

RESOLUTION NUMBER 08-18

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

WHEREAS, pursuant to Indiana Code 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a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and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 whose boundaries are coterminous with the boundaries of the Aurora Project located in 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 Indiana Code 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 Indiana Code 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 08-18 was delivered to the Mayor of Westfield on the _____ day of _____, 2008, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 08-18
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

I hereby VETO Resolution 08-18
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

This document prepared by
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EXHIBIT A

Legal Description of Area

**DESCRIPTION OF AURORA SUB-AREA AND
PROJECT SITE**

09-06-19-00-00-004.000	Aurora Investments, LLC
09-06-19-00-01-001.105	CR White Aurora, LLC
09-06-19-00-00-004.001	Gooding Investments, LLC
09-06-19-00-01-001.005	Henry Joe Walker
09-06-19-00-01-001.004	Land Owners, LLC
09-06-19-00-01-001.104	Land Owners, LLC
09-06-19-00-01-001.206	Land Owners, LLC
09-06-19-00-01-001.006	Land Owners, LLC
08-06-18-00-00-014.001	Kris S. Davis
08-06-19-00-01-017.000	Thomas and Hilda B. Sumner
08-06-19-00-00-016.000	Thomas and Hilda B. Sumner

Land Owners, LLC, Henry Joe Walker and CR White Aurora, LLC Tracts

Instruments 200000017014 and 200000017016
(Approximately 154.55 acres)

Part of the Northeast Quarter, part of the Southwest Quarter and part of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence South 00 degrees 00 minutes 19 seconds East (Indiana State Plane Coordinate System-East Zone NAD 83) a distance of 237.40 feet on the East line of said Southeast Quarter to the Southeast corner of the real estate described in Deed Book 310, page 449 in the Office of the Recorder, Hamilton County, Indiana, said corner being the POINT OF BEGINNING; thence continuing South 00 degrees 00 minutes 19 seconds East 1101.42 feet on the East line of said Southeast Quarter to the Southeast corner of the North Half of said Southeast Quarter; thence North 89 degrees 50 minutes 20 seconds West 2671.16 feet on the South line of the North Half of said Southeast Quarter to the Southwest corner of the North Half of said Southeast Quarter; thence North 89 degrees 54 minutes 35 seconds West 825.00 feet on the South line of the North Half of the Southwest Quarter of said Section 19 to the Southwest corner of Tract "C" as recorded in Deed Book 345, page 360 in the Office of the Recorder, Hamilton County, Indiana; the following twelve (12) courses are on the perimeter of the real estate described in said Deed Book 345, Page 360; 1) thence North 00 degrees 00 minutes 29 seconds East 635.25 feet; 2) thence South 89 degrees 54 minutes 35 seconds East 734.25 feet; 3) thence North 00 degrees

00 minutes 29 seconds East 417.56 feet; 4) thence South 89 degrees 54 minutes 43 seconds East 238.00 feet; 5) thence North 00 degrees (10 minutes 29 seconds East 284.87 feet; 6) thence North 89 degrees 51 minutes 38 seconds West 147.25 feet; 7) thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet; 8) thence South 89 degrees 53 minutes 10 seconds East 2079.90 feet; 9) thence South 01 degrees 28 minutes seconds West 1336.02 feet; 10) thence South 89 degrees 51 minutes 38 seconds East 129.97 feet; 11) thence South 00 degrees 06 minutes 14 seconds East 233.82 feet; 12) thence South 89 degrees 26 minutes 46 seconds East 495.09 feet to the POINT OF BEGINNING, containing 154.55 acres, more of less.

Thomas and Hilda B. Sumner Tract

Deed Book 329, P919
(Approximately 81.5 acres)

An undivided one-half interest in and to the following described real estate, located in Hamilton County, Indiana:

Forty-seven and three-fourths (47-3/4) acres off the south side of the northwest quarter of section nineteen (19), township nineteen (19) north, range four (4) east. Also, the north half of the southwest quarter of said section 19, containing 74.3 acres, more or less, except beginning at the southwest corner of said north half of said southwest quarter and run north 659 feet, thence east 148.75 rods, thence south 38 1/2 rods, thence west 148.62 rods to the place of beginning, containing 36.74 acres, more or less.

Also, except a strip of land five and one-half (5-1/2) rods wide off the entire east end of the above two tracts, remaining after the aforesaid exception, containing 3.2 acres, more or less.

Also, except a cemetery lot described as follows: Beginning 78 rods east of the northwest corner of the first described tract and run south 9-3/4 rods; east 10 rods; north 9-3/4 rods; west 10 rods to the place of beginning, containing 0.61 acres, more or less. Containing after said exceptions eighty-one and one-half (81-1/2) acres, more or less.

Kris S. Davis MacDonald Tract

Instrument No. 200300010181
(Approximately 0.79 acres)

A part of the East half of the Southeast Quarter of section 18, Township 19 North, Range 4 East, Described as follows:

Begin at a point on south line of said Southeast Quarter 409.0 feet East of the Southwest corner of the East half of the Southeast Quarter of section 18, Township 19 North, range 4 East half, thence north parallel with west line of said east 242.0 feet to a point in r/w of state road #38, thence southeasterly in r/w of said state road where it intersects the south of said quarter section 858.0 feet east of the southwest corner of said east half, thence west on said south line 449.0 feet to iron stake or place of beginning, in Hamilton county, Indiana; except: a part of the east half of

the southeast quarter of section 18, township 19 north, range 4 east in Hamilton county, state of Indiana, described as follows: begin at a point on the south line of said southeast quarter 409.00 feet east of the southwest corner of the east half of the southeast quarter of section 18, township 19, north, range 4 east in said county and state, thence north parallel with the west line of said east half 242.6 feet to a point in the right of way of state road number 38, thence southeasterly in said right of way 66.0 feet to a point, thence divert to the right or southwesterly 223.0 feet to the place of beginning.

Aurora Investments, LLC, Gooding Investments, LLC and CR White Aurora, LLC Tracts

Instruments 199909955120 and 200300110042
(Approximately 80.70 acres)

Part of the Northeast Quarter of Section 19, Township 19 North, Range 4 East, 2nd P.M., Washington Township, Hamilton County, Indiana, described as follows:

BEGINNING at the Northwest. corner of the Northeast Quarter of Section 19, Township 19 North, Range 4 East, 2nd P.M., Washington Township, Hamilton County, Indiana; thence South 89 degrees 54 minutes 41 seconds East (Indiana State Plane Coordinates-East Zone NAD 83) a distance of 2248.54 feet on the North line of said Northeast Quarter to the Centerline of State Highway 38; thence South 60 degrees 52 minutes 07 seconds East 481.49 feet to the East line of said Northeast Quarter, thence South 00 degrees 02 minutes 34 seconds East 1102.19 feet on the East line of said Northeast Quarter to the Southeast corner of the North Half of said Northeast Quarter; thence North 89 degrees 53 minutes 20 seconds West 2669.90 feet on the south line of the North Half of said Northeast Quarter to the Southwest corner of the North Half of said Northeast Quarter, thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet on the West line of said Northeast Quarter to the BEGINNING POINT, containing 80.70 acres, more or less.

**EXPANDED SUB-AREA AND
EXPANSION PROJECT SITE PARCELS**

08-06-18-00-00-014.001
08-06-19-00-01-017.000
08-06-19-00-00-016.000

Kris Davis
Thomas and Hilda Sumner
Thomas and Hilda Sumner

EXHIBIT B

