

RESOLUTION NO. 2019-30

RESOLUTION OF THE TOWN OF GRIFFITH PLAN COMMISSION APPROVING AMENDMENTS TO A DECLARATORY RESOLUTION APPROVED AND ADOPTED BY THE TOWN OF GRIFFITH REDEVELOPMENT COMMISSION

WHEREAS, the Town of Griffith Plan Commission (the "Plan Commission") is the body charged with the duty of developing a general plan of development for the Town of Griffith, Indiana (the "Town"); and

WHEREAS, pursuant to IC 36-7-14, as amended (the "Act"), the Town of Griffith Redevelopment Commission (the "Redevelopment Commission") previously adopted and amended a Declaratory Resolution (the "Declaratory Resolution") establishing an economic development area (the "Economic Development Area") and an Allocation Area therein designated as the "Downtown Griffith Redevelopment District" (the "Original Allocation Area"), as expanded in 2015 (the Original Allocation Area, as so expanded, the "Allocation Area") in the Town, and approving the Griffith Amended Redevelopment Plan for the Economic Development Area (the "Plan"); and

WHEREAS, on October 8, 2019, the Redevelopment Commission approved and adopted a Resolution (the "2019 Resolution") amending the Declaratory Resolution and the Plan by (i) removing the parcels listed in Exhibit A attached thereto (the "2019 Parcels") from the Allocation Area and simultaneously adding the 2019 Parcels back into the Allocation Area, (ii) designating the area as described on Exhibit B attached thereto as an additional allocation area (the "2019 Allocation Area") within the existing Economic Development Area, (iii) extending the expiration date of the Original Allocation Area to 25 years after the date on which the first obligation is incurred, as permitted by Section 39(b) of the Act, and (iv) adopting a supplement to the Plan attached thereto as Exhibit C (the "2019 Plan Supplement") (clauses (i), (ii), (iii) and (iv), collectively, the "2019 Amendments"); and

WHEREAS, the Redevelopment Commission has submitted the 2019 Resolution to the Plan Commission for its approval pursuant to IC 36-7-14-16;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF GRIFFITH PLAN COMMISSION, as follows:

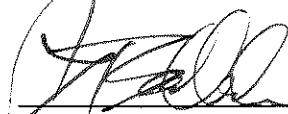
1. The 2019 Resolution and the 2019 Amendments to the Plan contained therein conform to the plan of development for the Town.

2. This Plan Commission hereby approves the 2019 Resolution and the 2019 Amendments to the Plan contained therein. This resolution hereby constitutes the written order of the Plan Commission approving the 2019 Resolution and the 2019 Amendments to the Plan contained therein pursuant to IC 36-7-14-16.

3. The Secretary of this Plan Commission is hereby directed to file a copy of the 2019 Resolution with the minutes of this meeting.

SO RESOLVED BY THE TOWN OF GRIFFITH PLAN COMMISSION this 21st day of October, 2019.

TOWN OF GRIFFITH
PLAN COMMISSION



President

ATTEST:



Secretary

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**RESOLUTION OF THE TOWN OF GRIFFITH REDEVELOPMENT COMMISSION
AMENDING THE DECLARATORY RESOLUTION AND THE
PLAN FOR THE DOWNTOWN ECONOMIC DEVELOPMENT AREA**

WHEREAS, the Town of Griffith Redevelopment Commission (the "Commission") pursuant to IC 36-7-14 (the "Act") serves as the governing body of the Town of Griffith Redevelopment District (the "District"); and

WHEREAS, the Commission has previously adopted and confirmed resolutions (collectively, the "Declaratory Resolution") which established and amended an economic development area (the "Economic Development Area"), designated a certain portion thereof as an allocation area pursuant to Section 39 of the Act, known as the Downtown Griffith Redevelopment District (the "Original Allocation Area"), as expanded in 2015 (the "2015 Expansion Allocation Area") (the Original Allocation Area as expanded by the 2015 Expansion Allocation Area, the "Allocation Area") and approved the Griffith Amended Redevelopment Plan for the Economic Development Area (the "Plan") pursuant to the Act; and

WHEREAS, the Commission now desires to amend the Declaratory Resolution and Plan (i) by removing the parcels listed in Exhibit A attached hereto (the "2019 Parcels") from the Allocation Area and simultaneously adding the 2019 Parcels back into the Allocation Area, (ii) to designate the area as described on Exhibit B attached hereto as an additional allocation area (the "2019 Allocation Area") within the existing Economic Development Area, (iii) to extend the expiration date of the Original Allocation Area to 25 years after the date on which the first obligation is incurred, as permitted by Section 39(b) of the Act, and (iv) to adopt a supplement to the Plan attached hereto as Exhibit C (the "2019 Plan Supplement") (clauses (i), (ii), (iii) and (iv), collectively, the "2019 Amendments"); and

WHEREAS, the 2019 Parcels shall have a base assessment date of January 1, 2019, and all of the other parcels in the Original Allocation Area shall maintain their same pre-existing base assessment dates; and

WHEREAS, the 2019 Amendments and supporting data were reviewed and considered at this meeting; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of "allocation areas" to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, this Commission deems it advisable to apply the provisions of said Sections 15-17, and 39 of the Act to the 2019 Amendments; and

WHEREAS, the Commission now desires to approve the 2019 Amendments.

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

1. The 2019 Amendments promote significant opportunities for the gainful employment of its citizens, attraction of major new business enterprises to the Town of Griffith, Indiana (the "Town"), retention and expansion of significant business enterprises existing in the boundaries of the Town, and meet other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic well-being of the Town and the State of Indiana (the "State"), and serving to protect and increase property values in the Town and the State.

2. The 2019 Plan Supplement for the 2019 Allocation Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of development, cessation of growth, deteriorating improvements and age.

3. The public health and welfare will be benefited by the 2019 Amendments.

4. It will be of public utility and benefit to amend the Declaratory Resolution and the Plan for the Economic Development Area as provided in the 2019 Amendments and to continue to develop the Economic Development Area as under the Act.

5. The accomplishment of the 2019 Plan Supplement for the 2019 Allocation Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

6. The Declaratory Resolution and the Plan, as amended by this Resolution and the 2019 Amendments, conform to the comprehensive plan of development for the Town.

7. The 2019 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and Plan and the purposes of the Act.

8. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed, except as modified hereby.

9. In support of the findings and determinations set forth in Sections 1 through 7 above, the Commission hereby adopts the specific findings set forth in the 2019 Plan Supplement.

10. The Commission does not at this time propose to acquire any specific parcel of land or interests in land within the boundaries of the 2019 Allocation Area. If at any time the Commission proposes to acquire specific parcels of land, the required procedures for amending

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the Plan, as amended by the 2019 Plan Supplement, under the Act will be followed, including notice by publication to affected property owners and a public hearing.

11. The Commission finds that no residents of the Economic Development Area will be displaced by any project resulting from the 2019 Plan Supplement, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

12. The 2019 Amendments are hereby in all respects approved.

13. The area described in Exhibit B is hereby designated as a separate "allocation area" pursuant to Section 39 of the Act to be known as the "2019 Allocation Area," for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the 2019 Allocation Area hereby designated as the "2019 Allocation Fund" and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act.

14. The foregoing allocation provision shall apply to the 2019 Allocation Area. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the 2019 Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit C. The base assessment date for the 2019 Allocation Area is January 1, 2019.

15. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to the 2019 Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the 2019 Allocation Area.

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16. The 2019 Parcels shall have a base assessment date of January 1, 2019, and all of the other parcels in the Allocation Area shall maintain the same pre-existing base assessment dates.

17. The allocation provisions of the Original Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the Original Allocation Area, as permitted by Section 39(b) of the Act.

18. This Resolution, together with any supporting data, shall be submitted to the Town of Griffith Plan Commission (the "Plan Commission") and the Town Council of the Town (the "Council") as provided in the Act, and if approved by the Plan Commission and the Council, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

19. The officers of the Commission are hereby authorized to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

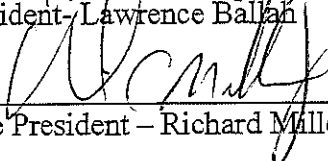
20. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

Adopted the 8th day of October, 2019.


TOWN OF GRIFFITH REDEVELOPMENT
COMMISSION



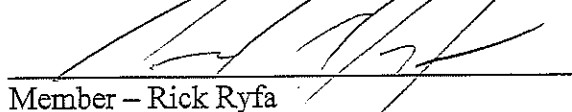
President - Lawrence Ballan



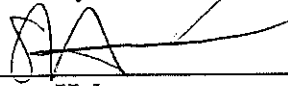
Vice President - Richard Miller



Member - Melissa Robbins



Member - Rick Ryfa



Member - Tony Hobson



Attest: John C. Volkmann, Clerk Treasurer

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EXHIBIT A

List of the 2019 Parcels (which have a Base Assessment Date of January 1, 2019)

