

AN ORDINANCE ESTABLISHING MAXIMUM WEIGHT LIMITS
UPON CERTAIN COUNTY HIGHWAYS AND POSTING OF
SAID LIMITS, AND FIXING A PENALTY FOR THE VIO-
LATION THEREOF.

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, after having inspected the county highways and conferred with the County Engineer and County Road Superintendent, have found that in order to protect the road surface of certain county highways from unreasonable destruction and damage caused by over weight vehicles and to promote the safety of the public in the use of said highways, it is Ordained as follows:

Section 1. Definitions:

(a). County highway shall mean any public roadway now or hereafter coming under the jurisdiction and control of the Hendricks County Highway Department.

(b). Vehicle shall mean every device in, upon, or by which any person or property is, or may be, transported and drawn upon a county highway.

Section 2.

It shall be unlawful for any reason to move, operate or control any vehicle, having a total gross weight in excess of 30,000 pounds, over, upon or across any of the following described County highways in Hendricks County, Indiana:

County Road 800 E from the South line of the Penn Central Railroad right-of-way in Washington Township South to U. S. 40 and from State Road 36 North to County Road 100 N.

County Road 100 N from County Road 800 E, east to Raceway Road.

Raceway Road from U. S. 36 North to County Road 300 N.

Section 3.

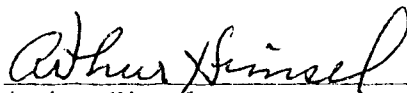
A violation of the terms or conditions of this Ordinance shall constitute a misdemeanor and any person found guilty thereof shall be assessed a fine of not less than Twenty-Five Dollars (\$25.00) for the first offense. Upon the conviction of any subsequent offense committed

during any two (2) year period, the fine to be assessed shall be not more than One Thousand Dollars (\$1,000.00).

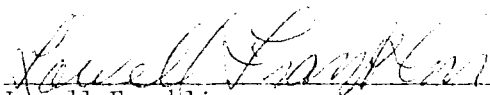
Inasmuch as an emergency exists, this Ordinance shall be in full force and effect immediately upon its adoption and publication as required by law.

Adopted this _____ day of _____, 1976.

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA



Arthur Himsel



Lowell Franklin

Howard Gibbs

ATTEST:

Mary Jane Weathers, Auditor

ORDINANCE NO. 1

County Council, Hendricks County, Indiana

March 15, 1976

An Ordinance to create an Economic Development Commission for Hendricks County, Indiana, and fixing a time when the same shall take effect.

WHEREAS, IC 1971, §18-6-4.5-1 et seq., grants the authority to the County Council upon the request of the Board of County Commissioners of the County to establish a Department of Economic Development to meet the needs existing for the financing of economic development or pollution control facilities within the County; and

WHEREAS, by Resolution No. 1 dated March 15, 1976, the Board of County Commissioners of Hendricks County has found that a need exists for the financing of economic development and pollution control facilities in Hendricks County, Indiana, which is not being met by any existing city or town Development Commissions, and has requested the County Council to establish a Department of Development to be known as the Hendricks County Economic Development Commission; and

WHEREAS, based upon that Resolution and this Council's finding that such needs are present and existing, the County Council finds it appropriate to establish the Hendricks County Economic Development Commission;

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Hendricks County, Indiana, pursuant to IC 1971, §18-6-4.5-1 et seq., that the Hendricks County Economic Development Commission be, and it hereby is, created and granted all powers and duties of such Commission as set forth in said IC 1971, §18-6-4.5-1 et seq.

BE IT FURTHER ORDAINED, that pursuant, to the provisions
of said Acts the County Council hereby nominates Mr. CHARLES S. POPP
of DANVILLE RR #5 BOX 35, DANVILLE, Indiana,
as its nominee for membership on such Commission.

BE IT FURTHER ORDAINED, that an emergency exists for the
passage of this Ordinance and that the same shall be in full force
and effect from and after the date hereof.

