

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 2019-18

**RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING THAT THE
QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN
MET AND CONFIRMING RESOLUTION NO. 2019-10
OF APRIL 02, 2019**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, MCC Properties #100, LLC and Exit 22 Partners, LLC has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on February 27, 2019; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on April 02, 2019 said County Council reviewed and approved said Application and declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, pursuant to I.C.6-1,1-12,1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Designation of Area as Economic Revitalization Area" and

WHEREAS, no remonstrances, written or oral, have been filed with regard to Resolution 2019-18 stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area"; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Final Action. After legally required public notice, and after public hearing Pursuant to such notice the County Council of Hendricks County, Indiana hereby takes "final action" as that phrase is defined in I.C. 6-1,1-12,1-1 et.seq. with regard to the foretasted Application of MCC Properties #100, LLC and Exit 22 Partners, LLC and the adoption of Resolution No. 2019-10 on April 02, 2019.


2. Confirmation of Resolution No. 2019-18 It is hereby declared by County Council of Hendricks County, Indiana that Resolution No. 2019-10 adopted on April 02, 2019 is in all respects hereby confirmed, and it is hereby stated that the qualifications for an economic revitalization area have been met by MCC Properties #100, LLC and Exit 22 Partners, LLC as to the real estate described in Exhibit A of Resolution No. 2019-18 and real property tax abatement is approved in accordance with the percentages shown for abatement on the attached Exhibit A are approved.

3. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.

Adopted by the County Council of Hendricks County, Indiana this 8th day of May, 2019.

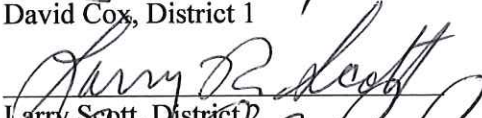
AYE

NAY



David Cox, District 1

David Cox, District 1



Larry Scott, District 2

Larry Scott, District 2



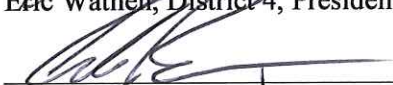
Brad Whicker, District 3

Brad Whicker, District 3



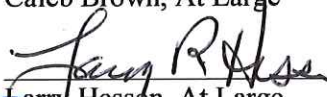
Eric Wathen, District 4, President

Eric Wathen, District 4, President



Caleb Brown, At Large

Caleb Brown, At Large



Larry Hesson, At Large


Larry Hesson, At Large



David Wyeth, At Large

David Wyeth, At Large

Attest:



Nancy Marsh, Auditor

Exhibit A

Abatements - Real Property

[illegible]

Abatements – Personal Property

[illegible]

**NOTICE OF PUBLIC HEARING BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY INDIANA
REGARDING DESIGNATION OF AREA AS ECONOMIC REVITALIZATION AREA**

Notice is hereby given that the Hendricks County Council, Hendricks County, Indiana, adopted Resolution 2019-10 on April 2, 2019 which resolution was titled "A resolution designating economic revitalization area and qualifying certain real property and improvements for tax abatement." The applicant for said designation is MCC Properties #100, LLC and Exit 22 Partners, LLC.

On May 8, 2019 at 9:00 a.m. in the Hendricks County Commissioners Meeting Room at 355 South Washington Street, Danville, Indiana, the Hendricks County Council will receive and hear remonstrance and objections to Resolution number 2019-10 from interested persons. After considering the evidence, the Hendricks County Council shall take final action determining whether the qualifications for an economic revitalization area have been met, and confirm, modify and confirm, or rescind Resolution 2019-10. Such determination by the Hendricks County Council shall be final except that an appeal may be taken and heard as provided by IC 6.1.1-12.1-1 et seq. Pursuant to IC 6-1.1-12.1-2.5 a person must file a written remonstrance with the Hendricks County Council, and be aggrieved by the final action by the Hendricks County Council, to be eligible to initiate an appeal of that action in the Circuit or Superior Courts of Hendricks County. The only grounds of an appeal that the Court may hear is whether the proposed project will meet the qualification of the economic revitalization area law. The burden of proof of such proceeding will be on the applicant.

A description of the affected area is available and can be inspected in the office of the Hendricks County Assessor, Hendricks County Government Center, Danville, Indiana.

AS-SURVEYED LEGAL DESCRIPTION

PARCEL I

A part of the East half of Section 35 and a part of the West half of the West half of Section 36, Township 14 North, Range 1 West, Hendricks County, Indiana, more particularly described as follows:

