

JANA PIMENTE
RECORDER
STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2022-039486

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TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA,
REDEVELOPMENT COMMISSION

RESOLUTION NO. RDC 2022-07

A RESOLUTION OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION CONFIRMING AN AMENDMENT TO THE DECLARATORY RESOLUTION AND THE CONSOLIDATED ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED CEDAR LAKE 133RD AVENUE ECONOMIC DEVELOPMENT AREA, AND ALL MATTERS RELATED THERETO

WHEREAS, the Town of Cedar Lake, Lake County, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Town of Cedar Lake Department of Redevelopment (the "Department") and the Town of Cedar Lake Redevelopment District (the "District"), has previously adopted and amended its original Declaratory Resolution (as subsequently confirmed and amended, the "Declaratory Resolution") establishing and expanding an economic development area known as the "Consolidated Cedar Lake 133rd Avenue Economic Development Area" (the "Consolidated Area"), approving and amending a Consolidated Economic Development Plan (the "Consolidated Plan") for the Consolidated Area pursuant to I.C. § 36-7-14, as amended (the "Act"), and designating the Consolidated Area, as so expanded, as a consolidated "Allocation Area," pursuant to Section 39 of the Act, known as the Consolidated Cedar Lake 133rd Avenue Allocation Area (the "Consolidated Allocation Area"); and

WHEREAS, pursuant to Sections 15 through 17.5 of the Act, as amended, the Commission, on October 17, 2022, adopted Resolution No. 2022-05-RDC, entitled "A Resolution of the Town of Cedar Lake, Lake County, Indiana, Redevelopment Commission Approving Amendments to the Declaratory Resolution and Consolidated Economic Development Plan for the Consolidated Cedar Lake 133rd Avenue Economic Development Area, and All Matters Related Thereto," a copy of which is attached hereto as Exhibit A (the "Amending Declaratory Resolution"); and

WHEREAS, the Amending Declaratory Resolution approves certain amendments to the Declaratory Resolution and further amends the Consolidated Plan to (i) amend the Consolidated Plan to reflect the amendments set forth in the Amending Declaratory Resolution as set forth on Exhibit A of the Amended Declaratory Resolution (the "2022 Plan Amendment"), and (ii) remove the area described on Exhibit B to the Amending Declaratory Resolution (which area includes the property identified on Exhibit B to the Amending Declaratory Resolution and as shown on the map at Exhibit C of the Amended Declaratory Resolution) from the Consolidated Area and the Consolidated Allocation Area (such amendments, collectively, the "2022 Amendments"); and

WHEREAS, the Town of Cedar Lake, Lake County, Indiana, Plan Commission (the "Plan Commission") did, on October 17, 2022, adopt its Resolution No. 2022-1 determining that the Amending Declaratory Resolution and the 2022 Plan Amendment conform to the Plan of Development for the Town of Cedar Lake, Lake County, Indiana (the "Town"), approving the Amending Declaratory Resolution and the 2022 Plan Amendment, and designating such

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JOHN E. PETALAS
LAKE COUNTY AUDITOR

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Resolution as the Written Order of the Plan Commission approving the Amending Declaratory Resolution and the 2022 Plan Amendment as required by the Act (the "Plan Commission Order"); and

WHEREAS, pursuant to Section 16 of the Act, the Town Council of the Town, on October 17, 2022, adopted a Resolution which approved the Amending Declaratory Resolution, the 2022 Plan Amendment and the Plan Commission Order; and

WHEREAS, the Commission has received the written orders of approval as required by Section 17(a) of the Act; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published a Notice of Public Hearing with respect to the Amending Declaratory Resolution and the 2022 Plan Amendment and filed a copy of said Notice in the Offices of all Departments, Bodies or Officers of the Town having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits, and provided all additional notices and a tax impact statement to the overlapping taxing units as required by applicable law; and

WHEREAS, at the hearing (the "Public Hearing") held by the Commission on November 21, 2022, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

WHEREAS, the Commission now seeks to take final action determining the public utility and benefit of the 2022 Plan Amendment and confirming the Amending Declaratory Resolution, in accordance with Section 17 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION, AS FOLLOWS:

SECTION ONE. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings and determinations, designations and approving and adopting actions contained in the Amending Declaratory Resolution.

SECTION TWO. The Commission hereby finds and determines that it will be of public utility and benefit to proceed with the 2022 Plan Amendment, and the 2022 Plan Amendment is hereby approved in all respects.

