

MONTGOMERY COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2021- 18

RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS APPROVING ORDER OF THE MONTGOMERY  
COUNTY PLAN COMMISSION

WHEREAS, the Montgomery County ("County") Redevelopment Commission ("Commission") did on February 17, 2010, adopt a declaratory resolution, as amended on October 12, 2011 (collectively, as amended, "Declaratory Resolution"), establishing the Nucor Road Economic Development Area ("Area"), and the Declaratory Resolution was confirmed by a Confirmatory Resolution adopted on March 31, 2010, as amended on November 8, 2011 (collectively, as amended, "Confirmatory Resolution");

WHEREAS, the Declaratory Resolution and the Confirmatory Resolution are hereinafter collectively referred to as the "Area Resolution;"

WHEREAS, the Area Resolution approved the Economic Development Plan, as amended (collectively, as amended, "Original Plan"), which Original Plan contained specific recommendations for economic development in the Area;

WHEREAS, the Area Resolution designated the Nucor Road Economic Development Allocation Area in accordance with IC 36-7-14-39 ("Original Allocation Area") for the purpose of capturing real property taxes generated from the incremental assessed value of real property located in the Original Allocation Area;

WHEREAS, the Board of Commissioners approved the establishment of the Area and the Original Allocation Area;

WHEREAS, on September 20, 2021 the Commission adopted a resolution amending the Area Resolution ("Amending Declaratory Resolution") to: (i) reduce the Original Allocation Area by removing Parcel No. 54-10-11-300-023.000-025 ("Tempur Parcel") from the Original Allocation Area in order to create a new allocation area within the Area; (ii) designate the Tempur Parcel as a new tax allocation area to be identified as the Tempur Sealy Allocation Area; (iii) designate Tempur Sealy International, Inc. as a "designated taxpayer" for purposes of capturing increases in depreciable personal property assessed value; and (iv) add the hereinafter defined Projects to the Original Plan ("2021 Plan");

WHEREAS, the Montgomery County Plan Commission ("Plan Commission") adopted an order on September 22, 2021 finding that the amendments to the Area Resolution and Original Plan conform to the plan of development of the County; and

WHEREAS, the Act requires approval of the action of the Plan Commission by the Board of Commissioners of the County prior to the Commission holding a public hearing on the amendment;

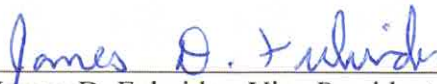
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY, INDIANA, THAT:

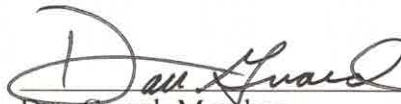
1. The action of the Plan Commission on September 22, 2021 is hereby approved by the Board of Commissioners.
2. The Amending Declaratory Resolution and 2021 Plan are hereby approved.
3. This resolution shall be effective from and after its passage.

PASSED AND ADOPTED by the Board of Commissioners of Montgomery County, Indiana, this 27<sup>th</sup> day of September, 2021, by a vote of 2 ayes and 0 nays.

BOARD OF COMMISSIONERS OF  
MONTGOMERY COUNTY, INDIANA

\_\_\_\_\_  
John Frey, President

  
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James D. Fulwider, Vice President

  
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Dan Guard, Member

ATTEST:

  
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Jennifer Angel, Auditor