

RESOLUTION NO. 2010-85-02

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF WABASH, INDIANA, ASSIGNING AN AREA WITHIN THE COUNTY TO THE REDEVELOPMENT COMMISSION OF THE CITY OF WABASH, INDIANA FOR THE PURPOSE OF THE ALLOCATION OF PROPERTY TAX PROCEEDS, AND ADDRESSING MATTERS RELATED THERETO

WHEREAS, the City of Wabash, Indiana (the "City"), the Town of North Manchester, Indiana (the "Town") and the County of Wabash, Indiana (the "County") (the City, the Town and the County together described as the "Joint Municipalities"), which Joint Municipalities are in contiguous areas, desire to jointly undertake an economic development project that will assist the Joint Municipalities in a project by Cinergy Metronet, Inc. to construct facilities to house electronics and to install fiber optic cable which will provide high speed internet, telephone and television services for the Joint Municipalities (collectively, the "Project"); and

WHEREAS, pursuant to Indiana Code 36-7-25-4, if two (2) or more units desire to jointly undertake economic development projects in contiguous areas in the units' respective jurisdictions that benefit or serve the units' jurisdictions, then the legislative body of the unit may determine to assign an area within the units' jurisdiction to the redevelopment commission of another unit to allow the creation of an allocation area for the purpose of the allocation of property tax proceeds even though the allocation area will be outside the jurisdiction of the commission to which the new area is assigned; and

WHEREAS, the County desires to join with the Town and the City to assist the Project by assigning to the City all of the area in the County where all real and depreciable personal property tax proceeds attributable to the incremental assessed valuation due to the Project is situated, which area will include (i) all real and depreciable personal property consisting of any and all structures and fiber optic cable due to the Project and (ii) all of the area described on Exhibit A attached hereto, commonly known as the area upon which the City Business Park will be constructed (the "County Allocation Area"); and

WHEREAS, it is the understanding of the County that the Town has or will assign to the City all of the area in the Town where all real and depreciable personal property tax proceeds attributable to the incremental assessed valuation due to the Project is situated, which area will include all real and depreciable personal property consisting of any and all structures and fiber optic cable related to the Project (the "Town Allocation Area"); and

WHEREAS, it is the understanding of the County that the City Redevelopment Commission will designate the area of the City where all real and depreciable personal property tax proceeds attributable to the incremental assessed valuation due to the Project is situated (which area will include all real and depreciable personal property consisting of any and all structures and fiber optic cable related to the Project), as an allocation area pursuant to Indiana Code 36-7-14 (the "City Allocation Area"), and will further designate the County Allocation Area, the Town Allocation Area and the City Allocation Area as, collectively, the "Cinergy Project Allocation Area."

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Wabash, Indiana, as follows:

1. The Board hereby (a) finds that the completion of the Project is a joint undertaking between the contiguous areas of the County, the Town and the City and is an economic development project that benefits each of the County, the Town and the City and (b) approves the Project.

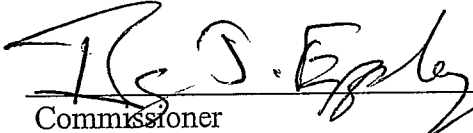
2. Pursuant to Indiana Code 36-7-25-4, the Board hereby assigns the County Allocation Area and the incremental assessed valuation thereof that generates incremental taxes (otherwise known as TIF revenues) to the City's Redevelopment Commission for the purpose of the creation of part of the Cinergy Project Allocation Area.

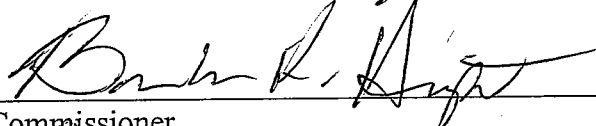
3. The Board is hereby authorized and directed, in the name and on behalf of the County, to execute any and all other agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this resolution (including the preambles hereto), and any such execution, performance, approval or doing of other things heretofore effected is hereby ratified and approved.

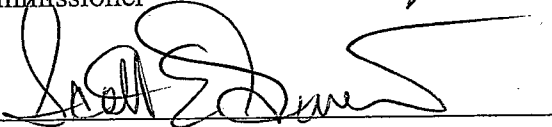
4. This resolution shall take effect immediately upon adoption.

Adopted the 8th day of February, 2010.

