

RESOLUTION NO. 2024-E-026

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

WHEREAS, on May 1, 2024, 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 #2 Plan”) for an Additional Professional Sports Development Area (the “Tax Area #2”) in the City of Indianapolis, Indiana (the “City”);

WHEREAS, in approving the Area #2 Plan for the Tax Area #2, the Commission adopted Declaratory Resolution No. 2024-E-021 (the “Declaratory Resolution”), on May 1, 2024, (i) declaring that the Tax Area #2 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 #2 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 #2 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 #2 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 #2 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 #2, the Area #2 Plan, and the actions of the Commission establishing the Tax Area #2 pursuant to the Act;

WHEREAS, the Commission published notice on June 14, 2024, 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 June 26, 2024, on the proposed

adoption of the Declaratory Resolution by the Commission at which public hearing the opportunity to have remonstrances and other testimony 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 other testimony that were filed;

WHEREAS, Indiana Code 36-7-15.1-10(d) provides that after considering the evidence presented at the hearing, the commission shall take final action determining the public utility and benefit of the proposed project or other actions to be taken under the Declaratory Resolution, and confirming, modifying and confirming or rescinding the Declaratory Resolution;

WHEREAS, the Commission has previously adopted its Resolution No. 2023-E-044 on November 1, 2023 and its Resolution No. 2023-E-052 on December 20, 2023 (together, the “Tax Area #1 Resolutions”), establishing a certain geographical area as an Additional Professional Sports Development Area (the “Tax Area #1”);

WHEREAS, the Declaratory Resolution stated that the Secretary of the Commission must only submit to the State Budget Committee for approval pursuant to Indiana Code 36-7-31.5 either the Tax Area #1 Resolutions or such resolutions in connection with the establishment of Tax Area #2;

WHEREAS, the Commission now desires to rescind the Tax Area #1 Resolutions and to modify the Declaratory Resolution to recognize that the Tax Area #1 Resolutions may not become effective or valid and, therefore, cannot be submitted to the State Budget Committee;

WHEREAS, after further review of the Area #2 Plan as described in the Declaratory Resolution; the Commission desires to modify the plan by removing certain tracts of land from inclusion within the boundaries of Tax Area #2, as depicted and described in Schedule 1 attached to this Confirmatory Resolution;

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 #2 and with the inclusion of Designated Facilities in the Tax Area #2, as modified, depicted and described in the map set forth in 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 #2 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 #2 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 #2 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 #2: (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 #2 Plan approved by the Commission on May 1, 2024, are hereby modified to remove certain tracts of land from inclusion within the boundaries of Tax Area #2, are 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 Commission hereby rescinds and revokes the Tax Area #1 Resolutions and Tax Area #1 and the same may not become effective or valid upon adoption of this Confirmatory Resolution and the Commission hereby amends the Declaratory Resolution to remove the direction to the Secretary of the Commission to submit the Tax Area #1 Resolutions to the State Budget Committee.

5. The Secretary or any other officer of the Commission is hereby authorized, empowered and directed to record this Confirmatory Resolution related to Tax Area #2 with the Marion County Recorder and to file this Confirmatory Resolution with the Marion County Auditor.

6. The Secretary or any other officer of the Commission is hereby authorized, empowered and directed to submit this Confirmatory Resolution and the Declaratory Resolution, together with any other documents, instruments and records necessary or advisable to the State Budget Committee for review and recommendation to the State Budget Agency.

7. 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 June 26, 2024, at the City-County Building, 2nd floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

