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MICHAEL B. BROWN  
RECORDER

**RESOLUTION NO. WRC 2013-04**

**WHITING REDEVELOPMENT COMMISSION  
CITY OF WHITING, INDIANA**

A RESOLUTION OF THE WHITING REDEVELOPMENT COMMISSION CONFIRMING RESOLUTION NO. WRC 2012-18 AS AMENDING DECLARATORY RESOLUTION NO. 9 FURTHER AMENDING DECLARATORY RESOLUTION NO. WRC-97-02 TO INCLUDE AN ALLOCATION PROVISION IN ORDER TO DESIGNATE A NEW ALLOCATION AREA FOR THE PURPOSE OF UTILIZING TAX INCREMENT FINANCING TO IMPLEMENT THE REDEVELOPMENT PLAN FOR THE REVITALIZATION AREA AS A REDEVELOPMENT PROJECT AREA IN THE WHITING REDEVELOPMENT DISTRICT

**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 *et seq.*, as amended from time to time (the "Act"); and

**WHEREAS**, on July 9, 1997, the Commission adopted Resolution No. WRC-97-92 (the "Declaratory Resolution") declaring the Revitalization Area to be a blighted area within the meaning of the Act (as of June 30, 2005 to be referenced as an "area needing redevelopment" in accordance with Section 1.3 of the Act) and confirmed said designation on December 16, 1997; and

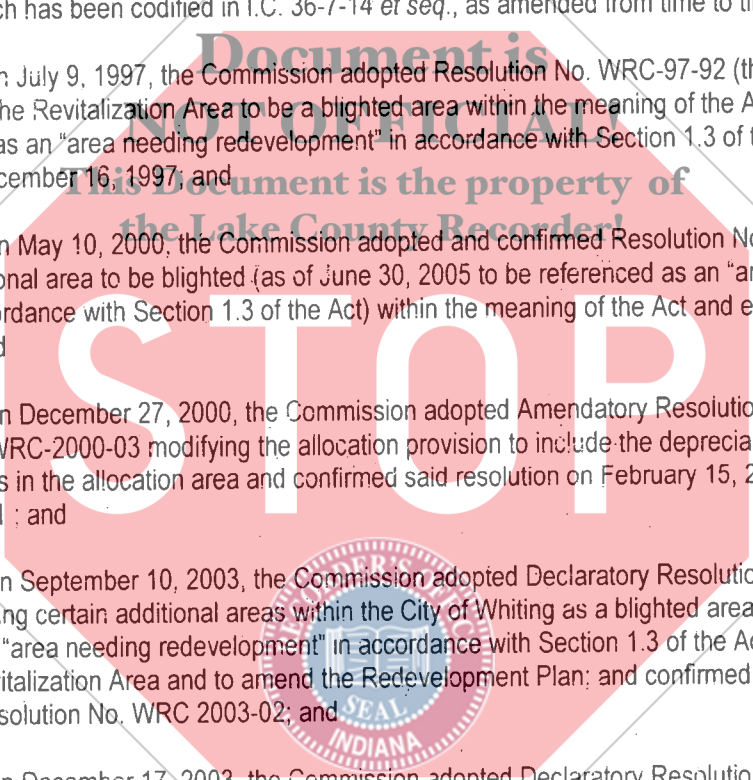
**WHEREAS**, on May 10, 2000, the Commission adopted and confirmed Resolution No. WRC-2000-03 declaring certain additional area to be blighted (as of June 30, 2005 to be referenced as an "area needing redevelopment" in accordance with Section 1.3 of the Act) within the meaning of the Act and expanding 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 (as of June 30, 2005 to be referenced as an "area needing redevelopment" in accordance with Section 1.3 of the Act) 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

**WHEREAS**, on May 14, 2008, the Commission adopted Resolution No. WRC 2008-01 which consolidated and merged the existing allocation areas into the Consolidated Whiting Allocation Area; and



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**PEGGY HOLINGAKATONA  
LAKE COUNTY AUDITOR**

**WHEREAS**, on June 11, 2008 the Commission adopted Resolution No. WRC-2008-09 (the "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 (the "Amending Declaratory Resolution No. 7") which supplemented and amended the Redevelopment Plan for the Revitalization Area of the City of Whiting, Indiana (the "Fourth Amendment"), more specifically: 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 amended the text of the Redevelopment Plan for technical corrections associated with the amendments to APPENDICES C, D and E; and

