

RESOLUTION NO. 2018-01

**AMENDMENT TO CONFIRMATORY RESOLUTION OF THE
PLAINFIELD REDEVELOPMENT COMMISSION REGARDING
U.S. 40 CORRIDOR ECONOMIC DEVELOPMENT AREA**

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 "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 "Area") to be an economic development area within the meaning of the Act, approved a coterminous allocation area and approved an economic development plan for the Area entitled "Economic Development Plan" (the "Plan"); and

WHEREAS, pursuant to the Act, the Plainfield Plan Commission (the "Plan Commission") determined that the Declaratory Resolution and the Plan conform to the Town's Comprehensive Plan and issued a written order approving the Declaratory Resolution and the Plan;

WHEREAS, pursuant to the Act, the Plainfield Town Council (the "Council") approved the Plan Commission's written order and approved the Commission's determination that the area depicted in the Declaratory Resolution should constitute the Area;

WHEREAS, the Commission on November 6, 2017 amended the Declaratory Resolution as Resolution No. 2017-20 (the "Amended Declaratory Resolution") to establish a parcel acquisition list and proposing the acquisition of certain parcels of property, and to amend the Plan (the "Amended Plan");

WHEREAS, pursuant to the Act, the Plan Commission determined that the Amended Declaratory Resolution conforms to the Town's Comprehensive Plan and issued a written order approving the Amended Declaratory Resolution and the Amended Plan;

WHEREAS, pursuant to the Act, the Council approved the Plan Commission's written order regarding the Amended Declaratory Resolution and the Amended Plan and approved the Commission's adoption of the Amended Declaratory Resolution;

WHEREAS, pursuant to the Act, a notice of the adoption and substance of the Amended Declaratory Resolution and a notice of public hearing on the Amended Declaratory Resolution was published in the *Hendricks County Flyer* as required by the Act;

WHEREAS, the Commission conducted a hearing at which the Commission received and heard all remonstrances and objections from persons interested in or affected by the Declaratory Resolution.

WHEREAS, the public health and welfare will be benefited by the Amended Declaratory Resolution and the Amended Plan;

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

WHEREAS, in determining to undertake the Plan as amended by the Amended Plan, 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.

The Commission NOW CONFIRMS AND FINDS that:

1. The Amended Plan for the U.S. 40 Corridor Economic Development Area will promote significant opportunities for the gainful employment of the citizens of the Town.
2. The Amended Plan will provide needed economic development opportunities for the U.S. 40 Corridor Economic Development Area which will retain and expand existing business and will attract new businesses to the Town.
3. The acquisition and redevelopment of certain parcels of property outlined in the Amended Plan will not occur by the regulatory processes or by the ordinary operation of private enterprise without resorting to the Commission's powers under the Act because of lack of funding for needed economic development opportunities.
4. The public health and welfare will be benefitted by the accomplishment of the Amended Plan for the U.S. 40 Corridor Economic Development Area.
5. The accomplishment of the Amended Plan for the U.S. 40 Corridor Economic Development Area will be of public utility and benefit to the Town. The benefit to the community will be able to be measured by the attraction and/or retention of permanent jobs and an increase in the property tax base.

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

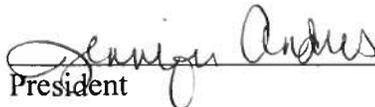
1. The Commission has considered the evidence presented and now finds, determines and confirms that it will be of public utility and benefit to amend the Declaratory Resolution as provided in the Amended Declaratory Resolution and to adopt the Amended Plan (as described in the Exhibits to the Amended Declaratory Resolution).

2. The Amended Declaratory Resolution and the Amended Plan, approved by the Commission on November 6, 2017, copies of which are attached hereto and incorporated herein, are hereby confirmed. (Exhibit A)

3. The Amended Declaratory Resolution, as confirmed, shall be attached to and incorporated in this resolution. The Secretary is hereby directed to record this resolution and to file this resolution with the Hendricks County Auditor.

Adopted at a meeting of the Plainfield Redevelopment Commission held on January 4, 2018 in Plainfield, Indiana.

PLAINFIELD REDEVELOPMENT
COMMISSION



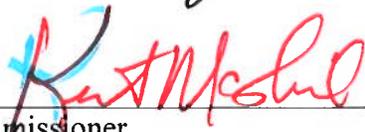
President



Vice President



Secretary



Commissioner

Commissioner

Attest:


Mark J. Todisco, Clerk-Treasurer,
Town of Plainfield, Indiana

Exhibit A

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.

