

ORDINANCE 2019-30

AN ORDINANCE OF THE TOWN OF WHITESTOWN, INDIANA ESTABLISHING THE WHITESTOWN ECONOMIC IMPROVEMENT DISTRICT

WHEREAS, the Town of Whitestown, Indiana ("Town") has received a *Petition to Create the Whitestown Economic Improvement District* ("Petition") from property owners within the proposed economic improvement district, pursuant to Ind. Code § 36-7-22; and

WHEREAS, the Town provided notice and conducted a public hearing on the Petition pursuant to Ind. Code § 36-7-22-6; and

WHEREAS, the Petition proposes an economic improvement project for the identification and retention of workers and transportation of workers to be carried out within and to/from the proposed economic improvement district; and

WHEREAS, the Whitestown Town Council, as the legislative body for the Town, finds that:

- (1) the Petition meets the requirements of Ind. Code §§ 36-7-22-4 and -5;
- (2) the economic improvement projects to be undertaken in the district will provide special benefits to property owners in the district and will be of public utility and benefit;
- (3) the benefits provided by the project will be new benefits that do not replace benefits existing before the establishment of the district; and
- (4) the formula to be used for the assessment of benefits is appropriate; and

WHEREAS, the Town Council further determines that the Petition has been signed by (a) at least sixty percent (60%) of the owners of real property within the proposed district, and (b) the owners of real property constituting at least sixty percent (60%) of the assessed valuation in the proposed district, as contemplated by Ind. Code § 36-7-22-7(b), (c), and (d); and

WHEREAS, the Town Council now desires to establish the Whitestown Economic Improvement District and establish the Whitestown Economic Improvement Board under the terms and conditions set forth herein.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whitestown, Indiana, as follows:

1. Whitestown Economic Improvement District. The Whitestown Economic Improvement District, comprised of the parcels identified on the map attached

hereto as Exhibit A and incorporated herein, (“District”) is hereby established. A list of the current parcels within the District is further attached hereto as Exhibit B.

2. Whitestown Economic Improvement Board. The Whitestown Economic Improvement Board (“Board”) is hereby established. The Board shall consist of five (5) voting members (“Members”) appointed by the Town Council President with the approval of the Town Council. At least three (3) voting Members must own real property (or be representatives of owners of real property) within the District. Voting Members serve at the pleasure of the Town Council and may be removed or replaced without cause. The voting Members should elect one voting Member to serve as Chairman, and may also elect such other officers from its voting membership as the Board deems appropriate. Three (3) voting Members shall constitute a quorum of the Board.

3. Advisory Board Members. The Town Council President, with the approval of the Town Council, may also appoint up to four (4) non-voting advisory members to the Board. Non-voting advisory members serve at the pleasure of the Town Council and may be removed or replaced without cause.

4. Powers and Duties of the Board. The Board shall manage and implement economic improvement projects approved by the Town Council and related to the identification and retention of workers and transportation of workers to be carried out within and to/from the District. All projects, agreements, or other actions of the Board under Ind. Code § 36-7-22-22 or Ind. Code § 36-7-22-19, shall only be valid with approval of the Town Council. The Board shall submit an annual report to the Town Council before February 15 of each year, summarizing the Board’s activities and expenditures during the preceding calendar year.

5. Special Assessment. The Board shall use the following formula for determining the special assessments under Ind. Code § 36-7-22-12 for each parcel in the District: (a) the annual assessed value as determined by the Boone County Assessor’s office will be used as the basis for determining the percentage of the total benefit to be received by each parcel of property within the District, with an annual assessment of \$0.0005 times the assessed value for property zoned Industrial, Commercial, and/or Business (including those portions of a PUD or Mixed Use designated or used as Industrial, Commercial, and/or Business); and (b) no annual assessment (\$0) for property zoned and used Agricultural or Residential (including those portions of a PUD or Mixed Use designated or used as Agricultural or Residential) during such year.

Any parcel within the District that is (a) owned by a nonprofit entity that is exempt from property taxation under Ind. Code § 6-1.1-10-16, (b) owned by the state or a state agency or leased to a state agency and is exempt from property taxation under Ind. Code § 6-1.1-10 or any other law, or (c) owned by a political subdivision of the state and is exempt from property taxation under Ind. Code § 6-1.1-10 or any other law, is exempt from the special assessment during the same time that such parcel is exempt from property taxation.

The special assessments under this section may be assessed for a period of ten (10) years beginning 2020, payable in semi-annual installments.

6. Whitestown Economic Improvement Fund. There is hereby established the Whitestown Economic Improvement Fund (“Fund”). The Fund shall be a non-reverting fund of the Town. All assessments received under Ind. Code § 36-7-22 and any other amounts received by the Board shall be deposited in the fund. Any money earned from investment of money in the Fund becomes a part of the Fund. All receipts and expenditures attributable to the Fund shall be processed, appropriated, claimed, and allowed in the same manner as other claims of the town. Money in the fund may be expended only with approval of the Town Council. Payments for contracts, agreements, or leases approved by the Town Council shall be considered pre-approved claims.

7. Effective Date. This Ordinance shall be effective upon its adoption as required by law.

Introduced on _____, 20____, and adopted by the Town Council of the Town of Whitestown, Indiana, on this _____ day of _____, 20____.

THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA YAY/NAY

Clinton Bohm, President

Susan Austin, Vice-President

Eric Miller, Member

Kevin Russell, Member

Jeffrey Wishek, Member

ATTEST:

Matt Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

Exhibit B
Current District Parcels

oldpin	site addr	site addr 2	name
0180252104	4600 ALBERT S WHITE DRIVE	WHITESTOWN, IN 46075	BROWNING/ DUKE LLC
0180358000	4255 S 500 E	WHITESTOWN, IN 46075	BROWNING/DUKE II LLC
0180546001	4751 E 450 S (Est)	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180252100	4900 ALBERT S WHITE DRIVE	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0181252100	4237 - 4251 ANSON BLVD	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180409000	4140 ANSON BLVD 4256 ANSON BLV	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180358008	5240 E ALBERT S WHITE DRIVE	WHITESTOWN, IN 46075	AP ANSON 7B LLC
0181303000	4502 S 575 E (Est)	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180302101	4359 E 400 S	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0181182002	5400 E 450 S (Est)	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180546000	4656 ANSON BLVD	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180302100	4350 S 575 E (Est)	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180225100	COMMON PROPERTY - LAKE	WHITESTOWN, IN 46075	BROWNING/DUKE LLC
0180358007	5215 E ALBERT S WHITE DRIVE	WHITESTOWN, IN 46075	DUKE / ALLPOINTS INDY LLC
0180226102	4330 ANSON BLVD	WHITESTOWN, IN 46075	DUKE REALTY LIMITED PARTNERSHI
0180409001	4405 ALBERT S WHITE DRIVE	WHITESTOWN, IN 46075	DUKE REALTY LIMITED PARTNERSHI
0120210001	4321 E ALBERT S WHITE DRIVE	WHITESTOWN, IN 46075	DUKE REALTY LIMITED PARTNERSHI
0181496005	4993 ANSON BLVD - BUILDING 2	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0180497004	5102 E 500 S - POND 3	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0180497003	5102 E 500 S - BUILDING 3	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0200099001	5301 E 500 S - ROW	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0200554006	5000 E 500 S - ROW	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0200554003	5000 E 500 S (Est) - POND 1	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0181496005	4993 ANSON BLVD - BUILDING 2	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0180497000	5102 E 500 S (Est)	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0180497005	5102 E 500 S - POND 2	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0181496004	4995 PERRY WORTH RD -1A	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0180252102	4750 E 450 S	WHITESTOWN, IN 46075	MEDCO HEALTH SOLUTIONS OF INDI
0180409004	4256 ANSON BLVD	WHITESTOWN, IN 46075	CPUS WHITESTOWN LP
0180546008	4596 ANSON BLVD	WHITESTOWN, IN 46075	PTS DIAGNOSTICS REAL ESTATE HO
0180546005	4656 ANSON BLVD	WHITESTOWN, IN 46075	ROYAL INDUSTRIAL DEVELOPMENT L
0180546006	4881 PERRY WORTH RD	WHITESTOWN, IN 46075	CVK LLC
0180252106	4255 ANSON BLVD (Adj)	WHITESTOWN, IN 46075	ILPT KYIN LLC
0180409002	4255 ANSON BLVD	WHITESTOWN, IN 46075	ILPT KYIN LLC

0180213003	4683 ALBERT S WHITE DR	WHITESTOWN, IN 46075	INDHLAND LLC
0180213005	3860 S 500 E 3930 S 500 E	WHITESTOWN, IN 46075	GEAR WHITE BOULEVARD PROPCO LL
0180322003	3957 S 500 E	WHITESTOWN, IN 46075	MACH II - B CTRP FISHBACK LLC
0181320000	3811 S 500 E	WHITESTOWN, IN 46075	MACH II - B CTRP FISHBACK LLC
0180370007	3744 S 575 E	WHITESTOWN, IN 46075	MACH II - B CTRP FISHBACK LLC
0181182000	LANDLOCKED 25-18-1E NE SW	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0180357000	5402 E 500 S (Est)	WHITESTOWN, IN 46075	WHITESTOWN 65 COMMERCE PARK LL
0200095000	5105 E 500 S	WHITESTOWN, IN 46075	CLARK DONALD R & VIRGINIA
0200098000	5655 E 550 S (Est)	WHITESTOWN, IN 46075	CLARK DONALD R & VIRGINIA
0200097000	5380 E 550 S	WHITESTOWN, IN 46075	CLARK DONALD R & VIRGINIA
0200099000	5301 E 500 S (Est)	WHITESTOWN, IN 46075	CLARK DONALD R & VIRGINIA
0200095001	5045 E 500 S	WHITESTOWN, IN 46075	CLARK GENE & CRYSTAL L
0200096000	5501 PERRY WORTH RD	WHITESTOWN, IN 46075	CLARK LEGACIES LLC
0200027000	5491 E 500 S (Est)	WHITESTOWN, IN 46075	CPF FARMS LLC
0200026000	5492 E 550 S (Est)	WHITESTOWN, IN 46075	CPF FARMS LLC
0200095002	5105 E 500 S	WHITESTOWN, IN 46075	CPF FARMS LLC
0200133000	5650 E 550 S (Est)	WHITESTOWN, IN 46075	PADGETT KAREN K REVOCABLE LIVI
0180355000	4930 S 575 E	WHITESTOWN, IN 46075	PADGETT KAREN K REVOCABLE LIVI
0180356000	4802 S 575 E (Est)	WHITESTOWN, IN 46075	PADGETT KAREN K REVOCABLE LIVI
0181092001	4501 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	BRIDGEWATER JAMES R
0200435005	4898 FIELDSTONE DR	WHITESTOWN, IN 46075	CALUMET ASPHALT PAVING CO INC
0180289101	4600 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	EXETER 4080 PERRY LLC
0180290200	4081 PERRY BLVD	WHITESTOWN, IN 46075	EXETER 4080 PERRY LLC
0200375003	4081 PERRY BLVD (Rear)	WHITESTOWN, IN 46075	EXETER 4080 PERRY LLC
0200342105	3519 PERRY BLVD	WHITESTOWN, IN 46075	EXETER STATE ROAD 267 BUILDING
0200342104	COMMON AREA D	WHITESTOWN, IN 46075	EXETER STATE ROAD 267 BUILDING
0200342103	COMMON AREA C - POND	WHITESTOWN, IN 46075	EXETER STATE ROAD 267 LLC
0200342000	3522 PERRY BLVD	WHITESTOWN, IN 46075	EXETER STATE ROAD 267 LLC
0200342101	COMMON AREA A	WHITESTOWN, IN 46075	EXETER STATE ROAD 267 LLC
0200342102	COMMON AREA B	WHITESTOWN, IN 46075	EXETER STATE ROAD 267 LLC
0200059000	3124 PERRY BLVD	WHITESTOWN, IN 46075	EXETER 4765 S 300 LAND LLC
0200435015	3810 PERRY BLVD	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0200435013	3890 PERRY BLVD	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0180186100	4820 - 4850 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0200228005	5446 INDUSTRIAL CT	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0200375002	4820 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0200375001	4820 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0200375000	5288 - 5290 - 5372 - 5376 PERF	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0200375602	5224 PERFORMANCE WAY	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0206375001	COMMON AREA A	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011
0206375002	COMMON AREA B	WHITESTOWN, IN 46075	INDIANA BECKNELL INVESTORS 2011

