

WHITELAND REDEVELOPMENT COMMISSION

RESOLUTION 2023-03

**A RESOLUTION AMENDING THE DECLARATORY RESOLUTION AND ALLOCATION
AREA OF THE WHITELAND ECONOMIC DEVELOPMENT AREA TO EXCLUDE
RESIDENTIAL PROPERTIES**
(Exclusion of Saddlebrook Farms North)

WHEREAS, the Town of Whiteland (“Town”) Redevelopment Commission (the “Commission”), governing body of the Town of Whiteland Department of Redevelopment (the “Department”), on February 21, 2013 adopted its Resolution No. 2013-01 (as subsequently confirmed and amended, the “Declaratory Resolution”) establishing an economic development area known as the “Whiteland Economic Development Area” (the “Original EDA”), and approving an economic development plan for the area (the “Plan”), pursuant to IND. CODE § 36-7-14, as amended (the “Act”);

WHEREAS, pursuant to IND. CODE § 36-7-14-2, the clearance, replanning, and redevelopment of areas needing redevelopment are public uses and purposes for which public money can be spent and private property may be acquired;

WHEREAS, the Redevelopment Commission has investigated, studied, and surveyed economic development areas within the corporate boundaries of the Town;

WHEREAS, as part of the Declaratory Resolution the Redevelopment Commission adopted an economic development plan (“Plan”) for the Original EDA;

WHEREAS, the Commission has caused to be prepared:

- (1) Maps and plats showing:
 - (A) the boundaries of the economic development area and the allocation areas referenced herein, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning or economic development of the area, indicating any parcels of property to be excluded from the acquisition, and
 - (B) the parts of the acquired areas that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Plan;
- (2) An estimate of the cost of acquisition, redevelopment and economic development;

WHEREAS, Sections 41 and 43 of the Act have been created to permit the creation of “economic development areas” and to provide that all of the rights, powers, privileges, and immunities that may be exercised by this Redevelopment Commission in a redevelopment area or

urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, the Commission has caused to be prepared a factual report (“Report”) in support of the findings contained in this resolution, which Report is attached to and incorporated by reference in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE TOWN OF WHITELAND, THAT:

Section 1) The Commission has determined that the residential properties located withing Saddlebrook Farms North identified on the attached Exhibit A incorporated herein (the “Residential Properties”) will no longer be of benefit to include within the Whiteland Advancement Allocation Area. The Residential Properties are hereby excluded and excepted out of the Whiteland Advancement Allocation Area. The boundaries of the Whiteland Advancement Allocation Area, as amended by this resolution to exclude the Residential Property, are depicted on attached Exhibit B incorporated herein.

Section 2) The Commission ratifies and confirms the Plan, the findings contained in the Plan, and that the Plan for the Economic Development Area:

- (A) Promotes significant opportunities for the gainful employment of the citizens of the Town.
- (B) Attracts major new business enterprises to the Town;
- (C) Benefits the public health, safety, morals and welfare of the citizens of the Town;
- (D) Increases the economic well-being of the Town and the State of Indiana;
- (E) Serves to protect and increase property values in the Town and the State of Indiana; and
- (F) Meets and serves other purposes of Section 2.5, 41, and 43 of the Act.

Section 3) The Commission ratifies and confirms that the Plan cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed the Commission under IND. CODE 36-7-14 because of:

- (A) The lack of local public improvements; and
- (B) Other similar conditions, specifically: The cost of extension and reconstruction of public improvements has made the development of the property cost prohibitive when compared to other property available for development.

Section 4) The Commission finds, ratifies, and confirms that the exclusion of the Residential Properties from the Whiteland Advancement Allocation Area and the amendment of the Declaratory Resolution as described herein conform to the comprehensive plan for the Town and other development and redevelopment plans for the Town.

Section 5) The Commission finds that the public health and welfare will be benefited by the amendment of the Whiteland Advancement Allocation Area as described herein.

Section 6) The Commission finds that the amendment of the Whiteland Advancement Allocation Area and the accomplishment of the Plan will be of public utility and benefit as measured by:

- (A) The attraction and retention of permanent jobs;
- (B) An increase in the property tax base;
- (C) Improved diversity of the economic base; and
- (D) Allowing the Town to provide safe transportation, and additional public infrastructure in the Town.