COUNTY COUNCIL,
HENDRICKS COUNTY, INDIANA

Donovan L. Robinson

Carl F. Nash

Dean Danner

Marion Brown

Charles Rife

Joseph F. Harrison

FILED

JUL 26 1976

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7036

Mary Jane Heatheris
AUDITOR HENDRICKS COUNTY

RESOLUTION AMENDING THE SUBDIVISION CONTROL
ORDINANCE OF HENDRICKS COUNTY, INDIANA

WHEREAS, Chapter 174 of the Acts of the General Assembly for 1947, as amended, granted certain powers to County Plan Commissions, relative to the platting of lands within their jurisdictions; and

WHEREAS, due to an abundance of somewhat poorly drained to very poorly drained soils in Hendricks County, Indiana, there is a widespread and almost inevitable need for additional artificial drainage in existing subdivisions to remove underground water from the subgrades of streets, from crawl spaces, and from the foundations of buildings; that the said excess ground water is damaging to the streets and adds greatly to the maintenance costs of said streets; and that many problems with dwellings in existing subdivisions are related to excess ground water which, instead of draining away naturally, must be piped from crawl spaces and foundations to be discharged on subdivision streets where it is unsightly, harms the streets, and freezes at low temperatures to create hazardous driving conditions; and

WHEREAS, in order to reasonably prevent landowners in future subdivisions from experiencing the problems described above, and in order to promote the health, safety, and welfare of the people of Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, held a public hearing on March 8, 1976, pursuant to notice, and after having considered the Subdivision Control Ordinance of Hendricks County, Indiana, and all amendments thereto, and then being duly advised found that Section 3.07 entitled Subsurface Drains should be amended.

NOW THEREFORE, be it recommended by the Hendricks County Plan Commission that the Subdivision Control Ordinance entitled "Subdivision Control Ordinance of Hendricks County, Indiana", enacted by the Board of Commissioners of Hendricks County, Indiana, on February 6, 1961, and all amendments thereto, be amended by amending Section 3.07 of Chapter 3, Subsurface Drains, to read as follows:

ENTERED FOR RECORD SECTION 3.07 SUBSURFACE DRAINS

BOOK 71 JUL 26 1976 AL 10:36 3.07.01 Purpose:
The general purpose of subsurface drains is to provide adequate subsurface drainage for streets and to provide an outlet for crawl space and foundation drains.
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Marilla Abbott
RECORDER HENDRICKS COUNTY

3.07.02 Applicability:

Subsurface drains shall be required where new streets will be constructed on soils rated moderate or severe under the column headed "Sewage disposal fields" in Table 8 of the Soil Survey of Hendricks County, Indiana, issued November 1974, which survey is made a part hereof by reference. Subsurface drains shall also be required at new streets as well as at existing roads and streets in or adjoining the subdivision, regardless of the drainage classification of the soils upon which said roads and streets are constructed, where such drains are needed to serve as outlets for crawl space drains and/or foundation drains for buildings constructed on soils rated moderate or severe as aforesaid.

3.07.03 Design:

Subsurface drains shall be sized in accordance with the following formula:

$$Q = (121/2880) A C$$

where:

Q= water entering the subsurface drain in cubic feet per second;

A= total land area in acres from which water percolates to the subsurface drain, to its laterals, and to all connecting foundation drains, including areas occupied by street pavements under which ground water is intended to be drained, and including the areas of crawl spaces which will contribute to the quantity of water reaching the subsurface drain; and

C= percolation coefficient in inches of rainfall per 24 hours, relating to the portion of rainfall which passes through the soil to the subsurface drain. For the purposes of this section, the value of C used shall not be less than 0.375.

Provided, however, that the minimum pipe size shall be six (6) inches in diameter for mains and four (4) inches in diameter for stub laterals.

3.07.04 Location:

A. Horizontal:

1. Along streets which are curbed, the subsurface drains shall be placed parallel with the curbs and on both sides of all streets between the curbs and right of way lines. The distance between the curb and subsurface drain center line shall not exceed three feet without prior approval of the County Engineer. Also, there shall be installed one (1) tee or wye fitting and 4-inch stub lateral per lot, which lateral shall extend to the right of way line where its end shall be sealed until the crawl space and/or the foundation drain connection is made. The finding of the ends of the laterals shall be facilitated either by markings at the ground surface or by dimensioning their "as-built" locations on the subdivision construction plans.
2. Along streets without curbs the subsurface drains shall be placed as specified above excepting that the three-foot distance shall measure from the edge of the street pavement; provided, however, that where a roadside swale is constructed parallel with the street between the pavement and the right of way line, the subsurface drain shall be placed 5 feet from the center line of the swale measured toward the pavement.

B. Vertical:

The grade of the subsurface drain shall be a uniform distance below the grade of the street wherever practicable. The minimum cover over mains and stub laterals shall be 2.5 feet excepting that as little as one foot of cover will be permitted where a stub lateral passes under a swale provided the lateral is constructed of corrugated metal pipe and provided the 2.5-foot minimum cover over the main is preserved.

