

**WESTFIELD REDEVELOPMENT COMMISSION  
RESOLUTION NO. 9-2008**

**RESOLUTION OF THE WESTFIELD REDEVELOPMENT COMMISSION  
APPROVING THE DEVELOPMENT AGREEMENT FOR THE  
AURORA PROJECT WITHIN THE  
EAST SIDE ECONOMIC DEVELOPMENT AREA**

**WHEREAS**, on the 21<sup>st</sup> day of February, 2007, the Redevelopment Commission (the "Commission") of the Town of Westfield, Indiana (the "Town" and on and after January 1, 2008, the "City"), adopted Resolution No. 1-2007 (the "Declaratory Resolution"), establishing the East Side 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 "East Side Economic Development Allocation Area" as required by Indiana Code 36-7-14-39 (the "East Side Allocation Area"); and

**WHEREAS**, on September 24, 2007, the Westfield-Washington Plan Commission (the "Plan Commission") adopted Plan Commission Order No. 07-01 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 October 8, 2007, the Westfield Town Council (the "Town Council") adopted Resolution No. 07-18 approving the Order of the Plan Commission and the establishment of the Area; and

**WHEREAS**, on November 27, 2007, after notice and a public hearing thereon, the Redevelopment Commission confirmed the Declaratory Resolution by the adoption of Resolution No. 2-2007 (the "Confirmatory Resolution"); and

**WHEREAS**, on April 30, 2008, the Commission amended the Declaratory Resolution to add parcels to the Area (the "Aurora Parcels"), all in accordance with Indiana Code Section 36-7-14-17.5, by adopting Resolution 8-2008; and

**WHEREAS**, the Aurora Parcels, together with the other parcels identified within Resolution 8-2008 constitute a "sub-area" of the Area for economic development purposes known as the "Aurora Project" and constitute a separate and additional "allocation area" within the Area pursuant to and in accordance with Indiana Code 36-7-14-39; and

**WHEREAS**, in order to provide for orderly and timely development of the Aurora Project, the Commission and the City have negotiated a development agreement (the "Development Agreement") with CR White Aurora, LLC (the "Developer").

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

1. The Commission hereby approves the Development Agreement and authorizes its execution and delivery, all for the purposes hereinabove provided.

2. The Development Agreement is hereby authorized to be executed and delivered by the President or the Vice President and the Secretary of the Redevelopment Commission, with such changes thereto as the President or the Vice President and the Secretary, upon the advice of counsel, may approve, as conclusively evidenced by their execution thereof.

3. The Secretary of the Commission is hereby directed to present the Development Agreement to the City Council for approval in order to provide for the orderly and timely development of the Project.

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ADOPTED AND PASSED THIS 14<sup>th</sup> DAY OF MAY, 2008,  
BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED, BY THE  
WESTFIELD REDEVELOPMENT COMMISSION, HAMILTON COUNTY, INDIANA.

By:   
Member

By:   
Member

By:   
Member

By:   
Member

By:   
Member

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