Section 7) The Commission reaffirms that no residents of the Whiteland Economic Development Area will be displaced by any project resulting from the Plan; and, therefore, the Commission finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

Section 8) This paragraph shall be considered the allocation provision for purposes of IND. CODE § 36-7-14-39. For purposes of IND. CODE § 36-7-14-39, the Residential Properties shall no longer be considered part of the Whiteland Advancement Allocation Area, and any property taxes levied upon the Residential Properties on or after the effective date of this resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the allocation area, shall **not** be allocated and distributed in accordance with IND. CODE § 36-7-14-39. In accordance with IND. CODE § 36-7-14-39, the Base Assessed Value of the Whiteland Advancement Allocation Area as amended by this resolution shall be as finally determined for the assessment date immediately preceding the effective date of the allocation provision of this declaratory resolution, which assessment date is January 1, 2022, and such Base Assessed Value of the Whiteland Advancement Allocation Area shall be calculated without the inclusion of the Residential Properties.

Section 9) It will be of public utility and benefit to amend the Declaratory Resolution as described herein.

Section 10) The Commission hereby finds and determines that the amendment of the Declaratory Resolution as provided herein is reasonable and appropriate when considered in relation to the original Declaratory Resolution and the Plan, and the purposes of the Act, and ratifies and confirms that the Plan conforms to the comprehensive plan for the Town.

Section 11) In support of the findings set forth in sections 1-10 above, the Redevelopment Commission hereby reaffirms and adopts the specific findings of fact set forth in the Report attached hereto as Exhibit C.

Section 12) The presiding officer of the Commission is hereby authorized and directed to submit this resolution and the Report to the Whiteland Plan Commission for its approval.

Section 13) The Commission also directs the presiding officer, upon receipt of the written order of approval of the Whiteland Plan Commission which has been approved by the Common Council to publish notice of the adoption and substance of this resolution in accordance with IND. CODE § 5-3-1-4 and to file notice with the Whiteland Plan Commission, the Board of Zoning Appeals, the Board of Public Works, the Park Board, the building commissioner and any other departments or agencies of the Town 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 Town'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 project and will determine the public utility and benefit of the proposed project. Copies of the notice must also be filed with the officer authorized to fix budgets, tax rates and tax levies under IND. CODE § 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed allocation area.

Section 14) The Commission also directs the presiding officer to prepare or cause to be prepared a statement disclosing the impact of the allocation area, as required under IND. CODE § 36-7-14-17(c)(2).

Section 15) The Commission further directs the presiding officer to submit this resolution to the Town Council for its approval of the amendment of the Whiteland Advancement Allocation Area and the amendment of the Declaratory Resolution as described herein.

Section 16) This Resolution shall be effective as of its date of adoption.

Adopted: March 09, 2023

WHITELAND REDEVELOPMENT COMMISSION



David Hawkins, President

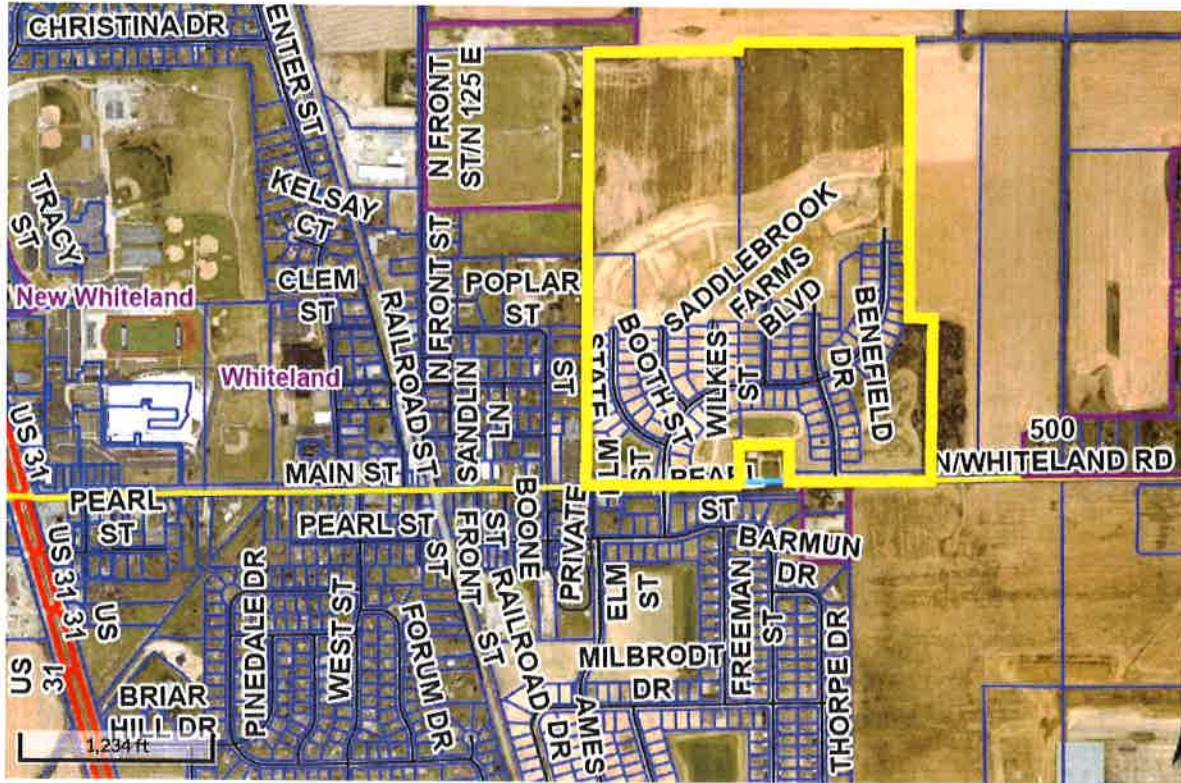
ATTEST:



Katy Cavalieri, Secretary

EXHIBIT A

Map and List of Parcels of Saddlebrook Farms North Residential Properties to be Excluded from the Whiteland Advancement Allocation Area (Outlined in Yellow on Map)



Parcel List

Parcel ID #'s
41-05-22-034-029.001-028
41-05-22-034-060.000-028
41-05-22-034-061.000-028
41-05-22-034-062.000-028
41-05-22-034-063.000-028
41-05-22-034-064.000-028
41-05-22-034-065.000-028
41-05-22-034-066.000-028
41-05-22-034-067.000-028
41-05-22-034-068.000-028
41-05-22-034-069.000-028
41-05-22-034-070.000-028
41-05-22-034-071.000-028

41-05-22-034-072.000-028
41-05-22-034-073.000-028
41-05-22-034-074.000-028
41-05-22-034-075.000-028
41-05-22-041-001.000-028
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41-05-22-044-016.000-028
41-05-22-044-017.000-028
41-05-22-044-018.000-028
41-05-22-044-019.000-028

EXHIBIT B

Map of Whiteland Advancement Allocation Area after Exclusion of the Saddlebrook Farms North Residential Property