3.07.05 Pipe Requirements:

Pipe shall meet the requirements for Group "K" Pipe as specified for "Underdrains" in Indiana State Highway Commission Standard Specifications which are in effect at the time of installation of the subsurface drains, which said specifications are made a part hereof by reference. For the purpose of this amendment these pipes consist of: (Section numbers refer to Section in said Standard Specifications unless otherwise designated).

<u>DESCRIPTION</u>	<u>SECTION</u>
(a) Perforated Corrugation Steel Pipe (PCS)---	907.03
(b) Bituminous-Coated Perforated Corrugated Steel Pipe (BCPCS)-----	907.07
(c) Bituminous-Coated Perforated Corrugated Aluminum Pipe (BCPCA)-----	907.07
(d) Perforated Corrugated Steel Pipe Arch (PCS Pipe Arch)-----	907.07
(e) Bituminous-Coated Perforated Corrugated Steel Pipe Arch (BCPCS Pipe Arch)-----	907.07
(f) Bituminous-Coated Perforated Corrugated Aluminum Pipe Arch (BCPCA Pipe Arch)-----	907.07
(g) Nonreinforced Concrete Pipe (NC)-----	906.01
(h) Perforated Concrete Pipe (PC)-----	906.04
(i) Clay Drain Tile, Standard Quality (DTSQ) usable at all pH values-----	ASTM
(j) Concrete Drain Tile, Standard Quality (CDTSQ), usable where soil pH is 6.0 to neutral at tile depth-----	ASTM
(k) Concrete Drain Tile, Extra Quality (CDTEQ), usable where soil pH is 5.5 to neutral at tile depth-----	906.11
(l) Perforated Clay Drain Tile (PCDT)-----	906.12
(m) Porous Concrete Pipe (Porous C)-----	906.05
(n) Perforated Asbestos Cement Pipe (PAC)---	906.07
(o) Clay Pipe (C)-----	906.08
(p) Perforated Clay Pipe (PCL)-----	906.09
(q) Cradle Invert Clay Pipe (CIC)-----	906.10
(r) Perforated Bituminized Fiber Pipe (PBF)-	906.14
(s) Perforated Corrugated Aluminum Alloy Pipe (PCAA)-----	907.05
(t) Perforated Poly Vinyl Chloride Sewer Pipe (PPVCS)-----	ASTM D2729
(u) Perforated Poly Vinyl Chloride Conduit (PPVCC)-----	ASTM D3033
(v) Perforated Styrene Rubber Plastic Drain and Building Sewer Pipe (PSRPDBS)-----	ASTM D2852

Perforated corrugated polyethylene plastic tubing may be used as an alternate to Group "K" pipe, but only upon the prior written approval of the Hendricks County Engineer and then only in strict conformity with the requirements for plastic tubing as specified hereinbelow.

Where a subsurface drain discharges at a swale or open ditch without a headwall, the outlet pipe shall be corrugated metal pipe at least 16 feet long.

Perforations in Group "K" Pipe shall be arranged in no fewer than 4 longitudinal rows, and shall not exceed 3/16 of an inch in diameter unless the use of pipe with larger perforations is authorized in writing beforehand by the County Engineer. Perforations in corrugated polyethylene plastic tubing shall be slots not exceeding 5/8 of an inch long, or shall be circular holes having a maximum diameter of 3/16 of an inch.

3.07.06 Construction Requirements:

A. Trenching:

The trench shall be of sufficient width to provide ample working space on each side of the pipe to be laid and to permit the placement of backfill at the sides of the pipe.

B. Pipe Installation:

Group "K" Pipe and plastic tubing shall be installed in conformity with the installation requirements specified for "Underdrains" in the above-mentioned Standard Specifications which are in effect at the time of installation. If perforated poly vinyl chloride sewer pipe or conduit is used, or if perforated styrene rubber plastic drain and building sewer pipe is used, pipe sections shall be joined together with an appropriate coupling, fitting, band, or other device to retain proper alignment of the sections, and to prevent buckling or other damage due to stresses induced by changes in the lengths of the sections. Perforated pipe shall be placed with the perforations down.

The following additional requirements apply only to plastic tubing: (1) tubing shall not be used which has been stretched more than 5% during handling; (2) warm tubing shall be cooled to water temperature before placing in water; (3) tubing shall not be used where a subsurface drain crosses any swale or street or road pavement; and (4) tubing shall not be uncoiled rapidly at cold temperatures.

