

**WESTFIELD REDEVELOPMENT COMMISSION  
CONFIRMATORY RESOLUTION NO. 18-2015**

**RESOLUTION CONFIRMING THE AMENDED DECLARATORY RESOLUTION  
OF THE WESTFIELD REDEVELOPMENT COMMISSION REGARDING  
THE SOUTHSIDE ECONOMIC DEVELOPMENT AREA**

**WHEREAS**, on July 9, 2013, the Redevelopment Commission (the “Redevelopment Commission”) of the City of Westfield (the “City”) adopted Declaratory Resolution No. 5-2013 (the “Declaratory Resolution”) establishing the Southside Economic Development Area (the “Area”) as an economic development area under Indiana Code 36-7-14 and Indiana Code 36-7-25 et seq., and all acts supplemental and amendatory thereto (collectively, the “Act”); and,

**WHEREAS**, the Declaratory Resolution (i) identified certain parcels of real estate to be included in and designated as the Area as required by Indiana Code 36-7-14-41, (ii) approved an economic development plan for the Area (the “Plan”), (iii) found that the Plan conforms to other development and redevelopment plans for the City, (iv) found that no Area residents will be displaced due to the Plan, and (v) designated the Area as an “allocation area” to be known as the “Southside Economic Development Allocation Area” as required by Indiana Code 36-7-14-39 (the “Allocation Area”) and approved and incorporated the Factual Report (the “Report”) supporting the Declaratory Resolution and the Plan presented at the July 9, 2013 meeting of the Redevelopment Commission, which Plan contained specific recommendations for economic development of the Area, including road, infrastructure and drainage improvements to the Area and related improvements and equipment serving the Area as further described in the Plan (the “Project”); and,

**WHEREAS**, on August 5, 2013, the Redevelopment Commission submitted the Declaratory Resolution, the Plan and supporting data to the Westfield-Washington Advisory Planning Commission (the “Plan Commission”) and the Plan Commission issued its written Order 13-03 approving the Declaratory Resolution and the Plan as submitted; and,

**WHEREAS**, on August 12, 2013, the Common Council of the City (the “Common Council”) approved the (i) Order 13-03 of the Plan Commission, (ii) Declaratory Resolution No. 5-2013, (iii) and approved the creation of the Area and approved the actions of the Redevelopment Commission establishing the Area pursuant to Indiana Code 36-7-14-17 and Indiana Code 36-7-14-41(c); and,

**WHEREAS**, on August 19, 2013, after publishing notice of and conducting a public hearing in accordance with the Act, the Redevelopment Commission adopted Resolution No. 7-2013 confirming the Declaratory Resolution; and,

**WHEREAS**, on February 2, 2015, the Redevelopment Commission adopted its Resolution No. 2-2015 (the “2015 Amendatory Declaratory Resolution”), amending the Declaratory Resolution as previously amended, to remove certain parcels and portions of parcels (the “Deleted Parcels”) from the Southside Economic Development Area; and,

**WHEREAS**, as required by the Act, on February 2, 2015, the Plan Commission adopted its Order Number 15-03 approving the 2015 Amendatory Declaratory Resolution and the revision of the Southside Economic Development Plan to remove the Deleted Parcels identified in the 2015 Amendatory Declaratory Resolution; and,

**WHEREAS**, the Redevelopment Commission published notice in *The Indianapolis Star* on February 6, 2015 and *The Times* on February 6, 2015, of the adoption and substance of the 2015 Amendatory Declaratory Resolution-2 in accordance with Indiana Code 36-7-14-17 and Indiana Code 5-3-1 which public notice also gave notice of a public hearing on the proposed confirmation of the 2015 Amendatory Declaratory Resolution to be considered by the Redevelopment Commission and the opportunity to have remonstrances and objections heard by the Redevelopment Commission; and,

**WHEREAS**, on February 9, 2015, the Common Council approved the (i) Order of the Plan Commission, (ii) 2015 Amendatory Declaratory Resolution, (iii) Southside Economic Development Plan as revised by the removal of the Deleted Parcels, and (iv) actions of the Redevelopment Commission pursuant to Indiana Code 36-7-14-17; and,

**WHEREAS**, on October 19, 2015, the Redevelopment Commission adopted its Resolution No. 12-2015 (the “2015 Amendatory Declaratory Resolution-2), amending the Declaratory Resolution as previously amended, to remove certain parcels from the South Side Economic Development Area; and

**WHEREAS**, as required by the Act, on November 2, 2015, the Plan Commission approved Order 15-05 approving the 2015 Amendatory Declaratory Resolution-2 and the revision of the Southside Economic Development Plan to remove parcels identified in the 2015 Amendatory Declaratory Resolution; and

**WHEREAS**, on November 9, 2015, the Common Council approved the (i) Order of the Plan Commission, (ii) 2015 Amendatory Declaratory Resolution-2, (iii) Southside Economic Development Plan and revised by the removal parcels, and (iv) actions of the Redevelopment Commission pursuant to Indiana Code 36-7-14-17; and

**WHEREAS**, the Redevelopment Commission published notice in *The Indianapolis Star* on November 6, 2015 and *The Times* on November 6, 2015, of the adoption and substance of the 2015 Amendatory Declaratory Resolution-2 in accordance with Indiana Code 36-7-14-17 and Indiana Code 5-3-1 which public notice also gave notice of a public hearing on the proposed confirmation of the 2015 Amendatory Declaratory Resolution to be considered by the Redevelopment Commission and the opportunity to have remonstrances and objections heard by the Redevelopment Commission; and,

**WHEREAS**, the public notice described in the preceding paragraph was also filed in the office of the Plan Commission, the Westfield Board of Zoning Appeals, the Westfield Building Commissioner, the Westfield Board of Public Works and the Westfield Board of Parks and Recreation, and any other departments, bodies or officers having to do with City planning, variances from zoning ordinances, land use or the issuance of building permits; and,

**WHEREAS**, copies of the public notice were also 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 Southside Expansion Area Allocation Area, together with a statement disclosing the impact of such amendment on the Southside Economic Development Allocation Area; and,

**WHEREAS**, prior to the adoption of this resolution, and at such meeting, the Redevelopment Commission conducted a public hearing at which the Redevelopment Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed; and,

**WHEREAS**, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED** by the Westfield Redevelopment Commission, as follows:

1. Upon consideration of the evidence and findings presented to the Redevelopment Commission, the Redevelopment Commission hereby finds pursuant to Indiana Code 36-7-14-17 that the removal of parcels from the Southside Economic Development Area and from the Southside Economic Development Allocation Area (the "Amendment") will benefit the public health and welfare of the citizens of the City and the State of Indiana and is reasonable and appropriate when considered in relation to the Plan as previously amended and the purposes of the Act, and hereby approves and confirms the Amendment.

2. The Redevelopment Commission hereby finds that the Southside Economic Development Plan, together with the proposed Amendment described herein, conform to the Comprehensive Plan for the City.

3. The Redevelopment Commission hereby amends the Declaratory Resolution as previously amended to include the Amendment.

4. The 2015 Declaratory Resolution-2, as confirmed, shall be attached to and incorporated in this Confirmatory Resolution, as Exhibit A. The Secretary is hereby directed to maintain a copy of this Confirmatory Resolution with the Redevelopment Commission, to record this Confirmatory Resolution with the Hamilton County Recorder and to file a copy hereof with the Indiana Department of Local Government Finance.

5. In all other respects, the Declaratory Resolution as previously amended and the Southside Economic Development Plan, as amended by the Amendment, shall remain in full force and effect.

6. The Redevelopment Commission may exercise its authority pursuant to the Act for the purpose contemplated by the Amendment herein, including but not limited to the development and redevelopment within the Southside Economic Development Area, all for the purposes set forth herein.

7. This Confirmatory Resolution shall be effective upon its adoption and passage.

*[Remainder of Page Intentionally Left Blank]*

ADOPTED AND PASSED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2015,  
BY A VOTE OF \_\_\_\_ IN FAVOR AND \_\_\_\_ OPPOSED, BY THE  
WESTFIELD REDEVELOPMENT COMMISSION, HAMILTON COUNTY, INDIANA.

By: \_\_\_\_\_  
Joseph Plankis, President

By: \_\_\_\_\_  
Joseph E. Ingalls, Vice President

By: \_\_\_\_\_  
Scott Robison, Secretary

By: \_\_\_\_\_  
Jill Doyle, Member

By: \_\_\_\_\_  
Doug Holtz, Member

ATTEST:

\_\_\_\_\_

This resolution prepared by:

James T. Crawford, Jr., Attorney at Law  
Krieg DeVault LLP  
12800 North Meridian Street, Suite 300  
Carmel, IN 46032  
317-238-6239

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. /s/ James T. Crawford, Jr.

