

Issuing Agent: Thomas Pugh

Issuing Office: Gates Land Title Corp.

Issuing Office's ALTA® Registry ID: 0001135

Loan ID Number:

Commitment Number:

Property Address: 2664 E 100 South, Columbia City IN 46725

## SCHEDULE A COMMITMENT

1. Commitment Date: October 21, 2024 8:00 A.M.
2. Policy to be issued: (enter text here)
  - a. 2021 ALTA® Owner's Policy  
Proposed Insured: To be determined  
Proposed Amount of Insurance: \$ to be determined  
The estate or interest to be insured: Fee Simple
  - b. 2021 ALTA® Loan Policy  
Proposed Insured:  
Proposed Amount of Insurance: \$  
The estate or interest to be insured: Fee Simple
3. The estate or interest in the Land at the Commitment Date is: Fee Simple
4. The Title is, at the Commitment Date, vested in:  
Kerry Pulley, Kevin Pulley, and Douglas Pulley, as equal tenants in common, as shown on Instrument #2023100336, in the Office of the Whitley County Recorder. (Subject to the life estate reserved by Ronald D. Pulley)
5. The Land is described as follows: See Full Description Attached as Exhibit 'A'

Tax Key Number: 92-05-18-000-103.000-012

*This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions.*

ORT Form 4757 A

Schedule A – ALTA Commitment for Title Insurance 2021 v. 01.00

07/01/2021

**Schedule** \_\_\_\_\_ **Continued**

File Number

Policy Number

**Commencing at the northwest corner of the Northeast Quarter of the Northeast Quarter of Section eighteen (18), Township thirty-one (31) North, Range ten (10) East; thence south no degrees 15 minutes west along the west line of the said Northeast Quarter 361 feet; thence due east parallel with the north line of the said Northeast Quarter 120 feet; thence north no degrees 15 minutes east, parallel with the west line of the said Northeast Quarter, 361 feet to the north line of the said Northeast Quarter; thence due west along the north line of the said Northeast Quarter 120 feet to the point of beginning, containing .99 acre, more or less, and subject to a twenty-foot wide public road right of way along the north edge thereof for Whitley County Road No. 100S.**

# SCHEDULE B I COMMITMENT

## REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Warranty Deed to Owner's Policy Proposed Insured.
  - (1) Deed should also extinguish life estate of Ronald D. Pulley who died on June 28, 2024.

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## SCHEDULE B II COMMITMENT

### EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Facts which would be disclosed by a comprehensive survey of the premises herein described.
3. Rights or claims of parties in possession.
4. Mechanics', Contractors' or Materialmen's liens and lien claims, if any, where no notice thereof appears of record.
5. Any change in title occurring subsequent to the effective date of this Commitment and prior to the date of issuance of the title policy.
6. Taxes payable in the name of Kerry Pulley, et al.  
Tax Key Number: 92-05-18-000-103.000-012  
Tax Description: 1A NW CCR NE4 NE4 18-31-10 1A  
Valuations: Land - \$31600; Improvements - \$153200; Exemptions - \$14000A and \$100560H.  
Taxes for 2023 payable 2024: \$142.12 due May 10 was paid April 29; \$142.12 due November 10 was paid April 29.  
Taxes for the year 2024, a lien for an amount not yet due or payable.  
NOTE: An annual \$70.00 user fee for recycling is collected with Spring taxes. (\$70.00 was paid April 29)  
Possible future assessments on Ditches: #144-000A; #573-000A; #573-000B and #573-000AB.
7. Possible easements and rights of way for drainage ditches, drain tile, feeders, laterals and underground pipes, whether shown of record or not shown of record.
8. Easements, or claims of easements, not shown by the public records.
9. Subject to legal right of way for County Road 100S.
10. Drainage Agreement, dated July 24, 1962 and recorded July 26, 1962 in Miscellaneous Record 9, page 228.

### C O N T I N U E D

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ORT Form 4757 B II

Schedule B II - ALTA Commitment 2021 v. 01.00

07/01/2021

Schedule B-II Continued

File Number

Policy Number

11. Redevelopment Commission Resolution No. 2019-05, recorded August 15, 2019 as Instrument #2019080256, in the Office of the Whitley County Recorder.
12. Redevelopment Commission Resolution No. 2019-06, recorded September 24, 2019 as Instrument #2019090437, in the Office of the Whitley County Recorder.
13. We have made judgment searches vs: Kerry Pulley; Kevin Pulley; Douglas Pulley; and found none.

NOTE: All recording references are to the Whitley County, Indiana, Recorder's Office.

NOTE: No search has been made for: notices of underground facilities; impact fee; utility bills and association dues.

NOTE: IC 27-7-3-22, Effective July 1, 2013, in a residential real estate transaction where a title policy is issued and the issuing title insurance company will also act as a settlement or closing agent, the company shall issue a closing protection letter to the lender, borrower, buyer and seller of the property. The cost of said letter is: Lender \$25.00; Borrower \$25.00; Buyer \$25.00 and Seller \$25.00. This coverage is required by statute.

NOTE: Effective July 1, 2021 the County Auditor will collect a \$20.00 fee for each deed filed and an additional \$10.00 for per parcel. IC 6-1.1-5.5-4

NOTE: Zoning issues/questions should be directed to the Whitley County Planning and Building Department as the title company does not guarantee Zoning.

MISC 9

MIS 9-228  
PAGE 228

Drainage Agreement

The Contractor agrees that he will pay promptly and in full, as and when they become due and payable, all bills and claims for labor performed and materials or machinery furnished by all sub-contractors, journey-men, material-men, mechanics and laborers, and by any and all other persons, firms and corporations, in the construction of said building and appurtenances; and that he will keep said building and appurtenances, and every part thereof, and said real estate, and every part thereof, free and clear of any and all mechanics liens for labor performed and materials or machinery furnished, by any such sub-contractors, journeymen, material-men, mechanics, laborers, or other persons, firms and corporations;

The Contractor, for himself, and for all sub-contractors, journeymen, material-men, mechanics and laborers, and all other persons, firms and corporations, performing labor and furnishing materials or machinery for the construction of said building and appurtenances, does hereby agree that no lien or notice of lien shall in any event or circumstance whatever, attach to, or be claimed or filed against said building and appurtenances, or any part thereof, or against the real estate on which the same is located, or any part thereof;

The Contractor, for himself, and for all sub-contractors, journeymen, material-men, mechanics and laborers, and for any and all other persons, firms and corporations, performing labor and furnishing materials and machinery, in the construction of said building and appurtenances, for which a mechanics lien might be claimed or filed, does hereby expressly waive and relinquish all right to claim or file a mechanics lien against said building and appurtenances, or any part thereof, and against said real estate, or any part thereof;

The Contractor, for himself, and for all sub-contractors, journeymen, material-men, mechanics and laborers, and all other persons, firms and corporations, performing labor and furnishing materials and machinery, in the construction of said building and appurtenances, does hereby agree that no contract, agreement, or understanding between said Contractor and any such sub-contractor, journeymen, material-men, mechanic or laborer, or any other persons, firm or corporation, or any want of actual notice of the existence of this contract, on the part of any such sub-contractor, journeyman, material-man, mechanic or laborer, or other person, firm or corporation, shall in any way affect the terms hereof, or give any right to file or claim a mechanics lien, by reason of any labor performed and materials and machinery furnished in the construction of said building and appurtenances; and that any and all labor performed and materials and machinery furnished in the construction of said building and appurtenances shall be deemed to have been performed and furnished in accordance with the terms of this contract, and with full acceptance of the provisions against liens therein contained; and that this contract shall be deemed to be a complete defense against any attempt to claim or file a lien against said building and appurtenances, and any part thereof, or against said real estate or any part thereof;

IN WITNESS WHEREOF, the parties have hereunto set their hands this 25th day of July, A. D. 1962.

George H. Bock

Jeannette F. Bock  
Owner

Nordass American Homes  
By George Bogenschutz  
Contractor

STATE OF INDIANA  
WHITLEY COUNTY SS:

Before me, the undersigned, a Notary Public in and for said County and State, appeared the above named George H. Bock and Jeannette F. Bock, husband and wife, and Nordaas American Homes, a Minnesota corporation, by By George Bogenschutz personally known to me to be the persons who executed the attached Building and No-Lien contract, and acknowledged the execution thereof to be their voluntary act and deed, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, this 25th day of July, A. D. 1962.

My commission expires: 3/17/1965 (NOTARY SEAL) Jean Johnson-Notary Public --Whitley County, Indiana.

This instrument prepared by Benton E. Gates, Jr., Attorney at Law, Columbia City, Indiana.

Ray J. Hively, Recorder

#2563 Maurice R. Rouch and wife to Ronald D. Hile and wife  
Filed July 26, 1962 at 11:30 A.M.

AGREEMENT

THIS AGREEMENT, Made and entered into this 24th day of July, 1962 by and between Maurice Rouch and Mary Jane Rouch, husband and wife, First Parties and Ronald D. Hile and Mary O. Hile, Second Parties, all of Whitley County, Indiana, WITNESSETH THAT:

WHEREAS, on July 9, 1957 the First Parties executed a Warranty Deed to Albert L. Smith and Lois E. Smith, husband and wife for the conveyance of the following real estate:

Three acres of land out of the Northwest corner of the Northeast quarter of the Northeast quarter of Section Eighteen (18), Township Thirty-one (31) North, Range Ten (10) East described as follows: Commencing at the Northwest corner of the Northeast quarter of the Northeast quarter thence East along the North line of said quarter for Three Hundred Sixty-one (361) feet; thence South parallel with the West line of the Northeast quarter for 361 feet; thence West parallel with the North line of said quarter for 361 feet to the West line of the Northeast quarter of the Northeast quarter; thence North along the said West line for 361 feet to the place of beginning, containing three (3) acres of land, more or less.

WHEREAS the said Maurice R. Rouch and Mary Jane Rouch in said Warranty Deed gave to the said Albert L. Smith and Lois E. Smith the following rights and privileges:

"The Grantees shall have the right to construct and maintain a tile drain over the adjacent real estate of the Grantors to the public tile ditch that runs north and south through the Grantors adjacent land."

and

WHEREAS the said Albert L. Smith and Lois E. Smith are now conveying by Warranty Deed the above described real estate to Ronald D. Hile and Mary O. Hile, husband and wife.

IT IS THEREFORE AGREED AND UNDERSTOOD that the said Albert L. Smith and Lois E. Smith, shall have the right by the terms of this Agreement to give to the said Ronald D. Hile and Mary O. Hile the same rights to construct and maintain a tile drain as set forth above and the said Maurice R. Rouch and Mary Jane Rouch now consent to the conveyance of this right by the said Albert L. Smith and Lois E. Smith, husband and wife, to the Second Parties, Ronald D. Hile and Mary O. Hile, husband and wife in a Warranty Deed dated July 6, 1962 from the said Albert L. Smith and Lois E. Smith, husband and wife, Grantors, to Ronald D. Hile and Mary O. Hile, husband and wife, Grantees.

IT IS FURTHER AGREED AND UNDERSTOOD that if a tile drain is constructed that there shall be no damage to any crops belonging to the First Parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and signatures this 24th day of July, 1962.

Maurice R. Rouch

Mary Jane Rouch

FIRST PARTIES

Ronald D. Hile

Mary O. Hile

SECOND PARTIES

Prepared by Robert E. Gates, Attorney at Law, Columbia City, Indiana.

Ray J. Hively, Recorder

#578 Clarence D. Kahn and wife to Morsches Lumber Company, Inc.  
Filed July 27, 1962 at 11:00 A.M.

NOTICE OF MECHANIC'S LIEN

July 27, 1962

To Clarence D. Kahn, Betty Lou Kahn, and all others concerned.

You are Hereby Notified, That the undersigned intend to hold a Mechanic's Lien on the following described real estate situated in Washington Township: The Northwest corner of the Northeast quarter of Section 19, Township 30 North of Range 9 East. Containing 1/2 acre.

as well as upon the dwelling house recently remodeled thereon for the sum of Fifty-----95/100 DOLLARS for materials furnished by the undersigned in the remodeling of said house, which materials furnished were furnished by the undersigned at your special instance and request, and within the last sixty days.

Morsches Lumber Company, Inc.

By John W. Whiteleather  
Its Attorney

This instrument was prepared by Attorney John W. Whiteleather.

Ray J. Hively, Recorder

#2581 Firestone & Scott, Inc. to Articles of Incorporation  
Filed July 27, 1962 at 11:45 A. M.

ARTICLES OF INCORPORATION  
OF  
FIRESTONE & SCOTT, INC.

The undersigned incorporators, desiring to form a corporation (hereinafter referred to as the "Corporation") pursuant to the provisions of The Indiana General Corporation Act, as amended (hereinafter referred to as the "Act"), execute the following Articles of Incorporation.

