

ZIONSVILLE REDEVELOPMENT COMMISSION

2021-
RESOLUTION NO. 01

WHEREAS, the Town of Zionsville, Indiana (the "Town") created the Creekside Corporate Park Planned Unit Development District (the "Creekside Corporate Park") pursuant to the Creekside Corporate Park Planned Unit Development District Ordinance adopted by the Town Council of the Town under case number 2020-05 approved on June 1, 2020, and any amendment, variances and replacements thereof;

WHEREAS, on September 30, 2020, the Zionsville Redevelopment Commission (the "Commission") entered into the Development Agreement ("Agreement") with RL Properties, LLC ("RL") for the purposes of facilitating the development and construction of RL's new headquarters facility on approximately 13.32 acres of real property located in the Creekside Corporate Park in the Town, more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Real Estate"), including all necessary appurtenances, related improvements and equipment (collectively, the "Project");

WHEREAS, the addition of the Project within the Creekside Corporate Park will enhance Town revitalization efforts, provide additional employment opportunities, increase the level and diversity of the tax base and promote economic development providing existing businesses with opportunities for growth, all of which will enhance the Town's efforts to create a vibrant, active community with a central business core;

WHEREAS, pursuant to IC 36-7-14-11(3), (4) and (7), the Commission has the duty to promote the use of land in the manner that best serves the interests of the Town and its citizens, the duty to cooperate with the Town and all departments and agencies thereof in the manner that best serves the purposes of the redevelopment statute and replan and dispose of the areas needing redevelopment in the manner that best serves the social and economic interests of the Town;

WHEREAS, pursuant to IC 36-7-14-12.2(2), the Commission has the power and authority to hold, use, sell (by conveyance by deed, land sale contract, or other instrument), exchange, lease, rent or otherwise dispose of property acquired for use in the redevelopment of areas needing redevelopment on the terms and conditions that the commission considers best for the unit and its inhabitants;

WHEREAS, pursuant to IC 36-7-14-12.2(21)(A) and (B), the Commission has the power and authority to contract for the construction of local public improvements and any structure that enhances economic development;

WHEREAS, the Commission desires to promote economic development and redevelopment in the Creekside Corporate Park through the development, renovation and construction of the Project and its disposition of the Real Estate;

WHEREAS, the Commission owns fee simple title to the Real Estate;

WHEREAS, the Commission authorized the offering of the Real Estate in 2016;

WHEREAS, the notice of offering of the Real Estate ("Notice of Offering") was published on January 11, 2017 and January 18, 2017, in accordance with IC 36-7-14-22 and the Offering Sheet was made available upon request in the office of Counsel to the Redevelopment Commission pursuant to the Notice of Offering;

WHEREAS, other than the offer for the acquisition of the Real Estate and the development, renovation and construction of the Project set forth in the Agreement, no other offers have been received;

WHEREAS, the Commission held a public hearing on March 15, 2021 concerning the sale of the Real Estate where it invited, pursuant to a notice of public hearing published in two (2) newspapers at least ten (10) days prior to such public hearing, the public to attend and comment giving all interested parties who appeared an opportunity to express their views, both orally and in writing, on the proposed sale; and

WHEREAS, the Commission now desires to accept the offer of RL, subject to all of the terms and conditions set forth in the Agreement, and approve conveyance of the Real Estate in an "as is" condition for \$10.00;

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

Section 1. The Commission hereby acknowledges that other than the offer for the acquisition of the Real Estate and the development, renovation and construction of the Project set forth in the Agreement, no other offers have been received by the Commission.

Section 2. The Commission hereby approves the conveyance of the Real Estate in "as is" condition to RL for \$10.00, and approves the final conveyance of fee simple title to the Real Estate to RL pursuant to the terms and conditions set forth in the Agreement.

Section 3. The Commission hereby authorizes and directs the President and Secretary of the Commission to have prepared, execute and deliver any and all instruments, letters, certificates, agreements and documents as the executing official, Wayne DeLong, as Director of Planning and Economic Development, or Ice Miller LLP, as special counsel, determines is necessary or appropriate to consummate the transactions contemplated by this resolution, and such determination shall be conclusively evidenced by the execution thereof. The instruments, letters, certificates, agreements and documents necessary or appropriate to consummate the transactions contemplated by this resolution shall, upon execution, as contemplated herein, constitute the valid and binding obligations or representations and warranties of the Commission, the full performance and satisfaction of which by the Commission are hereby authorized and directed.

Section 4. This resolution shall be effective upon passage.

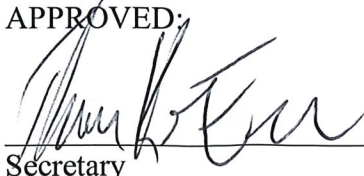
Adopted this 15th day of March, 2021.

ZIONSVILLE REDEVELOPMENT COMMISSION



President or Presiding Officer

APPROVED:



Secretary

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

LOTS 12, 13, AND 14 OF THE CREEKSIDE CORPORATE PARK SUBDIVISION, PLAT BOOK 26, PAGES 5-8, AS INSTRUMENT NO. 2017012261, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA.