

RESOLUTION NO. 2021-14

RESOLUTION OF THE TOWN OF WHITESTOWN REDEVELOPMENT COMMISSION CONFIRMING THE DECLARATORY RESOLUTION OF SAID COMMISSION ENLARGING THE TOWN OF WHITESTOWN, INDIANA ANSON SOUTH/MAPLE GROVE CONSOLIDATED ECONOMIC DEVELOPMENT AREA #1

WHEREAS, the Town of Whitestown Redevelopment Commission (the “Commission”), on March 29, 2021, adopted its Resolution No. 2021-11, a declaratory resolution (the “Amending Resolution”), amending the Consolidating Resolution (as defined therein) to add the geographic area located on the northwest side of the Town of Whitestown, Indiana Anson South/Maple Grove Consolidated Economic Development Area #1 (the “Consolidated Economic Development Area”), as more particularly described in the Amending Resolution (the “Enlarged Area”, together with the Consolidated Economic Development Area, the “Area”), to the Consolidated Economic Development Area and to enlarge the Anson South Allocation Area (as defined in the Amending Resolution) to include the Enlarged Area; and

WHEREAS, the Amending Resolution approved amendments to the Economic Development Plan (the “Plan Amendments”) for the Consolidated Economic Development Area presented at the March 29, 2021 meeting of the Commission (such plan, as amended by the Plan Amendments, the “Amended Plan”), which Amended Plan contained specific recommendations for redevelopment and economic development of the Area, including streets, streetside improvements such as sidewalks and street lighting, green spaces, drainage, parking, utilities, municipal facilities (public safety), economic development facilities and landscaping, all in, serving or benefitting the Area, as further described in the Amended Plan (collectively, the “Projects”); and

WHEREAS, the Amending Resolution recognized that there were no current plans for the acquisition of real estate within the Area; and

WHEREAS, the Amending Resolution enlarged the Anson South Allocation Area to include the Enlarged Area as an allocation area in accordance with Indiana Code 36-7-14-39; and

WHEREAS, the Commission submitted the Amending Resolution and supporting data to the Town of Whitestown Plan Commission (the “Plan Commission”) and the Plan Commission issued its written order on April 12, 2021 approving the Amending Resolution and the Amended Plan as submitted; and

WHEREAS, on April 14, 2021, the Town Council of the Town of Whitestown, Indiana (the “Town”) approved the order of the Plan Commission and the enlargement of the Consolidated Economic Development Area to include the Enlarged Area as an economic development area pursuant to the Indiana Code 36-7-14 and Indiana Code 36-7-25 (collectively, the “Act”); and

WHEREAS, the Commission has found that there will be no residents of the Area who will be displaced by the Projects; and

WHEREAS, the Commission published notice of the adoption and substance of the Amending Resolution in the *Lebanon Reporter* on April 15, 2021, in accordance with Indiana Code 36-7-14-17 and Indiana Code 5-3-1, which notice also gave notice of a hearing on the proposed Projects to be held by the Commission (the "Notice"); and

WHEREAS, the Notice has been filed in the office of the Plan Commission, the Board of Zoning Appeals, the Public Works Board, the Park Board, the Building Commissioner and any other departments, bodies or officers having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, the Notice has been mailed to owners of property in the Enlarged Area in accordance with the Act; and

WHEREAS, copies of the Notice were filed on or before April 16, 2021, 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 Enlarged Area as an allocation area (the "Enlarged Allocation Area"), together with a statement disclosing the impact of the Enlarged Allocation Area, including (i) the estimated economic benefits and costs incurred by the Enlarged Allocation Area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values and (ii) the anticipated impact on tax revenues of each taxing unit; and

WHEREAS, on April 26, 2021, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WHITESTOWN REDEVELOPMENT COMMISSION THAT:

Section 1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the enlargement of the Consolidated Economic Development Area to include the Enlarged Area and the Projects in, serving or benefiting the Anson South Allocation Area as enlarged to include the Enlarged Allocation Area.

Section 2. The Amending Resolution and the Plan Amendments, attached hereto as Exhibit A and incorporated herein by reference, approved by the Commission on March 29, 2021, are hereby confirmed in all respects. The Amended Plan is hereby confirmed in all respects.

Section 3. The Secretary of the Commission is hereby directed to record this resolution with the Boone County Recorder, immediately notify the Department of Local Government Finance of the designation of the Enlarged Allocation Area within the Area and to file this resolution with the Boone County Auditor.

Section 4. 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 26th day of April, 2021, by a vote of ____ in favor and ____ against.

TOWN OF WHITESTOWN
REDEVELOPMENT COMMISSION

Bryan Brackemyre, President

ATTEST:

Adam Hess, Secretary

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I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Dennis H. Otten

This instrument was prepared by Dennis H. Otten, Esq., Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, IN 46204; 317-684-5000.

EXHIBIT A

Amending Resolution and Plan Amendments