

OFFERING PACKET

7060, 7530, and 7534  
South Indianapolis Road  
Whitestown, Indiana

Town of Whitestown

 , 2020

Whitestown Redevelopment  
Commission

## **Table of Contents**

<b>A. Notice of Sale of Real Estate</b>	<b>Page 1</b>
<b>B. Offering Sheet</b>	<b>Page 3</b>
<b>C. Instructions to Bidders</b>	<b>Page 6</b>

NOTICE OF OFFERING:  
REAL ESTATE FOR SALE

Notice is hereby given by the Whitestown Redevelopment Commission (“Commission”) that on [REDACTED], 2020, at 7:00 p.m. local time (EDT), either at the Whitestown Municipal Complex, 6210 Veterans Drive, Whitestown, Indiana 46075, or via teleconference/videoconference meeting as allowed by applicable Executive Orders, the Commission will open and consider written offers for the purchase and development of certain real estate with an address of 7060, 7530, and 7534 South Indianapolis Road, Whitestown, Indiana 46075 (the “Property”).

The Commission is willing to entertain proposals for the purchase and development of some or all of the Property for the purposes described in this notice. Responsible offers may consist of cash, other property, or a combination of cash and other property, and should meet the conditions set forth below.

Legal Description and Property Information

- A. The real estate to be sold has an address of 7060, 7530, and 7534 South Indianapolis Road, Whitestown, Indiana 46075 and the following description:

PT NW 07-17-2E 49.49, and 19.42, PT SE 01-17-1E 29.72

Parcel IDs: 06-04-07-000-005.000-021  
06-04-06-000-011.000-021  
06-03-01-000-035.000-020

NOTE: For purposes of the preparation of this description, no surveys of the described real estate were performed and no monuments were set. Legal descriptions are from Boone County’s GIS.

- B. The real estate is currently zoned **General Business (GB), Light Industry (II), and Agriculture (AG)**. The Property may be rezoned by the Town of Whitestown consistent with approved development plans.
- C. A portion of the Property (7060 South Indianapolis Road) is subject to an Environmental Restrictive Covenant recorded in the office of the Boone County Recorder on November 19, 2019, as instrument number 2019012179.
- D. A map showing the location of the Property is attached to the Offering Sheet.

Offering Packet and Bid Deadline

Offering packets may be obtained electronically. Please direct questions about receiving packets to Nathan Messer, Director of Operations and Economic Development, (317) 694-6791, 6210 Veterans Drive, Whitestown, IN 46075, or by email at Nmesser@whitestown.in.gov. Items included in the Offering Packet are:

- This Notice of Offering
- Offering Sheet, and

- Instructions to Bidders.

All offers must be filed with the Commission **no later than 4:00 p.m. EDT on [REDACTED], 2020** and should be in the form described in the Instructions to Bidders. Proposals submitted or received after that date may not be considered. Responses may be delivered before said deadline to the Commission at the above email or mailing address, attention: RDC Property Offer Packet.

#### Development Standards and Limitations

1. The Property is currently undeveloped. The Commission anticipates that the Property will be developed as a part of a long-term vision for public and private facilities on and nearby the Property, with facilities and operations that can be used to attract additional investment, recreational, economic develop, and redevelopment opportunities for the Whitestown community. Bidders may submit proposal for the purchase and development of some or all of the Property.
2. A successful bidder will be expected to enter into an Economic Development Agreement with the Commission will begin and complete its development with reasonable promptness. Additional terms and requirements will be addressed in the Economic Development Agreement, including a commitment from the bidder for construction and operation costs net of the purchase price.
3. A bid submitted by a trust (as defined in Indiana Code 30-4-1-1(a)) must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.

#### Selection

The Commission reserves the right to reject any or all offers. Offers may consist of cash, other property, or a combination of cash and other property. In determining the best offer, the Commission may take into account price and other considerations; the size and character of the improvements proposed to be made by the bidder; the timing of the transaction and development or redevelopment of the Property; source of debt and equity funds; requested development incentives for the project; development resume; the proposed redevelopment plan and future uses; how the offer and intended use(s) contribute to the revitalization of the surrounding area; how the plan may advance the vision of the Commission; any factors that will assure the Commission that the sale, if made, will further the execution of the redevelopment of the area and serve the best interest of the community; and any other statutory criteria in Indiana Code 36-7-14. A successful bidder may be required to show proof of financing of up to three (3) times the offering price. The successful bidder must demonstrate that they are a responsible property owner. A successful bidder will be required to enter into an economic development agreement with the Commission with respect to these and other matters. For a period of (30) days after the opening of the written offers, no sale may be made at a price less than that shown on the offering sheet. After that, the Commission may adjust the offering price and other terms in the manner the Commission considers necessary to further the Property's development.

