

JAN 17 2025

## RESOLUTION NO. 4, 2025

CITY CLERK

**A RESOLUTION OF THE COMMON COUNCIL OF  
THE CITY OF TERRE HAUTE, INDIANA APPROVING CERTAIN MATTERS IN  
CONNECTION WITH AN AMENDMENT TO THE DECLARATORY RESOLUTION  
FOR THE 2020 CONSOLIDATED ECONOMIC DEVELOPMENT AREA AND THE  
ECONOMIC DEVELOPMENT PLAN FOR SAID AREA**

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Redevelopment Commission") previously adopted and amended resolutions (as amended, the "Declaratory Resolution") establishing and expanding an economic development area known as the "2020 Consolidated Economic Development Area" (the "Area") and approving an economic development plan for the Area (as subsequently amended, the "Plan"), pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

WHEREAS, the Redevelopment Commission, on January 15, 2025, approved and adopted its Resolution No. 3-2025 (the "Resolution") further amending the Declaratory Resolution by (i) removing the area described on Exhibit A attached to the Resolution from the 2020 Consolidation Allocation Area, (ii) designating the area described on Exhibit A attached to the Resolution as an allocation area pursuant to Section 39 of the Act to be known as the Downtown Hotels Allocation Area (the "Downtown Hotels Allocation Area"), and (ii) amending the Plan as described in Exhibit B attached to the Resolution (the "Plan Amendment"); and

WHEREAS, on February 5, 2025, the Vigo County Area Plan Commission approved and adopted a resolution (the "Approving Order") approving the Resolution and the Plan Amendment, and determining that the Resolution and the Plan Amendment conform to the plan of development for the City of Terre Haute, Indiana (the "City"), and has submitted the Approving Order to the Common Council of the City (the "Council"); and

WHEREAS, pursuant to Section 16(b) of the Act, the Redevelopment Commission has submitted the Resolution and the Plan Amendment to this Council.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Terre Haute, Indiana, as follows:

1. Pursuant to Section 16(b) of the Act, the Council hereby approves in all respects the Resolution and the Plan Amendment, and the Approving Order.
2. This Resolution shall be in full force and effect immediately from and after its passage and in accordance with Indiana law.

Introduced by: Cheryl Loudermilk  
Cheryl Loudermilk, Councilmember

Passed in open Council this 6th day of February 2025.

Todd Nation  
Todd Nation, City Council President

ATTEST:

Michelle Edwards  
Michelle Edwards, City Clerk

Presented by me to the Mayor this 6th day of February 2025, at 7 : 00 p.m.

Michelle Edwards  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 6th day of February 2025.

Brandon Sakbun  
Brandon Sakbun, Mayor

ATTEST:

Michelle Edwards  
Michelle Edwards, City Clerk



## RESOLUTION NO. 3, 2025

### **RESOLUTION OF THE CITY OF TERRE HAUTE REDEVELOPMENT COMMISSION AMENDING THE DECLARATORY RESOLUTION FOR THE 2020 CONSOLIDATED ECONOMIC DEVELOPMENT AREA AND APPROVING AN AMENDMENT TO THE ECONOMIC DEVELOPMENT PLAN FOR SAID AREA**

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Commission"), governing body of the City of Terre Haute Department of Redevelopment (the "Department"), previously adopted and amended resolutions (collectively, the "Declaratory Resolution") establishing and expanding an economic development area known as the "2020 Consolidated Economic Development Area" (the "Area"), designating certain portions of the Area as "allocation areas" for purposes of Section 39 of the Act, including the 2020 Consolidated Allocation Area (collectively, the "Allocation Areas"), and approving an economic development plan for the Area (as subsequently amended, the "Plan"), pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

WHEREAS, the Commission now desires to further amend the Declaratory Resolution, pursuant to Sections 15-17.5 of the Act, to (i) remove the area described on Exhibit A attached hereto from the 2020 Consolidated Allocation Area, (ii) designate the area described on Exhibit A attached hereto as an allocation area pursuant to Section 39 of the Act to be known as the Downtown Hotel Allocation Area (the "Downtown Hotel Allocation Area"), and (iii) amend the Plan as described in Exhibit B attached hereto (the "Plan Amendment") (collectively, the "Amendments"); and

WHEREAS, the Commission has thoroughly studied that portion of the City of Terre Haute, Indiana (the "City") described on Exhibit A attached hereto; and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Downtown Hotel Allocation Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, remediation, replatting, replanning, rezoning, or redevelopment of the Downtown Hotel Allocation Area, the parts of the Downtown Hotel Allocation Area to be devoted to public ways, levees, sewerage, and other public purposes under the Plan as amended herein, and lists of the owners of any parcels proposed to be acquired, together with an estimate of the cost of acquisition and redevelopment; and

