

SPONSOR: Councilman Jack Uylaki

RESOLUTION NO.: R22

**A DECLARATORY RESOLUTION OF THE HAMMOND CITY COUNCIL DESIGNATING THAT
A CERTAIN AREA OF THE CITY OF HAMMOND, INDIANA BE ESTABLISHED AS AN
ECONOMIC REVITALIZATION AREA TO WHICH DEDUCTIONS FROM ASSESSED VALUE
MAY BE REQUESTED BY AN APPLICANT TO THE COMMON COUNCIL OF THE CITY OF HAMMOND
PURSUANT TO INDIANA CODE 6-1.1-12.1**

- WHEREAS,** Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code (“IC”) 6-1.1-12.1 *et seq.*, (the “Act”) in the form of deductions of assessed value for qualified real property improvements and the installation of qualified personal property that results from development, redevelopment and rehabilitation; and
- WHEREAS,** The Common Council of the City of Hammond, Indiana (“City Council”) desires to offer assessed valuation deductions for real and personal property development, redevelopment and rehabilitation in a certain area of the City of Hammond (the “City”) to stimulate private investment of new construction, redevelopment and rehabilitation and the installation of personal property in order attract, retain and expand existing manufacturing enterprise, to increase the City’s primary manufacturing assessed valuation base, and to provide employment opportunities for residents of the City, northwest Indiana and the State of Indiana; and
- WHEREAS,** The Act provides for assessed valuation deductions as an incentive resource, also know as tax abatement, to encourage private enterprise (i) to develop, redevelop and rehabilitate real property and/or (ii) to install qualified personal property within the City as a means to attract, retain or expand private enterprise and economic development in the City by designating certain areas within its jurisdiction to be Economic Revitalization Areas (an “ERA”); and
- WHEREAS,** The Act provides that an ERA is an area as defined under Section 1(1) of the Act “...which has become undesirable for, or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character or occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent normal development of property or use of property” for which said term also includes “any area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenue;” and
- WHEREAS,** The City Department of Planning & Development in accordance with Section 2.5(a) of the Act has (i) prepared maps identifying an ERA and prepared a simplified description of the boundaries of the ERA by describing it location in relation to public ways, streams, or otherwise, attached hereto as **EXHIBIT A** and (ii) submitted said documents to the City Council for review and consideration as to the designation of an ERA in the City; and
- WHEREAS,** The City Council has reviewed said documents as submitted to the designation of an ERA in the City and desires to take formal action in order to designate a certain area of the City as an ERA for the purpose of providing for assessed valuation deductions as an incentive resource to encourage private enterprise (i) to develop, redevelop and rehabilitate real property and/or (ii) to install qualified personal property within the City as a means to attract, retain or expand private enterprise and economic development in the City;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Hammond, Indiana, that the area as described and detailed in **EXHIBIT A** as attached hereto is determined to be, established and designated as an Economic Revitalization Area as defined under Section 1(1) of the Act for which said area has become undesirable for, or impossible of, normal development because of deterioration of improvements, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent normal development of property or use of property and that said area is an area where a facility or a group of facilities that are technologically and economically obsolete are located and where the obsolescence may lead to a decline in employment and tax revenue for the City, northwest Indiana and the state of Indiana.

BE IT FURTHER RESOLVED that this Resolution including all exhibits attached hereto, as the Declaratory Resolution, be filed with the Lake County Assessor in accordance with Section 2.5(b) of the Act.

BE IT FURTHER RESOLVED that the ERA is located in the West Point Allocation Area, as confirmed by Resolution No. 02-2013 of the Hammond Redevelopment Commission as approved on February 19, 2013, of the North Hammond Redevelopment Area for the purpose of implementing the Amended North Hammond Redevelopment Plan for the North Hammond Development Area as dated October 8, 2010, pursuant to and in accordance with Section 2(l) of the Act.

BE IT FURTHER RESOLVED that in accordance Section 2(i)(1) of the Act, the ERA shall be limited to a period of ten (10) years such that the ERA designation shall expire ten (10) years from the date of the confirming resolution of this Declaratory Resolution but not later than December 31, 2023.

BE IT FURTHER RESOLVED that in accordance Section 2.5(b) of the Act, a determination of the number of years a deduction under:

- (i) Section 4.5 of the Act (as it relates to qualified personal property assessed valuation deductions) is allowed shall not exceed 10 years, as based upon the "Cost" and "Assessed Value" of "Estimated Values of Proposed Project" that may be found in Section 4 of the Statement of Benefits (FORM SB-1/PP), as submitted to the City Council for consideration and approval.

