

APR 21 2025

RESOLUTION 13, 2025

CITY CLERK

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA APPROVING CERTAIN MATTERS IN RELATION TO A DECLARATORY RESOLUTION DECLARING AN AREA IN THE CITY OF TERRE HAUTE, INDIANA, AS AN ECONOMIC DEVELOPMENT AREA, AND APPROVING AN ECONOMIC DEVELOPMENT PLAN FOR SAID AREA.

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Redevelopment Commission"), has, pursuant to Indiana Code 36-7-14, as amended (the "Act"), adopted its Declaratory Resolution No. 14-2025 on April 30, 2025 (the "Resolution") which, (i) designated an area described on Exhibit A attached to the Resolution as an economic development area to be known as the "Brickyard Estates and Paddock at the Park Economic Development Area" (the "Area"), pursuant to Section 41 of the Act, (ii) approved an economic development plan for the Area, including the establishment of a residential housing program for the Area, as described on Exhibit B attached to the Resolution (the "Plan"), and (iii) designated a portion of the Area identified on Exhibit C attached to the Resolution as an allocation area to be known as the "Paddock at the Park Allocation Area," pursuant to Section 39 of the Act; and

WHEREAS, on May 7, 2025, the Vigo County Area Plan Commission approved and adopted a resolution (the "Approving Order") approving the Resolution and the Plan, and determining that the Resolution and the Plan 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 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, the Plan, 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: _____ Anthony Dinkel, Councilperson

Passed in open Council this _____ day of _____, 2025.

_____ Todd Nation, President

ATTEST: _____ Michelle L. Edwards, City Clerk

Presented by me to the Mayor this _____ day of _____, 2025
at _____ o'clock.

_____ Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2025.

_____ Brandon C. Sakbun, Mayor

ATTEST: _____ Michelle L. Edwards, City Clerk

RESOLUTION NO. 14, 2025

**RESOLUTION OF THE CITY OF TERRE HAUTE REDEVELOPMENT
COMMISSION DECLARING AN AREA IN THE CITY OF TERRE HAUTE, INDIANA,
AS AN ECONOMIC DEVELOPMENT AREA, AND APPROVING AN ECONOMIC
DEVELOPMENT PLAN FOR SAID AREA**

(Brickyard Estates and Paddock at the Park Economic Development Area)

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Commission"), governing body of the City of Terre Haute Redevelopment District (the "District") pursuant to Indiana Code 36-7-14, as amended (the "Act"), has thoroughly studied that area of the City of Terre Haute, Indiana (the "City"), as described on Exhibit A attached hereto and hereby designated as the "Brickyard Estates and Paddock at the Park Economic Development Area" (the "Area"); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, economic development or redevelopment of the Area, and the parts of the Area that are to be devoted to public ways, sewerage and other public purposes under the Plan (as defined below); and

WHEREAS, there has been presented to this meeting for consideration and approval of the Commission an economic development plan for the Area entitled "Economic Development Plan for the Brickyard Estates and Paddock at the Park Economic Development Area" attached hereto as Exhibit B (the "Plan"); and

WHEREAS, the Commission has caused to be prepared estimates of the costs of the economic development projects as set forth in the Plan; and

WHEREAS, the Plan and supporting data were reviewed and considered by the Commission at this meeting; and

WHEREAS, Section 39 of the Act permits the creation 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, Sections 41 and 43 of the Act permit the creation of "economic development areas" and provide that all of the rights, powers, privileges and immunities that may be exercised by this Commission in an area needing redevelopment or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Sections 39, 41, and 43 of the Act to the Plan and financing of the Plan.

NOW, THEREFORE, BE IT RESOLVED by the City of Terre Haute Redevelopment Commission, as the governing body of the City of Terre Haute Redevelopment District, as follows:

1. The Plan for the Area promotes significant opportunities for the gainful employment of the citizens of the City, will assist in attracting major new business enterprises to the City, may result in the retention or expansion of significant business enterprises existing in the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting the 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 Plan for the Area 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 improvements or conditions that lower the value of the land below that of nearby land, or other similar conditions, including without limitation the cost of the projects contemplated by the Plan.

