

**A CONFIRMATORY RESOLUTION OF THE  
TOWN OF BROWNSBURG REDEVELOPMENT COMMISSION  
CONFIRMING A RESOLUTION OF THE COMMISSION EXPANDING THE NORTH  
BELTWAY ECONOMIC DEVELOPMENT AREA AND ADOPTING A RESTATED  
ECONOMIC DEVELOPMENT PLAN THEREFORE**

The Town of Brownsburg, Indiana (the "Town") Redevelopment Commission (the "Commission"), met at a duly called and authorized meeting of the Commission held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all members of the Commission, and the following resolutions were made, seconded and adopted by a majority of the members.

**WHEREAS**, the Commission previously established the North Beltway Economic Development Area (the "Area") pursuant to Commission Resolutions No. 2-1992, No. 94-RDC-4, No. 2005-04-RDC, a Commission Resolution dated August 11, 2006 and a Confirmatory Resolution adopted on November 2, 2010 (collectively the "Adopting Resolutions"); and

**WHEREAS**, the Adopting Resolutions established the Area as an "Allocation Area" in accordance with I.C. 36-7-14-39 and an "Economic Development Area" in accordance with I.C. 36-7-14-41; and

**WHEREAS**, on November 2, 2010, the Commission adopted an Amended Economic Development Plan for the Area (the "Prior Plan"), which the Commission now desires to amend and restate pursuant to the provisions of I.C. 36-7-14-17.5 and other applicable provisions of I.C. 36-7-12 *et seq.* and I.C. 36-7-14 *et seq.* (collectively the "Act"); and

**WHEREAS**, on September 4, 2012, the Commission adopted a Preliminary Resolution directing the collection of certain data, materials and estimates as required by I.C. 36-7-14-15(b) and such data, materials and estimates have been assembled and distributed to the Commission; and

**WHEREAS**, on October 2, 2012 the Commission adopted a Resolution (the "Declaratory Resolution") in the form attached hereto and incorporated herein as Exhibit "A", preliminarily amending and restating the Prior Plan and adopting and approving the 2012 Economic Development Plan and Plan of Expansion for the North Beltway Economic Development Area (the "Restated Plan") in the form attached to the Declaratory Resolution and providing for the inclusion of the Expansion Area (as defined in the Restated Plan) in the Area; and

**WHEREAS**, the Commission submitted the Declaratory Resolution, the Restated Plan and supporting data to the Advisory Plan Commission of the Town and on October 15, 2012 the

Advisory Plan Commission issued its written Order approving the Declaratory Resolution and the Restated Plan which Order is attached hereto and incorporated herein as Exhibit "B"; and

**WHEREAS**, on October 25, 2012 the Town Council of the Town of Brownsburg (the "Town Council") approved the Order of the Advisory Plan Commission pursuant to Section 16(b) of the Act, and approved the declaration of the Expansion Area as an Economic Development Area pursuant to Section 41(c) of the Act which approval is attached hereto and incorporated herein as Exhibit "C"; and

**WHEREAS**, the Commission now desires to confirm the Declaratory Resolution in every way, including the enlargement of the Area to include the Expansion Area as further described in the Restated Plan; and

**WHEREAS**, pursuant to Section 17 of the Act, the Commission "(i) caused to be published on November 21, 2012 in the Hendricks County Flyer and November 22, 2012 in the Danville Republican appropriate Notices of Public Hearing to be held on December 4, 2012 concerning the Declaratory Resolution and the Restated Plan; (ii) filed a copy of said Notice with the departments, bodies and officers of the Town having to do with planning, variance from zoning ordinances, land use or the issuance of building permits; (iii) filed a copy of said Notice and a statement disclosing the tax impact of the inclusion of the Expansion Area in the Area, with each taxing unit that is wholly or partly located within the Area; and (iv) mailed by first class mail, postage prepaid, notice to affected neighborhood associations (if any) and to all persons owning property in the Expansion Area as required by I.C. 36-7-14-17.5; and

**WHEREAS**, at the hearing held by the Commission on December 4, 2012 at 7:00 p.m. (local time) at the Town Hall, Council Meeting Room, 61 N. Green Street, Brownsburg, Indiana the Commission heard all person interested in the proceedings and considered all written remonstrances and objections filed, if any, and such other evidence as presented; and

**WHEREAS**, the Commission now desires to take final action determining the public utility and benefit of the proposals contained in the Declaratory Resolution and the Restated Plan, in accordance with Section 17(d) of the Act.

**NOW THEREFORE BE IT RESOLVED BY THE BROWNSBURG REDEVELOPMENT COMMISSION, AS FOLLOWS:**

1. After considering the evidence presented at the hearing on December 4, 2012, the Commission hereby confirms the findings and determinations of the Declaratory Resolution and the Restated Plan and all other findings, determinations, designations and approving and adopting actions contained in the Declaratory Resolution and the attachments thereto. The Declaratory Resolution is, therefore, confirmed, affirmed and finally approved in the form attached hereto in every way.

2. The Commission hereby finds and determines that it will be of public utility and benefit to proceed with the Restated Plan in the form approved by the Commission in the Declaratory Resolution, including the expansion of the Area to include the Expansion Area.

3. This Resolution constitutes final action by the Commission determining the public utility and benefit of the proposed projects and actions contained in the Restated Plan and confirming the Declaratory Resolution pursuant to Section 17(d) of the Act.

4. The Secretary of the Commission is directed to record this final action taken by the Commission pursuant to the requirements of Section 17(d) of the Act and to notify the Indiana Department of Local Government Finance of the declaration of the Expansion Area as an allocation area pursuant to 50 IAC 8-2-2.

5. This Resolution shall take effect immediately upon its adoption by the Commission.

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Adopted this 4<sup>th</sup> day of December, 2012.

**BROWNSBURG REDEVELOPMENT  
COMMISSION**

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Rob Kendall, President

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Shane Dunigan, Vice President

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Glenn Nulty, Secretary

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Sean Benham

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Ronnie Wilson

Resolution #2012-03RDC  
Brownsburg, Indiana  
October 2, 2012

**A DECLARATORY RESOLUTION OF THE  
TOWN OF BROWNSBURG REDEVELOPMENT COMMISSION  
EXPANDING THE NORTH BELTWAY ECONOMIC DEVELOPMENT AREA AND  
ADOPTING A RESTATED ECONOMIC DEVELOPMENT PLAN THEREFORE**

The Town of Brownsburg, Indiana (the "Town") Redevelopment Commission (the "Commission"), met at a duly called and authorized meeting of the Commission held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all members of the Commission, and the following resolutions were made, seconded and adopted by a majority of the members.

**WHEREAS**, the Commission previously established the North Beltway Economic Development Area (the "Area") pursuant to Commission Resolutions No. 2-1992, No. 94-RDC-4, No. 2005-04-RDC, a Commission Resolution dated August 11, 2006 and a Confirmatory Resolution adopted on November 2, 2010 (collectively the "Adopting Resolutions"); and

**WHEREAS**, the Adopting Resolutions established the Area as an "Allocation Area" in accordance with I.C. 36-7-14-39 and an "Economic Development Area" in accordance with I.C. 36-7-14-41; and

**WHEREAS**, on November 2, 2010, the Commission adopted an Amended Economic Development Plan for the Area (the "Prior Plan"), which the Commission now desires to amend and restate pursuant to the provisions of I.C. 36-7-14-17.5 and other applicable provisions of I.C. 36-7-12 *et seq.* and I.C. 36-7-14 *et seq.* (collectively the "Act"); and

**WHEREAS**, on September 4, 2012, the Commission adopted a Preliminary Resolution directing the collection of certain data, materials and estimates as required by I.C. 36-7-14-15(b) and such data, materials and estimates have been assembled and distributed to the Commission; and

**WHEREAS**, the Commission now desires to amend and restate the Prior Plan and adopt and approve the 2012 Economic Development Plan and Plan of Expansion for the North Beltway Economic Development Area attached hereto as Exhibit "A" and incorporated herein (the "Restated Plan") to include the projects and purposes set forth for the Area in the Restated Plan; and

**WHEREAS**, as set forth in the Restated Plan the Commission desires to expand the Area to include certain territory to the southeast of the Town which was recently annexed into the jurisdiction of the Town along and adjacent to the current and proposed route of the Ronald Reagan Parkway (the "Expansion Area") as further described in the Restated Plan; and

Exhibit 11A

**WHEREAS**, the Commission now desires to adopt this Declaratory Resolution adopting and approving the Restated Plan to include the projects and purposes provided for therein and to include the Expansion Area in the Area, which Declaratory Resolution will be subject to the approval of the Brownsburg Advisory Plan Commission and the Brownsburg Town Council and the adoption of a Confirmatory Resolution by the Commission after the publication of notice and the conducting of a public hearing thereon as required by the Act.

