

RESOLUTION NO. 2015-_____

RESOLUTION OF THE WHITESTOWN REDEVELOPMENT COMMISSION CONFIRMING A RESOLUTION (I) CONSOLIDATING THE TOWN OF WHITESTOWN, INDIANA ANSON SOUTH ECONOMIC DEVELOPMENT AREA #1 AND THE WHITESTOWN MAPLE GROVE ECONOMIC DEVELOPMENT AREA #1 AND (II) AMENDING THE ECONOMIC DEVELOPMENT PLAN FOR SAID AREAS

WHEREAS, on February 24, 2014, the Whitestown Redevelopment Commission (the "Commission") adopted its Declaratory Resolution (the "Original Anson South Declaratory Resolution") declaring an area of the Town of Whitestown, Indiana (the "Town") as the "Town of Whitestown, Indiana Anson South Economic Development Area #1" (the "Original Anson South Economic Development Area"), an "economic development area" within the meaning of Indiana Code 36-7-14 and Indiana Code 36-7-25 (collectively, the "Act"), designating the entire Original Anson South Economic Development Area as an "allocation area" (the "Original Anson South Allocation Area") for purposes of Indiana Code 36-7-14-39, and approving the "Town of Whitestown Indiana Economic Development Area Plan" for the Original Anson South Economic Development Area (the "Original Anson South Plan"); and

WHEREAS, on April 7, 2014, following a public hearing, the Commission adopted its resolution entitled "Resolution of the Whitestown Redevelopment Commission Confirming the Declaratory Resolution of Said Commission Establishing the Town of Whitestown, Indiana Anson South Economic Development Area #1" confirming the Original Anson South Declaratory Resolution and confirming the Original Anson South Plan; and

WHEREAS, July 7, 2014, the Commission adopted a resolution amending the Original Anson South Declaratory Resolution (the "Amending Anson South Declaratory Resolution") which expanded the Original Anson South Economic Development Area (the Original Anson South Economic Development Area, as amended by the Amending Anson South Declaratory Resolution, the "Anson South Economic Development Area") and the Original Anson South Allocation Area (the Original Anson South Allocation Area, as amended by the Amending Anson South Declaratory Resolution, the "Anson South Allocation Area"), and amending the Original Anson South Plan (the Original Anson South Plan, as amended by the Amending Anson South Declaratory Resolution, the "Anson South Plan"); and

WHEREAS, on September 2, 2014, following a public hearing, the Commission adopted its resolution entitled "Resolution of the Whitestown Redevelopment Commission Confirming a Resolution (I) Enlarging the Town of Whitestown, Indiana Anson South Economic Development Area #1 and Allocation Area and (II) Amending the Economic Development Plan for Said Area," confirming the Original Anson South Declaratory Resolution and confirming the Original Anson South Plan, both as amended by the Amending Anson South Declaratory Resolution; and

WHEREAS, on November 1, 2010, the Commission adopted its Declaratory Resolution (the “Maple Grove Declaratory Resolution”) declaring an area of the Town as the “Whitestown Maple Grove Economic Development Area #1” (the “Maple Grove Economic Development Area”), an “economic development area” within the meaning of the Act, designating the entire Maple Grove Economic Development Area as an “allocation area” (the “Maple Grove Allocation Area”) for purposes of Indiana Code 36-7-14-39, and approving the “Economic Development Area Plan for the Whitestown Maple Grove Economic Development Area #1” for the Maple Grove Economic Development Area (the “Maple Grove Plan”); and

WHEREAS, on February 22, 2011, following a public hearing, the Commission adopted its resolution entitled “Resolution of the Whitestown Redevelopment Commission Confirming the Declaratory Resolution of Said Commission Establishing the Whitestown Maple Grove Economic Development Area #1” confirming the Maple Grove Declaratory Resolution and confirming the Maple Grove Plan; and

WHEREAS, on May 4, 2015, the Commission adopted a resolution (the “2015 Amending Declaratory Resolution”), attached hereto as Exhibit A and incorporated herein by reference, amending the Anson South Plan and the Maple Grove Plan and adding a portion of Whitestown Parkway in the Town from the Anson South Economic Development Area to the Maple Grove Economic Development Area (the “Enlarged Area”) to the Anson South Economic Development Area and the Maple Grove Economic Development Area in order to consolidate the Anson South Economic Development Area and the Maple Grove Economic Development Area (the Anson South Economic Development Area and the Maple Grove Economic Development Area as expanded and consolidated by the Enlarged Area, the “Consolidated Area”); and

WHEREAS, the 2015 Amending Declaratory Resolution amended the Anson South Plan and the Maple Grove Plan for the purpose of including the economic development of the Enlarged Area through the construction of certain projects as more particularly described therein (the “Projects”); and

WHEREAS, the 2015 Amending Declaratory Resolution did not combine the Anson South Allocation Area and the Maple Grove Allocation Area; and

WHEREAS, the Commission submitted the 2015 Amending Declaratory Resolution and supporting data to the Whitestown Plan Commission (the “Plan Commission”) and the Plan Commission issued its written order on May 11, 2015 approving the 2015 Amending Declaratory Resolution, including the amendments to the Anson South Plan and the Maple Grove Plan; and

WHEREAS, on May 12, 2015, the Town Council of the Town approved the order of the Plan Commission, the 2015 Amending Declaratory Resolution, including the amendments to the Anson South Plan and Maple Grove Plan; and

WHEREAS, the Commission published notice of the adoption and substance of the 2015 Amending Declaratory Resolution in the *Zionsville Times Sentinel* on May 20, 2015 and the *Lebanon Reporter* on May 19, 2015, in accordance with Indiana Code 36-7-14-17 and Indiana Code 5-3-1, which notice also gave notice of a hearing on the proposed Projects to be held by the Commission (the "Notice"); and

WHEREAS, the Notice has been filed in the office of the Plan Commission, the Board of Zoning Appeals, the Public Works Board, the Park Board, the Building Commissioner and any other departments, bodies or officers having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, on June 1, 2015, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

NOW, THEREFORE, BE IT RESOLVED BY THE WHITESTOWN REDEVELOPMENT COMMISSION THAT:

Section 1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the consolidation of the Anson South Economic Development Area and the Maple Grove Economic Development Area through expansion of such areas to include the Enlarged Area.

Section 2. The 2015 Amending Declaratory Resolution, including the amendments to the Anson South Plan and Maple Grove Plan in connection therewith, attached hereto as Exhibit A and incorporated herein by reference, approved by the Commission on May 4, 2015, are hereby confirmed in all respects.

Section 3. The Secretary of the Commission is hereby directed to record this resolution with the Boone County Recorder, immediately notify the Department of Local Government Finance and file this resolution with the Boone County Auditor.

Section 4. This resolution shall be effective as of the date of its adoption.

Adopted June 1, 2015.

WHITESTOWN REDEVELOPMENT COMMISSION

Robby Halford, President

Sarah Ford, Vice-President

Eric Miller, Secretary

Megan Swain, Member

Julie Whitman, Member

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. Dennis H. Otten

This instrument was prepared by Dennis H. Otten, Esq., Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, IN 46204; 317-684-5000.

EXHIBIT A

*2015 Amending Declaratory Resolution w/ Amendments to Anson South Plan and
Maple Grove Plan*