**WHEREAS**, on August 12, 2009, the Commission adopted Resolution No. WRC 2009-17 confirming Amending Declaratory Resolution No. 7 (Resolution No. WRC-2009-14); and

**WHEREAS**, on June 9 2010, the Commission adopted Resolution No. WRC 2010-17 (the "Amending Declaratory Resolution No. 8") which supplemented and amended the Redevelopment Plan for the Revitalization Area of the City of Whiting, Indiana (the "Fifth Amendment"), more specifically: APPENDIX C titled Recommended Projects and Cost Estimates; APPENDIX D titled List of Real Property and Interests in Real Property to be Acquired; APPENDIX E titled Redevelopment Plan Budget and amended the text of the Redevelopment Plan for technical corrections associated with the amendments to APPENDICES C, D and E; and

**WHEREAS**, on August 11, 2010, the Commission adopted Resolution No. WRC 2010-22 confirming Amending Declaratory Resolution No. 8 (Resolution No. WRC-2010-17); and

**WHEREAS**, on December 12, 2012, the Commission adopted Resolution No. WRC 2012-18 (the "Amending Declaratory Resolution No. 9") which further amended the Declaratory Resolution to include an allocation provision in order to designate a new allocation area for the purpose of utilizing tax increment financing to implement the Redevelopment Plan for the Revitalization Area as a redevelopment project area plan in the Whiting Redevelopment District; and

**WHEREAS**, on December 18, 2012, the Whiting Plan Commission adopted Resolution WPC-2012-02, a resolution of the Plan Commission of the City of Whiting (i) approving a Finding of Facts making a determination that Amending Declaratory Resolution No. 9 is in all respects adopted, approved, ratified and confirmed without modification and (ii) determining that Amending Declaratory Resolution No. 9 conforms to the plan of development for the City of Whiting, Indiana as the Plan Commission's Written Order to be submitted to the Common Council of the City of Whiting, Indiana; and

**WHEREAS**, on December 26, 2012, the Whiting Common Council adopted Resolution No. CC-2012-12, a Resolution of the Common Council of the City of Whiting, Indiana, approving Resolution No. WPC-2012-02 as the Written Order of the Whiting Plan Commission, adopted on December 18, 2012, as it relates to the Whiting Redevelopment Commission's Amending Declaratory Resolution No. 9; and

**WHEREAS**, the Commission caused to be published on January 18 2013 a Notice of Public Hearing in The Times, a newspaper of general circulation concerning a public hearing on Amending Declaratory Resolution No. 9 pursuant to Section 17(a) of the Act; and

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**WHEREAS**, the Commission's Recording Secretary pursuant to Section 17(b) did file on or before February 3, 2013 a copy of said public notice of the hearing on the Amending Resolution No. 9 in the offices of the City of Whiting's Plan Commission, Board of Zoning Appeals, Board of Public Works, Park Board, and the Building Commissioner, including any other departments, bodies or officers of the City of Whiting having to do with planning, variances for zoning ordinances, land use, or the issuance of building permits; and

**WHEREAS**, the Commission's caused to be filed with each overlapping taxing unit wholly or partly located within allocation area designated by Amending Declaratory Resolution No. 9 pursuant to Section 17(c) via USPS certified mail-return receipt on or before February 3, 2013 the following: (i) a copy of said public notice of the hearing on the Amending Resolution No. 9 and (ii) a statement disclosing the impact of the allocation area, including (a) the estimated economic benefits and costs incurred by the allocation area, as measured by increased employment and anticipated growth of real property assessed values and (b) the anticipated impact on tax revenues of each overlapping taxing unit identified; and

**WHEREAS**, the Commission there are no neighborhood associations which have registered with the Commission or which are affected by Amending Declaratory Resolution No. 9; and

**WHEREAS**, the Commission's Recording Secretary did make available for public review and inspection in the Office of the Whiting Clerk-Treasurer pursuant to said public notice on or before February 3, 2013 documents related to the confirming process of Amending Declaratory Resolution No. 9; and

**WHEREAS**, at the hearing held by the Commission on February 13, 2013, at 6:30 P.M. in the City of Whiting Mayor's Office Conference Room located at 1443 - 119<sup>th</sup> Street, Whiting, Indiana, the Commission heard all the persons interested in the proceedings and received and read written remonstrances and objections that have been filed in a timely manner and, considered those remonstrances and objections, if any, and such other evidence presented as it related to Amending Declaratory Resolution No. 9;

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

Section 1. This confirming resolution is in accordance with the statutory procedures and requirements of Sections 15 through 17.5 of the Act and may be referred to as Confirmatory Resolution No. 9 under Section 17(d).