This notice is given pursuant to Indiana 36-7-14-22(d) and Indiana Code 5-3-1-2(e).

Dated [REDACTED], 2020

WHITESTOWN REDEVELOPMENT COMMISSION

## OFFERING SHEET

### TOWN OF WHITESTOWN REDEVELOPMENT COMMISSION

7060, 7530, and 7534 South Indianapolis Road, Whitestown, IN 46075

The Whitestown Redevelopment Commission is willing to entertain proposals for the acquisition of some or all of the property located at 7060, 7530, and 7534 South Indianapolis Road. The Commission intends to consider offers from bidders who have submitted full and complete bid packets.

#### Legal Description and Property Information

- A. The real estate to be sold has an address of 7060, 7530, and 7534 South Indianapolis Road, Whitestown, Indiana 46075 and the following description:

PT NW 07-17-2E 49.49, and 19.42, PT SE 01-17-1E 29.72  
Parcel IDs: 06-04-07-000-005.000-021  
06-04-06-000-011.000-021  
06-03-01-000-035.000-020

NOTE: For purposes of the preparation of this description, no surveys of the described real estate were performed and no monuments were set. Legal descriptions are from Boone County's GIS.

- B. The real estate is currently zoned **General Business (GB), Light Industry (II), and Agriculture (AG)**. The Property may be rezoned by the Town of Whitestown consistent with approved development plans.
- C. A portion of the Property (7060 South Indianapolis Road) is subject to an Environmental Restrictive Covenant recorded in the office of the Boone County Recorder on November 19, 2019, as instrument number 2019012179.
- D. A map showing the location of the Property is attached to the Offering Sheet.

#### Minimum Offering Price

The minimum offering price for purchase of the Property at 7060, 7530, and 7534 South Indianapolis Road is \$                     .

#### Development Standards and Limitations

1. The Property is currently undeveloped. The Commission anticipates that the Property will be developed as a part of a long-term vision for public and private facilities on and nearby the Property, with facilities and operations that can be used to attract additional investment, recreational, economic develop, and redevelopment opportunities for the Whitestown community. Bidders may submit proposal for the purchase and development of some or all of the Property.
2. A successful bidder will be expected to enter into an Economic Development Agreement with the Commission will begin and complete its development with reasonable

promptness. Additional terms and requirements will be addressed in the Economic Development Agreement, including a commitment from the bidder for construction and operation costs net of the purchase price.

3. A bid submitted by a trust (as defined in Indiana Code 30-4-1-1(a)) must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.

