

**CITY OF HOBART
COMMON COUNCIL RESOLUTION NO. 2009- 12**

**A Resolution Amending Resolution Nos. 2005-27, 2005-28, 2005-29 and 2007-21
to Extend the Project Building Permit Issuance and Completion Dates for
Gilbert's Grove, a Residential Development**

WHEREAS, by Resolution Nos. 2005-28 and 2005-29 the Common Council ("Council") of the City of Hobart, Indiana ("City") declared and then confirmed, respectively, the area described commonly as Lots 2 through 10, inclusive, of Gilbert's Grove in the City, which area was legally described in Exhibit "A" to said Resolution No. 2005-28; as an economic revitalization area; and

WHEREAS, by Ordinance No. 2005-27, the Council designated said area, Lots 2 through 10, inclusive, of Gilbert's Grove in the City, as an economic development target area; and

WHEREAS, the effect of these actions was to award real property tax abatement to the designated property for a period of six (6) years; and

WHEREAS, by Resolution No. 2007-21 adopted on July 5, 2007, the Council, among other actions, amended prior Resolution No. 2005-28 by extending the period during which building permits may be issued to complete the project by an additional twelve (12) months, so that such final issuance date would extend to August 3, 2009; and

WHEREAS, the developer of said property, Carole Gilbert, has advised the Council that construction upon the lots subject to said abatement has been initiated in that two (2) homes have been built to date, and the sale of a third lot is pending, but that, due to current adverse economic conditions, the rest of the lots remain unsold or developed and that an extended period will be required before an economic climate favorable to construction is likely; and

WHEREAS, said developer requests that the time for completion of construction on said property and the time during which building permits may be issued be extended an additional four (4) years, to expire on August 3, 2014 and August 3, 2013, respectively;

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Lake County, Indiana, that:

SECTION ONE: The Council now finds that economic conditions have adversely affected the market for newly constructed homes in the City of Hobart and that the benefits of real property tax abatement to attract new construction in the Gilbert's Grove development will be lost unless a reasonable extension of the project completion date and the period during which building permits may be issued for homes to be constructed within said development is approved; and further, the Council finds that such an extension is needed and that an extension of forty eight (48) months to and including August 3, 2013 is reasonable as to the

date by which building permits may be issued for the development and to and including August 3, 2014 for completion of all construction.

SECTION TWO: Section 4 of Resolution 2007-21, which previously extended the date for issuance of building permits for said development relating to the residential portion, is hereby amended to provide as follows:

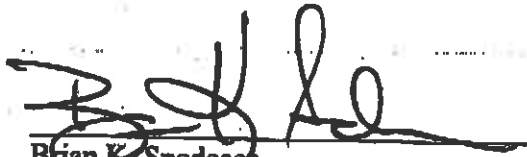
The Common Council of the City of Hobart determines that such designation is for real property tax abatement for projects to be initiated within twelve (12) months from the date of the adoption of a resolution confirming this resolution by the Common Council and completed within nine (9) years from the date of such adoption, there being an eight (8) year window of opportunity to obtain all building permits.

Resolution No. 2005-28 and Resolution No. 2005-29 (as amended) and all exhibits and attachments thereto including the applications of the developer for tax abatement shall be amended and reformed to be consistent with this Amendment.

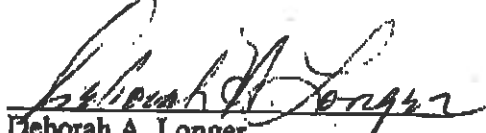
SECTION THREE: The Council declares that there is a not a need to hold a public hearing prior to granting such extensions since the original actions approving tax abatement for the project have not yet expired.

SECTION FOUR: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and adoption by the Council and approval by the Mayor, or as soon thereafter as otherwise provided by law.

APPROVED and ADOPTED by the Common Council of the City of Hobart on this 15th day of July, 2009.


Brian K. Snedecor
Presiding Officer

ATTEST:


Deborah A. Longer
Clerk-Treasurer