SECTION THREE. The Amending Declaratory Resolution is hereby confirmed.

SECTION FOUR. This Resolution constitutes final action, pursuant to Section 17(d) of the Act, by the Commission determining the public utility and benefit of the proposed projects and confirming the Amending Declaratory Resolution pertaining to the 2022 Plan Amendment.

SECTION FIVE. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 17(d) of the Act.

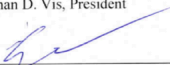
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ALL OF WHICH IS PASSED AND RESOLVED BY THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION, THIS 21ST DAY OF NOVEMBER, 2022.

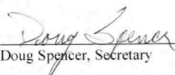
TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION



Nathan D. Vis, President



Eric Burnham, Vice-President



Doug Spencer, Secretary



Randall C. Niemeyer, Member



James Hunley, Member

ATTEST



Jennifer N. Sandberg

I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law and this document was prepared by David M. Austgen, Austgen Kuiper Jasaitis P.C., 130 North Main Street, Crown Point, Indiana 46307.



David M. Austgen

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EXHIBIT A

AMENDING DECLARATORY RESOLUTION

(See attached)

Property of Lake County Recorder

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EXHIBIT A

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION

RESOLUTION NO. 2022-05-RDC

A RESOLUTION OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND CONSOLIDATED ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED CEDAR LAKE 133RD AVENUE ECONOMIC DEVELOPMENT AREA, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town of Cedar Lake, Lake County, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Town of Cedar Lake Department of Redevelopment (the "Department") and the Town of Cedar Lake Redevelopment District (the "District"), has previously adopted and amended its original Declaratory Resolution (as subsequently confirmed and amended, the "Declaratory Resolution") establishing and expanding an economic development area known as the "Consolidated Cedar Lake 133rd Avenue Economic Development Area" (the "Consolidated Area"), approving and amending a Consolidated Economic Development Plan (the "Consolidated Plan") for the Consolidated Area pursuant to I.C. § 36-7-14, as amended (the "Act"), and designating the Consolidated Area, as so expanded, as a consolidated "Allocation Area," pursuant to Section 39 of the Act, known as the Consolidated Cedar Lake 133rd Avenue Allocation Area (the "Consolidated Allocation Area"); and

WHEREAS, pursuant to Sections 15 through 17.5 of the Act, as amended, the Commission seeks to again amend the Declaratory Resolution and the Consolidated Plan to (i) amend the Consolidated Plan as set forth on Exhibit A attached hereto (the "2022 Plan Amendment"), and (ii) remove the area described on Exhibit B attached hereto (which area includes the property identified on Exhibit B and as shown on the maps at Exhibit C, attached hereto) from the Consolidated Area and the Consolidated Allocation Area (such amendments, collectively, the "2022 Amendments"); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Consolidated Area, the location of various parcels of property, streets, alleys, and other features affecting the replatting, replanning, rezoning, redevelopment or economic development of the Consolidated Area and the parts of the Consolidated that are to be devoted to public ways, sewerage and other public purposes under the Consolidated Plan, as amended by the 2022 Plan Amendment; and

WHEREAS, the proposed 2022 Amendments and supporting data were reviewed and considered at this public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION, AS FOLLOWS:

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SECTION ONE: The Recitals set forth above are incorporated herein and are approved as if set forth herein.

SECTION TWO: The 2022 Amendments will provide significant opportunities for the gainful employment of the citizens of the Town of Cedar Lake, Lake County, Indiana (the "Town"), will assist in attracting major new business enterprises to the Town, may result in the retention or expansion of significant business enterprises existing in the Town, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting the 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.

SECTION THREE: The Consolidated Plan and the 2022 Plan Amendment 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 existing local public improvements and a lack of funding for the needed improvements.

SECTION FOUR: The public health and welfare will be benefited by accomplishment of the Consolidated Plan as amended by the 2022 Amendments.

SECTION FIVE: It will be of public utility and benefit to further amend the Declaratory Resolution and the Consolidated Plan (as previously amended as described herein) to (i) amend the Consolidated Plan as set forth on Exhibit A attached hereto (the "2022 Plan Amendment"), and (ii) remove the area described on Exhibit B attached hereto (which area includes the property identified on Exhibit B and as shown on the maps at Exhibit C, attached hereto) from the Consolidated Area and the Consolidated Allocation Area (such amendments, collectively, the "2022 Amendments").

