

**RESOLUTION NO. 11-08**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, APPROVING AN ORDER OF THE TIPPECANOE COUNTY AREA PLAN COMMISSION APPROVING A RESOLUTION OF THE CITY OF WEST LAFAYETTE, INDIANA, REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING A CERTAIN AREA AS AN ECONOMIC DEVELOPMENT AREA TO EXPAND THE KALBERER/CUMBERLAND/BLACKBIRD AREA AND AMEND THE ECONOMIC DEVELOPMENT PLAN FOR THE KALBERER/CUMBERLAND/BLACKBIRD AREA**

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WHEREAS, the City of West Lafayette Redevelopment Commission (the "Commission") on March 19, 2008, approved and adopted a resolution entitled "Resolution of the City of West Lafayette, Indiana, Redevelopment Commission Designating and Declaring a certain area as an Economic Development Area to expand the Kalberer/Cumberland/Blackbird Area and amend the Economic Development Plan for the Kalberer/Cumberland/Blackbird Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution designates and declares an area within the City of West Lafayette, Indiana (the "City") as an expansion area (the "Expansion Area") expanding the Kalberer/Cumberland/Blackbird Economic Development Area (the "Area"), adopts an amendment and restatement to the economic development plan previously adopted by the Commission entitled "Amended Economic Development Plan for the Kalberer/Cumberland/Blackbird Area" (the "Amended Plan"), and establishes the Expansion Area as an "allocation area" for purposes of tax increment financing; and

WHEREAS, the Tippecanoe County Area Plan Commission (the "Plan Commission"), on April 16, 2008, adopted and approved a resolution, a copy of which is

attached hereto, determining that the Declaratory Resolution and the Amended Plan conform to the plan of development for the City and approving, ratifying and confirming the Declaratory Resolution and the Amended Plan, and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Amended Plan as required by Section 16 of I.C. 36-7-14, as amended (the "Act") (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the municipal legislative body of the City; and

WHEREAS, the Common Council of the City is the municipal legislative body of the City and now desires to approve the Plan Commission Order in order to permit the Commission to proceed with the redevelopment and economic development of the Expansion Area;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, AS FOLLOWS:**

1. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.
2. The Commission's determination in the Declaratory Resolution that the Expansion Area is an "economic development area" pursuant to the Act is hereby approved.
3. This Resolution shall be in full force and effect from and upon compliance with the procedures required by law.

Introduced on first reading on the 5<sup>th</sup> day of May, 2008.

Duly resolved, passed, and adopted by the Common Council of the City of West Lafayette Indiana, on the 5<sup>th</sup> day of May, 2008, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, the roll call vote being:

<u>AYE</u>		<u>NAY</u>
_____	Bunder	_____
_____	Burch	_____
_____	Hunt	_____
_____	Keen	_____
_____	Roales	_____
_____	Thomas	_____
_____	Truitt	_____

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

ATTEST:

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

Presented by me to the Mayor of the City of West Lafayette, Indiana, on the \_\_\_\_\_ day of May, 2008, at the hour of \_\_\_\_\_.

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

This Resolution approved and signed by me on the \_\_\_\_ day of May, 2008, at the hour of \_\_\_\_\_.

\_\_\_\_\_  
John R. Dennis, Mayor

ATTEST:

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer