

2008 COUNCIL & COMMISSIONERS' ORDINANCES	NUMBER	DATE
Re zoning MES Properties, LLC ZA 387/07	2008-01	1-22-08
Zoning Village of Heritage Hill ZA 305/08	2008-02	4-22-08
Maximum Speed Limits CR 700 W	2008-03	4-22-08
Amending Uniform Fee Schedules for Damage Board and Erosion Control	2008-04	7/1/08
Re zoning KS Handicks, LLC ZA 391/08	2008-05	7/22/08
Re zoning Jeffrey L. Robinson ZA 390/08	2008-06	8/26/08
Subdivision Control Ordinance Amendment	2008-07	8/26/08
Amend Zoning for Acme Auto Parts ZA-392/08	2008-08	10/28/08
Maximum Speed Limits on Certain City Rds	2008-09	11/18/08
" "	2008-10	11/18/08
Amend Blanches PUD ZA-309/BR 03-03	2008-11	11/25/08
Amend Fee Schedule for Planning + Building Dept	2008-12	11/25/08
Weight Restrictions on Certain City Roads	2008-13	11/18/08
Extension on Temporary Loans to Debt Serv	2008-14	12/11/09
Delay in Repayment of Juvenile Debt	2008-15	12/11/09
	2008-16	
	2008-17	
	2008-18	
	2008-19	
	2008-20	
	2008-21	
	2008-22	
	2008-23	
	2008-24	
	2008-25	
	2008-26	
	2008-27	

* out of sequence

ORDINANCE NO. 2008-1

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO MI/MAJOR INDUSTRIAL DISTRICT, COMMONLY KNOWN AS ZA 387/07: MES PROPERTIES, LLC, S34-T14N-R1W, LIBERTY TOWNSHIP, PARCEL TOTALING 175.28 ACRES, LOCATED ON THE NORTH SIDE OF THE HENDRICKS COUNTY LINE, SOUTH OF INTERSTATE 70, ON THE EAST AND WEST SIDES OF COUNTY ROAD 100 EAST AT 830 AND 1454 EAST HENDRICKS COUNTY ROAD, 10714 WEST COUNTY ROAD 100 EAST AND 10899 SOUTH COUNTY ROAD 100 EAST.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the MI/Major Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 387/07: MES Properties, LLC, S34-T14N-R1W, 175.28 acres, Liberty Township, located on the north side of the Hendricks County Line, south of Interstate 70, on the east and west sides of County Road 100 East at 830 and 1454 East Hendricks County Road, 10714 West County Road 100 East and 10899 South County Road 100 East.

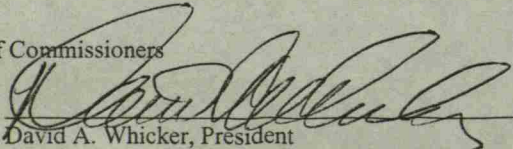
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 387/07: MES Properties, LLC, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

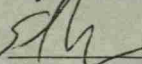
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 22nd day of January, 2008.

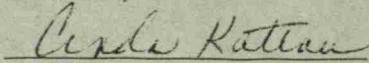
Board of Commissioners


David A. Whicker, President

Phyllis A. Palmer, Vice-President


Eric L. Wathen, Member

Attest:


Cinda Kattau, Auditor

ORDINANCE NO. 2008-02

AN ORDINANCE AMENDMENT TO AN APPROVED PLAN OF THE ZONING MAP OF HENDRICKS COUNTY, FOR A PUD/PLANNED UNIT DEVELOPMENT, COMMONLY KNOWN AS ZA 305/08 (PUD 29) THE VILLAGE OF HERITAGE HILL (AMENDMENT TO ZONING COMMITMENTS), S27-T16N-R1E, LINCOLN TOWNSHIP, PARCEL TOTALING 242 ACRES, LOCATED APPROXIMATELY 0.11 MILE NORTH OF THE INTERSECTION OF COUNTY ROAD 200 NORTH AND STATE ROAD 267, INTERNAL TO THE VILLAGE OF HERITAGE HILL PLANNED UNIT DEVELOPMENT.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the PUD/Planned Unit Development District, the following amendment to the text of the PUD Ordinance, approved on May 11, 2004, regarding the extension of Northfield Drive to County Road 600 East by deleting Item #8 of the Development Commitment Recording Form, said amendment more commonly known as and located in the County of Hendricks, Indiana, namely: ZA 305/08 (Amendment to Zoning Commitments): The Village of Heritage Hill, S27-T16N-R1E, 242 acres, Lincoln Township, located approximately 0.11 mile north of the Intersection of County Road 200 North and State Road 267, internal to the Village of Heritage Hill Planned Unit Development..

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 305/08 (*Amendment to Zoning Commitments*): *The Village of Heritage Hill*, the "Findings of Fact" and "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

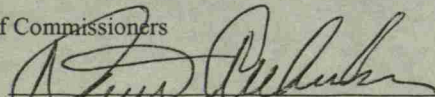
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

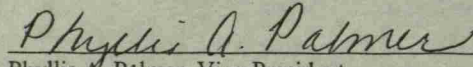
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

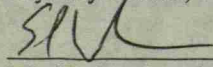
Approved by the Board of County Commissioners of Hendricks County, Indiana, the

32nd day of April, 2008.

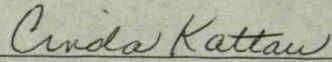
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Eric Wathen, Member

Attest:


Cinda Kattau, Auditor

ORDINANCE NUMBER 2008-03

ORDINANCE FOR MAXIMUM SPEED LIMITS ON CERTAIN COUNTY ROADS

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing Body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, for purposes of enhancing safety on the roadways and in the public interest,

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana that the County Highway Supervisor and/or the County Engineer shall be authorized to install and maintain speed limit signs prohibiting the operation of any motor vehicle along certain public roadways described herein in excess of the maximum speed limit set forth below:

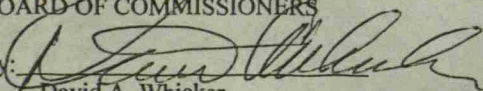
<u>Street</u>	<u>Location</u>	<u>Limit</u>
CR 700W	S.R.75 to CR 450S	40mph

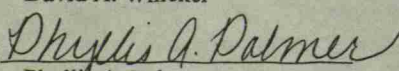
BE IT FURTHER ORDAINED that upon finding of a violation of this ordinance a Penalty shall be assessed in accordance with Indiana Code.

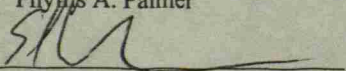
This Ordinance amends, supercedes, repeals, and replaces any and all existing ordinances which imposed speed limits on the subject roadways.

DULY EXECUTED this 22nd day of April, 2008

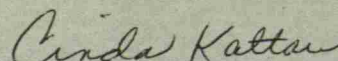
HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By: 
David A. Whicker

By: 
Phyllis A. Palmer

By: 
Eric Wathen

Attest:



ORDINANCE NO. 2008- 04

***AN ORDINANCE AMENDING THE HENDRICKS COUNTY DRAINAGE BOARD
UNIFORM FEE SCHEDULE AND THE HENDRICKS COUNTY EROSION CONTROL
UNIFORM FEE SCHEDULE***

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, need to amend the Drainage Board Uniform Fee Schedule, which includes the amending, setting and collecting of all Drainage Board administrative fees, and need to amend the Clean Water Department Uniform Fee Schedule, which includes the setting and collecting all Clean Water Department fees, and

WHEREAS, Section 36-9-27-73 of the Indiana Code allows the Hendricks County Drainage Board the authority to set reasonable fees and collect associated costs from petitioners in drainage proceeding, and

WHEREAS, 327 IAC 15-13 (Rule 13), specified by State regulation, requires Hendricks County to develop and implement a comprehensive Storm Water Quality Management Plan (SWQMP) and allows the County the ability to self-fund such a program;

NOW THEREFORE, BE IT ORDAINED by the Hendricks County Board of Commissioners that there is hereby amended a Drainage Board Uniform Fee Schedule and a Clean Water Department Uniform Fee Schedule as follows:

DRAINAGE BOARD UNIFORM FEE SCHEDULE:

I. SUBDIVISION:	
A. Minor Subdivision	
1. Primary & Secondary	\$500.00 (includes review fees)
B. Major Subdivision	
1. Primary	\$500.00 + \$15/Lot/Acre/Unit
2. Secondary	\$500.00 + \$10/Lot/Acre/Unit
C. Revision/Amendment/Re-Plat	\$500.00 + \$10/Lot/Acre/Unit
D. Divisional Lot Split	\$250.00
II. SHOPPING CENTER:	
A. Preliminary Development Plan	\$1,000.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit
C. Amendment to a Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit
III. PLANNED UNIT DEVELOPMENT:	
A. Preliminary Development Plan	\$500.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
IV. DEVELOPMENT PLAN REVIEW:	
A. Preliminary Development Plan	\$500.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
V. AMENITY AREA:	
A. Preliminary Development Plan	\$500.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
VI. COMMERCIAL/INDUSTRIAL:	
A. Principal	\$1,000.00 + \$10.00/Lot/Acre/Unit
VII. INDIVIDUAL RESIDENCE AND FARMS:	
A. Regulated Drain Outlet Permit	\$100.00/outlet
B. Regulated Drain Crossing Permit	\$250.00/crossing
C. Regulated Drain Encroachment Permit	\$250.00/encroachment

VIII. UTILITIES:

- | | |
|--|-----------------------------|
| A. Regulated Drain Crossing Permit | \$250.00/crossing |
| B. Regulated Drain Encroachment Permit | \$0.25/foot (Min. \$250.00) |

(NOTE: All fees in this section can be waived or modified by the Hendricks County Surveyor and/or the Hendricks County Drainage Board. All fees will be waived if the permit is for work within a new subdivision. A new subdivision refers to a development granted final approval by the Hendricks County Plan Commission within the last 24 months.)

IX. OTHER:

- | | |
|---|----------|
| A. Copy of the Hendricks County Drainage Handbook | \$100.00 |
| B. Removal of Obstruction Application | \$250.00 |
| C. Variance of a Regulated Drainage Easement | \$250.00 |
| D. Alcoholic Beverage Verification Permit | \$100.00 |

X. MISCELLANEOUS FEES:

- | | |
|---|------------------------------|
| A. Returned Check Fee | \$25.00 |
| B. One-Foot Contour Maps (via Hendricks County GIS) | \$20.00/Acre (Min. \$500.00) |
| C. Copies | \$1.00/Sheet |
| D. Blackline Copies | \$2.00/Sheet |

XI. ENGINEERING REVIEW FEES:

All engineering projects will require a review fee above and beyond the application fee(s). The review fee shall equate to the contract rate of the reviewing engineer, not to exceed \$110.00/hour. This fee shall be paid to the Hendricks County Drainage Board and shall be paid in full before any project approval is given.

ALL FEES ARE NON REFUNDABLE
(Unless so permitted by the Drainage Board)

(NOTE: All fees in this section can be waived or modified by the Hendricks County Surveyor and/or the Hendricks County Drainage Board.)

EROSION CONTROL UNIFORM FEE SCHEDULE

I.	RESIDENTIAL	
A.	Principal	
	1. Single Family Dwelling	\$250.00
	2. Multi-Family Dwelling	\$500.00/Building
	3. Demolition	\$250.00
	4. Additions	\$100.00
	5. Accessory Structures	\$100.00
	6. Detached Garage	\$100.00
	7. Swimming Pools	\$100.00
	8. Relocation	\$100.00
II.	SUBDIVISION:	
A.	Minor Subdivision	
	1. Secondary	\$250.00
B.	Major Subdivision	
	1. Secondary	\$500.00 + \$10.00/Lot/Acre/Unit
C.	Amendment to a Major Subdivision	\$500.00 + \$10.00/Lot/Acre/Unit
III.	SHOPPING CENTER:	
A.	Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit
B.	Amendment to Approved Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit
IV.	PLANNED UNIT DEVELOPMENT:	
A.	Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
B.	Amendment to an Approved PUD	\$500.00 + \$10.00/Lot/Acre/Unit
V.	DEVELOPMENT PLAN REVIEW:	
A.	Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
B.	Amendment to a Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit

VI. AMENITY AREA:

- A. Final Development Plan \$500.00 + \$10.00/Lot/Acre/Unit
- B. Amendment to a Development Plan \$500.00 + \$10.00/Lot/Acre/Unit

VII. Utility :

- A. 5000 to 20,000 sq. ft. surface area disturbed \$150.00
- B. 20,001 to 43, 559 sq. ft. surface area disturbed \$250.00
- C. 43, 560 sq. ft. or more surface area disturbed \$500.00

VIII. Ponds : (except those ponds/detention areas already reviewed and approved in the development process)

- A. 5000 to 20,000 sq. ft. surface area disturbed \$100.00
- B. 20,001 to 43, 559 sq. ft. surface area disturbed \$200.00
- C. 43, 560 sq. ft. or more surface area disturbed \$300.00

X. STOP WORK ORDERS:

- A. Permit Re-Instatement Fee Minimum \$500.00 or two (2) times the filing fee, whichever is greater
- B. Fine For Continued Construction after Stop Work Order \$1,000.00 first day and up to \$500.00 for each additional day

XI. MISCELLANEOUS FEES:

- A. Returned Check Fee \$25.00
- B. Copies \$1.00/Sheet
- C. Blackline Copies \$2.00/Sheet

XII. ENGINEERING REVIEW FEES:

All engineering projects that require a Stormwater Pollution Prevention Plan for Construction Sites will require a review fee above and beyond the Clean Water Permit fee. The review fee shall equate to the contract rate of the reviewing engineer, not to exceed \$110.00/hour. This fee shall be paid to the Hendricks County Drainage Board and shall be paid in full before any Clean Water Permit is issued.

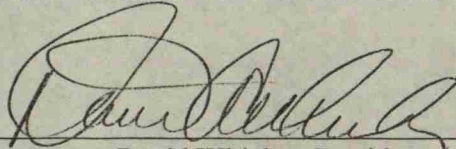
ALL FEES ARE NON REFUNDABLE

(Unless so permitted by the Drainage Board)

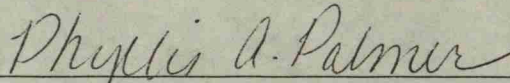
This Ordinance shall be in full force and effect from and after its passage and approval.

Presented to the Board of Commissioners of Hendricks County, Indiana, and approved on this 1st day of July, 2008:

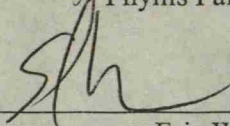
BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:



David Whicker, President

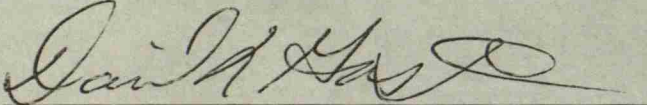


Phyllis Palmer, Vice President



Eric Wathen, Member

ATTEST:



David L. Gaston, P.L.S., Hendricks County Surveyor

ORDINANCE NO. 2008-05

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RSS/REGIONAL SUPPORT SERVICES DISTRICT, RA/RURAL RESIDENTIAL DISTRICT AND GB/GENERAL BUSINESS DISTRICT TO RSS/REGIONAL SUPPORT SERVICES DISTRICT AND GB/GENERAL BUSINESS DISTRICT COMMONLY KNOWN AS ZA 391/08: KS HENDRICKS, LLC, S25,26,34,35-T14N-R1W, LIBERTY TOWNSHIP, PARCEL TOTALING 62.535 ACRES, LOCATED NORTH OF INTERSTATE 70 ALONG COUNTY ROAD 1000 SOUTH AND ALONG COUNTY ROAD 900 SOUTH, AND WEST OF STATE ROAD 39, AND ALONG COUNTY ROAD 100 EAST AND COUNTY ROAD "0."

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the RSS/Regional Support Services District and GB/General Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 391/08: KS Hendricks, LLC, S25,26,34,35-T14N-R1W, 62.535 acres, Liberty Township, located north of Interstate 70 along County Road 1000 South and along County Road 900 South and west of State Road 39, and along County Road 100 East and County Road "0."

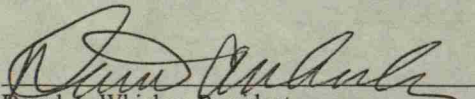
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 391/08: KS Hendricks, LLC, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.


SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

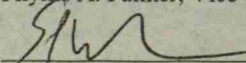
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 22ND day of July, 2008.

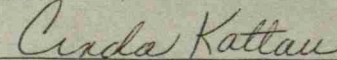
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Eric L. Wathen, Member

Attest:


Cinda Kattau, Auditor

ORDINANCE NO. 2008-06

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO GB/GENERAL BUSINESS DISTRICT COMMONLY KNOWN AS ZA 390/08: JEFFREY L. ROBINSON, S5-T14N-R1E, LIBERTY TOWNSHIP, PARCEL TOTALING 6.58 ACRES, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 40 AND CARTERSBURG ROAD.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the GB/General Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 390/08: Jeffrey L. Robinson, S5-T14N-R1E, 6.58 acres, Liberty Township, located on the northwest corner of the intersection of U.S. Highway 40 and Cartersburg Road.

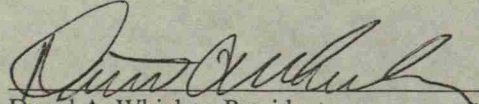
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 390/08: Jeffrey L. Robinson, the "Findings of Fact/Law" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Findings of Fact/Law" as a part of this Ordinance.

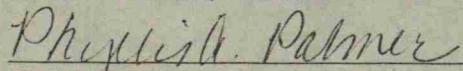
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

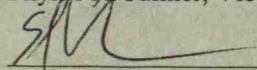
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 26th day of August, 2008.


Board of Commissioners

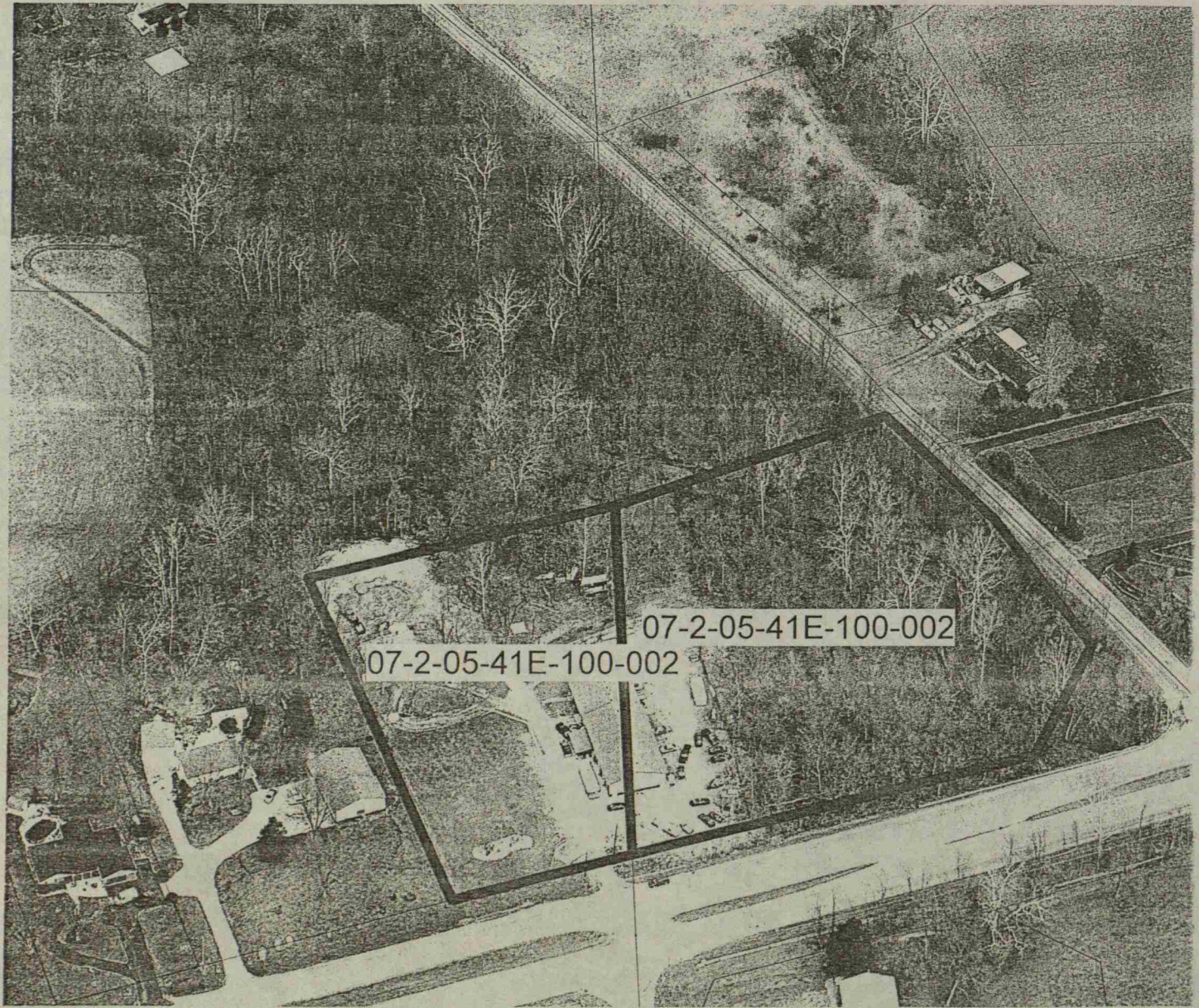

David A. Whicker, President


Phyllis A. Palmer, Vice-President


Eric L. Wathen, Member

Attest:


Cinda Kattau, Auditor



COPY

Hendricks County Area Plan Commission
Findings of Fact/Law
ZA 390/08: Jeffrey L. Robinson

An application for the above noted zoning map amendment was filed in the office of the Hendricks County Department of Planning and Building (DPB). That application sought to rezone a property from RA/Rural Residential District to GB/General Business District. Acting in its role as staff to the Hendricks County Area Plan Commission, the DPB staff subsequently created a file containing all documentation of the request and made that file available for public inspection in the department's office at the Hendricks County Government Center.

