

RESOLUTION NO. 2017-20

**RESOLUTION OF THE TOWN OF PLAINFIELD REDEVELOPMENT
COMMISSION DECLARING AN AMENDMENT TO THE DECLARATORY
RESOLUTION FOR THE U.S. 40 CORRIDOR ECONOMIC
DEVELOPMENT AREA, AND CERTAIN MATTERS RELATED THERETO**

WHEREAS, the Town of Plainfield Redevelopment Commission (the "Commission"), the governing body of the Town of Plainfield, Indiana Department of Redevelopment (the "Department") and the Redevelopment District of the Town of Plainfield, Indiana, exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, on February 27, 1995, the Commission adopted and approved its Resolution No. PRC 1-1995 (the "Original Declaratory Resolution"), which designated and declared an area within the Town of Plainfield, Indiana (the "Town"), entitled "U.S. 40 Corridor Economic Development Area" (the "Original Area") to be an economic development area within the meaning of the Act, approved a coterminous allocation area (the "Original Allocation Area") and approved an economic development plan for the Area entitled "Economic Development Plan" (the "Original Plan"); and

WHEREAS, pursuant to Section 16(a) of the Act, on March 6, 1995, the Town of Plainfield Plan Commission (the "Plan Commission") subsequently adopted and approved its Resolution constituting its written order approving the Original Declaratory Resolution and the Original Plan (the "Plan Commission Order"); and

WHEREAS, pursuant to Section 16(b) of the Act, on April 10, 1995, the Town Council of the Town (the "Town Council") adopted its Resolution No. 95-9 which approved the Plan Commission Order; and

WHEREAS, on June 21, 1995, pursuant to Section 17(d) of the Act, after notice and a public hearing thereon, the Commission confirmed the Declaratory Resolution by the adoption of a confirmatory resolution; and

WHEREAS, the Original Declaratory Resolution has been supplemented and amended from time to time by the Commission (the Original Declaratory Resolution, as so supplemented and amended, shall hereinafter be referred to as the "Declaratory Resolution"), the Original Area and the Original Allocation Area have been expanded from time to time by the Commission (the Original Area, as so expanded, shall hereinafter be referred to as the "Amended Area"), and the Original Plan has been supplemented and amended from time to time by the Commission (the Original Plan, as so supplemented and amended, shall hereinafter be referred to as the "Plan"); and

WHEREAS, the Commission now desires to take action to amend the Plan for purposes of establishing a parcel acquisition list and proposing the acquisition of certain parcels of

property, as set forth in Exhibit A attached hereto and made a part hereof (the "Amendment", and as expanded, being defined herein as the "Area"); and

WHEREAS, the Department, pursuant to the Act, has conducted surveys and investigations and has thoroughly studied the Area, which Area is described in the Declaratory Resolution hereby made a part hereof, and the proposed Amendment; and

WHEREAS, upon such surveys, investigations and studies being made, the Commission finds that the Plan for the Area cannot be achieved by regulatory processes or by the ordinary operations of private enterprise without resort to the powers allowed under the Act, and that the public health and welfare will be benefited by the accomplishment of the Amendment to the Plan; and

WHEREAS, the Commission has previously caused to be prepared maps and plats of the Area, showing the boundaries of the Area, the location of the various parcels of property, streets and alleys, and other features affecting the acquisition, clearance, remediation, replatting, replanning, rezoning, redevelopment or economic development of the Area, indicating the parcels of property to be excluded from acquisition, and the parts of the Area acquired, if any, that are to be devoted to public ways, levees, sewerage, parks, playgrounds and other public purposes under the plans for the economic development of the Area as adopted herein; and

WHEREAS, there was presented to this meeting of the Commission for its consideration and approval, a copy of the Amendment to the Plan (the "Plan Amendment"), which Plan Amendment is attached hereto as Exhibit A; and

WHEREAS, the public health and welfare will be benefited by the Amendment to the Plan for the Area as described herein and in the Plan Amendment; and

WHEREAS, the Amendment is reasonable and appropriate when considered in relation to the Declaratory Resolution, the Plan and the purposes of the Act; and

WHEREAS, in determining to undertake the Plan as amended by the Plan Amendment, the Commission has given consideration to transitional and permanent provisions for adequate housing for the residents of the Area, if any, who will be displaced by the economic development thereof; and

WHEREAS, the Declaratory Resolution and the Plan, with the proposed Plan Amendment, conforms to the Plan and other comprehensive development and redevelopment plans for the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town of Plainfield Redevelopment Commission as follows:

1. The Commission hereby finds that the proposed Amendment is reasonable and appropriate when considered in relation to the Declaratory Resolution, the Plan and the purposes of the Act.

