

RESOLUTION NO. 10-3-2024-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA APPROVING AN AMENDING DECLARATORY RESOLUTION OF THE BRISTOL REDEVELOPMENT COMMISSION AND ORDER OF THE ELKHART COUNTY PLAN COMMISSION

WHEREAS, the Redevelopment Commission (“Commission”) of the Town of Bristol, Indiana (“Town”) serves as the governing body of the Town’s Redevelopment District (“District”) under Indiana Code 36-7-14, as amended, (collectively, the “Act”);

WHEREAS, on March 18, 2008, the Commission adopted Resolution No. 3-18-08 (the “Original South State Road 15 Declaratory Resolution”), as confirmed by Resolution No. 5-13-08 following a public hearing, to establish an economic development area known as the South State Road 15 Economic Development Area (the “South State Road 15 EDA”);

WHEREAS, the Original South State Road 15 Declaratory Resolution (i) identified certain parcels of real estate to be included in and designated as the South State Road 15 EDA as required by Section 41 of the Act, (ii) approved an economic development plan for the South State Road 15 EDA (the “South State Road 15 Development Plan”), (iii) found that the South State Road 15 Development Plan conforms to other development and redevelopment plans for the Town, and (iv) designated the entire South State Road 15 EDA as an allocation area in accordance with Section 39 of the Act (the “South State Road 15 Allocation Area”);

WHEREAS, on August 31, 2021, the Commission adopted Resolution No. R8-31-21 (the “2021 Declaratory Resolution”), as confirmed by Resolution No. R9-23-21B following a public hearing, to amend the Original South State Road 15 Declaratory Resolution and South State Road 15 Development Plan to: (i) expand the boundaries of the South State Road 15 EDA (the “Expansion Area No. 1”), (ii) designate the Expansion Area No. 1 as an allocation area to be known as the Seahawk Allocation Area (the “Seahawk Allocation Area”) in accordance with Section 39 of the Act, (iii) remove certain territory from the South State Road 15 Allocation Area and include such area in the Seahawk Allocation Area, (iv) designate a certain taxpayer, known as MJB Wood Group, LLC, for the purposes of capturing personal property taxes pursuant to Section 39.3 of the Act, and (v) make certain amendments to the South State Road 15 Development Plan;

WHEREAS, on June 16, 2022, the Commission adopted Resolution No. R6-16-22 (the “2022A Declaratory Resolution”), as modified and confirmed by Resolution No. R8-18-22A following a public hearing, to amend the Original South State Road 15 Declaratory Resolution, as previously amended by the 2021 Declaratory Resolution to: (i) expand the boundaries of the South State Road 15 EDA (the “Expansion Area No. 2”); (ii) designate the Expansion Area No. 2 as an allocation area to be known as the Valmont Newmark/Thor Industries Allocation Area (the “Valmont Newmark/Thor Industries Allocation Area”) in accordance with Section 39 of the Act, (iii) consolidate the South State Road 15 EDA, as expanded, and the North State Road 15 EDA (as defined in the 2022A Declaratory Resolution) into a single consolidated economic development area to be referred to as the Consolidated State Road 15 Economic Development Area (the “Consolidated State Road 15 EDA”); and (iv) amend and combine the South State Road

15 Development Plan and the North State Road 15 Development Plan (as defined in the 2022A Declaratory Resolution) to create the Economic Development Plan for the Consolidated State Road 15 EDA as attached to the 2022A Declaratory Resolution as Exhibit B (the “2022 Consolidated Plan”);

WHEREAS, on October 6, 2022, the Commission adopted Resolution No. R10-6-22 (the “2022B Declaratory Resolution”), as confirmed by Resolution No. R12-1-22 following a public hearing, to amend the Original South State Road 15 Declaratory Resolution, as previously amended by the 2021 Declaratory Resolution and 2022A Declaratory Resolution, to: (i) remove certain parcels as described therein from the South State Road 15 Allocation Area; and (ii) designate such parcels as a separate allocation area for economic development purposes, to be known as the “Rail Park Allocation Area” pursuant to and in accordance with Section 39 of the Act (the “Rail Park Allocation Area”) for the purpose of capturing all incremental property tax revenues generated in the Rail Park Allocation Area in excess of the assessed valuation described in Section 39(b)(1) of the Act, which Rail Park Allocation Area is located in the Consolidated State Road 15 EDA and subject to the 2022 Consolidated Plan;

