

RESOLUTION NO. 11-04

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON,  
INDIANA APPROVING AN AMENDMENT TO THE CITY OF LEBANON  
INDUSTRIAL PARK DEVELOPMENT PLAN**

WHEREAS, the City of Lebanon Redevelopment Commission (the "Redevelopment Commission") on March 28, 2011, approved and adopted a Resolution (the "Declaratory Resolution") approving an amendment to the development plan for the City of Lebanon Industrial Park Development Area which added to the plan a new project consisting of the construction and development of a training and event center to be located on the campus of Lebanon Community School Corporation, as further described in Exhibit A to the Declaratory Resolution (the "Plan Amendment"); and

WHEREAS, the Redevelopment Commission has submitted the Declaratory Resolution and the Plan Amendment to this Common Council; and

WHEREAS, the City of Lebanon Plan Commission on April 18, 2011, approved and adopted a resolution (the "Approving Order") approving the Declaratory Resolution and the Plan Amendment and determining that the Declaratory Resolution and the Plan Amendment conform to the plan of development for the City of Lebanon, and has submitted the Approving Order to this Common Council.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Lebanon, Indiana, as follows:


SECTION 1. The Declaratory Resolution and the Plan Amendment conform to the plan of development for the City of Lebanon, Indiana.

SECTION 2. This Common Council hereby approves the Declaratory Resolution, the Approving Order and the Plan Amendment.

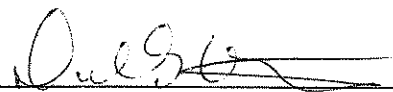
SECTION 3. This Resolution shall be in full force and effect immediately from and after its passage.

DULY PASSED on this 23<sup>rd</sup> day of May, 2011, by the Common Council of the City of Lebanon, Indiana.

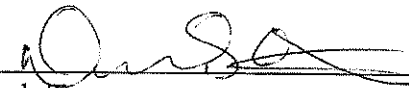
COMMON COUNCIL  
CITY OF LEBANON, INDIANA

  
\_\_\_\_\_  
Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Clerk-Treasurer


Presented by me to the Mayor of the City of Lebanon for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 23<sup>rd</sup> day of May, 2011 at 8:00 o'clock a.m./p.m.

  
\_\_\_\_\_  
Clerk-Treasurer

This Resolution having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16 (a)(1), this 23<sup>rd</sup> day of May, 2011 at 8:00 o'clock a.m./p.m.

  
\_\_\_\_\_  
Mayor of the City of Lebanon, Indiana

Attest:

  
\_\_\_\_\_  
Clerk-Treasurer

RESOLUTION NO. 11-5

**RESOLUTION OF THE CITY OF LEBANON REDEVELOPMENT COMMISSION  
AMENDING THE DEVELOPMENT PLAN FOR THE CITY OF LEBANON  
INDUSTRIAL PARK DEVELOPMENT AREA**

WHEREAS, the City of Lebanon Redevelopment Commission (the "Redevelopment Commission"), governing body of the City of Lebanon Redevelopment District (the "District"), previously has adopted and amended resolutions (collectively, the "Declaratory Resolution") establishing and expanding an economic development area known as the "City of Lebanon Industrial Park Development Area" (the "Development Area"), and approving the City of Lebanon Industrial Park Development Plan (the "Development Plan") for the Development Area, pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

WHEREAS, the Commission has designated the Development Area as an allocation area for purposes of capturing tax revenues commonly known as tax increment finance revenues ("TIF Revenues"), and has created an allocation fund (the "TIF Allocation Fund") for the Development Area into which the TIF Revenues are deposited; and

WHEREAS, the Redevelopment Commission now desires to further amend the Development Plan to add the project described on Exhibit A hereto to the Development Plan (the "Plan Amendment"); and

WHEREAS, the Plan Amendment and supporting data were reviewed and considered at this meeting; and

WHEREAS, Sections 41 and 43 of the Act have been created to permit the creation of "economic development areas" and to provide that all of the rights, powers, privileges and immunities that may be exercised by this Redevelopment Commission in a redevelopment area or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, this Redevelopment Commission deems it advisable to apply the provisions of said Sections 41 and 43 of the Act to the Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LEBANON REDEVELOPMENT COMMISSION, GOVERNING BODY OF THE CITY OF LEBANON DEPARTMENT OF REDEVELOPMENT, as follows:

1. The Plan Amendment promotes significant opportunities for the gainful employment of the City's citizens, attraction of major new business enterprises to the City, retention and expansion of significant business enterprises existing in the boundaries of the City, and meet other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health,

safety and welfare, increasing the economic well being of the City and the State of Indiana, and serving to protect and increase property values in the City and the State.