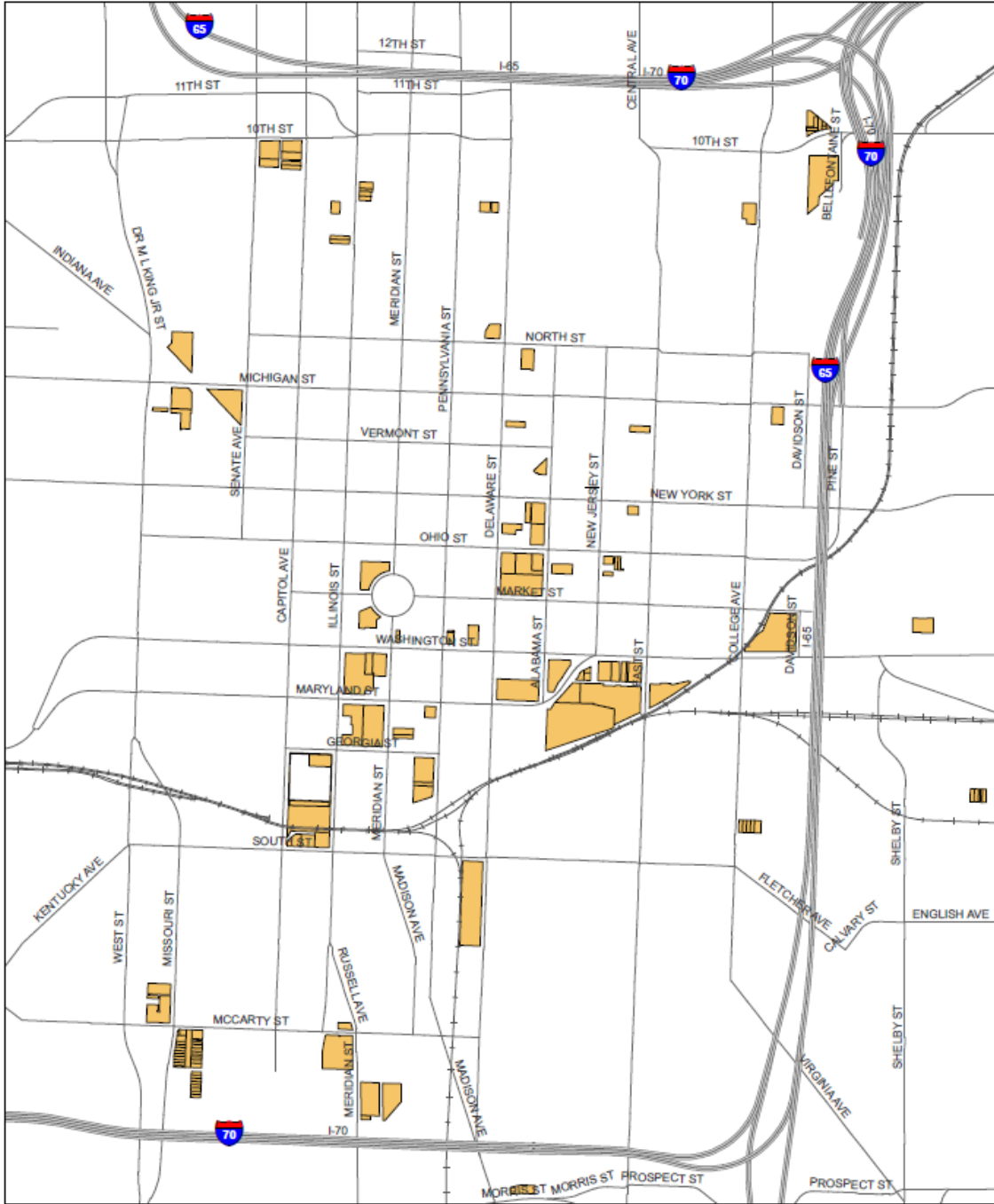
**METROPOLITAN DEVELOPMENT
COMMISSION OF MARION COUNTY,
INDIANA**, acting in its capacity as the
Redevelopment Commission of the City of
Indianapolis, Indiana

By: _____
John J. Dillon III, President

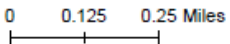
This Resolution prepared by Tenley Drescher-Rhoades, Faegre Drinker Biddle & Reath, 300 N. Meridian Street, Suite 2500, Indianapolis, Indiana 46204.