WHEREAS, on March 2, 2023, the Commission adopted Resolution No. R3-2-2023-5 (the “2023A Declaratory Resolution”), as confirmed by Resolution No. 4-6-2023-9 following a public hearing, to amend the 2022 Consolidated Plan by adopting a supplemental to the 2022 Consolidated Plan (the “2023A Plan Supplement”);

WHEREAS, on October 19, 2023, the Commission adopted Resolution No. 10-19-2023-22 (the “2023B Declaratory Resolution”), as confirmed by Resolution No. 12-21-2023-28 following a public hearing, to amend the 2022 Consolidated Plan by adopting a supplemental to the 2022 Consolidated Plan (the “2023B Plan Supplement”, and together with the 2022 Consolidated Plan and the 2023A Plan Supplement, the “Consolidated Plan”);

WHEREAS, the Original South State Road 15 Declaratory Resolution, as amended as set forth above, is collectively referred to as the “Original Area Resolution”;

WHEREAS, on September 5, 2024, the Redevelopment Commission adopted Resolution No. 9-5-2024-6, which resolutions is attached hereto as Exhibit A (the “Amending Declaratory Resolution”), to amend the Original Area Resolution and Consolidated Plan to: (i) expand the boundaries of the Consolidated State Road 15 EDA to include certain additional territory as identified on Exhibit A attached hereto known as the Expansion Area No. 3 (the “Expansion Area No. 3”); (ii) designate the Expansion Area No. 3 as an allocation area for economic development purposes, to be known as the “AWT Allocation Area” pursuant to and in accordance with Indiana Code 36-7-14-39 (the “AWT Allocation Area”) for the purpose of capturing all incremental property tax revenues generated in the AWT Allocation Area in excess of the assessed valuation described in Indiana Code 36-7-14-39(b)(1), and (iii) make certain amendments to the Consolidated Plan as described in Exhibit B (the “2024 Plan Supplement”);

WHEREAS, on September 12, 2024, the Elkhart County Plan Commission issued its order (the “Plan Commission Order”), attached hereto as Exhibit B, approving the Amending Declaratory Resolution and determining that the Amending Declaratory Resolution conforms, in

all respects, to the plan of development for the Town and has submitted the Plan Commission Order to the Town Council of the Town (the “Council”); and

WHEREAS, pursuant to the Act, the Commission has submitted the Amending Declaratory Resolution to the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA, AS FOLLOWS:

Section 1. The Council hereby determines that the Amending Declaratory Resolution and 2024 Plan Supplement, in all respects, conform to the plan of development for the Town.

Section 2. The Council hereby approves in all respects the Amending Declaratory Resolution, the 2024 Plan Supplement, and the Plan Commission Order.

Section 3. This Resolution shall be in full force and effect immediately from and after is passage.

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ADOPTED THIS 3rd DAY OF OCTOBER, 2024.

TOWN COUNCIL
OF THE TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Dean Rentfrow

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

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EXHIBIT A

RESOLUTION NO. 9-5-2024-6

A RESOLUTION OF THE TOWN OF BRISTOL REDEVELOPMENT
COMMISSION AMENDING THE DECLARATORY RESOLUTION
AND ECONOMIC DEVELOPMENT PLAN FOR THE
CONSOLIDATED STATE ROAD 15 ECONOMIC DEVELOPMENT
AREA

(See Attached)

EXHIBIT B

PLAN COMMISSION ORDER 2024-____

ORDER OF THE ELKHART COUNTY PLAN COMMISSION
DETERMINING THAT A RESOLUTION AMENDING THE
DECLARATORY RESOLUTION AND ECONOMIC
DEVELOPMENT PLAN FOR THE CONSOLIDATED STATE
ROAD 15 ECONOMIC DEVELOPMENT AREA CONFORMS
TO THE PLAN OF DEVELOPMENT FOR THE TOWN OF
BRISTOL, INDIANA AND APPROVING THE AMENDING
DECLARATORY RESOLUTION

(See Attached)