**NOW THEREFORE BE IT RESOLVED BY THE BROWNSBURG REDEVELOPMENT COMMISSION, THAT:**

1. The recitals set forth above are hereby adopted and approved and incorporated into this Resolution as if set forth herein in full.

2. As required by I.C. 36-7-14-15(d) the Commission hereby finds that it will be of public utility and benefit to amend the Adopting Resolutions and the Prior Plan for the Area in conformance with this Resolution. Therefore, the Adopting Resolutions are hereby amended to adopt the Restated Plan as set forth in Exhibit "A" and to include the Expansion Area into the Area as set forth and described in the Restated Plan and as depicted therein, subject to the hearings and further approvals required by the Act.

3. The Commission hereby finds that: (i) the Expansion Area is an area needing redevelopment; (ii) the conditions described in I.C. 36-7-1-3 cannot be corrected in the Expansion Area by regulatory processes or the ordinary operations of private enterprise without resort to the provisions of the Act; (iii) the public health and welfare will be benefited by development of the Expansion Area under the Act and by the adoption of the Restated Plan; (iv) the adoption of the Restated Plan and inclusion of the Expansion Area in the Area is reasonable and appropriate when considered in relation to the Adopting Resolutions, the Prior Plan and the purposes of the Act; and (v) the Restated Plan conforms to the comprehensive plan for the Town.

4. Pursuant to the Preliminary Resolution adopted by the Commission on September 4, 2012, the Commission has caused to be prepared maps and plats showing the boundaries of the Area (prior to its expansion) and the Expansion Area, the location of various parcels of property, streets, alleys and other features affecting the planning and redevelopment of the Area and the Expansion Area and the parts of the Area and Expansion Area to be devoted to public ways, levies, sewerage, parks, playgrounds and other public purposes, and the other data required by I.C. 36-7-14-15(b), all of which is hereby approved and incorporated as if set forth in full.

5. The Commission further determines that, upon the adoption of a Confirmatory Resolution, the Expansion Area shall be included in the Area and shall be designated an "Economic Development Area" in accordance with I.C. 36-7-14-41. The approval of the Expansion Area as an Economic Development Area shall be submitted to the Town Council for approval as required by I.C. 36-7-14-41(c).

6. The Commission further finds that the Restated Plan: (i) promotes significant opportunities for the gainful employment of citizens of the Town; (ii) will attract major new business enterprises to the Town; (iii) will retain or expand a significant business enterprise

existing in the boundaries of the Town; and (iv) meets the other purposes of I.C. 36-7-14-2.5, -41 and -43.

7. The Commission further finds that: (i) the objectives of the Restated Plan cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under the Act because of a lack of local public improvements in the Area and the Expansion Area, the existence of improvements or conditions that lower the value of the land below that of nearby land, multiple ownership of land and other similar conditions; (ii) the public health and welfare will be benefited by accomplishment of the Restated Plan for the Area and the Expansion Area; (iii) the accomplishment of the Restated Plan will be of public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base of the Town and the State of Indiana, improved diversity of the economic base of the Town and the State of Indiana and other similar public benefits; and (iv) the Restated Plan conforms to other development and redevelopment plans for the Town.

8. The Commission hereby declares the Expansion Area an "Allocation Area" in accordance with I.C. 36-7-14-39 for the purposes of allocation and distribution of property taxes. The base assessment date for property located in the Expansion Area shall be March 1, 2012. The potential impact of the declaration of the Expansion Area as an Allocation Area is illustrated by the Tax Impact Statement prepared by H.J. Umbaugh and Associates and reviewed by the Commission which Statement is hereby approved and incorporated herein. The allocation provision for the Expansion Area shall expire on: (1) the date which is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues collected in the Expansion Area; or (2) such earlier date as is mandated by applicable law.

9. In all other respects the Restated Plan, Report in Support of Findings attached thereto as Exhibit "A" and the Projects attached thereto as Exhibit "H" are hereby approved and adopted by the Commission.

10. The Restated Plan does not provide for the immediate acquisition by the Commission of additional land or property beyond the Prior Plan, and any future acquisition will be subject to the approvals required by the Act.

11. The presiding officer of the Commission is hereby authorized and directed to submit this Resolution, the Restated Plan and all supporting data therefore to the Brownsburg Advisory Plan Commission and the Town Council, and to take all other action necessary to give effect to this Resolution.

12. This Resolution shall be in full force and effect immediately upon its passage.

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Approved by a vote of five (5) ayes and 0 ( ) nays on the 2<sup>nd</sup> day of October, 2012.

**BROWNSBURG REDEVELOPMENT  
COMMISSION**



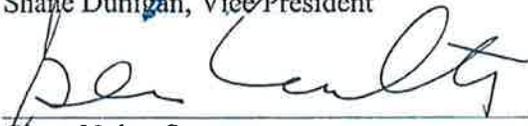
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Rob Kendall, President



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Shane Dunigan, Vice President



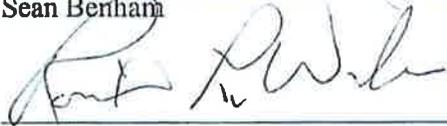
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Glenn Nulty, Secretary



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Sean Berham



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Ronnie Wilson

# TOWN OF BROWNSBURG, INDIANA

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## 2012 ECONOMIC DEVELOPMENT PLAN AND PLAN OF EXPANSION FOR THE NORTH BELTWAY ECONOMIC DEVELOPMENT AREA

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BROWNSBURG REDEVELOPMENT COMMISSION

December 4, 2012

Exhibit     "A"

## ACKNOWLEDGEMENTS

### **Redevelopment Commission**

Rob Kendall, President  
Shane Dunigan, Vice President  
Glenn Nulty, Secretary  
Sean Benham  
Ronnie Wilson

### **Plan Commission**

Don Spencer, President  
Brett Scowden, Vice-President  
Sumit Ghosh  
James Hill  
Thomas Lacey  
Glenn Nulty  
Jack Swalley

### **Town Council**

Dwayne Sawyer, President  
Don Spencer, Vice-President  
Gary Hood  
Rob Kendall  
David Richardson

### **Town Staff**

Grant Kleinhenz, Town Manager  
Todd A. Barker, AICP – Director of Planning  
Jon Blake – Planning Technician

### **Legal Counsel**

Tricia A. Leminger, Esq. – Town Attorney  
Brian C. Bosma, Esq.  
Kroger Gardis & Regas, LLP  
111 Monument Circle, Suite 900  
Indianapolis, IN 46204-5125  
(317) 692-9000

**2012 ECONOMIC DEVELOPMENT PLAN AND  
PLAN OF EXPANSION FOR THE  
NORTH BELTWAY ECONOMIC DEVELOPMENT AREA  
BROWNSBURG REDEVELOPMENT COMMISSION**

**Purpose and Introduction**

This document is intended to serve as the Restated Economic Development Plan for the entire North Beltway Economic Development Area located in the Town of Brownsburg, Indiana (“Town”). This Development Plan also expands the Area to include territory recently annexed into the Town along the current and proposed route of the Ronald Reagan Parkway as further described below. Upon its approval by the Brownsburg Town Council, the Advisory Plan Commission and the Town of Brownsburg Redevelopment Commission (“Redevelopment Commission”) in conformance with the provisions of IC 36-7-14 (the “Redevelopment Act”), this Development Plan shall amend and replace in its entirety all prior plans for the Area, including the current Plan of Expansion and Amendment to Economic Development Plan previously adopted for the Area on November 2, 2010, and recorded with the Hendricks County Recorder as Document No. 2012904130 (the “2010 Plan”). Upon its final adoption, this Development Plan shall be in full force and effect and shall be recorded with the Hendricks County Recorder.

**Plan Objectives**

The objectives of the Development Plan are to: (i) benefit the public health, safety, morals and welfare of the citizens of the Town; (ii) increase the economic well being of the Town and the State of Indiana; (iii) protect and increase property value in the Town and the State of Indiana; and (iv) allow the Town to create economic and employment opportunities not otherwise available in the absence of the Development Plan. The Development Plan is further designed to promote significant opportunities for the gainful employment of citizens of the Town, attract major new business enterprises to the Town, retain and expand existing significant business enterprises in the Town, provide for needed local public infrastructure improvements in the expanded North Beltway Economic Development Area (the “Area”), resolve problems associated with multiple ownership of land, attract and retain permanent jobs, increase the property tax base, and improve the diversity of the economic base of the Town and the State of Indiana.

In addition to the general objectives set forth above, the Development Plan is specifically designed to provide financing for much needed roadway, transportation, sewer, storm water, water supply, transportation and parking improvements, parks and recreation facilities and funding for future economic development facilities (as defined in I.C. 36-7-11.9-3) to further the above objectives in the Area, for properties serving or benefiting the Area and for property physically connected to the Area to promote the full economic development of the Area. The Factual Report in Support of Findings attached as Exhibit “A” contains supporting data for the above objectives of this Development Plan.

## **History of North Beltway Economic Development Area**

The North Beltway Economic Development Area was originally established in 1992 and redefined in 1994. In 2005 and 2006, the establishing resolutions and then-current economic development plan for the Area were amended to add additional projects to the plan and to expand the Area. In 2010 the Area was again expanded to include those publicly owned properties and rights of way depicted in Exhibit "B" attached hereto and made a part hereof (the "2010 Expansion Area") all in accordance with the approving order of the Indiana Economic Development Corporation dated September 24, 2010 received by the Town in conformance with I.C. 36-7-14-15(f) (2010 Version of the Indiana Code). The original establishment of the Area, and each subsequent addition, designated the entire Area as an "Allocation Area" under the provisions of I.C. 36-7-14-39 and an "Economic Development Area" under I.C. 36-7-14-41.

The 2010 Expansion Area consisted of publicly owned land, thoroughfares and rights of way located in the Town as depicted on Exhibit "B". The 2010 Expansion Area is generally described as follows:

All of the publicly owned land, thoroughfares and rights-of-way not currently included in the Original Area<sup>1</sup> which are located on and along the following roadways and thoroughfares:

1. Northfield Drive - all portions within the corporate limits of the Town;
2. State Road 267 - all portions within the corporate limits of the Town;
3. State Road 136 - all portions within the corporate limits of the Town;
4. 56<sup>th</sup> Street - all portions within the corporate limits of the Town; and
5. Tilden Road – from Hornaday Road on the East to the corporate limits of the Town on the West.

As finally adopted and recorded, the boundaries of the 2010 Expansion Area were designed to be coterminous with the corporate limits of the Town as it exists from time to time along the roadways and thoroughfares described. As the corporate limits of the Town are expanded or retracted, the Area automatically adjusts to the corporate boundaries of the Town along the above thoroughfares and roadways without further action of the Commission or further amendment of the Area's economic development plan. Hereafter, the term "Original Area" shall mean the Area as it existed immediately prior to the final adoption of this Plan as depicted in Exhibit "C."

## **2012 Expansion of North Beltway Area**

In addition to the other provisions set forth below, this Development Plan calls for the expansion of the current boundaries of the Area to include territory recently annexed into the Town along the current and proposed route of the Ronald Reagan Parkway in the southeast sector of the Town. The Expansion Area is depicted on the map attached hereto as Exhibit "D," and described by parcel on Exhibit "E." The Ronald Reagan Parkway is a north-south corridor that will eventually connect I-70 to I-74 and potentially extend further north to I-65 in Boone County. Once completed, the Ronald Reagan Parkway will serve as a regional north-south

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<sup>1</sup> The "Area" prior to the addition of the 2010 Expansion Area.

corridor by providing connectivity between Plainfield, Avon and Brownsburg. Within the Brownsburg area, the Ronald Reagan Parkway will provide opportunities for multi-modal travel and alternate access to the Town from I-74. Given the need for transportation connectivity, an alternate north-south transportation route with access to I-74 alleviating congestion along the Green Street and U.S. 136 corridors, and location adjacent to the Indianapolis International Airport, the Town's 2020 Thoroughfare Plan identifies segments of the Ronald Reagan Parkway from 56<sup>th</sup> Street north to County Road 700 North and from the U.S. 136 connector road south to County Road 300 North as "high priority" projects to be constructed.

The Expansion Area consists of approximately 2,143 acres in territory recently annexed into the Town. Major features include the current and proposed location of the Ronald Reagan Parkway, the intersection with I-74, and crossings with two major rail lines. While the Expansion Area includes Lucas Oil Raceway, Nitro Alley and industrial users such as Marathon Petroleum Company, Marathon Pipeline Company, Buckeye Terminals, LLC, and Texas Eastern Products Pipeline Company, much of the Expansion Area is undeveloped or underdeveloped, and offers inadequate access to infrastructure improvements such as roadways, water and sewer improvements, stormwater and drainage improvements, intersection upgrades, parks and recreation improvements (including trails), access to optic cable and high speed internet and other improvements which would promote development of the Expansion Area.

### **Comprehensive Plan Adoption and Ronald Reagan Parkway**

After extensive planning and with significant public participation, the Town adopted a Town of Brownsburg Comprehensive Plan on July 26, 2012 which became effective August 1, 2012 (the "Comprehensive Plan"). The Comprehensive Plan is incorporated by reference into this Development Plan and the cover page and table of contents are attached hereto as Exhibit "G." Full copies of the Comprehensive Plan are available to the public online<sup>2</sup> and in the office of the Town Manager. The Comprehensive Plan serves as a guide to land use and development in the Town, and also deals with personal and vehicular transportation issues, the provision of parks, schools and other public facilities and the ground rules for private improvements and development throughout the Town.

The Comprehensive Plan notes that the completion and development of the Ronald Reagan Parkway as a new regional arterial may have "the most significant impact on long-term commercial development within both the community and the larger area."<sup>3</sup> The Comprehensive Plan further notes that the completion and development of the Ronald Reagan Parkway could greatly impact long-term office development,<sup>4</sup> industrial development,<sup>5</sup> and single and multi-family residential development<sup>6</sup> in the Town. The Comprehensive Plan projects that a fully completed Ronald Reagan Parkway would prove to be a catalyst for development with a regional campus of offices, hotels, restaurants and shopping facilities centered on the corridor, with the potential to ease the tax burden shouldered by local residents and facilitating improvements throughout the community to further enhance neighborhoods and commercial areas.<sup>7</sup>

<sup>2</sup> [http://www.brownsburg.org/egov/docs/1343824220\\_856628.pdf](http://www.brownsburg.org/egov/docs/1343824220_856628.pdf)

<sup>3</sup> See Comprehensive Plan, Chapter 1, Page 9.

<sup>4</sup> See Comprehensive Plan, Chapter 1, Page 9.

<sup>5</sup> See Comprehensive Plan, Chapter 1, Page 9.

<sup>6</sup> See Comprehensive Plan, Chapter 13, Page 168.

<sup>7</sup> See Comprehensive Plan, Chapter 3, Page 37.

The Comprehensive Plan identifies the northern portion of the Expansion Area as a “Key Focus Area,” and includes detailed plans for the northern section.<sup>8</sup> The Comprehensive Plan specifically notes that the Expansion Area is a large area that will take many years to develop<sup>9</sup> and that the Expansion Area represents a large catalyst site in and of itself.<sup>10</sup> The Plan further notes that the Expansion Area is ideally suited for large scale commercial/retail development, and with its proximity to I-74 the Expansion Area has the potential to serve as an ideal location for a more regional commercial draw. Given the untapped potential in the Expansion Area, the Comprehensive Plan strongly encourages that the Expansion Area be maximized as a revenue generating development opportunity.<sup>11</sup> Inclusion of the Expansion Area in the Area will begin to accomplish this recommendation and accelerate its development for the benefit of the Town and its residents.

In addition to specific plans for the Expansion Area, the Comprehensive Plan contains substantial findings and strong recommendations regarding the need for the improvement of problematic intersections throughout the Town, including those located in the Area and the Expansion Area, and those serving or benefitting or physically attached to the Area or Expansion Area. The Plan also contains recommendations regarding the location of parks, trails, recreation and open space, the development and installation of gateway features at key points of entry to the community including signage, landscaping and hardscape features and the need to upgrade major roadways with cost effective streetscaping, lighting, landscaping, signage, trails and pedestrian amenities. Many of these recommended improvements are located in the Area and the Expansion Area, serve or benefit the Area and the Expansion Area, or are physically connected to the Area and the Expansion Area.

This Development Plan is, among other things, designed to assist in the implementation of the Comprehensive Plan both in the Area and the Expansion Area. In addition, portions of the Plan are designed to implement the Comprehensive Plan in areas that serve or benefit the Area and the Expansion Area or are on property physically connected to the Area or the Expansion Area.

### **Needs Outside of Comprehensive Plan**

While not addressed in the Comprehensive Plan, as established in the 2010 Plan, the Town also acknowledges and reconfirms the need for extensive roadway, sewer, storm water, water supply, transportation and parking facility improvements to further the objectives stated herein in the Original Area and Expansion Area, on properties serving or benefitting the Original Area and Expansion Area or on property physically connected to the Original Area and Expansion Area, to allow for the full economic development of the Original Area and the Expansion Area. In addition, the list of projects described below also includes potential funding for as-yet unidentified economic development facilities (as defined in I.C. 36-7-11.9-3) in the Original Area and the Expansion Area, serving the Original Area and Expansion Area, or on property physically connected to the Original Area or Expansion Area.

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<sup>8</sup> See Comprehensive Plan, Chapter 13, Page 165, et. seq.

<sup>9</sup> See Comprehensive Plan, Chapter 13, Page 166, Item 4.

<sup>10</sup> See Comprehensive Plan, Chapter 13, Page 165.

<sup>11</sup> See Comprehensive Plan, Chapter 7, Page 76.

## **Restated North Beltway Economic Development Area**

Upon the final adoption of this Restated Economic Development Plan, the North Beltway Economic Development Area shall consist of the Original Area and the Expansion Area as depicted in Exhibit "F" (hereinafter collectively the "Area"). Pursuant to this Restated Development Plan, the entire Area shall be declared an "Allocation Area" pursuant to the provisions of I.C. 36-7-14-39 and an "Economic Development Area" under the provisions of I.C. 36-7-14-41.

### **Project Description and Implementation**

#### **Phased Implementation**

The implementation of the Development Plan will proceed in two (2) phases, described as follows:

Phase I: Phase I will consist of the planning and engineering of projects in the Area including the drawings and specifications for roads, bridges, transportation and parking facilities, water, sewer and storm water drainage projects, streetscape and signage projects, recreational trails and optical fiber infrastructure. Also included will be planning and specifications for new construction, modification or improvement for the purpose of enlarging the current town water and wastewater treatment capabilities, including plant construction and improvements, lift stations, water towers (if necessary), and water, sewer and storm water lines.

Phase II: Phase II will consist of construction and implementation of items included in Phase I including without limitation, roads, bridges, drainage, water, sewer and storm water lines, lift stations, water and sewer treatment plant facilities and improvements, transportation and parking facilities and improvements, streetscape and signage projects, recreational trail and fiber optic infrastructure and any new water towers which may become necessary. Parts of Phase II may run concurrently with Phase I depending on available financing.

#### **Description of Projects**

Projects to be included in Phase I of the Development Plan are the planning, engineering and development of specifications and drawings for the following (the "Projects"):

1. Roadway and intersection improvements in the Area, serving or benefiting the Area or located on property physically connected to the Area;
2. Bridges in the Area, serving or benefiting the Area or located on property physically connected to the Area;
3. Stormwater and drainage improvements in the Area, serving or benefiting the Area or located on property physically connected to the Area;
4. Improvements to the town water and wastewater transport and treatment capabilities including treatment plant construction and improvements, lift stations, water, sewer and storm water lines, and new water towers (if necessary), located in the Area, serving or benefiting the Area or located on property physically connected to the Area;

5. Transportation and parking facilities, buildings and improvements in the Area, serving or benefiting the Area or located on property physically connected to the Area;
6. The establishment of development plans and standards and land use requirements for the Area and property physically connected to the Area;
7. Underground fiber optic cable and other similar telecommunication infrastructure improvements in the Area, serving or benefitting the Area or located on property physically connected to the Area;
8. Recreational trails to be located in the Area, serving or benefiting the Area or located on property physically connected to the Area; and
9. Streetscape, landscape, signage and similar aesthetic improvements in the Area serving or benefitting the Area or located on or physically connected to the Area.

Preliminary descriptions and budget estimates for each of the Projects, as well as budget estimates for the potential purchase of property to support as-yet unidentified economic development facilities, are attached hereto as Exhibit "H" and may be supplemented and amended by the Commission from time to time.

#### Procedures with Respect to the Projects

In accomplishing the Projects, the Redevelopment Commission may proceed with the Projects before the acquisition of any required interests in land in the Area. Any number of Projects may move forward simultaneously or be implemented as funding is made available. All contracts for material or labor in the accomplishment of the Projects shall be let in accordance with IC 36-1 or other applicable Indiana Law for public construction.

In the planning and rezoning of real property acquired or to be used in the accomplishment of the Development Plan, the opening, closing, relocation and improvement of public ways, and the construction, relocation, and improvement of sewers and utility services, the Redevelopment Commission shall proceed in the same manner as private owners of the property. The Redevelopment Commission may negotiate with the proper officers and agencies of the Town to secure the proper orders, approvals, and consents.

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

The Redevelopment Commission may pay any charges or assessments made on account of orders, approvals, consents, and construction work with respect to the 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 the Projects may be set aside and dedicated for public ways, parking or transportation facilities, sewers, levees, parks, or other public purposes

until the Redevelopment Commission has obtained the consents and approval of the department or agency under whose jurisdiction the property will be placed.

### Acquisition of Property

In order to accomplish the Projects, and as provided in the Original Plan for the Area, the Redevelopment Commission has been previously authorized to acquire the following interests in real property:

Land on which the Northfield Beltway is to be constructed with accompanying rights-of-way, and land to be used for the necessary construction for improvement of water and wastewater treatment facilities, improvements and lines, and storm water and drainage facilities improvements and lines.

No additional specific parcels are presently identified for acquisition by the Redevelopment Commission under this Development Plan; however, the Project list attached as Exhibit "H" does anticipate the purchase of property in designated areas to support as-yet unidentified economic development facilities in the Area, serving or benefitting the Area, or physically connected to the Area. The Redevelopment Commission can, and reserves its rights to, acquire in the future any interest in real property to implement and/or facilitate the Projects and/or the related development thereof as such Projects are identified in this Development Plan. In the event of desired property acquisition of an identified parcel or parcels, the Redevelopment Commission shall follow the procedures set forth in IC 36-7-14-19 for the acquisition of property.