In accordance with Indiana Code (IC) 5-3-1, the DPB staff published a legal notice in the *Hendricks County Flyer* and the *Danville Republican*. This notice advertised the public hearing scheduled in conformity with the Hendricks County Area Plan Commission Rules of Procedure Section 3.07(D)(1). The public hearing included the above zoning map amendment on its agenda.

In accordance with Section 3.07(D)(2) of the
Plan Commission, the owners of record and of
receiving them were ma

the Hendricks County Area
surrounding property
notice and a list of those

The Commission conducted
above noted rezoning. Minutes
above noted request and i
County Zoning Ordinance
the public in the DPB office

Don,
Please give this
copy of findings to
Judge.
Thanks!

ice and testimony on the
quently considered the
4 and the Hendricks
on file and available to

In its deliberations, the Commission
requirements and made the

h the following

IC 36-7-4-603: Zoning ordinance
and considering proposals
body shall pay reasonable regard to:

... or proposals. In preparing
... series, the plan commission and the legislative

(1) The comprehensive plan;

The Commission finds that the proposal does not substantially comply with the recommendations of the Hendricks County Comprehensive Plan. The Comprehensive Plan designates this area for Suburban Residential. Although the Comprehensive Plan does not specifically reflect the General Business District in this area, the trend for commercial uses along the U.S. Highway 40 corridor does exist.

(2) Current conditions and the character of current structures and uses in each district;

The Commission finds that the proposal is consistent and compatible with the character of current structures and uses in the zoning district. The establishment of a new commercial district will not substantially change the nature of the area and the approved commercial and industrial uses in the area.

(3) The most desirable use for which the land in each district is adapted;

The Commission finds that the proposal does represent the most desirable use for which the land is adapted. The site under consideration is along a U.S. Highway and this land use is compatible with the existing land uses and the expectations on how the area along the major road will develop.

(4) The conservation of property values throughout the jurisdiction;

The Commission finds that the proposal does conserve property values in the jurisdiction. The proposal represents appropriate development in this semi-rural area along a major federal highway. Further, it is consistent with the well-established use of land along the highway for low intensity non-residential uses.

(5) Responsible development and growth.

The Commission finds that the proposal does represent responsible development and growth. This particular location, along a major federal highway, is appropriately suited for low intensity non-residential uses. The proximity of the highway makes the site less than ideal for residential purposes, and its topography makes it unsuitable for agricultural use. GB zoning is a reasonable land use classification given these constraints.

For all the foregoing reasons, the Commission recommends approval of this request for a zoning map amendment on the 12th day of August, 2008.

AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA



Don F. Reitz, AICP

**AN ORDINANCE AMENDING THE HENDRICKS COUNTY INDIANA
SUBDIVISION CONTROL ORDINANCE BY AMENDING CHAPTERS 3, 5 AND
12 AND DELETING CHAPTER 10 AND ALL OF APPENDIX D, DIVISIONAL
LOT SPLITS**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Subdivision Control Ordinance on December 21, 2004;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Subdivision Control Ordinance be amended as to Chapters 3, 5 and 12 and deleting Chapter 10 and all of Appendix D, Divisional Lot Splits;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TSA 01/08) voted to forward a favorable recommendation to the County Commissioners; and

WHEREAS, the County Commissioners have received and reviewed the Area Plan Commission's report, have considered the Area Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

AMENDMENT OF CHAPTER 3

**CHAPTER 3
SUBDIVISION PROCEDURES**

3.01 PRELIMINARY CONSULTATION -- Prior to submitting any of the material required by these regulations, the applicant is required to discuss with the Plan Commission Staff the nature of the land division being proposed. The Plan Commission Staff shall inform the applicant of the classification of the subdivision as major, ~~or~~ minor, *or minor residential* based upon information provided to staff at that meeting, and the applicable procedure which shall be followed under these regulations in order to secure approval. The staff's recommendation for classification as a major, ~~or~~ minor, *or minor residential* subdivision plat may change during the subdivision approval process, if new information regarding the proposed subdivision becomes available. At this consultation, a sketch plan of the development may be proposed for the Plan Commission Staff review. The sketch plan may be a freehand pencil drawing of the area proposed to be platted or may be in any other graphic medium.

AMENDMENT OF CHAPTER 5

**CHAPTER 5
MINOR SUBDIVISIONS**

5.03 MINOR RESIDENTIAL SUBDIVISION -- *Those subdivisions meeting the definition of "SUBDIVISION, MINOR RESIDENTIAL", contained in this ordinance may be considered under the provisions of this section. After a subdivision request has been filed, the planning director shall determine whether the petition may be considered as a*

minor residential subdivision. The planning director's decision may be appealed to the Plan Commission. Minor residential subdivisions typically receive approval by the plat review committee, but could be forwarded to the Plan Commission by staff or the plat review committee.

1. Conditions of Eligibility -- Before determining that an application is eligible to be considered as a minor residential subdivision, the planning director shall find that all of the following criteria are satisfied:

- a. **Orderly Development** -- The subdivision will not impede orderly development of land or the provision of public services and improvements.
- b. **Comprehensive Plan** -- The subdivision will be consistent with the Comprehensive Plan.
- c. **Suitability** -- The lot will provide a suitable residential building site. Land suitability shall be determined by the criteria contained in this ordinance.
- d. **Endangerment** -- The subdivision will not be detrimental to nor endanger the public health, safety, or general welfare.
- e. **Residential Zoning** -- Property must be zoned to allow residential development as a permitted use.
- f. **Minimum Frontage and Acreage Requirements**: All lots shall meet the minimum road frontage and acreage requirements listed in the zoning ordinance.
- g. **Drainage**: -- Corrective measures for drainage concerns of the site;
- h. **Sewage and Water** -- Proof that sewage disposal is acceptable to the Hendricks County Health Department and that a safe water source exists;
- i. **Right-of-way** -- Right-of-way dedication pursuant to the Hendricks County Thoroughfare Plan;
- j. **Shoulder** -- A seven (7) foot shoulder and adequate roadside ditch; and
- k. **Sidewalks** -- Commitment to participate in the installation of sidewalks across the frontage of the tract whenever sidewalks adjoin the tract.
- l. **Additional Requirements for an Unimproved Lot** -- An unimproved lot shall meet the following additional standards:
 - I. **Site Distance** -- Proper sight distance at the proposed driveway location.
 - II. **Perimeter Drain** -- Adequate drainage outlet for the septic system subsurface perimeter drain;

2. Limit of One Minor Residential Subdivision Plat -- Only one (1) minor residential subdivision plat, containing one (1) lot, may be created from a parent tract. Creating any additional lots from the same parent tract will require either a major or minor plat, as determined by the Planning Director, based on the standards of the Hendricks County Subdivision Control Ordinance.

5.04 SUBMITTAL REQUIREMENTS: One (1) copy of the application materials and five (5) copies of the plans must be submitted to the Hendricks County Planning and Building Department, and a separate application must be made to the Hendricks County Surveyors Office.

1. Application Materials -- The application materials shall include the following:

- a. Application
- b. Copy of the parent tract deed
- c. Fee
- d. Subdivision Plat Drawing
- e. Drainage Narrative/Caculations

2. Subdivision Plat Drawing -- The subdivision plat drawing for a minor residential subdivision shall include the following:

- a. Lot Number
- b. North Arrow
- c. Graphical Scale
- d. Parent tract (drawn from the deed) and labeled as "remainder"
- e. Proposed Lot including the following:
 - i. Boundary lines and acreage thereof, based upon an accurate traverse
 - i.i. Right-of-way
 - iii. Building setback lines
 - iv. All easements and property address
- f. Section Corners monumentation found and tied to the subject tract
- g. Cross-reference to a recorded survey per IAC 865 Chapter 1-12
- h. Legal Description
- i. Certificate of dedication
- j. Certificate of ownership
- k. Surveyors certification
- l. Certificate of the Plan Commission including signature location for the Director, Hendricks County Planning & Building Department
- m. Street classification
- n. Sidewalk commitment (if applicable)
- o. Legal drain statement -- The following statement shall be placed on the plot plan:

"This Minor Residential Subdivision application has been filed with the Hendricks County Drainage Board requesting approval of a residential lot created from the parent tract. This lot may be within the watershed of a legal drain, therefore, a drainage assessment may be assessed by the Hendricks County Drainage Board under the authority of the Indiana Drainage Code and so the said Board may exercise all the powers and duties as provide for in said code. This lot contains _____ft. of existing legal drain tiles and _____ft. of existing open ditch legal drains."

- q. Sheet size
 - i. Minimum 17"x22"
 - ii. Maximum 18"x24"

3. Subdivision Plat Requirements -- The minor residential subdivision plat application must contain the following information, which may be located on a separate sheet:

- a. Lot boundaries
- b. Dimensions
- c. Easements
- d. Building setback lines
- e. Waterways
- f. Floodways
- g. Floodway fringe
- h. Street the location to which the property has access
- i. House layout and location
- j. Driveway location
- k. Shoulder & Roadside Ditch Details (see Appendix D)
 - i. 7' shoulder
 - ii. Adequate roadside ditch
- l. Drainage Improvement
- m. Sewage disposal systems details (per Hendricks County Zoning Ordinance and/or Hendricks County Health Department Requirements)

- n. Water supply system details
- o. Erosion control measures

5.05 EXPIRATION OF APPROVAL -- Approval for a minor residential subdivision shall be valid for one year from the date of approval, unless the Plat Review Committee or the Plan Commission grants an extension. If not granted before the expiration of two (2) years, the approval shall be null and void.

AMENDMENT OF CHAPTER 12

CHAPTER 12

DEFINITIONS

12.02 DEFINITIONS --

DIVISIONAL LOT: For purposes of this ordinance, a divisional lot is a lot that is legally created without platting, and that meets the standards contained in Chapter 10 of this document.

SUBDIVISION, MINOR: The subdivision of a parent parcel into any combination of not more than three (3) contiguous or non-contiguous new residential, commercial, or industrial building sites, or the reconfiguration of existing lots that create new building sites, and which does not involve the construction or extension of public or private streets, or under the standards set forth in this ordinance, does not involve substantial improvement or realignment of any existing county road. To qualify as a minor subdivision, the proposal must meet all of the conditions set forth in this ordinance for minor subdivisions.

SUBDIVISION, MINOR RESIDENTIAL: The subdivision of a parent tract into one (1) new residential building site, and a remainder, which does not involve the construction or extension of public or private streets, or under the standards set forth in this ordinance, does not involve substantial improvement or realignment of any existing county road. To qualify as a minor residential subdivision, the proposal must meet all of the conditions set forth in this ordinance for minor residential subdivisions.

DELETE ALL OF CHAPTER 10

CHAPTER 10— Delete all of Chapter 10, Divisional Lot Splits

DIVISIONAL LOT SPLITS

10.01 OVERVIEW— Permission to pursue a divisional lot split, in lieu of platting, shall be obtained from a member of the Hendricks County Administrative Committee.

10.02 MINIMUM FRONTAGE AND ACREAGE REQUIREMENTS: Unimproved tracts and improved tracts with principle structures shall meet the following minimum road frontage and acreage requirements for the type of street the tract fronts on:

1. **Local Street**— 165' frontage with a minimum area of 1.875 acres
2. **Collector Street**— 250' frontage with a minimum area of 3 acres
3. **Minor Arterial Street**— 350' frontage with a minimum area of 4 acres
4. **Principle Arterial Street**— 500' frontage with a minimum area of 5 acres

10.03 STANDARDS FOR UNIMPROVED TRACTS: Unimproved tracts shall meet the following standards:

1. **Site Distance**— Proper site distance;
2. **Drainage**— Corrective measures for drainage concerns of the site;

3. **Access**—Potential combination of access drives if more than one tract is created;
4. **Sewage**—Sewage disposal acceptable to the Hendricks County Health Department and a safe water source;
5. **Perimeter Drain**—Adequate drainage outlet for the septic system subsurface perimeter drain;
6. **Right-of-way**—Right-of-way dedication pursuant to the Hendricks County Thoroughfare Plan;
7. **Shoulder**—A seven (7) foot shoulder and adequate roadside ditch; and
8. **Sidewalks**—Commitment to participate in the installation of sidewalks across the frontage of the tract whenever sidewalks adjoin the tract.

10.04 STANDARDS FOR IMPROVED TRACTS WITH PRINCIPLE

STRUCTURES: Improved tracts with principle structures shall meet the following standards:

1. **Sewage and Water**—Show proof that sewage disposal is acceptable to the Hendricks County Health Department and that a safe water source exists;
2. **Drainage**—Corrective measures for drainage concerns of the site;
3. **Right-of-way**—Right of way dedication pursuant to the Hendricks County Thoroughfare Plan;
4. **Shoulder**—A seven (7) foot shoulder and adequate roadside ditch; and
5. **Sidewalks**—Commitment to participate in the installation of sidewalks across the frontage of the tract at the time sidewalks adjoin the tract.

10.05 SUBMITTAL REQUIREMENTS: Each lot will require a separate submittal.

Four (4) copies of the application materials must be submitted to the Hendricks County Planning and Building Department, and a separate application must be made to the Hendricks County Surveyors Office.

1. **Application Materials**—The application materials shall include the following:
 - a. Application
 - b. Copy of the parent tract deed
 - c. Fee
 - d. Divisional Lot Split (DLS) Sheet Plot Plan
2. **Plot Plan**—The divisional lot split sheet plot plan shall include the following (see Appendix D):
 - f. Divisional Lot Number
 - g. North Arrow
 - h. Graphical Scale
 - i. Parent tract (drawn from the deed)
 - j. Proposed Lot including the following:
 - j. Boundary lines and acreage thereof, based upon an accurate traverse
 - i.i. Right of way
 - iii. Building setback lines
 - iv. All easements and Property address
 - f. Any previous Divisional Lot Split (DLS) off the parent tract
 - g. Section Corners monumentation found and tied to the subject tract
 - h. Cross-reference to a recorded survey per IAC 865 Chapter 1-12
 - i. Legal Description
 - j. Certificate of dedication
 - k. Certificate of ownership
 - l. Surveyors certification
 - m. Certificate of the Plan Commission including signature locations for the following:

- i. Director, Hendricks County Planning & Building Department
- ii. Hendricks County Surveyor
- iii. Hendricks County Engineer
- iv. Director of Environmental Health Department
- n. Street classification
- o. Sidewalk commitment
- p. Legal drain statement—The following statement shall be placed on the plot plan:

"This Divisional Lot Split (DLS) application has been filed with the Hendricks County Surveyors office requesting approval of Divisional Lot Split (DLS) from the parent tract. This Divisional Lot Split (DLS) may be within the watershed of a legal drain, therefore, a drainage assessment may be assessed by the Hendricks County Drainage Board under the authority of the Indiana Drainage Code and so the said Board may exercise all the powers and duties as provide for in said code. This Divisional Lot Split (DLS) contains _____ ft. of existing legal drain tiles and _____ ft. of existing open ditch legal drains."

- q. Sheet size
 - i. Minimum 17"x22"
 - ii. Maximum 18"x24"

3. Plot Plan Requirements—See Appendix D for an example of a plot plan. The plot plan must contain the following information:

- a. Lot boundaries
- b. Dimensions
- c. Easements
- d. Building setback lines
- e. Waterways
- f. Floodways
- g. Floodway fringe
- h. Street the location to which the property has access
- i. House layout and location
- j. Driveway location
- k. Shoulder & Roadside Ditch Details (see Appendix D)
 - i. 7' shoulder
 - ii. Adequate roadside ditch
- l. Drainage Improvement
- m. Sewage disposal systems details (per Hendricks County Zoning Ordinance and/or Hendricks County Health Department Requirements)
- n. Water supply system details
- o. Erosion control measures

Delete all of Appendix D, Divisional Lot Splits

ORDINANCE NO. 2008-08

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM HB/HIGHWAY BUSINESS DISTRICT TO MI/MAJOR INDUSTRIAL DISTRICT, COMMONLY KNOWN AS ZA 392/08: ACME AUTO PARTS & TOWING, S13-T14N-R2W, FRANKLIN TOWNSHIP, PARCEL TOTALING 18.1 ACRES, LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF U.S. HIGHWAY 40 AND COUNTY ROAD 300 WEST AT 3110 WEST U.S. HIGHWAY 40, CLAYTON.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the MI/Major Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 392/08: Acme Auto Parts & Towing, S13-T14N-R2W, 18.1 acres, Franklin Township, located at the northwest quadrant of the intersection of U.S. Highway 40 and County Road 300 West at 3110 West U.S. Highway 40, Clayton.

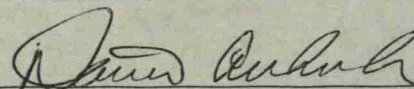
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 392/08: *Acme Auto Parts & Towing*, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

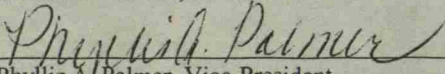
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 28th day of October, 2008.

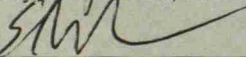
Board of Commissioners



David A. Whicker, President

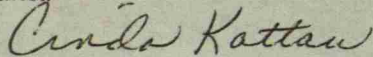


Phyllis A. Palmer, Vice-President



Eric L. Wathen, Member

Attest:



Cinda Kattau, Auditor

ORDINANCE NUMBER 2008-09

ORDINANCE FOR MAXIMUM SPEED LIMITS ON CERTAIN COUNTY ROADS

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing Body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, for purposes of enhancing safety on the roadways and in the public interest,

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana that the County Highway Supervisor and/or the County Engineer shall be authorized to install and maintain speed limit signs prohibiting the operation of any motor vehicle along certain public roadways described herein in excess of the maximum speed limit set forth below:

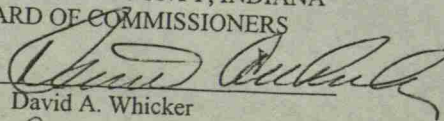
<u>Street</u>	<u>Location</u>	<u>Limit</u>
CR 471E	CR 1000N to Dead End	35 mph

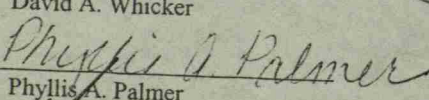
BE IT FURTHER ORDAINED that upon finding of a violation of this ordinance a Penalty shall be assessed in accordance with Indiana Code.

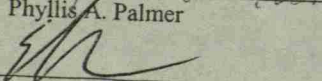
This Ordinance amends, supercedes, repeals, and replaces any and all existing ordinances which imposed speed limits on the subject roadways.

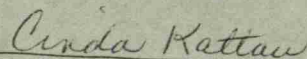
DULY EXECUTED this 18th day of November 2008

HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By: 
David A. Whicker

By: 
Phyllis A. Palmer

By: 
Eric Wathen

Attest: 

ORDINANCE NUMBER 2008-10

ORDINANCE FOR MAXIMUM SPEED LIMITS ON CERTAIN COUNTY ROADS

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing Body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, for purposes of enhancing safety on the roadways and in the public interest,

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana that the County Highway Supervisor and/or the County Engineer shall be authorized to install and maintain speed limit signs prohibiting the operation of any motor vehicle along certain public roadways described herein in excess of the maximum speed limit set forth below:

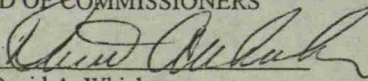
<u>Street</u>	<u>Location</u>	<u>Limit</u>
Hill Valley Drive	Hill Valley Estates	20mph

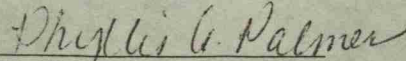
BE IT FURTHER ORDAINED that upon finding of a violation of this ordinance a Penalty shall be assessed in accordance with Indiana Code.


This Ordinance amends, super cedes, repeals, and replaces any and all existing ordinances which imposed speed limits on the subject roadways.

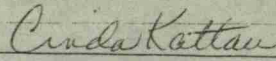
DULY EXECUTED this 18th day of November, 2008

HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By: 
David A. Whicker

By: 
Phyllis A. Palmer

By: 
Eric Wathen

Attest: 

ORDINANCE NO. 2008-11

AN ORDINANCE AMENDMENT TO AN APPROVED PLAN OF THE ZONING MAP OF HENDRICKS COUNTY FOR A PUD: PLANNED UNIT DEVELOPMENT DISTRICT COMMONLY KNOWN AS ZA-309/BR03-03: CP MORGAN COMMUNITIES, LP; BROWN TOWNSHIP, PARCEL TOTALING 224.64 ACRES, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF COUNTY ROAD 650 NORTH AND COUNTY ROAD 1000 EAST, INTERNAL TO THE BRANCHES PUD DEVELOPMENT.

SECTION 1. Be it ordained by the Board of Commissioners of Hendricks County, Indiana, that an ordinance amendment to an approved plan of the zoning map of Hendricks County be amended so as to include in the PUD/Planned Unit Development District, the following amendment of text in Chapter 7.04 – Parcel III Development Standards – Front Elevation Architectural Requirement, to wit:

The homes, except the Neighborhood series, within Parcel III shall include 100% brick front facades, excluding gables, doors, windows and trim.

All homes, except the Neighborhood series, with a front façade facing the north-south collector road located on the east half of the Development shall include 100% brick front facades, excluding gables, doors, windows and trim.

Said real estate being located in the County of Hendricks, Indiana, namely: ZA 309/08(PUD 31) (Amendment to PUD Ordinance): CP Morgan Communities, LP, S26-T16N-R1E, Brown Township, Totaling 51.5 acres, located at the Northeast Corner of the Intersection of County Road 650 North and County Road 1000 East, internal to the Branches PUD Development.

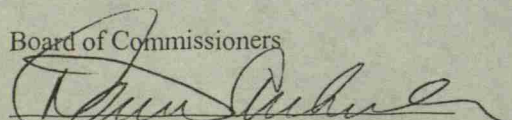
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 309/08(PUD 31): CP Morgan Communities, LP, the “Findings of Fact” and the “Development Commitment Recording Form” attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said “Development Commitment Recording Form” as a part of this Ordinance.

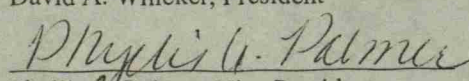
SECTION 3. All buildings or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the Hendricks County Zoning Ordinance, as amended by Ordinance No. 2004-07 and this Ordinance, and proper permits therefore shall have been obtained.

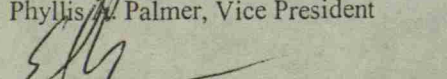
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the Commissioners of Hendricks County.

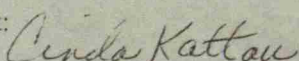
Approved by the Board of County Commissioners of Hendricks County, Indiana, this 25th day of November, 2008.

Board of Commissioners


David A. Whicker, President


Phyllis G. Palmer, Vice President


Eric L. Wathen, Member

Attest: 

Cinda Kattau, Auditor

ORDINANCE 2008-12

**AN ORDINANCE AMENDING THE HENDRICKS COUNTY
PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE**

Whereas, the Board of County Commissioners of Hendricks County, Indiana established a Planning and Building Department Fee Schedule on 18 May 2004 as Ordinance 2004-23 which included all planning, zoning, building permit, and administrative fees; and

Whereas, the Hendricks County Area Plan Commission has recommended that the Hendricks County Planning and Building Department Fee Schedule be amended; and

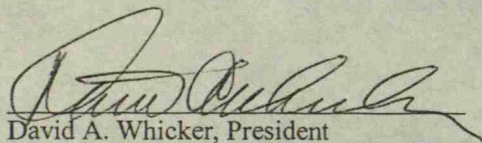
Whereas, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment and voted to forward a favorable recommendation to the County Commissioners, and

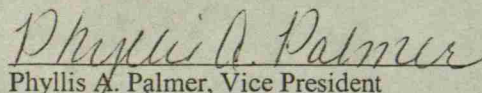
Whereas, the Board of County Commissioners of Hendricks County, Indiana has received and considered the Plan Commission's report and finds that the adoption of the recommended amendment would promote the health, safety and convenience of the citizens of Hendricks County.

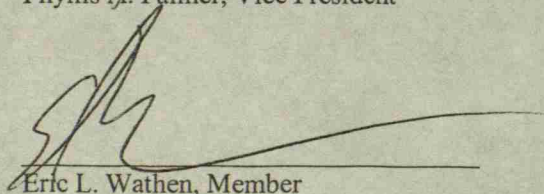
Now therefore be it ordained, that the Board of County Commissioners of Hendricks County, Indiana, by authority granted in Indiana Code Section 36-7-4-411, hereby amend the Planning and Building Department Fee Schedule as shown in the accompanying table titled *2009 Planning and Building Department Fees*.

Approved this 25 day of November, 2008.

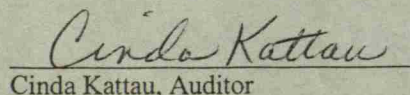
BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA


David A. Whicker, President


Phyllis A. Palmer, Vice President


Eric L. Wathen, Member

ATTEST


Cinda Kattau, Auditor

2009 Planning & Building Department Fees

Plan Commission				Current Fee (\$)	Proposed Fee (\$)
Plan Commission	Minor Plat			400	540
Plat	Major Plat	Primary	SFR, TFR MFR, HPR, Non-Res	600 + 15/lot	685 + 17/lot 800 + 10/acre
		Secondary	SFR, TFR MFR, HPR, Non-Res	600 + 10/lot	685 + 11/lot 800 + 5/acre
	Minor Residential Plat			200 (DLS)	230
	Revision			400	455
	Amendment			500	570
	Extension of time to record			200	230
	Replat			300 + 10/lot	365
Traffic Study	When Applicable, See Handout				Based on type, size and location of project
Fiscal Impact Study	When Applicable, See Handout				Based on type, size and location of project
Zoning Amendment					
PUD	Primary development plan PUD fee			500 + 25/acre	570 + 29/acre
	Secondary development plan PUD fee			600 + 15/acre	685 + 17/acre
	Amendment to PUD ordinance			600 + 10/acre	685 + 11/acre
Development Plan	Primary			400 + 10/acre	455 + 11/acre
	Secondary			600 + 15/acre	685 + 17/acre
	Amendment			400 + 10/acre	455 + 11/acre
Waiver of SCO Requirement	Major Plat			500	570
	Minor Plat			500	570
	Major Plat			200	230
	Minor Plat			200	230
Exception	Major Plat			200	230
	Minor Plat			100	115
Legal Notice, Sign				50	55
Continuance	Applicant-Initiated/ Continuance After First One				100
Board of Zoning Appeals	Residential			200	345
Dev. Stds. Variance	Non-Residential			350	345
	Residential			200	460
Special Exception	Non-Residential			500 + 25/acre	460

Legal Notation, Sign					50		55
Appeal Addressing	Owner-Required Address Change				300		340 55
Building Permit (per structure) Residential Construction	Principal building	SFR	Application	250			285
			Footings/Foundation	50 + 01/sf > 2,000 sf		55 + 02/sf > 2,000 sf	
			Rough In	75 + 03/sf > 2,000 sf			80 + 04/sf > 2,000 sf
			Insulation/Fire Chalk				80 + 04/sf > 2,000 sf
			Perm. Power	25 + 01/sf > 2,000 sf			27 + 02/sf > 2,000 sf
			Occupancy	80 + 02/sf > 2,000 sf			64 + 03/sf > 2,000 sf
	2-Family Residential	Application	375				430
		Footings/Foundation	75 + 01/sf > 2,500 sf			80 + 02/sf > 2,500 sf	
		Insulation/Fire Chalk					114 + 04/sf > 2,500 sf
		Rough In	100 + 03/sf > 2,500 sf				107 + 04/sf > 2,500 sf
		Perm. Power	25 + 01/sf > 2,500 sf				27 + 02/sf > 2,500 sf
		Occupancy	80 + 02/sf > 2,500 sf				86 + 03/sf > 2,500 sf
	Less than 200 sf 200 to 350 sf	No permit required					
		Application					50
		Perm. Power					25
	351 sf and greater	Application					75
		Footings/Foundation					54 + 02/sf > 2,000sf
		Rough In					54 + 02/sf > 2,000sf
		Perm. Power					27 + 02/sf > 2,000 sf
		Occupancy					54 + 02/sf > 2,000sf
	Swimming pool (in ground) Swimming pool (above ground)/spa		150				170
							80
	Addition	Up to 3 rooms					115 + inspections
		More than 3 rooms					Same as SFR
	Accessory structure (perm. foundation)	Application					50
		Footings/Foundation					54 + 02/sf > 2,000sf
		Rough In					54 + 02/sf > 2,000sf
		Perm. Power					27 + 02/sf > 2,000 sf
		Occupancy					54 + 02/sf > 2,000sf
	Remodel	Application	100				114
		Footings/Foundation	50 + 01/sf > 2,000 sf				54 + 02/sf > 2,000sf
		Rough In	75 + 03/sf > 2,000 sf				80 + 04/sf > 2,000sf
		Perm. Power	25 + 01/sf > 2,000 sf				27 + 02/sf > 2,000 sf
		Occupancy	80 + 02/sf > 2,000 sf				64 + 03/sf > 2,000 sf
	Accessory structure (no room additions)	Application	50				57
		Footings/Foundation	50 + 02/sf > 2,000sf				54 + 03/sf > 2,000 sf
		Rough In	50 + 02/sf > 2,000sf				54 + 03/sf > 2,000 sf
		Perm. Power	25 + 02/sf > 2,000sf				27 + 03/sf > 2,000 sf
		Occupancy	50 + 02/sf > 2,000 sf				54 + 03/sf > 2,000 sf
	Relocation	Same as SFR (no. of fee)					Same as SFR (no. of fee)
		Same as SFR (no. of fee)					Same as SFR (no. of fee)
	Demolition		100				114
				50			57
	Temporary manufactured home (single unit) Electrical (all principal and accessory uses)	50 + inspections					57 + inspections
			25				29

MF & Non-Residential Construction	Principal building	Application Footings/Foundation Rough In Insulation/Fire Caulk Perm. Power Occupancy	1,140 106 + 03/sf 215 + 05/sf 200 + 04/sf 54 + 02/sf 160 + 04/sf 340 + Inspections 200 300 1,000 100 + 02/sf 200 + 04/sf 50 + 01/sf 150 + 03/sf \$25 (if applicable) Same as non-res accessory 570 + inspections 340 + inspections 5.35 + 16/cubic foot	1000 100 + 02/sf 200 + 04/sf 50 + 01/sf 150 + 03/sf 300 + inspections Up to 1,000 sf 1,001 to 3,000 sf 3,001 sf and over				
	Accessory structure (permanent foundation) Addition	Principal building Application	Same as non-res accessory 500 + inspections 300 + inspections 500 + 15/cubic foot					
	R remodel	Accessory structure Principal building (no additional sq ft) Accessory structure (no additional sq ft)	Same as non-res accessory 500 + inspections 300 + inspections 500 + 15/cubic foot					
	Swimming pool	Principal building	200					
	Demolition	Principal building Accessory structure Principal building Accessory structure	100 Same as non-res principal Same as non-res accessory (no sf fee) 50 app. + 50 + 01/sf					
	Relocation	Application Underground Inspection Occupancy	1,000 100 1,140 340					
	Electrical (all principal and accessory uses) Cell Tower Generator, Wind Generating	Application Footings/Foundation Rough In Insulation/Fire Caulk Perm. Power Occupancy	500 100 + 01/sf 200 + 01/sf 50 (if Applicable) 150 + 01/sf 25 (if Applicable) 74					
	Wireless Telecommunications Structure WTS re-location	Application Footings/Foundation Rough In Insulation/Fire Caulk Perm. Power Occupancy	500 100 + 01/sf 200 + 01/sf 50 (if Applicable) 150 + 01/sf 25 (if Applicable) 74					
	Comm./Inv. Storage/Warehouse/Dist. Ctr	Application Footings/Foundation Rough In Insulation/Fire Caulk Perm. Power Occupancy	500 100 + 01/sf 200 + 01/sf 50 (if Applicable) 150 + 01/sf 25 (if Applicable) 74					
	Per Hour Charge	Subsurface Drain	65					
	Signs	Temporary/Portable Up to 100 sq ft 101 to 300 sq ft 301 to 1,000 sq ft Over 1,000 sq ft Master sign plan review (in addition to sf fee)	57 215 400 855 1083 250					
	Administrative Fees	Zoning Consultancy Research Resub/Ft Search or similar activity In Building In Archive Inspection Report	20 up to 1 hr, 40 over 1 hr 20 up to 1 hr, 40 over 1 hr 5 35 50 100 10 175					
	File Retrieval (Copies Not Included)							
	Advisory Building Inspection Report							
	Building Permit Report							
	Contractor Listing							

Reinspection	1st 2nd 3rd				50 100 200 350	100 150 200 400
Stop Work Order	Permit reinstatement Continued construction after order				500 or 2x filing fee, whichever is greater 1,000 1st day/500 each additional day 1,000 1st day/500 each additional day	500 or 2x filing fee, whichever is greater 1,000 1st day, 570 each additional day 1,140 1st day, 570 each additional day
Illegal Structure (See Note 3)						Triple the applicable permit fee
Post Construction Permit (see Note 4)						
Architectural Structure	ILP Electrical (if applicable) Plumbing (if applicable)					No charge 50 50
Permit Extension	Residential Commercial					50 100
Duplicate Permit/C of O					20	23
Temporary C of O (up to 90 days)	Residential Commercial					100 200
Addendum to Building Plans						
Subsurface Drain Inspection					50 each	57 each
Expedited Review					25	29
Expedited Inspection					50	57
Erosion Control					260	265
Documents (Unbound)	Subdivision control ordinance Zoning Ordinance Comprehensive plan Rules of procedure Contractor listing ordinance				1,000 + 18/linear foot 40 40 40 10 7	1,070 + 19/linear foot 40 55 40 10 7
Returned Check					25	29
Photocopy	Black and White Color			8.5 x 11 Larger Than 8.5 x 11 8.5 x 11 Larger Than 8.5 x 11	0.10/Page 0.15/Page 0.50/Page 1.00/Page	0.10/Page 0.15/Page 0.50/Page 1.00/Page
Plot	18 x 24 or smaller Over 18 x 24					5 10
Notes						

(1) Actual cost rounded to nearest \$1 (when \$100 or under), or to nearest \$5 (when over \$100).
(2) Actual cost = One of the following: (1) 2004 planning fee + 14%, (2) 2004 building fee + 7% + .01/sf, or (3) actual calculated cost. 14% = change in CPI, Jan '04 to Jan '08
(3) A structure not being used for the purpose for which it was built.
(4) For construction started without an approved building permit.

Terms
SFR: Single Family Residential
TFR: Two Family Residential
MFR: Multi-Family Residential
NFR: Non-Residential
HPR: Horizontal Property Regime or Condominium
ILP: Improvement Location Permit

ORDINANCE NUMBER 2008-13

ORDINANCE FOR WEIGHT RESTRICTIONS ON CERTAIN COUNTY ROADS

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, there is currently no posted weight restrictions on certain roads in the County; and

WHEREAS, to insure the safety of all persons traveling said roads and to properly maintain and upkeep said roads;

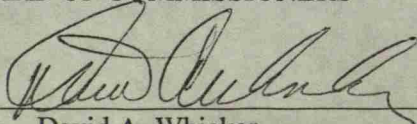
NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana that there will be a gross vehicle weight restriction of no more than twenty (20) tons on the following roads:

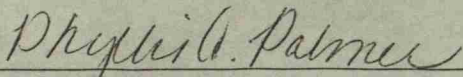
County Road 200 East from 1220 feet south of U.S.36 to Cartersburg Rd.


BE IT FURTHER ORDAINED that upon a finding of a violation of this ordinance a penalty shall be imposed in the penal sum up to Five Hundred Dollars (\$500.00).

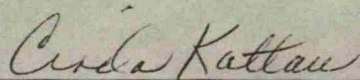
DULY EXECUTED this 18th day of November, 2008

HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By: 
David A. Whicker

By: 
Phyllis A. Palmer

By: 
Eric Wathen

Attest: 
Cinda Kattau

ORDINANCE 2008-14
**AUTHORIZING AN EXTENSION ON TEMPORARY LOANS FROM THE RAINY DAY
 FUND TO DEBT SERVICE FUNDS**

Whereas, Ordinance 2008-04, adopted June 12, 2008, authorized temporary loans from the Rainy Day fund to certain debt service funds; and

Whereas, the temporary loans were to provide temporary revenue for:

Fund 484	Pittsboro TIF	\$393,500
Fund 601	Administration Building Lease	\$392,500
Fund 602	Jail Building Lease	\$254,000
Fund 604	Fairground Lease	\$764,000
Fund 607	Work Release Facility GOB	<u>\$133,000</u>
	Total	\$1,937,000

And whereas, the Department of Local Government Finance would not allow Hendricks County to bill property taxes as previously planned, with a single due date payable in 2008; and

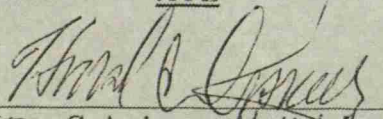
Whereas, such action creates an emergency situation making Hendricks County unable to repay the emergency loans as anticipated at the time of adoption of Ordinance 2008-04;

Now be it ordained by the County Council of Hendricks County, Indiana, that an extension on the repayment of said loans is hereby authorized and repayment shall occur not later than June 30, 2009.


Adopted the 11th day of December, 2008 by the following vote:

AYE

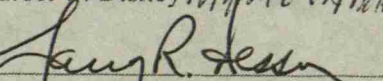
NAY


 Myron C. Anderson

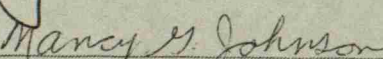
Myron C. Anderson


 Hursel C. Disney

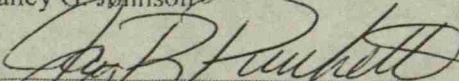
Hursel C. Disney


 Larry R. Hesson

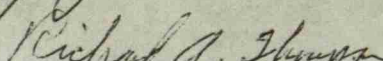
Larry R. Hesson


 Nancy G. Johnson

Nancy G. Johnson


 Jay R. Puckett

Jay R. Puckett


 Richard A. Thompson

Richard A. Thompson

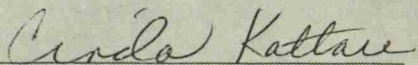
Extension of Temporary Loans Ordinance
December 11, 2008
Page 2



Brad Whicker

Brad Whicker

Attest:



Cinda Kattau, Auditor

ORDINANCE 2008-15
AUTHORIZING DELAY IN REPAYMENT OF TEMPORARY LOAN

Whereas, the County Council of Hendricks County, Indiana adopted Ordinance 2005-26 to authorize a loan from the Rainy Day Fund to pay the State of Indiana for juvenile incarcerations, and

Whereas, Hendricks County has established a tax rate for Juvenile Debt to repay Rainy Day Fund, and

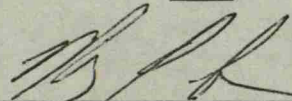
Whereas, certain extraordinary emergencies have developed making the County unable to repay at this time,

Therefore be it resolved by the County Council of Hendricks County, Indiana, that the balance due in the sum of \$242,395 be repaid upon receipt of 2008 tax collections not later than April 30, 2009.

