filed an express written consent to this annexation; and,

WHEREAS, for sake of clarity, the LEAP Annexation Area does not include three separate parcels of land that are surrounded by the LEAP Annexation Area, referenced in **Exhibit B** and depicted on **Exhibit A**, which are attached and incorporated here by reference; and,

WHEREAS, as authorized by Section 1.8(B) of the City’s Unified Development Ordinance, the Council has received and considered a Development Proposal/Concept Plan which provides sufficient information about the intended development and use of the LEAP Annexation

Area to justify the assignment of a General Industrial (ID) zoning classification to the annexed area; and

WHEREAS, the City of Lebanon Advisory Plan Commission held a duly and timely noticed public hearing regarding a recommended zoning classification for the proposed annexation area at its regularly scheduled meeting on June 21, 2022 and forwarded Docket 22-44 to the Council with a favorable recommendation to assign the General Industrial (ID) zoning classification for the LEAP Annexation Area, subject to certain permitted or conditional uses to be voluntarily excluded and prohibited; and,

WHEREAS, in accordance with Indiana Code § 36-4-3-5.1(e), on June 27, 2022, the Council held a duly and timely noticed public hearing regarding the petition for annexation of the LEAP Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the LEAP Annexation Area in accordance with Indiana Code § 36-4-3-3.1 (Resolution 2022-16); and,

WHEREAS, the Council has determined, after due consideration, that this annexation satisfies the contiguity requirements of Indiana Code § 36-4-3-1.5, as shown more particularly in **Exhibit C**, attached and incorporated here by reference; and,

WHEREAS, parts of the LEAP Annexation Area are contiguous to public roadways and rights-of-ways, and under Indiana Code § 36-4-3-1.5(b), those portions of such roadways and rights-of-way are to be annexed into the City; and,

WHEREAS, the Council has considered the statutory criteria for annexation and finds that the legal process and requirements for this super-voluntary annexation have been satisfied; 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. **Incorporation.** The foregoing recitals are found to be accurate and are incorporated herein by reference.

Section 2. **Annexed Area.** The LEAP Annexation Area, generally located on the north and west sides of the City, on both sides of Interstate 65, as depicted on **Exhibit A** and more particularly described in **Exhibit B**, is eligible for annexation into the City and is hereby declared annexed into and part of the City of Lebanon, Indiana.

Section 3. **Contiguity.** The LEAP Annexation Area meets the contiguity requirements for annexation under Indiana Code § 36-4-3-1.5(a). At least one-eighth (1/8th) of the external boundaries of the LEAP Annexation Area coincides with and adjoins existing City boundaries. See the contiguity calculation on the attached **Exhibit A** and certification on **Exhibit C**, incorporated herein

by reference. Further, the LEAP Annexation area consists of multiple parcels that form a single, unified territory. The LEAP Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the LEAP Annexation Area per Indiana Code § 36-4-3-2.5 and 36-4-3-1.5(b).

Section 4. **Council District.** The LEAP Annexation Area is hereby assigned to Council Districts 2 and 3 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 5. **Zoning.** Upon the recommendation of the Plan Commission, the LEAP Annexation Area is hereby assigned the General Industrial (ID) zoning classification. However, the LEAP Annexation Area will not accommodate all uses allowed under the ID zoning classification. Those predominate uses identified on **Exhibit D** are excluded and prohibited from the LEAP Annexation Area, except upon the City's approval of a petition for rezoning, variance, waiver or special exception in accordance with the laws of Indiana and the Unified Development Ordinance.

Section 6. **Effective Date.** This Ordinance shall be in full force and effect upon its passage by the Council, required publication and filings, and upon the expiration 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.

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PASSED AND ADOPTED ON SECOND READING THIS _____ day of _____, 2022.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell

Keith Campbell

Keith Campbell

John Copeland

John Copeland

John Copeland

Morris Jones

Morris Jones

Morris Jones

Mike Kincaid

Mike Kincaid

Mike Kincaid

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 2022-19 was delivered to the Mayor of Lebanon on the _____ day of _____, 2022, at _____ m.

Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2022-19
this _____ day of _____, 2022

I hereby VETO ORDINANCE 2022-19
this _____ day of _____, 2022

Matthew T. Gentry, Mayor

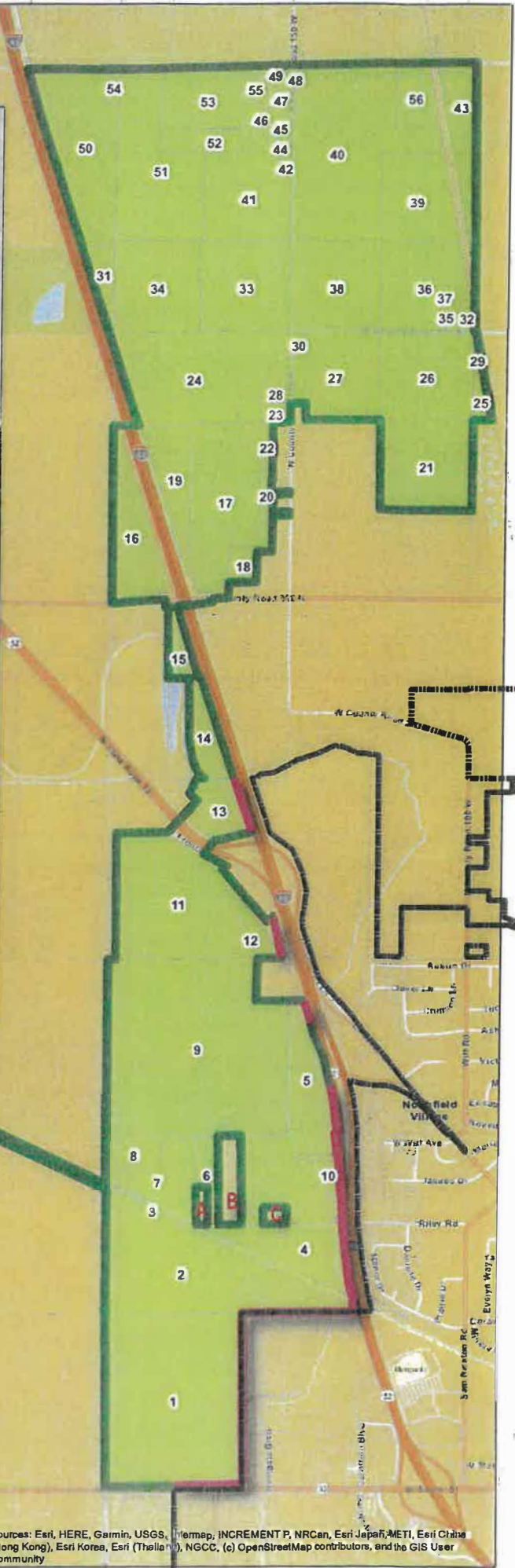
Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer, Clerk-Treasurer

EXHIBIT A
(ANNEXATION AREA DEPICTION)