3. The public health and welfare will be benefited by accomplishment of the Plan for the Area.

4. The accomplishment of the Plan for the Area 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 for the Area conforms to other development and redevelopment plans for the City.

6. In support of the findings and determinations set forth in Sections 1 through 5 above, the Commission hereby adopts the specific findings set forth in the Plan.

7. The Plan does not contemplate the acquisition of property as a part of the economic development strategy, and the Commission does not at this time propose to acquire any specific parcels of land or interests in land within the boundaries of the Area. If the Commission proposes to acquire specific parcels of land, the required procedures for amending the Plan under the Act will be followed, including notice by publication, notice to affected property owners and a public hearing.

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

9. The Plan is hereby in all respects approved, and the secretary of the Commission is hereby directed to file a certified copy of the Plan with the minutes of this meeting.

10. The Area is hereby designated as an "economic development area" under Section 41 of the Act.

11. That certain portion of the Area described on Exhibit C Attached hereto is hereby designated as an "allocation area" pursuant to Section 39 of the Act for purposes of the allocation and distribution of property taxes on real property for the purposes and in the manner provided by said Section. Any property taxes 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 said allocation area that may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(4) 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)(5) of the Act.

Said allocation area is hereby designated as the "Paddock at the Park Allocation Area" (the "Paddock Allocation Area") and said allocation fund is hereby designated as the "Paddock at the Park Allocation Area Allocation Fund." The base assessment date for the Paddock Allocation Area shall be January 1, 2025. The allocation provisions herein relating to the Paddock Allocation Area shall expire on the later of twenty-five (25) years after 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 Paddock Allocation Area.

12. Based on a study of the Area, the specific findings set forth in the Plan, and information provided by prospective developers related thereto, the Commission hereby specifically finds that the adoption of the allocation provisions as provided herein will result in new property taxes in the Area that would not have been generated but for the adoption of the allocation provision.

13. The officers of the Commission are hereby directed to make any and all required filings with the Indiana Department of Local Government Finance and the Vigo County Auditor in connection with the creation of the New Margaret Allocation Area.

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

15. This Resolution, together with any supporting data and together with the Plan, shall be submitted to the Vigo County Area Plan Commission (the "Plan Commission") and the Common Council of the City (the "Council"), and if approved by the Plan Commission and the Council shall be submitted to a public hearing and remonstrance as provided in the Act, after public notice all as required by the Act.

Adopted the 30 day of April, 2025.

CITY OF TERRE HAUTE REDEVELOPMENT
COMMISSION

President

Vice President

Secretary

Member

Member

EXHIBIT A

Description of the Brickyard Estates and Paddock at the Park Economic Development Area

The Brickyard Estates and Paddock at the Park Economic Development Area (the "Area") consists of the area shown in the following map outlined in yellow:



EXHIBIT B

City of Terre Haute Redevelopment Commission

Economic Development Plan for the Brickyard Estates and Paddock at the Park Economic Development Area

Dated: _____, 2025

PURPOSE AND INTRODUCTION

The City of Terre Haute Redevelopment Commission (the “**Commission**”), the governing body of the Department of Redevelopment and the Redevelopment District (the “**District**”) of City of Terre Haute, Indiana (the “**City**”), proposes to designate and declare an economic development area within the City to be known as the “Brickyard Estates and Paddock at the Park Economic Development Area” (the “**Area**”) and proposes to designate a certain portion of the Area as an allocation area to be known as the “Paddock at the Park Allocation Area” (the “**Allocation Area**”). This document is the plan for the Area (the “**Plan**”), provided that this Plan may be amended in the future as provided in Indiana Code 36-7-14, as amended from time to time (the “**Act**”) and in this Plan.