Adopted the 11th day of December, 2008 by the following vote:

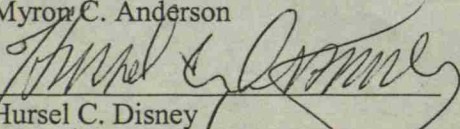
AYE

NAY



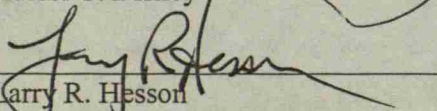
Myron C. Anderson

Myron C. Anderson



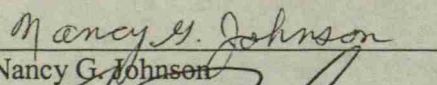
Hursel C. Disney

Hursel C. Disney



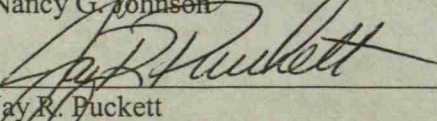
Larry R. Hesson

Larry R. Hesson



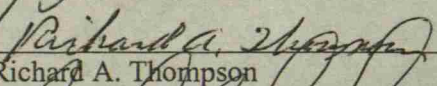
Nancy G. Johnson

Nancy G. Johnson



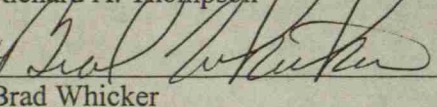
Jay R. Puckett

Jay R. Puckett



Richard A. Thompson

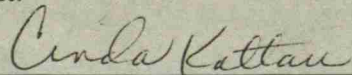
Richard A. Thompson



Brad Whicker

Brad Whicker

Attest:



Cinda Kattau, Auditor

2008 RESOLUTIONS

2008 COUNCIL & COMMISSIONERS' RESOLUTIONS	NUMBER	DATE
Commissioner's Sale	08-01	1-22-08
Relocating a Public Street	08-02	2-12-08
Refunding Bonds for Admin Bldg (joint)	08-03	3-4-08
Tax Abatement - Apex Declaratory	08-04	3-13-08
Tax Abatement - Apex Confirming	08-05	4-10-08
Westpoint EDA (South)	08-06	6-17-08
Kite Business Park EDA	08-07	6-17-08
Approval of Issuance of Westpoint TIF Bonds	08-08	8/14/08
" " "	08-09	8/19/08
Cables for Less Tax Abatement - Declaratory	08-10	8/14/08
Cables for Less Tax Abatement - Confirming	08-11	9/11/08
Wheel Tax - BCC in support of increase	08-12	9/16/08
Paths to Trails - BCC support of Active ^{Multi-} modal ^{Transport}	08-13	9/23/08
BCC establishing Handcuffs to Hospital Association	08-14	10/7/08
BCC approving terms of Hospital Assn Lease	08-15	10/7/08
Transfer of School Funds to State	08-16	10/9/08
^{Council} Approving terms of Hospital Assn Lease	08-17	10/9/08
BCC Avon Amortizations same as other terms	08-18	10/21/08
BCC Brownsburg Ditch local	08-19	10/21/08
BCC Authorizing Lease for Hospital Assoc.	08-20	11/5/08
Apex Tax Abatement Confirming	08-21	11/24/08
	08-22	
	08-23	
	08-24	
	08-25	

Council
BCC

RESOLUTION 08-01

A RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONER'S SALE TO SELL TAX SALE CERTIFICATE FOR A PROPERTY SEVERELY DELINQUENT IN PAYMENT OF PROPERTY TAXES.

WHEREAS, a property in Hendricks County that is severely delinquent in the payment of property taxes, having been offered during the 2007 tax sale with no bids received. The parcel number of this property being 017-104512-480015, the current owner of record being Don E. & Jenny A. Chamness, and

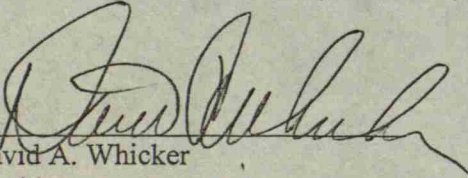
WHEREAS, there is an assessed value associated with this property for taxation purposes, but no taxes are being collected, therefore causing a lower than expected tax distribution to the taxing units and taxing districts within which the property is located, and

WHEREAS, the Hendricks County Commissioners desire to have this property back on the tax rolls with taxes being collected, and

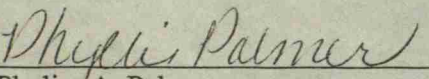
WHEREAS, Indiana Statute, IC 6-1.1-24-6 through IC 6-1.1-24-6.4 allows for the County Commissioners to acquire a lien on those delinquent properties and receive issuance of the tax sale certificate for this property, without taking title to the property, therefore limiting the liability and cost normally associated with taking title,

NOW, THEREFORE, BE IT RESOLVED by the Hendricks County Board of Commissioners that the County Executive shall acquire the lien and receive the tax sale certificate of the property listed that is severely delinquent and sell said certificate at a properly advertised Commissioner Tax Certificate sale.

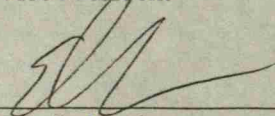
Adopted this 22nd day of January, 2008.



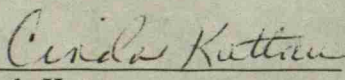
David A. Whicker
President



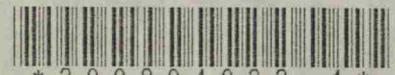
Phyllis A. Palmer
Vice President



Eric L. Wathen
Member

ATTEST: 

Cinda Kattau
Hendricks County Auditor



* 2 0 0 8 0 4 0 3 3 4 *

200804033

PAUL T HARDIN
HENDRICKS COUNTY RECORDER
02/21/2008 09:05:09AM

DULY ENTERED
FOR TAXATION

FEB 15 2008

RESOLUTION NO. 08-02

Cinda Kattaw
AUDITOR HENDRICKS COUNTY

RESOLUTION VACATING A PUBLIC STREET

BE IT RESOLVED by the County of Hendricks, Indiana, that:

WHEREAS, the County wishes to vacate a certain public street; and

WHEREAS, notice has been given to the adjacent property owners; and

WHEREAS, notice of publication and public hearing as prescribed by I.C. 5-3-1 have been completed; and

WHEREASE, after reviewing all the pertinent facts relative to the request to vacate a public street;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, it is hereby ordered and resolved that the relief requested is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following street heretofore platted be, and the same are hereby vacated which street is described as follows:

See Attachment "A" & "B"

IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Resolution to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-3-12

*ALICE
41*

THIS RESOLUTION ADOPTED THIS 12th DAY OF February 2008

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA

[Signature] David A. Wicker 2/12/08
Signature Date

[Signature] Phyllis A. Palmer 2/12/08
Signature Date

[Signature] Eric Wathen 2/12/08
Signature Date

STATE OF INDIANA

COUNTY OF HENDRICKS

Subscribed and sworn to before me, a Notary Public in and for the said County and State

this 12th day of February, 2008

My Commission Expires: [Signature]
Signature: Leanna J. Alverson

My County of Residence Printed: _____
LEANNA J. ALVERSON
NOTARY PUBLIC
STATE OF INDIANA
RESIDENT OF HENDRICKS COUNTY
MY COMMISSION EXPIRES
JUNE 18, 2008

This instrument was prepared by Gregory Steuerwald, Attorney at Law, 106 N. Washington Street, Danville, Indiana, 46122, telephone 317-745-4485

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO REDACT
EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW."

[Signature]
NAME John E. Ayers

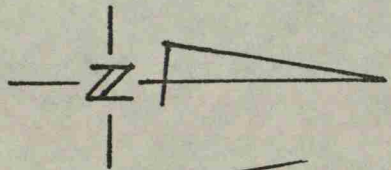
Attachment "A"

A part of the S.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ &
A part of the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of
Sec. 29, T. 15N., R. 2 E. of the second principal
meridian, Guilford Township, Hendricks County,
Indiana. Being more particularly described as
follows:

The total Right-of-Way of County Road 1050 E. in
an area, the centerline of which is described below:

Beginning at the Northwest corner of A certain
40.856 Acre parcel conveyed the 28th day of
October 2003, to North South Corridor Property
Albert, LLC by virtue of a Warranty Deed entered
for record in deed book 474, pages 2230-2231
(instrument number 200300047890) in the office of
the Recorder of Hendricks County, Indiana; Thence
South on and along the West line of the
aforementioned parcel to the Southwest corner of
said parcel which point being the terminus point of
said description.

ATTACHMENT "B"



RONALD REAGAN PARKWAY

COUNTY ROAD 1050 E.

HATCHED AREA INDICATES
AREA TO BE VACATED

WEST LINE, S.W. 1/4, N.W. 1/4, N.E. 1/4
EAST LINE, S.E. 1/4, N.E. 1/4, N.W. 1/4
SEC. 29, T. 15 N., R. 2 E.

NORTH SOUTH CORRIDOR PROPERTY ALBERT, LLC

PL

PL

08-03

**A JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AND THE
HENDRICKS COUNTY COUNCIL APPROVING THE REFUNDING OF OUTSTANDING
BONDS AND OTHER MATTERS RELATED THERETO**

WHEREAS, Hendricks County, Indiana ("County") leases an annex to the County Courthouse ("Leased Premises") under a Lease originally dated as of January 10, 1994, as the same has been amended from time to time ("Lease"), between the County, as Lessee, and Hendricks County Courthouse Building Corporation ("Building Corporation") as Lessor ; and

WHEREAS, the bonds originally issued to finance the construction of the Courthouse Annex, were advance refunded through the issuance by the Building Corporation of its First Mortgage Refunding Bonds, Series 1998 ("1998 Bonds") in the principal amount of \$8,650,000, of which \$4,230,000 remain outstanding; and

WHEREAS, it is in the best interests of the County to authorize Fifth Third Securities, as underwriter, Bose McKinney & Evans, LLP, as Bond Counsel, to take all steps necessary to prepare a current refunding of all of the 1998 Bonds and to negotiate the terms of a sale by the Building Corporation of First Mortgage Refunding Bonds, Series 2008, ("Refunding Bonds"), provided such transaction will result in net present value savings to the County;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners ("Commissioners") and the Hendricks County Council ("Council") of Hendricks County, Indiana, hereby approve the issuance by the Building Corporation of its Refunding Bonds, and employ Fifth Third Securities as Underwriter and Financial Solutions Group as Financial Advisor to direct the refunding of the 1998 Bonds in order to achieve a significant savings by the County.

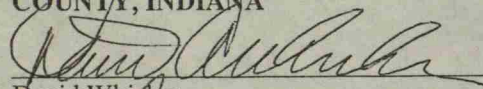
BE IT FURTHER RESOLVED, that Bose McKinney & Evans, LLP, as bond counsel, be, and is hereby, employed to accomplish the refunding.

BE IT FURTHER RESOLVED, that the members of the Board of County Commissioners are hereby authorized to execute any and all documents, including an Amendment to the Lease, necessary to give effect to this Resolution.


BE IT FURTHER RESOLVED, that any Commissioner or Councilperson is hereby authorized to approve and authorize the distribution of an Official Statement with respect to the Refunding Bonds without further action by either body, such approval to be evidenced by the execution of the Official Statement.

ADOPTED this 4th day of March, 2008.

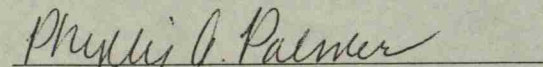
**BOARD OF COMMISSIONERS OF HENDRICKS
COUNTY, INDIANA**



David Whicker



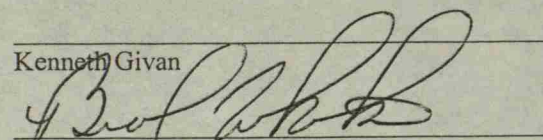
Eric Wathen



Phyllis Palmer

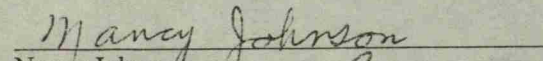
HENDRICKS COUNTY COUNCIL

Hursel C. Disney

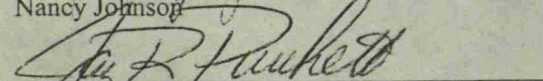
Kenneth Givan


Brad Whicker

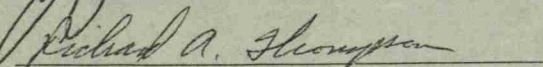
Larry R. Hession



Nancy Johnson



Jay R. Puckett



Dick A. Thompson

ATTEST:



Cinda Kattan, Hendricks County Auditor

1096549v1/4079-12

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 08-04

**A RESOLUTION DESIGNATING ECONOMIC REVITALIZATION AREA AND
QUALIFYING CERTAIN NEW MANUFACTURING EQUIPMENT FOR TAX
ABATEMENT**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Apex Precision Technologies & MTC Equipment Finance, LTD has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on February 6, 2008; and

WHEREAS, said Application has been reviewed by the Tax Abatement Committee and the Hendricks County Council, the application has been considered at a duly held public meeting of said County Council and has received from the applicant the requisite filing fee.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Declaration of Economic Revitalization Area. It is hereby declared by the Hendricks County Council that the real estate described in Exhibit A, attached hereto and made a part hereof, is, and shall hereafter be, deemed an "Economic Revitalization Area" as that phrase is used and intended under the provision of Indiana Code Sections 6-1.1-12.1-1 et seq.

2. New Manufacturing Equipment. The County Council of Hendricks County, Indiana hereby further declares that any and all new manufacturing equipment described in Apex Precision Technologies & MTC Equipment Finance, LTD's application and installed after the date of the adoption of this Resolution by the County Council upon any of the real estate described in Exhibit A attached hereto, after the date of the adoption of this Resolution by the County Council, shall, along with the said new manufacturing equipment, be eligible for property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et seq.

3. Maps and Location of Economic Revitalization Area. Attached hereto and made a part hereof as Exhibit B is a map showing the real estate herein declared to be an "economic revitalization area" as a result of the adoption of this resolution.

4. Compliance with Applicable Resolution and Statutes. It is hereby declared by

the County Council of Hendricks County, Indiana that the Application of Apex Precision Technologies & MTC Equipment Finance, LTD heretofore filed complies in all respects with the Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997 and all governing Indiana statutes, and that said Application, in all respects, is hereby granted and approved.

5. No Limitation or Restrictions. It is hereby declared by the County Council of Hendricks County, Indiana that based on Hendricks County's Tax Abatement Procedures Ordinance No. 97-37 adopted on October 7, 1997, an allowance for a five (5) year Abatement Duration as requested by the applicant meets the requirements of the Tax Abatement Procedures Ordinance for new manufacturing equipment per Exhibit C attached hereto.

6. Effective Date. This Resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the regular meeting of the County Council of Hendricks County, Indiana on March 13, 2008, to wit: Hendricks County Government Center, 355 S. Washington Street, Danville, Indiana, 2:00 p.m. At such meeting the County Council shall take final action determining whether the qualifications for an economic revitalization area (as to the personal property) have been met, and shall confirm, modify and confirm, or rescind the Resolution. Such determination and final action by the Council shall be binding upon all affected parties, subject to the appeal procedures contemplated by I.C. 6-1.1-12.1-1 et seq.

Adopted by the County Council of Hendricks County, Indiana this 13th day of March, 2008.

AYE

NAY

Hursel C. Disney

Hursel C. Disney

J.K. Givan

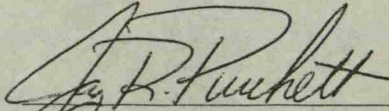
J.K. Givan

Larry R. Hesson

Larry R. Hesson

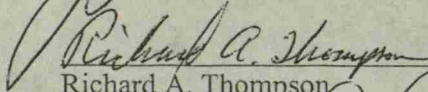
Nancy G. Johnson

Nancy G. Johnson



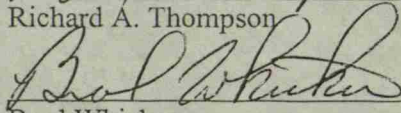
Jay R. Puckett

Jay R. Puckett



Richard A. Thompson

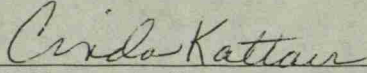
Richard A. Thompson



Brad Whicker

Brad Whicker

Attest:



Cinda Kattau, Auditor

EXHIBIT "A"

Lot Numbered Eighty-one (81) in Heartland Crossing Business Park, a subdivision in Guilford Township, Hendricks County, Indiana, as per plat thereof recorded August 24, 1999 in Plat Cabinet 2, Slide 141 page 2 in the Office of the Recorder of Hendricks County, Indiana

Exhibit "B"

Union Mills Drive

Tri-County
Conservancy District
Tract 82
(Park)
Inst. No. 9800035333

N 40° 28' 31" E
115.49

N 88° 40' 24" E
228.37

SW/4 Tract 82
SE/4 Tract 82

TRACT 79

5.154 Acres

Tri-County
Conservancy District
Tract 80
(Pond No. 4)
Inst. No. 9800035333

N 01° 19' 35" W 350.79

N 01° 19' 35" W 350.79

SE Corner
Tract 80

N 01° 19' 35" W
307.32

TRACT 07

S 88° 40' 24" W
235.47

∠=90° 00' 00"
R=25.00
L=39.27
T=25.00

∠=89° 58' 33"
R=25.00
L=39.22
T=24.92

N 01° 21' 01" W
40.80

Highland Crossing Business Park
Section One, Parts One and Two
Inst. No. 9800008342

Point of
Beginning

N 01° 19' 36" W 531.43

Highland Crossing Business Park
Section One, Parts One and Two
Inst. No. 9800008342

County Line Road South

S. 1/4 SW 1/4, Sec. 20-14-2

S 88° 38' 09" W 749.23

SCALE: 1" = 200'

Point of
Commencement
SE Cor., SW 1/4,
Sec. 20-T14N-R2E

Memorandum of Agreement

This Memorandum of Agreement is between Apex Precision Technologies, Inc. (Apex) and the Hendricks County Council (Council).

WHEREAS, Apex is prepared to undertake the construction and development of a manufacturing facility located on a site in Hendricks County described in Exhibit A;

WHEREAS, the general welfare of the citizens of the County are related to the economic opportunities available to them and it is the legitimate business and public policy of the county under Indiana law to encourage, engender, promote and support programs that provide impetus for economic development for the purpose of alleviating unemployment and promoting the local economy through the location of new industry within the County;

WHEREAS, Apex is requesting the designation of the site described in Exhibit A as an Economic Revitalization Area;

NOW, THEREFORE, the parties hereby agree and represent as follows:

1. In order to receive consideration for Economic Revitalization Area designation, Apex agrees to the following:

Investment: Apex will invest approximately \$2.3 million in the new equipment. This investment is documented in the application for tax abatement submitted to the County.

Job Creation: Apex will create 7 new jobs in Hendricks County by 3/01/09. Job creation estimates are documented in the application for tax abatement submitted to the County.

Wage Rates: Apex will pay an average of \$14.28 per hour to employees at the new facility. The estimated payroll at the facility will be \$3.3 million. This wage information is documented in the application for tax abatement submitted to the County.

2. The Council agrees to give full consideration to Apex's request for designation of an Economic Revitalization area. Such consideration will be done as set forth in IC 6-1.1-12.1 and in Hendricks County Ordinance 97-37.

IN WITNESS WHEREOF, Apex Precision Technologies, Inc. has caused its name to be hereunto subscribed by its President and the Hendricks County Council has caused its name to be subscribed by its members as of the date set forth below.

Date: 3/13/08

By: Jim Johnson, President
Apex Precision Technologies, Inc.

By Hendricks County Council

Marcy G. Johnson
Janey R. Hess
J. K. Estel
Richard A. Thompson
Gregory R. Ruppert
Paul W. White

Attest: Cirila Kattau

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 08-05

**RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING THAT
THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA
HAVE BEEN MET AND CONFIRMING RESOLUTION NO. 08-04
OF MARCH 13, 2008**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Apex Precision Technologies & MTC Equipment Finance, LTD has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on February 6, 2008; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on March 13, 2008 said County Council reviewed and approved said Application and declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, pursuant to I.C.6-1,1-12,1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Designation of Area as Economic Revitalization Area" and

WHEREAS, no remonstrances, written or oral, have been filed with regard to Resolution No.08-04 stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area"; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Final Action. After legally required public notice, and after public hearing Pursuant to such notice the County Council of Hendricks County, Indiana hereby takes "final action" as that phrase is defined in I.C. 6-1,1-12,1-1 et.seq. with regard to the aforestated Application of Apex Precision Technologies & MTC Equipment Finance LTD and the adoption of Resolution No. 08-04 on March 13, 2008.

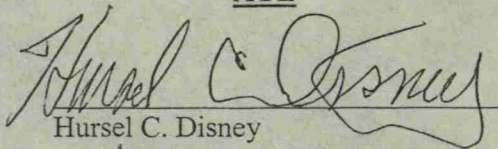
2. Confirmation of Resolution No. 08-04. It is hereby declared by County Council of Hendricks County, Indiana that Resolution No. 08-04, adopted on March 13, 2008 is in all respects hereby confirmed, and it is hereby stated that the qualifications for an economic revitalization area have been met by Apex Precision Technologies & MTC Equipment Finance LTD as to the real estate described in Exhibit A of Resolution No. 08-04.

3. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.

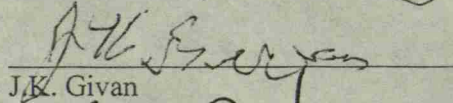
Adopted by the County Council of Hendricks County, Indiana this 10th day of April, 2008.

AYE

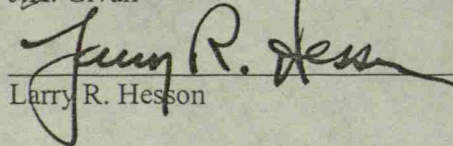
NAY


Hursel C. Disney

Hursel C. Disney


J.K. Givan

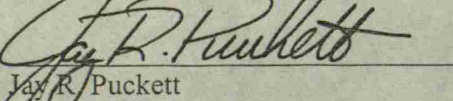
J.K. Givan


Larry R. Hesson

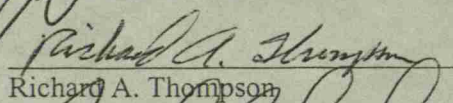
Larry R. Hesson

Nancy G. Johnson

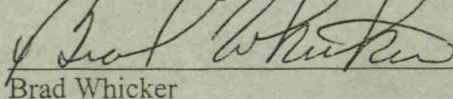
Nancy G. Johnson


Jay R. Puckett

Jay R. Puckett


Richard A. Thompson

Richard A. Thompson


Brad Whicker

Brad Whicker

Attest:


Cinda Kattau, Auditor

RESOLUTION NO. : 08-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA, APPROVING CERTAIN MATTERS IN CONNECTION WITH THE ESTABLISHMENT OF THE WESTPOINT BUSINESS PARK ECONOMIC DEVELOPMENT AREA

WHEREAS, the Hendricks County Redevelopment Commission (the "Redevelopment Commission"), on June 4, 2008, approved and adopted its Resolution No. 2008-1 entitled "Resolution of the Hendricks County Redevelopment Commission Declaring An Area In Hendricks County As An Economic Development Area And Approving An Economic Development Plan For Said Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution finds and determines that a certain area in Hendricks County, Indiana designated as the "Westpoint Business Park Economic Development Area" is an economic development area (the "Economic Development Area") within the meaning of Indiana Code 36-7-14, as amended (the "Act"), designates the entire Economic Development Area as an "allocation area" under Section 39 of the Act, and approves an economic development plan for the Economic Development Area (the "Plan"); and

WHEREAS, the Hendricks County Area Plan Commission adopted a resolution on June 10, 2008, issuing its order approving the Declaratory Resolution and the Plan (the "Plan Commission Order"); and

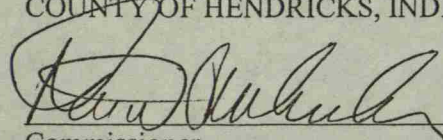
WHEREAS, the Redevelopment Commission has submitted the Declaratory Resolution, the Plan and the Plan Commission Order to this Board.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA, AS FOLLOWS:

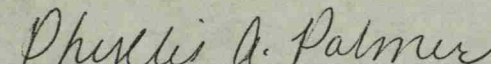
1. The Board hereby approves, in all respects, the Declaratory Resolution and the Plan of the Redevelopment Commission.
2. The Board hereby approves the Plan Commission Order pursuant to Section 16(b) of the Act.
3. The Board hereby approves the determination that the Economic Development Area is an economic development area pursuant to Section 41 of the Act.
4. This Resolution shall be in full force and effect from and after its adoption by the Board.

Passed by the Board of Commissioners of the County of Hendricks, Indiana, this 17th day of June, 2008.

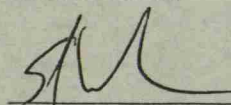
BOARD OF COMMISSIONERS OF THE
COUNTY OF HENDRICKS, INDIANA



Commissioner

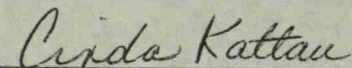


Commissioner



Commissioner

ATTEST:



Hendricks County Auditor

RESOLUTION NO. 08-07

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA, APPROVING CERTAIN MATTERS IN CONNECTION WITH THE ESTABLISHMENT OF THE KITE BUSINESS PARK ECONOMIC DEVELOPMENT AREA

WHEREAS, the Hendricks County Redevelopment Commission (the "Redevelopment Commission"), on June 4, 2008, approved and adopted its Resolution No. 2008-2 entitled "Resolution of the Hendricks County Redevelopment Commission Declaring An Area In Hendricks County As An Economic Development Area And Approving An Economic Development Plan For Said Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution finds and determines that a certain area in Hendricks County, Indiana designated as the "Kite Business Park Economic Development Area" is an economic development area (the "Economic Development Area") within the meaning of Indiana Code 36-7-14, as amended (the "Act"), designates the entire Economic Development Area as an "allocation area" under Section 39 of the Act, and approves an economic development plan for the Economic Development Area (the "Plan"); and

WHEREAS, the Hendricks County Area Plan Commission adopted a resolution on June 10, 2008, issuing its order approving the Declaratory Resolution and the Plan (the "Plan Commission Order"); and

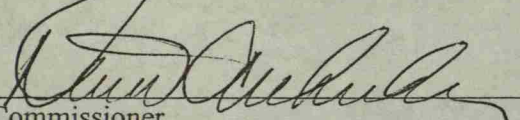
WHEREAS, the Redevelopment Commission has submitted the Declaratory Resolution, the Plan and the Plan Commission Order to this Board.

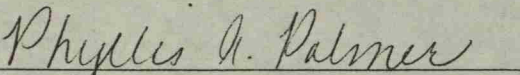
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA, AS FOLLOWS:

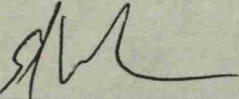
1. The Board hereby approves, in all respects, the Declaratory Resolution and the Plan of the Redevelopment Commission.
2. The Board hereby approves the Plan Commission Order pursuant to Section 16(b) of the Act.
3. The Board hereby approves the determination that the Economic Development Area is an economic development area pursuant to Section 41 of the Act.
4. This Resolution shall be in full force and effect from and after its adoption by the Board.

Passed by the Board of Commissioners of the County of Hendricks, Indiana, this 17th day of June, 2008.

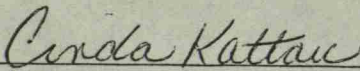
BOARD OF COMMISSIONERS OF THE
COUNTY OF HENDRICKS, INDIANA


Commissioner


Commissioner


Commissioner

ATTEST:


Hendricks County Auditor

RESOLUTION NO. 08-08

RESOLUTION OF THE HENDRICKS COUNTY COUNCIL APPROVING THE ISSUANCE OF BONDS OF THE HENDRICKS COUNTY REDEVELOPMENT DISTRICT

WHEREAS, on August 6, 2008, following a public hearing, the Hendricks County Redevelopment Commission determined to issue bonds of the Hendricks County Redevelopment District (the "District"), in one or more series, together with bond anticipation notes of the District, in one or more series (such bonds and bond anticipation notes, collectively, the "Bonds"), payable from certain tax increment revenues, in an aggregate principal amount not to exceed \$23,500,000, to fund certain infrastructure projects in connection with the Westpoint Business Park development; and

WHEREAS, the Hendricks County Council (the "Council"), as the fiscal body of Hendricks County, Indiana, now desires to approve the issuance of the Bonds pursuant to IC 6-1.1-17-20.5;

NOW, THEREFORE, THE HENDRICKS COUNTY COUNCIL RESOLVES THE FOLLOWING:

Section 1. The Council hereby approves the issuance of the Bonds of the District, in one or more series, in an aggregate principal amount not to exceed \$23,500,000.

Section 2. This Resolution shall be in full force and effect from and after its adoption by the Council.

Adopted this 14th day of August, 2008.

HENDRICKS COUNTY COUNCIL

Myron C. Anderson

Hursel Disney

Larry R. Hesson

Nancy G. Johnson

Jay R. Puckett

Richard A. Thompson

Brad Whicker

ATTEST:

Cinda Kattau
Cinda Kattau, Hendricks County Auditor

RESOLUTION NO. 08-09

RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY
APPROVING THE ISSUANCE OF BONDS OF THE HENDRICKS COUNTY
REDEVELOPMENT DISTRICT

WHEREAS, on August 18, 2008, the Hendricks County Redevelopment Commission (the "Commission") authorized the issuance of bonds of the Hendricks County Redevelopment District (the "District"), in one or more series, together with bond anticipation notes of the District, in one or more series (such bonds and bond anticipation notes, collectively, the "Bonds"), payable from certain tax increment revenues, in an aggregate principal amount not to exceed \$23,500,000, to fund certain infrastructure projects in connection with the Wespoint Business Park development; and

WHEREAS, the Commission now desires to proceed with the issuance of the first series of the Bonds, in an aggregate principal amount not to exceed \$4,000,000 (the "2008 Bonds"); and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana (the "Commissioners"), as the legislative body of Hendricks County, Indiana, now desires to approve the issuance of the 2008 Bonds pursuant to IC 36-7-14-25.1(p);

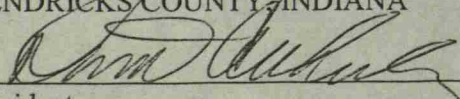
NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, RESOLVES THE FOLLOWING:

Section 1. The Commissioners hereby approve the issuance of the 2008 Bonds of the District in an aggregate principal amount not to exceed \$4,000,000.

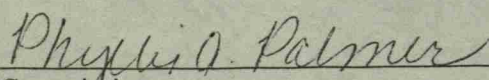
Section 2. This Resolution shall be in full force and effect from and after its adoption by the Commissioners.

Adopted this 19th day of August, 2008.

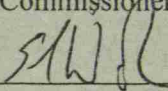
BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA



President



Commissioner



Commissioner

ATTEST:



County Auditor

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 08-10

A RESOLUTION DESIGNATING ECONOMIC REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY AND IMPROVEMENTS FOR TAX ABATEMENT

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Cables for Less, LLC has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on August 12, 2008; and

WHEREAS, said Application has been reviewed by the Tax Abatement Committee and the Hendricks County Council, the application has been considered at a duly held public meeting of said County Council and has received from the applicant the requisite filing fee.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Declaration of Economic Revitalization Area. It is hereby declared by the Hendricks County Council that the real estate described in Exhibit A, attached hereto and made a part hereof, is, and shall hereafter be, deemed an "Economic Revitalization Area" as that phrase is used and intended under the provision of Indiana Code Sections 6-1.1-12.1-1 et seq.
2. Real Property and Improvements. The County Council of Hendricks County, Indiana hereby further declares that any and all improvements placed upon the real estate described in Exhibit A attached hereto, after the date of the adoption of this Resolution by the County Council upon any of the real estate described in Exhibit A attached hereto, after the date of the adoption of this Resolution by the County Council, shall, along with the said new real estate, be eligible for property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et seq.
3. Compliance with Applicable Resolution and Statutes. It is hereby declared by the County Council of Hendricks County, Indiana that the Application of Cables for Less, LLC heretofore filed complies in all respects with the Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997 and all governing Indiana statutes, and that said Application, in all respects, is hereby granted and approved.
4. No Limitation or Restrictions. It is hereby declared by the County Council of Hendricks County, Indiana that based on Hendricks County's Tax Abatement Procedures Ordinance No. 97-37 adopted on October 7, 1997, an allowance for a seven (7) year Abatement Duration as requested by the applicant meets the requirements of the Tax Abatement Procedures Ordinance.

5. Effective Date. This Resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the regular meeting of the County Council of Hendricks County, Indiana on August 14, 2008, to wit: Hendricks County Government Center, 355 S. Washington Street, Danville, Indiana, 2:00 p.m. At such meeting the County Council shall take final action determining whether the qualifications for an economic revitalization area (as to the real property) have been met, and shall confirm, modify and confirm, or rescind the Resolution. Such determination and final action by the Council shall be binding upon all affected parties, subject to the appeal procedures contemplated by I.C. 6-1.1-12.1-1 et seq.

Adopted by the County Council of Hendricks County, Indiana this 14th day of August, 2008.

AYE

NAY

Myron C. Anderson

Hursel C. Disney

Larry R. Hesson

Nancy G. Johnson

Jay R. Puckett

Richard A. Thompson

Brad Whicker

Myron C. Anderson

Hursel C. Disney

Larry R. Hesson

Nancy G. Johnson

Jay R. Puckett

Richard A. Thompson

Brad Whicker

Attest:

Cinda Kattau
Cinda Kattau, Auditor

EXHIBIT "A"

A part of the Northeast quarter of the Northwest quarter of Section 25, Township 14 North, Range 1 West of the Second Principal Meridian, Hendricks County, Indiana:

Beginning at a point on the north line of the northeast quarter of the northwest quarter of Section 25, Township 14 North, Range 1 West, which point is north 88 degrees 40 minutes 11 seconds west 623.83 feet from the northeast corner of said northeast quarter quarter; thence south 1 degree 20 minutes 33 seconds west 774.35 feet; thence south 89 degrees 36 minutes 28 seconds west 645.96 feet to the center line of State Road 39; thence northerly 794.5 feet with said center line to the north line of the aforesaid northeast quarter quarter; thence south 88 degrees 40 minutes 11 seconds east 679.85 feet with said north line to the point of beginning. Containing 11.93 acres, more or less. Subject to all highways, rights of way and easements.

EXCEPT;

A part of the Northwest quarter of Section 25, Township 14 North, Range 1 West, Hendricks County, Indiana, being particularly described as follows:

All that part of the land conveyed by deed recorded in Deed Record 307 page 231 in the office of the Recorder of Hendricks County, lying within the proposed permanent right of way lines depicted upon that certain Route Survey Plat recorded in Volume 5, pages 182-197 in said Recorder's Office, except that 0.210 acre parcel conveyed by deed recorded in Deed Record 313 page 487, being generally described as follows: Commencing at the northeast corner of said quarter section; thence north 89 degrees 27 minutes 30 seconds west 397.348 meters (1,303.63 feet) along the north line of said quarter section to the center line of State road 39; thence south 2 degrees 06 minutes 46 seconds east 88.301 meters (289.70 feet) along said center line of the southwest corner of said 0.210 acre parcel and the point of beginning of this description; thence north 87 degrees 14 minutes 58 seconds east 11.481 meters (37.67 feet) along the south line of said 0.210 acre parcel to the southeast corner of said 0.210 acre parcel; thence north 4 degrees 05 minutes 32 seconds east 35.444 meters (116.29 feet) along the eastern line of said 0.210 acre parcel; thence south 2 degrees 48 minutes 10 seconds east 62.448 meters (204.88 feet) thence southerly 127.738 meters (419.09 feet) along an arc to the right and having a radius of 3,615.000 meters (11,860.21 feet) and subtended by a long chord having a bearing of south 1 degree 47 minutes 26 seconds east and a length of 127.731 meters (419.06 feet) to the south line of the owner's land; thence south 88 degrees 36 minutes 35 seconds west 15.346 meters (50.35 feet) along said south line to the center line of said State Road 39; thence north 2 degrees 06 minutes 46 seconds west 154.615 meters (507.27 feet) along said center line to the point of beginning. Containing 2,559 square meters (0.632 acre), more or less. That portion of the above described real estate which is not already embraced within the public rights of way contains 1,548 square meters (0.383 acre), more or less. The bearings of this description are based upon the Indiana State Plane Coordinate System, West Zone (Grid North).

ALSO EXCEPT;

A part of the Northeast quarter of the Northwest quarter of Section 25, Township 14 North, Range 1 West of the Second Principal Meridian, Hendricks County, Indiana,

Beginning at a point on the north line of said quarter section north 86 degrees 12 minutes 28 seconds west 1,240.89 feet from the northeast corner of said quarter section; thence south 2 degrees 21 minutes 45 seconds east 36.11 feet; thence south 7 degrees 20 minutes 34 seconds west 251.79 feet; thence north 89 degrees 30 minutes 00 seconds west 38.48 feet to the centerline of S.R. 39; thence north 1 degree 17 minutes 19 seconds east 289.70 feet along the centerline of said S. R. 39 to the north line of said quarter section; thence south 86 degrees 12 minutes 28 seconds east 62.79 feet along the north line of said quarter section to the point of beginning. Containing 0.353 acre, more or less. The portion of the above described real estate which is not already embraced within public rights of way. Containing 0.210 acre, more or less.

ALSO EXCEPT;

A part of the Northeast Quarter of the Northwest Quarter of Section 25, Township 14 North, Range 1 West, Hendricks County, Indiana, and being more particularly described as follows:

Commencing at the Northeast corner of said quarter section; thence South 88 degrees 46 minutes 01 seconds West 378.223 meters (1240.89 feet) along the North line of said section to the Eastern boundary of S.R. 39; thence South 7 degrees 23 minutes 16 seconds East 11.006 meters (36.11 feet) along the boundary of said S.R. 39; thence South 2 degrees 33 minutes 46 seconds West 22.515 meters (73.87 feet) along said boundary to the point of beginning of this description; thence South 4 degrees 14 minutes 10 seconds East 78/689 meters (258.17 feet); thence Southeasterly 80.325 meters (263.53 feet) along an arc to the right having a radius of 3,017.000 meters (9898.29 feet) and subtended by a long chord having a bearing of South 3 degrees 28 minutes 24 seconds East and a length of 80.323 meters (263.53 feet); thence South 8 degrees 41 minutes 09 seconds West 9.837 meters (32.27 feet) to the Western line of the grantor's land; thence along said Western line Northwesterly 87.421 meters (286.81 feet) along an arc to the left having a radius of 3614.99 meters (11,860.21 feet) and subtended by a long chord having a bearing of North 3 degrees 29 minutes 20 seconds West and a length of 87.418 meters (286.81 feet); thence North 4 degrees 19 minutes 56 seconds West 62.447 meters (204.88 feet) along said Western line of the East boundary of said S.R. 39; thence North 2 degrees 33 minutes 46 seconds East 18.867 meters (61.90 feet) along the boundary of said S. R. 39 to the Point of Beginning. Containing 0.0328 hectares (0.081 acres) more or less.

ALSO:

Appurtenant ingress, egress, and utility easement rights established in that certain Grant of Non-Exclusive Ingress and Egress and Subordinated Utilities Easement, dated July 13, 2006 and recorded July 19, 2006 as Instrument Number 200600020028 in the office of the Recorder of Hendricks County, Indiana.

More commonly known as: 9093 S State Road 39, Mooresville, IN 46158

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 08-___

**RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING THAT
THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA
HAVE BEEN MET AND CONFIRMING RESOLUTION NO. 08-___
OF AUGUST 14, 2008**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Cables for Less, LLC has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on _____, 2008; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on August 14, 2008 said County Council reviewed and approved said Application and declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, pursuant to I.C.6-1,1-12,1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Designation of Area as Economic Revitalization Area" and

WHEREAS, no remonstrances, written or oral, have been filed with regard to Resolution No.08-___ stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area"; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Final Action. After legally required public notice, and after public hearing Pursuant to such notice the County Council of Hendricks County, Indiana hereby takes "final action" as that phrase is defined in I.C. 6-1,1-12,1-1 et.seq. with regard to the aforestated Application of Cables for Less, LLC and the adoption of Resolution No. 08-___ on August 14, 2008.

2. Confirmation of Resolution No. 08-___ It is hereby declared by County Council of Hendricks County, Indiana that Resolution No. 08-___, adopted on August 14, 2008 is in all respects hereby confirmed, and it is hereby stated that the qualifications for an economic revitalization area have been met by Cables for Less, LLC as to the real estate described in Exhibit A of Resolution No. 08-___.

3. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.

Adopted by the County Council of Hendricks County, Indiana this 11th day of September, 2008.

AYE

NAY

Myron C. Anderson

Myron C. Anderson

Hursel C. Disney

Hursel C. Disney

Larry R. Hesson

Larry R. Hesson

Nancy G. Johnson

Nancy G. Johnson

Jay R. Puckett

Jay R. Puckett

Richard A. Thompson

Richard A. Thompson

Brad Whicker

Brad Whicker

Attest:

Cinda Kattau, Auditor

Hendricks County, Indiana
Application for Designation
of
Economic Revitalization Area

This application is to be completed and signed by the owner of the property on which development, rehabilitation, and/or installation of new manufacturing equipment is to occur. The completed application, a completed Statement of Benefits form (SB-1) and a \$250 filing fee must be submitted to the Hendricks County Auditor.

Application is for: (Check one or both)

- Improvements to real property
 New manufacturing equipment

APPLICANT INFORMATION

1. Name, address and phone number of owner of real property:
Grant and Tammy Thompson / Cables for Less
9093 S. State Rd. 39
Moorseville IN 46158

2. Name, address and phone number of owner of personal property:
(If different from above)

3. Name, address and phone number of persons intending to lease or having an option to purchase the real or personal property: **Same as above**

4. Brief description of business: **Assembly and Distribution of Cables**

5. If the business is publicly held, list the name of the corporate parent and the name under which the corporation is filed with the Securities and Exchange Commission: **N/A**

PROPERTY INFORMATION

6. Address of property to be considered for designation as an economic revitalization area: (attach a map and/or plat of property) 9093 S. State Rd. 39 Mooresville, IN 46158

7. Legal description of property:
A part of the Northeast quarter of the Northwest quarter of Section 25, Township 14 North, Range 1 West of the Second Principal Meridian, Hendricks County, Indiana containing 10.87 acres and more commonly known as 9093 S State Road 39, Mooresville, IN 46158

8. Complete parcel number (14 characters) for each parcel to be considered for designation as an economic revitalization area:

attached 007-32512-100003

9. Township in which property is located: Liberty

10. Current use of property: Vacant

11. Current zoning of property: Industrial

12. Will a zoning change be necessary? No

13. Is the property located in a tax allocation area as defined by IC 36-7-14-39?

No

14. Current assessed value of:

Real property (before rehabilitation, redevelopment, economic revitalization or improvement) \$750,000

Personal property to be replaced by the new manufacturing equipment

NA

15. Property taxes paid at the location during the previous five years, whether paid by the current owner or a previous owner:

Year	Real Property Taxes	Personal Property Taxes
------	---------------------	-------------------------

*Was tax-exempt - no taxes paid
LifeGate, Inc.*

PROJECT DESCRIPTION

16. Description of proposed project including information about physical improvements to be made or new manufacturing equipment to be installed, amount of land to be used, proposed use of improvements and a general statement as to the value of the project improvements to the business:

Real Estate: Addition of 7,000 sq ft. to be used for distribution

Manufacturing equipment: (include date of purchase, and federal tax life) N/A

Estimated cost of improvements:

Structural improvements:

\$420,000

New manufacturing equipment:

NA

18. Estimate the after-rehabilitation market value of the real property:

\$1M

19. Estimate the market value of the new manufacturing equipment after installation:

N/A

20. Expected date to begin project improvements:

August 2008

21. Projected date of project completion:

End of Year 2008

22. Current number of jobs at location: N/A

Permanent full-time _____ Avg. annual salary _____

Permanent part-time _____ Avg. annual salary _____

23. Jobs to be created at location within one year as a result of project:

Permanent full-time 12 Avg. annual salary \$449,280

Permanent part-time _____ Avg. annual salary _____

24. Will the current jobs be impacted by the new project?

No

If yes, please describe: _____

25. Has a building permit been issued for real property improvements? yes

Permit # 20080364 6/17/08

Storage Bldg - New \$205,000

26. Has new manufacturing equipment been installed?
No
27. Describe the actual or anticipated public financing for the project: NA
28. **For real property tax abatement**, describe how the property has become undesirable for or impossible for normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values and prevent a normal development of the property or property use:
Building had been unused for years. This project would put it back in use.
29. **For personal property tax abatement**, describe why the manufacturing equipment to be replaced or the facility in which new equipment will be added is technologically, economically, or energy obsolete and why that obsolescence may lead to a decline in employment and tax revenue. Provide verification that the new manufacturing equipment will be used in direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining or refinishing of other tangible personal property. N/A
30. Has the new manufacturing equipment been used before by its owner for any purpose in Indiana? N/A
31. The Standard Industrial Classification Manual major group within which the proposed project would be classified, by number and description:
3576: wiring
32. The Internal Revenue Service Code of principal business activity by which the proposed project would be classified, by number and description:
Assembly and sale of Cables

33. The following person should be contacted regarding notice of Council meetings and public hearings concerning this petition:

Name: Grant or Tammy Thompson

Address: 9093 S. State Rd. 39 Mooresville IN 46158

Telephone: 317-831-7833

Filing of this application constitutes a request for Economic Revitalization Area designation only and does not constitute an automatic deduction of property taxes. I understand that it is the responsibility of the property owner to file the appropriate abatement forms with the Hendricks County Auditor. I hereby certify that the information and representations of this application are true and complete.

Grant Thompson

-Signature (s) of Owner (s)

8/14/08
Date



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R2 / 1-07)
Prescribed by the Department of Local Government Finance

20__ PAY 20__
FORM SB-1 / Real Property

This statement is being completed for real property that qualifies under the following Indiana Code (check one box)

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Eligible vacant building (IC 6-1.1-12.1-4.8)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
- Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, **BEFORE** a deduction may be approved.
- To obtain a deduction, application Form 322 ERA/RE or Form 322 ERA/VBD, whichever is applicable, must be filed with the County Auditor by the later of: (1) May 10, or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
- Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. [IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(j)]
- The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property and under IC 6-1.1-12.1-4.8(1) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to a statement of benefits filed before July 1, 2000.

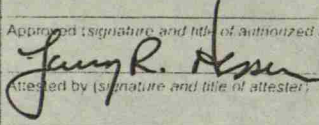
SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Grant and Tammy Thompson / Cables for Less					
Address of taxpayer (number and street, city, state, and ZIP code) 9093 S. State Rd. 39 Mooresville, IN 46158					
Name of contact person Grant and Tammy Thompson			Telephone number (317) 831-7833	E-mail address sales@cablesforless.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Hendricks County					Resolution number
Location of property 9093 S. State Rd. 39 Mooresville, IN 46158			County Hendricks	DLGF taxing district number 013	
Description of real property improvements: redevelopment, or rehabilitation (use additional sheets if necessary) Will be adding a 7,000 sq ft addition to the existing facility for distribution/assembly.					Estimated start date (month, day, year) 08/30/2008
					Estimated completion date (month, day, year) 12/01/2009
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 12.00	Salaries \$360,000.00	Number retained 12.00	Salaries \$360,000.00	Number additional 4.00	Salaries \$100,000.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.			REAL ESTATE IMPROVEMENTS		
			COST	ASSESSED VALUE	
Current values			750,000.00		
Plus estimated values of proposed project			420,000.00		
Less values of any property being replaced					
Net estimated values upon completion of project			1,170,000.00		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____		
Other benefits _____					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative			Title Managing Member	Date signed (month, day, year) 05/08/2008	

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed 7 calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
- | | | |
|--|------------------------------|-----------------------------|
| 1. Redevelopment or rehabilitation of real estate improvements | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Residentially distressed areas | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Occupancy of a vacant building | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____.
- E. The deduction is allowed for _____ years* (see below).

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)  President - Co. Council	Telephone number _____	Date signed (month, day, year) 8/14/08
Attested by (signature and title of attester)	Designated body	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.12-12.1-4.

- A. For residentially distressed areas, the deduction period may not exceed five (5) years.
- B. For redevelopment and rehabilitation or real estate improvements:
1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.
 2. If the Economic Revitalization Area was designated after June 20, 2000, the deduction period may not exceed ten (10) years.
- C. For vacant buildings, the deduction period may not exceed two (2) years.

**HENDRICKS COUNTY COUNCIL
RESOLUTION NO. 08- 11**

**RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING THAT
THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA
HAVE BEEN MET AND CONFIRMING RESOLUTION NO. 08-10
OF AUGUST 14, 2008**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Cables for Less, LLC has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on August 12, 2008; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on August 14, 2008 said County Council reviewed and approved said Application and declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, pursuant to I.C.6-1,1-12,1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Designation of Area as Economic Revitalization Area" and

WHEREAS, no remonstrances, written or oral, have been filed with regard to Resolution No.08-10 stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area"; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Final Action. After legally required public notice, and after public hearing Pursuant to such notice the County Council of Hendricks County, Indiana hereby takes "final action" as that phrase is defined in I.C. 6-1,1-12,1-1 et.seq. with regard to the aforesated Application of Cables for Less, LLC and the adoption of Resolution No. 08-10 on August 14, 2008.

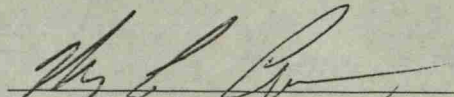
2. Confirmation of Resolution No. 08-10 It is hereby declared by County Council of Hendricks County, Indiana that Resolution No. 08-10, adopted on August 14, 2008 is in all respects hereby confirmed, and it is hereby stated that the qualifications for an economic revitalization area have been met by Cables for Less, LLC as to the real estate described in Exhibit A of Resolution No. 08-10.

3. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.

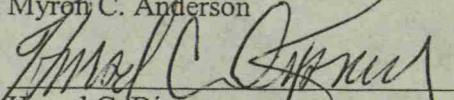
Adopted by the County Council of Hendricks County, Indiana this 11th day of September, 2008.

AYE

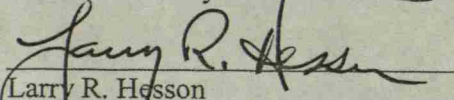
NAY


Myron C. Anderson

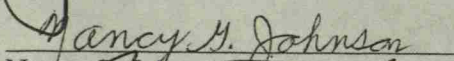
Myron C. Anderson


Hursel C. Disney

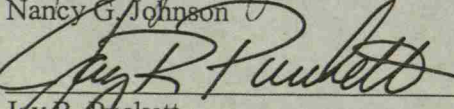
Hursel C. Disney


Larry R. Hesson

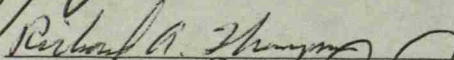
Larry R. Hesson


Nancy G. Johnson

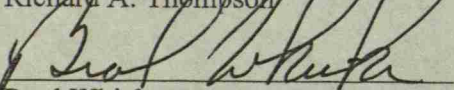
Nancy G. Johnson


Jay R. Puckett

Jay R. Puckett

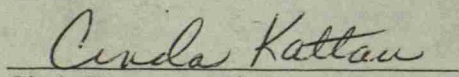

Richard A. Thompson

Richard A. Thompson


Brad Whicker

Brad Whicker

Attest:


Cinda Kattau, Auditor

Resolution 08- 12

Resolution of the Hendricks County Board of Commissioners Regarding Hendricks County Distribution of an Increase in Excise Surtax & Wheel Tax

WHEREAS, the Towns of Avon, Brownsburg, Plainfield (Towns) and the County of Hendricks (County) have been collaborating to find funding sources to complete the Ronald Reagan Parkway, an important transportation highway and economic development stimulus for Hendricks County and,

WHEREAS, the Hendricks County Council on the 8th day of May 2002 adopted Ordinance No. 2002-01 Amended Surtax & Wheel Tax which established a flat \$20.00 excise tax and a flat \$20.00 wheel tax for vehicles registered in the county, and

WHEREAS, one funding source identified by this collaboration of the Towns and the County is an increase in Excise Surtax and Wheel Tax with the distribution of increased receipts to be exclusively applied to the funding for completing the Ronald Reagan Parkway and,

WHEREAS, IC 6-3.5-4 County Motor Vehicle Excise Surtax and IC 6-3.5-5 County Wheel Tax establishes a maximum flat rate of \$25.00 on each motor vehicle subject to the annual excise tax registered in the County, and a maximum flat rate wheel tax of \$40.00 on each of 6 (six) classifications of motor vehicles not subject to the excise tax, registered in the County, and

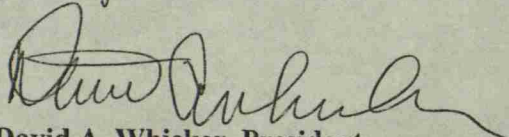
WHEREAS, the Hendricks County Board of Commissioners finds it is important to complete the Ronald Reagan Parkway which will serve as both an important highway and a stimulus for commercial and industrial development,

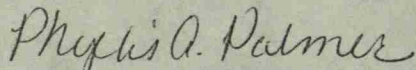
NOW THEREFORE BE IT ORDAINED BY THE HENDRICKS COUNTY BOARD OF COMMISSIONERS THAT.

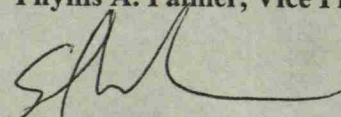
1. The Hendricks County Board of Commissioners supports the Hendricks County Council in increasing the annual excise surtax to \$25.00 and the annual wheel tax to \$40.00 to be paid with the registration of said motor vehicle.

2. The Hendricks County Board of Commissioners pledges to deposit the proceeds from the increase of annual excise surtax and annual wheel tax distribution into a fund exclusively to pay for the completion of the Ronald Reagan Parkway after the funds are distributed under IC 8-14-2-4(c)(1) through IC 81-14-2-4(c)(3).

Adopted by the Hendricks County Board of Commissioners on the 16th day of September, 2008.


David A. Whicker, President


Phyllis A. Palmer, Vice President


Eric L. Wathen, Member

ATTEST: Cinda Kattau
Auditor

08-13

Resolution to Support Participation in the Rails-to-Trails Conservancy's 2010 Campaign for Active Multi-Modal Transportation in Central Indiana

Whereas, Hendricks County Commissioners supports the Campaign for Active Multi-Modal Transportation in Central Indiana because citizens are demanding more choices for transportation to connect to accessible destinations, that will drive economic and community development to enhance quality of life and physical and environmental health; and

Whereas, studies show that people are more likely to ride transit, walk, or ride their bicycles if their destinations or transit stop is less than half a mile (walking) and within two to three miles (bicycling); and

Whereas, constructing a network of nonmotorized transportation infrastructure facilities in order to demonstrate the extent to which bicycling and walking can carry a significant part of the transportation load, thus playing a major role in transportation solutions in Central Indiana; and

Whereas, Hendricks County Commissioners believes that by leveraging the resources of partnering agencies, the 2010 Campaign for Active Transportation will fund an initial, yet expandable system of pedestrian and bicycle network priorities, and make connections to neighborhoods, transit stops and facilities to significantly increase walking, bicycling and transit as viable modes of travel in Central Indiana; and

Whereas Hendricks County Commissioners supports the effort of the central Indiana communities to secure federal funding for active transportation projects and activities identified in the Central Indiana Case Study, with the understanding that receipt of such funds does not diminish potential transportation funding to which Hendricks County Commissioners would otherwise be entitled.

Whereas, the Rails-to-Trails Conservancy is building upon a pilot program from the 2005 federal transportation act, where four communities were provided with \$25 million each over four years to demonstrate that targeted investments can result in transportation mode-shift to bicycling and walking; and

Whereas, the Rails-to-Trails Conservancy seeks to expand their program in the next federal transportation reauthorization to include at least 40 communities, with \$50 million per community over six years to promote active transportation and

Whereas; the Rails-to-Trails Conservancy has identified the Indianapolis Metropolitan Planning Area as a candidate for the expanded program, called the *2010 Campaign for Active Transportation*; and

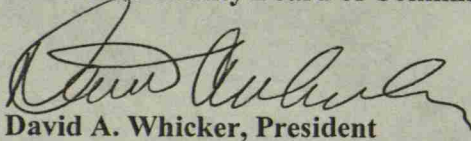
Whereas, the Indianapolis Metropolitan Planning Area is a great example of a community where such an investment would create a diverse walkable, bikeable, and transit-friendly community linked together by a network that provides access to home, work, education, commerce, transit and recreation; and

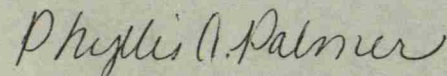
Whereas, our region benefits from active bike-pedestrian-trails groups in most municipalities, and from strong regional advocacy organizations such as the Indiana Greenways Foundation and the Health by Design Coalition, and also from supportive planning efforts such as the Regional Pedestrian Plan, Greenways Master Plans and Transit Plans; and

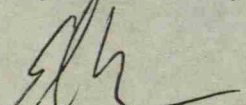
Now Be It Resolved, Hendricks County Commissioners strongly supports Central Indiana's participation in the 2010 Campaign for Active Transportation for the significant non-motorized transportation opportunities it will provide.

Adopted this *23* day of *Sept* 2008 by:

Hendricks County Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice President


Eric L. Wathen, Member

ATTEST: *Cinda Kattau*
Cinda Kattau, Auditor

RESOLUTION NO. 08-14

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY,
INDIANA, ESTABLISHING THE HENDRICKS COUNTY HOSPITAL ASSOCIATION**

WHEREAS, IC 16-22-6 (the "Act") authorizes the Board of Commissioners (the "Board") of Hendricks County, Indiana (the "County"), to establish, upon the written request of The Board of Trustees of Hendricks County Hospital (the "Hospital"), a county hospital association for the purpose of financing, acquiring, constructing, renovating, equipping, and leasing to the County land and a building, including an existing building, for hospital purposes; and

WHEREAS, the Board has received a written request from the Hospital to establish a county hospital association pursuant to the Act; and

WHEREAS, the Board has previously established a county hospital association for the purposes permitted by Section 2 of the Act; and

WHEREAS, in order to fulfill the public purposes of the Act, the Board now desires to re-establish and/or reconstitute the Hendricks County Hospital Association.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

Section 1. Pursuant to Section 2 of the Act, the Board hereby re-establishes the Hendricks County Hospital Association (the "Association"), a body corporate and politic, to exercise the powers set forth in the Act or otherwise granted by law. Pursuant to Section 3 of the Act, the Association shall be governed by a board of directors, consisting of five (5) members, to be appointed by the Board. Pursuant to Section 2 of the Act, the County Auditor of the County shall file a certified copy of this Resolution with the circuit court of the County.

Section 2. The Board hereby appoints Sharon Brock as a member of the board of directors of the Association, with a term of office beginning on the date of his or her appointment by the Board and expiring on October 7, 2009.

Section 3. The Board hereby appoints Dan Devlin as a member of the board of directors of the Association, with a term of office beginning on the date of his or her appointment by the Board and expiring on October 7, 2010.

Section 4. The Board hereby appoints Patti Jefferson as a member of the board of directors of the Association, with a term of office beginning on the date of his or her appointment by the Board and expiring on October 7, 2011.

Section 5. The Board hereby appoints Joe Nehr and Chuck Nelson as members of the board of directors of the Association, with a term of office beginning on the date of his or her appointment by the Board and expiring on October 7, 2012.

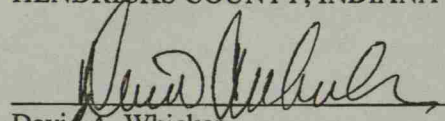
Section 6. Any member of the Council, the Auditor, and any member of the Board are hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 6. Any member of the Council, the Auditor, and any member of the Board are hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.


Section 7. This Resolution shall be in full force and effect immediately upon adoption. Any and all Resolutions of the Board previously adopted and establishing a county hospital association for the County are hereby repealed and hereafter shall be void and of no force and effect.

DULY PASSED on this 7th day of October, 2008, by the Board of Commissioners of Hendricks County, Indiana.

