

RESOLUTION NO. 5, 2011

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE
APPROVING AN AMENDING DECLARATORY RESOLUTION
AND REDEVELOPMENT PLAN OF THE
REDEVELOPMENT COMMISSION OF THE
CITY OF TERRE HAUTE, INDIANA, AND APPROVING
AN ORDER OF THE VIGO COUNTY AREA PLAN COMMISSION

WHEREAS, the Terre Haute ("City") Redevelopment Commission ("Commission") adopted a declaratory resolution on November 14, 1985, as amended on January 17, 2007 and February 3, 2009 (collectively, as amended, "Declaratory Resolution"), establishing the Central Business District Urban Renewal and Tax Allocation Area ("Area") and declaring that the Area is a redevelopment area and subject to redevelopment activities pursuant to IC 36-7-14 and IC 36-7-25, and all acts supplemental and amendatory thereto ("Act") and the Declaratory Resolution was confirmed by a Confirmatory Resolution adopted on December 12, 1985, as amended on August 1, 2007 and February 20, 2009 (collectively, as amended, "Confirmatory Resolution"); and

WHEREAS, the Declaratory Resolution approved the Redevelopment Plan, as amended ("Plan") for the Area which Plan contained specific recommendations for redevelopment in the Area;

WHEREAS, on March 16, 2011, the Commission adopted a resolution amending the Declaratory Resolution ("Amending Declaratory Resolution"), for the purpose of amending the Plan to add the construction of: (i) a three story professional office building containing approximately 33,000 square feet, together with all appurtenances, related improvements (including infrastructure) and equipment; and (ii) a multi-story office building with potential residential use of a portion of the building, together with all appurtenances, related improvements (including infrastructure) and equipment in, serving or benefiting the Area to the list of projects in the Plan ("Amended Plan");

WHEREAS, the Vigo County Area Plan Commission ("Plan Commission"), on April 6, 2011, approved the Amended Plan and Amending Declaratory Resolution; and

WHEREAS the Act requires approval of the Amending Declaratory Resolution, the Amended Plan and the action of the Plan Commission by the Common Council of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA, THAT:

Section 1. The action of the Redevelopment Commission on March 16, 2011 adopting the Amending Declaratory Resolution is in all respects approved, ratified and confirmed by the Common Council.

Section 2. The action of the Plan Commission on April 6, 2011, approving the Amended Plan and the Amending Declaratory Resolution is in all respects approved, ratified and confirmed by the Common Council.

Section 3. This resolution shall be effective from and after its passage and approval by the Mayor.

Introduced by, Don Morris Don Morris, Councilman

Passed this 19th day of April, 2011.

John Mullican
John Mullican, President of Common Council

ATTEST:

Charles P. Hanley
Charles P. Hanley, City Clerk

Present by to the Mayor this 20th day of April, 2011.

Charles P. Hanley
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 20th day of April, 2011.

Duke A. Bennett
Duke A. Bennett, Mayor

ATTEST:

Charles P. Hanley
Charles P. Hanley, City Clerk

FILED
APR 05 2011
CITY CLERK

RESOLUTION NO. 9, 2011

AMENDING DECLARATORY RESOLUTION OF THE TERRE
HAUTE REDEVELOPMENT COMMISSION

WHEREAS, the Terre Haute ("City") Redevelopment Commission ("Commission") did on November 14, 1985 adopt a declaratory resolution, as amended on January 17, 2007 and February 3, 2009 (collectively, as amended, "Declaratory Resolution"), establishing the Central Business District Urban Renewal and Tax Allocation Area ("Area"), and the Declaratory Resolution was confirmed by a Confirmatory Resolution adopted on December 12, 1985, as amended on August 1, 2007 and February 18, 2009 (collectively, as amended, "Confirmatory Resolution"); and

WHEREAS, the Declaratory Resolution and the Confirmatory Resolution are hereinafter collectively referred to as the "Area Resolution;" and

WHEREAS, the Area Resolution established an allocation area in accordance with IC 36-7-14-39 ("Allocation Area"), for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Allocation Area; and

WHEREAS, the Area Resolution approved the Redevelopment Plan, as amended ("Original Plan") which Original Plan contained specific recommendations for redevelopment in the Area; and

WHEREAS, the Common Council approved the creation of the Area; and

WHEREAS, the Commission now desires to amend the Area Resolution and the Original Plan to include the construction of: (i) a three story professional office building containing approximately 33,000 square feet, together with all appurtenances, related improvements (including infrastructure) and equipment; and (ii) a multi-story office building with potential residential use of a portion of the building, together with all appurtenances, related improvements (including infrastructure) and equipment in, serving or benefiting the Area as more fully described on Exhibit A attached hereto ("Projects") in the list of projects in the Original Plan ("2011 Plan"); and

WHEREAS, IC 36-7-14-17.5 authorizes the Commission to amend the Area Resolution, after conducting a public hearing, if it finds that:

- (i) The amendments are reasonable and appropriate when considered in relation to the Area Resolution, the Original Plan and the purposes of IC 36-7-14; and
- (ii) The Area Resolution and the Original Plan, with the proposed amendment, conform to the comprehensive plan for the City;

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

Section 1. The Area Resolution and the Original Plan are hereby amended to include the Projects.

Section 2. The Commission finds that the Projects will further the Original Plan and that it will be of public utility and benefit to amend the Area Resolution and the Original Plan to include the Projects.

Section 3. The Commission further finds that the public health and welfare will be benefited by the amendment to the Area Resolution and Original Plan and the implementation of the 2011 Plan.