ARTICLE I  
Name

The name of the Corporation is FIRESTONE & SCOTT, INC.

2019080256

ROSEMARY BROWN  
WHITLEY COUNTY RECORDER  
COLUMBIA CITY, IN  
\$ 0.00 TX: 4014528  
08/15/2019 02:56:26 PM

RESOLUTION NO. 2019- 05

AMENDING DECLARATORY RESOLUTION OF THE  
WHITLEY COUNTY REDEVELOPMENT COMMISSION

WHEREAS, the Whitley County ("County") Redevelopment Commission ("Commission") has selected an economic development area to be developed under IC 36-7-14 and IC 36-7-25 (collectively, "Act") and did on December 20, 1993, adopt a declaratory resolution, as amended on October 7, 1998, May 7, 2008, October 12, 2010, October 15, 2014 and March 8, 2016 (collectively, as amended, "Area 1 Declaratory Resolution") establishing the Whitley County Economic Development Area No. 1 ("Area 1") and the Area 1 Declaratory Resolution was confirmed by a confirmatory resolution adopted on March 21, 1994, as last amended on April 5, 2016 (collectively, as amended, "Area Resolution");

WHEREAS, Area 1 hereinafter referred to as the "Area";

WHEREAS, the Confirmatory Resolution approved the Economic Development Plan of Area 1, each as amended (as amended, the "Plan") which Plan contained specific recommendations for economic development in the Area;

WHEREAS, the Commission now desires to amend the Area Resolution and Plan to add the acquisition of certain additional real property located in the Area, as set forth in Exhibit A attached hereto ("Real Property");

WHEREAS, IC 36-7-14-17.5 authorizes the Commission to amend the Area Resolution and Plan after conducting a public hearing, if it finds that:

Section 1. The amendments are reasonable and appropriate when considered in relation to the Area Resolution, the Plan and the purposes of IC 36-7-14; and

Section 2. The Area Resolution with the proposed amendment, conform to the Plan and the comprehensive plan for the County;

WHEREAS, the Commission has caused to be prepared:

(i) A list of the owner of the parcel of property proposed to be acquired for, or otherwise affected by, the amendment of the Area Resolution and Plan as well as the identification and map of Real Property as set forth on Exhibit A; and

(ii) An estimate of the costs to be incurred for the acquisition of the Real Property;





NOW, THEREFORE, BE IT RESOLVED BY THE WHITLEY COUNTY REDEVELOPMENT COMMISSION THAT:

Section 1. The Area Resolution and Plan is hereby amended to add the acquisition of Real Property located in the Area. The Commission finds that the acquisition of Real Property will further the Plan and that the Real Property will be located in, serve or benefit the Area; therefore, it will be of public utility and benefit to amend the Area Resolution and Plan to include the acquisition of the Real Property. The Commission further finds that the public health and welfare will be benefited by the amendment to the Area Resolution and Plan and will further implementation of the Plan.

Section 2. The Commission finds that the proposed amendment is reasonable and appropriate when considered in relation to the Area Resolution, the Plan and the economic development purposes set forth in IC 36-7-14.

Section 3. The Commission hereby finds that no other parcels of property in the Area will be affected by the acquisition of the Real Property or the accomplishment of the Plan.

Section 4. The presiding officer of the Commission is hereby authorized and directed to submit this resolution to the Whitley County Plan Commission ("Plan Commission") for its approval.

Section 5. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Board of Commissioners, to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1-4 and to file notice with the Plan Commission, the Board of Zoning Appeals, the Board of Public Works, the Park Board, the building commissioner and any other departments or agencies of the County concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the County's department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed acquisition of Real Estate and will determine the public utility and benefit of the proposed acquisition of Real Estate.

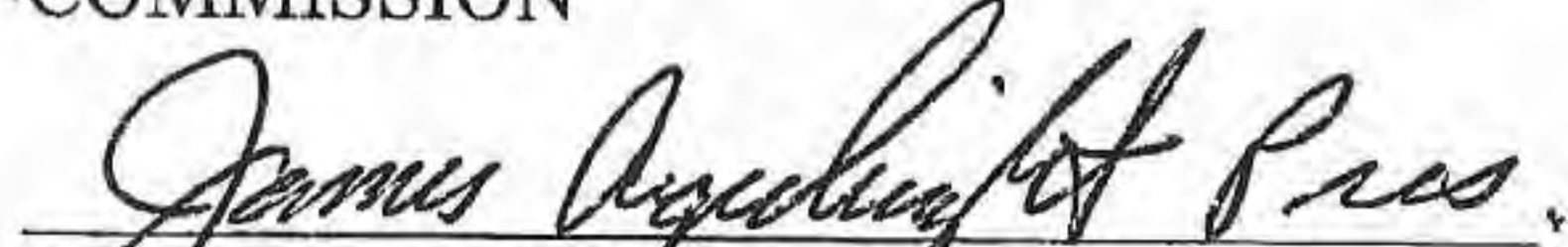
Section 6. The Commission further directs the presiding officer to submit this resolution to the Board of Commissioners for its approval of the amendment to the Area Resolution.


Section 7. All other provisions of the Area Resolution and the Plan are hereby ratified and confirmed.

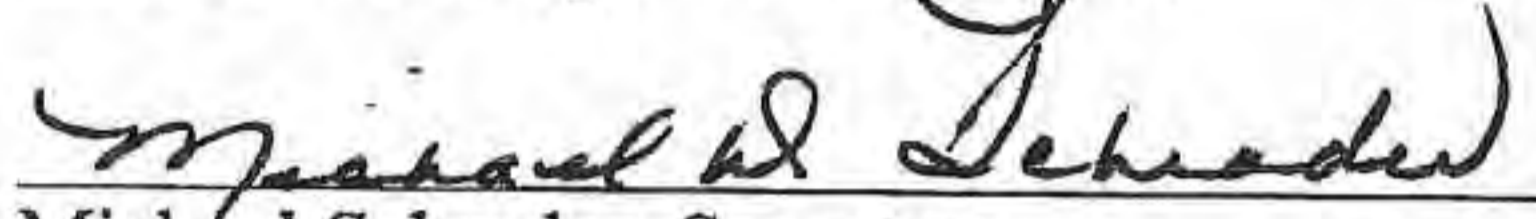
Section 8. This resolution shall be effective as of its date of adoption.

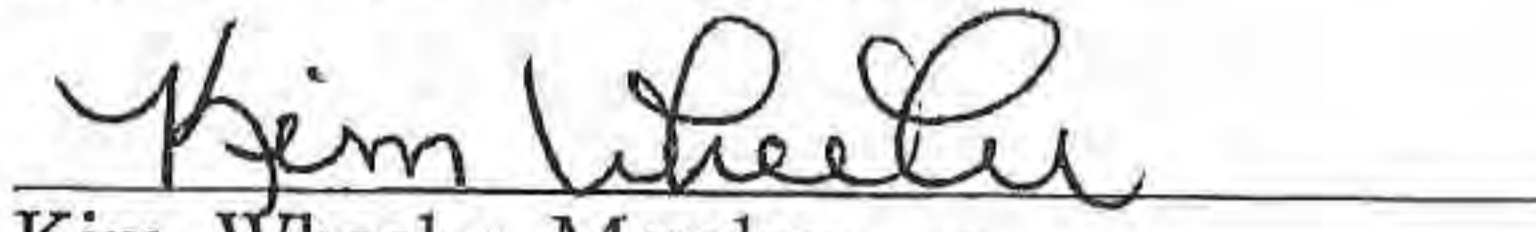
Adopted July 23, 2019.

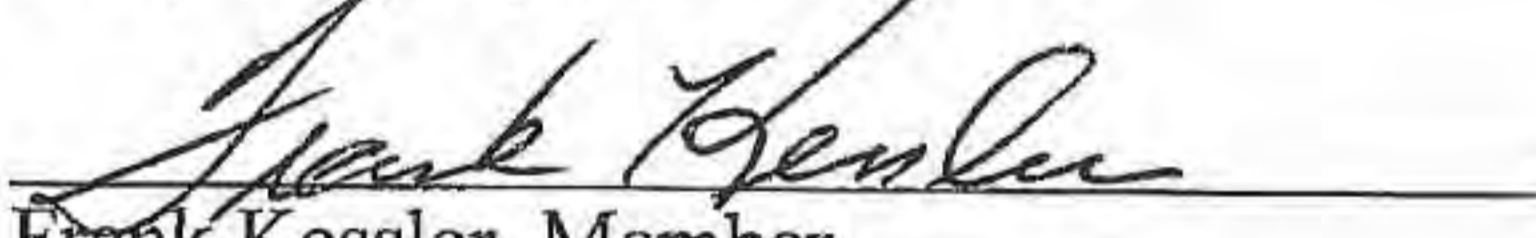
WHITLEY COUNTY REDEVELOPMENT  
COMMISSION

  
James Argerbright, President

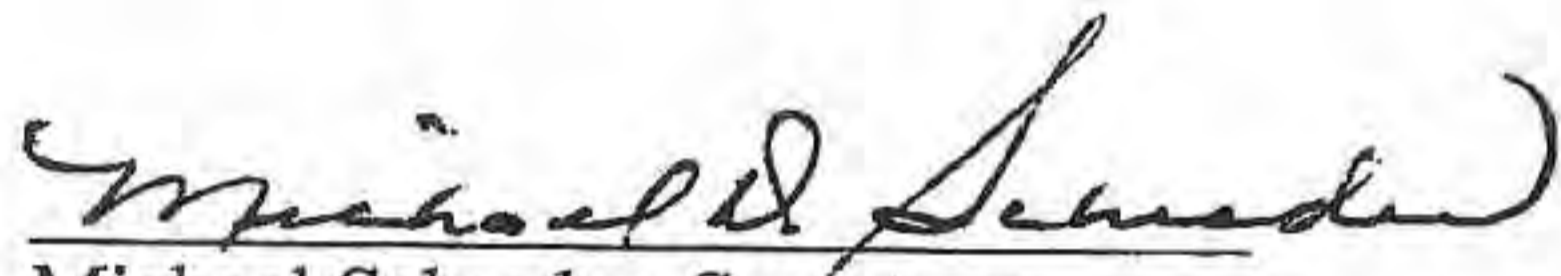
  
George Schrupf, Vice President

  
Michael Schrader, Secretary

  
Kim, Wheeler, Member

  
Frank Kessler, Member

ATTEST:

