

REDEVELOPMENT COMMISSION
CITY OF WHITING, INDIANA

RESOLUTION NO. WRC 2009-17

A RESOLUTION OF THE WHITING REDEVELOPMENT COMMISSION
CONFIRMING AN AMENDING DECLARATORY RESOLUTION NO. 7 TO
SUPPLEMENT AND AMEND THE REDEVELOPMENT PLAN FOR THE
REVITALIZATION AREA OF THE CITY OF WHITING, INDIANA

WHEREAS, the Whiting Redevelopment Commission (the "Commission"), governing body of the City of Whiting Department of Redevelopment (the "Department") and the Redevelopment District of the City of Whiting, Indiana (the "Redevelopment District") exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in I.C. 36-7-14-1 *et seq.*, as amended from time to time (the "Act"); and

WHEREAS, on July 9, 1997, the Commission adopted Resolution No. WRC-97-92 declaring the Revitalization Area to be a blighted area within the meaning of the Act and confirmed said designation on December 16, 1997; and

WHEREAS, on May 10, 2000, the Commission adopted and confirmed Resolution No. WRC-2000-03 declaring certain additional area to be blighted within the meaning of the Act and expanding the Revitalization Area; and

WHEREAS, on December 27, 2000, the Commission adopted Amendatory Resolution No. WRC 2000-05, amending Resolution WRC-2000-03 modifying the allocation provision to include the depreciable personal property of designated taxpayers in the allocation area and confirmed said resolution on February 15, 2001 by adopting Resolution No. 2001-01 ; and

WHEREAS, on September 10, 2003, the Commission adopted Declaratory Resolution No. WRC 2003-01 designating and declaring certain additional areas within the City of Whiting as a blighted area to expand the existing Expanded Revitalization Area and to amend the Redevelopment Plan, and confirmed said resolution on October 8, 2003 by Resolution No. WRC 2003-02; and

WHEREAS, on December 17, 2003, the Commission adopted Declaratory Resolution No. WRC 2003-05 designating and expanding the Revitalization Area and amending the Redevelopment Plan for the Revitalization Area and confirmed said resolution on January 21, 2004 by adopting Resolution No. WRC 2004-01; and

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WHEREAS, on May 14, 2008, the Commission adopted Resolution No. WRC-2008-06 which consolidated and merged the existing allocation areas into the Consolidated Whiting Allocation Area; and

WHEREAS, on June 11, 2008 the Commission adopted Resolution No. WRC-2008-09 (Amending Declaratory Resolution No. 6) which amended APPENDIX C titled Project Recommendations and Cost Estimates; APPENDIX E titled Redevelopment Plan Budget and amended the text of the Redevelopment Plan for technical corrections associated with the amendments to APPENDICES C, and E as the Third Amendment; and

WHEREAS, on June 24, 2009, the Commission adopted Resolution No. WRC 2009-14, An Amending Declaratory Resolution No. 7 to Supplement and Amend the Redevelopment Plan for the Revitalization Area of the City of Whiting, Indiana, which amends APPENDIX C titled Project Recommendations and Cost Estimates; APPENDIX D titled List of Real Property and Interests in Real Property to be Acquired (the "Acquisition List"); APPENDIX E titled Redevelopment Plan Budget and amends the text of the Redevelopment Plan for technical corrections associated with the amendments to APPENDICES C, D and E; and

WHEREAS, June 30, 2009, the Whiting Plan Commission adopted and approved Resolution WPC-2009-01, A Resolution of the Plan Commission of the City of Whiting, Indiana Regarding Declaratory Resolution WRC-2009-14 of the Whiting Redevelopment Commission Adopted and Approved on June 24, 2009 Amending and Supplementing the Redevelopment Plan for the Revitalization Area of the City of Whiting, Indiana, and the Plan Commission determined therein that the amendments conform to the plan of development for the City of Whiting; and