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**EXHIBIT A**

**AMENDED DECLARATORY RESOLUTION NO. 12-2015 OF THE  
WESTFIELD REDEVELOPMENT COMMISSION REGARDING THE  
SOUTHSIDE ECONOMIC DEVELOPMENT AREA,  
adopted by the Westfield Redevelopment Commission on October 19, 2015**

**WESTFIELD REDEVELOPMENT COMMISSION  
RESOLUTION NO. 12-2015**

**RESOLUTION OF THE WESTFIELD REDEVELOPMENT COMMISSION  
AMENDING THE DECLARATORY RESOLUTION OF THE  
SOUTHSIDE ECONOMIC DEVELOPMENT AREA**

**WHEREAS**, on February 21, 2007, the Redevelopment Commission (the “Commission”) of the City of Westfield, Indiana (the “City”), adopted Resolution No. 5-2013 (the “Declaratory Resolution”), establishing the Southside Economic Development Area (the “Area”), all pursuant to and in accordance with Indiana Code 36-7-14 and Code 36-7-25 et. seq., and all acts supplemented and amendatory thereto (collectively, the “Act”); and

**WHEREAS**, the Declaratory Resolution (i) identified certain parcels of real estate to be included in and designated as the Area as required by Indiana Code 36-7-14-41, (ii) approved an Economic Development Plan for the Area (the “Plan”), (iii) found that the Plan conforms to other development and redevelopment plans for the Town, (iv) found that no Area residents will be displaced due to the Plan, and (v) designated the Area as an “allocation area” to be known as the “Southside Economic Development Allocation Area” as required by Indiana Code 36-7-14-39 (the “Southside Allocation Area”); and

**WHEREAS**, on August 5, 2013, the Westfield-Washington Plan Commission (the “Plan Commission”) adopted Plan Commission Order No. 13-03 approving the Declaratory Resolution and Plan and finding that the Plan for the Area conforms to the comprehensive plan of development for the Town; and

**WHEREAS**, on August 12, 2013, the Westfield City Council (the “City Council”) adopted Resolution No. 13-114 approving the Order of the Plan Commission and the establishment of the Area; and

**WHEREAS**, on August 19, 2013, after notice and a public hearing thereon, the Redevelopment Commission confirmed the Declaratory Resolution by the adoption of Resolution No. 7-2013 (the “Confirmatory Resolution”); and

**WHEREAS**, the Commission amended Declaratory Resolution No. 5-2013 by the adoption of Resolution No. 2-2015, on February 2, 2015, of which the resolution was confirmed by the Commission by the adoption of a confirmatory resolution, all in accordance with Indiana Code Section 36-7-14-17.5 and now desires to further amend Declaratory Resolution No. 5-2013, as heretofore amended, by the adoption of this resolution (the Declaratory Resolution, as amended hereby is hereinafter referred to as the “Declaratory Resolution”); and

**WHEREAS**, the Commission proposes to amend the Declaratory Resolution to remove from the Area and from the Southside Allocation Area certain parcels (the “Parcels”), as described in Exhibit A, all in accordance with Indiana Code Section 36-7-14-17.5; and

**WHEREAS**, the Parcels are located within the Area and within the Southside Allocation Area.

**NOW, THEREFORE**, be it resolved by the Commission that:

**Section 1.** The Commission hereby finds that the parcels, as described in Exhibit A hereto, are located within the Area and within the Southside Allocation Area.

**Section 2.** The Commission hereby amends the Declaratory Resolution to remove the Parcels, as described in Exhibit A hereto, from the Area and from the Southside Allocation Area (the “Amendment”).

**Section 3.** Upon consideration of the evidence and findings presented to the Commission, the Commission hereby finds the Amendment, as set forth in Sections 1 and 2 of this Resolution, will benefit the public health and welfare of the citizens of the City and the State of Indiana and is reasonable and appropriate when considered in relation to the original Plan and the purposes of the Act, and hereby approves the Amendment.

**Section 4.** The Commission hereby finds that the Plan, together with the proposed Amendment described herein, conform to the Comprehensive Plan for the City.

**Section 5.** This Resolution shall constitute an amendment to the Declaratory Resolution and the Plan and is incorporated into the Plan by this reference thereto.