Number	Parcel ID#	Owner	Acres
1	06-10-35-000-025.000-001	BT SMITH FAMILY LLC	118.6
2	06-10-26-000-002.001-001	BRENT SMITH FAMILY SHELTERS	80.4
3	06-13-27-000-001.000-001	CITY OF LEBANON INDIANA	15.7
4	06-10-26-000-002.000-001	SMITH E BRENT & TRICIA K	27
5	06-10-26-000-010.000-001	SCHENCK CARL E TRUSTEE	61.4
6	06-10-26-000-006.001-001	HERITAGE GREEN LLC	7.9
7	06-10-26-000-002.002-001	SMITH E BRENT & TRICIA K	21.4
8	06-10-26-000-011.000-001	CASTLE HILL CORPORATION	9
9	06-10-26-000-012.000-001	CASTLE HILL CORPORATION	153.6
10	06-10-26-000-005.000-001	SCHENCK CARL E & SUE	5.3
11	06-10-23-000-002.000-001	CASTLE HILL CORPORATION	72.4
12	06-10-23-000-003.000-001	CASTLE HILL CORPORATION	62
13	06-10-23-000-019.001-001	ROBERTSON DANE	14.6
14	06-10-23-000-024.000-001	JACKSON DEAN S & MARY JANE	13.4
15	06-10-23-000-035.000-001	JACKSON LAKE LLC	6.8
16	06-10-14-000-004.002-001	JACKSON DEAN S & MARY ANN	29.8
17	06-10-14-000-002.000-001	JACKSON MARY JANE	54.1
18	06-10-14-000-002.004-001	JACKSON MARY JANE	4.9
19	06-10-14-000-004.000-001	JACKSON MARY JANE	21.3
20	06-10-14-000-002.007-001	JACKSON MARY JANE	3.4
21	06-10-14-000-007.000-001	WEBER RICHARD E & BRENDA K	40.7
22	06-10-14-000-002.011-001	JACKSON MARY JANE	3
23	06-10-14-000-009.001-001	PRICE WILLIAM R & ROSE ANNE	2.9
24	06-10-14-000-008.000-001	FRENCH WEBER LORI ANNE	71.4
25	06-10-13-000-017.001-001	WEBER RICHARD E & LORI ANNE WE	3.1
26	06-10-14-000-012.000-001	WEBER RICHARD E & BRENDA K	40.5
27	06-10-14-000-011.002.001	WEBER RICHARD E & BRENDA K	36.8
28	06-10-14-000-013.000-001	PRICE WILLIAM R & ROSE ANNE	2.4
29	06-10-13-000-024.000-001	WEBER RICHARD E & BRENDA K	1.3
30	06-10-14-000-011.000-001	WEBER RICHARD E & LORI ANNE WE	2.1
31	06-10-15-000-017.000-001	WEBER RICHARD E & BRENDA K	8.5
32	06-10-14-000-018.002-001	TURNER DENNIS R & MELANIE S	2
33	06-10-14-000-017.000-001	FRENCH WEBER LORI ANNE	41
34	06-10-14-000-014.000-001	WEBER RICHARD E & BRENDA K	39.5
35	06-10-14-000-018.001-001	COSSLER JERRY & GLENNA K LENOX	2
36	06-10-14-000-015.000-001	PAULEY MARY BETH	33.7
37	06-10-14-000-018.003-001	LENOX GLENNA K & JERRY COSSLER	0.8
38	06-10-14-000-011.001-001	WEBER RICHARD E & BRENDA K	40.4
39	06-10-11-000-004.000-017	PAULEY MARY BETH	36.2
40	06-10-11-000-003.000-017	JEO INC	91
41	06-10-11-000-002.000-017	WEBER RICHARD E & BRENDA K	37.7
42	06-10-11-000-006.001-017	GILLUM GREGORY L & BRENDA J	1.2
43	06-10-11-000-003.001-017	JEO INC	13.9
44	06-10-11-000-008.000-017	VANDERPOOL MARION L	1.5
45	06-10-11-000-008.001-017	BARTON SALLY L	3.5
46	06-10-11-000-010.001-017	VANDERPOOL MICHAEL L & LISA A	1
47	06-10-11-000-010.002-017	MANCE ROBERT E JR & KENDRA D	1.5
48	06-10-11-000-010.003-017	KEMP BRADY & HOLLY	1.4
49	06-10-11-000-012.000-017	BIDDLE MICHAEL & JULIE ANN	2.6
50	06-10-10-000-002.000-017	WEBER RICHARD E & BRENDA K	53.5
51	06-10-11-000-001.000-017	WEBER RICHARD E & BRENDA K	57.1
52	06-10-11-000-009.000-017	WEBER RICHARD E & BRENDA K	12.3
53	06-10-11-000-010.000-017	DIEFFENBACH JOHN & AUDREY	30
54	06-10-10-000-009.000-017	HILL GARY V & KITTY S	1.9
55	06-10-11-000-010.004-017	DIEFFENBACH ERIC J	2
56	06-10-11-000-011.000-017	COX WILLIAM A & DEBORAH S	11.7



Date: May 19, 2022

Annexation Routing:
 Total perimeter: 78,767 ft
 Total contiguous perimeter: 10,466 ft
 (Supports total perimeter up to 83,728 ft)

Sources: Esri, HERE, Garmin, USGS, Mapbox, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

EXHIBIT B
(LEGAL DESCRIPTION OF LEAP ANNEXATION AREA)

