

## **RESOLUTION NO. 2023-E-052**

### **CONFIRMATORY RESOLUTION OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, RELATED TO THE ADDITIONAL PROFESSIONAL SPORTS DEVELOPMENT AREA**

WHEREAS, on November 1, 2023, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), approved an Additional Marion County Professional Sports Development Area Plan (the “Area Plan”) for Additional Professional Sports Development Area (the “Tax Area”) in the City of Indianapolis, Indiana (the “City”);

WHEREAS, in approving the Area Plan for the Tax Area, the Commission adopted Declaratory Resolution No. 2023-E-044 (the “Declaratory Resolution”), on November 1, 2023, (i) declaring that the Tax Area is an additional professional sports development area pursuant to Indiana Code 36-7-31.5 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the “Act”), which declaration was supported by a factual report and findings contained within the Declaratory Resolution;

WHEREAS, the Area Plan contained specific recommendations to designate certain facilities or complex of facilities that are or are expected to be (A) located within the Tax Area and (B) (i) used to hold a professional sporting event, and which in addition, may be used to hold other entertainment events, including any publicly owned parking garage, plaza, or infrastructure that is constructed or renovated in connection with the construction of the facility used to hold a professional sporting event; (ii) used in the training of a team engaged in professional sporting events; (iii) used in whole or in part to manage and operate the professional team that would participate in the facility used to hold a professional sporting event; or (iv) a mixed use development, consisting, in part, of retail space, office space, apartment dwelling units, and one or more hotels (collectively, the “Designated Facilities”);

WHEREAS, the Area Plan further contained specific recommendations that, in order to make available certain funds to the Capital Improvement Board of Managers of Marion County, Indiana (the “Board”) to pay any costs related to the facility described in (b)(i) in the preceding paragraph, and hereinafter referred to as the “Stadium Project”, including such costs provided in Section 15 of the Act, it is contemplated that the Board will establish a mechanism consistent with the Act whereby certain Covered Taxes (as defined in and limited by the Declaratory Resolution), attributable to taxable events or Covered Taxes from income earned in the Tax Area as thereby allocated to the Marion County Additional Professional Sports Development Area Fund will be held and made available for the foregoing purposes;

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “City-County Council”) has approved the establishment of the Tax Area, the Area Plan, and the actions of the Commission establishing the Tax Area pursuant to the Act;

WHEREAS, the Commission published notice on December 8, 2023, of the adoption and substance of the Declaratory Resolution in accordance with the Act and Indiana Code 5-3-1 which public notice also gave notice of a public hearing that was held on December 20, 2023, on the

proposed adoption of the Declaratory Resolution by the Commission at which public hearing the opportunity to have remonstrances and objections heard by the Commission was provided;

WHEREAS, prior to the adoption of the resolutions hereinafter set forth, and at such meeting, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

WHEREAS, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED** by the Commission, as follows:

1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the Stadium Project, with the establishment of the Tax Area, and with the inclusion of Designated Facilities in the Tax Area, as shown or described on the map set forth on the attached Schedule 1. Each of the Designated Facilities has been determined and is recited herein to include (i) the facilities set forth on the attached Schedule 2, each of which are in service and operating prior to the date of adoption of the Declaratory Resolution and (ii) upon their respective completion, the facilities set forth on the attached Schedule 3, each of which are anticipated to be initially placed in service and operating after the date of adoption of the Declaratory Resolution.

2. The Commission hereby finds that:

- a. the Tax Area is a special taxing district authorized by the general assembly to enable Marion County, Indiana to provide special benefits to taxpayers in the Tax Area and is supported by the finding of fact, evidence, testimony and other information provided to the Commission as part of its determination to establish the Tax Area pursuant to the Declaratory Resolution and the Act; and
- b. each of the Designated Facilities to be undertaken or that has been undertaken in the Tax Area (A) is all or any part of one (1) or more buildings, structures, or improvements constituting a capital improvement (as defined in the Act), (B) will benefit the public health and welfare and will be of public utility and benefit and (C) will protect or increase state and local tax bases and tax revenues.

3. The Declaratory Resolution and Area Plan approved by the Commission on November 1, 2023, are hereby confirmed as described in the Act and are incorporated herein and shall be kept on file with the Secretary of the Commission and the Clerk of the City.

4. The Secretary of the Commission is hereby directed to record this Confirmatory Resolution with the Marion County Recorder and to file this Confirmatory Resolution with the Marion County Auditor.

