RESOLUTION NUMBER 08-16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD, INDIANA, APPROVING THE ORDER OF THE WESTFIELD PLAN COMMISSION AND THE ESTABLISHMENT BY THE WESTFIELD REDEVELOPMENT COMMISSION OF THE AURORA SUB-AREA WITHIN THE EAST SIDE ECONOMIC DEVELOPMENT AREA

WHEREAS, the Redevelopment Commission (the "Commission"), of the City of Westfield, Indiana (the "City") has heretofore established the East Side Economic Development Area (the "Area") pursuant to Resolution No. 1-2007 (the "Declaratory Resolution") and, in connection therewith, has approved an Economic Development Plan (the "Plan") and has designated the Area as an "Allocation Area" to be known as the "East Side Economic Development Allocation Area" (the "Area"), all in accordance with Indiana Code 36-7-14 and 36-7-25, *et seq.*, (collectively the "Act"); and,

WHEREAS, the Commission adopted Resolution No. 8-2008 on April 30, 2008, amending the Declaratory Resolution (the "Amendatory Resolution", and together with the Declaratory Resolution, as amended, are hereinafter collectively referred to as the "Declaratory Resolution") for the purpose of creating within the Area a sub-area to be known as the "Aurora Sub-Area" for purposes of assisting in the development of the "Aurora Project", creating within the Area a second allocation area pursuant to Indiana Code 36-7-14-39 to be known as the Aurora Allocation Area (the "Aurora Allocation Area") and amending the Plan to include the development of the Aurora Project; and,

WHEREAS, the Amendatory Resolution approved an amendment to the Plan, which Plan contained specific recommendations for development and economic development of the Sub-Area, including road, infrastructure and drainage improvements for the Aurora Project and related improvements and equipment serving the Aurora Sub-Area as further described in the Plan; and,

WHEREAS, the Commission submitted the Declaratory Resolution and supporting data to the Westfield-Washington Plan Commission (the "Plan Commission"), and on May 19, 2008, the Plan Commission issued its written Order approving the Declaratory Resolution and the Plan; and,

WHEREAS, Indiana Code 36-7-14-16(b) of the Act requires the City Council of City of Westfield (the "City Council") to approve the Order of the Plan Commission; and,

WHEREAS, Indiana Code 36-7-14-41(c) of the Act requires that the determination that a geographic area is an economic development area be approved by the City Council; and,

WHEREAS, the Declaratory Resolution adopted by the Commission, the Plan approved by the Declaratory Resolution and the Order of the Plan Commission regarding the Declaratory Resolution and the Plan have been submitted to the City Council for approval; and,

WHEREAS, after being fully advised in the matter,

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

SECTION I. The Plan for the Aurora Sub-Area is in all respects approved, ratified and confirmed by the City Council of City of Westfield.

SECTION II. The Order of the Plan Commission, adopted on May 19, 2008, approving the Plan and the Declaratory Resolution is in all respects approved, ratified and confirmed by the City Council.

SECTION III. The establishment of a sub-economic development area, known as the Aurora Sub-Area, within the area known as the East Side Economic Development Area, as described in the Declaratory Resolution, is hereby approved by the City Council.

SECTION IV. The Clerk-Treasurer of the City of Westfield is hereby directed to file a copy of the Declaratory Resolution, the Plan, and the Order of the Plan Commission with the permanent minutes of this meeting.

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 CITY COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD CITY COUNCIL
Hamilton County, Indiana

WESTFIELD CITY 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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KRIEG DEVAULT LLP
12800 North Meridian St., Suite 300
Carmel, IN 46032
317-238-6238

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I hereby certify that RESOLUTION 08-16 was delivered to the Mayor of Westfield on the _____ day of _____, 2008, at _____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 08-16

this _____ day of _____, 2008.

_____
J. Andrew Cook, Mayor

I hereby VETO Resolution 08-16

this _____ day of _____, 2008.

_____
J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
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(317) 238-6266

PLAN COMMISSION ORDER NUMBER 08-02

ORDER OF THE WESTFIELD-WASHINGTON PLAN COMMISSION DETERMININING THAT THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN APPROVED AND ADOPTED BY THE WESTFIELD REDEVELOPMENT COMMISSION CONFORM TO THE COMPREHENSIVE PLAN AND APPROVING THAT RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN (AURORA PROJECT)

WHEREAS, on April 30, 2008, the Redevelopment Commission (the "Commission") of the City of Westfield (the "City") approved an amendment to the Economic Development Plan (the "Plan") for the East Side Economic Development Area by establishing therein the Aurora Sub-Area (the "Area") for purposes of assisting in the development of the Aurora Project in the City and adopted Resolution No. 8-2008 further amending Declaratory Resolution No. 1-2007 (as amended, the "Declaratory Resolution") which created the East Side Economic Development, by declaring that the Area is an economic development area and subject to economic development activities pursuant to Indiana Code 36-7-14 and 36-7-25 *et seq.,* and all acts supplemental and amendatory thereto (collectively, the "Act"); and,

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan by the Westfield Plan Commission (the "Plan Commission"); and,

WHEREAS, after being fully advised in the matter,

NOW, THEREFORE, BE IT ORDERED BY THE WESTFIELD PLAN COMMISSION, AS FOLLOWS:

SECTION I. The Plan for the Area conforms to the Comprehensive Plan of development for the City.

SECTION II. The Plan is, therefore, in all respects approved, ratified and confirmed.

SECTION III. The Secretary of the Plan Commission is hereby directed to file a copy of the Declaratory Resolution and the Plan with the permanent minutes of this meeting.

PASSED THIS 19TH DAY OF MAY, 2008, BY THE
WESTFIELD-WASHINGTON PLAN COMMISSION, HAMILTON COUNTY, INDIANA.

President, Plan Commission

ATTEST:

Secretary, Plan Commission

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