

RESOLUTION NO. 2021-30

**RESOLUTION OF THE TOWN OF WHITESTOWN REDEVELOPMENT
COMMISSION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT AND
AUTHORIZING OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Town of Whitestown Redevelopment Commission (the “Commission”), governing body of the department of redevelopment of the Town of Whitestown, Indiana (the “Town”) pursuant to Indiana Code 36-7-14 and 36-7-25, each as amended (collectively, the “Act”), desires to foster and encourage economic development and redevelopment of the Town that will be of public benefit to the Town and in connection therewith is authorized to enter into one or more economic development agreements with project developers; and

WHEREAS, the Commission has been advised by its staff and others of a proposed economic development agreement by and among the Town, the Commission, Academy E, LLC and Milhaus Development, LLC, the substantially final form of which agreement is attached hereto as Exhibit A and incorporated herein by reference (the “Agreement”), pursuant to which Academy E, LLC and Milhaus Development, LLC (collectively, the “Developers”) have proposed to undertake the development and construction of a mixed-use development including various uses such as a sports complex and performance center, with an outdoor field, a flagged hotel, medical office building space, an outdoor water and sports entertainment venue, commercial and retail space, market rate apartments and potentially residential units (collectively, the “Project”) in the Town; and

WHEREAS, pursuant to the Agreement, the Town and the Commission have proposed to take certain actions (the “Town Actions”) in connection with the Project to facilitate the development thereof, including providing certain bond financing incentives in accordance with Indiana Code 36-7-11.9 and -12, as amended; and

WHEREAS, the Commission has reviewed the Agreement and considered the information provided to it by its staff and others relating to the proposed Project and the Town Actions in connection therewith and finds that the terms of the Agreement are consistent with the provisions of Indiana law, including the Act, and the Commission’s development plan for the Project site, will serve to foster and encourage economic and redevelopment of the Town and will be of public benefit to the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town of Whitestown Redevelopment Commission, as follows:

Section 1. The Agreement, in substantially final form attached hereto as Exhibit A, is hereby approved and the President is authorized to execute, and the Secretary is hereby authorized to attest, said Agreement on behalf of the Commission.

Section 2. The President of the Commission is hereby authorized and empowered to approve such amendments, additions, deletions and changes to the Agreement as the President deems necessary or advisable, with the advice of counsel, and the President’s approval shall be signified by the President’s execution of said Agreement, as attested by the Secretary.

Section 3. The President, Vice President and the Secretary of the Commission, and such other staff members, service providers and firms as they may direct are hereby authorized and directed to take any and all other actions on behalf of the Commission as may be necessary or appropriate to carry out the purposes of this resolution.

Section 4. This resolution shall be effective from and after its passage.

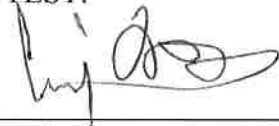
Adopted the 1st day of November, 2021, by a vote of 5 in favor and 0 against.

TOWN OF WHITESTOWN
REDEVELOPMENT COMMISSION



Adam Hess, President

ATTEST:



Craig Arthur, Secretary

EXHIBIT A

Form of Agreement