2. The Commission hereby finds that it will be of public utility and benefit to amend the Plan for the Area, to include the Amendment.

3. The Commission hereby finds that the Declaratory Resolution and the Plan, with the proposed Amendment described herein, conforms to the comprehensive plan for the Town.

4. The Plan is hereby amended to establish the acquisition list as set forth in Exhibit B attached hereto and the Plan, as so amended, is hereby approved in all respects.

5. The Secretary of the Commission is directed to file a certified copy of the Plan, as amended, and this Resolution with the minutes of this meeting.

6. This Resolution, together with supporting data, shall be submitted to the Plan Commission and the Town Council of the Town, as provided by Section 16 of the Act, for the approval of this Resolution and the Amendment, and if approved by both bodies, this Resolution and the Amendment shall be submitted to public hearing and remonstrance as proved by Section 17 of the Act, after public notice in accordance with Sections 17 and 17.5 of the Act and Indiana Code 5-3-1 and after all required filings with governmental agencies and officers have been made pursuant to Section 17(b) of the Act.

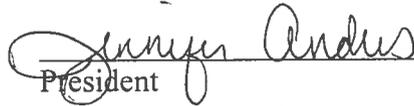
7. All other findings, determinations and conclusions contained in the Plan shall remain as stated therein.

8. The Commission hereby authorizes the President of the Commission to appoint two independent appraisers to appraise the property described in Exhibit B attached hereto pursuant to Indiana Code 36-7-14-19. The President of the Commission is further authorized to accept the final appraisals from such appraisers on behalf of the Commission, which appraisals shall not be open for public inspection. Notwithstanding the foregoing, if the property described in Exhibit B is less than five (5) acres in size and the fair market value of the real property or interest has been appraised by one independent appraiser at less than \$10,000, then the second appraisal may be made by a qualified employee of the Department.

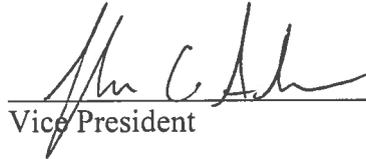
9. This Resolution shall be in full force and effect from and after its adoption by the Commission.

ADOPTED AND APPROVED at a meeting of the Commission held on the 6th day of November, 2017.

TOWN OF PLAINFIELD REDEVELOPMENT
COMMISSION



President



Vice President

Secretary



Commissioner



Commissioner

Attest:



Mark Todisco, Clerk-Treasurer

EXHIBIT A
PLAN AMENDMENT

1. The Plan for the Area is amended for the purpose of including the following project:

The financing of the acquisition, development, redevelopment, construction, installation and equipping of the Roadway Parcel (defined below) located in the Shops at Perry Crossing area between the Applebee's and the Culver's restaurants and adjacent to the JC Penney Outlot, Plainfield, Indiana. The Redevelopment Commission hereby finds that the Roadway Parcel is located in and serves or benefits the Area.

2. The purchase price to acquire the Roadway Parcel shall be determined by appraisals and/or negotiation with the owner of the Roadway Parcel, and the Commission will be expending funds to cover closing costs and costs to position the Roadway Parcel for redevelopment. It is expected that such amounts will be funded from cash on hand and/or bonds issued or leases entered into by the Redevelopment Commission to finance such project, the payment of which bonds or leases is secured by tax increment revenues generated in the allocation area for the Area.

3. The Plan shall include the acquisition, development, redevelopment, construction, installation and equipping of the Roadway Parcel, which requires a significant amount of labor and material.

4. The acquisition, development, redevelopment, construction, installation and equipping of the Roadway Parcel will provide needed retail entertainment, office and meeting options that the Town currently lacks, and will retain and attract residents to the area, which will attract additional business and investment, and will create construction jobs and increase the tax base for the Town.

5. The acquisition, development, redevelopment, construction, installation and equipping of the Roadway Parcel is necessary and significant and would be cost prohibitive without the Plan and the expansion of the Area.

