

## ORDINANCE NO. 2024-01

### 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 December 18, 2023 and forwarded Docket 23-82 to the Council with a favorable recommendation (8-0) to assign the LEAP Innovation District Planned Unit Development zoning classification for the Annexation Area; and,

**WHEREAS**, the Council has conducted a public hearing on January 8, 2024, 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 2023-35); 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 located at the northwest corner of W 50 N and N 300 W (510 N 300 W) and adjacent to the existing corporate limits along the northern and eastern boundaries 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 LEAP Innovation District Planned Unit Development 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.

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PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**LEBANON COMMON COUNCIL**

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Keith Campbell

\_\_\_\_\_  
Keith Campbell

\_\_\_\_\_  
Keith Campbell

\_\_\_\_\_  
John Copeland

\_\_\_\_\_  
John Copeland

\_\_\_\_\_  
John Copeland

\_\_\_\_\_  
Robert Hawkins

\_\_\_\_\_  
Robert Hawkins

\_\_\_\_\_  
Robert Hawkins

\_\_\_\_\_  
Sandra Jasionowski

\_\_\_\_\_  
Sandra Jasionowski

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Sandra Jasionowski

\_\_\_\_\_  
Mike Kincaid

\_\_\_\_\_  
Mike Kincaid

\_\_\_\_\_  
Mike Kincaid

\_\_\_\_\_  
Sierra Messenger

\_\_\_\_\_  
Sierra Messenger

\_\_\_\_\_  
Sierra Messenger

\_\_\_\_\_  
Dick Robertson

\_\_\_\_\_  
Dick Robertson

\_\_\_\_\_  
Dick Robertson

ATTEST:

\_\_\_\_\_  
Tonya Thayer, Clerk-Treasurer

I hereby certify that ORDINANCE 2024-01 was delivered to the Mayor of Lebanon on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_ m.

\_\_\_\_\_  
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2024-01  
this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2024-01  
this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Matthew T. Gentry, Mayor

ATTEST:

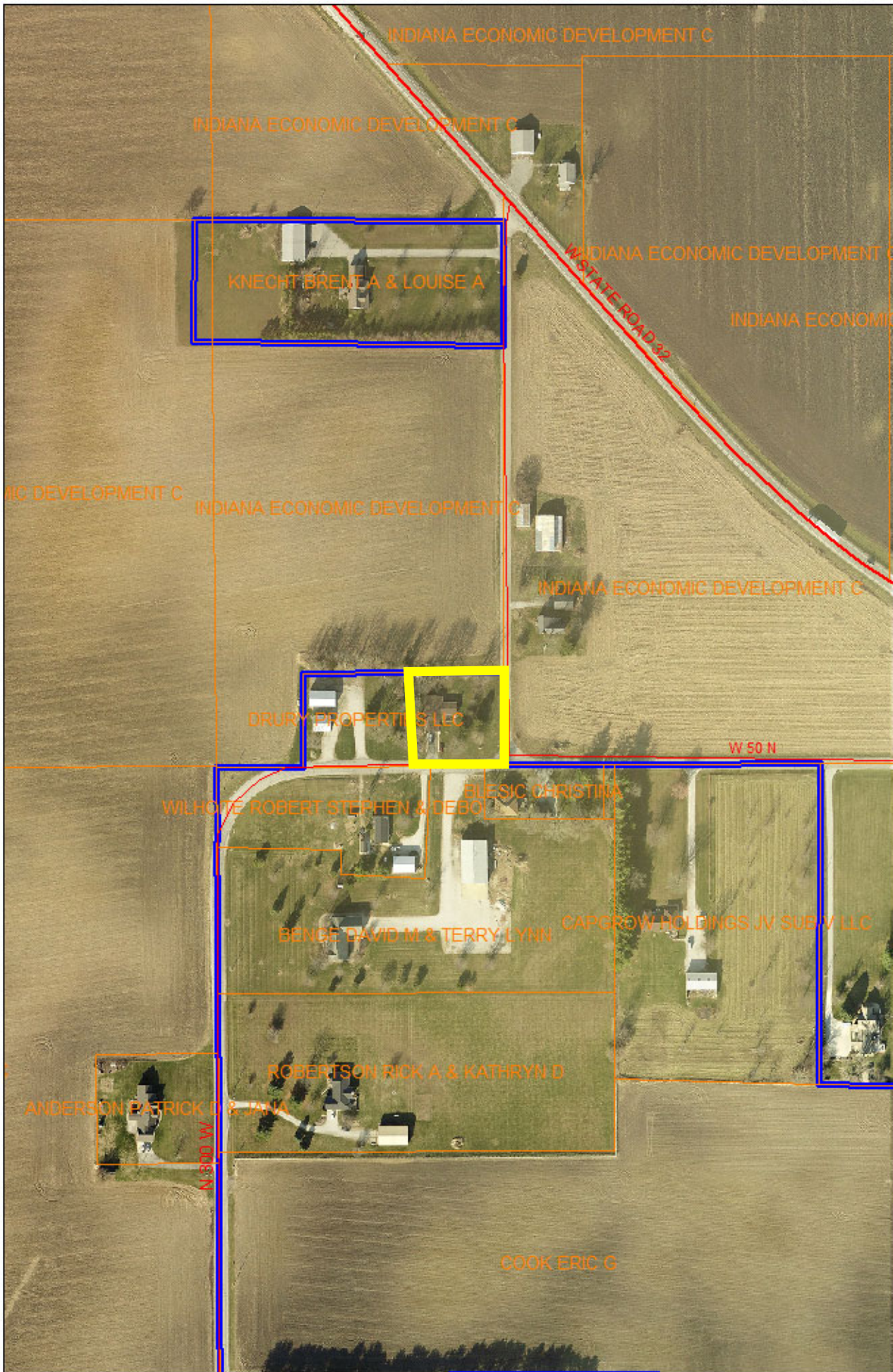
\_\_\_\_\_  
Tonya Thayer, Clerk-Treasurer

**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 1 WEST, SITUATED IN CENTER TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF THE AFORESAID NORTHWEST QUARTER, PROCEED THENCE NORTH 89 DEGREES 48 MINUTES 32 SECONDS EAST (THE BEARING DETERMINED FROM U.S.G.S. QUADRANGLE MAP) 341.92 FEET ALONG THE QUARTER SECTION LINE TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING PROCEED THENCE NORTH 00 DEGREES 11 MINUTES 28 SECONDS WEST 185.94 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 16 SECONDS EAST 190.33 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 21 SECONDS WEST, 183.94 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 32 SECONDS WEST, 189.05 FEET TO THE POINT OF BEGINNING.

Subject to all easements, restrictions, rights-of-way and public roadways of record.

## **EXHIBIT B**



- ParcelsFromCounty
- Roads
- Highways

