

RESOLUTION NO. 2011-13

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
COUNTY OF WARRICK, INDIANA, APPROVING AN ORDER OF THE
WARRICK COUNTY AREA PLAN COMMISSION APPROVING CERTAIN
AMENDMENTS TO A DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN PREVIOUSLY ADOPTED BY THE
WARRICK COUNTY REDEVELOPMENT COMMISSION**

WHEREAS, on May 24, 2007, the Warrick County Redevelopment Commission (the "Redevelopment Commission") adopted and approved its Resolution No. 2007-5 (the "Declaratory Resolution") designating and declaring an area within Warrick County, Indiana (the "County") known as the "North West Economic Development Area, Elberfeld Corridor" (the "Area") to be an economic development area within the meaning of Indiana Code 36-7-14, as amended (the "Act"), designating the Area as an allocation area (the "Allocation Area") under Section 39 of the Act, and approving an economic development plan for the Area (the "Plan"); and

WHEREAS, on September 15, 2011, the Redevelopment Commission adopted and approved its Resolution No. 2011-07 (the "Amending Resolution"), pursuant to which the Redevelopment Commission (i) amended the Declaratory Resolution and the Plan for purposes of designating North American Lighting, Inc. (including any affiliate thereof, any entity resulting from consolidation or merger thereof, any successor thereto or acquirer thereof, and any acquirer of such designee's real and personal property located in the Allocation Area), as a "designated taxpayer" pursuant to Section 39.3 of the Act, and (ii) amended the Plan to include an additional project as described in the Amending Resolution; and

WHEREAS, on November 14, 2011, the Warrick County Area Plan Commission (the "Plan Commission") adopted and approved its Resolution, a copy of which is attached hereto, determining that the Declaratory Resolution and the Plan, as amended by the Amending Resolution (including the amendments to the Plan attached thereto), conform to the plan of development for the County and designating such resolution as the written order of the Plan Commission approving the Amending Resolution, including the amendments to the Plan attached thereto, as required by Section 16(a) of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16(b) of the Act prohibits the Redevelopment Commission from proceeding until the Plan Commission Order is approved by the legislative body of the County; and

WHEREAS, the Board of Commissioners of the County (the "Board of Commissioners") is the legislative body of the County and now desires to approve the Plan Commission Order in order to permit the Redevelopment Commission to proceed with the implementation of the Amending Resolution;

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

1. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.

2. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners.

* * * * *

ADOPTED and passed by the Board of Commissioners of the County of Warrick, Indiana, this 12th day of December, 2011.

BOARD OF COMMISSIONERS OF THE
COUNTY OF WARRICK, INDIANA

Tim Mosbey, Commissioner

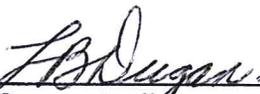


Marlin Weisheit, Commissioner



Don Williams, Commissioner

ATTEST:



L.B. Dugan, Auditor,
Warrick County, Indiana



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December 5, 2011

Transmittal via Email Only

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Roger E. Emmons
Warrick County Commissioners, Administrator
107 W. Locust St., Ste. 301
Boonville, IN 47601

Re: North West TIF Amendment

Dear Adam and Roger:

Attached hereto is a proposed Resolution to be considered by the Board of Commissioners at their next meeting on December 12, 2011, at 4:00 p.m. Said Resolution is to approve the designation of NAL, Inc. as a tax payer in the North West TIF.

After you have had an opportunity to review, if you have any questions or issues, please advise.

Sincerely,

/s/Thomas J. Kimpel
Bamberger, Foreman,
Oswald & Hahn, LLP

TJK/tjs
Enclosures
cc w/enc. Larry Taylor