<u>Parcel Number</u>	<u>Owner Name</u>
45-07-35-481-004.000-006	1210 Main St - Ready Mix LLC
45-11-02-102-005.000-006	Aurelio LLC
45-11-02-102-003.000-006	Aurelio LLC
45-07-35-226-003.000-006	Scheeringa & Devries Properties
45-11-02-476-003.000-006	Clark, Jack L.
45-11-02-276-002.000-006	ACS Technical Products Inc
45-11-02-105-001.000-006	Brusch, Kathie R Tr uted dtd 04/11/07
45-11-02-226-001.000-006	La Salle Acquiring Company
45-07-26-129-001.000-006	Brauvn Net Investments LLC
45-11-02-452-002.000-006	Aeromet Industries Inc
45-11-02-201-009.000-006	Austgen Properties LLC
45-11-02-104-006.000-006	WJG Properties - Griffith, LLC
45-11-02-401-005.000-006	Djurovic, Zarija
45-07-35-101-027.000-006	CF Net Lease Portfolio VI DST
45-11-02-104-001.000-006	WJG Properties - Griffith, LLC
45-07-34-101-003.000-006	Lake County Trust Company Tr Tr #5578
45-07-34-126-004.000-006	Goodwill Industries of Michiana Inc
45-07-34-101-001.000-006	Lake County Trust Company Tr #P-3262
45-07-34-457-019.000-006	B & C Machining, INC.
45-11-02-476-001.000-006	Clark, Sandra L Tr Tr dated 12/13/00
45-11-02-104-005.000-006	Dystra Family Trust dtd 5-11-15
45-07-34-126-002.000-006	Clint Johnson LLC
45-07-35-327-021.000-006	Burris, John C
45-07-35-154-020.000-006	Centier Bank
45-07-34-203-003.000-006	Berner Real Estate Investments LLC
45-11-02-428-001.000-006	Octogon Corp
45-11-02-106-004.000-006	Blagojevic Ljubomir
45-11-02-104-003.000-006	Allied Partners MK LLC
45-07-34-203-001.000-006	White, Raymond E Jr & Rachelle h&w
45-07-26-479-036.000-006	FAMILY EXPRESS CORPORATION
45-11-03-227-010.000-006	Harry Schwick LLC aka HARRY SCHWICK
45-11-02-126-017.000-006	TICA Properties South LLC
45-11-02-104-002.000-006	Allied Partners MK LLC
45-07-26-132-010.000-006	Entropy Indiana LLC
45-07-35-358-020.000-006	Miller, Richard C Tr Et Al
45-11-03-227-009.000-006	Harry Schwick LLC aka HARRY SCHWICK
45-11-02-105-009.000-006	WJG Properties-Griffith LLC
45-11-02-105-002.000-006	Filic, Alexander

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45-11-03-227-011.000-006 RDM IV LLC
45-07-35-358-005.000-006 Pappas, Susan
45-11-03-227-012.000-006 RDM IV LLC
45-11-02-129-009.000-006 Zuidema, Donald N & Susan M
45-07-35-358-029.000-006 Ozzello, William J
45-11-02-104-004.000-006 Dystra Family Trust dtd 5-11-15
45-11-03-227-007.000-006 VEG LLC
45-11-02-352-009.000-006 Drish Properties LLC
45-11-02-105-005.000-006 J & M Building Fund Inc
45-11-02-126-005.000-006 Gradek, Larry A (cb)
45-07-35-358-001.000-006 Peak Properties, Llc
45-07-35-456-022.000-006 Szot, Michelle R
45-11-03-228-003.000-006 Nagel Family Trust
45-11-02-106-007.000-006 Gardahn, Inc.
45-11-02-126-020.000-006 TICA Properties South LLC
45-07-35-358-030.000-006 Sidener, Philip and Patricia Sidener
45-11-02-132-002.000-006 Gonzalez, Bertha
45-11-03-227-006.000-006 VEG LLC
45-11-03-228-009.000-006 Burvan, Michael J & Karen
45-11-03-228-008.000-006 Kurth, David M & Gail A Trs of DG Family
45-07-35-358-028.000-006 South Ridge Gardens LLC
45-11-02-103-007.000-006 JBI Enterprises LLC
45-11-02-126-019.000-006 TICA Properties South LLC
45-11-02-126-018.000-006 TICA Properties South LLC
45-11-02-126-002.000-006 Honey Bee Holdings LLC
45-07-35-304-010.000-006 Bridegroom, Harold E
45-11-02-126-006.000-006 New Oberpfalz Brewing LLC
45-11-02-105-004.000-006 J & M Building Fund Inc
45-11-03-227-002.000-006 VEG LLC
45-11-02-131-003.000-006 Town of Griffith (Municipal)
45-11-02-201-001.000-006 435-503 Main St LLC
45-07-35-226-002.000-006 Gall Enterprises, LLC
45-11-03-227-005.000-006 Dystra Family Trust dtd 5-11-15
45-11-02-126-007.000-006 New Oberpfalz Brewing LLC
45-11-02-103-001.000-006 Anderson, Russell W Et Al
45-11-02-105-003.000-006 Elosa Construction Inc
45-07-35-358-004.000-006 Pappas, Susan
45-11-03-227-003.000-006 Margaret Machine Tool Co Inc
45-07-35-358-022.000-006 Blythe, Rodger R (1/6 int) & Lester
45-11-03-228-005.000-006 Dystra Family Trust dtd 5-11-15
45-07-35-101-002.000-006 7-Eleven Inc
45-07-35-380-004.000-006 Paul Tusk LLC
45-11-02-105-008.000-006 J. M. Building Fund, Inc.
45-11-03-228-002.000-006 505 Industrial LLC

