

RESOLUTION NUMBER 11-18

**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 “Original Declaratory Resolution”) establishing the Grand Junction Economic Development Area (the “Original 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 Original Declaratory Resolution (i) identified certain parcels of real estate to be included in and designated as the Original Area as required by Indiana Code 36-7-14-41, (ii) approved an economic development plan for the Original Area (the “Original Plan”), (iii) found that the Original Plan conforms to other development and redevelopment plans for the City, (iv) found that no Original Area residents will be displaced due to the Original Plan, and (v) designated the Original Area as an “allocation area” to be known as the “Grand Junction Economic Development Allocation Area” as required by Indiana Code 36-7-14-39 (the “Original Allocation Area”) and approved and incorporated the Factual Report (the “Original Report”) supporting the Original Declaratory Resolution and the Original Plan presented at the July 7, 2009 meeting of the Redevelopment Commission, which Original Plan contained specific recommendations for economic development of the Original Area, including road, infrastructure and drainage improvements to the Original Area and related improvements and equipment serving the Original Area as further described in the Original Plan (the “Original Project”); and,

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

WHEREAS, on July 13, 2010, the Redevelopment Commission adopted Declaratory Resolution No. 2-2010 amending certain provisions of the Original Declaratory Resolution relating to the percentage of accumulated assessed value that the Redevelopment Commission could capture, collect and retain in the Original Allocation Area; and

WHEREAS, the Redevelopment Commission has investigated, studied and surveyed additional economic development areas within the corporate boundaries of the City; and

WHEREAS, the Redevelopment Commission has selected Expansion Area No. 1 including the Mainstreet Project Sub-Area (each as hereinafter defined) as an additional economic development area to be developed under the Act; and

WHEREAS, the Redevelopment Commission now proposes to amend the Original Declaratory Resolution, as previously amended by Declaratory Resolution No. 2-2010, by (i) expanding the boundaries of the Original Area by the addition of the parcels described in Exhibit A attached to Declaratory Resolution No. 2-2011 to be known as the Grand Junction Economic Development Expansion Area No. 1 (the “Expansion Area No. 1”) (the Original Area together with Expansion Area No. 1 are referred to as the “Grand Junction Consolidated Economic Development Area”); and (ii) removing three (3) parcels from the Original Area as described in Exhibit B attached to Declaratory Resolution No. 2-2011 (the “Amendment”); and,

WHEREAS, the parcel identified in Exhibit C to the Amendment constitutes a “sub-area” of the Expansion Area No. 1 for economic development purposes, shall be known as the “Mainstreet Project Sub-Area” and shall hereafter constitute a separate and additional “allocation area” within Expansion Area No. 1 pursuant to and in accordance with Indiana Code 36-7-14-39; and

WHEREAS, the Redevelopment Commission has prepared an economic development plan for Expansion Area No. 1 including the Mainstreet Project Sub-Area (the “Expansion Area No. 1 Plan”), which Expansion Area No. 1 Plan is attached to Declaratory Resolution No. 2-2011 as Exhibit D (together the Expansion Area No. 1 Plan and the Original Plan are referred to as the “Grand Junction Consolidated Economic Development Plan”); and

WHEREAS, the Redevelopment Commission has caused to be prepared:

- (1) Maps and plats showing:
 - (A) the boundaries of Expansion Area No. 1 including the Mainstreet Property Sub-Area in which property would be acquired for, or otherwise affected by, the establishment of a redevelopment project area;

- (B) the location of the various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, remediation, replatting, replanning, rezoning, or redevelopment of the area, and any parcels of property to be excluded from the acquisition or otherwise excluded from the effects of the establishment of the redevelopment project area;
 - (C) the parts of Expansion Area No. 1 including the Mainstreet Property Sub-Area acquired, if any, that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Expansion Area No. 1 Plan; and
- (2) Lists of the owners of the various parcels of property proposed to be acquired, if any are known at this time;
 - (3) An estimate of the cost of acquisition, redevelopment and economic development of Expansion Area No. 1 including the Mainstreet Property Sub-Area.

WHEREAS, the Redevelopment Commission has caused to be prepared a factual report (the “Expansion Area No. 1 Report”) in support of the findings contained in this resolution, which Expansion Area No. 1 Report is attached as and incorporated by reference in this resolution;

WHEREAS, the Amendment will produce a net enlargement of the Original Area; and,

WHEREAS, the Redevelopment Commission submitted the Declaratory Resolution No. 2-2011 and supporting data to the Plan Commission, and on September 6, 2011, the Plan Commission issued its written Order approving the Declaratory Resolution No. 2-2011; 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 Declaratory Resolution No. 2-2011 adopted by the Redevelopment Commission and the Order of the Plan Commission regarding the Declaratory Resolution No. 2-2011 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 Declaratory Resolution No. 2-2011 for the Expansion Area No. 1 including the Mainstreet Property Sub-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 September 6, 2011, approving the Declaratory Resolution No. 2-2011 is in all respects approved, ratified and confirmed by the Common Council

SECTION III. The establishment of an economic development area known as the Expansion Area No. 1 including the Mainstreet Project Sub-Area as described in the Declaratory Resolution which together with the existing Original Area shall be known as the Grand Junction Consolidated Economic Development Area is hereby approved by the Common Council.

SECTION IV. The Clerk-Treasurer of the City of Westfield is hereby directed to file a copy of the Declaratory Resolution No. 2-2011 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 12TH DAY OF SEPTEMBER, 2011, 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

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Kenneth Kingshill

Kenneth Kingshill

Kenneth Kingshill

Bob Smith

Bob Smith

Bob Smith

Thomas Smith

Thomas Smith

Thomas Smith

Robert Stokes

Robert Stokes

Robert Stokes

ATTEST:

Cindy Gossard, Clerk-Treasurer
City of Westfield, Indiana

I hereby certify that RESOLUTION 11-18 was delivered to the Mayor of Westfield

on the _____ day of _____, 2011, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 11-18

this _____ day of _____, 2011.

at ____:____.m.

J. Andrew Cook, Mayor

I hereby VETO RESOLUTION 11-18

this _____ day of _____, 2011.

at ____:____.m.

J. Andrew Cook, Mayor

This resolution prepared by:
James T. Crawford, Jr., Esq.
KRIEG DEVAULT, LLP
949 East Conner Street, Suite 200
Noblesville, Indiana 46060
(317) 238-6239