

**ORDER OF THE DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
DETERMINING THAT A DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN APPROVED AND ADOPTED BY THE DELAWARE COUNTY
REDEVELOPMENT COMMISSION CONFORM TO THE COMPREHENSIVE PLAN AND
APPROVING THAT RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN**

WHEREAS, the Delaware County Redevelopment Commission (“DCRC”) has, on the 10th day of March, 2022, approved an Economic Development Plan (“Plan”) for the East State Road 32 Corridor Economic Development Area (“Area”) in Delaware County, Indiana; and

WHEREAS, the DCRC, on the 10th day of March, 2022, adopted a Declaratory Resolution containing the map of the Area, the property acquisition list, the project list to be completed in the Area, and creating new allocation areas pursuant to IC 36-7-14 and IC 36-7-25, and all acts supplemental and amendatory thereto (“Act”); and

WHEREAS, copies of both the Plan and the Declaratory Resolution have been provided to the Delaware-Muncie Metropolitan Plan Commission (“Plan Commission”) by the DCRC; and

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan by the Plan Commission;

NOW, THEREFORE, BE IT ORDERED by the Delaware-Muncie Metropolitan Plan Commission, as follows:

1. That the Plan for the Area conforms to the Comprehensive Plan of development for Delaware County.
2. That the Plan and the Declaratory Resolution are in all respects approved, ratified, and confirmed.
3. That the Executive Secretary of the Plan Commission is hereby directed to file a copy of the Declaratory Resolution and the Plan with the permanent minutes of this meeting.

Passed by the Delaware-Muncie Metropolitan Plan Commission, this ____ day of May, 2022.

President
Delaware-Muncie Metropolitan Plan Commission

ATTEST:

Executive Secretary
Delaware-Muncie Metropolitan Plan Commission

RESOLUTION NO. 2022-03

**DECLARATORY RESOLUTION OF THE DELAWARE
COUNTY REDEVELOPMENT COMMISSION**

WHEREAS, the Delaware County Redevelopment Commission ("Commission") has investigated, studied, and surveyed economic development areas within the boundaries of Delaware County, Indiana ("County"); and

WHEREAS, the Commission has selected an economic development area to be developed under Ind. Code § 36-7-14-1 *et seq.* and Ind. Code § 36-7-25-1 *et seq.* (collectively, the "Act"); and

WHEREAS, the Commission has prepared an economic development plan ("Plan") for the selected economic development area, which Plan is attached to and incorporated by reference in this resolution; and

WHEREAS, the Commission has caused to be prepared:

1. Maps and plats showing:
 - a. The boundaries of the economic development area, 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. Lists of the owners of the various parcels of property proposed to be acquired; and
3. An estimate of the cost of acquisition, redevelopment, and economic development; 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.

IT IS NOW, THEREFORE, ORDAINED AND RESOLVED BY THE DELAWARE COUNTY REDEVELOPMENT COMMISSION THAT:

1. The Commission has selected as an economic development area an area within its boundaries, which area the Commission is hereby designating as the East State Road 32 Corridor Economic Development Area ("Area"), and which Area is depicted on Exhibit A.
2. The Commission finds that the Plan for the Area:
 - a. Promotes significant opportunities for the gainful employment of the citizens of the County;
 - b. Attracts major new business enterprises to the County;
 - c. Benefits the public health, safety, morals and welfare of the citizens of the County;
 - d. Increases the economic well-being of the County and the State of Indiana; and
 - e. Serves to protect and increase property values in the County and the State of Indiana.
3. The Commission finds 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 § 36-7-14-1 *et seq.*, because of:
 - a. The lack of local public improvements;
 - b. Multiple ownership of land; and
 - c. The underdeveloped and somewhat rural nature of the area nearby and the County's ability to compete for private development.
4. The Commission finds that 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. Other similar benefits, specifically: basis for making future public capital expenditures.
5. The Commission may acquire interests in real property within the boundaries of the Area as shown in the Plan.