### Financing of the Projects

It is the intention of the Redevelopment Commission to use allocated tax increment collected within the Area as it is received to finance all eligible costs related to the Projects, or any portion thereof, and to reimburse the Town for all eligible expenses under Indiana law, including the supervisory costs of Town personnel with respect to the Projects and their financing. It is also the intention of the Redevelopment Commission to issue bonds payable from incremental ad valorem property taxes allocated under IC 36-7-14-39 in order to raise money for any property acquisition and for completion of the Projects. The amount of issued bonds may not exceed the total, as estimated by the Redevelopment Commission, of all expenses reasonably incurred in connection with the Projects, including:

1. The total cost of all land, rights of way, and other property to be acquired and the costs of developing and implementing the Projects;
2. All reasonable and necessary architectural/engineering, construction, legal, financing, accounting, advertising, bond discount and supervisory expenses (including supervisory costs of Town personnel) related to the acquisition and development of the Projects or the issuance of bonds therefore; and

3. Interest (not to exceed five (5) years from the date of issuance) and a debt service reserve for any bonds to the extent the Redevelopment Commission determines that a reserve is reasonably required.

In the issuance of bonds the Redevelopment Commission will comply with IC 36-7-14-25.1 and other provisions of applicable Indiana Law. In the alternative, the Redevelopment Commission may enter into a lease of any property that could be financed with the proceeds of bonds under IC 36-7-14. The lease is subject to the provisions of IC 36-7-14-25.2 and IC 36-7-14-25.3.

#### **Amendment of the Development Plan**

By following the procedures specified in IC 36-7-14-17.5, the Redevelopment Commission may amend this Development Plan for the Area.

**List of Exhibits to this Development Plan**

**Exhibit “A”** – Factual Report in Support of Findings

**Exhibit “B”** – Depiction of 2010 Expansion Area

**Exhibit “C”** – Depiction of North Beltway Area prior to 2010 Expansion

**Exhibit “D”** – Depiction of 2012 Expansion Area

**Exhibit “E”** – Description by parcel of 2012 Expansion Area

**Exhibit “F”** – Depiction of Restated North Beltway Area after adoption of 2012 Plan

**Exhibit “G”** – Comprehensive Plan Cover Page and Table of Contents

**Exhibit “H”** – Preliminary Project descriptions and budget estimates

Exhibit "A"

**FACTUAL REPORT IN SUPPORT  
OF FINDINGS CONTAINED IN  
RESOLUTION TO EXPAND AREA AND ADOPT DEVELOPMENT PLAN  
BY THE BROWNSBURG REDEVELOPMENT COMMISSION**

**1. The Development Plan for the North Beltway Economic Development Area ("Area") will promote significant opportunities for the gainful employment of citizens of the Town of Brownsburg as follows:**

Commercial and industrial development is expected to occur as a result of completion of the infrastructure improvements contained in the Development Plan and will provide additional gainful employment opportunities for the community. Completion of transportation, parking and roadway projects, fiber infrastructure, recreational trails, streetscape and signage improvements and much needed sewer, water and storm water treatment and transport improvements in the Area will allow for economic development of the Area and surrounding areas to their fullest potential, generating employment opportunities, business and economic expansion and increased tax revenues for the Town and the State of Indiana.

**2. The Plan will attract a major new business enterprise to, or will retain or expand an existing significant business enterprise in, the Town of Brownsburg as follows:**

Providing enhanced infrastructure to the Area will create immediate jobs for the local community as Projects (as defined in the Development Plan) are designed, implemented and constructed. The Development Plan is expected to attract new industry, service industry, retail and commercial projects to the Area by making the entire Area accessible for expansion and development and by facilitating traffic flow and sewer, water and stormwater infrastructure to and serving the Area and the Town. Additional transportation, parking facilities and recreational trails will enhance traffic flow and provide needed transportation and parking improvements to the Town and other units located in the Town, including the Brownsburg School Corporation.

**3. The planning, replanning, development, and redevelopment of the expanded Area will benefit the public health, safety, morals and welfare; increase the economic well-being of the Town of Brownsburg and the State of Indiana; and serve to protect and increase property values in the Town of Brownsburg and the State of Indiana as follows:**

Health, safety, morals, welfare and economic well being will be enhanced by providing the Projects without increasing property tax rates or levies (as shown in the Tax Impact Statement attached hereto), by improving governmental services and infrastructure, furthering economic diversification, improving the quality of life in the Town, alleviating traffic congestion and transportation issues in the Town, eliminating health concerns created by the need for sewer, water and drainage improvements and by creating additional economic opportunities through the enhancement of infrastructure in and serving the Area, allowing for the economic development of the Area and the Town to their fullest potential.

**4. The Plan for the Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to IC 36-7-14 (the redevelopment statute) because of the lack of local public improvements, the existence of conditions that lower the value of the land below that of nearby land, and multiple ownership of land because:**

Much of the Area remains undeveloped or underdeveloped due to the lack of sufficient infrastructure such as transportation and parking facilities, powerful telecommunication access, adequate roads and roadways, and sewer, water and storm water drainage, transfer lines and treatment facilities. Limitations in available funding for current transportation, parking, recreational trails, streetscape and signage improvements, fiber infrastructure, and road, sewer, water and stormwater infrastructure limit the economic development opportunities in the Area, and such opportunities will be greatly expanded and enhanced under the Development Plan by utilizing available allocated tax increment funds to construct the Projects.

**5. The accomplishment of the Plan for the Area will be of public utility and benefit as measured by:**

- (1) The attraction of an estimated 1,000 to 1,500 permanent jobs;
- (2) A significant increase in the property tax base of the Town; and
- (3) Improved diversity of the economic base by providing infrastructure for the Area and properties attached to the Area and significant opportunities for commercial and industrial growth which do not presently exist.

Exhibit "B"