Pursuant to Sections 15 and 16 of the Act, the Plan must be approved by the Commission, the Vigo County Area Plan Commission and the Common Council of the City. Upon such approvals, the Commission will hold a public hearing on the Plan as required under Section 17 of the Act, before confirming (or modifying and confirming) the designation of the Area and the approval of the Plan.

PROJECT OBJECTIVES

This Area has lacked the necessary infrastructure and means to provide the infrastructure necessary in order to attract the private investment needed to spur commercial development within and serving the Area, including development housing facilities. The purposes of the Plan are to benefit the public health, safety, morals and welfare of the citizens of the City; increase the economic well-being of the City and the State of Indiana; and serve to protect and increase property values in the City and the State of Indiana. The Plan is designed to (i) promote significant opportunities for the gainful employment of citizens of the City, (ii) assist in the attraction of major new business enterprises to the City, (iii) retain and expand significant business enterprises existing in the City, (iv) provide for local public improvements in the Area, (v) retain and attract permanent jobs, (vi) increase the property tax base, and (vii) improve the diversity of the economic base of the City.

DESCRIPTION OF AREA

A map identifying the parcels comprising the Area is attached to this Plan as Exhibit A hereto, including a description of the Allocation Area.

DESCRIPTION OF PROJECTS

The Commission is establishing the Area in order to provide for infrastructure improvements to cause the development of the Area including, but not limited to, the extension of sewer and water infrastructure to the Area. In order to accomplish the Plan, the Commission currently estimates that it will proceed to carry out the design, acquisition, construction, installation, equipping and improvement projects in, serving or benefitting the Area which are necessary to facilitate the orderly development in the Area, including without limitation, (1) transportation enhancement projects including, without limitation, curbs, gutters, shoulders, street paving and construction, bridge improvements, sidewalk and multiuse pathway improvements, street lighting, traffic signals, and site improvements including landscape buffers; (2) utility infrastructure projects including, without limitation, utility relocation, water lines, water wells, water towers, waste water lines, storm water lines, retention ponds, ditches, and storm water basin improvements; and (3) public park improvements and recreational equipment, all of which may be paid for using tax increment revenues from the Allocation Area or other sources of funds available to the Commission. Although the precise nature of infrastructure that may be necessary from time to time to attract and retain prospective redevelopment and economic development opportunities in the Area cannot be predicted with certainty, the availability of adequate infrastructure is of fundamental importance in attracting and retaining such opportunities in the Area.

Tax increment revenues from the Allocation Area or other sources of funds available to the Commission may also be used to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the unit, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Area. The provision of incentives by the application of tax increment revenues to offset developer promissory notes that secure economic development revenue bonds, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Area, has become an established financing tool and an increasingly common form of incentive for attracting economic development and redevelopment.

The acquisition or construction of projects to enhance cultural attractiveness.

The acquisition or construction of projects to enhance public safety.

Tax increment revenues from the Allocation Area that are allocated for police and fire services may be used to finance the cost of police or fire services located in or directly serving or benefiting the Area, including the financing of capital expenditures and/or operating expenses of such police or fire services.

All other projects and purposes permitted by law (collectively, the "**Projects**").

ESTIMATED COSTS OF THE PROJECTS

Because the Commission does not intend to acquire any interests in real property for the Project at this time, the Commission will not incur any costs of acquisition. However, the Commission will incur certain costs in connection with the development of the Projects. The estimated cost of the Projects is approximately \$4,000,000 to \$7,000,000. The Commission

anticipates paying for such Projects with tax increment revenues derived from the Allocation Area or from bonds or leases of the District payable from such tax increment revenues.

ACQUISITION OF PROPERTY

In connection with the accomplishment of the Plan, the Commission has no present plans to acquire any interests in real property. In the event the Commission determines to acquire any interests in real property in the future, it shall follow procedures set forth in Section 19 of the Act. The Commission may not exercise the power of eminent domain.