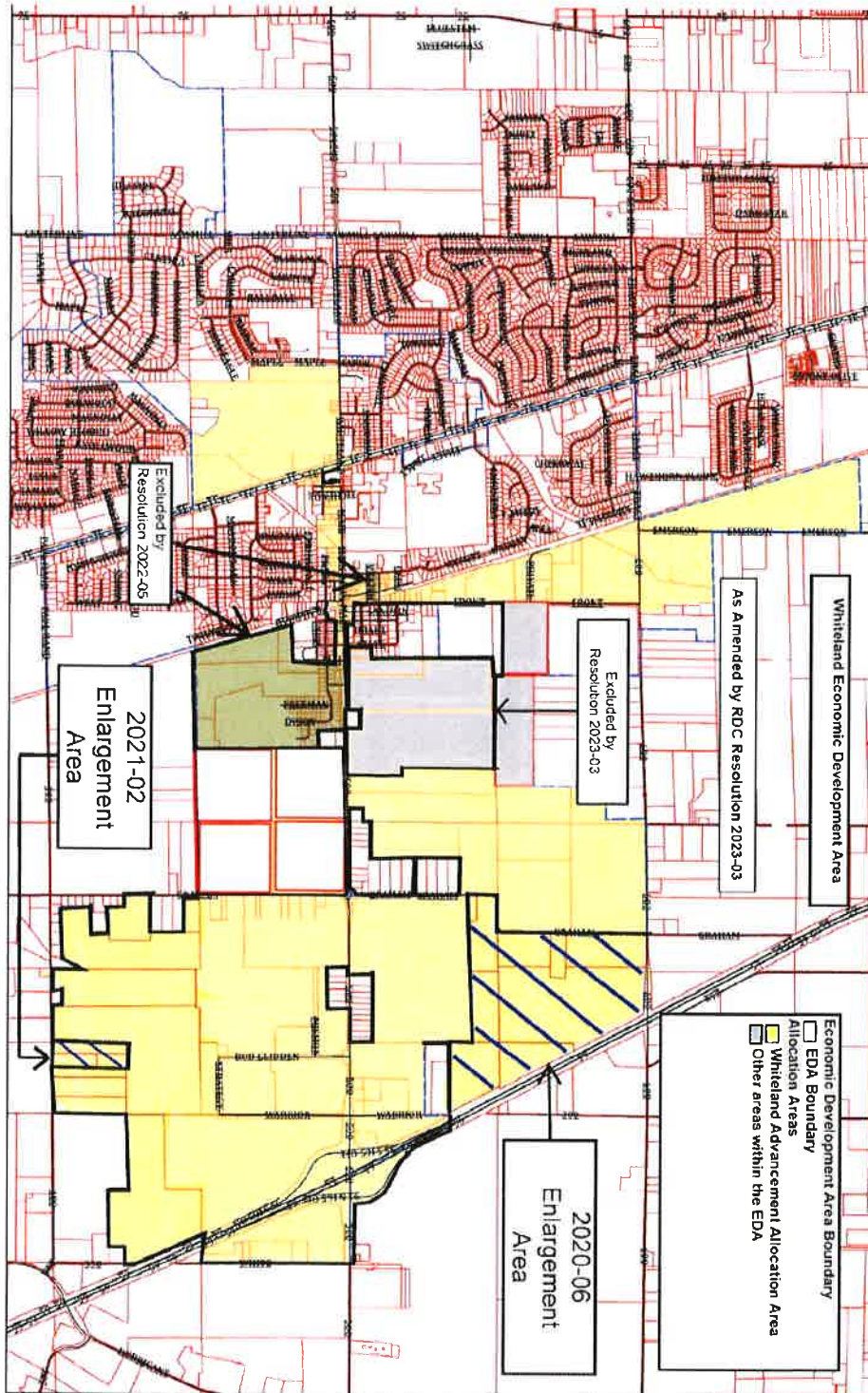


EXHIBIT C

FACTUAL REPORT IN SUPPORT OF FINDINGS CONTAINED IN RESOLUTION

As required by Indiana Statute, the Commission may designate the Whiteland Economic Development Area as an economic development area under I.C. 36-7-14-41 in that it satisfies the statutory criteria as follows:

1. The Plan for the EDA will promote significant opportunities for growth and the gainful employment of citizens of the Town of Whiteland by helping provide available and adequate infrastructure, which is necessary to attract new developments and new employers. To locate in the EDA, businesses and developers desire sites that are shovel ready with all required infrastructure, including water, wastewater services, along with road and drainage improvements. This Plan provides for the potential for public funding of those necessary improvements as development occurs. The establishment of the EDA enables the use of public funding to guide infrastructure design and construction and thus development of the EDA so as to promote employment and mixed uses of the land, to an extent individual property owners would not otherwise attain.
2. The Plan for the Area cannot be achieved by the regulatory processes or by ordinary operation of private enterprise without resorting to the Redevelopment Statutes (IND. CODE 36-7-14 and IND. CODE 36-7-25) because of the lack of public improvements and the Town's long running economic stagnation.
3. The Plan for the EDA will benefit the public health, safety, morals, and welfare in that the implementation of the Plan will diversify the local economy, add employment opportunities that do not now exist and cannot exist without the addition of public improvements, promote synergistic development throughout the EDA, and serve to protect and increase property values in the Town, County and the State of Indiana.
4. The accomplishment of the Plan for the Area will be of public utility and benefit as measured by the attraction or retention of permanent jobs, increase in the property tax base, improved diversity of the economic base, and other similar public benefits, in that the implementation of the Plan will and the installation of additional infrastructure in the EDA will make the property of the EDA more attractive for potential businesses and developers to locate in the EDA, which will result in more development, more assessed value, and more permanent jobs, and a greater diversity of businesses and employers.
5. The Plan conforms to other development and redevelopment plans for the unit in that the Plan expressly provides that it is designed and intended to promote the use of land in the Town of Whiteland in a manner consistent with the Whiteland Comprehensive Plan's recommendations regarding industrial and commercial growth. More specifically, industrial economic development is encouraged along and near the interstate and the railroad; and commercial development is planned along US 31 that will both employ citizens and encourage further residential and business growth.
6. The Residential Properties have been or are being developed as part of a residential subdivisions and as such the assessed value of such parcels may not be captured by the Commission.