BOARD OF COMMISSIONERS OF THE
COUNTY OF WABASH, INDIANA


Commissioner


Commissioner


Commissioner

Attest:

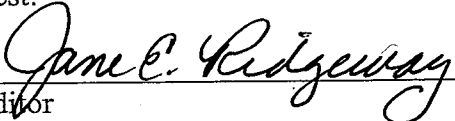
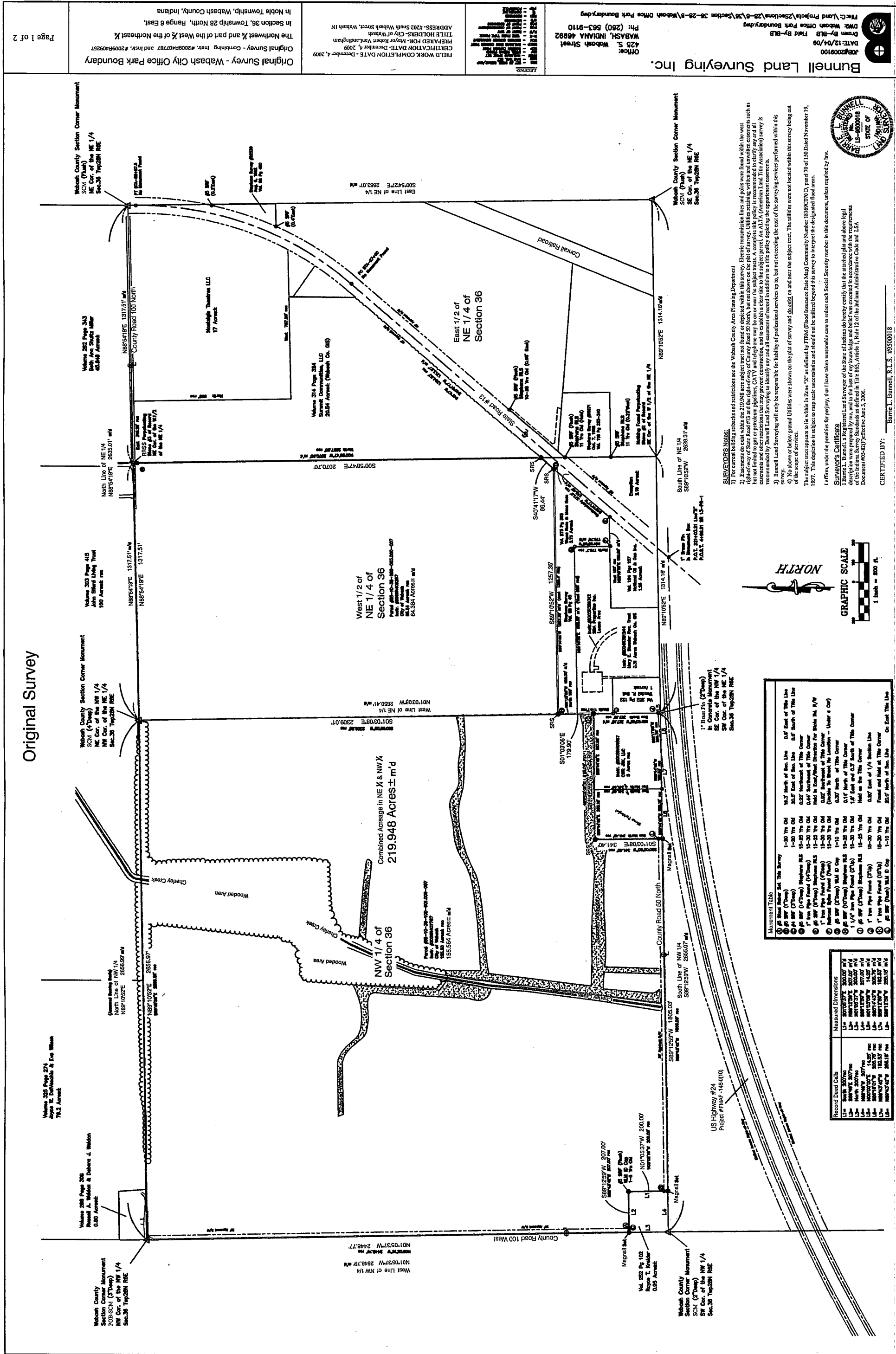

Auditor

Exhibit "A" to a resolution of the Board of Commissioners of the County of Wabash, Indiana, assigning an area within the County to the Redevelopment Commission to the City of Wabash, Indiana.



