

ORIGINAL

RESOLUTION NO. 2009- 003

**A RESOLUTION OF THE LEGISLATIVE BODY OF
DELAWARE COUNTY, INDIANA AUTHORIZING
REPRESENTATIVES TO ACT ON BEHALF OF
DELAWARE COUNTY WITH RESPECT TO CERTAIN
MATTERS RELATED TO BROWNFIELDS FINANCIAL
ASSISTANCE TO BE AWARDED TO DELAWARE COUNTY
BY THE INDIANA FINANCE AUTHORITY**

WHEREAS, Delaware County, Indiana has applied to the Indiana Finance Authority for a Brownfields Stipulated Assessment Grant ("State Financial Assistance") to offset cost associated with the environmental assessment and/or remediation of a certain property within Delaware County known as the Muncie Paper Processing Facility, ("Project"); and

WHEREAS, The Indiana Finance Authority has approved the award of State Financial Assistance to be used for the environmental assessment and/or remediation of the Project; and

WHEREAS, The Legislative Body of Delaware County hereby acknowledges the terms and conditions associated with the State Financial Assistance and authorizes the Delaware County Commissioners to execute a Stipulated Assessment Grant Agreement on behalf of Delaware County with the Indiana Finance Authority documenting the terms and conditions related to Delaware County's receipt and use of the State Financial Assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE BODY OF DELAWARE COUNTY, INDIANA as follows:

Section 1. The Legislative Body of Delaware County hereby accepts the award of State Financial Assistance and acknowledges the terms and conditions associated with such State Financial Assistance, including but not limited to the requirement that certain "investment" (as defined in the State Financial Assistance Agreement) shall need to be made in the Project or the State Financial Assistance will be required to be repaid.

Section 2. The Legislative Body of Delaware County hereby acknowledges that the deadline to satisfy the investment requirement (as defined in the State Financial Assistance Agreement) has been extended by the Indiana Finance Authority to three (3) years from the Execution Date of the State Financial Assistance Agreement, not two (2) years as indicated in the State Financial Assistance Agreement.

Section 3. The Legislative Body of Delaware County hereby authorizes the Delaware County Commissioners to act on behalf of Delaware County and to execute the Stipulated Assessment Grant Agreement and all other documents related to the award of State Financial Assistance with respect to the Project.

Approved and adopted this 4 day of April, 2009.

Signed: 
Todd Donati, President

Signed: 
Larry Bledsoe, Vice President

Signed: 
Donald Dunnuck, Member