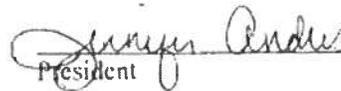
7. All other findings, determinations and conclusions contained in the Plan shall remain as stated therein.

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.

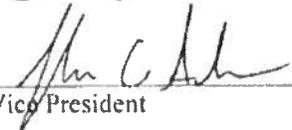
9. This Resolution shall be in full force and effect from and after its adoption by the Commission.

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

TOWN OF PLAINFIELD REDEVELOPMENT
COMMISSION



President

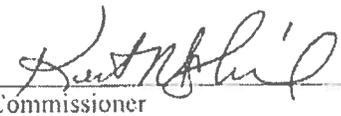


Vice President

Secretary

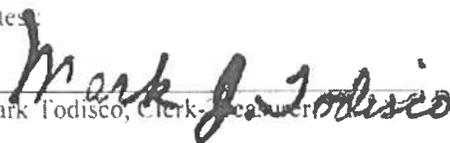


Commissioner



Commissioner

Attest:



Mark Todisco, Clerk

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 J, 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 38 seconds East (plat bearing) along the East line thereof 251.16 feet, thence North 82 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 82 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 82 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 82 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 38 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.



Overview

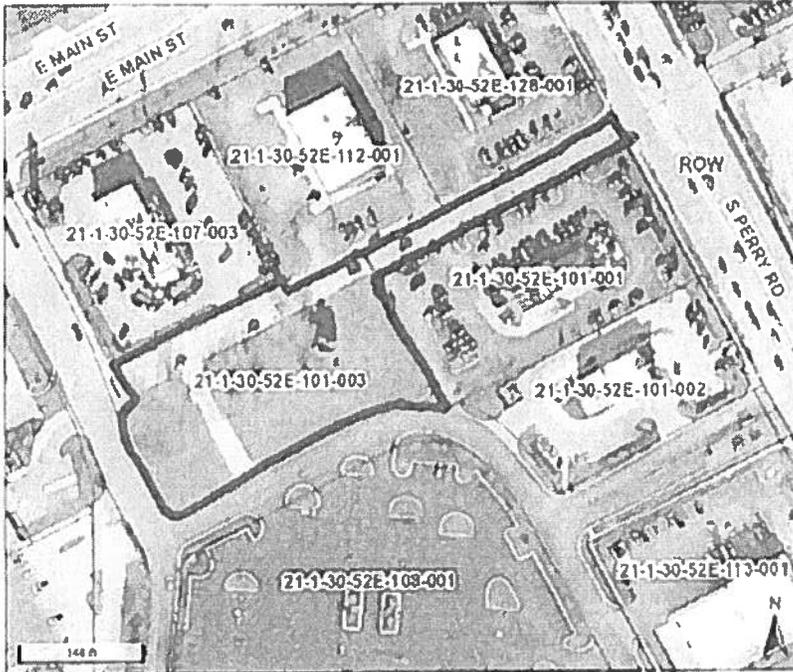
Legend

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

| | | | | | |
|-----------------------|--|--------------|------------------------|---------------|----------------------|
| Parcel ID | 32 09 30 1 00 001 000-012 | 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 | | Acres | 0.21 | | 2499 FUTURA PARKWAY |
| | | | | | Plainfield, IN 46168 |
| District | Town Of Plainfield | | | | |
| Brief Tax Description | PL NEW 1/4 30-15N-2E 0.21 AC. 10/11 CAME FROM 071-130521-100036 Pt to 100-050 (Note: Not to be used on legal documents) | | | | |

Data as of 2/20/2015
Last Data Update: 1/6/2014 2:21:38 AM

Developed by
The Schwabler Corporation



Overview



Legend

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

| | | | | | |
|-----------------------|---|--------------|---|---------------|---|
| Parcel ID | 32 09 30-101-003-000-012 | Alternate ID | 21-1-30-52E-101-003 | Owner Address | PLAINFIELD TOWN OF PO BOX 45 PLAINFIELD, IN 46168 |
| Sec/Twp/Rng | 0030-0015-2E | Class | EXEMPT PROPERTY OWNED BY A MUNICIPALITY | | |
| Property Address | | Acres | 1.428 | | |
| District | Town Of Plainfield | | | | |
| Brief Tax Description | BLK A PLAINFIELD MARKETPLACE PH1 EXCEPT FOR THAT PART CONTAINED IN A JUNE 8 200 | | | | |
| | (Note: Not to be used on legal documents) | | | | |

Data created: 5/1/2017
Last Data Updated: 4/26/2017 10:14:56 PM

 Developed by
The Schneider Corporation