RESOLUTION 81-17

Inducement Resolution for Economic Development Bonds for Mayhill Homes Corporation's Trucking Facility

WHEREAS, the City of Bloomington, Indiana (the "City") is authorized by IC 18-6-4.5 (the "Act") to issue revenue bonds to apply on the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, and equipping of said facilities either directly or by loan to a company and said facilities to be either owned by or leased or sold to a company; and

WHEREAS, Mayhill Homes Corporation or any related company (the "Company") or its nominee has advised the Bloomington Economic Development Commission and the City that it proposes that the City acquire, construct and equip certain economic development facilities and sell or lease the same to the Company or its nominee or that the City loan the proceeds of such a financing to the Company or its nominee for such purposes, said economic development facilities to be an approximate 5,100 square foot trucking facility with office space, maintenance, repair, shipping and parking facilities, tractors and trailers, for the purpose of providing transportation and the repair and maintenance of delivery equipment, for local industry, including but not limited to the transportation fleet of Mayhill Homes Corporation, to be located on an approximate 7 acre tract of land just outside of Bloomington, Indiana (the "Project"); and

WHEREAS, the diversification of economic development and increase in job opportunities (approximately 15 new jobs) to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the City of Bloomington and its citizens; and

WHEREAS, having received the advice of the Bloomington Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, the acquisition and construction of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in Bloomington, Indiana;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Bloomington, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the City of Bloomington; and that it is in the public interest that the Bloomington Economic Development Commission and said City take such action as it lawfully may to encourage diversification of business and promotion of job opportunities in and near said City.

SECTION II. The Common Council further finds, determines, ratifies, and confirms that the issuance and sale of revenue bonds of the City in an amount of approximately $850,000 under the Act to apply on the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Company or its nominee or the loaning of the proceeds of such a financing to the Company or its nominee for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION III. In order to induce the Company or its nominee to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be

required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the City and the Company or its nominee; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION IV. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Company or its nominee of moneys expended by the Company or its nominee for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the City will thereafter either lease the same to the Company or its nominee or loan the proceeds of such financing to the Company or its nominee for the same purposes.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17th day of June, 1981.

Alfred I. Towell, President
Bloomington Common Council

ATTEST:

Nora M. Connors, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18th day of June, 1981.

Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 19th day of June, 1981.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

IC 18-6-4.5 authorizes cities to issue revenue bonds for the financing of economic development facilities. Mayhill Homes would like to construct a Trucking Facility with bonds in the amount of $850,000, and they state that 15 new jobs will be created. The City has no liability for these bonds if approved.