2. The 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.

3. The public health and welfare will be benefited by accomplishment of the Plan Amendment.

4. The accomplishment of the Plan Amendment 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.

5. The Plan Amendment conforms to other development and redevelopment plans for the City.

6. The Redevelopment Commission does not propose to acquire any land or interests in land in connection with the Plan Amendment.

7. The Redevelopment Commission finds that no residents of the Development Area or the City will be displaced by the project resulting from the Plan Amendment, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

8. The Redevelopment Commission hereby adopts the specific findings set forth in the Plan Amendment as set forth in Exhibit A, and the Plan Amendment is hereby in all respects approved.

9. The Commission hereby finds and determines that the Plan Amendment is reasonable and appropriate when considered in relation to the original Development Plan and the purposes of the Act, and that the Plan Amendment conforms to the comprehensive plan for the City.

10. The Commission hereby authorizes the expenditure of funds on deposit in the general TIF Allocation Fund in the amount of \$500,000 to be applied to the project described in Exhibit A hereto (the "Project"), payable in three approximately equal installments over a period not to exceed three years. The President or Vice President of the Commission is hereby authorized to enter into an interlocal agreement (the "Agreement") with Lebanon Community School Corporation in form and substance reasonably acceptable to such officer, consistent with the terms of this Resolution, to implement the Commission's contribution to the Project. The Clerk-Treasurer of the City is hereby authorized to disburse the moneys from the TIF Allocation Fund for the Project in accordance with the terms of the Agreement. The Mayor and Clerk-Treasurer of the City, and the officers of the Commission, are hereby authorized and directed to take such further actions and execute such

documents as they deem necessary or advisable to effectuate the authorizations set forth in this Resolution.

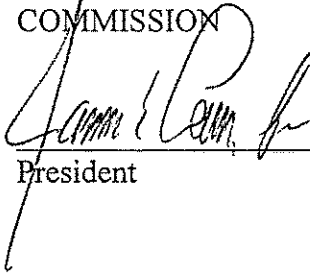
11. This Resolution shall be submitted to the Plan Commission and the Common Council as provided in the Act, and if approved by the Plan Commission and the Common Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act. The Agreement referenced in Section 10 of this Resolution shall not be effective until the Commission has confirmed this Resolution following approvals by the Plan Commission and Common Council and the required public hearing by the Commission.

12. The officers of the Commission are hereby authorized to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

13. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

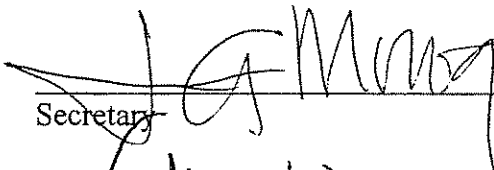
Adopted the 28<sup>th</sup> day of March, 2011.

CITY OF LEBANON REDEVELOPMENT  
COMMISSION

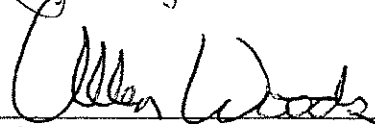


\_\_\_\_\_  
President

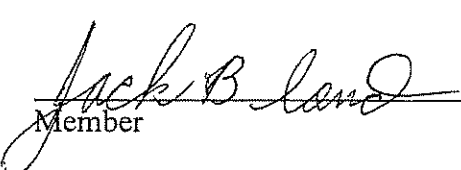
\_\_\_\_\_  
Vice President



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Secretary



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Member



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Member

## EXHIBIT A

### Description of the Plan Amendment

The Development Plan is hereby amended to add the following project to the Development Plan: the construction and development of a training and event center to be located on the campus of Lebanon Community School Corporation. This project will directly serve and benefit the Development Area by providing a unique location for training of staff and employees and prospective employees (students), as well as a facility for seminars and continuing educational opportunities for the businesses located at the Lebanon Business Park. The estimated cost of the project to the Commission is \$500,000, payable in three approximately even installments over a period not to exceed three years.