6. The acquisition, development, redevelopment, construction, installation and equipping of the Roadway Parcel will also drive the demand for additional commercial services for residents, will encourage additional commercial development, especially along U.S. 40 on the east side of the Town, and will help diversify the population of the Town.

7. The Roadway Parcel will be exempt from property tax after it is acquired by the Commission. It is not possible to estimate the increase in the property tax base of the Roadway Parcel after it is redevelopment at this point.

8. The following property is proposed to be added to the acquisition list for the Economic Development Plan for the U.S. 40 Corridor Economic Development Area:

Parcel # 32-09-30-100-061.000-012

(collectively, the “Roadway Parcel”).

[The above-referenced property shall not be acquired until after the appraisal of the property and compliance with other procedures required by Indiana Code 36-7-14-19.]

In the development or redevelopment of real property and improvements acquired or to be used in the accomplishment of the Plan, the Commission shall proceed in the same manner as private owners of the property.

EXHIBIT B: PARCEL ACQUISITION LIST

Legal Description

Roadway Parcel (32-09-30-100-061.000-012)

A part of the Northwest Quarter of Section 30, Township 15 North, Range 2 East, in Guilford Township, Hendricks County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of Plainfield Shoppes Lot 1 as recorded in Plat Cabinet 3, Slide 49, pages 1 and 2, as amended in Miscellaneous Record 148, page 406 and Miscellaneous Record 150, pages 80 and 81, in the office of the Recorder of Hendricks County, Indiana; thence South 27 degrees 32 minutes 36 seconds East (plat bearing) along the East line thereof 251.16 feet; thence North 62 degrees 27 minutes 24 seconds East along a North line of said Lot 1 a distance of 88.99 feet to a corner thereof and the point of beginning; thence North 62 degrees 13 minutes 25 seconds East a distance of 341.42 feet to an angle point in the West right-of-way line of the Perimeter Parkway as recorded in Deed Record 147, page 167, in the said Recorder's Office; thence North 62 degrees 15 minutes 33 seconds East along said West right-of-way line a distance of 10.00 feet; thence South 27 degrees 44 minutes 27 seconds East along said right-of-way line a distance of 35.99 feet; thence South 62 degrees 13 minutes 25 seconds West a distance of 351.54 feet to the Easterly line of said Plainfield Shoppes Lot 1; thence North 27 degrees 32 minutes 36 seconds West along said Easterly line a distance of 36.00 feet to the point of beginning, containing 0.29 acres, more or less and subject to all highways, rights-of-way and easements.

EXCEPT:

That portion of Perry Road as described in a Dedication of Right-of-way recorded May 12, 1995, in Book 147, page 167, in the office of the Recorder of Hendricks County, Indiana.

Beacon™ Town of Plainfield, IN



Overview



Legend

- Roads
- Sites
- Parcels
- USPLS Sections
- USPLS Quarters
- Corporate Bounda

Parcel ID	32-09-30-100-061.000-012	Alternate ID	021-130521-100061	Owner Address	Premier Ventures LLC
Sec/Twp/Rng	0030-0015-2E	Class	COMMERCIAL VACANT LAND		c/o CB RICHARD ELLIS
Property Address		Acreage	0.21		2499 FUTURA PARKWAY
					Plainfield, IN 46168
District	Town Of Plainfield				
Brief Tax Description	Pt NW 1/4 30-15N-2E 0.21 AC 10/11 CAME FROM 021-130521-100036 Pt to 100-050 (Note: Not to be used on legal documents)				

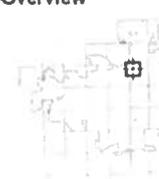
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The Schneider Corporation

 **Beacon**™ Town of Plainfield, IN



Overview



Legend

-  Roads
-  Sites
-  Parcels
-  USPLS Sections
-  USPLS Quarters
-  Corporate Bounda

Parcel ID	32 09 30-101-003.000-012	Alternate ID	21-1-30-52E 101-003	Owner Address	PLAINFIELD TOWN OF PO BOX 65 Plainfield, IN 46168
Sec/Twp/Rng	0030-0015-2E	Class	EXEMPT PROPERTY OWNED BY A MUNICIPALITY		
Property Address		Acreage	1.428		
District	Town Of Plainfield				
Brief Tax Description	BLK A PLAINFIELD MARKETPLACE PH 1 EXCEPT FOR THAT PART CONTAINED IN A JUNE 8 200				
	(Note: Not to be used on legal documents)				

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