Original Survey

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Original Survey - Wabash City Office Park Boundary
 In Section 36, Township 28 North, Range 6 East,
 The Northwest 1/4 and part of the West 1/2 of the Northeast 1/4
 ADDRESS: #202 South Wabash Street, Wabash, IN
 CERTIFICATION FOR Mayor Robert VanderKam
 FIELD WORK COMPLETION DATE - December 4, 2009

FIELD WORK COMPLETION DATE - December 4, 2009
 CERTIFICATION FOR Mayor Robert VanderKam
 TITLE HOLDERS - City of Wabash
 ADDRESS: #202 South Wabash Street, Wabash, IN

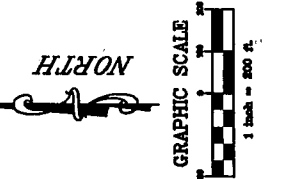
DATE: 12/04/09
 JOB # 2009100
 Bunnell Land Surveying Inc.
 Office: Wabash Street
 WABASH, INDIANA 46992
 Ph: (260) 563-9110
 File: C:\Land Projects\Sections\28-28-28\Section 36-28-28\Wabash Office Park Boundary.dwg
 Drawn By: BLS
 Check By: BLS



SURVEYOR'S NOTES:
 1) For current building setbacks and restrictions see the Wabash County Area Planning Department
 2) Easements do exist within the 219.948 acre subject tract not found or depicted within this survey. Electric transmission lines and poles were found within the west right-of-way of State Road #13 and the right-of-way of County Road 50 North, but not shown on the plat of survey. Utilities retaining written and unwritten easements such as but not limited to gas or petroleum pipelines, CATV and telephone may be on or near the subject tract. A complete utility policy is recommended to clarify any and all easements and to determine the location and depth of any such utilities. It is the policy of the Surveyor to locate and mark any such utilities as shown on the plat of survey. It is the policy of the Surveyor to locate and mark any such utilities as shown on the plat of survey.
 3) Bunnell Land Surveying will only be responsible for liability of professional services up to, but not exceeding, the cost of the surveying services performed within this survey.
 4) No above or below ground Utilities were shown on the plat of survey and do exist on and near the subject tract. The utilities were not located within this survey being out of the scope of services.
 The subject tract appears to be within in "Zone X" as defined by FRM (Flood Insurance Rate Map) Community Number 181690200 D, dated 70 of 150 Dated November 19, 1987. This depiction is subject to map scale uncertainties and should not be utilized beyond this survey to interpret the designated flood areas.
 I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law.

Surveyor's Certificate
 I, Barrie L. Bunnell, a Registered Land Surveyor of the State of Indiana do hereby certify that the attached plat and above legal description were prepared by me, and to the best of my knowledge and belief, was executed in accordance with the requirements of this Indiana Survey Standards as defined in Title 86.5, Article 1, Rule 12 of the Indiana Administrative Code and I.S.A. Document #05-82(P) effective June 3, 2006.

CERTIFIED BY: Barrie L. Bunnell, R.L.S. #9500018



Monument Table

1-20 Yrs Old	15.2' North of Sec. Line	0.1' East of This Line
21-30 Yrs Old	30.2' North of Sec. Line	0.1' South of This Line
31-40 Yrs Old	0.2' West of This Corner	
41-50 Yrs Old	0.4' West of This Corner	
51-60 Yrs Old	1.0' from Pole Found (2 1/2")	1.0' from Pole Found (2 1/2")
61-70 Yrs Old	1.5' from Pole Found (3 1/2")	1.5' from Pole Found (3 1/2")
71-80 Yrs Old	2.0' from Pole Found (4 1/2")	2.0' from Pole Found (4 1/2")
81-90 Yrs Old	2.5' from Pole Found (5 1/2")	2.5' from Pole Found (5 1/2")
91-100 Yrs Old	3.0' from Pole Found (6 1/2")	3.0' from Pole Found (6 1/2")
1-10 Yrs Old	0.5' East of 1/4 Section Line	Found and Held at This Corner
11-20 Yrs Old	0.5' East of 1/4 Section Line	Found and Held at This Corner
21-30 Yrs Old	0.5' East of 1/4 Section Line	Found and Held at This Corner
31-40 Yrs Old	0.5' East of 1/4 Section Line	Found and Held at This Corner
41-50 Yrs Old	0.5' East of 1/4 Section Line	Found and Held at This Corner
51-60 Yrs Old	0.5' East of 1/4 Section Line	Found and Held at This Corner
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Record Dead Calls

Line	20170527E	200.00' m'd
Line	20170527W	200.00' m'd
Line	20170527S	200.00' m'd
Line	20170527N	200.00' m'd
Line	20170527E	200.00' m'd
Line	20170527W	200.00' m'd
Line	20170527S	200.00' m'd
Line	20170527N	200.00' m'd
Line	20170527E	200.00' m'd
Line	20170527W	200.00' m'd
Line	20170527S	200.00' m'd
Line	20170527N	200.00' m'd