# Town of Brownsburg

July 27, 2010

-  Original North Beltway Economic Development Area
-  Expansion Area

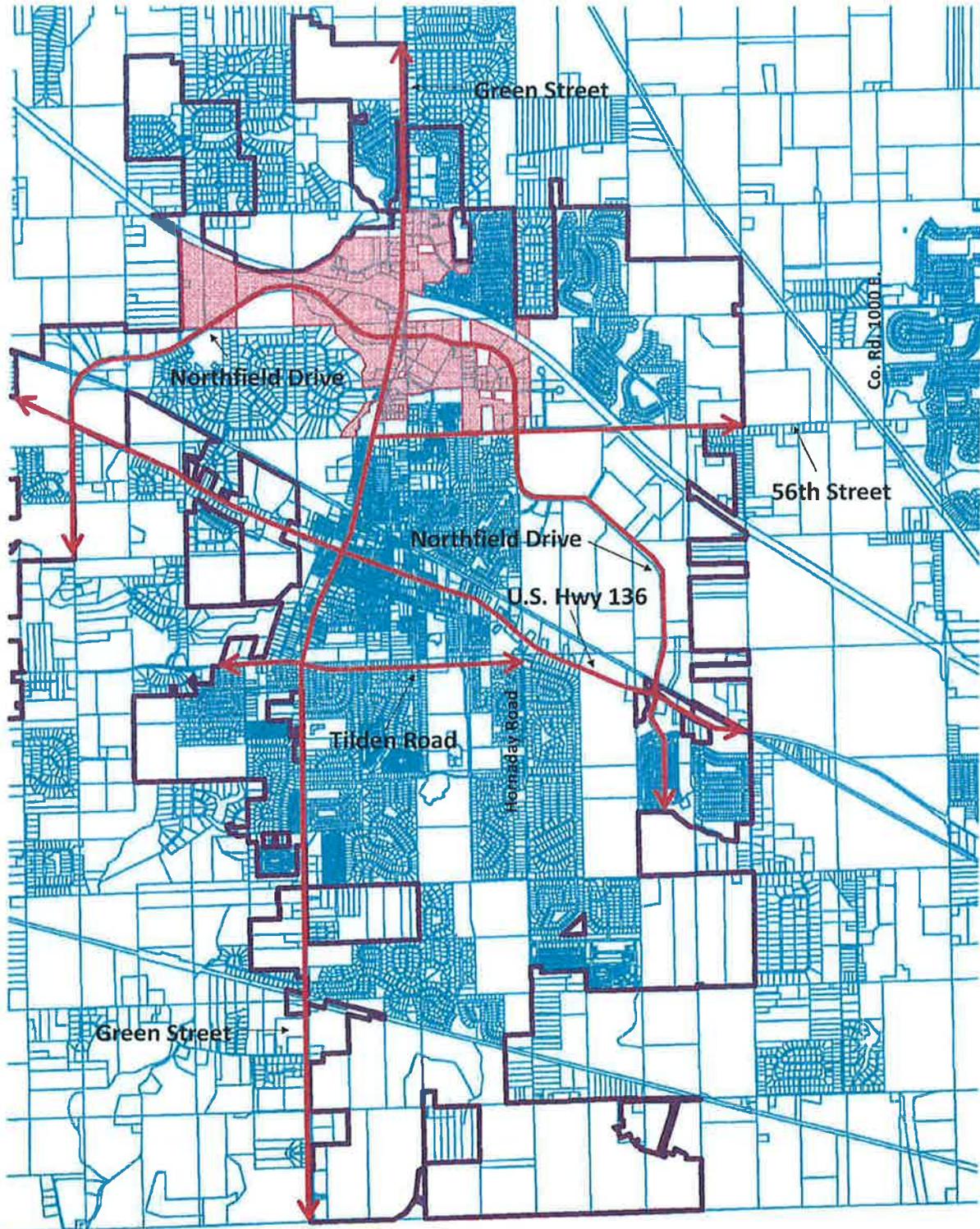


Exhibit "C"



# Exhibit "D"







**Exhibit "F"**

[To be attached]

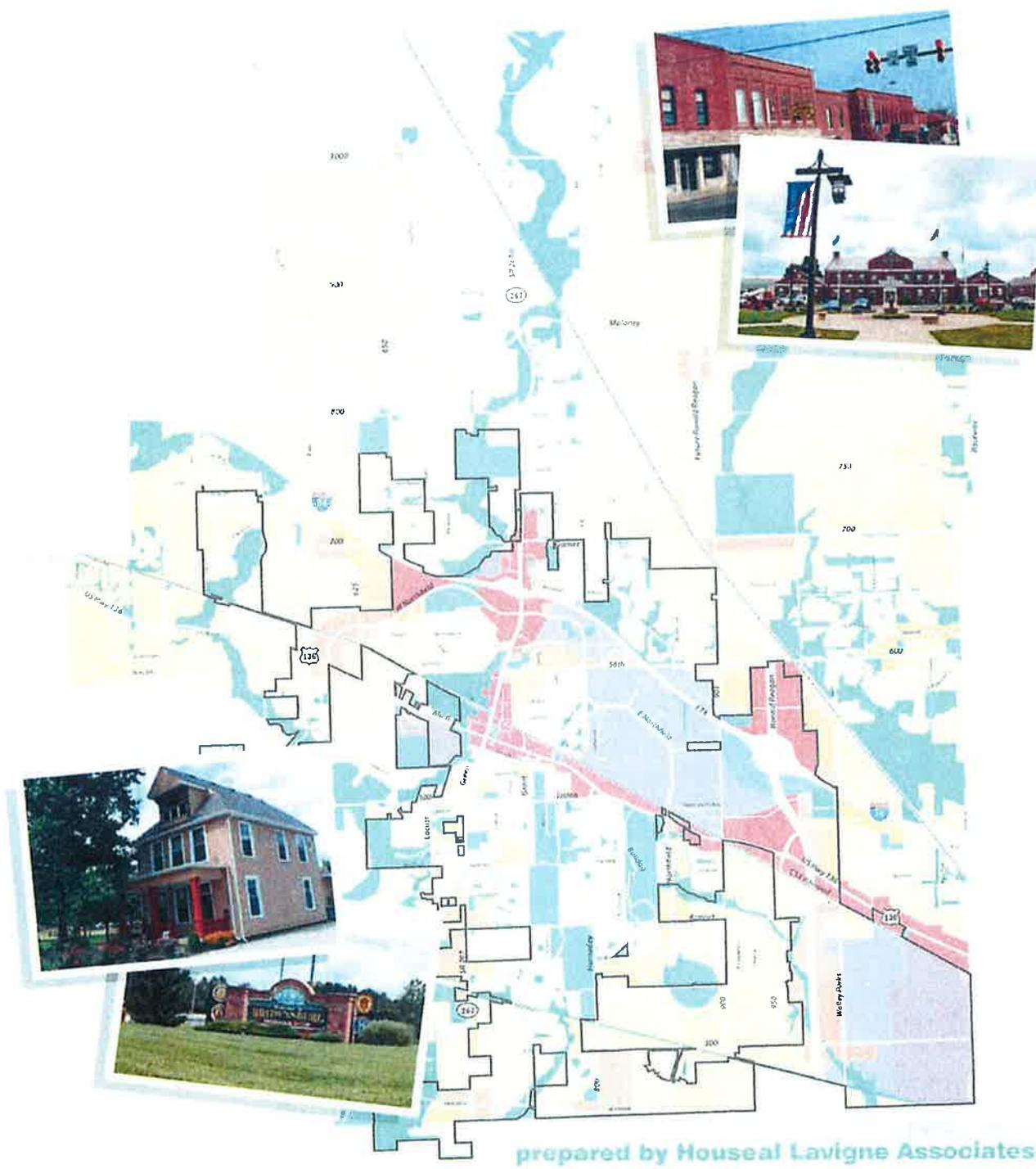
**Exhibit "G"**

Complete Copy Available at

[http://www.brownsburg.org/egov/docs/1343824220\\_856628.pdf](http://www.brownsburg.org/egov/docs/1343824220_856628.pdf)

# Comprehensive Plan

Adopted July 26, 2012



## ACKNOWLEDGEMENTS

### TOWN COUNCIL

Dwayne Sawyer – President  
Don Spencer – Vice President  
Gary Hood  
Rob Kendall  
David Richardson

### PLAN COMMISSION

Don Spencer – President  
Brett Scowden – Vice President  
Sumit Ghosh  
James Hill  
Thomas Lacey  
Glenn Nulty  
Jack Swalley

### COMPREHENSIVE PLAN STEERING COMMITTEE

Sean Benham  
Allan Bolante  
Matt Bowles  
Dale Cheathan  
Tom Garrison  
Gary Hood  
Cinda Kelley  
Scott Lattimer  
Jim Mangus  
Wanda Pearson  
Brian Rose  
Brett Scowden  
Don Spencer  
Roger Stephens  
Marvin Ward  
Eric Willman

### TOWN STAFF

Grant Kleinhenz – Town Manager  
Todd A. Barker, AICP – Director of Planning  
Jon Blake – Planning Technician  
Meegan Morgan – Administrative Assistant

