

RESOLUTION NUMBER 08-14

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA, REGARDING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA

WHEREAS, pursuant to I.C. 6-1.1-12.1-1, *et. seq.* (the “Act”), the City of Westfield, Indiana (the “City”) by and through its Common Council as the fiscal body of the City and as the designating body identified in the Act (the “Council”) has the right and opportunity to abate the payment of real property taxes for real estate located within an area declared by the Council to be an Economic Revitalization Area and to also abate the payment of personal property taxes within the Economic Revitalization Area; and

WHEREAS, pursuant to the Act, the Council may find that a particular area within the jurisdiction of the City is an Economic Revitalization Area and may by adoption of a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and

WHEREAS, the Council desires to declare the area commonly known as 910 East 169th Street, Westfield, Indiana more particularly described in Exhibit A (the “Area”) attached hereto and made a part hereof which Area is also shown on the map attached hereto as Exhibit B and made a part hereof as an Economic Revitalization Area in which property owners making application to the City pursuant to the Act subsequently approved by this Council pursuant to the Act may receive real property tax abatement and/or personal property tax abatement pursuant to the applicable procedures of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA AS FOLLOWS:

SECTION I. The Area is located within the City.

SECTION II. The Area is hereby declared to be an “Economic Revitalization Area” as defined in the Act.

SECTION III. A public hearing shall be held at the time and place of the regular meeting of the Council on June 23, 2008 at 7:00 p.m. at the Westfield City Hall, 130 Penn Street, Westfield, Indiana. There shall be published, pursuant to the Act, notice (the “Notice”) of the adoption and substance of this Resolution in accordance with

I.C. 5-3-1 one (1) time at least ten (10) days before the date of the public hearing on this matter (the “Public Hearing”), which Notice shall name the date for the Public Hearing, that the Council will hear all remonstrance and objections from interested persons at the Public Hearing, that at the conclusion of the Public Hearing the Council may take final action on the proposed designation, and that a copy of this Resolution has been filed with and shall be available for inspection in the office of the Hamilton County Assessor.

SECTION IV.

Pursuant to the Act, the City Clerk-Treasurer shall file a copy of the Notice with each taxing unit that has authority to levy property taxes in the geographic area where the Area is located. Such information shall be filed with the officers of the taxing unit who are authorized to fix budgets, tax rates, and tax levies under I.C. 6-1.1-17-5 at least ten (10) days prior to the date of the Public Hearing.

SECTION V.

This Resolution shall be in full force and effect immediately upon its adoption.

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ADOPTED AND PASSED THIS 9TH DAY OF JUNE, 2008, BY THE
WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD COMMON COUNCIL
Hamilton County, Indiana

WESTFIELD COMMON COUNCIL

Voting For

Voting Against

Abstain

John Dippel

John Dippel

John Dippel

Bob Horkay

Bob Horkay

Bob Horkay

Ken Kingshill

Ken Kingshill

Ken Kingshill

Bob Smith

Bob Smith

Bob Smith

Thomas Smith

Thomas Smith

Thomas Smith

Rob Stokes

Rob Stokes

Rob Stokes

Melody Sweat

Melody Sweat

Melody Sweat

ATTEST:

Clerk-Treasurer, Cindy Gossard

This resolution prepared by:
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I hereby certify that RESOLUTION 08-14 was delivered to the Mayor of Westfield on the _____ day of _____, 2008, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 08-14
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

I hereby VETO Resolution 08-14
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

This document prepared by
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EXHIBIT A

Legal Description of Area

Commonly Known as 910 East 169th Street, Westfield, Indiana

TRACT 2:

Parcel I: A part of the North Half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being more particularly described as follows: Beginning at a point on the South line of the North Half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East, said point being North 87 degrees 15 minutes 25 seconds East a distance of 1137.26 feet from the Southwest corner thereof, thence North 00 degrees 12 minutes 20 seconds West and parallel to the East line of the Northwest Quarter of the Southwest Quarter a distance of 1331.21 feet to a point on the North line of said Quarter Quarter, thence North 86 degrees 34 minutes 58 seconds East over and along said North line a distance of 153.71 feet to the Northeast corner of said Quarter Quarter, thence continue North 86 degrees 34 minutes 58 seconds East over and along the North line of the Northeast Quarter of the Northwest Quarter a distance of 271.50 feet to a point, thence South 00 degrees 12 minutes 20 seconds East and parallel to the West line of said Quarter Quarter a distance of 1336.22 feet to a point on the South line of said Quarter Quarter, thence South 87 degrees 15 minutes 25 seconds West over and along the South line of said Quarter Quarter a distance of 271.50 feet to the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 1, thence continuing South 87 degrees 15 minutes 25 seconds West over and along the South line of the Northwest Quarter of the Southwest Quarter a distance of 153.71 feet to a point, said point being the place of beginning.