SECTION SIX: The accomplishment of the 2022 Amendments 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.

SECTION SEVEN: The 2022 Amendments conform to the Comprehensive Master Plan of development for the Town.

SECTION EIGHT: The 2022 Plan Amendment, as described herein, is reasonable and appropriate when considered in relation to the Declaratory Resolution, the Consolidated Plan, this Resolution and the purposes of the Act.

SECTION NINE: The findings and determinations set forth in the Declaratory Resolution and the Consolidated Plan, each as previously amended, are hereby ratified and reaffirmed.

SECTION TEN: 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.

SECTION ELEVEN: The Commission does not presently propose to acquire any land or interest in land as part of the Consolidated Plan, as amended by 2022 Plan Amendment.

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SECTION TWELVE: The Officers of the Commission are hereby directed to make any and all required filings with the State Department of Local Government Finance and the Lake County Auditor in connection with the amendments described herein.

SECTION THIRTEEN: The provisions of this Resolution shall be subject in all respects to the Act, and any amendments thereto.

SECTION FOURTEEN: The Commission hereby finds that it will be of public utility and benefit to adopt the 2022 Amendments, and that the public health and welfare will be benefited by the 2022 Amendments. The Commission further finds and determines that the 2022 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution, the Consolidated Plan, this Resolution and the purposes of the Act, and that the 2022 Amendments (including the 2022 Plan Amendment), conform to the Comprehensive Master Plan for the Town. The Commission hereby reconfirms the findings and determinations set forth in the Declaratory Resolution, as modified hereby.

SECTION FIFTEEN: The 2022 Amendments (including the 2022 Plan Amendment) are hereby approved in all respects. The Consolidated Plan, as amended by the 2022 Plan Amendment, is hereby confirmed in all respects.

SECTION SIXTEEN: Any Member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this Resolution, and any such action taken prior to the date hereof is hereby ratified and approved.


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

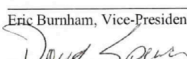
SECTION EIGHTEEN: This Resolution shall take effect, and be in full force and effect, immediately upon its passage and approval by the Commission in conformance with applicable law.

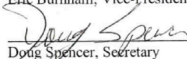
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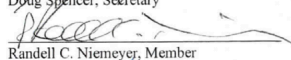
ALL OF WHICH IS PASSED AND RESOLVED BY THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION THIS 17th DAY OF OCTOBER, 2022.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION



Nathan D. Vis, President

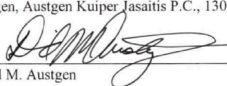
Eric Burnham, Vice-President

Doug Spencer, Secretary

Randell C. Niemeyer, Member

James Hunley, Member

I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law and this document was prepared by David M. Austgen, Austgen Kuiper Jasaitis P.C., 130 North Main Street, Crown Point, Indiana 46307.



David M. Austgen

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EXHIBIT A

2022 Plan Amendment

AMENDMENT TO THE ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED CEDAR LAKE 133RD AVENUE ECONOMIC DEVELOPMENT AREA

The Economic Development Plan (the "Consolidated Plan") for the Consolidated Cedar Lake 133rd Avenue Economic Development Area (the "Consolidated Area") of the Town of Cedar Lake, Lake County, Indiana (the "Town"), as amended, is hereby further amended to appropriately reflect the amendments set forth in Resolution No. 2022-05-RDC (the "Amending Declaratory Resolution") of the Town of Cedar Lake, Lake County, Indiana, Redevelopment Commission (the "Commission"), adopted October 17, 2022, which amends the Declaratory Resolution for the Consolidated Area and the Consolidated Plan to remove the area described on Exhibit B to the Amending Declaratory Resolution (which area includes the property identified on Exhibit B to the Amending Declaratory Resolution) from the Consolidated Area and the Consolidated Allocation Area (as defined in the Amending Declaratory Resolution).