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45-07-34-227-002.000-006 Breclaw, Marge E
45-07-35-376-012.000-006 RVB Real Estate Series, LLC
45-07-35-455-020.000-006 Kmetz, Peter
45-11-02-352-008.000-006 Keelen, Kenneth F
45-11-03-227-001.000-006 Hokens, Earl E Jr & Jeanne M h&w
45-11-02-131-004.000-006 Town of Griffith (Municipal)
45-11-02-128-003.000-006 Shamrock Properties LC
45-11-03-226-001.000-006 S B M Co
45-07-35-376-005.000-006 Dalessandro, David
45-07-35-304-020.000-006 Foss, Judy A
45-11-03-228-004.000-006 Hansen Brothers Properties LLC
45-07-35-357-012.000-006 Shawn White Contracting LLC
45-11-01-126-001.000-033 Fernandez, Samuel
45-11-01-101-012.000-033 Gatlin Plumbing & Heating Inc
45-11-01-101-010.000-033 1349 Main Street LLC
45-11-01-126-002.000-033 Bluebird Investments LLC

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EXHIBIT B

Description of the 2019 Allocation Area

The 2019 Allocation Area consists of the following parcels, together with any and all public rights of way that physically connect each parcel to each other.

PARCEL ID NUMBERS:

45-11-03-100-003.000-006	Lakehead Pipeline (Enbridge)
45-11-03-300-001.000-006	Marathon Ashland Petroleum
45-11-02-427-006.000-006	501-525 S Colfax LLC
45-11-02-352-010.000-006	Drish Properties (Shipwreck)
45-07-23-326-002.000-006	Porter's Apparel
45-11-03-451-002.000-006	912 Ave H, LLC
45-07-35-380-002.000-006	Set Em Up
45-07-26-479-018.000-006	Family Express
45-07-35-481-005.000-006	Dollar General

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EXHIBIT C

**SUPPLEMENT, DATED OCTOBER 8, 2019, TO THE GRIFFITH AMENDED
REDEVELOPMENT PLAN**

The Griffith Amended Redevelopment Plan (the "Plan") is hereby amended to provide that the base assessment date for the 2019 Parcels listed in Exhibit A to the Declaratory Resolution shall be January 1, 2019, and to incorporate the 2019 Allocation Area into the Plan.

The Plan is supplemented to include the following projects on the list of eligible activities within the Integrated ED/RD Area (as more particularly described in the Plan):

Tax increment revenues from the allocation areas described in the Plan or the 2019 Allocation Area (collectively, the "Allocation Areas") or other sources of funds available to the Redevelopment Commission may be used to finance the cost of infrastructure improvements in or serving the Allocation Areas (as well as demolition, in, serving or benefiting the Allocation Areas), including without limitation, (1) transportation enhancement projects including, without limitation, curbs, gutters, shoulders, street paving and construction, bridge improvements, sidewalk and multiuse pathway improvements, street lighting, traffic signals, and site improvements including landscape buffers; (2) utility infrastructure projects including, without limitation, utility relocation, water lines, water wells, water towers, waste water lines, storm water lines, retention ponds, ditches, and storm water basin improvements; and (3) public park improvements and recreational equipment. Although the precise nature of infrastructure that may be necessary from time to time to attract and retain prospective redevelopment and economic development opportunities in the Allocation Areas cannot be predicted with certainty, the availability of adequate infrastructure is of fundamental importance in attracting and retaining such opportunities in the Allocation Areas.

Tax increment revenues from the Allocation Areas or other sources of funds available to the Redevelopment Commission may also be used to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the unit, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Allocation Areas. The provision of incentives by the application of tax increment revenues to offset developer promissory notes that secure economic development revenue bonds, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Allocation Areas, has become an established financing tool and an increasingly common form of incentive for attracting economic development and redevelopment.

The acquisition or construction of projects to enhance the cultural attractiveness of the entire unit, including the Integrated ED/RD Area.

Acquisition or construction of projects to enhance the public safety of the entire unit, including the Integrated ED/RD Area.

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The construction and development of a shell building.

The estimated costs related to the projects described above (collectively, the "Projects") is \$1,000,000.

Based on the development profile of the Integrated ED/RD Area, of which the economic development area containing the 2019 Allocation Area is a part, the Commission has determined that the development of the 2019 Allocation Area will not proceed as planned without the contribution of tax increment revenues derived from the 2019 Allocation Area to the projects described above.