**Section 6.** In all other respects, the Declaratory Resolution and the Plan, as amended by the Amendment, shall remain in full force and effect.

**Section 7.** The Commission may exercise its authority pursuant to the Act for the purpose contemplated by the Amendment herein, including but not limited to the development and redevelopment within the Area and within the Southside Allocation Area, all for the purposes set forth herein.

**Section 8.** This Resolution shall be submitted to the Plan Commission of the City, pursuant to Indiana Code 36-7-14-16(a), for its approval of the Amendment, whereby upon written approval by the Plan Commission, the Plan Commission’s order approving the Amendment shall be submitted to the Common Council of the City for approval pursuant to Indiana Code 36-7-14-16(b).

**Section 9.** This Resolution shall be effective upon its adoption and passage.

*[Remainder of Page Intentionally Left Blank.]*

ADOPTED AND PASSED THIS 19 DAY OF October, 2015,  
BY A VOTE OF 4 IN FAVOR AND 0 OPPOSED, BY THE  
WESTFIELD REDEVELOPMENT COMMISSION, HAMILTON COUNTY, INDIANA.

By: Joseph Plankis  
Joseph Plankis, President

By: Joseph E. Ingalls  
Joseph E. Ingalls, Vice President

By: \_\_\_\_\_  
Scott Robison, Secretary

By: Bill Doyle  
Bill Doyle, Member

By: Douglas J. Holtz  
Douglas J. Holtz, Member

ATTEST:

Cindy J. Gossard  
Cindy J. Gossard, Clerk-Treasurer

This resolution prepared by:

James T. Crawford, Attorney at Law  
Krieg DeVault LLP  
12800 North Meridian Street, Suite 300  
Carmel, Indiana 46032  
317-238-6239

"I affirm, under the penalties of perjury  
that I have taken reasonable care to correct  
each Social Security Number in this  
document, unless required by law"

KD\_IM-7633768\_1.DOC

\_\_\_\_\_  
Signed

**EXHIBIT A**

**MAP AND DESCRIPTION OF PARCELS REMOVED FROM THE  
SOUTHSIDE ECONOMIC DEVELOPMENT AREA**

Attachment 1      Map of Parcels Removed (1 page)

Attachment 2      List of Portion of Parcels Removed (3 pages)

**Attachment 1**

**Map of Parcels Removed**



Southside TIF Parcel Removal (197)

 To Be Removed

 Westfield Southside TIF



## Attachment 2

### List of Parcels Removed

08-09-12-00-17-023.000	08-09-12-00-13-003.000
08-09-12-00-12-001.000	08-09-12-00-13-004.000
08-09-12-00-12-002.000	08-09-12-00-13-005.000
08-09-12-00-12-003.000	08-09-12-00-13-006.000
08-09-12-00-12-004.000	08-09-12-00-13-007.000
08-09-12-00-12-005.000	08-09-12-00-13-008.000
08-09-12-00-12-006.000	08-09-12-00-13-009.000
08-09-12-00-12-007.000	08-09-12-00-13-010.000
08-09-12-00-12-008.000	08-09-12-00-13-011.000
08-09-12-00-12-009.000	08-09-12-00-13-012.000
08-09-12-00-12-010.000	08-09-12-00-13-013.000
08-09-12-00-12-011.000	08-09-12-00-13-014.000
08-09-12-00-12-012.000	08-09-12-00-13-015.000
08-09-12-00-12-013.000	08-09-12-00-13-016.000
08-09-12-00-12-014.000	08-09-12-00-13-017.000
08-09-12-00-12-015.000	08-09-12-00-13-018.000
08-09-12-00-12-016.000	08-09-12-00-13-019.000
08-09-12-00-12-017.000	08-09-12-00-13-020.000
08-09-12-00-12-018.000	08-09-12-00-13-021.000
08-09-12-00-12-019.000	08-09-12-00-13-022.000
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08-09-12-00-12-021.000	08-09-12-00-13-024.000
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08-09-12-00-12-023.000	08-09-12-00-13-027.000
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08-09-12-00-12-025.000	08-09-12-00-13-029.000
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08-09-12-00-12-028.000	08-09-12-00-14-002.000
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08-09-12-00-12-030.000	08-09-12-00-14-004.000
08-09-12-00-12-031.000	08-09-12-00-14-005.000
08-09-12-00-12-032.000	08-09-12-00-14-006.000
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