**WHITELAND REDEVELOPMENT COMMISSION
STATEMENT DISCLOSING THE PROPOSED EXCLUSION OF CERTAIN
RESIDENTIAL PARCELS AND DISCLOSING THE IMPACT OF THE EXCLUSION
OF THE RESIDENTIAL PARCELS FROM THE WHITELAND ADVANCEMENT
ALLOCATION AREA**

The Town of Whiteland (“Town”) Redevelopment Commission (the “Commission”), governing body of the Town of Whiteland Department of Redevelopment (the “Department”), on February 21, 2013 adopted its Resolution No. 2013-01 (as subsequently confirmed and amended, the “Declaratory Resolution”) establishing an economic development area known as the “Whiteland Economic Development Area” as well as the “Whiteland Advancement Allocation Area.” On December 8, 2022, the Commission adopted Resolution No. 2022-05 (the “Amending Declaratory Resolution”), amending the Declaratory Resolution to exclude and except out of the Whiteland Advancement Allocation Area certain parcels located within the property currently being developed as the residential subdivision known as the Saddlebrook Farms South Subdivision and the six residential parcels located in or adjacent to Pleasant Ridge Subdivision (collectively the “Residential Parcels”). **These Residential Parcels are being excluded in recognition of the fact that they are part of property being developed as residential property, the assessed value of which may not be captured by the Commission.**

The original Declaratory Resolution included the adoption of an economic development plan for the Whiteland Economic Development Area (the “Plan”). The purposes and goals of this Plan are to attract and retain permanent quality jobs, to increase the property tax base, to retain and expand existing business enterprises, to attract new business enterprises, and to improve the diversity of the economic base of the Town of Whiteland. The Plan is designed to accomplish its purposes and goals by providing local public improvements that will serve and/or benefit the Whiteland Economic Development Area and the Whiteland Advancement Allocation Area.

ESTIMATED ECONOMIC BENEFITS AND COSTS. The Amending Declaratory Resolution and the removal of the Residential Parcels from the Whiteland Advancement Allocation Area will have nominal to no impact on the economic benefits and costs incurred by the Whiteland Advancement Allocation Area, and nominal to no impact on employment and anticipated growth of real property assessed values. The Residential Parcels to be removed consist of property that has recently been developed as residential property or is currently undeveloped but part of land in the process of being developed as a residential subdivision, which means that any new assessed value associated with these Residential Parcels may not be captured by the Commission, and thus will flow to the taxing units irrespective of whether the Residential Parcels are within the Whiteland Advancement Allocation Area.

ESTIMATED IMPACT DUE TO REMOVING THE RESIDENTIAL PARCELS. **The Amending Declaratory Resolution and the removal of the Residential Parcels from the Whiteland Advancement Allocation Area will have no impact on the tax revenues of the taxing units within the Whiteland Advancement Allocation Area** due to the fact that the Residential Parcels have been recently developed as residential property or is currently undeveloped but part of land in the process of being developed as a residential subdivision, again, which means that any new assessed value associated with these Residential Parcels may not be captured by the Commission, and thus will flow to the taxing units irrespective of whether the Residential Parcels are within the Whiteland Advancement Allocation Area.