WHEREAS, on July 7, 2009, the Whiting Common Council passed and adopted Resolution No. CC-2009-21, a Resolution of the Common Council of the City of Whiting, Indiana, Approving Resolution No. WPC-2009-01 and the Written Order of the Whiting Plan Commission, Adopted and Approved on June 30, 2009, as it Relates to the Whiting Redevelopment Commission's Declaratory Resolution No. WRC-2009-14 Adopted and Approved on June 24, 2009, Supplementing and Amending the Redevelopment Plan for the Revitalization Area for the City of Whiting; and

WHEREAS, the Commission caused to be published a Notice of Public Hearing concerning the Whiting Revitalization Area and proposed plan amendments on July 22, 2009 in The Times, a newspaper of general circulation, and provided notices to the governmental agencies and officials designated in Section 17(b) of the Act; and

WHEREAS, the Commission's Recording Secretary did send notice of the hearing by first class mail on July 17, 2009 to the owners of record of property added to the Commission's Acquisition List;

WHEREAS, the Commission finds that there are no neighborhood associations which have registered with the Commission or which are affected by the plan amendments; and

WHEREAS, at the hearing held by the Commission on August 12, 2009, at 6:30 P.M. in the City of Whiting Council Chambers, 1443 – 119th Street, Whiting, Indiana, the Commission heard all the persons interested in the proceedings and received written remonstrances and objections that have been filed and, considered those remonstrances and objections, if any, and such other evidence presented;

WHEREAS, Sections 15 and 17.5 of the Act permit amendments to the Redevelopment Plan and the provides for the process of Commission approval of said Fourth Amendment; and

WHEREAS, the Commission prepared said Fourth Amendment in accordance and consistent with the procedures under Section 15 of the Act for Commission consideration as attached hereto as EXHIBIT A; and

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Commission of the City of Whiting, Lake County, Indiana as follows:

Section 1. The Commission hereby adopts and confirms that amendments are needed to the Redevelopment Plan's project recommendations, plan budget and acquisition list; that said amendments do not enlarge the boundaries of the Revitalization Area such that the general boundaries for the area remain the same as shown in on Map 9 titled Revitalization Area Boundaries of page 13 of the plan; that the boundaries of the Whiting Consolidated Allocation Area remain the same as shown on Map 8 of page 11 of the plan;

Section 2. This confirming resolution is done in accordance with the statutory procedures and requirements of Sections 15 through 17.5 of the Act and is Amending Confirmatory Resolution No. 7 under Section 17(d).

Section 3. This resolution confirms and authorizes the Commission to partake in those projects listed in the Redevelopment Plan's Project Recommendations (APPENDIX C) and to acquire any properties listed on the Acquisition List (APPENDIX D) which are reasonable and necessary to complete the projects listed in the plan.

Section 4. The Commission confirms that any additional area to be acquired as listed in the Acquisition List of the Fourth Amendment is designated as part of the Revitalization Area.

Section 5. The Fourth Amendment is reasonable and appropriate when considered in relation to the Original Plan and the purposes of the Commission and the Act.

Section 6. The Fourth Amendment as presented conforms to the City of Whiting Comprehensive Plan.

Section 7. The Fourth Amendment will benefit the public health and welfare of the City, the District and the Revitalization Area and that it is a public utility and benefit to further amend the Redevelopment Plan under said Fourth Amendment.

Section 8. The Commission upon confirming of Amending Declaratory Resolution No. 7 under Sections 15 through 17.5 of the Act hereby authorizes and directs the Secretary to record this Resolution pursuant to the requirements of Section 17(d) of the Act.

BE IT FURTHER RESOLVED that any resolution in conflict with the terms specified herein is hereby repealed.


ADOPTED AND APPROVED at a meeting of the Whiting Redevelopment Commission held this 12th day of August, 2009.



William Wajvoda, Vice-President

Brian Lowry, Secretary

ATTEST:


Mark S. Adam
Clerk-Treasurer

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EXHIBIT A:

**Redevelopment Plan for the Revitalization Area-
Fourth Amendment**

