

RESOLUTION NO. 2012-05

**RESOLUTION OF THE TIPPECANOE COUNTY AREA PLAN COMMISSION  
DETERMINING THAT A RESOLUTION AND ECONOMIC DEVELOPMENT  
PLAN APPROVED AND ADOPTED BY THE CITY OF WEST LAFAYETTE  
REDEVELOPMENT COMMISSION CONFORM TO THE PLAN OF  
DEVELOPMENT FOR TIPPECANOE COUNTY AND APPROVING THE  
RESOLUTION AND PLAN**

WHEREAS, the Tippecanoe County Area Plan Commission (the "Plan Commission") is the body charged with the duty of developing a general plan of development for Tippecanoe County, Indiana (the "County"); and

WHEREAS, the City of West Lafayette Redevelopment Commission (the "Redevelopment Commission"), pursuant to Indiana Code 36-7-14, as amended (the "Act"), adopted a Declaratory Resolution on February 22, 2012 (the "Declaratory Resolution"), designating the area known as the "Metro FiberNet Project Allocation Area" (the "Economic Development Area") as an economic development area pursuant to Section 41 of the Act, which Economic Development Area contains certain areas of the City; and

WHEREAS, the Declaratory Resolution approved an economic development Plan for the Economic Development Area designated as the "Metro FiberNet Economic Development Plan—Economic Development Area" (the "Plan"); and

WHEREAS, the Redevelopment Commission has submitted the Declaratory Resolution and the Plan to the Plan Commission for approval pursuant to the provisions of Section 16 of the Act, which Declaratory Resolution and Plan are attached hereto and made a part hereof; and

WHEREAS, in determining the location and extent of the Economic Development Area, the Plan Commission has determined that no residents of the City will be displaced by the proposed development thereof; and

WHEREAS, the Plan Commission and the City adopted *The Metropolitan Transportation Plan 2040: Completing Our Streets (MTP)* on June 20, 2012 and July 2, 2012 respectively, an element of the plan of development which includes proposed improvements to the transportation network that may require future relocation of utilities including those of Metro FiberNet, and therefore the Plan should be amended so that it is understood that under the MTP, Metro FiberNet will have the same rights, responsibilities and duties of all other similarly situated public utilities (the "Amendment"); and

WHEREAS, the Plan Commission has reviewed the Declaratory Resolution and the Plan and determined that they conform to the plan of development, following inclusion of the amendment as noted above, for the City, and now desires to approve the Declaratory Resolution and the Plan; and

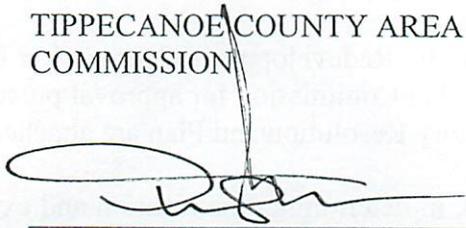
WHEREAS, on September 19, 2012, the Plan Commission voted unanimously to authorize its Executive Committee to hear and vote on this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY TIPPECANOE COUNTY AREA PLAN COMMISSION EXECUTIVE COMMITTEE, THAT:

1. The Plan Commission hereby finds and determines that the Declaratory Resolution and the Plan for the Economic Development Area conform to the plan of development for the City so long as the Plan is amended as discussed above.
2. The Declaratory Resolution and the Plan for the Economic Development Area as amendment are hereby approved.
3. This Resolution hereby constitutes the written order of the Plan Commission approving the Declaratory Resolution and the Plan for the Economic Development Area as amended pursuant to Section 16 of the Act.
4. The Secretary is hereby directed to file a copy of the Declaratory Resolution and the Plan for the Economic Development Area with the minutes of this meeting.

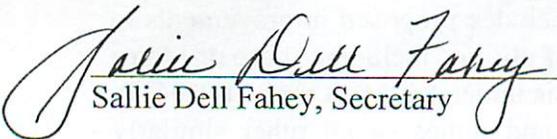
SO RESOLVED BY TIPPECANOE COUNTY AREA PLAN COMMISSION EXECUTIVE COMMITTEE this 3rd day of October, 2012.

TIPPECANOE COUNTY AREA PLAN  
COMMISSION



Tim Shriner, Vice President

ATTEST:



Sallie Dell Fahey, Secretary