

**WHITELAND REDEVELOPMENT COMMISSION**

**RESOLUTION 2023-05**

**CORRECTED CONFIRMATORY RESOLUTION**

**A RESOLUTION CORRECTING WHITELAND REDEVELOPMENT COMMISSION  
CONFIRMATORY RESOLUTION 2023-02 AND DECLARATORY RESOLUTION 2022-05  
ADOPTED ON DECEMBER 8, 2022, AMENDING THE DECLARATORY RESOLUTION  
AND ALLOCATION AREA OF THE WHITELAND ECONOMIC DEVELOPMENT AREA  
TO EXCLUDE CERTAIN RESIDENTIAL PROPERTIES**

(Exclusion of Saddlebrook Farms South and other properties)

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, the Declaratory Resolution established the Whiteland Advancement Allocation Area in accordance with Ind. Code § 36-7-14-39 (the “Allocation Area”), for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Allocation Area;

WHEREAS, the Commission has subsequently adopted a declaratory resolution (Resolution No. 2022-05) on December 8, 2022 (the “Amending Declaratory Resolution”), to exclude and except out of the Whiteland Advancement Allocation Area the residential parcels listed on Exhibit A of the Amending Declaratory Resolution, which was intended to include, without limitation, all of the properties located within the Saddlebrook Farms South residential subdivision (the “Residential Parcels”);

WHEREAS, the Commission submitted the Amending Declaratory Resolution and supporting data to the Whiteland Plan Commission (“Plan Commission”), and the Plan Commission issued its written order approving the Amending Declaratory Resolution and the Plan;

WHEREAS, the Town Council approved the order of the Plan Commission and the Amending Declaratory Resolution;

WHEREAS, the Commission published notice in the Daily Journal of the adoption and substance of the Amending Declaratory Resolution in accordance with IC 36-7-14-17 and IC 5-3-1, which notice also gave notice of a hearing on the Amending Declaratory Resolution to be held by the Commission;

WHEREAS, the notice described in the preceding paragraph was also filed in the office of the Plan Commission, the Board of Zoning Appeals, the Building Commissioner, and all other

departments, bodies or officers having to do with Town planning, variances from zoning ordinances, land use, or the issuance of building permits;

WHEREAS, copies of the notice were also filed on or before February 27, 2023, with the officers 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 Allocation Area, together with a statement disclosing the impact of the proposed amendment of the Allocation Area in accordance with IC 36-7-14-17(c);

WHEREAS, the Commission, on March 9, 2023, 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;

WHEREAS, the Commission, on March 9, 2023, adopted a confirmatory resolution (Resolution No. 2023-02), confirming the Amending Declaratory Resolution;

WHEREAS, a copy of Resolution No. 2023-02 was recorded with the Johnson County Recorder as Instrument No. 2023-003688 on March 17, 2023;

WHEREAS, it has come to the attention of the Commission that certain parcels within the Saddlebrook Farms South subdivision that were intended to be excluded from the Whiteland Advancement Allocation Area pursuant to the Amending Declaratory Resolution were inadvertently omitted from the list of Residential Properties identified on Exhibit A of the Amending Declaratory Resolution; and

WHEREAS, the Commission now desires to correct Confirmatory Resolution 2023-02 and the Amending Declaratory Resolution to correct the description of the excluded Residential Properties.

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

Section 1. The Commission has considered the evidence presented and now finds and determines that the exclusion of the Residential Parcels, as such term is modified and described within this Resolution, from the Whiteland Advancement Allocation Area as approved in the Amending Declaratory Resolution, and all other actions incorporated in and approved in the Amending Declaratory Resolution, will be of public utility and benefit.

Section 2. The Amending Declaratory Resolution is modified to correct and clarify that the Residential Parcels to be excluded from the Whiteland Advancement Allocation Area include, without limitation, all parcels located within the Saddlebrook Farms South subdivision, which subdivision is depicted and described on Exhibit A, attached hereto and incorporated herein.

Section 3. Confirmatory Resolution 2023-02 is hereby corrected as provided within this Resolution, and the Amending Declaratory Resolution, approved by the Commission on December 8, 2022 and previously confirmed by the Commission on March 9, 2023, as modified by this Resolution, is hereby confirmed.

Section 4. The Secretary is hereby directed to record this Resolution in the office of the Johnson County Recorder, file a copy of this Resolution with the Department of Local Government Finance, file this Resolution with the Johnson County Auditor along with a copy of the map identifying the Residential Parcels to be excluded from the Whiteland Advancement Allocation Area and a list of the parcel numbers of the property within the Residential Parcels to be excluded, and to make all other filings necessary or desirable to carry out the purposes and intent of this Resolution.

Adopted: May 16, 2023

WHITELAND REDEVELOPMENT COMMISSION

  
\_\_\_\_\_  
David Hawkins, President

ATTEST:

  
\_\_\_\_\_  
Katy Cavalieri, 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. Stephen K. Watson

This instrument prepared by (and return to) Stephen K. Watson, Williams Barrett & Wilkowski, LLP, 600 N. Emerson Avenue, Greenwood, Indiana 46143.

Exhibit A

Depiction and Description of Saddlebrook Farms South Subdivision



### Description

The Saddlebrook Farms South Ssubdivision is further described as set forth on the following plats:

- a. Saddlebrook Farms South Section 1A Secondary Plat recorded as Instrument No. 2020-010176 on April 27, 2020 with the Johnson County Recorder
- b. Saddlebrook Farms South Section 1B Secondary Plat recorded as Instrument No. 2020-023112 on August 25, 2020 with the Johnson County Recorder
- c. Saddlebrook Farms South Section 2 Secondary Plat recorded as Instrument No. 2021-022357 on July 27, 2021 with the Johnson County Recorder
- d. Saddlebrook Farms South Section 3A Secondary Plat recorded as Instrument No. 2022-004083 on February 23, 2022 with the Johnson County Recorder
- e. Saddlebrook Farms South Section 3B Secondary Plat recorded as Instrument No. 2022-020033 on September 6, 2022 with the Johnson County Recorder

For purposes of the Resolution and this Exhibit, the Saddlebrook Farms South Subdivision includes the following parcels:

41-05-27-012-101.000-028

41-05-27-021-102.000-028