

## RESOLUTION NUMBER 15-126

### RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA CONFIRMING SEPTEMBER 14, 2015 RESOLUTION NUMBER 15-122 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a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded;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 15-122 (the "Declaratory Resolution") on September 14, 2015 pursuant to the Act declaring the area whose boundaries are located within the corporate boundaries of the City, generally located on the west side of South Park Drive, 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 October 12, 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 October 12, 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 15-127 is based upon factors 1-4 as pursuant to Indiana Code 6-1.1-12.1-17(a).

**SECTION III.** Resolution 15-122 adopted by the Council on September 14, 2015 is hereby confirmed.

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

THE REMAINDER OF THIS PAGE IS BLANK INTENTIONALLY

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 12<sup>th</sup> DAY OF Oct, 2015.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

  
Chuck Lehman

\_\_\_\_\_  
Chuck Lehman

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Chuck Lehman

  
Steven Hoover

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Steven Hoover

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Steven Hoover

  
Robert L. Horkay

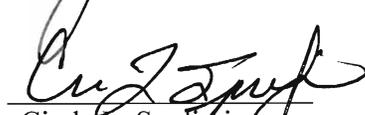
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Robert L. Horkay

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Robert L. Horkay

  
Robert J. Smith

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Robert J. Smith

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Robert J. Smith

  
Cindy L. Spoljaric

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Cindy L. Spoljaric

  
Robert W. Stokes

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Robert W. Stokes

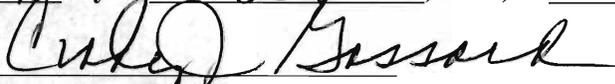
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Robert W. Stokes

ATTEST:

  
Cindy Gossard, Clerk-Treasurer

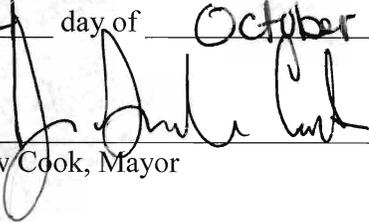
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Kevin M. Todd

I hereby certify that RESOLUTION 15-126 was delivered to the Mayor of Westfield on the 13 day of Oct, 2015, at 10:25 A m.



Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 15-126  
This 14 day of October, 2015



J. Andrew Cook, Mayor

I hereby VETO Resolution 15-126  
This \_\_\_ day of \_\_\_\_\_, 2015

J. Andrew Cook, Mayor

Prepared By:  
Kevin M. Todd, AICP, Senior Planner  
Economic and Community Development Department  
City of Westfield, Indiana

**EXHIBIT A**

Legal Description of Area

Beginning at the NW corner of the NW ¼ of the NW ¼ of Sec 12, Township 18N, Range 3E (Corner Number 18031103)

Grid - Direction: N 87-32-39 E Distance: 611.728' to the point of beginning  
Grid - Direction: N 87-25-48 E Distance: 278.788'  
Grid - Direction: N 87-25-46 E Distance: 401.364'  
Grid - Direction: N 0-0-26 W Distance: 643.89'  
Grid - Direction: S 87-12-4 E Distance: 513.413'  
Grid - Direction: N 90-0-0 E Distance: 341.09'  
Grid - Direction: S 0-0-47 W Distance: 391.77'  
Grid - Direction: S 0-0-0 W Distance: 188.73'  
Grid - Direction: S 0-26-31 W Distance: 140.064'  
Grid - Direction: S 0-26-32 W Distance: 550.806'

To an arc:

Angle: 85-47-56  
Radius: 124.905'  
Arc Length: 187.041'  
Chord Distance: 170.049'  
Chord Height: 33.406'  
Tangent Length: 116.066'

Grid - Direction: S 88-7-13 W Distance: 249.179'  
Grid - Direction: S 1-50-20 E Distance: 50.333'  
Grid - Direction: S 0-0-37 W Distance: 333.081'  
Grid - Direction: S 87-41-11 W Distance: 484.88'  
Grid - Direction: N 0-10-29 E Distance: 333.036'  
Grid - Direction: N 2-4-45 W Distance: 49.204'  
Grid - Direction: S 87-55-15 W Distance: 198.516'

To an arc:

Angle: 73-12-15  
Radius: 176.588'  
Arc Length: 225.618'  
Chord Distance: 210.582'  
Chord Height: 34.824'  
Tangent Length: 131.156'

Grid - Direction: N 18-23-21 W Distance: 114.275'

To an arc:

Angle: 70-5-38'  
Radius: 228.578'  
Arc Length: 279.635'  
Chord Distance: 262.52'  
Chord Height: 41.445'  
Tangent Length: 160.331'

Grid - Direction: N 88-53-13 W Distance: 28.829'  
Grid - Direction: N 44-56-36 W Distance: 41.976'  
Grid - Direction: N 0-3-25 E Distance: 370.019' back to the point of beginning containing 41.8555 Acres +/-

EXHIBIT B



Location Map  
Resolution 15-122



Aerial Location Map