C. Backfilling:

Trenches for mains shall be backfilled with size No. 7 aggregate to a point at least 8 inches above the top of the pipe or tubing. The remaining trench may be filled with excavated materials. At the option of the developer, trenches for stub laterals may be backfilled in this manner, or may be backfilled entirely with excavated materials. The following additional requirements apply only to plastic tubing: (1) the tubing shall be held in position in the trench until some backfill is placed in order to improve alignment and side support against bulging, even if hand placing of the backfill is necessary; (2) when water is in the trench, backfilling to cover the tubing shall be done immediately

after the tubing reaches water temperature and is placed in the trench; (3) heavy loads of backfill shall not be dropped over the tubing; and (4) the backfill shall be free of stones and other hard objects larger than No. 7 aggregate.

The County Engineer shall be notified in writing at least three days prior to the dates on which backfilling of trenches is expected to be undertaken. Any perforated corrugated polyethylene plastic tubing covered with backfill before it has been inspected in the trench and approved by the County Engineer or his authorized representative will be rejected.

- 3.07.07 Combination Drains:
The subsurface drains specified in this section may also be used as storm water drains but only upon the condition that the County Engineer approves the design data as submitted beforehand by the Design Engineer showing that said drains will be adequate for both purposes.
- 3.07.08 Foundation and Crawl Space Drains:
The foundation and/or crawl space drains for buildings constructed in any subdivision pursuant to this section shall be connected to a subsurface drain stub lateral or, if permitted by the Plan Commission, to a tile drain as defined in Section 3.08 of said Subdivision Control Ordinance, or to an outlet at a ravine or natural waterway. Requests for approval of such alternatives shall be accompanied by the construction plans and specifications described in Section 2.06 of said Subdivision Control Ordinance, which plans shall show for each case the location of the alternate drainage system and its position with respect to any sanitary disposal field within 50 feet thereof. Such plans shall also show for each alternate case that the outlet will be above high water and that its corrugated metal end pipe opening will be protected by a screen or grate.
- 3.07.09 Basement Drains:
Basement drains intercepting and carrying only excess ground water shall be connected as described in Section 3.07.08 above. Basement drains that are sanitary drains shall be discharged into the sanitary disposal system which serves the building.
- 3.07.10 Roof Drains:
Roof drains (downspouts) shall not be connected to the drains specified herein.
- 3.07.11 Restrictive Covenants:
The requirements of Sections 3.07.08, 3.07.09, and 3.07.10 shall be included in the restrictive covenants of every subdivision with appropriate language.

This amendment shall be in full force and effect for all subdivisions which have not received final approval on the effective date of this amendment.

If any section, clause, paragraph, provision, or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision, or portion of this amendment.

Respectfully submitted,

E. E. Landman, III
President, Hendricks County Plan Commission

Nancy W. Sutton
Secretary

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this 19 day of July, 1976.

BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:

Howard Gibbs
Howard Gibbs

Arthur Himself
Arthur Himself

Lowell Franklin
Lowell Franklin

ATTEST:

Mary Jane Weathers
Mary Jane Weathers, Auditor of Hendricks County

JUL 26 1976

Mary Jane Heatheris
AUDITOR HENDRICKS COUNTY

7037
RESOLUTION AMENDING THE SUBDIVISION CONTROL
ORDINANCE OF HENDRICKS COUNTY, INDIANA

WHEREAS, Chapter 174 of the Acts of the General Assembly for 1947, as amended, granted certain powers to County Plan Commissions, relative to the platting of lands within their jurisdiction; and

WHEREAS, widespread damage is caused to bituminous curbing in existing subdivisions when snow is plowed from the streets thereof; and

WHEREAS, in order to reasonably prevent such damage to future subdivision streets, and in order to promote the health, safety, and welfare of the residents of those future subdivisions and of the people of Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, held a public hearing on March 8, 1976, pursuant to notice, and after having considered the Subdivision Control Ordinance of Hendricks County, Indiana, and all amendments thereto, and then being duly advised found that the typical cross sections for curbs should be amended.

NOW THEREFORE, be it recommended by the Hendricks County Plan Commission that the Subdivision Control Ordinance entitled "Subdivision Control Ordinance of Hendricks County, Indiana", enacted by the Board of Commissioners of Hendricks County, Indiana, on February 6, 1961, and all amendments thereto, be amended by deleting from the ordinance all references to curbs constructed of bituminous materials and substituting portland cement concrete therefor.

