

RESOLUTION NUMBER 10-10

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA, APPROVING THE ORDER OF THE WESTFIELD PLAN COMMISSION AND THE AMENDMENT BY THE WESTFIELD REDEVELOPMENT COMMISSION OF THE DECLARATORY RESOLUTION FOR THE GRAND JUNCTION ECONOMIC DEVELOPMENT AREA

WHEREAS, on July 7, 2009, the Redevelopment Commission (the “Redevelopment Commission”) of the City of Westfield (the “City”) adopted Declaratory Resolution No. 2-2009 (the “Declaratory Resolution”) establishing the Grand Junction Economic Development Area (the “Area”) as an economic development area under Indiana Code 36-7-14 and Indiana Code 36-7-25 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the “Act”); and,

WHEREAS, the Declaratory Resolution approved and incorporated the Factual Report (the “Report”) supporting the Declaratory Resolution and the Economic Development Plan (the “Plan”) presented at the July 7, 2009 meeting of the Redevelopment Commission, which Plan contained specific recommendations for 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 Declaratory Resolution established an allocation area (the “Allocation Area”) within the Area in accordance with Indiana Code 36-7-14-39; and,

WHEREAS, on July 20, 2009, the Redevelopment Commission submitted the Declaratory Resolution, the Plan and supporting data to the Westfield-Washington Advisory Planning Commission (the “Plan Commission”) and the Plan Commission issued its written Order approving the Declaratory Resolution and the Plan as submitted; and,

WHEREAS, on August 10, 2009, the Common Council of the City (the “Common Council”) approved the Order of the Plan Commission and approved the creation of the Area and approved the actions of the Redevelopment Commission establishing the Area pursuant to Indiana Code 36-7-14-16(b) and Indiana Code 36-7-14-41(c); and,

WHEREAS, on August 12, 2009, after publishing notice of and conducting a public hearing in accordance with the Act, the Redevelopment Commission adopted Resolution 5-2009 confirming the Declaratory Resolution (the “Confirmatory Resolution”); and,

WHEREAS, on July 13, 2010, the Redevelopment Commission adopted Resolution No. 2-2010 thereby amending the Declaratory Resolution (the “Amendatory Resolution”) by 1.) deleting paragraph 10 of the Declaratory Resolution, and 2.) authorizing the Redevelopment Commission to capture, collect and retain all accumulated assessed value, including all excess

assessed value, to be used by the Redevelopment Commission as necessary for purposes including but not limited to providing adequate debt service coverage for bonds issued to finance infrastructure and for other projects in the Area (the “Amendment”); and,

WHEREAS, the Redevelopment Commission submitted the Amendatory Resolution and supporting data to the Plan Commission, and on August 2, 2010, the Plan Commission issued its written Order approving the Amendatory Resolution; and,

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

WHEREAS, the Amendatory Resolution adopted by the Redevelopment Commission and the Order of the Plan Commission regarding the Amendatory Resolution have been submitted to the Common Council for approval; 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 Amendatory Resolution for the Area is in all respects approved, ratified and confirmed by the Common Council of City of Westfield.

SECTION II. The Order of the Plan Commission, adopted on August 2, 2010, approving the Amendatory Resolution is in all respects approved, ratified and confirmed by the Common Council

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

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

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ADOPTED AND PASSED THIS 9TH DAY OF AUGUST, 2010, 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

Steve Hoover

Steve Hoover

Steve Hoover

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

ATTEST:

Clerk-Treasurer, Cindy Gossard

This resolution prepared by:

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Carmel, Indiana 46032
317-238-6261

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I hereby certify that RESOLUTION 10-10 was delivered to the Mayor of Westfield
on the _____ day of _____, 2010, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 10-10
this _____ day of _____, 2010.

I hereby VETO RESOLUTION 10-10
this _____ day of _____, 2010.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor