

RESOLUTION NUMBER 15-103

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA CONFIRMING JANUARY 26, 2015 RESOLUTION NUMBER 15-102 DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET

WHEREAS, pursuant to Indiana Code 6-1.1-12.1-1, *et. seq.* (the "Act"), the City of Westfield, Indiana (the "City") by and through its Common Council acting in its capacity as the fiscal body of the City and acting as the designating body identified in the Act (the "Council") has the right and opportunity to abate the payment of real property taxes for real estate located within an area declared by the Council to be an Economic Revitalization Area and to also abate the payment of personal property taxes within the Economic Revitalization Area;

WHEREAS, pursuant to the Act, the Council may find that a particular area within the jurisdiction of the City is an Economic Revitalization Area and may by adoption of a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded;

WHEREAS, the Council adopted its Resolution Number 15-102 (the "Declaratory Resolution") on January 26, 2015 pursuant to the Act declaring the area whose boundaries are located within the corporate boundaries of the City commonly known as 1122 E. 169th Street, Westfield, Indiana more particularly described in Exhibit A (the "Area") attached hereto and made a part hereof which is also shown on the map attached hereto as Exhibit B and made a part hereof as an Economic Revitalization Area in which property owners making application to the City pursuant to the Act subsequently approved by this Council pursuant to the Act may receive real property tax abatement and/or personal property tax abatement pursuant to the applicable procedures of the Act;

WHEREAS, the Council has caused to be published a notice (the "Notice") pursuant to the Act and Indiana Code 5-3-1 of the adoption and substance of the Declaratory Resolution, including notice that the Council would hold a public hearing in accordance with the Act on February 9, 2015 which Notice was published at least ten (10) days prior to the date of the public hearing;

WHEREAS, the Council in accordance with Section 2 of the Act has caused to be filed a copy of the Notice and the Declaratory Resolution with the Hamilton County Assessor and the officers of each taxing unit which is authorized to fix budgets, tax rates, and tax levies under Indiana Code 6-1.1-17-5 in the Area at least ten (10) days prior to the date of the February 9, 2015 public hearing;

WHEREAS, at the Public Hearing held on the date hereof, the Council received, heard and considered any remonstrance's and objections from interested persons and heard evidence concerning the qualification of the Area as an Economic Revitalization Area;

WHEREAS, after considering the evidence, this Council desires to take final action determining whether the qualifications for an economic revitalization area have been met and further, to take final action confirming the Declaratory Resolution.

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

SECTION I. The Area is located within the corporate boundaries of the City.

SECTION II. The area is undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property or is an area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to decline in employment and tax revenues. The abatement schedule set out in resolution 15-104 is based upon factors 1-4 as pursuant to Indiana Code 6-1.1-12.1-17(a).

SECTION III. Resolution 15-102 adopted by the Council on January 26, 2015 is hereby confirmed.

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

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ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 9th DAY OF FEBRUARY, 2015.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain


Jim Ake

Jim Ake

Jim Ake


Chuck Lehman

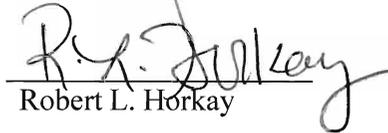
Chuck Lehman

Chuck Lehman


Steven Hoover

Steven Hoover

Steven Hoover


Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Robert J. Smith

Robert J. Smith

Robert J. Smith


Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric


Robert W. Stokes

Robert W. Stokes

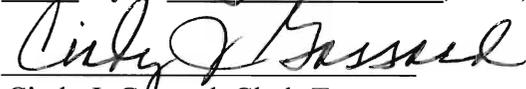
Robert W. Stokes

ATTEST:

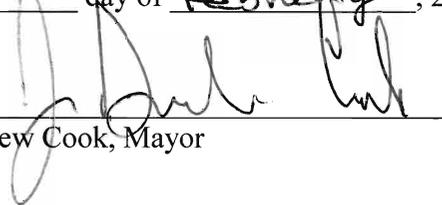

Cindy Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Andrew P. Murray

I hereby certify that RESOLUTION 15-103 was delivered to the Mayor of Westfield on the
10 day of Feb, 2015, at 10:00 A m.


Cindy J. Gessard, Clerk-Treasurer

I hereby APPROVE Resolution 15-103
This 10 day of February, 2015


J. Andrew Cook, Mayor

I hereby VETO Resolution 15-103
This ___ day of _____, 2015

J. Andrew Cook, Mayor

Prepared By:
Andrew P. Murray, Associate Planner
Economic and Community Development Department
City of Westfield, Indiana

EXHIBIT A

Legal Description of Area

Commonly Known as 1122 E. 169th Street
Westfield, Indiana 46074

EXHIBIT A - LEGAL DESCRIPTION

A part of the North half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being more particularly described as follows:

Beginning at a point on the South line of the North half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East a distance of North 86 degrees 56 minutes 26 seconds East 2211.07 feet from the Southwest corner of said half-quarter, said beginning point also being South 86 degrees 56 minutes 26 seconds West 370.95 feet from the centerline of the Chicago, Indianapolis and Louisville Railroad, thence North 00 degrees 26 minutes 00 seconds West and parallel to said railroad centerline a distance of 1325.71 feet to a point on the approximate North line of said half quarter; thence North 86 degrees 43 minutes 39 seconds East over and along said approximate North line a distance of 337.98 feet to a point on the West right-of-way of said railroad, said point also being South 86 degrees 43 minutes 39 seconds West 33.04 feet from the centerline of said railroad; thence South 00 degrees 26 minutes 00 seconds East on and along said West right-of-way a distance of 959.46 feet; thence South 86 degrees 56 minutes 26 seconds West and parallel to the South line of said half quarter a distance of 33.03 feet; thence South 00 degrees 26 minutes 00 seconds East and parallel to railroad centerline a distance of 367.50 feet to a point on the South line of said half-quarter said point also being South 86 degrees 56 minutes 26 seconds West 66.07 feet from the centerline of said railroad; thence South 86 degrees 56 minutes 26 seconds West over and along said South line a distance of 304.88 feet to the place of beginning.

ALSO:

A part of the North half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being more particularly described as follows:

Commencing at a point on the South line of the North half of the Southwest Quarter of Section 1, Township 18 North, Range 3 East a distance of North 86 degrees 56 minutes 26 seconds East 2211.07 feet from the Southwest corner of said half-quarter, said beginning point also being South 86 degrees 56 minutes 26

EXHIBIT A - CONT'D

seconds West 370.95 feet from the centerline of the Chicago, Indianapolis and Louisville Railroad, thence North 00 degrees 26 minutes 00 seconds West and parallel to said Railroad centerline a distance of 1325.71 feet to a point on the approximate North line of said half-quarter, thence North 86 degrees 43 minutes 39 seconds East over and along said approximate North line a distance of 337.98 feet to a point on the West right of way line of said railroad, said point also being South 86 degrees 43 minutes 39 seconds West 33.04 feet from the centerline of said railroad, thence South 00 degrees 26 minutes 00 seconds East on and along said West right of way line a distance of 959.46 feet to the point of beginning, thence South 86 degrees 56 minutes 26 seconds West and parallel to the South line of said half-quarter a distance of 33.03 feet, thence South 00 degrees 26 minutes 00 seconds East and parallel to railroad centerline a distance of 367.50 feet to a point on the South line of said half-quarter North 86 degrees 56 minutes 26 seconds East 33.03 feet thence North 00 degrees 26 minutes 00 seconds East and parallel to railroad centerline a distance of 367.50 feet to the point of beginning.

EXHIBIT B



Location Map
Resolution 15-102 & Resolution 15-103



Location Map