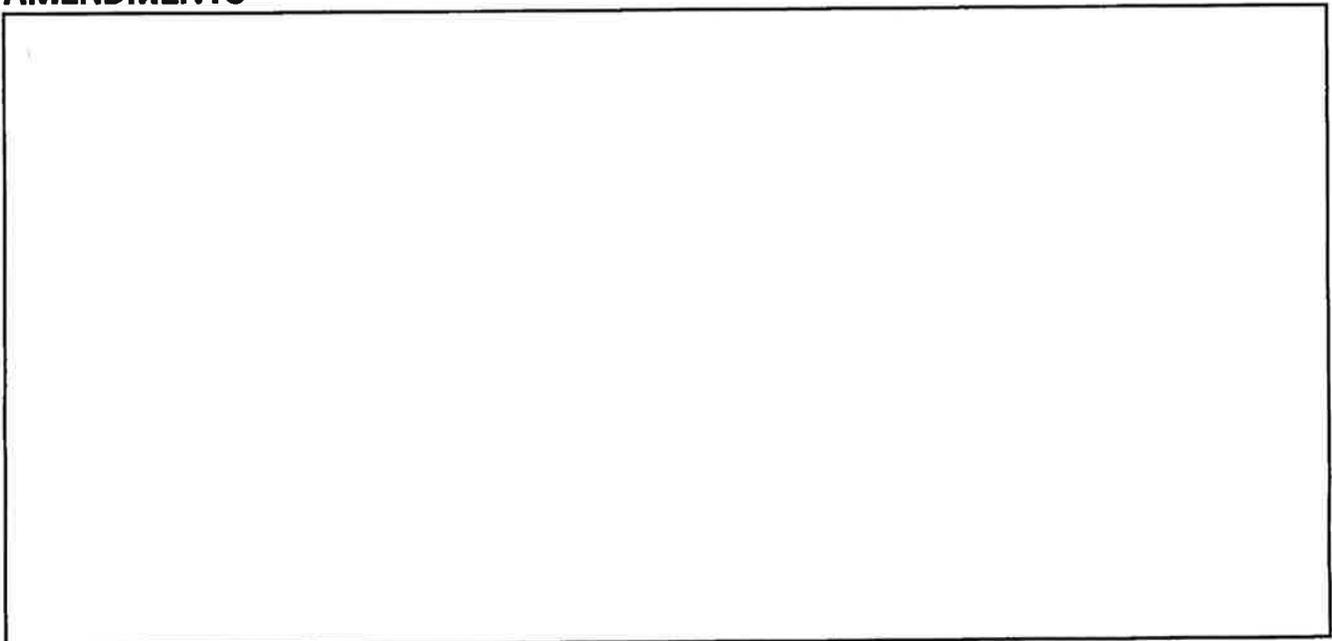
### PREPARED BY

**HOUSEAL LAVIGNE ASSOCIATES**  
134 N LaSalle Street \*1100  
Chicago, Illinois 60602  
(312) 372-1008  
[www.hlplanning.com](http://www.hlplanning.com)

with assistance from  
**VS ENGINEERING**  
4275 N. High School Road  
Indianapolis, IN 46254  
[www.vseengineering.com](http://www.vseengineering.com)

The Brownsburg Town Council adopted The Town of Brownsburg Comprehensive Plan June 2012 by Resolution 2012-20 on July 26, 2012 the plan became effective August 1, 2012

## AMENDMENTS



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Exhibit "H"

**North Beltway Economic Development Area  
Town of Brownsburg, Indiana  
Approved Project List**

\$5,000,000	West Northfield Drive from Brownsburg Station west to SR 136
\$6,000,000	East Northfield Drive from 56th Street east to SR 136
\$8,000,000	SR 267 water, sewer, and drainage improvements
\$4,000,000	Tilden Road and drainage improvements
\$500,000	Development of various plans and standards to include downtown development plan
\$3,000,000	Grant to property owners for façade building improvements
\$3,000,000	Streetscape improvements in downtown
\$7,000,000	Transportation and parking facilities
\$6,000,000	Wastewater treatment plant - percent that benefits TIF District
\$5,000,000	Fiber Optic Cable Installation
\$5,000,000	56th Street road improvements and debt costs
\$10,000,000	Recreational Trails Within Area, including Hornaday Road to Raceway Road
\$12,000,000	Optional project if INDOT relinquishes control of SR 267 - road, curb and gutter improvements
\$10,000,000	Optional project if INDOT relinquishes control of SR 136 - road, curb and gutter improvements
\$15,000,000	Hornaday Road from 136 South to Washington Township line
\$6,000,000	Overpass bridge over I-74 at CR 700 N.
\$5,000,000	Northfield Drive from Beacon Point to CR 300 N. (not currently in town)
\$20,000,000	Ronald Reagan Parkway - US 136 to 300 N.
\$6,000,000	Motorsports Way Connector - Northfield Drive to Ronald Reagan Parkway
\$5,000,000	Connector Road Extension - Ronald Reagan Parkway to 1000 E.
\$3,000,000	US 136 and 900 E. Intersection Realignment & Relocation
\$5,000,000	900 E. Upgrade - North of 56th Street
\$10,000,000	Sewer and Water Infrastructure Upgrades in Expansion Area
\$4,000,000	Purchase of Property located on Green Street for Redevelopment
\$3,000,000	Purchase of Property located on US 136 for Redevelopment
\$3,000,000	Miscellaneous Property acquisitions and improvements
\$12,000,000	Raceway Road Upgrade - US 136 south to Washington Twp Line and north to 56th Street (latter portion not currently in town)
<hr/> \$181,500,000	Total

**BROWNSBURG ADVISORY PLAN COMMISSION ORDER NO. 2012-01**

**ORDER OF THE TOWN OF BROWNSBURG ADVISORY PLAN COMMISSION  
APPROVING A DECLARATORY RESOLUTION AND RESTATED ECONOMIC  
DEVELOPMENT PLAN APPROVED AND ADOPTED BY THE TOWN OF  
BROWNSBURG REDEVELOPMENT COMMISSION FOR THE  
NORTH BELTWAY ECONOMIC DEVELOPMENT AREA**

**WHEREAS**, on the 2<sup>nd</sup> day of October, 2012, the Redevelopment Commission (the "Commission") of the Town of Brownsburg (the "Town"), adopted a Declaratory Resolution (the "Declaratory Resolution") expanding the North Beltway Economic Development Area to include certain territory to the southeast of the Town recently annexed into the jurisdiction of the Town along and adjacent to the current and proposed route of the Ronald Reagan Parkway (the "Expansion Area") and adopting a Restated Plan for the Area as expanded, all pursuant to and in accordance with the provisions of Indiana Code 36-7-14 and all acts supplemental and amendatory thereto (collectively, the "Act"); and

**WHEREAS**, the Declaratory Resolution declared the Expansion Area to be an Economic Development Area pursuant to Sections 41 and 43 of the Act and therefore subject to the economic development activities pursuant to the Act and Indiana Code 36-7-25 *et seq.*, which declaration was supported by findings incorporated into the Declaratory Resolution and the Restated Plan attached thereto; and

**WHEREAS**, the Declaratory Resolution adopted and approved the Restated Plan for the Area which Restated Plan calls for the Expansion Area to be designated as an allocation area pursuant to Section 39 of the Act; and

**WHEREAS**, the Restated Plan incorporates by reference the Comprehensive Plan of the Town adopted on July 26, 2012 and effective on August 1, 2012; and

**WHEREAS**, the Commission has submitted the Declaratory Resolution and the Restated Plan to the Advisory Plan Commission for approval as required by Section 16(a) of the Act, and the Advisory Plan Commission desires to approve the same; and

**WHEREAS**, after being duly advised in the matter;

**NOW, THEREFORE, BE IT ORDERED BY THE TOWN OF BROWNSBURG  
ADVISORY PLAN COMMISSION AS FOLLOWS:**

**SECTION I.** The Declaratory Resolution and the Restated Plan for the North Beltway Economic Development Area conforms to the Comprehensive Plan of development for the Town.

**SECTION II.** The Declaratory Resolution and the Restated Plan are, therefore, in all respects approved, ratified and confirmed without amendment or modification.

**SECTION III.**

The Secretary of the Advisory Plan Commission is hereby directed to file a copy of the Declaratory Resolution and the Restated Plan with the permanent minutes of this meeting.

**SECTION IV.**

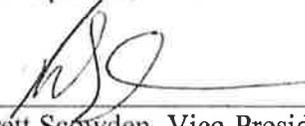
This Order shall take effect immediately upon its passage.

Approved by a vote of five (5) ayes and 0 ( ) nays on the 15<sup>th</sup> day of October, 2012.