  
Michael Schrader, Secretary

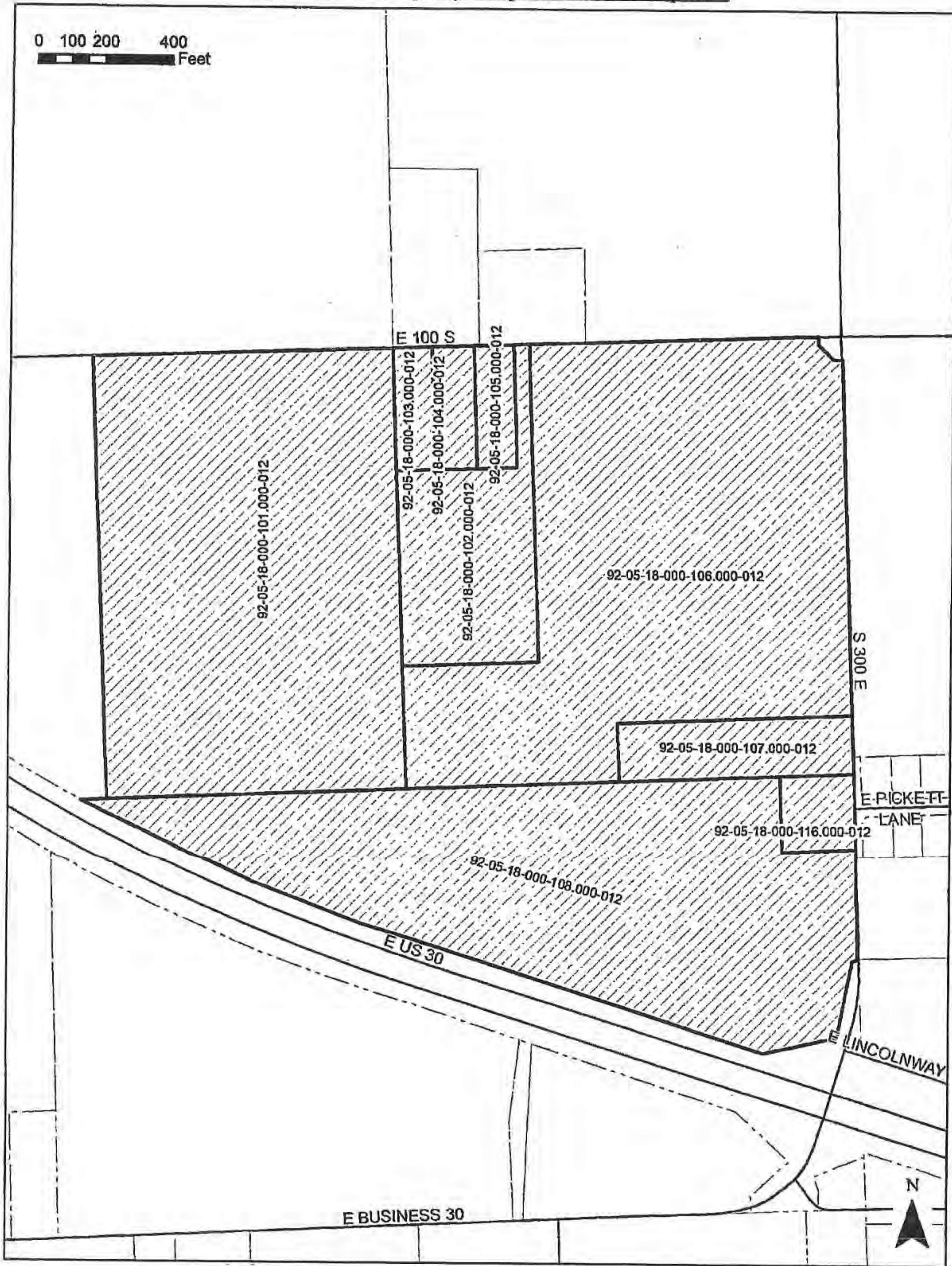
## EXHIBIT A

### List of Owners of Real Property Proposed to be Acquired

Parcel ID	Owner Name	Owner Address	City/State/ZIP	Estimated Cost to Acquire
92-05-18-000-101.000-012	Swihart Properties LLC	1380 S Williams Dr	Columbia City, IN 46725	\$406,250.00
92-05-18-000-102.000-012	Faulkner, Virginia K Trustee	2724 E 100 S	Columbia City, IN 46725	\$236,550.00
92-05-18-000-103.000-012	Pulley, Ronald D & Beverly J	2664 E 100 S	Columbia City, IN 46725	\$165,300.00
92-05-18-000-105.000-012	Haddock, Matthew & Amanda	2700 E 100 S	Columbia City, IN 46725	\$237,300.00
92-05-18-000-104.000-012	Pulley, Kerry D & Linda A	2680 E 100 S	Columbia City, IN 46725	\$149,250.00
92-05-18-000-116.000-012	Hoppe, Pamela S & Van Houten, Steven W	630 Squawbuck Rd	Columbia City, IN 46725	\$198,900.00
92-05-18-000-108.000-012	Hoppe, Pamela S & Van Houten, Steven W	630 Squawbuck Rd	Columbia City, IN 46725	\$447,500.00
92-05-18-000-106.000-012	Lamle, Hollie J	7868 E 500 South-92	Fort Wayne, IN 46818	\$478,750.00
92-05-18-000-107.000-012	Bayman, Charles H & Marcie A	1260 S 300 East	Columbia City, IN 46725	\$524,700.00

Note: Prices to be offered will not exceed the average of 2 appraisals unless otherwise approved in writing by the Commission.

Map of Real Property Proposed to be Acquired



I\3971434.1

2019090437

ROSEMARY BROWN  
WHITLEY COUNTY RECORDER  
COLUMBIA CITY, IN  
\$ 0.00 TX: 4015273  
09/24/2019 11:32:09 AM

RESOLUTION NO. 2019-06

RESOLUTION CONFIRMING THE RESOLUTION OF THE WHITLEY COUNTY REDEVELOPMENT COMMISSION ADOPTED ON JULY 23, 2019, ENTITLED "AMENDING DECLARATORY RESOLUTION OF THE WHITLEY COUNTY REDEVELOPMENT COMMISSION"

WHEREAS, the Whitley County ("County") Redevelopment Commission ("Commission") has selected an economic development area to be developed under IC 36-7-14 and IC 36-7-25 (collectively, "Act") and did on December 20, 1993, adopt a declaratory resolution, as amended on October 7, 1998, May 7, 2008 and October 12, 2010, October 15, 2014 and March 8, 2016 (collectively, as amended, "Area 1 Declaratory Resolution") establishing the Whitley County Economic Development Area No. 1 ("Area 1") and the Area 1 Declaratory Resolution was confirmed by a confirmatory resolution adopted on March 21, 1994, as last amended on April 5, 2016 (collectively, as amended, "Area 1 Confirmatory Resolution");

WHEREAS, the Area 1 Declaratory Resolution and the Area 1 Confirmatory Resolution are hereinafter collectively referred to as the "Area Resolutions";

WHEREAS, the Area Resolutions approved the Economic Development Plans of Area 1, as amended (collectively, as amended, "Plan") which Plan contained specific recommendations for economic development in Area 1;

WHEREAS, the Area Resolutions established allocation areas in accordance with IC 36-7-14-39 ("Allocation Areas") for the purpose of capturing property taxes generated from the incremental assessed value of real and depreciable personal property located in the Allocation Areas;

WHEREAS, on July 23, 2019, the Commission adopted a resolution amending the Area Resolutions ("Amending Declaratory Resolution") and Plan to add the acquisition of certain real property located in Area 1, as set forth in Exhibit A attached to the Amending Declaratory Resolution ("Real Property");

WHEREAS, the Commission submitted the Amending Declaratory Resolution and supporting data to the Whitley County Plan Commission and the Plan Commission has issued its written order approving the Amending Declaratory Resolution and Plan;

WHEREAS, the Board of Commissioners, by resolution adopted September 16, 2019, approved the order of the Plan Commission;

WHEREAS, the Commission published notice in the *Columbia City Post & Mail* and the *Churubusco News* of the adoption and substance of the Amending Declaratory Resolution, which notice also gave notice of a hearing on the proposed amendment to be held by the Commission;

WHEREAS, the notice described in the preceding paragraph was also filed in the office of the Plan Commission and any other departments, bodies or offices having to do with County planning, variances from zoning ordinances, land use or the issuance of building permits and to owners of property added to the acquisition list;

TX:4015273

8 0 2 0 4 1 4



WHEREAS, the Commission on September 24, 2019, conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

NOW, THEREFORE, BE IT RESOLVED BY THE WHITLEY COUNTY REDEVELOPMENT COMMISSION, THAT:

1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to amend the Plan and to add the acquisition of certain real property located in Area 1, as set forth in Exhibit A attached to the Amending Declaratory Resolution.

2. The Amending Declaratory Resolution and the Plan approved by the Commission on July 23, 2019, copies of which are attached hereto and incorporated herein, are hereby confirmed.