WHEREAS, an emergency exists for the more immediate taking effect of this amendment, it shall be in full force and effect for all subdivision streets or portions of subdivision streets on which curbing work has not commenced on the effective date of this ordinance.

If any section, clause, paragraph, provision, or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision, or portion of this amendment.

ENTERED FOR RECORD

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JUL 26 1976

At 10:37

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Marilee Abbott
RECORDER HENDRICKS COUNTY

Respectfully submitted,

E. E. Fowler III
President, Hendricks County Plan Commission
Nancy Sutter
Secretary

Passed and approved by the Board of Commissioners of Hendricks
County, Indiana, this 19 day of July, 1976.

BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA:

Howard Gibbs
Howard Gibbs

Arthur Himself
Arthur Himself

Lowell Franklin
Lowell Franklin

ATTEST:

Mary Jane Weathers
Mary Jane Weathers, Auditor of Hendricks County

This instrument was prepared by E. Alonzo Deckard, Attorney at Law
Danville, Indiana

FILED

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JUL 26 1976

7038

RESOLUTION AMENDING THE SUBDIVISION CONTROL
ORDINANCE OF HENDRICKS COUNTY, INDIANA

Mary Jane Heatheris
AUDITOR HENDRICKS COUNTY

WHEREAS, Chapter 174 of the Acts of the General Assembly for 1947, as amended, granted certain powers to County Plan Commissions, relative to the platting of lands within their jurisdictions; and

WHEREAS, a large number of swales in existing subdivisions in Hendricks County collect and hold ponded water and/or are so saturated and waterlogged that they cannot be properly mowed nor otherwise cared for by property owners in the same way that such owners normally maintain other parts of their lands; and

WHEREAS, such swampy conditions are hazardous to the health, safety, and welfare of the residents in those subdivisions and of the people of Hendricks County, Indiana; and

WHEREAS, in order to reasonably prevent property owners in future subdivisions from experiencing the problems described above, and in order to promote the health, safety, and welfare of the people of Hendricks County, Indiana, the Hendricks County Plan Commission held a public hearing on March 8, 1976, pursuant to notice, and after having considered the Subdivision Control Ordinance of Hendricks County, Indiana, and all amendments thereto, and then being duly advised found that Chapter 3 entitled Subdivision Standards should be amended by adding an additional section on tile drains.

NOW THEREFORE, be it recommended by the Hendricks County Plan Commission that the Subdivision Control Ordinance entitled "Subdivision Control Ordinance of Hendricks County, Indiana", enacted by the Board of Commissioners of Hendricks County, Indiana, on February 6, 1961, and all amendments thereto, be amended by adding to Chapter 3 the following section which reads as follows:

SECTION 3.08 TILE DRAINS

3.08.01 Purpose and Scope:

The general purpose of tile drains is to provide adequate subsurface drainage for swales (and elsewhere in subdivisions as needed) but excluding roadside swales wherein subsurface drains will be installed. If agreed to by the County Engineer prior to final subdivision approval, crawl space and foundation drains may be connected to tile drains instead of subsurface drains (Sec. 3.07),

ENTERED FOR RECORD

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Marville Abbott
RECORDER HENDRICKS COUNTY

but no such permission can be granted unless stub laterals are installed in accordance with Section 3.07 as an integral part of and installed during the construction of the tile drain. Wherever in this ordinance the word "swale" or pronouns in place of it are used the intent and meaning shall be interpreted as an artificial waterway or segment thereof which carries runoff from three acres or more of watershed, or any artificial waterway (regardless of watershed size) into which drainage conduits discharge.

Tile drains shall be required where swales will be constructed on soils rated moderate or severe under the column headed "Sewage disposal fields" in Table 8 of the Soil Survey of Hendricks County, Indiana, issued November 1974, which survey is made a part hereof by reference.