DISPOSAL OF PROPERTY

The Redevelopment Commission may dispose of any real property acquired in the future by sale or lease to the public pursuant to procedures set forth in Section 22 of the Act.

STATUTORY FINDINGS OF FACT

A. The Plan for the Area addresses the statutory requirements under Section 41(b) of the Act, as evidenced by the following findings of fact:

The Plan for the Area promotes significant opportunities for the gainful employment of the citizens of the City, attracts new business enterprise to the City, retains or expands a business enterprise existing in the City, or meets other purposes of Sections 2.5, 41 and 43 of the Act.

The Plan will improve the City's infrastructure and will permit the conversion of currently undeveloped land into new housing facilities which will foster additional economic development in and serving the Area. The improvement and construction of additional infrastructure in the Area will reverse declines in the City's population and draw new residents to the Area which will facilitate new business enterprises in this area of the City to serve a growing population. These new business enterprises will provide opportunities for employment for the citizens of the City.

The Plan for the Area 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 Commission's contribution of the Projects will pave the way for future growth and development in and serving the Area. This Area has not been developed due to the costs of needed infrastructure improvements necessary for new development. The completion of the Projects will allow for the construction of new housing facilities in the Area which will increase the likelihood that new business enterprises will choose to locate in areas of the City serving the Area.

The public health and welfare will be benefited by accomplishment of the Plan for the Area.

By creating new housing facilities that will promote new opportunities for employment and reverse a trend of declining population in the City, implementation of the Plan will benefit the public health and welfare for the citizens of the City. Additionally, attracting additional residents to the City and other development will contribute to the overall health of the City by increasing and the diversifying the tax base. The development of new and additional infrastructure in the Area further aids in the public health and welfare of the City.

The accomplishment of the Plan for the Area 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.

The Projects contemplated by the Plan will be of public utility and benefit by putting in place infrastructure and/or other incentives to support future development, thereby retaining or creating new jobs, maintaining the property tax base and allowing for further economic development and improved diversity of the economic base of the City.

The Plan for the Area conforms to other development and redevelopment plans for the City, if any.

The Plan conforms with the intended plan of development for the area as prescribed by the Vigo County Area Plan Commission. The Plan does not provide for any change in use of the property in the Area, but rather better utilization of the Area for the purposes currently contemplated by the intended plan of development for the City.

B. The Plan for the Area addresses the statutory requirements under Section 39(b) of the Act, as follows:

The adoption of the allocation provisions for the Allocation Area will result in new property taxes in the Area that would not have been generated but for the adoption of the allocation provision. After discussing the development of the Area with various stakeholders, the Commission finds that the ability to maintain and attract new business by providing high quality housing would not occur but for the availability of tax increment revenues to finance the Projects as contemplated by this Plan.

AMENDMENT OF THE PLAN

This Plan may be amended by following the procedures described in Sections 15 through 17.5 of the Act.

EXHIBIT A
Description of the Brickyard Estates and Paddock at the Park
Economic Development Area

The Brickyard Estates and Paddock at the Park Economic Development Area (the “Area”) consists of the area shown in the following map outlined in yellow:



Description of the Paddock at the Park Allocation Area

A portion of the Brickyard Estates and Paddock at the Park Economic Development Area shall be designated as an allocation area to be known as the “Paddock at the Park Allocation Area” which shall consist of the following parcels within the Area:

PARCEL ID NUMBERS:

84-06-24-3330-010.000-002

Map of the Paddock at the Park Allocation Area



EXHIBIT C

Description of the Paddock at the Park Allocation Area

A portion of the Brickyard Estates and Paddock at the Park Economic Development Area shall be designated as an allocation area to be known as the "Paddock at the Park Allocation Area" which shall consist of the following parcels within the Area:

PARCEL ID NUMBERS:

84-06-24-3330-010.000-002

Map of the Paddock at the Park Allocation Area