6. The Commission estimates that the cost of implementing the Plan will not exceed \$2,000,000.00.
7. The Commission finds that no residents of the 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.
8. This paragraph shall be considered the allocation provision for the purposes of Ind. Code § 36-7-14-39. The entire Area shall constitute an allocation area as defined in Ind. Code § 36-7-14-39. Any property taxes levied 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 be allocated and distributed in accordance with Ind. Code § 36-7-14-39. The base assessment date for property in the allocation area shall be January 1, 2022. The allocation provisions of Section 39 of the Act shall, with respect to the allocation area, expire 25 years from the date the first debt is issued.
9. The Commission hereby finds that the adoption of the allocation provision will result in new property taxes in the Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the statement of Bradley Bookout that the allocation area was needed to fund municipal utilities necessary for development of the Area.
10. All of the rights, powers, privileges, and immunities that may be exercised by the Commission in a Redevelopment Area or Urban Renewal Area may be exercised by the Commission in the Area, subject to the limitations in Ind. Code § 36-7-14-43.
11. The presiding officer of the Commission is hereby authorized and directed to submit this Resolution, the Plan, and the Report to the Delaware-Muncie Metropolitan Plan Commission ("DMMPC") for its approval.
12. The Commission also directs the presiding officer, upon receipt of the written order of approval of the DMMPC and the approval of the DMMPC's order by the Board of Commissioners of Delaware County, Indiana, 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 DMMPC, the Board of Zoning Appeals, the MPO Transportation, the Highway Department, the building commissioner and any other departments or agencies of the County concerned with County 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 County'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.

13. The Commission also directs the presiding officer to prepare or cause to be prepared a statement disclosing the impact of the allocation area, including the following:
 - a. The estimated economic benefits and costs incurred by the allocation area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and
 - b. The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the allocation area. A copy of this statement shall be forwarded to each such taxing unit with a copy of the notice required under Section 17 of the Act.


14. The Commission further directs its presiding officer to submit this Resolution to the Board of Commissioners of Delaware County, Indiana for approval of the Area's establishment.

APPROVED AND ADOPTED by the Delaware County Redevelopment Commission on this, the 10th day of March, 2022.

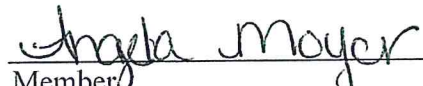
DELAWARE COUNTY
REDEVELOPMENT COMMISSION




President



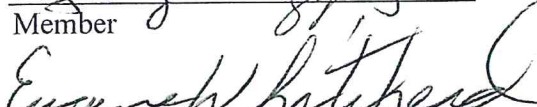
Member



Member

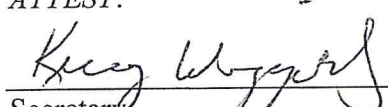


Member



Member

ATTEST:



Secretary

**ECONOMIC DEVELOPMENT PLAN
FOR THE EAST STATE ROAD 32 CORRIDOR
ECONOMIC DEVELOPMENT AREA**

DELAWARE COUNTY REDEVELOPMENT COMMISSION

Geographic Area

This Plan is prepared in accordance with Ind. Code § 36-7-14-41 to promote economic development in Delaware County, Indiana ("County"). The map, included as "Attachment A", shows the area that the County seeks to establish as the East State Road 32 Corridor Economic Development Area ("Area").

The establishment of the Area will allow incremental increases in the property tax revenue to be used for Area improvements to encourage continued development of the Area. The purpose of this plan (the "Plan") is to provide a tool to assist the County and the Delaware County Redevelopment Commission ("Commission") in planning and allocating resources to improvements within and serving the Area.

Goals, Objectives and Estimated Cost

The Plan is designed to assist the County and the Commission with the following goals:

- Increase and enhance business opportunities;
- Increase and enhance job opportunities; and
- Increase and diversify the County's tax base

The County also has the following objectives:

- Improve infrastructure condition, capacity and distribution of water services;
- Improve infrastructure condition, capacity and collection of wastewater and storm water services;
- Improve infrastructure condition, capacity and access to roadways;
- Improve other essential public services;
- Provide business assistance for improvements, access to drainage and other improvements to enhance the overall business climate;
- Mitigate any public safety and/or health risks;
- Create a lifestyle and amenities that attract and retain residents;
- Expand the employment presence in and near the Town of Selma; and
- Increase the property tax base.

The County has experienced high unemployment rates over the past three - five years with business closings and downsizings. New investment and job creation are a top priority for the

County and are the reason for the establishment of the Area. The Area includes properties suitable for development and existing properties suitable for expansion and investment.

Economic Condition of the Area

Economic development in this Area will require a program of incentives for business attraction, expansion and entrepreneurial development. These programs and improvements will enhance the quality of life for current residents and will improve the quality of place for both current and future residents, employers and visitors.

The economic vitality and growth opportunities of this Area will be largely dependent on investment in infrastructure projects and investment in business development. The County seeks to partner with the private sector and to identify projects and investments that will lead to the economic well-being of the County.

Development Rate

The rate of development for business, industrial and commercial areas is dependent on a wide range of factors, most of which the County and the Commission have no control over, and many of which are extremely difficult to predict. These include such items as strength of the economy, shifts in the economy and the industrial and commercial job base, competition from other communities and land development costs. However, recent business development proposals demonstrate that when a product is available, the County is a competitive location for investment and job growth.

Project Objectives

The purposes of this Plan are to benefit the public health, safety, and welfare of the citizens of the County; increase the economic well-being of the County and the State of Indiana ("State"); and serve to protect and increase property values in the County and the State. The Plan is designed to:

- (i) Promote significant opportunities for the gainful employment of citizens of the County;
- (ii) Assist in the attraction of new business enterprises to the County;
- (iii) Provide for local public improvements in the Area;
- (iv) Attract permanent jobs;
- (v) Increase the property tax base; and

- (vi) Improve the diversity of the economic base of the County.

Project Description

The development and redevelopment of the Area includes, but is not limited to, the following ("Projects"):

- Road improvements
- Storm water improvements
- Sanitary sewer infrastructure improvements
- Water infrastructure improvements
- Site improvements
- Fiber optics and other communications infrastructure
- All transportation related improvements
- Utility related improvements or relocations
- Environmental mitigation

Preliminary Engineering Costs

Specifics of each project have not been determined; therefore, there are no cost estimates for preliminary engineering at this time.

Identification of Developable Land

There is land for both new development and future redevelopment within the Area.

Acquisition of Property.

The Commission has no present plans to acquire any interests in real property. The Commission shall follow procedures in Ind. Code § 36-7-14-19 in any future acquisition of property. The Commission may not exercise the power of eminent domain.

Procedures with Respect to the Projects

All contracts for material or labor in the accomplishment of projects shall be let under Ind. Code § 36-1. The Commission shall proceed in the same manner as private owners of the property in the planning and rezoning of real property acquired or to be used in the accomplishment of the Plan; the opening, closing, relocation and improvement of public ways; and the construction, relocation, and improvement of sewers and utility services. The Commission may negotiate with the proper officers and agencies of the County to secure the proper orders, approvals, and consents.

Any construction work required in connection with projects may be carried out by the appropriate municipal or county department or agency. The Commission may carry out the construction work if all plans, specifications, and drawings are approved by the appropriate department or agency and the statutory procedures for the letting of the contracts by the appropriate department or agency are followed by the Commission.

The Commission may pay any charges or assessments made on account of orders, approval, consents, and construction work with respect to projects or may agree to pay these assessments in installments as provided by statute in the case of private owners.

None of the real property acquired for projects may be set aside and dedicated for public ways, parking facilities, sewers, levees, parks, or other public purposes until the Commission has obtained the consents and approval of the department or agency under whose jurisdiction the property will be placed.

Disposal of Property

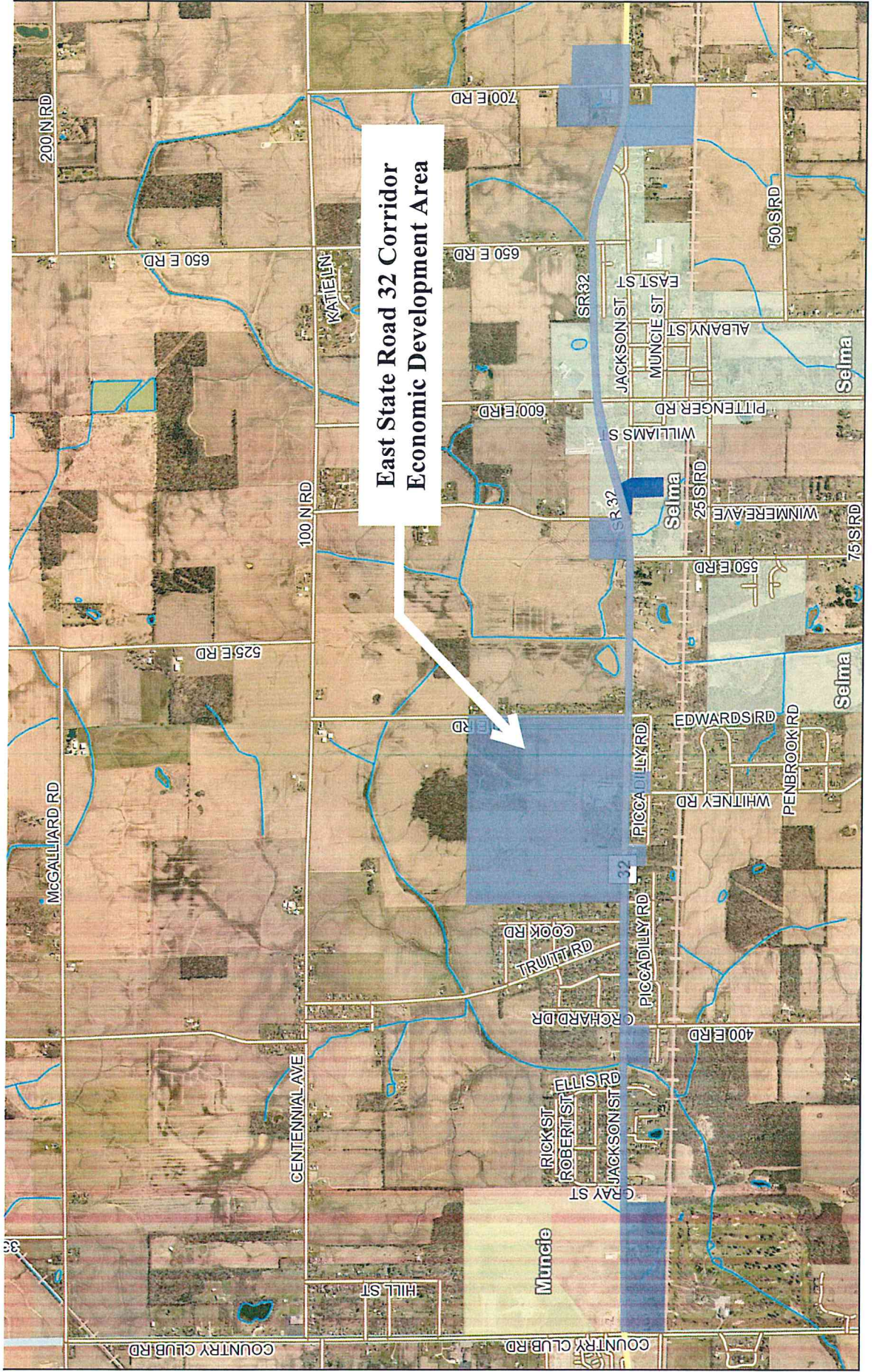
The Commission may dispose of real property acquired, if any, by sale or lease to the public after causing to be prepared two (2) separate appraisals of the sale value or rental value to be made by independent appraisers. However, if the real property is less than five (5) acres in size and the fair market value of the real property or interest has been appraised by one (1) independent appraiser at less than Ten Thousand Dollars (\$10,000), the second appraisal may be made by a qualified employee of the Department of Redevelopment. The Commission will prepare an offering sheet and will maintain maps and plats showing the size and location of all parcels to be offered. Notice will be published of any offering in accordance with Ind. Code § 5-3-1. The Commission will follow the procedures of Ind. Code § 36-7-14-22 in making a sale or lease of real property acquired.

Financing of Projects

The Commission may issue bonds payable from incremental ad valorem property taxes (the "TIF Revenues") allocated under Ind. Code § 36-7-14-39 in order to raise money for completion of projects in the Area. The amount of these bonds may not exceed the total, as estimated by the Commission, of all expenses reasonably incurred in connection with projects, including:

1. The total cost of all land, rights-of-way, and other property to be acquired and developed;
2. All reasonable and necessary architectural, engineering, construction, equipment, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and development of projects or the issuance of bonds;
3. Interest on the bonds and a debt service reserve for the bonds to the extent the Commission determines that a reserve is reasonably required; and

Attachment A



4. Expenses that the Commission is required or permitted to pay under Ind. Code § 8-23-17.

In the issuance of bonds, the Commission will comply with Ind. Code § 36-7-15-25.1.