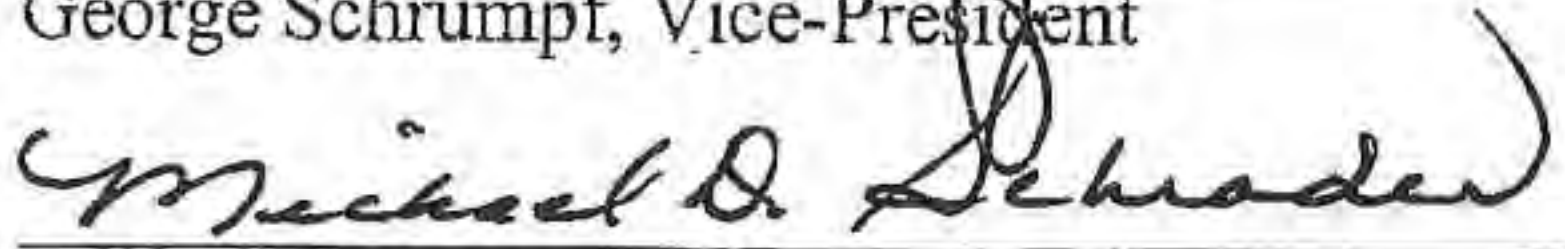
3. The Amending Declaratory Resolution, as confirmed, shall be attached to and incorporated in this resolution.

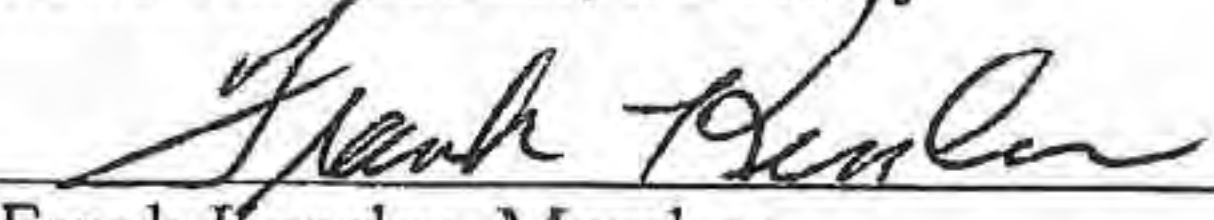
Adopted at a meeting of the Whitley County Redevelopment Commission held September 24, 2019, in Whitley County, Indiana.

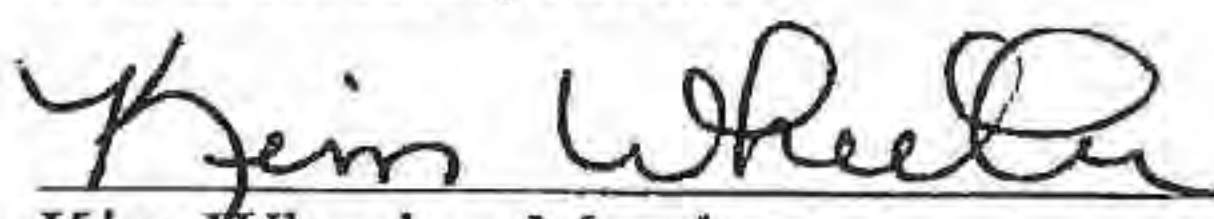
COUNTY OF WHITLEY, DEPARTMENT OF  
REDEVELOPMENT

\_\_\_\_\_  
Jim Argerbright, President

  
\_\_\_\_\_  
George Schrupf, Vice-President

  
\_\_\_\_\_  
Michael Schrader, Secretary

  
\_\_\_\_\_  
Frank Kessler, Member

  
\_\_\_\_\_  
Kim Wheeler, Member

ATTEST:

  
\_\_\_\_\_  
Jana Schinbeckler, Treasurer

RESOLUTION NO. 2019- 05

AMENDING DECLARATORY RESOLUTION OF THE  
WHITLEY COUNTY REDEVELOPMENT COMMISSION

WHEREAS, the Whitley County ("County") Redevelopment Commission ("Commission") has selected an economic development area to be developed under IC 36-7-14 and IC 36-7-25 (collectively, "Act") and did on December 20, 1993, adopt a declaratory resolution, as amended on October 7, 1998, May 7, 2008, October 12, 2010, October 15, 2014 and March 8, 2016 (collectively, as amended, "Area 1 Declaratory Resolution") establishing the Whitley County Economic Development Area No. 1 ("Area 1") and the Area 1 Declaratory Resolution was confirmed by a confirmatory resolution adopted on March 21, 1994, as last amended on April 5, 2016 (collectively, as amended, "Area Resolution");

WHEREAS, Area 1 hereinafter referred to as the "Area";

WHEREAS, the Confirmatory Resolution approved the Economic Development Plan of Area 1, each as amended (as amended, the "Plan") which Plan contained specific recommendations for economic development in the Area;

WHEREAS, the Commission now desires to amend the Area Resolution and Plan to add the acquisition of certain additional real property located in the Area, as set forth in Exhibit A attached hereto ("Real Property");

WHEREAS, IC 36-7-14-17.5 authorizes the Commission to amend the Area Resolution and Plan after conducting a public hearing, if it finds that:

Section 1. The amendments are reasonable and appropriate when considered in relation to the Area Resolution, the Plan and the purposes of IC 36-7-14; and

Section 2. The Area Resolution with the proposed amendment, conform to the Plan and the comprehensive plan for the County;

WHEREAS, the Commission has caused to be prepared:

(i) A list of the owner of the parcel of property proposed to be acquired for, or otherwise affected by, the amendment of the Area Resolution and Plan as well as the identification and map of Real Property as set forth on Exhibit A; and

(ii) An estimate of the costs to be incurred for the acquisition of the Real Property;

NOW, THEREFORE, BE IT RESOLVED BY THE WHITLEY COUNTY REDEVELOPMENT COMMISSION THAT:

Section 1. The Area Resolution and Plan is hereby amended to add the acquisition of Real Property located in the Area. The Commission finds that the acquisition of Real Property will further the Plan and that the Real Property will be located in, serve or benefit the Area; therefore, it will be of public utility and benefit to amend the Area Resolution and Plan to include the acquisition of the Real Property. The Commission further finds that the public health and welfare will be benefited by the amendment to the Area Resolution and Plan and will further implementation of the Plan.

Section 2. The Commission finds that the proposed amendment is reasonable and appropriate when considered in relation to the Area Resolution, the Plan and the economic development purposes set forth in IC 36-7-14.

