

## RESOLUTION NO. 2020-9

RESOLUTION CONFIRMING THE RESOLUTION OF THE YORKTOWN REDEVELOPMENT COMMISSION ADOPTED ON OCTOBER 14, 2020, ENTITLED "AMENDING DECLARATORY RESOLUTION OF THE YORKTOWN REDEVELOPMENT COMMISSION AMENDING THE DOWNTOWN ALLOCATION AREA, CREATING THE REBAR ALLOCATION AREA AND AMENDING THE ORIGINAL PLAN"

WHEREAS, the Yorktown ("Town") Redevelopment Commission ("Commission") adopted a declaratory resolution on September 9, 2002 as amended on December 14, 2016 (collectively, as amended, "Downtown Declaratory Resolution"), establishing the Yorktown Economic Development Area No. 1 ("Downtown EDA") and an allocation area ("Downtown Allocation Area") in accordance with IC 36-7-14-39 for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Downtown Allocation Area and approving the economic development plan for the Downtown Allocation Area (as amended, "Downtown Plan"), which Downtown Plan contained specific recommendations for economic development in the Downtown EDA;

WHEREAS, the Commission adopted a declaratory resolution on February 12, 2007 ("600/332 Declaratory Resolution"), establishing the Yorktown Economic Development Area No. 2 ("600/332 EDA"), and establishing the 600/332 Allocation Area ("600/332 Allocation Area") in accordance with IC 36-7-14-39 for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the 600/332 Allocation Area and approving the economic development plan for the 600/332 EDA ("600/332 Plan"), which 600/332 Plan contained specific recommendations for economic development in the 600/332 EDA;

WHEREAS, on March 12, 2020 the Commission adopted an amending declaratory resolution ("Original Consolidation Resolution") consolidating the Downtown EDA and the 600/332 EDA designated as the "2020 Consolidated Economic Development Area" ("Consolidated EDA") and consolidated the Downtown Plan and the 600/332 Plan ("Original Consolidated Plan");

WHEREAS, the Downtown Allocation Area and the 600/332 Allocation Area were not consolidated;

WHEREAS, on October 14, 2020 the Commission adopted an amending declaratory resolution ("Amending Declaratory Resolution") to amend the Original Consolidation Resolution to: (i) amend the Downtown Allocation Area to remove the parcels set forth on Exhibit B attached thereto from the Downtown Allocation Area (collectively, "Parcels"); (ii) designate the Parcels as the Rebar Allocation Area; and (iii) amend the Original Plan to include the construction of a mixed-use building or buildings to include market rate apartments, "Class A" residential amenities, commercial space, "live/work" studios, co-working office suites and conference rooms and parking, together with all necessary appurtenances, related improvements and equipment in the Original Consolidated Plan (collectively, "2020 Consolidated Plan");

WHEREAS, the Commission submitted the Amending Declaratory Resolution and supporting data to the Yorktown Plan Commission ("Plan Commission") and the Plan Commission has issued its written order approving the Amending Declaratory Resolution;

WHEREAS, the Town Council, by resolution adopted October 19, 2020, approved the order of the Plan Commission;

WHEREAS, on or before November 2, 2020 the Commission published notice in *The Star Press* of the adoption and content of the Amending Declaratory Resolution, which notice also gave notice of a hearing on the proposed amendment to be held by the Commission;

WHEREAS, the notice described in the preceding paragraph was also filed in the office of the Plan Commission and any other departments, bodies or offices having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits and mailed to property owners in the proposed expansion area;

WHEREAS, copies of the notice were also filed on or before November 2, 2020, with the officer authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed Rebar Allocation Area, together with a statement disclosing the impact of the creation of the Rebar Allocation Area, including the following:

(A) The estimated economic benefits and costs incurred by the Rebar Allocation Area, as measured by increased employment and anticipated growth of real property assessed values; and

(B) The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the Rebar Allocation Area; and

WHEREAS, the Commission on November 12, 2020, 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 YORKTOWN REDEVELOPMENT COMMISSION, THAT:

1. The Amending Declaratory Resolution approved by the Commission on October 14, 2020, a copy of which is attached hereto and incorporated herein, is hereby confirmed.

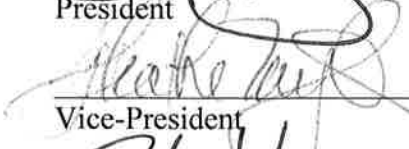
2. The Amending Declaratory Resolution as confirmed, shall be attached to and incorporated in this resolution.


3. This resolution is effective upon passage.

Adopted at a meeting of the Yorktown Redevelopment Commission held November 12, 2020, in the Town Hall, in Yorktown, Indiana.

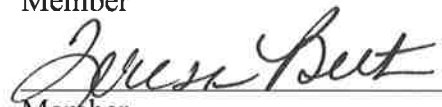
YORKTOWN REDEVELOPMENT COMMISSION

  
\_\_\_\_\_  
President


  
\_\_\_\_\_  
Vice-President

  
\_\_\_\_\_  
Secretary

  
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Member

  
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Member

ATTEST:

  
\_\_\_\_\_  
Secretary

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.

*Lisa A. Lee*

This instrument prepared by Lisa A. Lee, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, Indiana 46282.