Schedule 1

MAP OF THE TAX AREA #2



Map #5 Parcel list



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**

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

49 W. Maryland Street
Indianapolis, Indiana 46225
Local Parcel #: 1102250; 1102255; 1102256

130 Meridian Street
Indianapolis, Indiana 46225
Local Parcel #: 1102252

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**

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

217 10th St
Indianapolis, Indiana 46202
Local Parcel #:1017555; 1069508

101 Alabama St
Indianapolis, Indiana 46204
Local Parcel #: 1097878

202 Alabama St
Indianapolis, Indiana 46204
Local Parcel #: 1097670

222 Alabama St
Indianapolis, Indiana 46204
Local Parcel #: 1029552

1214 Bates St
Indianapolis, Indiana 46202
Local Parcel #: 1040648; 1028271

1222 Bates St
Indianapolis, Indiana 46202
Local Parcel #: 1096272

1224 Bates St
Indianapolis, Indiana 46202
Local Parcel #: 1061262

1226 Bates St
Indianapolis, Indiana 46202
Local Parcel #: 1077196

916 Capitol Ave
Indianapolis, Indiana 46204
Local Parcel #: 1005821; 1066798

918 Capitol Ave
Indianapolis, Indiana 46204
Local Parcel #: 1007929

922 Capitol Ave
Indianapolis, Indiana 46204
Local Parcel #: 1006824

151 Delaware St
Indianapolis, Indiana 46204
Local Parcel #: 1042179

810 E 10th St
Indianapolis, Indiana 46202
Local Parcel #: 1019031; 1061834; 1018779;
1090273; 1060157; 1049548; 1090508;
1093765