**THE BROWNSBURG ADVISOY PLAN  
COMMISSION, HENDRICKS COUNTY,  
INDIANA**



Don Spencer, President

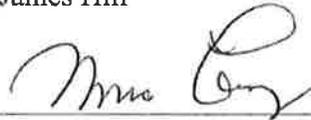


Brett Scowden, Vice-President

Sumit Ghosh

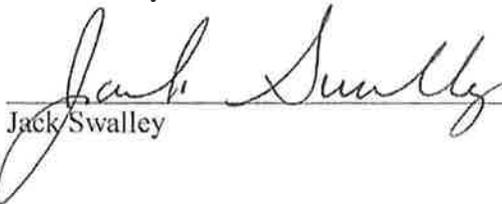


James Hill



Thomas Lacey

Glenn Nulty



Jack Swalley

Resolution #2012-38  
Brownsburg, Indiana  
October 25, 2012

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BROWNSBURG,  
HENDRICKS COUNTY, INDIANA APPROVING AN ORDER OF THE TOWN OF  
BROWNSBURG ADVISORY PLAN COMMISSION APPROVING A CERTAIN  
DECLARATORY RESOLUTION AND RESTATED ECONOMIC DEVELOPMENT  
PLAN APPROVED AND ADOPTED BY THE TOWN OF BROWNSBURG  
REDEVELOPMENT COMMISSION  
(RONALD REAGAN PARKWAY)**

**WHEREAS**, on the 2<sup>nd</sup> day of October, 2012, the Redevelopment Commission (the "Commission") of the Town of Brownsburg (the "Town"), adopted a Declaratory Resolution (the "Declaratory Resolution") expanding the North Beltway Economic Development Area to include certain territory to the southeast of the Town recently annexed into the jurisdiction of the Town along and adjacent to the current and proposed route of the Ronald Reagan Parkway (the "Expansion Area") and adopting a Restated Plan for the Area as expanded, all pursuant to and in accordance with the provisions of Indiana Code 36-7-14 and all acts supplemental and amendatory thereto (collectively, the "Act"); and

**WHEREAS**, the Declaratory Resolution declared the Expansion Area to be an Economic Development Area pursuant to Sections 41 and 43 of the Act and therefore subject to the economic development activities pursuant to the Act and Indiana Code 36-7-25 *et seq.*, which declaration was supported by findings incorporated into the Declaratory Resolution and the Restated Plan attached thereto; and

**WHEREAS**, the Declaratory Resolution adopted and approved the Restated Plan for the Area which Restated Plan calls for the Expansion Area to be designated as an allocation area pursuant to Section 39 of the Act; and

**WHEREAS**, the Restated Plan incorporates by reference the Comprehensive Plan of the Town adopted on July 26, 2012 and effective on August 1, 2012; and

**WHEREAS**, the Commission submitted the Declaratory Resolution, the Restated Plan and supporting data to the Advisory Plan Commission of the Town, and on October 15, 2012, the Advisory Plan Commission issued its written Order approving the Declaratory Resolution and the Plan, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Section 16(b) of the Act provides that the Town Council must approve the Order of the Advisory Plan Commission; and

**WHEREAS**, Section 41(c) of the Act additionally requires that the determination that a geographic area is an "economic development area" be approved by the Town Council; and

Exhibit 11 C 11

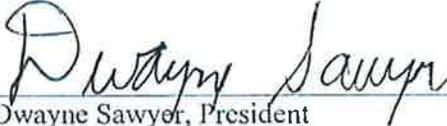
**WHEREAS**, the Town Council has reviewed the Declaratory Resolution adopted by the Commission, the Restated Plan approved by the Declaratory Resolution and the Order of the Advisory Plan Commission regarding the Declaratory Resolution and the Amended Plan; and

**WHEREAS**, after being duly advised in the matter,

**NOW, THEREFORE, BE IT RESTATED BY THE TOWN COUNCIL OF THE TOWN OF BROWNSBURG, INDIANA, AS FOLLOWS:**

- SECTION I.** The Plan Commission Order attached hereto is in all respects approved, ratified and confirmed.
- SECTION II.** The Declaratory Resolution and the Restated Plan, as attached to the Order of the Advisory Plan Commission, are in all respects approved, ratified and confirmed.
- SECTION III.** The determination that the Expansion Area is an economic development area under the Act is hereby approved pursuant to Indiana Code 36-7-14-41(c).
- SECTION IV.** The Clerk-Treasurer of the Town is hereby directed to file a copy of the Declaratory Resolution, the Restated Plan and the Order of the Advisory Plan Commission with the permanent minutes of this meeting.
- SECTION V.** This Resolution shall be in full force and effect from and after its passage by the Town Council.

**PASSED** by the Town Council of the Town of Brownsburg, Indiana this 25<sup>th</sup> day of October, 2012, by a vote of five (5) ayes and 0 (0) nays.

  
Dwayne Sawyer, President

ATTEST:

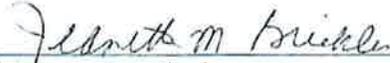
  
Jeanette M. Brickler  
Clerk-Treasurer

Exhibit "A"

**BROWNSBURG ADVISORY PLAN COMMISSION ORDER NO. 2012-01**

**ORDER OF THE TOWN OF BROWNSBURG ADVISORY PLAN COMMISSION  
APPROVING A DECLARATORY RESOLUTION AND RESTATED ECONOMIC  
DEVELOPMENT PLAN APPROVED AND ADOPTED BY THE TOWN OF  
BROWNSBURG REDEVELOPMENT COMMISSION FOR THE  
NORTH BELTWAY ECONOMIC DEVELOPMENT AREA**

**WHEREAS**, on the 2<sup>nd</sup> day of October, 2012, the Redevelopment Commission (the "Commission") of the Town of Brownsburg (the "Town"), adopted a Declaratory Resolution (the "Declaratory Resolution") expanding the North Beltway Economic Development Area to include certain territory to the southeast of the Town recently annexed into the jurisdiction of the Town along and adjacent to the current and proposed route of the Ronald Reagan Parkway (the "Expansion Area") and adopting a Restated Plan for the Area as expanded, all pursuant to and in accordance with the provisions of Indiana Code 36-7-14 and all acts supplemental and amendatory thereto (collectively, the "Act"); and

**WHEREAS**, the Declaratory Resolution declared the Expansion Area to be an Economic Development Area pursuant to Sections 41 and 43 of the Act and therefore subject to the economic development activities pursuant to the Act and Indiana Code 36-7-25 *et seq.*, which declaration was supported by findings incorporated into the Declaratory Resolution and the Restated Plan attached thereto; and

**WHEREAS**, the Declaratory Resolution adopted and approved the Restated Plan for the Area which Restated Plan calls for the Expansion Area to be designated as an allocation area pursuant to Section 39 of the Act; and

**WHEREAS**, the Restated Plan incorporates by reference the Comprehensive Plan of the Town adopted on July 26, 2012 and effective on August 1, 2012; and

**WHEREAS**, the Commission has submitted the Declaratory Resolution and the Restated Plan to the Advisory Plan Commission for approval as required by Section 16(a) of the Act, and the Advisory Plan Commission desires to approve the same; and

**WHEREAS**, after being duly advised in the matter;

**NOW, THEREFORE, BE IT ORDERED BY THE TOWN OF BROWNSBURG  
ADVISORY PLAN COMMISSION AS FOLLOWS:**

**SECTION I.** The Declaratory Resolution and the Restated Plan for the North Beltway Economic Development Area conforms to the Comprehensive Plan of development for the Town.

**SECTION II.** The Declaratory Resolution and the Restated Plan are, therefore, in all respects approved, ratified and confirmed without amendment or modification.

**SECTION III.**

The Secretary of the Advisory Plan Commission is hereby directed to file a copy of the Declaratory Resolution and the Restated Plan with the permanent minutes of this meeting.

**SECTION IV.**

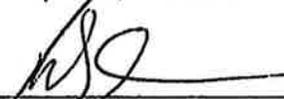
This Order shall take effect immediately upon its passage.

Approved by a vote of five (5) ayes and 0 ( ) nays on the 15<sup>th</sup> day of October, 2012.

**THE BROWNSBURG ADVISOY PLAN  
COMMISSION, HENDRICKS COUNTY,  
INDIANA**



Don Spencer, President

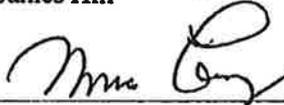


Brett Scowden, Vice-President

Sumit Ghosh

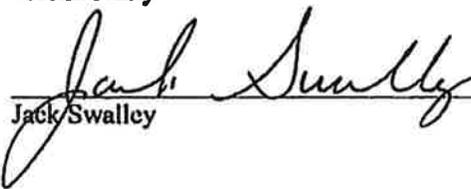


James Hill



Thomas Lacey

Glenn Nulty



Jack Swalley