A part of Sections 10, 11, 13, 14, 15, 23, 26, 27, & 35, Township 19 North, Range 1 West, Boone County, Indiana, and being more particularly described as follows:

Beginning at the Northeast corner of the Southeast corner of Section 11, Township 19 North, Range 1 West; thence South 00 degrees 44 minutes 49 seconds East 2668.28 feet along the East line of parcel 06-10-11-000-003.001-017 and the East line of parcel 06-10-11-000-004.000-017 to the Northeast corner of Section 14; thence South 00 degrees 01 minute 23 seconds East 1306.64 feet to the Northwest corner of parcel 06-10-13-000-024.000-001; thence South 89 degrees 45 minutes 38 seconds East 25.43 feet along the North line of said parcel to the Northeast corner of said parcel; thence South 10 degrees 06 minutes 19 seconds East 1330.92 feet along the East line of said parcel and the East line of parcel 06-10-13-000-017.001-001 to the Southeast corner of said parcel; thence South 89 degrees 14 minutes 12 seconds West 258.47 feet along the South line of said parcel to the Northeast corner of parcel 06-10-14-000-007.000-001; thence South 00 degrees 01 minute 19 seconds East 1337.59 feet along the East line of said parcel to the Southeast corner of said parcel; thence North 89 degrees 38 minutes 59 seconds West 1325.40 feet along the South line of said parcel to the Southwest corner of said parcel; thence North 00 degrees 23 minutes 52 seconds West 1324.63 feet along the West line of said parcel to the Southeast corner of parcel 06-10-14-000-011.002-001; thence South 89 degrees 48 minutes 04 seconds West 1093.46 feet along the South line of said parcel to the Southwest corner of said parcel; thence North 00 degrees 01 minute 01 second East 248.59 feet along a west line of said parcel to a South corner of said parcel; thence South 88 degrees 23 minutes 27 seconds West 227.65 feet along a South line of said parcel to the West line of the of the East half of Section 14; thence South 00 degrees 05 minutes 34 seconds East 270.91 feet along said West line to the Southeast corner of 06-10-14-000-009.001-001; thence South 88 degrees 01 minute 33 seconds West 248.84 feet along the South line of said parcel to the Northeast corner of parcel 06-10-14-000-002.011-001; thence South 00 degrees 10 minutes 13 seconds West 856.62 feet along the East line of said parcel and parcel 06-10-14-000-002.007-001 to an East corner of said parcel; thence South 88 degrees 58 minutes 15 seconds West 14.76 feet along a South line of said parcel to an East corner of said parcel; thence South 00 degrees 18 minutes 07 seconds West 172.48 feet along said East line to an East corner of said parcel; thence North 88 degrees 53 minutes 51 seconds East 268.19 feet along a North line of said parcel to an East corner of said parcel; thence South 00 degrees 04 minutes 26 seconds East 39.73 feet along an East line of said parcel to an East corner of said parcel; thence North 89 degrees 38 minutes 16 seconds West 247.74 feet along a South line of said parcel to and East corner of said parcel; thence South 00 degrees 17 minutes 18 seconds West 260.75 feet along an East line of said parcel to an East corner of said parcel; thence South 89 degrees 36 minutes 53 seconds East 249.39 feet along a North line of said parcel to an East corner of said parcel; thence South 00 degrees 04 minutes 26 seconds East 49.65 feet along an East line of said parcel to the Southeast corner of said parcel; thence South 88 degrees 44 minutes 53 seconds West 248.13 feet along the South line of said parcel to the Northeast corner of parcel 06-10-14-000-002.000-001; thence South 00 degrees 17 minutes 18