5. This Confirmatory Resolution shall be effective upon passage.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on December 20, 2023, at the City-County Building, 2<sup>nd</sup> floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

**METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY,  
INDIANA**, acting in its capacity as the  
Redevelopment Commission of the City of  
Indianapolis, Indiana

By: \_\_\_\_\_  
John J. Dillon III, President

This Resolution prepared by Cullen Cochran, Dentons Bingham Greenebaum LLP, 10 West Market Street, Suite 2700, Indianapolis, Indiana 46204.

**Schedule 1**

**MAP OF THE TAX AREA**

[See attached.]



**Schedule 2**

**Name, Approximate Street Address and Specific Local Parcel # of  
Designated Facilities  
In Additional Marion County Professional Sports Development Area  
For an Allocation Established Pursuant IC 36-7-31.5-4  
Operating Prior to the Date of Adoption of Resolution No. 23-E-044**

220 N. Meridian Street  
Indianapolis, Indiana 46204  
Local Parcel #: 1017865

### **Schedule 3**

**Name, Approximate Street Address and Specific Local Parcel # of Designated Facilities  
In Additional Marion County Professional Sports Development Area  
For an Allocation Established Pursuant IC 36-7-31.5-4  
Anticipated to be Initially Placed in Service and Operating  
After the Date of Adoption of Resolution No. 23-E-044**

Eleven Park

402 Kentucky Avenue

Indianapolis, Indiana 46225

Local Parcel #: 1027884, 1082546, 1107179, 1104767, 1107180, 1104766, 1104765, 1105073, 1105072, 1104774, 1104775, 1104764, 1104768, 1104769, 1104776, 1104770, 1104771, 1104773, 1104772, 1023196, 1045339, 1039716, 1045349, 1045340, 1034181, 1066772, 1081761, 1010827, 1026421, 1026445, 1045294, 1010353, 1071535, 1027443, 1076970, 1027444, 1076972, 1003003, 1107587, 1043777, 1020677, 1013085, 1020688, 1076815, 1026745, 1054237, 1004601, 1034418, 1028309, 1104221, 1060379, 1076949, 1041864, 1011359, 1064683, 1055551, 1010823, 1052179, 1023783, 1062292, 1041865, 1037052, 1062451, 1105303, 1076948, 1052249, 1097636, 1105302, 1080528, 1080529, 1080530, 1099830, 1076951, 1023795, 1007972, 1007991, 1017001, 1053890, 1053891, 1060772, 1060773, 1053340, 1066528, 1014213, 1014434, 1051217, 1066126, 1007978, 1066790, 1044356, 1031372, 1004619, 1076956, 1034059, 1034057, 1066937, 1059074, 1003633, 1034060, 1034050, 1087885, 1073589, 1037609, 1007980, 1018354, 1051219, 1043351, 1023192, 1004698, 1028790, 1036218, 1037767, 1038203, 1044367, 1057711, 1099496, 1102085

Certain developments located at the following approximate street addresses and specific Local Parcel #:

365 S. Meridian Street

Indianapolis, Indiana 46225

Local Parcel #: 1028336

20 E South Street

Indianapolis, Indiana 46225

Local Parcel #: 1020229

25 E South Street

Indianapolis, Indiana 46225

Local Parcel #: 1025987

16 E Henry Street

Indianapolis, Indiana 46225

Local Parcel #: 1080767

201 S Capitol Ave

Indianapolis, Indiana 46225  
Local Parcel #: 1100882, 1100880, 1100881, 1100879, 1100878

350 South Illinois Street  
Indianapolis, Indiana 46225  
Local Parcel #: 1083153, 1010788, 1075319

340 S White River Pky  
Indianapolis, Indiana 46204  
Local Parcel #: 1107342, 1107415, 1107333, 1107416, 1107418, 1107346, 1107334,  
1107335, 1107336, 1107337, 1107338, 1107339, 1107347, 1107417

17 W Market Street  
Indianapolis, Indiana 46204  
Local Parcel #: 1068098

1 N Meridian Street  
Indianapolis, Indiana 46204  
Local Parcel #: 1079974

1 N. Pennsylvania Street  
Indianapolis, Indiana 46204  
Local Parcel #: 1090348, 1083349

801 S Meridian Street  
Indianapolis, Indiana 46225  
Local Parcel #: 1101678

230 S Meridian Street  
Indianapolis, Indiana 46225  
Local Parcel #: 1060893

915 S Meridian Street  
Indianapolis, Indiana 46225  
Local Parcel #: 1040102, 1045050, 1075185, 1035852