Section 3. The Commission hereby finds that no other parcels of property in the Area will be affected by the acquisition of the Real Property or the accomplishment of the Plan.

Section 4. The presiding officer of the Commission is hereby authorized and directed to submit this resolution to the Whitley County Plan Commission ("Plan Commission") for its approval.

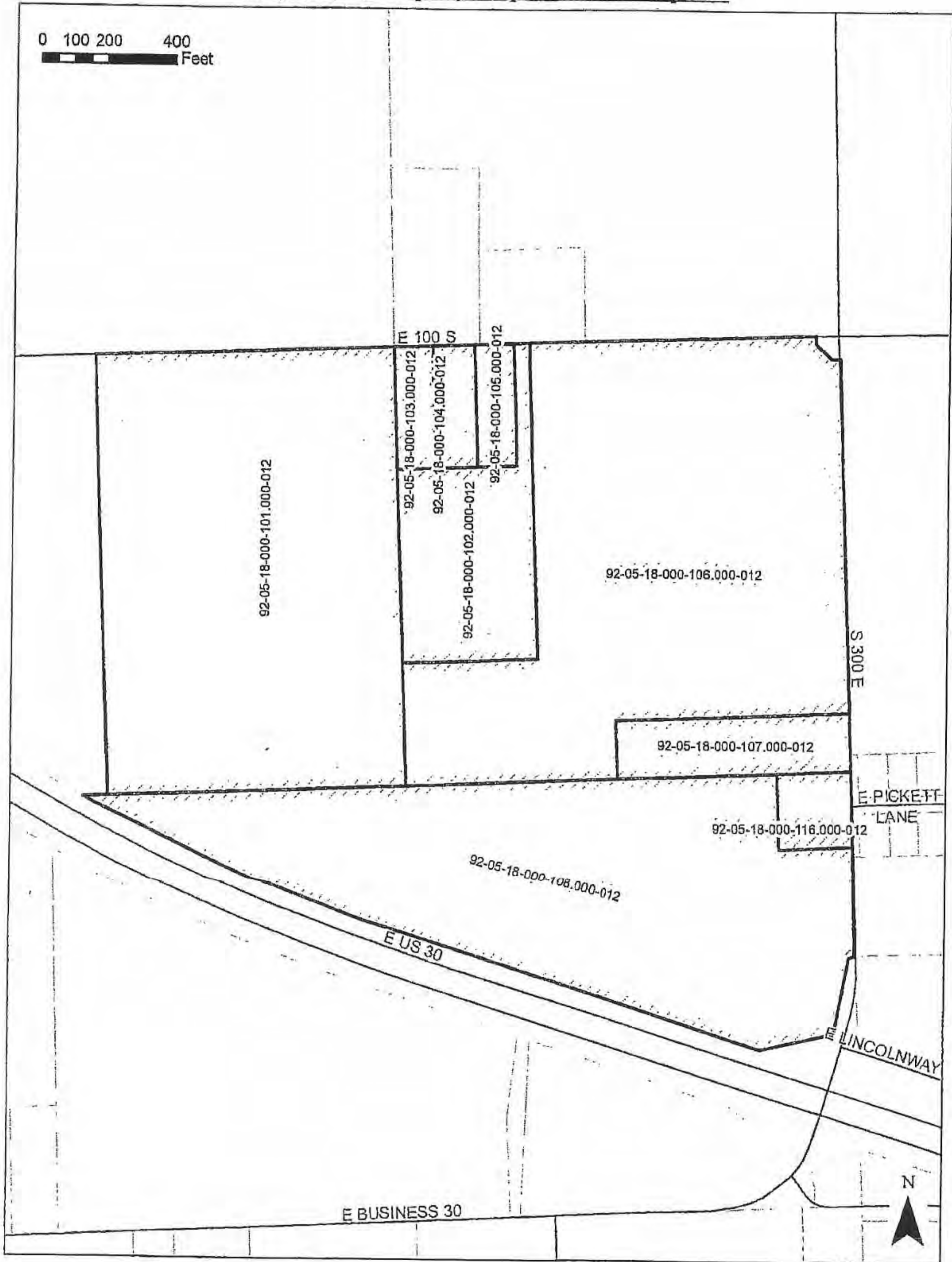
Section 5. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Board of Commissioners, to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1-4 and to file notice with the Plan Commission, the Board of Zoning Appeals, the Board of Public Works, the Park Board, the building commissioner and any other departments or agencies of the County concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the County's department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed acquisition of Real Estate and will determine the public utility and benefit of the proposed acquisition of Real Estate.

Section 6. The Commission further directs the presiding officer to submit this resolution to the Board of Commissioners for its approval of the amendment to the Area Resolution.

Section 7. All other provisions of the Area Resolution and the Plan are hereby ratified and confirmed.