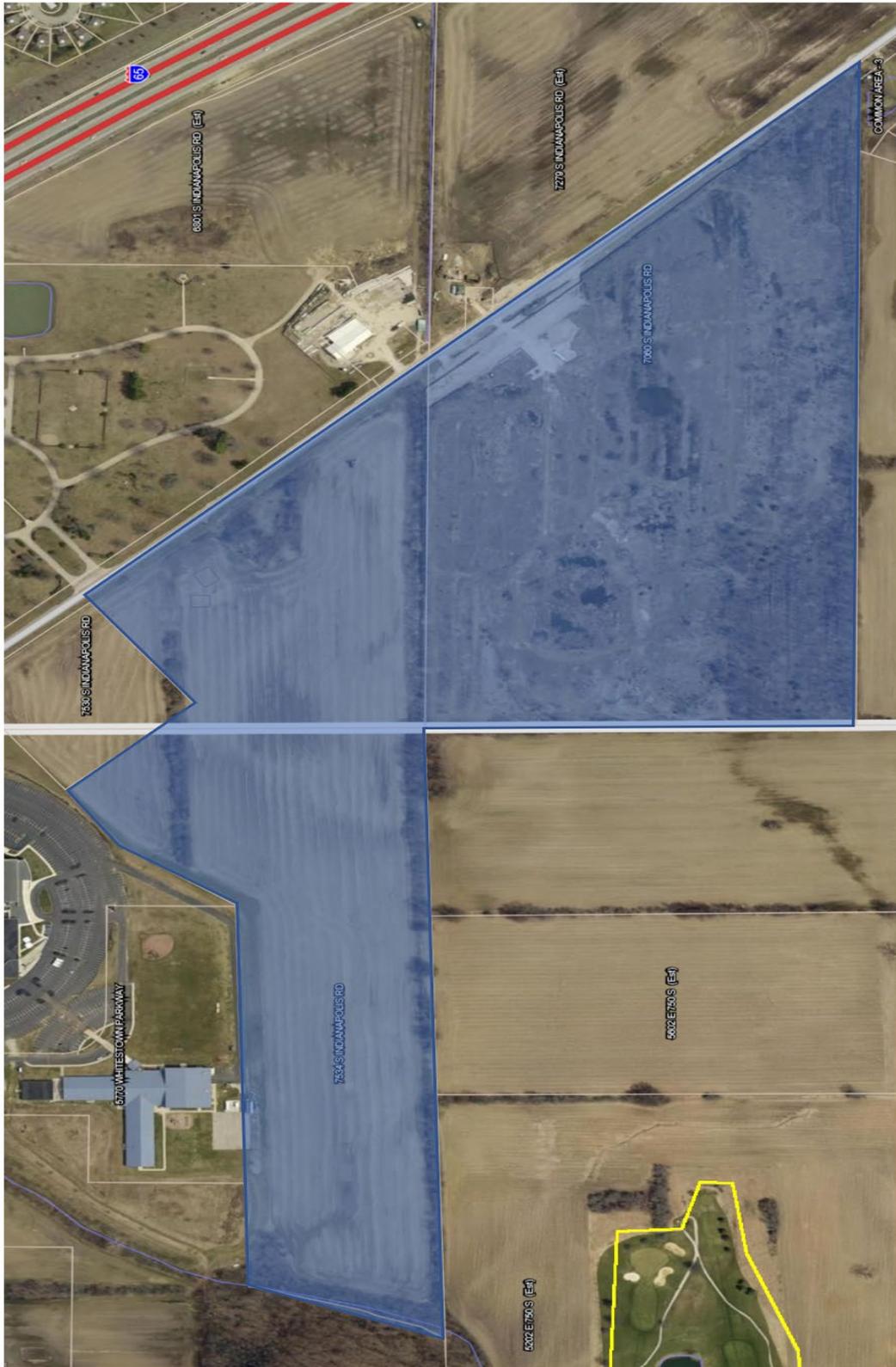
### Project Agreement

A successful bidder must be prepared to enter into an Economic Development Agreement with the Commission, which Economic Development Agreement will address the purchase of 7060, 7530, and 7534 South Indianapolis Road; all requirements related to the Project; and shall set forth the nature of the development and uses of the Property. By entering a bid for the Property, the bidder agrees to negotiate the Economic Development Agreement in good faith and acknowledges and agrees that the Commission has no obligation to negotiate with the bidder, and if the bidder and the Commission are not able to reach agreement on a form of Economic Development Agreement on or before thirty (30) days following the opening of the written offers, then such bidder shall have no further rights, development or otherwise, in or to the Project and the Commission may re-offer the Property or otherwise dispose of the Property as permitted by law.

### Requirements of Bidders

The successful bidder must demonstrate that he or she has the industry, knowledge, experience, and financial capability to successfully complete the proposed development on the Property. A successful bidder may be required to show proof of financing of up to three (3) times the offering price. The successful bidder must demonstrate that they are a responsible property owner. Bidders are expected to comply with the Instructions to Bidders included in the Offering Packet.

**Attachment #1 – Map Depicting Property**  
(Property shaded blue)



## INSTRUCTIONS TO BIDDERS

1. **General:** In accordance with Indiana Code 36-7-14-22, the Whitestown Redevelopment Commission (“Commission”) is offering for sale the property described in the Offering Sheet (“the Property”).
  - a. The disposal of the Property was duly advertised in *The Lebanon Reporter*, a newspaper of general circulation in Whitestown, Indiana. The disposal of the Property will be governed by procedures established by the Commission in accordance with applicable regulations and statues of the State of Indiana, and all offers should be prepared and submitted in accordance with these procedures.
  - b. The disposal of the Property will be in accordance with, and a successful bidder must be willing to negotiate and enter into, an Economic Development Agreement with the Commission within thirty (30) days of the acceptance of the bids, which Economic Development Agreement shall set forth the nature of the development of the Property.
  - c. A bid submitted by a trust (as defined in Indiana Code 30-4-1-1(a)) must identify each beneficiary of the trust and settler empowered to modify the trust.
2. **Offering Packet:** The offering packet contains the Commission’s Notice of Offering: Real Estate for Sale, Offering Sheet and Instructions to Bidders, which identifies the Property being offered and states the minimum purchase price for 7060, 7530, and 7534 South Indianapolis Road for which offers will be considered. Offering packets may be obtained electronically. Please direct questions about receiving packets to Nathan Messer, Director of Operations and Economic Development, (317) 694-6791, 6210 Veterans Drive, Whitestown, IN 46075, or by email at [Nmesser@whitestown.in.gov](mailto:Nmesser@whitestown.in.gov).
3. **Sealed Offers and Bids:** Bids may be submitted on paper as a sealed written offer as provided herein. Sealed written offers, in accordance with theses Instructions to Bidders, will be received by the Director of Economic Development on behalf of the Commission at the Whitestown Municipal Complex, 6210 Veterans Drive, Whitestown, Indiana 46075, until 4:00 p.m. EDT on \_\_\_\_\_, 2020.