126 E 9th St
Indianapolis, Indiana 46202
Local Parcel # 1069860

130 E 9th St
Indianapolis, Indiana 46202
Local Parcel #: 1101806

437 E New York St
Indianapolis, Indiana 46202
Local Parcel #: 1083073

219 E New York St
Indianapolis, Indiana 46204
Local Parcel #: 1075317

120 E North St
Indianapolis, Indiana 46204
Local Parcel #: 1083497

411 E Ohio St
Indianapolis, Indiana 46204
Local Parcel #: 1076705

355 E Pearl St
Indianapolis, Indiana 46204
Local Parcel #: 1045928

301 E Washington St
Indianapolis, Indiana 46204
Local Parcel #: 1008377

428 Fulton St
Indianapolis, Indiana 46202
Local Parcel #: 1061862

260 Illinois St
Indianapolis, Indiana 46225
Local Parcel #: 1100878; 1100883

706 Lord St
Indianapolis, Indiana 46202
Local Parcel #: 1062821

714 Lord St
Indianapolis, Indiana 46202
Local Parcel #: 1035076

222 Market St
Indianapolis, Indiana 46204
Local Parcel #: 1097671

363 Massachusetts Ave
Indianapolis, Indiana 46204
Local Parcel #: 1005757

215 E North St
Indianapolis, Indiana 46204
Local Parcel #: 1104075

415 E Ohio St
Indianapolis, Indiana 46204
Local Parcel #: 1076704

1420 E Washington St
Indianapolis, Indiana 46201
Local Parcel #: 1022792; 1043700

441 Indiana Ave
Indianapolis, Indiana 46204
Local Parcel #: 1052055

710 Lord St
Indianapolis, Indiana 46202
Local Parcel #: 1026262; 1035075

1117 Market St
Indianapolis, Indiana 46202
Local Parcel #: 1107254

850 Massachusetts Ave
Indianapolis, Indiana 46204
Local Parcel #: 1106192

812 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1003243

818 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1057699

826 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1076965

834 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1071706

412 W McCarty St
Indianapolis, Indiana 46255
Local Parcel #: 1017001; 1023795; 1076951

844 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1028767

814 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1003242

906 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1059073

824 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1003241

914 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1055068

830 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1051506

922 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1055067

838 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1052021

930 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1012911

902 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1067390

420 N East St
Indianapolis, Indiana 46204
Local Parcel #: 1102186

910 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1023791

401 Michigan St
Indianapolis, Indiana 46204
Local Parcel #: 1101538; 1101545; 1101548

918 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1076954

120 Monument Circle
Indianapolis, Indiana 46204
Local Parcel #: 1090350

926 Meikel St
Indianapolis, Indiana 46225
Local Parcel #: 1054052

846 N College Ave
Indianapolis, Indiana 46202
Local Parcel #: 1022024

1 Meridian St
Indianapolis, Indiana 46204
Local Parcel #: 1079974

411 N Delaware St
Indianapolis, Indiana 46204
Local Parcel #: 1097699

808 Meridian St
Indianapolis, Indiana 46225
Local Parcel #: 1066309

806 N Illinois St
Indianapolis, Indiana 46204
Local Parcel #: 1016919

40 Monument Circle
Indianapolis, Indiana 46204
Local Parcel #: 1047773

131 N Alabama St
Indianapolis, Indiana 46204
Local Parcel #: 1029201

219 N Delaware St
Indianapolis, Indiana 46204
Local Parcel #: 1027132

802 N Illinois St
Indianapolis, Indiana 46204
Local Parcel #: 1084472

901 N Illinois St
Indianapolis, Indiana 46204
Local Parcel #: 1045014

115 N New Jersey St
Indianapolis, Indiana 46204
Local Parcel #: 1069886

10 New Jersey St
Indianapolis, Indiana 46204
Local Parcel #: 1083584; 1083585; 1101801

225 Ohio St
Indianapolis, Indiana 46204
Local Parcel #: 1056438

1 Pennsylvania St
Indianapolis, Indiana 46204
Local Parcel #: 1090348

102 Pennsylvania St
Indianapolis, Indiana 46204
Local Parcel #: 1067356

238 Pennsylvania St
Indianapolis, Indiana 46204
Local Parcel #: 1045784

921 N Illinois St
Indianapolis, Indiana 46204
Local Parcel #: 1073274; 1073275; 1073273

129 N New Jersey St
Indianapolis, Indiana 46204
Local Parcel #: 1034294

51 New Jersey St
Indianapolis, Indiana 46204
Local Parcel #: 1098816

251 Ohio St
Indianapolis, Indiana 46204
Local Parcel #: 1005124

15 Pennsylvania St
Indianapolis, Indiana 46204
Local Parcel #: 1083349

230 Pennsylvania St
Indianapolis, Indiana 46204
Local Parcel #: 1016729

240 Pennsylvania St
Indianapolis, Indiana 46204
Local Parcel #: 1045785

301 S College Ave
Indianapolis, Indiana 46202
Local Parcel #: 1034810

350 S Illinois St
Indianapolis, Indiana 46225
Local Parcel #: 1099828; 1101195; 1010788;
1083153; 1075319

125 S Meridian St
Indianapolis, Indiana 46225
Local Parcel #: 1075528

805 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1042634

40 S Alabama St
Indianapolis, Indiana 46204
Local Parcel #: 1024545

121 S Meridian St
Indianapolis, Indiana 46225
Local Parcel # 1075527

915 S Meridian St
Indianapolis, Indiana 46225
Local Parcel #: 1035852; 1040102; 1075185

813 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1004697

821 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1057605

829 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1065781

837 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1042635

847 S Missouri St
Indianapolis, Indiana 46225
Local Parcel # 1022220; 1041282

10 W McCarty St
Indianapolis, Indiana 46225
Local Parcel #: 1045194

345 W McCarty St
Indianapolis, Indiana 46225
Local Parcel #: 1101335

1 W Washington St
Indianapolis, Indiana 46204
Local Parcel #: 1102253

817 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1057604

825 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1052868

833 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1087973

841 S Missouri St
Indianapolis, Indiana 46225
Local Parcel #: 1042636

343 W McCarty St
Indianapolis, Indiana 46225
Local Parcel #: 1004696

347 W McCarty St
Indianapolis, Indiana 46225
Local Parcel #: 1091535

130 Washington St
Indianapolis, Indiana 46204
Local Parcel #: 1076486

433 Washington St
Indianapolis, Indiana 46204
Local Parcel #: 1004123; 1035635; 1037857;
1043888

1331 Washington St
Indianapolis, Indiana 46202
Local Parcel #: 1083454

17 N Arsenal Ave
Indianapolis, Indiana
Local Parcel #: 1043348

501 Indiana Ave
Indianapolis, Indiana
Local Parcel #: 1073494

401 Washington St
Indianapolis, Indiana 46204
Local Parcel #: 1014511

730 Washington St
Indianapolis, Indiana 46202
Local Parcel #: 1027151; 1027152

15 N Arsenal Ave
Indianapolis, Indiana
Local Parcel #: 1054975
225 Prospect St
Indianapolis, Indiana
Local Parcel #: 1106609
823 Muskingum St
Indianapolis, Indiana
Local Parcel #: 1092148