- 3.08.02 Design:
Tile drains shall be sized in accordance with the design requirements for subsurface drains (Sec. 3.07.03). Tile strength shall be determined from trench width and depth, kind of backfill material, type of tile bedding, nature of the foundation, and expected live loads.
- 3.08.03 Location:
Typically, the tile drain shall be located parallel with and 5 feet from the center line of the swale, but local conditions will determine the most feasible location. Where a tile drain has been approved for use as an outlet for crawl space and foundation drains, a stub lateral 4 inches or more in diameter shall be constructed to the edge of the drainage easement where its end shall be sealed, all in conformity with Section 3.07.04. Laterals shall be installed at the time of constructing the tile drains and cannot be added later.
- 3.08.04 Tile Requirements:
Tile shall conform to the requirements of AASHTO M78 for concrete or M179 for clay for the specified material, diameters, and quality classes, excepting that pipe having a higher crushing strength shall be used where necessary to prevent overloading. Where a tile drain discharges at an open waterway without a headwall, the outlet pipe shall be corrugated metal pipe at least 16 feet long.
- 3.08.05 Construction Requirements:
Trenching, laying tile, and backfilling shall be in conformity with the requirements specified for "Tile Drains" in "Indiana State Highway--Standard Specifications" which are in effect at the time of the construction of the tile drains, which specifications are made a part hereof by reference.
- The County Engineer shall be notified in writing at least three days prior to the dates on which backfilling of trenches is expected to be undertaken. Backfill placed before the specified dates may have to be removed for inspection of the tile.
- 3.08.06 Combination Drains:
The tile drains specified in this section may also be used as storm water drains but only upon the condition that the County Engineer approves the design data as submitted beforehand by the Design Engineer showing that said drains will be adequate for both purposes.

- 3.08.07 Basement Drains:
If agreed to by the County Engineer prior to final subdivision approval, basement drains intercepting and carrying only excess ground water may be connected to tile drains instead of to subsurface drains (Sec. 3.07), but such permission cannot be granted unless said connections are made to stub laterals which are installed in accordance with Section 3.07 as an intergral part of and during the construction of the tile drain. Basement drains that are sanitary drains shall be discharged into the sanitary disposal system which serves the building.
- 3.08.08 Roof Drains:
Roof drains (downspouts) shall not be connected to the drains specified herein.
- 3.08.09 Restrictive Covenants:
Sections 3.08.07 and 3.08.08 hereof shall be included in the restrictive covenants of every subdivision with appropriate language.

This amendment shall be in full force and effect for all subdivisions which have not received final approval as of the effective date of this Ordinance.

If any section, clause, paragraph, provision, or portion of this amendment shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, paragraph, provision, or portion of this amendment.

Respectfully submitted,

E. E. Foushay III
President, Hendricks County Plan Commission

Nancy W. Sutton
Secretary

Passed and approved by the Board of Commissioners of Hendricks County, Indiana this 19 day of July, 1976.

BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:

Howard Gibbs
Howard Gibbs

Arthur Himself
Arthur Himself

Lowell Franklin
Lowell Franklin

ATTEST:

Mary Jane Weathers
Mary Jane Weathers, Auditor of Hendricks County

This instrument was prepared by E. Alonzo Deckard, Attorney at Law
Danville, Indiana

RESOLUTION NO. 82

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, has by Resolution No. 81 dated March 15, 1976, requested the Hendricks County Council to establish the Hendricks County Economic Development Commission; and

WHEREAS, by Ordinance No. 1 dated March 15, 1976, the Hendricks County Council has established and created the Hendricks County Economic Development Commission and has nominated Mr. POPE, of _____, DANVILLE, Indiana, as its nominee for membership on such Commission; and

WHEREAS, pursuant to Resolution No. 1-76 dated February 9, 1976, the Board of Trustees of the Town of Plainfield, Indiana, nominated Mr. ECCLES, of PLAINFIELD, _____, Indiana, as the nominee of the Town of Plainfield for membership on the Commission; and

WHEREAS, the Board of County Commissioners desires to appoint Mr. ARTHUR HIMSEL, of R #2 BOX 235, DANVILLE, Indiana, as its appointee for membership on the Hendricks County Economic Development Commission;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Hendricks County, Indiana:

1. Mr. ARTHUR HIMSEL, of R #2 BOX 235, DANVILLE, Indiana, the appointee of the Board of County Commissioners of Hendricks County, Indiana, is hereby appointed as a member of the Hendricks County Economic Development Commission for a term of three (3) years.

2. Mr. CHARLES POPE, of R #5 BOX 35, DANVILLE, Indiana, the nominee of the Hendricks County Council is hereby appointed as a member of the Hendricks County Economic Development Commission for a term of two (2) years.

3. Mr. CHARLES ECCLES, of 1007 HESS STREET, PLAINFIELD, Indiana, the nominee of the Board of Trustees

of the Town of Plainfield is hereby appointed as a member of the Hendricks County Economic Development Commission for a term of one (1) year.

4. Each of the above appointed Commissioners shall take office immediately and each of their terms shall begin immediately upon their qualifications and shall run the designated number of years from February 1, 1977.

Passed and Adopted by the Board of County Commissioners of Hendricks County, Indiana, on the 15th day of March, 1976.

Howard Hilby
Arthur Hinsel
Raymond L. Loran

COUNTY BOARD OF COMMISSIONERS
HENDRICKS COUNTY, INDIANA

RESOLUTION

WHEREAS, there presently exists in the Town of Plainfield, Hendricks County, Indiana, a need for the financing of certain economic development facilities in said Town as authorized by Indiana Code, Sections 18-6-4.5-1, et seq., as amended.

WHEREAS, that on March 15, 1976, the County of Hendricks created a Commission for economic development which is known as the Hendricks County Development Commission, and that on July 22, 1976, said Development Commission, by a Resolution duly adopted, found that it is to the benefit of the Town of Plainfield and the County of Hendricks to promote employment opportunities and diversification of business by inducing McDonald's Corporation to locate certain facilities in the Town of Plainfield, and that to achieve this end, the acquisition and construction of such facilities should be financed by the issuance of Economic Development Bonds of the County of Hendricks.

WHEREAS, it is necessary that the governing body of the County of Hendricks find by written resolution that the proposed financing will be of benefit to the welfare of the municipality and County and therefore that Economic Development Bonds should be issued.

NOW THEREFORE, BE IT RESOLVED, by the County Council of Hendricks County, Indiana, as follows:

Section 1. That the County Council of Hendricks County, Indiana, hereby finds that the proposed financing of the McDonald's Corporation facilities (the "Project") to be located within the Town of Plainfield substantially in accordance with the Economic Development Facilities Report of Aiello, Zappala & Company, Inc., entitled "Presentation to the County of Hendricks, Indiana", through the issuance of Economic Development Bonds by the County, will be of benefit to the health and welfare of the Town of Plainfield and the County of Hendricks, and that the County Council of Hendricks County, Indiana hereby adopts such a resolution approving of the proposed issuance of said Economic Development Bonds.

CERTIFICATE OF APPOINTMENT

We, the duly elected Commissioners of Hendricks County, Indiana, hereby certify that we did, on the 15th day of March, 1976, appoint CHARLES POPE as a member of the Hendricks County Economic Development Commission for a term of two (2) years on the nomination of the Hendricks County Council.

IN WITNESS WHEREOF, we have set our hands and official seal this 15th day of March, 1976.

Howard G. Galt
Arthur H. Hines
Samuel J. Hines

Attest:

Mary Jane Keathern

Auditor

OATH OF OFFICE

I, CHARLES POPE, having been duly appointed to the office of member of the Hendricks County Economic Development Commission, do solemnly swear that I will support the Constitution of the United States and Constitution of the State of Indiana, and I will faithfully discharge all of my official duties.

Charles Pope

Signed and sworn to before me, the Auditor of Hendricks County, Indiana, this 15th day of March, 1976.

Mary Jane Keathern

CERTIFICATE OF APPOINTMENT

We, the duly elected Commissioners of Hendricks County, Indiana, hereby certify that we did on the 15th day of March, 1976, appoint CHARLES ^{ECCLES} ~~ROSE~~ as a member of the Hendricks County Economic Development Commission for a term of one (1) year, on the nomination of the ^{Town Board} ~~Common Council~~ of the Town of Plainfield, Indiana.

IN WITNESS WHEREOF, we have set our hands and official seal this 15th day of March, 1976.

Howard Webb
Arthur Hinnel
Lawrence L. Loeffler

Attest:
Mary Jane Weathers
Auditor

OATH OF OFFICE

I, CHARLES ECCLES, having been duly appointed to the office of member of the Hendricks County Economic Development Commission do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully discharge all of my official duties.

Charles Eccles

Signed and sworn to before me, the Auditor of Hendricks County, Indiana, this 15th day of March, 1976.

Mary Jane Weathers

#7

CERTIFICATE OF APPOINTMENT

We, the duly elected Commissioners of Hendricks County, Indiana, hereby certify that we did, on the 15th day of March, 1976, appoint ARTHUR HIMSEL as a member of the Hendricks County Economic Development Commission for a term of three (3) years, on our own nomination.

IN WITNESS WHEREOF, we have set our hands and official seal this 15th day of March, 1976.