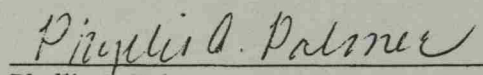
BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA



David A. Whicker

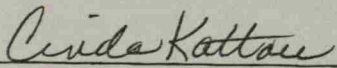


Eric L. Wathen



Phyllis A. Palmer

ATTEST:



Cinda Kattau, County Auditor

RESOLUTION NO. 08-15

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY,
INDIANA, APPROVING THE TERMS AND CONDITIONS OF A LEASE WITH THE
HENDRICKS COUNTY HOSPITAL ASSOCIATION AND THE BOARD OF
TRUSTEES HENDRICKS COUNTY HOSPITAL**

WHEREAS, the Board of Commissioners of Hendricks County, Indiana (the "Board"), has given consideration to, and reviewed the drawings, plans, specifications and estimates of costs for, the acquisition, construction and equipping of certain improvements to the existing county hospital facilities and a new addition thereto, including all or any portion of the construction and equipping of the improvements more specifically described in Exhibit A attached hereto (the "Project"); and

WHEREAS, the Board, being duly advised, finds that it is in the best interests of Hendricks County, Indiana (the "County"), and its citizens for the purpose of financing all or any portion of the Project to enter into negotiations with respect to a lease between the County and The Board of Trustees of Hendricks County Hospital (the "Hospital), as lessees, and the Hendricks County Hospital Association (the "Association"), as lessor (the "Lease"), for the purpose of financing all or any portion of the Project, in order to better serve the residents of the County; and

WHEREAS, the form of proposed Lease has been presented to the Board at this meeting; and

WHEREAS, the Hospital has provided the Board with financial information regarding the Hospital, and based on such information, the Board reasonably expects that the lease rentals under the Lease will be paid by the Hospital from net revenues of the Hospital (the "Net Revenues"); and

WHEREAS, as additional security for the payment of lease rentals under the Lease, such lease rentals shall be payable from *ad valorem* property taxes to be levied on all taxable property in the County to the extent the Net Revenues are insufficient to pay such lease rentals; and

WHEREAS, the Board desires to approve the proposed Lease and publish notice of a public hearing and conduct a public hearing on the proposed Lease pursuant to IC 16-22-6-18; and

WHEREAS, after the public hearing the Board may adopt a resolution pursuant to IC 16-22-6-19 authorizing the execution of the proposed Lease on behalf of the County if it finds that the Lease is necessary and that the lease rentals provided for are fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

Section 1. Pursuant to IC 16-22-6-18, the Board hereby approves the terms and conditions of the proposed Lease, including the payment of lease rentals under the Lease from *ad valorem* property taxes to be levied on all taxable property in the County to the extent the Net

Revenues are insufficient to pay such lease rentals. The Board hereby authorizes the publication of a notice of a public hearing of the Board, upon the approval by the Association, the Hospital, and the County Council, of the terms and conditions of the Lease.

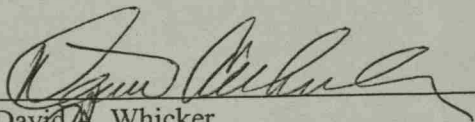
Section 2. Any member of the Council, the Auditor, and any member of the Board are hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 3. The Board hereby declares its intent, pursuant to Tres. Reg. § 1.105-2 and IC 5-1-14-6(c), that costs incurred by or on behalf of the Association, the Hospital or the County in financing and completing the Project be reimbursed from the proceeds of the bonds to be issued by Association pursuant to IC 16-22-6.

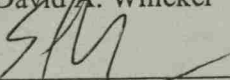
Section 4. This Resolution shall be in full force and effect immediately upon adoption.

DULY PASSED on this 7th day of October, 2008, by the Board of Commissioners of Hendricks County, Indiana.

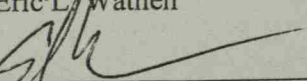
BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA



David A. Whicker

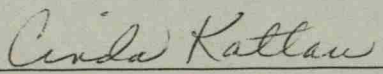


Eric L. Wathen



Phyllis A. Palmer

ATTEST:



Cinda Kattau, County Auditor

EXHIBIT A

HENDRICKS REGIONAL HEALTH 2008 PROJECT DESCRIPTION

The Project consists of (i) the acquisition by the Hendricks County Hospital Association (the "Association") of the existing hospital facility located at 1000 East Main Street, Danville, Indiana (the "Existing Facility"), (ii) the construction of an addition to the Existing Facility that will house operating and recovery rooms, single patient beds for surgical patients, the hospital cafeteria and kitchen, and space for future growth, (iii) the acquisition and installation of HVAC equipment to heat and cool the new space, (iv) the renovation of the portions of the Existing Facility that formerly housed the operation and recovery space and the cafeteria and kitchen, and (v) the acquisition of various items equipment for use in the operations of the Hospital. The portion of the Project that will be acquired by the Association and leased to the Hospital will consist of the Existing Facility and the renovations made therein.

RESOLUTION 08-16
TRANSFERRING THE CONGRESSIONAL SCHOOL
FUNDS TO THE STATE OF INDIANA

NOW, THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, THAT:


SECTION 1. Pursuant to Indiana Code 20-42-2-4.5, the Hendricks County Council elects to surrender the custody of the entire balance of the Congressional School Principal (fund 225) and Congressional School Interest (fund 226) in the amount of \$36,648.21 to the State of Indiana, Treasurer of State.

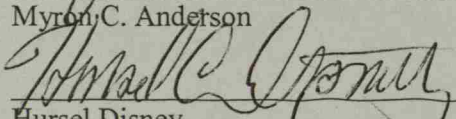
SECTION 2. The Hendricks County Council orders the Board of County Commissioners, the County Auditor, and the County Treasurer to take all steps necessary to surrender the Congressional School funds.

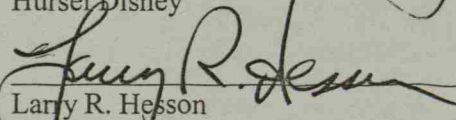
SECTION 3. This resolution shall be in full force and effect after its passage, approval and confirmation, as required by law.

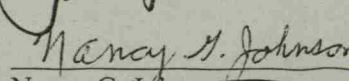
Dated this 9th day of October, 2008.

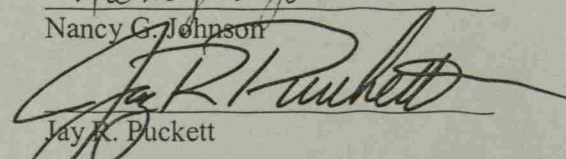
HENDRICKS COUNTY COUNCIL

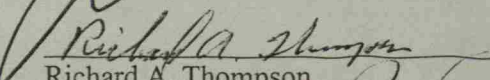

Myron C. Anderson


Hursel Disney


Larry R. Hesson

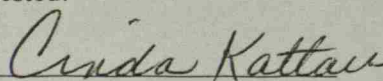

Nancy G. Johnson


Jay R. Puckett


Richard A. Thompson


Brad Whicker

Attested:


Cinda Kattau, County Auditor

RESOLUTION NO. 08-17

**RESOLUTION OF THE COUNTY COUNCIL OF HENDRICKS COUNTY,
INDIANA, APPROVING THE TERMS AND CONDITIONS OF A LEASE WITH
THE HENDRICKS COUNTY HOSPITAL ASSOCIATION AND THE
BOARD OF TRUSTEES OF HENDRICKS COUNTY HOSPITAL**

WHEREAS, the County Council of Hendricks County, Indiana (the "Council"), has given consideration to, and reviewed the drawings, plans, specifications and estimates of costs for, the acquisition, construction and equipping of certain improvements to the existing county hospital facilities and a new addition thereto, including all or any portion of the construction and equipping of the improvements more specifically described in Exhibit A attached hereto (the "Project"); and

WHEREAS, the Council, being duly advised, finds that it is in the best interests of Hendricks County, Indiana (the "County"), and its citizens, for the purpose of financing all or any portion of the Project, for the County to enter into negotiations with respect to a lease between the County and The Board of Trustees of Hendricks County Hospital (the "Hospital"), as lessees, and the Hendricks County Hospital Association (the "Association"), as lessor (the "Lease") for all or a portion of the Project, in order to better serve the residents of the County; and

WHEREAS, the form of proposed Lease has been presented to the Council at this meeting; and

WHEREAS, the Hospital has provided the Council with financial information regarding the Hospital, and based on such information, the Council reasonably expects that the lease rentals under the Lease will be paid by the Hospital from net revenues of the Hospital (the "Net Revenues"); and

WHEREAS, as additional security for the payment of lease rentals under the Lease, such lease rentals shall be payable from *ad valorem* property taxes to be levied on all taxable property in the County, to the extent the Net Revenues are insufficient to pay such lease rentals; and

WHEREAS, the Council desires to approve the proposed Lease.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

Section 1. The Council hereby approves the terms and conditions of the proposed Lease pursuant to IC 16-22-6-18 and IC 16-22-6-39. Following the holding of a public hearing on the Lease pursuant to IC 16-22-6-18, the Board of Commissioners of the County (the "Board") is authorized to execute and deliver, and the Auditor of the County (the "Auditor") is authorized to attest to such execution and delivery, the Lease in substantially the form presented at this meeting with such changes as the Board and the Auditor deem necessary or advisable.

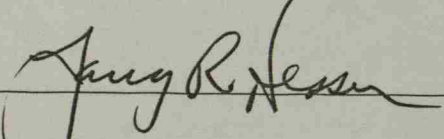
Section 2. Any member of the Council, the Auditor, and any member of the Board are hereby authorized, empowered and directed, on behalf of the County to take any other action

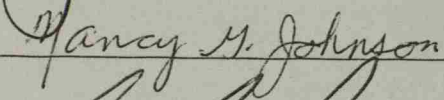
as such individual deems necessary or desirable to effectuate the foregoing resolutions including, but not limited to, the publication of notice of a public hearing on the proposed Lease and the holding of such a public hearing in accordance with IC 16-22-6-18, and any actions heretofore made or taken be, and hereby are, ratified and approved.

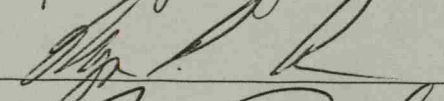
Section 3. This Resolution shall be in full force and effect immediately upon adoption.

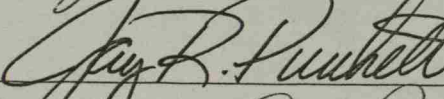
DULY ADOPTED on this 9th day of October, 2008, by the County Council of Hendricks County, Indiana.

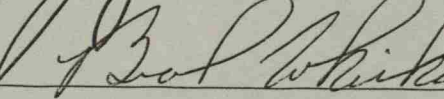
COUNTY COUNCIL OF
HENDRICKS COUNTY, INDIANA











ATTEST:

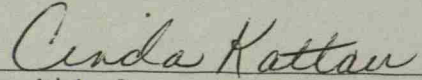

Hendricks County Auditor

EXHIBIT A

HENDRICKS REGIONAL HEALTH 2008 PROJECT DESCRIPTION

The Project consists of (i) the acquisition by the Hendricks County Hospital Association (the "Association") of the existing hospital facility located at 1000 East Main Street, Danville, Indiana (the "Existing Facility"), (ii) the construction of an addition to the Existing Facility that will house operating and recovery rooms, single patient beds for surgical patients, the hospital cafeteria and kitchen, and space for future growth, (iii) the acquisition and installation of HVAC equipment to heat and cool the new space, (iv) the renovation of the portions of the Existing Facility that formerly housed the operation and recovery space and the cafeteria and kitchen, and (v) the acquisition of various items equipment for use in the operations of the Hospital. The portion of the Project that will be acquired by the Association and leased to the Hospital will consist of the Existing Facility and the renovations made therein.

RESOLUTION 2008- 18
A RESOLUTION OF THE HENDRICKS COUNTY COMMISSIONERS
CONCERNING ANNEXATIONS IN AVON

WHEREAS, Hendricks County and the Town of Avon are committed to cooperation in the area of growth and are willing to work together concerning annexations in order to serve the best interests of the citizens of Hendricks County; and

WHEREAS, the planning staffs, public works staffs and other governmental departments are committing to working together in order to efficiently provide services to the citizens of the County as the Town of Avon expands its corporate boundaries in Hendricks County; and

WHEREAS, by Indiana Code since the Town of Avon was incorporated after a certain date, the Town of Avon must seek approval from the Board of Commissioners for annexations; and

WHEREAS, no other town in Hendricks County must come to the Board of Commissioners for review of an annexation; and

WHEREAS, officials from Hendricks County are aware of the annexation plans of the Town of Avon. The Town of Avon has requested that the Commissioners consent to these plans; and

WHEREAS, the County Commissioners believe it is in the best interest of the citizens of the County for the Commissioners to treat the Town of Avon the same as all other Towns in the County;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Hendricks County Board of Commissioners hereby consent to the annexations by the Town of Avon of land located in Hendricks County; and
2. The President of the Board of Commissioners is authorized to sign any and all documents required to memorialize this consent.

ADOPTED this 21st day of October, 2008.

BOARD OF COMMISSIONERS

[Signature]
Phyllis A. Palmer
[Signature]

ATTEST:
Cinda Kattau
AUDITOR, HENDRICKS COUNTY

RESOLUTION No. 08- 19
HENDRICKS COUNTY, INDIANA
OCTOBER 21, 2008

A RESOLUTION AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT
WITH BROWNSBURG, INDIANA

WHEREAS, Hendricks County, Indiana (the "County") and the Town of Brownsburg, Indiana (the "Town") are governmental units as defined by I.C. 36-1-2-23; and

WHEREAS, IC 36-1-7 et. seq. (the "Act") permits interlocal agreements between governmental entities; and

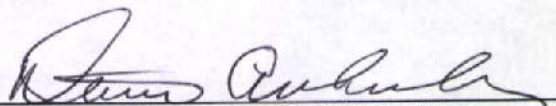
WHEREAS, The County and Town desire to enter into an interlocal agreement for a roadway improvement project on County Road 600 North from County Road 900 East to Raceway Road on the terms and conditions set forth in the proposed Interlocal Cooperation Agreement Between the Town and County in Connection with the Construction of and Payment for Certain Road Improvements, a copy of which is attached hereto as Exhibit "A" (the "Agreement"); and

NOW THEREFORE, BE IT RESOLVED that all prior County approvals and other forms of the Agreement are hereby revoked and replaced by this Resolution and the Agreement in its form in the attached Exhibit "A".

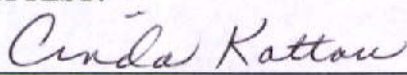
NOW THEREFORE, BE IT FURTHER RESOLVED, that the County hereby approves the execution of this agreement in the form attached hereto with the Town.

BE IT FURTHER RESOLVED that President of the Commissioners is hereby authorized, empowered and directed to take any and all necessary action to effectuate the terms of this Resolution.

ADOPTED by the Board of Commissioners of Hendricks County, Indiana, this 21 day of October, 2008, by a vote of 3 (three) ayes and 0 (zero) nays.


PRESIDENT, HENDRICKS COUNTY
COMMISSIONERS

ATTEST:


HENDRICKS COUNTY AUDITOR

Resolution # 2008-50

Brownsburg, Indiana

October 9, 2008

**A RESOLUTION AUTHORIZING AN INTERLOCAL COOPERATION
AGREEMENT WITH HENDRICKS COUNTY, INDIANA**

WHEREAS, Hendricks County, Indiana (the "County") and the Town of Brownsburg, Indiana (the "Town") are governmental units as defined by I.C. 36-1-2-23; and

WHEREAS, IC 36-1-7 *et. seq.* (the "Act") permits interlocal agreements between governmental entities; and

WHEREAS, the County and the Town desire to enter into an interlocal agreement for a roadway improvement project on County Road 600 North from County Road 900 East to Raceway Road on the terms and conditions set forth in the proposed Interlocal Cooperation Agreement Between the Town and the County in Connection With the Construction of and Payment For Certain Road Improvements, a copy of which is attached hereto as Exhibit "A" (the "Agreement"); and

WHEREAS, on August 21, 2008, the Town Council adopted Resolution # 2008-39 and on September 11, 2008, the Council adopted Resolution #2008-41 (Resolution #2008-39 and Resolution #2008-41 are hereinafter collectively referred to as the "Resolution") in which it approved and authorized the execution of forms of the Agreement different than the form attached hereto as Exhibit "A"; and

WHEREAS, since that time, there have been additional discussions between the County and the Town relating to a proposed form of the Agreement; and

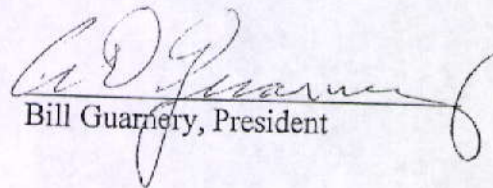
WHEREAS, it is the desire of the Council to revoke and replace the Resolution and its approval and execution of the earlier form of the Agreements by this Resolution and to now approve the new form of the Agreement attached hereto which has been executed in part by the County.

NOW THEREFORE, BE IT RESOLVED, that all prior Council approvals and other forms of the Agreement are hereby revoked and replaced by this Resolution and the Agreement in its form in the attached Exhibit "A".

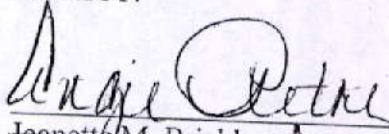
NOW THEREFORE, BE IT FURTHER RESOLVED, that the Town hereby approves the execution of the Agreement in the form attached hereto with the County. This approval of the Agreement by the Town is subject to and conditioned upon: (1) approval of the Agreement by the County; (2) full execution of the Agreement by the County; (3) adoption of the required resolution approving the Agreement by the County (the "County Resolution"); and (4) return of a fully executed original of the County Resolution and the Agreement to the Town Manager within fifteen (15) days after the execution of this Agreement by the Town.

BE IT FURTHER RESOLVED, that the President of the Town Council is hereby authorized, empowered and directed to take any and all necessary action to effectuate the terms of this Resolution.

ADOPTED by the Town Council of the Town of Brownsburg, Indiana, this 9th day of October, 2008 by a vote of five (5) ayes and 0 (0) nays.


Bill Guarnery, President

ATTEST:


Jeanette M. Brickler
Clerk-Treasurer

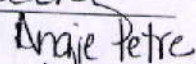

Anajie Petre
Town Manager Executive Asst.

EXHIBIT "A"

INTERLOCAL COOPERATION AGREEMENT BETWEEN
THE TOWN OF BROWNSBURG, INDIANA AND HENDRICKS COUNTY, INDIANA
IN CONNECTION WITH THE
CONSTRUCTION OF AND PAYMENT FOR CERTAIN ROAD IMPROVEMENTS

This Interlocal Cooperation Agreement (the "Agreement") is executed by and between the Town of Brownsburg, Indiana (the "Town") and Hendricks County, Indiana (the "County").

WITNESSETH THAT

WHEREAS, the County desires to construct a roadway improvement project on County Road 600 North ("56th Street") from County Road 900 East to Raceway Road which consists of approximately 1.95 miles (the "Project"); and

WHEREAS, the County has completed the design and right of way acquisition phases necessary to construct the Project and has informed the Town that it will proceed with the public bidding process of the Project in 2008, with the construction of the Project to be completed no later than December, 2011; and

WHEREAS, the Town has been provided with the opportunity to review the plans and specifications for the Project entitled 56th Street Reconstruction from 900 E. to Raceway Road dated September 10, 2008 provided to the Town on that date (the "Plans and Specifications") and has confirmed from those Plans and Specifications that the Project has been designed in accordance with the specifications and requirements of the Town;

WHEREAS, the County will fund the construction of said Project as specified in the Plans and Specifications; and

WHEREAS, the limits of the Project currently lie within the County, but are adjacent to the Town boundaries as of the date of this Agreement; and

WHEREAS, it is possible that the Town may extend its boundaries such that portions of the Project may be located within the Town boundaries; and

WHEREAS, the County has informed the Town that based on its engineer's estimated cost of the Project and the County's contribution of no less than \$5,775,000 in funds toward the Project, that the total maximum principal amount of the County's bond issue that would be needed to complete the construction of the Project shall not exceed \$7,875,000 as set forth in the

debt service schedule attached hereto as Exhibit "A" (the "Debt Service Schedule"); and

WHEREAS, it is the desire of the parties to address that portion of the Project from 900 E to 1000 E consisting of approximately .65 miles (the "900 E to 1000 E Portion of the Project"); and

WHEREAS, IC 36-1-7 *et. seq.* (the "Act") permits interlocal agreements between governmental entities.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. **AUTHORITY**: The parties enter into this Agreement in accordance with the provisions of the Act, which provides that a power that may be exercised by an Indiana political subdivision and one or more other governmental entities may be exercised on behalf of others by entering into a written Interlocal Cooperation Agreement. The Town and the County desire to enter into such an agreement.
2. **PURPOSE**: The purpose of this Agreement is to establish the terms and conditions by which the County constructs the proposed Project in accordance with all applicable laws and the Town may reimburse the County for certain costs and expenses associated with the 900 E to 1000 E Portion of the Project if certain conditions are met as further set forth herein.
3. **ESTABLISHMENT OF JOINT BOARD**: As required by I.C. 36-1-7-3(a)(5), the Town and the County hereby establish a joint board (the "Joint Board") which shall consist of the Town Council for the Town and the County Commissioners for the County. The sole purpose of the Joint Board shall be to administer the terms of this Agreement pursuant to I.C. §36-1-7-3(a)(5)(B).
4. **SCOPE OF SERVICES**: The Town and the County agree to perform the following services (the "Services"):
 - a. **Compliance With All Applicable Laws**: The County hereby respectively warrants to the Town that it will use its best efforts to comply with all applicable laws and regulations governing public bids which apply to the Project as well as its own respective resolutions, policies, and procedures applicable thereto, including, but not limited to awarding

the bid for the Project to the lowest responsive and responsible bidder.

b. **The Town's Right to Review and Provide Input to the Plans and Specifications and the Project:** Prior to the Project being bid by the County, the Town shall have the right to review the plans and specifications for the Project to confirm that the 900 E to 1000 E Portion of the Project has been designed in accordance with all applicable specifications and requirements of the Town. The County may amend the plans and specifications to address any comments provided and issues that may be raised by the Town. The County shall provide the Town with copies of the plans and specifications for the Project within three (3) business days after both parties have executed this Agreement and the Town shall provide any and all comments to the plans and specifications to the County within three (3) business days after its receipt thereof. The parties represent that they have now completed the above referenced process and that the Town has now had the opportunity to review the Plans and Specifications. The County hereby agrees that the Project shall be constructed in accordance with the Plans and Specifications that were reviewed and approved by the Town, and that no material changes will be made to the Plans and Specifications, including, but not limited to, changes that adversely affect or impact the scope, size, structural integrity, maintainability and/or durability of the Project without the prior written consent and approval of the Town.