WHEREAS, the Amendments and supporting data were reviewed and considered at this meeting; and

WHEREAS, Sections 41 and 43 of the Act have been created to permit the creation of "economic development areas" and to provide that all of the rights, powers, privileges and immunities that may be exercised by this Commission in a redevelopment area or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of "allocation areas" to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, this Commission deems it advisable to apply the provisions of said Sections 15-17.5, 39, 41, and 43 of the Act to the Amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TERRE HAUTE, INDIANA REDEVELOPMENT COMMISSION AS FOLLOWS:

1. The Amendments promote significant opportunities for the gainful employment of its citizens, attract major new business enterprises to the City, retain and expand significant business enterprises existing in the boundaries of the City, and meet other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic well-being of the City and the State of Indiana (the "State"), and serving to protect and increase property values in the City and the State.

2. The Amendments cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvements, existence of conditions that lower the value of the land below that of nearby land, lack of development, age, and other similar conditions, including without limitation the cost of the projects contemplated by the Amendments.

3. The public health and welfare will be benefited by accomplishment of the Amendments, and it will be of public utility and benefit to amend the Declaratory Resolution and the Plan as set forth herein.

4. The accomplishment of the Amendments will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

5. The Plan Amendment conforms to the plan of development for the City.

6. The Plan Amendment does not contemplate the acquisition of property as a part of the economic development strategy, and the Department does not at this time propose to acquire any specific parcel of land or interests in land within the boundaries of the Downtown Hotel Allocation Area. If in the future, the Department proposes to acquire specific parcels of land, the required procedures under the Act will be followed.

7. The Commission finds that no residents of the Area will be displaced by any project resulting from the Plan Amendment, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

8. The Commission hereby adopts the specific findings set forth in the Plan Amendment, and the Plan Amendment is hereby in all respects approved. The secretary of this Commission is hereby directed to file a copy of the Plan Amendment with the minutes of this meeting.



9. The Declaratory Resolution is hereby amended to hereby designate the area described in Exhibit A hereto as an "allocation area" pursuant to Section 39 of the Act, to be known as the "Downtown Hotel Allocation Area," for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under IC 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the Downtown Hotel Allocation Area hereby designated as the "Downtown Hotel Allocation Fund" and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act.

11. The allocation provisions in Section 10 hereof shall apply to all of the Downtown Hotel Allocation Area. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Downtown Hotel Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit B hereto. The base assessment date for the Downtown Hotel Allocation Area is January 1, 2025.

12. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and subject to the Act, the allocation provisions herein shall expire on the date that is twenty-five (25) years from 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 derived from the Downtown Hotel Allocation Area.

13. The Commission hereby finds and determines that the foregoing Amendments to the Declaratory Resolution and the Plan (as described in Sections 1-12 above) are reasonable and appropriate when considered in relation to the original Declaratory Resolution and Plan and the purposes of the Act, and that the Declaratory Resolution and Plan, with the proposed Amendments, conform to the comprehensive plan for the City.

14. Except as set forth above, the terms of the Declaratory Resolution remain in full force and effect.

15. This Resolution, together with any supporting data and together with the Plan Amendment, shall be submitted to the Vigo County Area Plan Commission (the "Plan Commission") and the Common Council of the City of Terre Haute, Indiana (the "Common Council") as provided in the Act, and if

approved by the Plan Commission and the Common Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

16. The officers of the Commission are hereby authorized to publish notice of such meetings and hearings as are necessary to carry out the purposes of this Resolution and the Plan, and to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

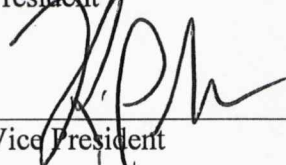
17. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

Adopted the 15<sup>th</sup> day of January, 2025.

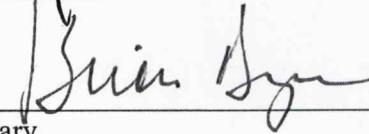
CITY OF TERRE HAUTE REDEVELOPMENT  
COMMISSION