BE IT FURTHER RESOLVED that the Common Council may impose a fee in accordance with Section 14 of the Act on any development, redevelopment and rehabilitation of real property and/or (ii) the installation of qualified personal property within the ERA, which by a resolution approving a FORM SB-1/Real Property and/or FORM SB-1/PP shall be distributed to one or more identified public or non-profit entities established to promote economic development in the City.

BE IT FURTHER RESOLVED that in accordance Section 2.5(c)(1) of the Act, the Clerk is directed and authorized to publish notice of the adoption and substance of this Resolution, as a declaratory resolution, in accordance with IC 5-3-1 for a public hearing scheduled of the City Council for **Monday, September 8, 2014 at 6:00pm** in the City Hall Council Chamber located at 5925 Calumet Avenue, Hammond, Indiana 46320.

BE IT FURTHER RESOLVED that in accordance Section 2.5(c)(2) of the Act, the City Council directs the Clerk to file the following information with each taxing unit that has authority to levy property taxes in the geographic area where the ERA is located:

1. A copy of the notice published in accordance with IC 5-3-1; and
2. A statement containing substantially the same information as a statement of benefits filed with the City Council (a "Report on Economic and Tax Impact Analysis") before a public hearing required by Sections 2.5 of the Act under Sections 3, 4.5 and 4.8 of the Act.

BE IT FURTHER RESOLVED that herein Resolution shall have full force and effect from and after its passage by the City Common Council, signing by the President thereof and approval by the Mayor.

HAMMOND COMMON COUNCIL

Michael Opinker, President /s/
Common Council

ATTEST:

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana.

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City for his approval on the 12th day of August, 2014.

Robert J. Golec, City Clerk /s/

The foregoing Resolution No. R22 consisting of two (3) typewritten pages, including this page was approved by the Mayor on the 12th day of August, 2014.

Thomas McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the City of Hammond Common Council on the 11th day of August, 2014 and approved by the Mayor on the 12th day of August, 2014.

Robert J. Golec, City Clerk /s/

EXHIBIT A

Economic Revitalization Area: Boundary Description and Map

[Pursuant to I.C. 6-1.1-12.1-2.5(a)]

A general description of the boundaries of the Economic Revitalization Area (the "ERA") predominantly includes foundry and manufacturing land uses generally located within the northeast quarter of the south half of the West Point Plaza Industrial Park bounded by 141st Street as extended east to the City of Hammond/East Chicago Corporate Limits on the north, the 145th Street on the south, White Oak Avenue on the east and Columbia Avenue on the west. A detail boundary description and map is provided below.

The ERA is further described in detail by a metes and bounds boundary description as follows.

PART OF THE NORTH HALF½ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 9 WEST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WHITE OAK AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF HUEHN STREET, BEING THE **POINT OF ORIGIN**:

THENCE NORTH ALONG WEST RIGHT-OF-WAY OF WHITE OAK AVENUE APPROXIMATELY 470.4 FEET MORE OR LESS TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF A 12.16 ACRE PARCEL (KEY NUMBER 45-03-30-276-011.000-023);

THENCE WEST PERPENDICULAR TO THE WEST RIGHT-OF-WAY OF WHITE OAK AVENUE ALONG THE NORTH PROPERTY LINE OF SAID 12.16 ACRE PARCEL APPROXIMATELY 1,130.69 FEET TO THE NORTHWEST CORNER OF SAID 12.16 ACRE PARCEL;

THENCE SOUTH ALONG THE WEST PROPERTY LINE OF SAID 12.16 ACRE PARCEL APPROXIMATELY 470.81 FEET TO THE SOUTHWEST CORNER OF SAID 12.16 ACRE PARCEL, ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF HUEHN STREET;

THENCE EAST ALONG THE SOUTH PROPERTY LINE OF SAID 12.16 ACRE PARCEL AS THE NORTH RIGHT-OF-WAY LINE OF HUEHN STREET APPROXIMATELY 1,120.91 FEET TO ITS INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF WHITE OAK AVENUE, BEING THE **POINT OF ORIGIN**, CONSISTING OF 12.16 ACRES, MORE OR LESS AND INCLUDING REAL PROPERTY PERMANENT PARCEL NUMBER (KEY NUMBER) 45-03-30-276-011.000-023 AS IDENTIFIED ON THE MARCH 1, 2014 ASSESSMENT RECORDS OF THE LAKE COUNTY ASSESSOR FOR ASSESSMENT PURPOSES FURTHER DESCRIBED AS LOT 3 IN THE HUEHN STREET ADDITION TO THE CITY OF HAMMOND, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 45, IN THE OFFICE OF THE LAKE COUNTY, INDIANA RECORDER WITH A PROPERTY ADDRESS OF 1501 HUEHN STREET.