seconds West 533.03 feet along the East line of said parcel to an East corner of said parcel; thence South 89 degrees 54 minutes 50 seconds West 223.60 feet along a South line of said parcel to the East line of parcel 06-10-14-000-002.004-001; thence South 00 degrees 30 minutes 17 seconds West 447.96 feet along said East line to the Southeast corner of said parcel; thence South 88 degrees 51 minutes 58 seconds West 404.01 feet along the South line of said parcel to and East line of said parcel 06-10-14-000-002.000-001; thence South 00 degrees 19 minutes 01 second West 237.95 feet along said East line and extension thereof to the South Line of the Southwest Quarter of Section 14; thence North 89 degrees 52 minutes 12 seconds West 228.88 feet along said South line; thence South 04 degrees 58 minutes 34 seconds West 59.14 feet to the South line of County Road 300 over I-65; thence South 83 degrees 28 minutes 39 seconds West 525.17 feet along said South line and extension thereof to the East line of parcel 06-10-23-000-035.000-001; thence South 17 degrees 00 minutes 39 seconds East 1111.68 feet along the East line of said parcel to the North line of parcel 06-10-23-000-024.000-001; thence North 90 degrees 00 minutes 00 seconds East 40.29 feet along said North line to the Northeast corner of said parcel; thence South 18 degrees 06 minutes 15 seconds East 2406.71 feet along the East line of said parcel and parcel 06-10-23-000-019.001-001 to the Southeast corner of said parcel; thence South 74 degrees 48 minutes 29 seconds West 440.61 feet along the South line of said parcel to a South corner of said parcel; thence Southwesterly 105.16 feet along said South line and non-tangent curve to the right having a radius of 263.05 feet and subtended by a long chord having a bearing of South 85 degrees 35 minutes 31 seconds West and a length of 104.46 feet; thence South 37 degrees 26 minutes 46 seconds West 266.86 feet to the Northeasterly line of parcel 06-10-23-000-002.000-001; thence South 62 degrees 00 minutes 47 seconds East 375.16 feet along said Northeasterly line to and Northeasterly corner of said parcel; thence South 49 degrees 27 minutes 41 seconds West 79.61 feet along said Northeasterly line to a Easterly corner of said parcel; thence South 40 degrees 39 minutes 22 seconds East 1011.79 feet along the Easterly line of said parcel to an Easterly corner of said parcel; thence North 51 degrees 13 minutes 51 seconds East 107.46 feet along a Northerly line of said parcel to an Easterly corner of said parcel; thence South 12 degrees 25 minutes 34 seconds East 623.07 feet along an Easterly line of said parcel to the Southeast corner of parcel 06-10-23-000-003.000-001; thence South 88 degrees 19 minutes 48 seconds West 351.25 feet along the South line of said parcel to the Northeast corner of parcel 06-10-26-000-012.000-001; thence South 01 degree 44 minutes 44 seconds West 633.14 feet along an East line of said parcel to an East corner of said parcel; thence North 89 degrees 33 minutes 38 seconds East 688.63 feet along a North line of said parcel and the North line of parcel 06-10-26-000-010.000-001 to the Northeast corner of said parcel; the following seven (7) courses are along the East line of said parcel (1) thence South 18 degrees 37 minutes 15 seconds East 587.88 feet; (2) thence South 23 degrees 54 minutes 22 seconds East 308.16 feet; (3) thence South 13 degrees 15 minutes 39 seconds East 485.22 feet; (4) thence South 09 degrees 31 minutes 31 seconds East 272.56 feet; (5) thence South 06 degrees 27 minutes 30 seconds East 399.06 feet; (6) thence South 89 degrees 28 minutes 25 seconds West 31.75 feet; (7) thence South 05 degrees 13 minutes 35 seconds East 320.49 feet to the Southeast corner of said parcel; thence North 87 degrees 51 minutes 03 seconds East 23.67 feet to the Northeast corner of parcel 06-10-26-000-005.000-001; thence South 03 degrees 09 minutes 04 seconds East 424.88 feet along the East line of

