

## RESOLUTION NUMBER 08-19

### 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 EAGLETOWN ECONOMIC DEVELOPMENT AREA

**WHEREAS**, the Westfield Redevelopment Commission (the “Commission”), on May 14, 2008, approved an Economic Development Plan (the “Plan”) for the Eagletown Economic Development Area (the “Area”) in the City of Westfield, Indiana (the “City”); and,

**WHEREAS**, the Commission, on May 14, 2008, adopted Declaratory Resolution No. 10-2008 (the “Declaratory Resolution”) declaring that the Area is (i) an economic development area, which declaration was supported by a factual report and findings contained within the Declaratory Resolution, and (ii) 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 Declaratory Resolution approved the Economic Development Plan (the “Plan”) presented at the May 14, 2008 meeting of the Commission, which Plan contained specific recommendations for development and economic development of the Area, including road, infrastructure and drainage improvements to the Area and related improvements and equipment serving the Area as further described in the Plan (the “Project”); and,

**WHEREAS**, the Commission submitted the Declaratory Resolution and supporting data to the Westfield 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 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 an economic development area in the area known as the Eagletown Economic Development Area as described in the Declaratory Resolution and in Exhibit A to 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 9<sup>TH</sup> 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**

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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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Ken Kingshill

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Ken Kingshill

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Bob Smith

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Thomas Smith

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Thomas Smith

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Thomas Smith

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Rob Stokes

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Rob Stokes

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Rob Stokes

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Melody Sweat

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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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Noblesville, IN 46060  
317-238-6266

John R. Kirkwood, Attorney at Law  
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12800 North Meridian St., Suite 300  
Carmel, IN 46032  
317-238-6238

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I hereby certify that RESOLUTION 08-19 was delivered to the Mayor of Westfield on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ m.

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

I hereby APPROVE Resolution 08-19  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

I hereby VETO Resolution 08-19  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

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

**PLAN COMMISSION ORDER NUMBER 08-03**

**ORDER OF THE WESTFIELD-WASHINGTON PLAN COMMISSION  
DETERMINING 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  
(EAGLETOWN PROJECT)**

**WHEREAS**, on May 14, 2008, the Redevelopment Commission (the "Commission") of the City of Westfield (the "City") approved the Economic Development Plan (the "Plan") for the Eagletown Economic Development Area (the "Area") for purposes of assisting in the development of the Eagletown Project in the City and adopted Declaratory Resolution No. 10-2008 (the "Declaratory Resolution"), which created the Eagletown Economic Development Area, 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-Washington Plan Commission (the "Plan Commission"); and,

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

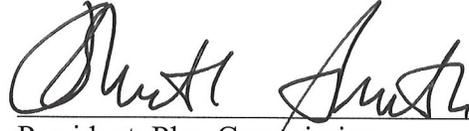
**NOW, THEREFORE, BE IT ORDERED BY THE WESTFIELD PLAN  
COMMISSION, AS FOLLOWS:**

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

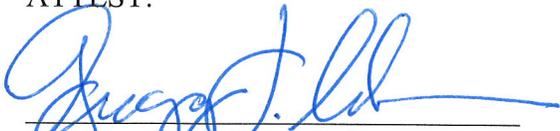
**SECTION II.** The Plan is, therefore, in all respects approved, ratified and confirmed.

**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 19<sup>TH</sup> DAY OF MAY, 2008, BY THE  
WESTFIELD-WASHINGTON PLAN COMMISSION, HAMILTON COUNTY, INDIANA.

  
\_\_\_\_\_  
President, Plan Commission

ATTEST:

  
\_\_\_\_\_  
Secretary, Plan Commission

KD\_IM-Plan Commission Order - Eagletown Project (2).DOC