As an alternative to the issuance of bonds or in conjunction with it, the Commission may enter into a lease of any property that could be financed with the proceeds of bonds under Ind. Code § 36-7-14. The lease is subject to the provisions of Ind. Code § 36-7-14-25.2 and Ind. Code § 36-7-14-25.3.

Amendment of the Plan

By following the procedures specified in Ind. Code § 36-7-14-17.5, the Commission may amend the Plan for the Area. However, any enlargement of the boundaries of the Area must be approved by the Board of Commissioners of Delaware County, Indiana.

Parcel List

<u>Parcel ID</u>	<u>Owner Name</u>	<u>Owner Address</u>	<u>Owner City, State, & Zip</u>
1217226001000	ESTEP KENNETH O	400 N HIGH ST	MUNCIE, IN 47305
1218227001000	FANCHER TED L	111 SPRING ST APT 209	GREENCASTLE, IN 46135-0604
1217201001000	JAMES F COLLINS & SANDRA J YOUNG	7331 E JACKSON ST	MUNCIE, IN 47302-8643
1210476003000	JOHN RICHARD & KAREN S BREES	11100 E JACKSON	PARKER CITY, IN 47368
1210476004000	JMC LLC	550 LIBERTY RD	DELAWARE, OH 43015-8806
1210476005000	JMC LLC	550 LIBERTY RD	DELAWARE, OH 43015-8806
1210476002000	DAUGHERTY REBECCA JO	301 N County Road 700 E	Selma, IN 47383-9422
1211300003000	DOUGLAS L & NICOLE T SMITH	12741 W COUNTY ROAD 460 N	PARKER CITY, IN 47368
1218100002000	HEALY JAMES A III & DONNA R	220 S COUNTRY CLUB RD	MUNCIE, IN 47303
1218100001000	NEW LARRY M	1836 S PARTIOT DR	YORKTOWN, IN 47396-9000
1218100015000	NEW LARRY M	1836 S PATRIOT DR	YORKTOWN, IN 47396-9000
1218100016000	TOTAL HEALTH CENTER LLC	5091 E JACKSON ST	MUNCIE, IN 47303
1218100007000	DELAWARE COUNTRY CLUB INC	510 S COUNTRY CLUB 300 E	MUNCIE, IN 47302
1208400003000	NHP SENIOR INDIANA LLC	130 S JEFFERSON ST STE 300	CHICAGO, IL 60661
1208400001000	DELAWARE COUNTY COMMISSIONERS	8501 E COUNTY ROAD 900 N	ALBANY, IN 47320
1208400002000	NHP SENIOR INDIANA LLC	130 S JEFFERSON ST STE 300	CHICAGO, IL 60661
1215200010000	TOWN OF SELMA INDIANA	PO BOX 237	SELMA, IN 47383-0237
1218100003000	CAMPBELL TONJA	12501 N CHESTNUT	EATON, IN 47338
1218100010000	HENDRICKSON DALE A	906 S 1000 W	FARMLAND, IN 47340
1209376003000	PHILLIPS LARRY D	11280 N OLD GRANVILLE RD	ALBANY, IN 47320
1209376002000	PHILLIPS LARRY D	11280 N OLD GRANVILLE RD	ALBANY, IN 47320
1209376001000	PHILLIPS LARRY D	11280 N OLD GRANVILLE RD	ALBANY, IN 47320
1209451002000	WILLIAM S AND JANICE E THOMPSON	8900 E JACKSON ST	SELMA, IN 47383-9538
1216101004600	STATE OF INDIANA	100 N SENATE AVE, ROOM N749	INDIANAPOLIS, IN 46204
1216101003600	STATE OF INDIANA	100 N SENATE AVE, ROOM N749	INDIANAPOLIS, IN 46204
1216201011000	THE TOWNSEND CORPORATION	P.O. BOX 7015	MUNCIE, IN 47308-7015
1216201010000	THE TOWNSEND CORPORATION	P.O. BOX 7015	MUNCIE, IN 47308-7016

Exhibit A