Section 4. The Commission finds and determines that the amendments described in Exhibit A are reasonable and appropriate when considered in relation to the Area Resolution, the Original Plan and the redevelopment purposes set forth in IC 36-7-14-14.

Section 5. The Commission finds that the Area Resolution and the 2011 Plan conform to the comprehensive plan for the City.

Section 6. The presiding officer of the Commission is hereby authorized and directed to submit this resolution and factual report to the Vigo County Area Plan Commission ("Plan Commission") for its approval. The Commission further directs the presiding officer to submit this resolution and the approving order of the Plan Commission to the Common Council for its approval of the amendment to the Area Resolution and the 2011 Plan.

Section 7. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Common Council, to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1-4 and to file notice with the Plan Commission, the Board of Zoning Appeals, the building commissioner and any other departments or agencies of the City concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the City's department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed Projects and will determine the public utility and benefit of the proposed Projects.

Section 8. In all other respects, the Area Resolution, the Original Plan and actions of the Commission consistent with this resolution are hereby ratified and confirmed.

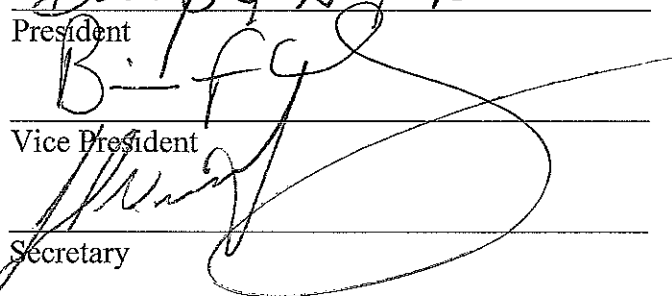
Section 9. This resolution shall be effective upon passage.

Adopted at a meeting of the Commission held on March 16, 2011, in Terre Haute, Indiana.

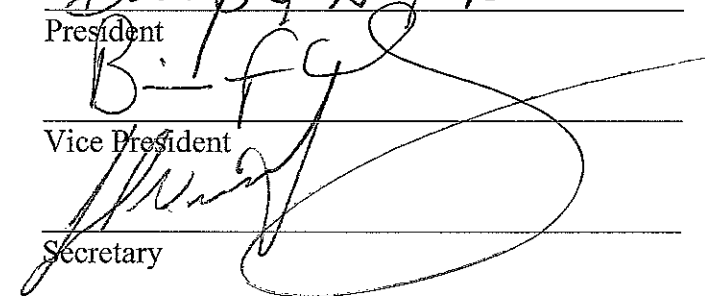
TERRE HAUTE REDEVELOPMENT
COMMISSION



President



Vice President



Secretary

Member

Member

ATTEST:



Secretary

EXHIBIT A

2011 Plan

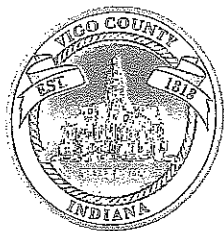
Project Descriptions

Capital projects for the construction and development of a 3-story office building to be located at 925 Wabash Avenue on the southeast corner of 9 ½ Street and Wabash Avenue consisting of approximately 33,000 square feet of Class A office space; including related infrastructure needed to support the development.

Capital projects for the construction and development of a multi-story office building with potential residential units in a portion of the building to be located at 8th and Ohio Street and consisting of approximately 8,000 square foot footprint with extensive off street parking and landscaping; including related infrastructure needed to support the development.

FACTUAL REPORT IN SUPPORT
OF FINDINGS CONTAINED IN
RESOLUTION NO. 9, 2011 OF THE
TERRE HAUTE REDEVELOPMENT COMMISSION

1. The proposed amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and Original Plan because the amendments will serve as an integral piece of development of the 9th and Wabash Professional Office Campus improving the City's major center for finance, offices, retailing and professional offices.
2. It will be of public utility and benefit and will benefit the public health and welfare to amend the Declaratory Resolution and 2011 Plan to include the Projects because the Projects will serve as an anchor to the east end of downtown Terre Haute and encourage additional redevelopment of the Area.



TERRE HAUTE

Area Planning Department
For Vigo County

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Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

FILED

APR 07 2011

CITY CLERK

Date: Thursday, April 7, 2011

REPORT TO THE TERRE HAUTE CITY COUNCIL ON CITY OF TERRE HAUTE
REDEVELOPMENT COMMISSION AMENDATORY RESOLUTION NO. 9, 2011

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION
TO AMENDATORY RESOLUTION NO. 9, 2011

CERTIFICATION DATE: Wednesday, April 6, 2011

TO: The Honorable Common Council of Terre Haute, Indiana

Dear Members:

The Vigo County Area Plan Commission offers you the following report and certification on Amendatory Resolution No. 9, 2011. This document is a Resolution for the Amending of Declaratory Resolution #48, 1985, as amended.

The Area Plan Commission considered Amendatory Resolution No. 9, 2011 at a public hearing held on Wednesday, April 6, 2011. A quorum was present throughout the meeting pursuant to I.C. 36-7-4-301, and the Area Plan Commission took official action on Amendatory Resolution No. 9, 2011 as required by I.C. 36-7-4-401 (a) (7) and I.C. 36-7-4-605 ©.

Therefore, Area Plan Commission's certified recommendation on Amendatory Resolution No. 9, 2011 is FAVORABLE.

Fred L. Wilson, President, APC

Jeremy Weir, Executive Director

Received this 7th day of April, 2011