said parcel; thence South 04 degrees 29 minutes 23 seconds East 1102.79 feet along the East line of said parcel and the East line of parcel 06-10-26-000-002.000-001; thence South 07 degrees 47 minutes 58 seconds East 449.07 feet along the East line of said parcel; thence South 18 degrees 00 minutes 17 seconds East 399.52 feet along the East line of said parcel and the East line of parcel 06-13-27-000-001.000-001 to a South corner of said parcel; thence South 89 degrees 33 minutes 34 seconds West 1699.50 feet along the South line of said parcel and South line of parcel 06-10-26-000-002.001-001 to the Northeast corner of parcel 06-10-35-000-025.000-001; thence South 00 degrees 15 minutes 10 seconds East 2627.57 feet along the East line of said parcel to the Southeast corner of said parcel; thence South 89 degrees 41 minutes 13 seconds West 2007.10 feet along the South line of said parcel to the Southwest corner of said parcel; thence North 00 degrees 12 minutes 10 seconds West 2623.13 feet along the West line of said parcel to the Southwest corner of parcel 06-10-26-000-002.001-001; thence North 00 degrees 06 minutes 28 seconds East 1861.55 feet along the West line of said parcel to the South line of parcel 06-13-27-000-001.000-001; thence North 64 degrees 50 minutes 12 seconds West 2918.02 feet along said South line to the West line of the Northeast Quarter of Section 27; thence North 00 degrees 32 minutes 38 seconds West 123.06 feet along said West line to the North line of said parcel; thence South 64 degrees 13 minutes 42 seconds East 2934.43 feet along the North line of said parcel to a West corner of parcel 06-10-26-000-002.002-001; thence North 00 degrees 06 minutes 37 seconds East 682.13 feet along the West line of said parcel and the West line of parcel 06-10-26-000-011.000-001 to the Southwest corner of parcel 06-10-26-000-012.000-001; Thence North 00 degrees 06 minutes 37 seconds East 2652.99 feet along the West line of said parcel to the Northwest corner of said parcel; thence North 89 degrees 26 minutes 21 seconds East 111.82 feet along the North line of said parcel to the Southwest corner of parcel 06-10-23-000-002.000-001; thence North 00 degrees 01 minute 20 seconds East 1874.39 feet along the West line of said parcel to the Northwest corner of said parcel; thence North 88 degrees 40 minutes 52 seconds East 745.08 feet along the North line of said parcel; thence South 39 degrees 35 minutes 27 seconds East 11.83 feet along the Northeasterly line of said parcel; thence North 33 degrees 47 minutes 38 seconds East 375.26 feet to a West corner of parcel 06-10-23-000-019.001-001; Thence North 52 degrees 46 minutes 15 seconds East 273.60 feet along a West line of said parcel to a West corner of said parcel; thence North 44 degrees 18 minutes 47 seconds West 154.94 feet along a West line of said parcel to a West corner of said parcel; thence North 25 degrees 25 minutes 56 seconds East 247.62 feet along a West line of said parcel to the Northwest corner of said parcel; thence North 90 degrees 00 minutes 00 seconds East 103.13 feet along the North line of said parcel to the Southwest corner of parcel 06-10-23-000-024.000-001; The following six (6) courses are along the West line of said parcel (1) thence North 64 degrees 27 minutes 55 seconds West 45.38 feet; (2) thence North 36 degrees 33 minutes 58 seconds West 93.60 feet; (3) thence North 23 degrees 29 minutes 06 seconds West 172.52 feet; (4) thence North 10 degrees 18 minutes 30 seconds West 317.72 feet; (5) thence North 00 degrees 34 minutes 08 seconds West 889.58 feet; (6) thence North 18 degrees 54 minutes 43 seconds East 36.03 feet to the South line of parcel 06-10-23-000-035.000-001; thence South 89 degrees 57 minutes 40 seconds West 322.23 feet along the South line of said parcel to the Southwest corner of said parcel; thence North 00 degrees 06 minutes 00 seconds West 1049.80 feet along the West line of said parcel to the South line of County