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EXHIBIT B

Property to be Removed from the Consolidated Area and Consolidated Allocation Area

The property to be removed from the Consolidated Area and Consolidated Allocation Area is set forth below and identified by the parcel numbers set forth below:

45-15-20-226-001.000-014	45-15-29-278-014.000-014
45-15-20-226-002.000-014	45-15-23-376-002.000-043
45-15-20-226-003.000-014	45-15-23-376-006.000-043
45-15-20-226-004.000-014	45-15-23-458-011.000-043
45-15-20-226-005.000-014	45-15-23-458-013.000-043
45-15-20-226-006.000-014	45-15-23-458-014.000-043
45-15-20-226-007.000-014	45-15-23-476-007.000-043
45-15-20-226-009.000-014	45-15-26-126-026.000-043
45-15-20-228-006.000-014	45-15-26-179-032.000-043
45-15-20-480-009.000-014	45-15-26-202-026.000-043
45-15-21-377-005.000-014	45-15-26-208-002.000-043
45-15-21-476-003.000-014	45-15-26-208-017.000-043
45-15-22-401-002.000-014	45-15-26-226-009.000-043
45-15-28-101-007.000-014	45-15-26-251-001.000-043
45-15-28-151-002.000-014	45-15-26-251-005.000-043
45-15-28-157-002.000-014	45-15-26-253-001.000-043
45-15-28-157-004.000-014	45-15-26-328-056.000-043
45-15-28-157-005.000-014	45-15-35-251-016.000-043
45-15-28-176-003.000-014	45-15-35-401-001.000-043
45-15-28-228-006.000-014	45-15-35-401-002.000-043
45-15-29-229-033.000-014	45-15-35-401-004.000-043

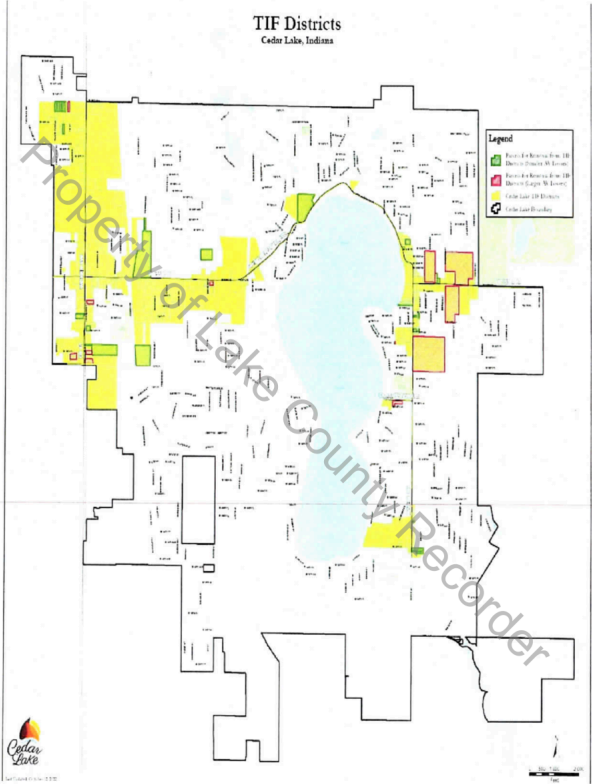
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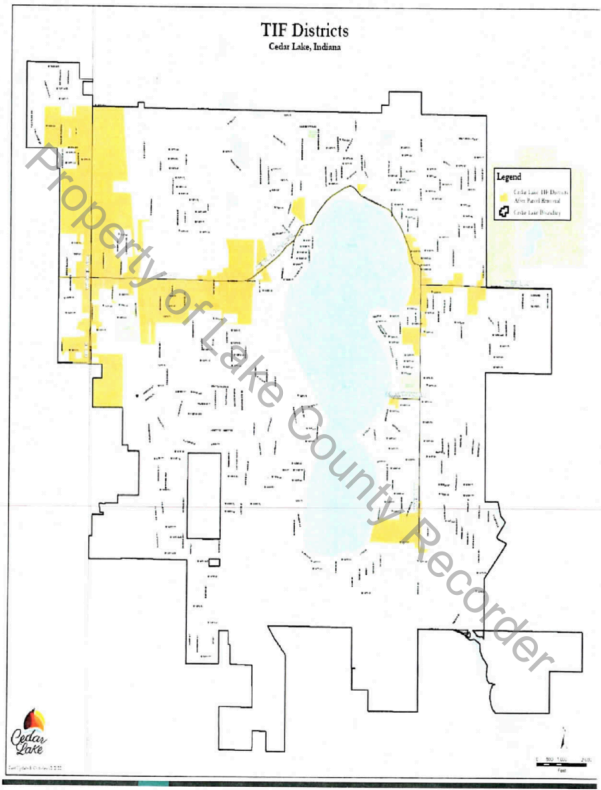
EXHIBIT C

Maps Attached Hereto

Property of Lake County Recorder

TIF Districts
Cedar Lake, Indiana





DMS 2385440