Map of Real Property Proposed to be Acquired



13971434.1

EXHIBIT A

List of Owners of Real Property  
Proposed to be Acquired

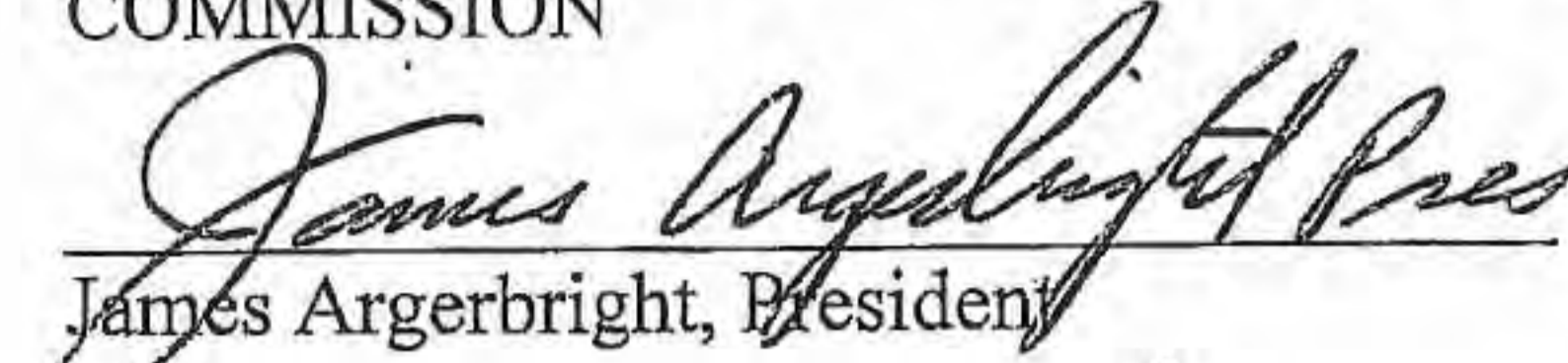
Parcel ID	Owner Name	Owner Address	City/State/ZIP	Estimated Cost to Acquire
92-05-18-000-101.000-012	Swihart Properties LLC	1380 S Williams Dr	Columbia City, IN 46725	\$406,250.00
92-05-18-000-102.000-012	Faulkner, Virginia K. Trustee	2724 E 100 S	Columbia City, IN 46725	\$236,550.00
92-05-18-000-103.000-012	Pulley, Ronald D & Beverly J	2664 E 100 S	Columbia City, IN 46725	\$165,300.00
92-05-18-000-105.000-012	Haddock, Matthew & Amanda	2700 E 100 S	Columbia City, IN 46725	\$237,300.00
92-05-18-000-104.000-012	Pulley, Kerry D & Linda A	2680 E 100 S	Columbia City, IN 46725	\$149,250.00
92-05-18-000-116.000-012	Hoppe, Pamela S & Van Houten, Steven W	630 Squawbuck Rd	Columbia City, IN 46725	\$198,900.00
92-05-18-000-108.000-012	Hoppe, Pamela S & Van Houten, Steven W	630 Squawbuck Rd	Columbia City, IN 46725	\$447,500.00
92-05-18-000-106.000-012	Lamle, Hollie J	7868 E 500 South-92	Fort Wayne, IN 46818	\$478,750.00
92-05-18-000-107.000-012	Bayman, Charles H & Marcie A	1260 S 300 East	Columbia City, IN 46725	\$524,700.00

Note: Prices to be offered will not exceed the average of 2 appraisals unless otherwise approved in writing by the Commission.

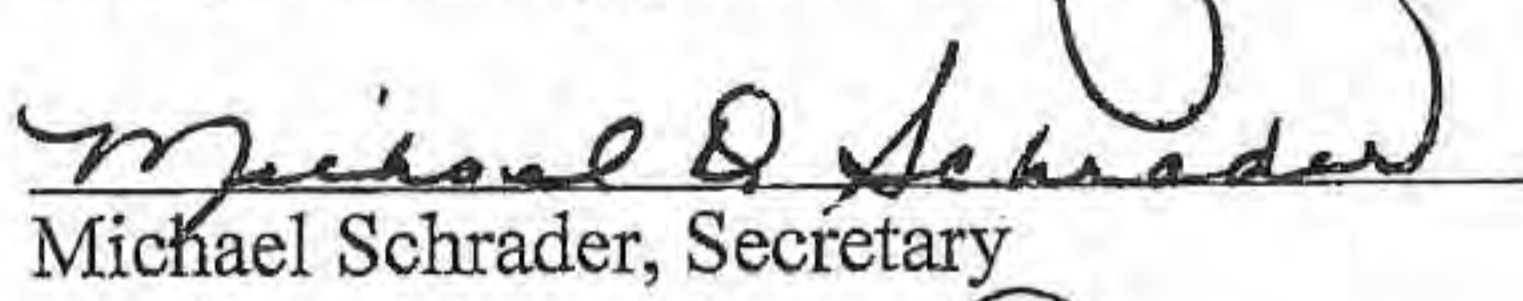
Section 8. This resolution shall be effective as of its date of adoption.

Adopted July 23, 2019.

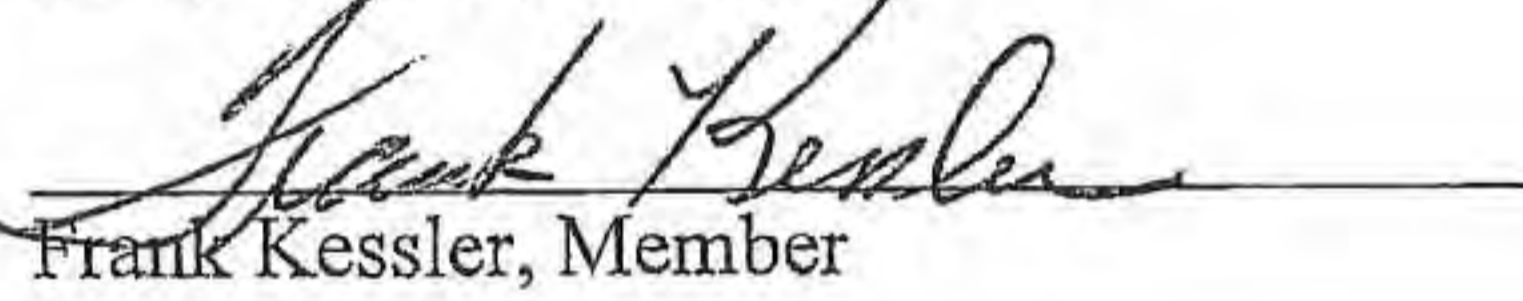
WHITLEY COUNTY REDEVELOPMENT  
COMMISSION

  
James Argerbright, President

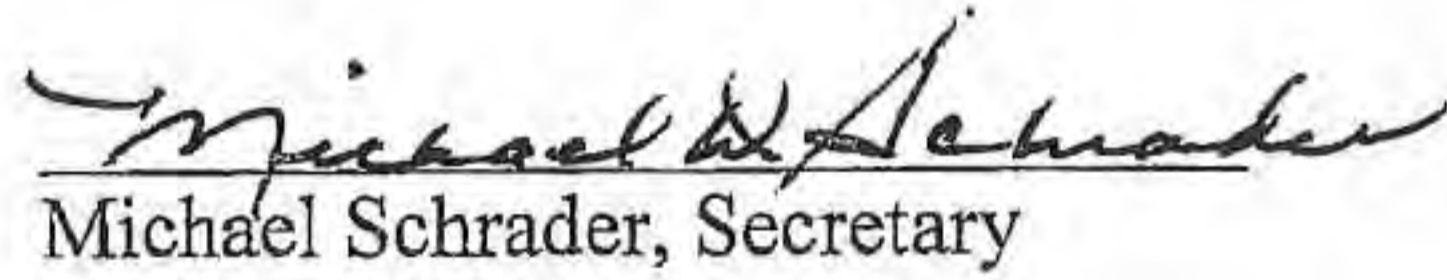
  
George Schrumpf, Vice President

  
Michael Schrader, Secretary

  
Kim, Wheeler, Member

  
Frank Kessler, Member

ATTEST:

  
Michael Schrader, Secretary