

ORDINANCE NO. 2022-07

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 March 21, 2022 and forwarded Docket 22-15 to the Council with a favorable recommendation (7-0) to assign the Single-Family Residential (SF) zoning classification for the Annexation Area; and,

WHEREAS, the Council has conducted a public hearing on March 28, 2022, 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 2022-08); 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, on the east side of 100 E approximately 2800 feet north of 260 S 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.

PASSED AND ADOPTED THIS 11 day of April, 2022.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell
Keith Campbell

Keith Campbell

Keith Campbell

John Copeland
John Copeland

John Copeland

John Copeland

Morris Jones
Morris Jones

Morris Jones

Morris Jones

Mike Kincaid
Mike Kincaid

Mike Kincaid

Mike Kincaid

Sierra Messenger
Sierra Messenger

Sierra Messenger

Sierra Messenger

Dick Robertson
Dick Robertson

Dick Robertson

Dick Robertson

ABSENT
Brent Wheat

Brent Wheat

Brent Wheat

ATTEST:

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby certify that ORDINANCE 2022-07 was delivered to the Mayor of Lebanon on the
4 day of May, 2022, at 10:00a.m.

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2022-07
this 4 day of May, 2022

[Signature]
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2022-07
this ___ day of _____, 2022

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer
Tonya Thayer, Clerk-Treasurer

EXHIBIT A
LEGAL DESCRIPTION

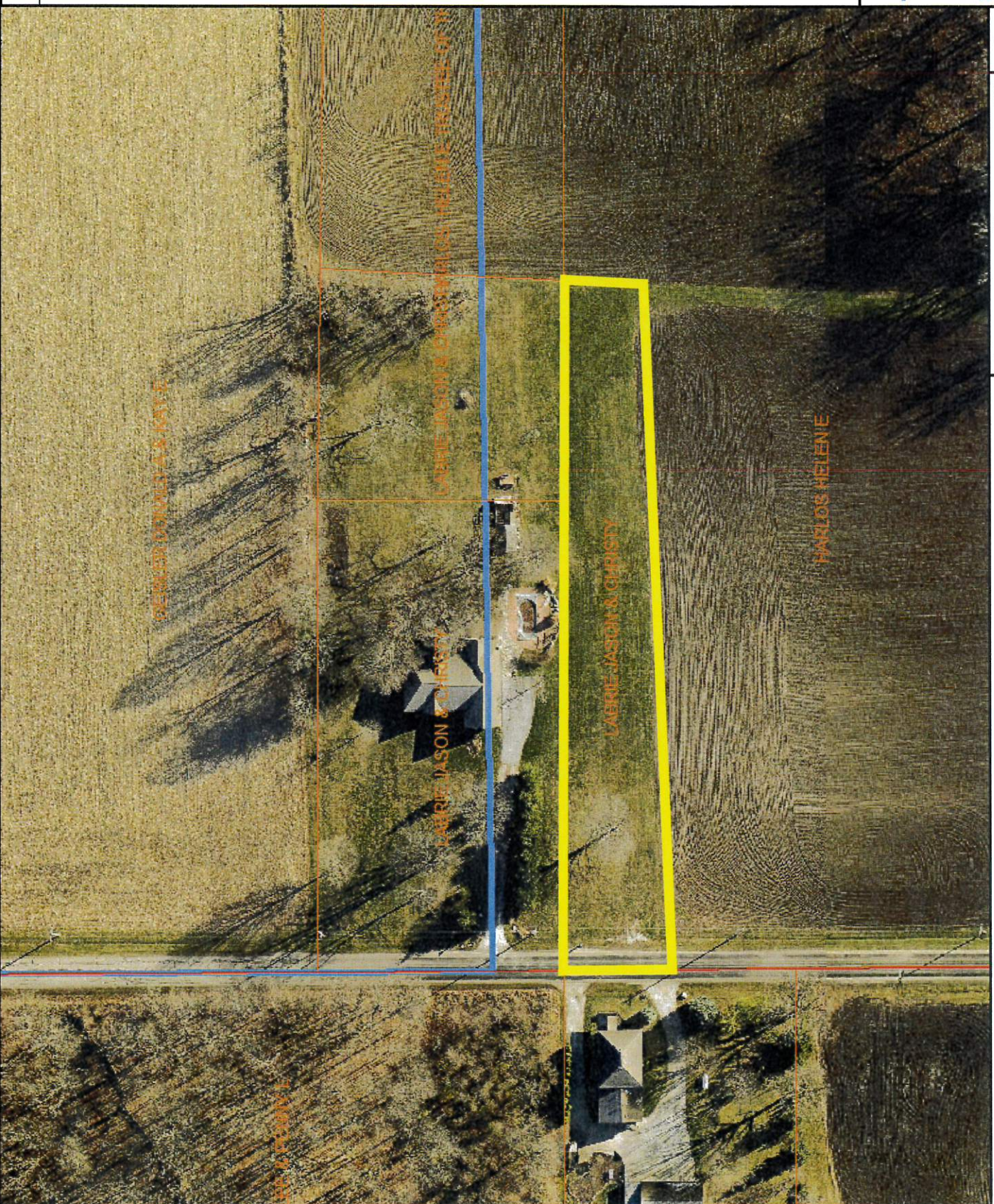
A part of the Northwest Quarter of Section 17, Township 18 North, Range 1 East, Center Township, Boone County, Indiana, being that 0.6526 acre parcel surveyed by Jonathan E. Hause, P.S. 20600040 and shown on a plat of survey certified on August 24, 2021 as Hause Surveying and Engineering Job Number 21S536 (all monuments herein referenced are as set or found on the aforesaid Hause Survey), being more particularly described as follows:

Beginning at a Harrison Monument found marking the Southwest corner of the Southwest Quarter of said Section 8; thence North 88 degrees 38 minutes 28 seconds East 471.00 feet along the North line of the Northwest Quarter of said Section 17; thence South 01 degree 58 minutes 16 seconds West 55.63 feet to a 5/8-inch diameter rebar with blue plastic cap stamped "HAUSE PLS20600040"; thence South 87 degrees 25 minutes 29 seconds West 469.03 feet to the West line of the Northwest Quarter of said Section 17 and a magnetic nail with metal washer stamped "HAUSE PLS20600040"; thence North 00 degrees 21 minutes 05 seconds West 65.50 feet along the West line of the Northwest Quarter of said Section 17 to the Point of Beginning.

Containing 0.6526 acres, more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

EXHIBIT B

- Parcels From County
- Lebanon City Lim
- Roads
- Highways



1" = 90ft