Road 300 over I-65; thence South 84 degrees 35 minutes 58 seconds West 43.25 feet along said South line; thence North 00 degrees 41 minutes 45 seconds West 120.21 feet to the Center of said County Road; thence South 85 degrees 40 minutes 20 seconds West 788.22 feet along said Center; thence North 00 degrees 08 minutes 10 seconds West 2639.94 feet along the West line of parcel 06-10-14-000-004.002-001 to the Northwest corner of said parcel; thence North 88 degrees 55 minutes 17 seconds East 367.51 feet along the North line of said parcel to the Southwest corner of parcel 06-10-14-000-008.000-001; thence North 17 degrees 59 minutes 19 seconds West 2114.40 feet along the West line of said parcel and the West line of parcel 06-10-15-000-017.000-001; thence North 18 degrees 00 minutes 16 seconds West 2695.80 feet along the West line of said parcel and the West line of parcel 06-10-10-000-002.000-017; thence North 15 degrees 54 minutes 21 seconds West 724.41 feet along the West line of said parcel to the Northwest corner of said parcel; thence South 89 degrees 42 minutes 54 seconds East 1353.52 feet along the North line of said parcel and parcel 06-10-10-000-009.000-017 to the Northwest corner of parcel 06-10-11-000-001.000-017; thence North 88 degrees 52 minutes 59 seconds East 2551.51 feet along the North line of said parcel and parcels 06-10-11-000-010.000-017, 06-10-11-000-010.004-017 and 06-10-11-000-012.000-017 to the Northwest corner of parcel 06-10-11-000-003.000-017; thence North 88 degrees 48 minutes 01 second East 2634.33 feet along the North line of said parcel and parcels 06-10-11-000-011.000-017 and 06-10-11-000-003.001-017 to the POINT OF BEGINNING.

Excepting from the annexation area parcels (A) 06-10-26-000-006.000-001, (B) 06-10-26-000-008.000-001 and (C) 06-10-26-000-009.000-001 depicted on Annexation Routing dated May 19, 2022

**EXHIBIT C
(CONTIGUITY CERTIFICATION)**



AMERICAN
STRUCTUREPOINT
INC.

9025 RIVER ROAD, SUITE 200
INDIANAPOLIS, INDIANA 46240
TEL 317.547.5580
FAX 317.543.0270

May 24, 2022

Per request of the Indiana Economic Development Corporation ("IEDC"), American Structurepoint, Inc., has reviewed the information provided by, and available from, the City of Lebanon, Indiana (the "City") and the law firm of Taft, Stettinius and Hollister ("Taft") to determine whether the parcels identified in the attached map, if annexed into the City of Lebanon, would comply with the contiguity requirements set forth in IC § 36-4-3-1.5(a).

Based upon the information available, reviewed, and provided (which is commonly relied upon in the industry), at least one-eighth (1/8) of the external boundaries of the proposed territory to be annexed ("Territory") coincides with the existing boundaries of the City, thereby satisfying the contiguity requirement of IC § 36-4-3-1.5(a) to support the voluntary annexation of such parcels into the City.

We are available at your convenience to answer any questions or further discuss this matter.

Sincerely,
American Structurepoint, Inc.


John A. Lashenik
Executive Vice President/Partner

JAL:mgn

Enclosure



EXHIBIT D
(PROHIBITED USES FROM GENERAL INDUSTRIAL ZONING DISTRICT)

Voluntary Prohibited Uses

Landfill operations and commercial recycling centers or transfer stations
Commercial truck and freight terminals
Truck stops and travel centers
Kennel
Commercial large-scale/industrial composting
Petroleum refineries
Steel mills and similar heavy-manufacturing plants
Self-storage facilities
Semi-tractor/ trailer storage not affiliated with an on-site User's operations
Airports and airstrips
Truck sales and service center
Concrete and asphalt production facilities
Junk or scrap metal yard
Inoperable vehicle storage
Mineral extraction
Explosives manufacturing and storage
Farm equipment sales and service
Fertilizer sales, distribution, and storage
Raising and breeding of non-farm fowl and animals, commercially
Auto parts sales
Automobile/motor vehicle repair (major)
Automobile/motor vehicle repair (minor)
Automobile/motorcycle sales
Mobile home sales
Recreational vehicle sales and service
Building supply store
Construction services
Electric appliance shop
Repair services
Bakery (wholesale)
Produce terminal, wholesale
Laundry service (large-scale)
Boat/RV storage facility (outdoor)
Contractor's warehouse/storage facility (unenclosed)
Lumber yard
Mini-warehouse, self-storage facility
Warehouse/distribution facility (unless directly affiliated with a permitted primary user within the district)
Campground/RV park
Animal shelter
Crematory
Penal or correctional institution

Power generating plant

Adult uses

Outdoor commercial recreational enterprise

Seasonal fishing or hunting lodge

Shooting range (outdoor)

Shooting/archery range (indoor)

Theater (outdoor)

Theater (adult drive-in)

Fireworks sales (permanent)

Manufactured home sales