During the course of construction of the Project and after the Project's completion, the Town shall also have the right, but not the obligation, to conduct routine inspections of the Project to determine and/or confirm whether the Project is being constructed, completed and/or otherwise maintained in accordance with the terms and conditions of this Agreement and the Plans and Specifications.

c. **Cost:** The construction cost of the Project will be based upon the lowest responsive and responsible bid as determined and awarded by the Board of County Commissioners. Within three (3) business days after receipt of the bids for the entire portion of the Project, the County shall notify the Town Manager and provide a copy of such bids.

d. **Obligations of the County:** The County will design, bid, inspect, administer,

supervise and otherwise provide for the construction and continued maintenance of the Project in accordance with the Plans and Specifications and all applicable laws and regulations, including those relating to public construction and in accordance with terms and conditions of this Agreement with the Project to be completed no later than December, 2011. The County will pay all costs incurred by the construction of the Project, including, but not limited to, the costs associated with design, construction, construction administration and the continued maintenance of the Project. The bonds to be issued by and/or on behalf of the County to be included in the Debt Service Schedule as part of this Agreement shall not exceed \$7,875,000 and shall only include the funds necessary for completion of the Project in accordance with the terms and conditions of this Agreement less the cash contribution of the County of no less than \$5,775,000.00. The County will pay all debt service and principle repayment for the Project financing, except as modified by this Agreement. The County will accept ownership responsibility for and maintain the entire completed Project and/or portions thereof as long as they remain outside the Town's boundaries.

e. **Obligations of the Town:** Upon extension of the Town's boundaries along the length of the Project, the Town will pay debt service and principle repayment proportional to the area annexed to be determined as follows: (a) the ratio of the lineal distance along County Road 600 North within the Town limits divided by the total length of the Project, multiplied by the annual debt service and principle repayment for the applicable year as shown in Attachment A, with the Town's maximum obligation hereunder not to exceed \$327,483 for the February 1, 2028 payment as set forth below. The amount to be reimbursed to the County by the Town will be limited to the prorated portion of the unpaid principal balance of the County's bond issue as set forth in the Debt Service Schedule at the time the applicable annexation is approved by the Town.

The maximum obligation of the Town at any time under the terms of the Agreement shall not exceed 33% of the annual debt service payment as set forth in the Debt Service Schedule, assuming the Town annexes the entire .65 miles of the 900 E to 1000 E Portion of the Project which is derived as follows:

Maximum principal bond issue:	\$7,875,000
Maximum length of the Project in miles:	1.95
Maximum length of the 900 E to 1000 E Portion of the Project in miles:	.65
Range of potential total annual debt service payment for the Project as set forth on the Debt Service Schedule:	\$212,083 - \$982,450
Range of maximum annual debt service obligation of the Town (assuming the entire .65 miles of the 900 E to 1000 E Portion of the Project is annexed):	(.65 Miles/1.95 Miles x \$212,083)=\$70,694 in year 2009 (.65 Miles/1.95 Miles x \$982,450)=\$327,483 in year 2028

In the event the actual construction cost and the proposed debt service exceeds the estimates provided herein, the Town's maximum obligation as set forth above shall not exceed its pro rata portion as described above based on the actual amount in miles of the 900 E to 1000 E Portion of the Project that is actually annexed by the Town. Furthermore, if during the term of the bonds identified on the Debt Service Schedule, the Town annexes more than the .65 miles of the 900 E to 1000 E Portion of the Project, the Town's obligations hereunder shall be adjusted accordingly based on the pro-rata calculation as set forth herein.

In the event the County determines, based on the bids received, that it needs to issue bonds that exceed \$7,875,000 and/or that increases the maximum annual debt service payments set forth on the Debt Service Schedule to complete the construction of the Project, the County shall be solely responsible for any such increases, unless otherwise agreed to in writing by the Town. In the event the County determines, based on the bids received, that it can issue bonds in an amount less than \$7,875,000 and/or that reduces the maximum annual debt service payments set forth on the Debt Service Schedule to complete the construction of the Project, the parties agree to immediately amend this Agreement to reduce the Town's obligations hereunder accordingly and to attach a new debt service schedule to this Agreement.

The Town's obligations hereunder are subject to and conditioned upon the County constructing, completing and otherwise maintaining the Project in accordance with the Plans and

Specifications as set forth herein.

f. **Additional Obligation and Commitment of the County:** The County hereby agrees that in the event any bonds are issued by it, its Redevelopment Commission and/or Redevelopment Authority and/or on their behalf, including but not limited to tax increment financing/revenue bonds, for any area within Brown Township and/or Lincoln Township, that any and all proceeds of such bonds and/or financing shall be solely dedicated to and used for structural improvements within the boundaries of Brown Township and/or Lincoln Township, as applicable.

5. **ENTIRE AGREEMENT:** This Agreement represents the entire understanding between and among the parties hereto. The signing of this Agreement by both parties constitutes their mutual recognition that no other contracts or agreements, oral or written exist between them and that if such oral or written contracts do exist they shall be considered void. Each party hereby represents to the other that it will not rely upon any agreement, contract, or understanding not otherwise contained within this Agreement and executed or reduced to writing and incorporated by written amendments to this Agreement with the full knowledge and approval of both parties.

6. **APPROVAL AND EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be approved by Resolution of the Town Council on behalf of the Town and by Resolution of the County Commissioners on behalf of the County. After approval and execution of the appropriate officers of each party, this Agreement shall be recorded with the Hendricks County Recorder, and the first date of recordation shall be the effective date of this Agreement. Within sixty (60) days of the effective date, this Agreement shall be recorded with the Indiana State Board of Accountants for audit purposes pursuant to I.C. §36-1-7-6. In the event the County has not approved this Agreement, executed it and returned a fully executed original to the Town Manager within fifteen (15) days after the execution of this Agreement by the Town, then, unless otherwise agreed to in writing by the Town Council, the Town's execution of this Agreement shall be automatically revoked without any further action of the Town. This Agreement shall then be null and void and neither party shall have any obligation or liability hereunder.

7. **INDEMNIFICATION BY THE COUNTY:** The County agrees to indemnify and hold harmless the Town and its officers, agents, and employees, from any and all claims or threats of claims, costs, losses, liabilities, judgments, or liens arising out of or in any way connected with the County's ownership, operation, bidding, construction, maintenance or use of the Project and in any way related to its obligations under the terms of this Agreement.
8. **INDEMNIFICATION BY THE TOWN:** The Town agrees to indemnify and hold harmless the County and its officers, agents, and employees, from any and all claims or threats of claims, costs, losses, liabilities, judgments, or liens arising out of or in any way connected with the Town's ownership, operation, maintenance or use of the Project or in any way related to its obligations under the terms of this Agreement.
9. **ANNEXATION:** This Agreement shall not limit and/or alter any rights of the Town relating to annexation, whether voluntary or involuntary, of any area in the County.
10. **TERMINATION:** This Agreement shall terminate upon the earlier of: (1) the County's failure and/or refusal to timely complete its obligations hereunder, including, but not limited to the construction of the Project, or (2) the Town's fulfillment of any financial obligations to the County hereunder, or (3) February 2, 2028, whichever occurs earlier. To terminate the Agreement prior to its expiration date, both parties must agree in writing, following a 60 day minimum advance notice by the party wishing to terminate, except as otherwise provided within this Agreement.
11. **AMENDMENT:** This Agreement may be amended, modified, renewed or supplemented only by a written instrument signed by each of the parties hereto, and any such amendment may pertain to one or more of the provisions of this Agreement without affecting the other provisions of this Agreement.
12. **APPLICABLE LAWS:** This Agreement shall be governed by the laws of the State of Indiana.
13. **SEVERABILITY:** If any provision of this Agreement is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, the provision shall be stricken, and all other provisions of this Agreement which can operate independently of such stricken

provisions shall continue in full force and effect.

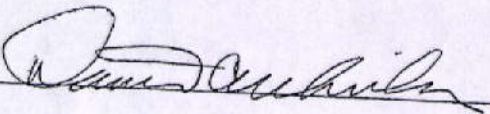
14. **DURATION:** This Agreement shall continue as the binding Agreement of the parties hereto until modified or terminated in accordance with the terms and provisions set forth herein.

15. **COUNTERPARTS:** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

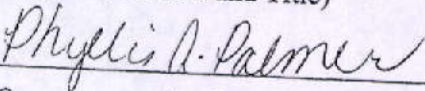
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in several counterparts and their respective entity's name by the duly authorized signatories below.

[THIS SPACE INTENTIONALLY LEFT BLANK]

HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By:  Date: 10-7-08

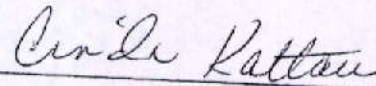
DAVID A. WHICKER
(Printed Name and Title)

By:  Date: 10-7-08

Phyllis A. Palmer Commissioner
(Printed Name and Title)

By:  Date: 10/7/08

ERIC WATHEN Co. Comm. 1st
(Printed Name and Title)

Attest: 

ADOPTED AND APPROVED BY: Resolution of the County Commissioners of
Hendricks County, Indiana adopted on the 7th day of Oct., 2008.

Dated: 10-7-08

Certified By: Judith Pytko

Name and Title: Deputy Auditor

**BROWNSBURG, INDIANA
TOWN COUNCIL**

By: [Signature] Date: 10-9-08
William Guarnery, President

By: [Signature] Date: 10-9-08
Gary Hood, Vice President

By: [Signature] Date: 10-9-08
Matt Bowles, Member

By: [Signature] Date: 10-9-08
Ronna Jessen, Member

By: [Signature] Date: 10-9-08
William H. Sibbing, Member

ATTEST: [Signature]
Jeanette Brickler, Clerk-Treasurer

ADOPTED AND APPROVED BY: Resolution of the Town Council of Town of
Brownsburg, Indiana adopted on the 9th day of Oct, 2008.

Dated: 10/9/08

Certified By: [Signature]

Name and Title: Town Manager, Executive Asst.

RESOLUTION NO. 08-20

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY,
INDIANA, AUTHORIZING THE EXECUTION OF A LEASE WITH THE HENDRICKS
COUNTY HOSPITAL ASSOCIATION AND THE BOARD OF TRUSTEES OF
HENDRICKS COUNTY HOSPITAL**

WHEREAS, the Board of Commissioners (the "Commissioners") of Hendricks County, Indiana (the "County"), the Board of Directors of the Hendricks County Hospital Association (the "Association"), The Board of Trustees of Hendricks County Hospital (the "Hospital"), and the County Council (the "Council") of the County have all agreed upon the terms and conditions of a lease by and between the Association, as lessor and the County and the Hospital, as lessees (the "Lease"), for the purpose of financing all or a portion of the acquisition, construction and equipping of certain improvements to the existing county hospital facilities and a new addition thereto, including all or any portion of the construction and equipping of the improvements more specifically described in Exhibit A attached hereto (the "Project") and each such body has approved a form of the Lease; and

WHEREAS, pursuant to IC 16-22-6-18, the Auditor of the County (the "Auditor") published, on October 23, 2008, notice of a public hearing to be held by the Commissioners to allow all persons to be heard on the necessity for the Lease and whether the Lease rental is fair and reasonable; and

WHEREAS, the Commissioners have held such public hearing on the date hereof; and

WHEREAS, the Commissioners have considered the testimony and other evidence presented as the public hearing; and

WHEREAS, IC 16-22-6-19 provides that following such public hearing the Commissioners may authorize the execution of the Lease; and

WHEREAS, IC 16-22-6-25 provides that the Commissioners shall approve the plans, specifications and estimates of cost for the Project before the execution of the Lease; and

WHEREAS, such plans, specifications and estimates of cost have been presented to the Commissioners at this meeting; and

WHEREAS, the Commissioners desire to approve the plans, specifications and estimates of cost for the Project and to authorize the execution of the Lease.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. Providing for the financing, acquisition, constructing, and equipping of the Project by the Association and the leasing of the same to the County and the Hospital, as lessees, is in the public interest of the citizens of this County, and is a proper public purpose for which the Commissioners agree to cooperate with the Association and the Hospital and to assist in fulfilling the requirements of all agencies of federal, state and county governments.

Section 2. The Commissioners hereby approve the plans, specifications and estimates of cost for the Project

Section 3. The Lease, with a maximum term of twenty (20) years, commencing on the date all or a portion of the premises subject to the Lease are acquired by the Association, and in the form presented at this meeting, is hereby approved in accordance with IC 16-22-6-19. The Lease provides for a fair and reasonable rental, and further, the execution of the Lease is necessary and wise.

Section 4. The Auditor of the County is authorized and directed to initial and date a copy of the proposed Lease and to place the same in the record book immediately following the minutes of this meeting, and further, the Lease is hereby made a part of this Resolution as fully as if the same were set forth herein.

Section 5. The Commissioners are authorized and directed to execute the Lease, including the addenda attached as exhibits to the Lease, in the name and on behalf of the County, and the Auditor of the County, is hereby authorized and directed to attest such execution of the Lease, with such changes as deemed appropriate by the Commissioners and Auditor as evidenced by their execution and attestation thereof.

Section 6. The Auditor of the County be, and hereby is, authorized and directed, on behalf of the County to publish notice of the execution of the Lease as required by law.

Section 7. To the extent the Hospital Revenues (as defined in the Lease) are insufficient to pay lease rental payments under the Lease, an *ad valorem* property tax shall be levied and collected by the County on all taxable property within the geographical boundaries of the County pursuant to IC 16-22-6-32.

Section 8. The Commissioners hereby approve the issuance, sale and delivery by the Association of its bonds (the "Bonds"), in one more series in the aggregate principal amount not to exceed \$75,000,000, the proceeds of which will be used to finance the Project.

Section 9. The Association may issue, sell and deliver such Bonds, pursuant to the applicable laws of the State of Indiana, may encumber any property acquired by it for the purpose of financing such facilities, and may enter into contracts for the sale of the Bonds.

Section 10. Any Commissioner, member of the County Council, the Auditor of the County, and the County Attorney are hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate

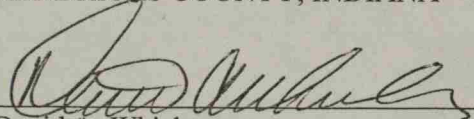
the foregoing resolutions, including the execution and delivery of a Continuing Disclosure Agreement relating to the Bonds, in the name and on behalf of the County, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 11. This resolution shall constitute an order of the Commissioners authorizing the execution of the Lease pursuant to IC 16-22-6-19.

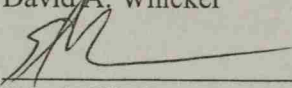
Section 12. This Resolution shall be in full force and effect immediately upon adoption.

DULY PASSED on this 5th day of November, 2008, by the Board of Commissioners of Hendricks County, Indiana.

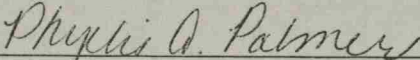
BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA



David A. Whicker

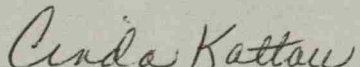


Eric L. Wathen



Phyllis A. Palmer

ATTEST:



Cinda Kattau, County Auditor

EXHIBIT A

HENDRICKS REGIONAL HEALTH 2008 PROJECT DESCRIPTION

The Project consists of (i) the acquisition by the Hendricks County Hospital Association (the "Association") of the existing hospital facility located at 1000 East Main Street, Danville, Indiana (the "Existing Facility"), (ii) the construction of an addition to the Existing Facility that will house operating and recovery rooms, single patient beds for surgical patients, the hospital cafeteria and kitchen, and space for future growth, (iii) the acquisition and installation of HVAC equipment to heat and cool the new space, (iv) the renovation of the portions of the Existing Facility that formerly housed the operation and recovery space and the cafeteria and kitchen, and (v) the acquisition of various items equipment for use in the operations of the Hospital. The portion of the Project that will be acquired by the Association and leased to the Hospital will consist of the Existing Facility and the renovations made therein.

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 08-21

**RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING THAT
THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA
HAVE BEEN MET AND GRANTING REAL AND PERSONAL TAX
ABATEMENTS FOR APEX UNION MILLS, LLC**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, Apex Union Mills, LLC has filed with the Hendricks County Auditor "Application for Designation of Economic Revitalization" for real and personal property on September 30, 2008; and

WHEREAS, said Application has been reviewed by the Tax Abatement Committee and the Hendricks County Council, the application has been considered at a duly held public meeting of said County Council and has received from the applicant the requisite filing fee; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on March 13, 2008 said County Council declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, pursuant to I.C. 6-1.1-12.1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Designation of Area as Economic Revitalization Area" and

WHEREAS, no remonstrances, written or oral, have been filed with regard to Resolution No.08-04 stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area";

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. New Manufacturing Equipment. The County Council of Hendricks County, Indiana hereby declares that any and all new manufacturing equipment described in Apex Union Mills, LLC's application and installed after the date of the adoption of this Resolution by the County Council upon any of the real estate described in Exhibit A attached hereto, shall, along with the said new manufacturing equipment, be eligible for property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et seq.

2. Real Property Improvements. The County Council of Hendricks County, Indiana hereby declares that any and all improvements placed upon the real estate as described in Exhibit A attached hereto, after the date of the adoption of this Resolution by the County Council shall, along with the said real estate, be eligible for property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et. seq.
3. Compliance with Applicable Resolution and Statutes. It is hereby declared by the County Council of Hendricks County, Indiana that the Application of Apex Union Mills, LLC heretofore filed complies in all respects with the Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997 and all governing Indiana statutes, and that said Application, in all respects, is hereby granted and approved.
4. No Limitations or Restrictions. It is hereby declared by the County Council of Hendricks County, Indiana that based on the County's Tax Abatement Procedures Ordinance No. 97-37 adopted on October 7, 1997, allowance for a ten (10) year abatement duration on real property improvements and five (5) year abatement on certain manufacturing equipment meets the requirements of the Tax Abatement Procedures Ordinance.
5. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.

Adopted by the County Council of Hendricks County, Indiana this 24th day of November, 2008.

AYE

NAY

absent

Myron C. Anderson

Myron C. Anderson

absent

Hursel C. Disney

Hursel C. Disney

Larry R. Hesson

Larry R. Hesson

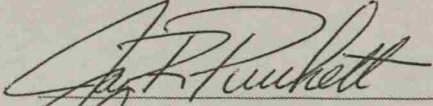
Larry R. Hesson

Nancy G. Johnson

Nancy G. Johnson

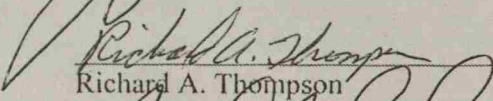
Nancy G. Johnson

Resolution 08-21
November 24, 2008
Page 3



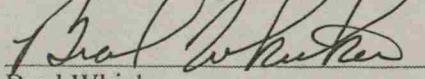
Jay R. Puckett

Jay R. Puckett



Richard A. Thompson

Richard A. Thompson



Brad Whicker

Brad Whicker

Attest:



Cinda Kattau, Auditor

EXHIBIT "A"

Lot Numbered Eighty-one (81) in Heartland Crossing Business Park, a subdivision in Guilford Township, Hendricks County, Indiana, as per plat thereof recorded August 24, 1999 in Plat Cabinet 2, Slide 141 page 2 in the Office of the Recorder of Hendricks County, Indiana