President

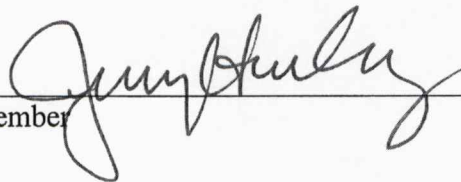


Vice President



Secretary

Member



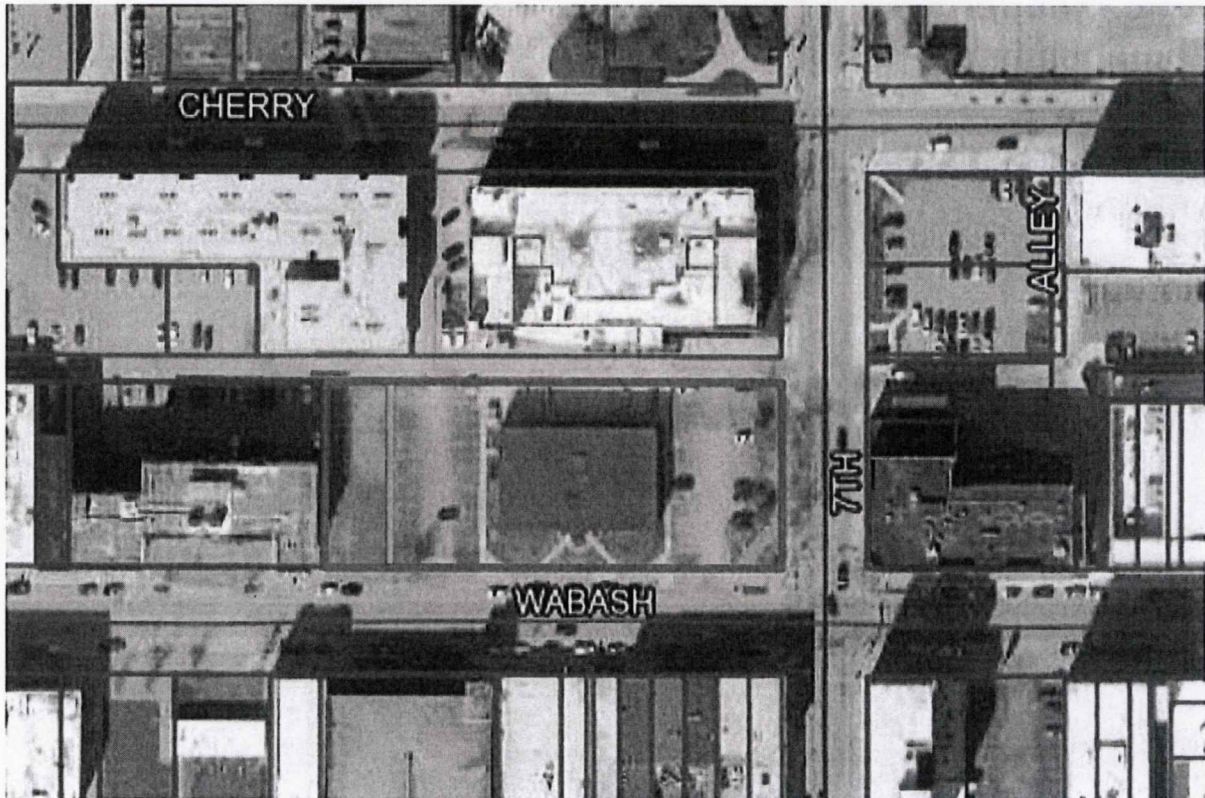
Member



EXHIBIT A

Area to be Removed from the 2020 Consolidated Allocation Area and Designated as the  
Downtown Hotel Allocation Area

The area identified in red in the below map is to be removed from the 2020 Consolidated Allocation Area and designated as the Downtown Hotel Allocation Area.



Parcel No.                      84-06-21-432-026.000-002  
   84-06-21-432-025.000-002



## EXHIBIT B

### Plan Amendment

To foster economic development in the City, the City of Terre Haute, Indiana, the Terre Haute Economic Development Commission, the City of Terre Haute Redevelopment Commission, and, Terminal Hotel Partners, LLC (the "Developer") are contemplating a Project Agreement (the "Project Agreement"), with respect to the development of the Downtown Hotel Allocation Area. Pursuant to the Project Agreement, the Developer is expected to pay the costs of the acquisition, construction, renovation and equipping of a new 114-room hotel facility including parking facilities and a skybridge over 7<sup>th</sup> Street in the City as well as certain related facilities and amenities all to be located in the Downtown Hotel Allocation Area (the "Project"). The City and the Commission have agreed to assist the completion of the Project through the payment of certain costs of the Project from the proceeds of bonds payable from the tax increment revenues from the Downtown Hotel Allocation Area and other legally available revenues (the "Bonds"). Based on the findings below, the Amendments to the Plan provide for creation of the Downtown Hotel Allocation Area, the completion of the Project, and the issuance of the Bonds, all as further described in the Project Agreement.

### Statutory Findings.

The Amendments meet the following required findings under the Act:

- (i) *The Amendments promote significant opportunities for the gainful employment of the citizens of the City, attract new business enterprise to the City, retain or expand a business enterprise existing in the City, or meet other purposes of Sections 2.5, 41 and 43 of the Act.*

The Amendments allow for the completion of one or more new hotel facilities, which will promote the overall vitality of the City's downtown business district by increasing the number of persons visiting downtown businesses and by attracting additional visitors to the City's existing convention center facility. The construction of new hotel facilities fills an important need for such facilities in the City's downtown business district which facilities have not existed previously due to a lack of development.