0080183001	5190 S SR 267	WHITESTOWN, IN 46075	ZIONSVILLE INDIANA LAND BECKNELL INVESTORS LLC
0200555102	4312 WHITELICK CT	WHITESTOWN, IN 46075	MILESTONE CONTRACTORS LP
0200435002	4899 FIELDSTONE DR	WHITESTOWN, IN 46075	MILESTONE CONTRACTORS LP
0200555103	4286 WHITELICK CT	WHITESTOWN, IN 46075	SAGAMORE READY-MIX, LLC
0200555004	4301 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	ASH OF INDIANA LLC
0180505001	4301 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	ASH OF INDIANA LLC
0200228004	5294 PERFORMANCE WAY	WHITESTOWN, IN 46075	INDIANA INDUSTRIAL SERVICES LL
0200228002	5300 PERFORMANCE WAY	WHITESTOWN, IN 46075	PROLOGIS THIRD U.S. PROPERTIES
0200435008	4954 FIELDSTONE DR	WHITESTOWN, IN 46075	RLCCP PROPERTIES LLC
0200435006	4902 FIELDSTONE DR (Est)	WHITESTOWN, IN 46075	VALENTI HELD REAL ESTATE GROUP
0200375103	COMMON AREA C	WHITESTOWN, IN 46075	VALENTI HELD REAL ESTATE GROUP
0200375104	COMMON AREA D	WHITESTOWN, IN 46075	VALENTI HELD REAL ESTATE GROUP
0180290105	COMMON PROPERTY - LAKE	WHITESTOWN, IN 46075	VALENTI HELD REAL EST GRP LLP
0201555002	4185 S SR 267	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0202555001	COMMON PROPERTY 1	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0202555003	COMMON PROPERTY 3	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0182555001	COMMON PROPERTY 1	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0202555002	COMMON PROPERTY 2	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0202555004	COMMON PROPERTY 4	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0201555003	4185 S SR 267	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200382201	4000 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200382013	4000 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200382012	4000 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200382011	4000 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200382000	4000 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200382209	TRADITION DR	WHITESTOWN, IN 46075	WHITESTOWN CROSSING LLC
0200228802	COMMON PROPERTY - B	WHITESTOWN, IN 46075	PERRY INDUSTRIAL PARK II LLC
0200228801	COMMON PROPERTY - A	WHITESTOWN, IN 46075	PERRY INDUSTRIAL PARK II LLC
0200228007	5352 PERFORMANCE WAY	WHITESTOWN, IN 46075	LEX WHITESTOWN LP
0200228003	4860 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	HARVEST C PROJECT I-65 LLC
0180228003	4860 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	HARVEST C PROJECT I-65 LLC
0181092000	4859 S INDIANAPOLIS RD (Est)	WHITESTOWN, IN 46075	HOCKETT REAL ESTATE LP
0200044002	5361 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	HOCKETT REAL ESTATE LP
0200045000	5531 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	HOCKETT REAL ESTATE LP
0181227002	5161 S INDIANAPOLIS RD (Adj)	WHITESTOWN, IN 46075	INDIANAPOLIS CAR EXCHANGE INC
0200044000	5375 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	INDIANAPOLIS CAR EXCHANGE INC
0200007000	5679 S INDIANAPOLIS RD	WHITESTOWN, IN 46075	INDIANAPOLIS CAR EXCHANGE INC
0200435004	4937 FIELDSTONE DR	WHITESTOWN, IN 46075	DOHENY INDIANAPOLIS PROPERTIES LLC
0180290101	4937 FIELDSTONE DR	WHITESTOWN, IN 46075	DOHENY INDIANAPOLIS PROPERTIES LLC
0200228001	5490 INDUSTRIAL CT	WHITESTOWN, IN 46075	FINLAYSON LOGISTICS ASSETS LLC
0180546003	4671 ANSON BLVD	WHITESTOWN, IN 46075	TOWN OF WHITESTOWN
0200435019	3921 PERRY BLVD	WHITESTOWN, IN 46075	CREST 3921 LLC
0200435012	3930 PERRY BLVD	WHITESTOWN, IN 46075	CREST 3930 LLC
0180290109	4002 PERRY BLVD	WHITESTOWN, IN 46075	WF INDUSTRIAL PROPERTIES I LLC
0180290108	4036 PERRY BLVD	WHITESTOWN, IN 46075	WF INDUSTRIAL PROPERTIES I LLC

0200435016	3811 PERRY BLVD	WHITESTOWN, IN 46075	WF INDUSTRIAL PROPERTIES IV LLC
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