Howard Zibls
Bill H. Thompson
Arthur Himself

Attest:

Mary Jane Keathers
Auditor

OATH OF OFFICE

I, ARTHUR HIMSEL, having been duly appointed to the office of member of the Hendricks County Economic Development Commission, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully discharge all of my official duties.

Arthur Himself

Signed and sworn to before me, the Auditor of Hendricks County, Indiana, this 15th day of March, 1976.

Mary Jane Keathers

CERTIFICATE

I, Patricia J. Noel, hereby certify that Arthur Himself, Charles Pope and Charles Eccles are the present members of the Hendricks County Economic Development Commission and that no successors have been duly appointed and have qualified since the expiration of their terms.

Date: 4-20-81

Patricia J. Noel
Patricia J. Noel
Auditor of Hendricks County

RESOLUTION NO. 1

WHEREAS, Hendricks County, Indiana (the "County") was authorized under the Promotion of Economic Development Act of 1973, Acts of Indiana General Assembly 1973, Public Law 182, (I.C. 1971, 18-6-4.5) to create an Economic Development Commission to issue revenue bonds for the financing of industrial facilities; and

WHEREAS, on December 15, 1975, the Board of County Commissioners of Hendricks County made a finding that there existed a need for the financing of economic development facilities which was not being met by any existing city or town development commissions and entered an order to that effect; and

WHEREAS, the County Council understands that if after ninety (90) days from December 15, 1975, the Board of County Commissioners finds that the needs for financing economic development facilities are not being adequately met by an existing development commission it intends to request the County Council to establish a county economic development commission; and

WHEREAS, Maplehurst Deli-Bake, Inc., a corporation duly organized under the laws of the State of Indiana (the "Company") has advised the County Council that it has under consideration a program for the acquisition and expansion of certain of its industrial facilities located in Avon, Indiana; and

WHEREAS, such facilities include the expansion of an existing building to house additional production and warehousing capabilities and the purchase and installation of additional production equipment at a presently estimated cost of Six Hundred Thousand Dollars (\$600,000.00); and

WHEREAS, the Company has further advised the County Council that a determination by the County Council to form a county economic development commission and to issue its revenue bonds under the Act to finance the acquisition and expansion of the facilities will constitute a substantial inducement to the Company to proceed with the acquisition and expansion of the facilities; and

WHEREAS, the principal of, interest on, and all other expenses necessary in providing the debt service on said bonds will be made from payments by the Company to the County or the Trustee and will not require any expenditure of the County's funds; and

WHEREAS, subject to all required approvals under the Act, the County intends to use its best efforts to cooperate with the Company by completing formation of a county economic development commission and issuing the County's revenue bonds to finance the facilities;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Hendricks County, Indiana:

1. The County Council finds and determines that the issuance and sale of revenue bonds of the County under the Act and the use of the proceeds derived therefrom to finance the acquisition and expansion of the facilities, and the expenses incidental thereto, will serve the public purposes referred to above, in accordance with the Act.

2. In order to induce the Company to proceed with the acquisition and expansion of the facilities the County Council hereby determines that upon the recommendation of the County Economic Development Commission after its formation, (a) it will approve the authorization by such Commission of one or more series of revenue bonds of the County pursuant to the Act, to finance the cost of acquisition and expansion of the facilities, including reimbursement or repayment to the Company of any monies expended by the Company for such acquisition; (b) approve the entry by the Commission into contractual arrangements with the Company to apply the proceeds derived from the issuance and sale of such revenue bonds to the financing of the acquisition and expansion of the facilities and the expenses incidental thereto, and whereby payments to be made by the Company shall be sufficient to pay said bonds and the interest thereon, as and when the same shall become due and payable; (c) adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such actions as may

be required to implement the aforesaid, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be as authorized by law and as mutually acceptable to the County and the Company.

3. It is hereby recognized that the issuance and sale of revenue bonds by the County under the Act for the purposes set forth herein shall be subject to the County obtaining all approvals as may be required under the Act.

4. The obligation of the Commission and the County shall be limited solely to the good faith efforts to consummate said proceedings and issue the bonds, and neither the Commission, the County, its officers nor agents shall incur any liability whatsoever if for any reason the proposed issuance of the bonds are not consummated.

PASSED AND ADOPTED by the County Council of Hendricks County, Indiana, on the 5 day of June, 1976.

Joseph L. Landon
Chairman of the Council

ATTEST:

Mary Jane Weathers
Hendricks Co. Auditor