YORKTOWN ECONOMIC DEVELOPMENT COMMISSION

RESOLUTION NO. 2020-1

RESOLUTION RECOMMENDING ISSUANCE OF BONDS AND OTHER ACTIONS IN RESPECT THERETO

WHEREAS, relieving conditions of unemployment and underemployment, and encouraging economic development and redevelopment of the community to reduce the evils associated with unemployment and underemployment are essential to the health, safety and welfare of the Town of Yorktown, Indiana ("Issuer" or "Town") and its citizens; and

WHEREAS, the Issuer is authorized by IC 36-7-11.9 and -12 (collectively, "Act") to issue revenue bonds for the financing of economic development facilities consisting of the construction of road, water, sewer and storm water drainage improvements and any other capital improvements permissible under the IC 36-7-11.9, IC 36-7-12 and IC 36-7-14, together with all necessary appurtenances, improvements and equipment to serve a multi-family residential development near downtown Yorktown (collectively, "Project"), in or physically connected to the SR 32 Economic Development Area ("Area") and the funds from said financing to be used for construction of the Project and costs of issuance, including funding a debt service reserve, if necessary, and capitalized interest; and the Project is anticipated to result in an investment of approximately $38,500,000 in the Area; and

WHEREAS, on June 11, 2020 the Yorktown Redevelopment Commission adopted a resolution ("Pledge Resolution") pledging TIF Revenues (as defined in the Pledge Resolution") to pay debt service on the bonds to be issued as set forth in the Financing and Covenant Agreement between Yorktown Real Equities Inc. ("Company") and the Issuer; and

WHEREAS, the promotion of economic development, the creation of construction job opportunities (approximately 110 to 140 construction jobs with an estimated payroll of $9,700,000 and four (4) full-time equivalent jobs with an estimated annual payroll of $200,000 to $230,000) and providing housing options to attract new residents to the community and retain existing residents that are looking for new housing options in their community to be achieved by the construction of the Project and the economic development facilities related thereto will be of public benefit to the health, safety and general welfare of the Issuer and its citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE YORKTOWN ECONOMIC DEVELOPMENT COMMISSION THAT:

Section 1. It finds that the proposed financing in the aggregate amount not to exceed $5,500,000 for the construction of the Project in or physically connected to the SR 32 Economic Development Area ("Area") presented to this meeting complies with the purposes and provisions of the Act and will be of benefit to the health and welfare of the Issuer and its citizens. The Commission further finds and determines that the promotion of economic development, the creation of construction job opportunities and providing housing options to attract new residents to the community and retain existing residents that are looking for new housing options in the

community is desirable to preserve the health, safety and general welfare of the citizens of the Town, and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, promotion of construction job opportunities and the provision of new housing opportunities near downtown Yorktown.

Section 2. The Commission hereby finds and determines that the issuance and sale of economic development revenue bonds of the Issuer in an amount not to exceed $5,500,000 under the Act for the construction of the Project will serve the public purposes referred to above, in accordance with the Act.

Section 3. The financing of the economic development facilities will consist of the construction of the Project to be located generally approximately 1600 feet west of downtown Yorktown, Indiana.

Section 4. The substantially final forms of the Financing and Covenant Agreement, the Bond Purchase Agreement, the Trust Indenture (collectively, "Financing Documents"), and a proposed form of Ordinance for the Town Council presented to this meeting are hereby approved.

Section 5. It has considered whether the Project will have an adverse competitive effect on any similar facilities already under construction or in operation in the Town, and now makes the following special findings of fact based upon the evidence presented:

(a) No member of the public or competitor presented any evidence of substantial probative value establishing that the Project would have any adverse competitive effect in any respect on similar downtown residential projects.

(b) In the absence of any evidence of substantial probative value of an adverse competitive effect, the benefits to the public from the new investment to be generated by the Project clearly indicate that the Project should be supported by the issuance of economic development revenue bonds.

Section 6. The Secretary shall initial and then insert a copy of the forms of documents approved by this resolution in the minute book of this Commission.

Section 7. It will use its best efforts to assist the Company in procuring the issuance of additional economic development revenue bonds, if such additional bonds become necessary for refunding or refinancing the outstanding principal amount of the economic development revenue bonds, for completion of the Project and for additions to the Project, including the costs of issuing additional bonds.

Section 8. A copy of this resolution and the Financing Documents approved by this resolution and the proposed form of Ordinance shall be presented in their substantially final form by the Secretary of the Economic Development Commission to the Clerk-Treasurer for presentation to the Town Council.

Adopted this 29th day of June, 2020.

YORKTOWN ECONOMIC DEVELOPMENT COMMISSION

By: _____
President

Attest:

_____
Secretary