SEE **MAP 1**: ERA BOUNDARY

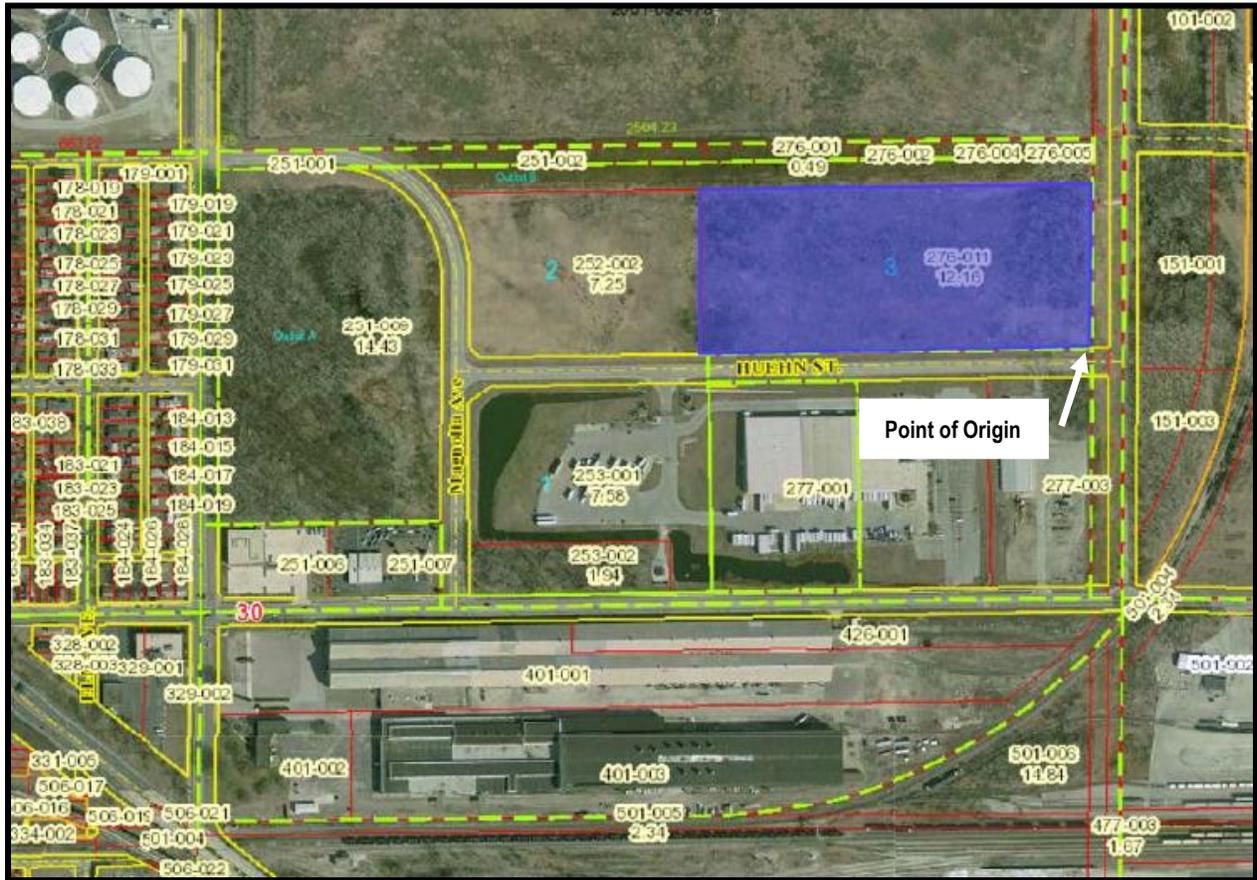
EXHIBIT A

(continued)

Economic Revitalization Area: Boundary Description and Map

[Pursuant to I.C. 6-1.1-12.1-2.5(a)]

MAP 1: ERA Boundary



Legend

 ERA Boundaries

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Map is no to Scale