

## RESOLUTION NUMBER 08-08

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD, INDIANA, APPROVING RESOLUTION NO. 7-2008 OF THE WESTFIELD REDEVELOPMENT COMMISSION AMENDING THE DECLARATORY RESOLUTION FOR THE EAST SIDE ECONOMIC DEVELOPMENT AREA

**WHEREAS**, on February 21, 2007, the Redevelopment Commission (the “Commission”) of the Town of Westfield (the “Town”), 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 “Allocation Area”); and

**WHEREAS**, on September 24, 2007, the Westfield 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 adopted Resolution No. 07-18 approving the Order of the Plan Commission and the establishment of the Area; and

**WHEREAS**, on November 27, 2007, following a public hearing on such matter, the Commission adopted Resolution No. 2-2007 determining the public utility and benefit of the Plan and the Area, and confirming its prior action in adopting the Declaratory Resolution; and

**WHEREAS**, on November 27, 2007, the Commission amended the Declaratory Resolution by adoption of Resolution No. 3-2007 the Declaratory Resolution, as amended, is hereinafter referred to the “Declaratory Resolution”) to add several parcels to the Area, all in accordance with Indiana Code Section 36-7-14-17.5; and

**WHEREAS**, on February 13, 2008, the Commission amended the Declaratory Resolution by adopting Resolution No. 7-2008, amending Resolution No. 1-2007 and Resolution No. 3-2007 of the Commission (the Declaratory Resolution, as amended, is hereinafter referred to as the “Declaratory Resolution”), by removing several parcels of the Area (the “Lantern

Commons Parcels”) and adding several parcels to the Area (the “Downtown Parcels”), as described in Exhibit A and Exhibit B of the Declaratory Resolution, all in accordance with Indiana Code Section 36-7-14-17.5; and

**WHEREAS**, the Downtown Parcels added to the Area enlarge the original boundaries of the Area by not more than 20% of the original Area; and

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

**WHEREAS**, the City Council has reviewed and considered the Declaratory Resolution as adopted by the Commission amending the Plan and the Area; and,

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

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

**SECTION I.** The City Council hereby authorizes and approves, without modification, the expansion and modification of the Area as amended by the Declaratory Resolution of the Commission.

**SECTION II.** The area known as the East Side Economic Development Area as described in the Declaratory Resolution is determined to be an economic development area and hereby approved by the City Council.

**SECTION III.** This Resolution shall be effective from and after passage on the effective date of the Declaratory Resolution.

ADOPTED AND PASSED THIS 10th DAY OF MARCH, 2008, BY THE  
WESTFIELD CITY COUNCIL, HAMILTON COUNTY, INDIANA.

**WESTFIELD CITY COUNCIL**  
**Hamilton County, Indiana**

**WESTFIELD COMMON COUNCIL**

**Voting For**

**Voting Against**

**Abstain**

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John Dippel

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John Dippel

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John Dippel

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Bob Horkay

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Bob Horkay

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Bob Horkay

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Ken Kingshill

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Bob Smith

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Melody Sweat

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Melody Sweat

ATTEST:

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Clerk-Treasurer, Cindy Gossard

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

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 08-08  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

I hereby VETO RESOLUTION 08-08  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
J. Andrew Cook, Mayor

\_\_\_\_\_  
J. Andrew Cook, Mayor

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