BEGINNING at the northwest corner of the southeast quarter of said Section 35, monumented by a stone; thence NORTH 00 degrees 18 minutes 16 seconds WEST along the west line of said quarter a distance of 257.29 feet to the south right-of-way of Interstate 70 and a 5/8 inch rebar with yellow plastic cap stamped "BRG INC 6892" hereinafter referred to as a rebar with BRG cap; thence NORTH 67 degrees 40 minutes 57 seconds EAST along said right-of-way a distance of 1368.88 feet to a rebar with BRG cap; thence NORTH 67 degrees 38 minutes 57 seconds EAST along said right-of-way a distance of 317.88 feet to a rebar with BRG cap on the south line of Smoot, as recorded in Deed Book 330, page 287; thence NORTH 89 degrees 35 minutes 29 seconds EAST along said south line a distance of 390.17 feet to a rebar with BRG cap at the southeast corner of said Smoot; thence NORTH 00 degrees 38 minutes 33 seconds WEST along the east line of Smoot a distance of 156.93 feet to a rebar with BRG cap on the south right-of-way of Interstate 70; thence NORTH 67 degrees 38 minutes 57 seconds EAST along said right-of-way a distance of 362.16 feet to a rebar with BRG cap; thence NORTH 73 degrees 35 minutes 17 seconds EAST along said right-of-way a distance of 327.90 feet to a rebar with BRG cap; thence NORTH 69 degrees 56 minutes 23 seconds EAST along said right-of-way a distance of 347.60 feet to a rebar with RLS0083 cap and the northwest corner of HPT TA Properties LLC, as recorded in Instrument Number 200700008065; thence along the west and south lines of said HPT TA Properties the next four (4) courses:

1. SOUTH 38 degrees 26 minutes 50 seconds EAST 604.18 feet to a rebar with RLS0083 cap; thence
2. NORTH 89 degrees 28 minutes 36 seconds EAST 210.36 feet to a rebar with RLS0083 cap; thence
3. SOUTH 00 degrees 38 minutes 33 seconds EAST 365.20 feet to a rebar with RLS0083 cap; thence
4. SOUTH 89 degrees 44 minutes 18 seconds EAST 419.07 feet to a rebar with BRG cap on the west right-of-way of State Road 39; thence along said west right-of-way the next three (3) courses:
 1. SOUTH 00 degrees 34 minutes 07 seconds EAST 186.66 feet to a right-of-way monument; thence

2. SOUTH 01 degree 08 minutes 53 seconds EAST 200.23 feet to a rebar with BRG cap; thence
3. SOUTH 01 degree 43 minutes 41 seconds EAST 155.44 feet to a rebar with BRG cap on the north line of Sapp, as recorded in Deed Book 343, page 694; thence SOUTH 89 degrees 39 minutes 12 seconds WEST along the north line of said Sapp a distance of 150.10 feet to a rebar with BRG cap at the northwest corner of said Sapp; thence SOUTH 00 degrees 38 minutes 33 seconds EAST along the west line of said Sapp a distance of 200.00 feet to a rebar with BRG cap at the southwest corner of said Sapp; thence NORTH 89 degrees 39 minutes 12 seconds EAST along the south line of said Sapp a distance of 139.89 feet to a rebar with BRG cap on the west right-of-way of State Road 39; thence along said right of way the next six (6) courses;
1. SOUTH 07 degrees 18 minutes 08 seconds WEST 69.18 feet to a rebar with BRG cap; thence
2. SOUTH 01 degree 47 minutes 17 seconds EAST 328.08 feet to a right-of-way monument; thence
3. SOUTH 03 degrees 06 minutes 40 seconds WEST 230.50 feet to a rebar with BRG cap; thence
4. SOUTH 13 degrees 05 minutes 53 seconds EAST 100.37 feet to a right-of-way monument; thence
5. SOUTH 01 degree 47 minutes 17 seconds EAST 492.13 feet to a right-of-way monument; thence
6. SOUTH 05 degrees 36 minutes 08 seconds EAST 124.02 feet to a rebar with BRG cap;

thence SOUTH 89 degrees 39 minutes 12 seconds WEST 1291.06 feet to a rebar with BRG cap on the east line of said Section 35; thence SOUTH 89 degrees 35 minutes 34 seconds WEST 2657.72 feet to a rebar with BRG cap on the west line of the southeast quarter of said Section 35; thence NORTH 00 degrees 57 minutes 10 seconds WEST along said west line a distance of 1540.00 feet to the POINT OF BEGINNING; containing 213.68 acres more or less.

PARCEL II

A part of the northeast quarter of Section 35, Township 14 North, Range 1 West, Hendricks County, Indiana, more particularly described as follows:

COMMENCING at the northwest corner of the southeast quarter of said Section 35, monumented by a stone; thence NORTH 00 degrees 18 minutes 16 seconds WEST along the west line of said quarter a distance of 537.74 feet to the north right-of-way of Interstate 70 and a 5/8 inch rebar with yellow plastic cap stamped "BRG INC 6892" hereinafter referred to as a rebar with BRG cap at the POINT OF BEGINNING; thence continuing along said west line NORTH 00 degrees 18 minutes 16 seconds WEST a distance of 349.12 feet to a rebar with BRG cap; thence NORTH 89 degrees 35 minutes 29 seconds EAST a distance of 867.43 feet to a rebar with BRG cap on said north right-of-way; thence SOUTH 67 degrees 40 minutes 57 seconds WEST along said right-of-way a distance of 935.63 feet to the POINT OF BEGINNING, containing 3.48 acres, more or less.

Hendricks County Council
Eric Wathen, President

Nancy Marsh
Hendricks County Auditor

Publish One Time: Republican April 25, 2019
Hendricks County Flyer April 27, 2019