

RESOLUTION NO. 2020- 05

**DECLARATORY RESOLUTION
OF THE TOWN OF WHITESTOWN REDEVELOPMENT COMMISSION
ESTABLISHING THE WHITESTOWN PARKWAY WEST ECONOMIC
DEVELOPMENT AREA AND ALLOCATION AREA**

WHEREAS, the Town of Whitestown Redevelopment Commission (“Commission”), a redevelopment commission organized and acting pursuant to the provisions of Indiana Code 36-7-14 and Indiana Code 36-7-25 (collectively, “Act”), has investigated, studied and surveyed economic development areas within the Town of Whitestown, Indiana (“Town”); and

WHEREAS, the Commission has selected an economic development area to be developed pursuant to the Act; and

WHEREAS, the Commission has prepared an economic development plan (“Plan”) for the selected economic development area (“Area”), which Plan is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Commission has caused to be prepared maps and plats showing (i) the boundaries of the Area, the location of various parcels of property, streets, alleys and other features affecting the acquisition, clearance, replatting, replanning, rezoning or economic development of the Area, indicating that all parcels of property are to be excluded from the acquisition list and (ii) the parts of the acquired portions of the Area, if any, that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Plan; and

WHEREAS, the Commission has caused to be prepared an estimate of the cost of redevelopment and economic development of the Area;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION THAT:

Section 1. The Commission has selected the Area as an economic development area within the corporate boundaries of the Town. The Area is described in Exhibit B attached hereto and incorporated herein by reference. The Area is hereby designated as the “Whitestown Parkway West Economic Development Area”.

Section 2. The Commission finds that the Plan for the Area:

- (a) Promotes significant opportunities for the gainful employment of the citizens of the Town;
- (b) Assists in the attraction of major new business enterprises to the Town;
- (c) Benefits the public health, safety, morals and welfare of the citizens of the Town;

- (d) Increases the economic well-being of the Town and the State of Indiana; and
- (e) Serves to protect and increase property values in the Town and the State of Indiana.

Section 3. The Commission finds that the Plan cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed the Commission under the Act because of the lack of local public improvements and other similar conditions, specifically: the cost of infrastructure improvements needed to serve the Area, including obtaining reasonable access to the Area and adequate utility service, prevents the improvements from being accomplished by private enterprise and there is no regulatory process available to build infrastructure or provide incentives to encourage economic growth in the Area.

Section 4. The Commission finds that the public health and welfare will be benefited by the accomplishment of the Plan for the Area, specifically by the construction of (a) road improvements to ensure safe, reliable, efficient and reasonable access to the Area, (b) utility improvements, including water, sewer and storm water improvements, to ensure reasonable and appropriate utility services to the Area, (c) municipal park facility improvements, including but not limited to trails, fields and playgrounds, (d) public safety improvements to ensure adequate public safety to the Area, and (e) other improvements necessary for the economic development of the Area, including municipal facility and economic development project improvements in or serving the Area. These improvements (collectively, "Improvements") promote public health and welfare for the citizens of the Town by enhancing economic development in the Area through the provision of improved access to the Area, adequate utility services (water, sewer and storm water) to the Area and by making the Area more suitable for economic development through the construction of municipal facility and economic development project improvements. A map of the Area is attached hereto as Exhibit C, which map is incorporated herein by reference.

Section 5. The Commission finds that the accomplishment of the Plan will be of public utility and benefit as measured by the attraction of permanent jobs, an increase in the property tax base, improved diversity of the economic base, and other similar benefits, specifically by providing the construction of the Improvements to encourage and enable the development of new businesses in the Area, and the retention of and fostering of growth of existing businesses around the Area.

Section 6. The Plan conforms to other development and redevelopment plans for the Town.

Section 7. The Commission does not now propose to acquire interests in real property within the boundaries of the Area. If the Commission determines that it is necessary to acquire real property in the Area, it will amend the Plan and this resolution prior to any such acquisition.

Section 8. The Commission estimates the cost of implementing the Plan will be approximately \$10,000,000 (this estimate includes the total estimated costs of the construction of the Improvements).

Section 9. The Commission finds that no residents of the Area will be displaced by any project resulting from the Plan; and, therefore, the Commission finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents, if any. The Commission will take no actions that will result in the displacement of residential areas.

Section 10. This paragraph constitutes the "allocation provision" for purposes of Indiana Code 36-7-14-39. The entire Area shall constitute an allocation area as defined in Indiana Code 36-7-14-39 ("Allocation Area"). Any property taxes levied on or after the effective date of this resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the Allocation Area shall be allocated and distributed in accordance with Indiana Code 36-7-14-39 or any applicable successor provision. This allocation provision shall expire no later than 25 years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues from the Allocation Area.

Section 11. All of the rights, powers, privileges, and immunities that may be exercised by the Commission in a redevelopment area or urban renewal area may be exercised by the Commission in the Area, subject to the limitations of Indiana Code 36-7-14-43.

Section 12. The presiding officer of the Commission is hereby authorized and directed to submit this resolution and the Plan to the Whitestown Plan Commission ("Plan Commission") for its approval.

Section 13. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Town Council of the Town to publish notice of the adoption and substance of this resolution in accordance with Indiana Code 5-3-1-4 and to file notice with the Plan Commission, Board of Zoning Appeals, Board of Public Works, Park Board, the building commissioner and any other departments or agencies of the Town concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the Town's department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and will determine the public utility and benefit of the proposed project. Copies of the notice shall also be filed with the officer authorized to fix budgets, tax rates and tax levies under Indiana Code 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed Allocation Area.

Section 14. The Commission also directs the presiding officer to prepare or cause to be prepared a statement disclosing the impact of the Allocation Area which includes (a) the estimated economic benefits and costs incurred by the Allocation Area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values and (b) the anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the Allocation Area (a copy of this statement shall be filed with each such taxing unit with a copy of the notice required under Indiana Code 36-7-14-17 at least 10 days prior to the date of the hearing described in Section 13 hereof).

Section 15. The Commission further directs the presiding officer to submit this resolution to the Town Council of the Town for its approval of the establishment of the Area.

Section 16. This resolution shall be effective as of the date of its adoption.

Passed and adopted at a meeting of the Town of Whitestown Redevelopment Commission this _____ day of July, 2020.


TOWN OF WHITESTOWN
REDEVELOPMENT COMMISSION



President



Vice-President



Secretary



Member



Member

EXHIBIT A

The Plan