Parcel II: A part of the Northwest Quarter of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being more particularly described as follows: Beginning at a point on the South line of the Northwest Quarter of the Southwest Quarter of Section 1, Township 18 North, Range 3 East said point being North 87 degrees 15 minutes 25 seconds East a distance of 581.35 feet from the Southwest corner thereof, thence North 0 degrees 18 minutes 18 seconds West a distance of 1324.68 feet to a point on the North line of said Quarter Quarter, thence North 86 degrees 34 minutes 58 seconds East over and along said North line a distance of 397.48 feet to a point, thence South 00 degrees 12 minutes 20 seconds West and parallel to the East line of said Quarter Quarter a distance of 1329.27 feet to a point on the South line of said Quarter Quarter, thence South 87 degrees 15 minutes 25 seconds West over and along said South line a distance of 391.68 feet to a point, said point being the place of beginning.

Parcel III: A part of the Northwest Quarter of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being more particularly described as follows: Beginning at a point on the South line of the Northwest Quarter of the Southwest Quarter of Section 1, Township 18 North, Range 3 East said point being North 87 degrees 15 minutes 25 seconds East a distance of 973.03 feet from the Southwest

corner thereof, thence North 0 degrees 12 minutes 20 seconds West and parallel to the East line of said Quarter Quarter a distance of 1329.27 feet to a point on the North line of said Quarter Quarter, thence North 86 degrees 34 minutes 58 seconds East over and along said North line a distance of 164.23 feet to a point, thence South 00 degrees 12 minutes 20 seconds West and parallel to the East line of said Quarter Quarter a distance of 1331.21 feet to a point on the South line of said Quarter Quarter, thence South 87 degrees 15 minutes 25 seconds West over and along said South line a distance of 164.23 feet to a point, said point being the place of beginning.

The above described contiguous parcels I, II and III being further described by the following perimeter description as shown on survey dated June 4, 1991, prepared by Michael L. DeBoy, Registered Land Surveyor, No. S0539, For Weihe Engineers, Inc.:

Part of the North Half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, described as follows:

Beginning on the South line of the North Half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East at the Southeast corner of real estate described in a Warranty Deed recorded as Instrument No. 89-18154, in the Office of the Recorder of Hamilton County, Indiana, said corner being also the Southwest corner of real estate described in Warranty Deed recorded on page 516 of Deed record 329 in said Recorder's Office and being located 581.35 feet North 87 degrees 15 minutes 25 seconds East (assumed bearing) from the Southwest corner of said North Half; thence North 87 degrees 15 minutes 25 seconds East on the South line of said North Half 981.15 feet to the Southwest corner of real estate described in a Warranty Deed recorded as Instrument Number 89-00008, in said Recorder's Office; thence North 00 degrees 01 minutes 31 seconds West on the West line of said Prolongation thereof, being the West line of real estate described in a Warranty Deed recorded as Instrument No. 88-27739, in said Recorder's Office a total distance of 1333.72 feet to the North line of said Southwest Quarter; thence South 86 degrees 37 minutes 16 seconds West on said North line 987.07 feet to the Northeast corner of real estate described in a Warranty Deed recorded on page 816 of Deed Record 328 in said Recorder's office, said corner being 574.65 feet North 86 degrees 37 minutes 16 seconds East of the Northwest corner of said Southwest Quarter; thence South 00 degrees 15 minutes 23 seconds East on the East line of said real estate and the prolongation thereof, being the East line of the aforesaid real estate described in Instrument Number 89-18154, a total distance of 1322.51 feet to the place of beginning.

TRACT 3:

Part of the North Half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Southwest corner of the North Half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East; thence North 87 degrees 24 minutes 16 seconds East (assumed bearing) on the South line of said North Half 1562.50 feet to the Southwest corner of real estate described in a deed recorded as Instrument 89-00006 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 07 minutes 20 seconds East on the West line of said real estate and the prolongation thereof, being the West line of real estate described in a

deed recorded as Instrument 88-27739 in said Recorder's Office, a total distance of 1193.34 feet to the place of beginning of the within described real estate; thence continuing North 00 degrees 07 minutes 20 seconds East on the West line of said real estate 140.38 feet to the Northwest corner thereof, being on the North line of the North Half of said Southwest Quarter; thence North 86 degrees 46 minutes 08 seconds East on said North line 434.40 feet to a point on the Westerly line of a non-exclusive Easement for Ingress and Egress, said point being 582.74 feet South 86 degrees 46 minutes 06 seconds West of the Northeast corner of said Southwest Quarter; thence South 00 degrees 00 minutes 00 seconds on said Westerly line 71.91 feet to the point of curvature of a curve to the right having a radius of 375.00 feet; thence Southwesterly, curving to the right on said Westerly line and curve, an arc distance of 74.10 feet to a line which bears North 87 degrees 24 minutes 18 seconds East from the place of beginning; thence South 87 degrees 24 minutes 16 seconds West on said line 427.15 feet to the place of beginning.

EXHIBIT B