At 7:00 p.m. EDT on \_\_\_\_\_, 2020, the Commission will publicly open and consider all written offers at a public meeting of the Commission. All exhibits, drawings, renderings and other material to be used in such presentation that are in addition to the sealed bid shall be deposited by each bidder at the time of the submission of the written offers and shall be retained by the Commission. Within ten (10) days after an award is made, unsuccessful bidders may pick up their supplemental exhibits, after which date all remaining materials will be disposed of in any manner the Commission deems appropriate.

All exhibits and graphics of the successful bidder(s) remain the property of the Commission.

4. **Form of Offer:** Every offer must be made in the form of a letter of intent which must include: specific portions of the property the bidder requests to purchase and purchase price; timing of the transaction and development of the property; source of debt and equity funds; development resume; the proposed development plan and future uses; any requested development incentives from the project; confirmation that the development can comply with any applicable provisions of the Environmental Restrictive Covenant recorded against portions of the property; and how the offer and intended use contributes to the economic development and revitalization of the surrounding area and Whitestown community.
5. **Explanations:** If a bidder finds any discrepancy in or omission from these instructions to Bidders or any other forms in the bid packet, or has questions regarding any aspect of this offering, the bidder shall submit questions to Nathan Messer, Director of Operation and Economic Development, at [Nmesser@whitestown.in.gov](mailto:Nmesser@whitestown.in.gov) by 4:00 p.m. EDT on                     , 2020.
6. **Withdrawal of Offers:** No offer will be allowed to be withdrawn after bid opening.
7. **Rejection or Acceptance of Offers:** The Commission reserves the right to accept or reject any and all offers. If the Commission accepts an offer, the successful bidder shall begin negotiating in good faith the Economic Development Agreement within ten (10) days after the bidder is notified of acceptance.
8. **Purchase Price and Other Terms:** Within a period of thirty (30) days after the opening of the written offers, the purchase price of the Property to be sold (7060, 7530, and 7534 South Indianapolis Road) shall not be less than the Minimum Offering Price as shown on the Offering Sheet attached hereto, or as otherwise allowed by Indiana redevelopment law (Indiana Code 36-7-14-22). After that thirty (30) day period, the Commission may adjust the offering price and other terms in the manner the Commission considers necessary to further the development of the Property. Offers may consist of cash, other property, or a combination of cash and other property. In determining the best offer, the Commission may take into account price and other considerations; the size and character of the improvements proposed to be made by the bidder; the timing of the transaction and development or redevelopment of the Property; source of debt and equity funds; requested development incentives for the project; development resume; the proposed redevelopment plan and future uses; how the offer and intended use(s) contribute to the revitalization of the surrounding area; how the plan may advance the vision of the Commission; any factors that will assure the Commission that the sale, if made, will further the execution of the redevelopment of the area and serve the best interest of the community; and any other statutory criteria in Indiana Code 36-7-14. A successful bidder may be required to show proof of financing of up to three (3) times the offering price. The successful bidder must demonstrate that they are a responsible property owner. A successful bidder will be required to enter into an Economic Development Agreement with the Commission with respect to these and other matters.
9. **Development Standards and Limitations:** Each offer should detail how the bidder will address the Development Standards and Limitations, as described in the Offering Sheet,

including a summary of any restrictive covenants or use restrictions that can ensure compliance with the Development Standards and Limitations. In connection with any proposed restrictive covenant or use restriction, a bidder may propose any agreement structure acceptable to the Commission in its sole discretion that provides adequate assurances that the bidder complies with the Development Standards and Limitations.

10. **Development Plan:** Each offer should be accompanied by any exhibits, drawings, statements, plans, renderings, and other materials that indicate how the proposed development will serve the interests of the community and the revitalization of the surrounding area, and any other pertinent information the bidder may wish to submit to further illustrate its proposed development plans. Such materials will be deposited with the Commission and used as stated in Section 3 above.
11. **Transfer of Title and Possession:** Title to the Property to be sold will be transferred to the successful bidder in accordance with the terms and conditions to be set forth in the Economic Development Agreement. The Commission is willing to deliver to the successful bidder an owner's title policy in the customary form, issued by a title insurance company designated by the Commission, covering the Property to be sold in the amount of the sale price to the successful bidder and showing title in the Town of Whitestown Redevelopment Commission. Title to the property will be conveyed by special warranty deed.
12. **Site Visit:** Potential bidders interested in touring the Property at 7060, 7530, and 7534 South Indianapolis Road should submit a written request by email to Nathan Messer, Director of Operations and Economic Development at [Nmesser@whitestown.in.gov](mailto:Nmesser@whitestown.in.gov) to schedule a time. Site visit requests should be submitted by 4:00 p.m. EDT on \_\_\_\_\_, 2020.