Section 2. After considering the evidence presented at a hearing of the Commission, the Commission hereby confirms Resolution No. WRC 2012-18, as Amending Declaratory Resolution No. 9.

Section 3. The Commission upon confirmation of Amending Declaratory Resolution No. 9 pursuant to Sections 15 through 17.5 of the Act constitutes final action by the Commission in accordance with the requirements of Section 17(d) of the Act.

Section 4. The Secretary of the Commission is directed and authorized to cause this Confirming Resolution No. 9 to be recorded with the Office of the Lake County Recorder pursuant to the requirements of Section 17(d) of the Act and is directed to record a copy of this Confirmatory Resolution with the minutes of the Commission's February 13, 2013 meeting.

Section 5. Pursuant to 50 IAC 8-2-2(a), the Secretary of the Commission is hereby directed and authorized to cause notification to the Indiana Department of Local Government Finance (the "DLGF") of the confirmation of Resolution No. WRC 2012-18, as Amending Declaratory Resolution No. 9, by immediately filing the Confirmatory Resolution with the DLGF.

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Section 6: Pursuant to 50 IAC 8-2-3(a), the Secretary of the Commission is hereby directed and authorized to cause to make the following required and additional filings at the appropriate time with the Office of the Lake County, Indiana Auditor:

- a. A copy of a map of the Indianapolis Boulevard Corridor Allocation Area as designated pursuant to Resolution No. WRC 2012-18, as Amending Declaratory Resolution No. 9;
- b. A list of real property permanent parcel numbers in the Indianapolis Boulevard Corridor Allocation Area;
- c. A copy of the original signed Resolution No. WRC 2012-18, as Amending Declaratory Resolution No. 9 adopted and approved by the Commission on December 12, 2012 which sets the base assessment date of the Indianapolis Boulevard Corridor Allocation Area;
- d. A copy of the Redevelopment Plan for the Revitalization Area: Indianapolis Boulevard Corridor Allocation Area – Report on Economic and Tax Impact Analysis (the "Tax Impact Statement") as prepared for the Commission as mailed to each overlapping taxing unit via USPA certified mail – return receipt; and
- e. A copy of this original signed Confirmatory Resolution as adopted by the Commission.

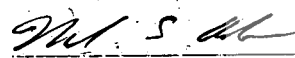
Section 7. This Confirmatory Resolution shall be in full force and effect after its adoption by the Commission.

**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 13<sup>th</sup> day of February 2013.



**ATTEST:**

  
Mark S. Adam  
Clerk-Treasurer

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## PREPARER'S AFFIRMATION STATEMENT

This form has been signed by the preparer of a document and recorded with each document in accordance with House Enrollment Act (HEA) 1114 – Redact Legislation.

A Declaration, County Form 170, was designed for the purpose of making the affirmation and was no longer required to be filed as of March 24, 2006. However, HEA 1114 requires an affirmation statement be included on the instrument. Whether or not the affirmation statement is required, it is unlawful for anyone under Indiana Code 36-2-7.5-2 to submit to the county recorder for recording or filing a document that contains the social security number of an individual, unless that social security number is required by law.

The law does not provide where the affirmation statement is to be located, however, the State Board of Accounts recommends<sup>1</sup> that the affirmation statement be located near (either before or after) the Preparer's statement and that maps, plats and surveys typically would be required to contain the affirmation statement.

Now therefore, "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."

**NOT OFFICIAL!**  
This Document is the property of  
the Lake County Recorder!


*Daniel G. Botich*  
Signature of the Declarant

**STOP**

**Dan Botich, Executive**  
Printed Name of the Declarant

**CENDER & COMPANY, LLC**  
233 East 84<sup>th</sup> Drive, Suite 103  
Merrillville, IN 46410

**March 5, 2013**  
Dated



<sup>1</sup> State Board of Accounts (State of Indiana) Memorandum dated June 22, 2006 by Bruce A. Hartman, C.P.A. and State Examiner.