

RESOLUTION NO. 2018-2

RESOLUTION OF THE MONROE COUNTY REDEVELOPMENT COMMISSION CONFIRMING A RESOLUTION APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND DEVELOPMENT PLAN FOR THE WESTSIDE ECONOMIC DEVELOPMENT AREA

WHEREAS, the Monroe County Redevelopment Commission (the “Commission”), governing body of the Monroe County Redevelopment District, pursuant to Indiana Code 36-7-14, as amended (the “Act”), previously adopted and confirmed resolutions (collectively, the “Declaratory Resolution”) establishing and amending an economic development area known as the Westside Economic Development Area (the “Development Area”), designating the Development Area as an allocation area pursuant to Section 39 of the Act (the “Original Allocation Area”), and approving a development plan (the “Development Plan”) for the Development Area; and

WHEREAS, on January 17, 2018, the Commission approved and adopted Resolution No. 2018-1 (the “Amending Resolution”) that amended the Declaratory Resolution and the Development Plan to (i) remove the area described in Exhibit A attached thereto from the Original Allocation Area, (ii) designate the area described on Exhibit A thereto as a separate allocation area pursuant to Section 39 of the Act to be known as the Cook Allocation Area (the “Cook Allocation Area”), (iii) designate Cook Property Incorporated and CMI Real Estate Holdings, LLC, and their respective successors or assigns, any affiliates and their respective successors or assigns, and any equipment lessors of such entities, each as a “designated taxpayer” for purposes of Section 39.3 of the Act, and (iv) adopt a supplement to the Plan attached thereto as Exhibit B (the “Plan Supplement”); and

WHEREAS, on February 20, 2018, the Monroe County Plan Commission approved and adopted Resolution No. 2018-1 (the “Plan Commission Order”) approving the Amending Resolution and the Plan Supplement and determining that the Amending Resolution and the Plan Supplement conform to the plan of development for Monroe County, Indiana (the “County”); and

WHEREAS, pursuant to Section 16 of the Act, the Board of Commissioners of the County on February 21, 2018, adopted Resolution No. 2018-04 approving the Amending Resolution, the Plan Commission Order and the Plan Supplement; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amending Resolution and filed a copy of said Notice in the offices of all departments, bodies or officers of the County having to do with County planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, pursuant to Section 17 of the Act, the Commission also filed with each taxing unit located wholly or partially within the Cook Allocation Area a copy of the Notice of Public Hearing and a statement disclosing the impact of the area; and

WHEREAS, at the hearing held by the Commission on the 21st day of March, 2018, the Commission heard all persons interested in the proceedings and considered written remonstrances and objections, if any; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the proposed development projects in the Plan Supplement and confirming the Amending Resolution, in accordance with Section 17 of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Redevelopment Commission, governing body of the Monroe County Redevelopment District, as follows:

1. After considering the evidence presented at the hearing on the 21st day of March, 2018, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Amending Resolution.

2. The Commission hereby finds and determines that it will be of public utility and benefit to proceed with its Development Plan, as modified by the Amending Resolution and the Plan Supplement.

3. The Amending Resolution is hereby confirmed.

4. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the proposed projects and confirming the Amending Resolution.

5. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Section 17(d) of the Act.

Adopted the 21st day of March, 2018.

MONROE COUNTY REDEVELOPMENT
COMMISSION

President

Vice President

Secretary

Member

Member

DMS AWILLIAMS 11777224v1