

RESOLUTION No. 2016-46

RESOLUTION OF THE TOWN OF GRIFFITH REDEVELOPMENT COMMISSION CONFIRMING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND THE REDEVELOPMENT PLAN FOR THE GRIFFITH MALL REDEVELOPMENT AREA, AND APPROVING OTHER MATTERS RELATED THERETO

WHEREAS, the Town of Griffith (the "**Town**") Redevelopment Commission (the "**Commission**"), as the governing body for the Town of Griffith Redevelopment Department (the "**Department**"), previously adopted a Declaratory Resolution (as subsequently confirmed and amended, the "**Original Resolution**") designating an area known as the Griffith Mall Redevelopment Area (the "**Redevelopment Area**") as an "area needing redevelopment" pursuant to Indiana Code Chapter 36-7-14, as amended (the "**Act**"), and designating the Redevelopment Area as an allocation area (the "**Allocation Area**") pursuant to the Act; and

WHEREAS, the Original Resolution approved a redevelopment plan for the Redevelopment Area (the "**Original Plan**"); and

WHEREAS, , Menard, Inc. (or an affiliate thereof) (the "**Company**") proposes to construct a building for use by Dollar Tree (the "**Project**") on one or more parcels (the "**Parcels**") located in the Allocation Area; and

WHEREAS, the Commission, on September 7, 2016, adopted a Declaratory Resolution (the "**Declaratory Resolution**"), amending the Original Resolution and the Original Plan to include a project consisting of authorizing the use of a portion of the tax increment revenues generated by the Project (as reduced by any necessary demolition of existing improvements on the Parcels) to pay principal and interest on economic development bonds that the Town may issue to provide an incentive to the Company, as set forth in the Declaratory Resolution (the "**Amendment**"); and

WHEREAS, the Town of Griffith Plan Commission, on September 20, 2016, approved and adopted an Order (the "**Plan Commission Order**") determining that the Declaratory Resolution and the Amendment conform to the plan of development for the Town and approving the Declaratory Resolution and the Amendment; and

WHEREAS, pursuant to Section 16 of the Act, the Town Council of the Town, on September 20, 2016, adopted a resolution which approved the Declaratory Resolution, the Amendment and the Plan Commission Order; and

WHEREAS, the Commission has received the written orders of approval as required by Section 17(a) of the Act; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amendment and filed a copy of said Notice in the offices of all departments, bodies or officers of the Town having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, at the hearing (the "Public Hearing") held by the Commission on October 5, 2016, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

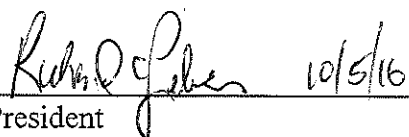
WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution, in accordance with Section 17 of the Act.

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

1. The Commission hereby reconfirms the findings and determinations set forth in the Original Resolution with respect to the Redevelopment Area, as previously amended.
2. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Declaratory Resolution.
3. After considering the evidence presented at the Public Hearing, the Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Amendment, and the Amendment is hereby approved in all respects.
4. The Declaratory Resolution is hereby confirmed.
5. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the Amendment and confirming the Declaratory Resolution pertaining to the Redevelopment Area.
6. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 17(d) of the Act.

ADOPTED the 5th day of October, 2016.

TOWN OF GRIFFITH REDEVELOPMENT
COMMISSION




President



Vice President

Secretary



Member


Member