- (ii) *Amendments cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of a lack of local public improvements, the existence of improvements or conditions that lower the value of the land below that of nearby land, multiple ownership of land, or other similar conditions.*

The land in the Downtown Hotel Allocation Area is located in the downtown area of the City which has experienced inadequate levels of recent development due to multiple factors. This lack of development has itself become a headwind to future development. By facilitating the

Project under the proposed Project Agreement, the Amendments enable the use of land in the Downtown Hotel Allocation Area to begin to reverse this trend of inadequate development in the downtown area of the City.

- (iii) *The public health and welfare will be benefited by accomplishment of the Amendments.*

By providing required support of the Project, the Amendments create new opportunities for employment through new commercial development in the Project and enhanced traffic to businesses in the downtown business district through increased numbers of visitors to the area, and as a result will also benefit the public health and welfare for the citizens of the City.

- (iv) *The Amendments will be a public utility and benefit as measured by public benefits similar to the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base, or other similar public benefits.*

As described above, the Project contemplated by the Amendments will be of public utility and benefit by creating jobs through new commercial development and enhancement of the value of surrounding commercial development, and the new development created by the Project will increase the property tax base.

- (v) *The Plan, as amended by the Amendments conforms to other development and redevelopment plans for the City.*

The Plan, as amended by the Amendments, conforms with the intended development of the Area as prescribed by the Vigo County Area Plan Commission.

- (vi) *The Amendments are reasonable and appropriate when considered in relation to the original Declaratory Resolution and Plan and the purposes of the Act.*

The Amendments and the completion of the Project are consistent with the existing Plan which contemplates commercial development in the area of the Downtown Hotel Allocation Area and the use of tax increment allocation areas and bonds to finance infrastructure, real property acquisition, real property improvements, and equipment throughout the Economic Development Area.

- (vii) *The designation of the Downtown Hotel Allocation Area will result in new property taxes that would not have been generated but for the adoption of the allocation provision.*

The designation of the Downtown Hotel Allocation Area allows for the capture of tax increment revenues from the Project, and the use of those revenues to pay debt service on one or more series of Bonds, which finance portions of the Project. The Developer has expressed to the Commission that without such use of the tax increment revenues, the Project would not be completed and the additional tax revenue resulting from the Project would not be generated.



RESOLUTION NO. 3-25

**RESOLUTION OF THE VIGO COUNTY AREA PLAN COMMISSION APPROVING  
AN AMENDMENT TO THE DECLARATORY RESOLUTION FOR THE 2020  
CONSOLIDATED ECONOMIC DEVELOPMENT AREA AND THE ECONOMIC  
DEVELOPMENT PLAN FOR SAID AREA**

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

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Redevelopment Commission") previously adopted and amended resolutions (as amended, the "Declaratory Resolution") establishing and expanding an economic development area known as the "2020 Consolidated Economic Development Area" (the "Area") and approving an economic development plan for the Area (as subsequently amended, the "Plan"), pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

WHEREAS, on January 15, 2025, the Redevelopment Commission approved and adopted its Resolution No. 3-2025 (the "Resolution") which further amended the Declaratory Resolution by (i) removing the area described on Exhibit A attached to the Resolution from the 2020 Consolidated Allocation Area, (ii) designating the area described on Exhibit A attached to the Resolution as an allocation area pursuant to Section 39 of the Act to be known as the Downtown Hotels Allocation Area (the "Downtown Hotels Allocation Area"), and (ii) amending the Plan as described in Exhibit B attached to the Resolution (the "Plan Amendment"); and

WHEREAS, the Redevelopment Commission has submitted the Resolution and the Plan Amendment to this Plan Commission.

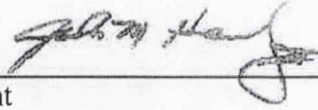
NOW, THEREFORE, BE IT RESOLVED BY THE VIGO COUNTY AREA PLAN COMMISSION, as follows:

1. The Resolution and the Plan Amendment conform to the plan of development for the County and the City.
2. This Plan Commission hereby approves the Resolution and the Plan Amendment. This resolution hereby constitutes the written order of the Plan Commission approving the Resolution and the Plan Amendment pursuant to I.C. § 36-7-14-16.
3. The Secretary of this Plan Commission is hereby directed to file a copy of the Resolution and the Plan Amendment with the minutes of this meeting.

SO RESOLVED BY THE VIGO COUNTY AREA PLAN COMMISSION this 5th day of February, 2025.



VIGO COUNTY AREA PLAN  
COMMISSION



\_\_\_\_\_  
President

ATTEST:



\_\_\_\_\_  
Secretary