

RESOLUTION NO. 2015-03

**RESOLUTION OF THE
HOBART REDEVELOPMENT AUTHORITY
APPROVING AND AUTHORIZING THE EXECUTION OF AN
AGENCY AGREEMENT WITH THE CITY OF HOBART SANITARY
DISTRICT AND THE HOBART REDEVELOPMENT COMMISSION AND
REGARDING OTHER RELATED MATTERS**

WHEREAS, the Hobart Redevelopment Authority (the "Authority") has been created pursuant to Indiana Code 36-7-14.5 as a separate body, corporate and politic, and as an instrumentality of the City of Hobart to finance local public improvements for lease to the Hobart Redevelopment Commission (the "Commission"); and

WHEREAS, on February 9, 2015, the Authority approved and adopted its Resolution No. 2015-02 authorizing the issuance of lease rental revenue bonds in the aggregate principal amount not to exceed Four Million One Hundred Thousand and 00/100 Dollars (\$4,100,000.00) pursuant to Indiana Code 36-7-14.5-19 (the "Bonds"), the proceeds of which are to be used to finance the construction in the State Road 130 Industrial Area and the Downtown Hobart Redevelopment Area of certain local public improvements including all or any portion of the (i) replacement and reconstruction of certain underground sanitary and storm sewers within the area bounded by 5th Street on the southeast, Lake George on the west, Duck Creek on the east and Deep River on the northwest, (ii) construction of a public parking lot on real estate owned by the City; (iii) construction of a "gateway" sign, monument and related road, sidewalk, trail and landscape enhancements at Main Street between 6th and 7th Streets; (iv) replacement of the roof on the building located at 705 E. 4th Street, Hobart, Indiana being part of what is commonly known as the Police Court Complex; (v) resurfacing and upgrading of the parking lot owned by the City located at 327 East Street, Hobart, Indiana; and (vi) construction of not more than five

(5) masonry structures each to surround a dumpster to be located upon the real estate located at 101 N. Lake Park, Hobart, Indiana and commonly known as the Lakefront Park; (vii) relining of segments of the sanitary interceptor sewer that begins at County Line Road and State Road 130 and continues to the Main Lift Station; and (viii) any related work, including without limitation, road reconstruction and widening, intersection improvement, traffic signal interconnection, utility relocation, utility and sidewalk installation, bridge improvements, wetland mitigation, and civil engineering (collectively, the "Project") and to pay the costs of issuance of the Bonds; and

WHEREAS, the Authority intends to lease the Project to the City of Hobart Redevelopment Commission pursuant to a lease dated as of January 1, 2015, as may be amended from time to time (the "Lease"), which Lease was heretofore approved and executed by this Authority; and

WHEREAS, the Authority desires to authorize the execution of an Agency Agreement (the "Agency Agreement") between the Authority and the City of Hobart Sanitary District (the "Sanitary District") and the Commission pursuant to which Agency Agreement the Sanitary District and the Commission shall serve as agents for the Authority in connection with the completion of the Project; and

NOW, THEREFORE, BE IT RESOLVED, by this Hobart Redevelopment Authority as follows:

Section 1. The Authority directs the President and the Secretary-Treasurer to enter to an Agency Agreement with the Sanitary District and the Commission to provide for the construction of the Project as follows;

a. With regard to the portion of the project consisting of replacement and reconstruction of underground storm and sanitary sewers and related work as described in section (i) of the second recital paragraph above, to authorize the Hobart Sanitary District acting through its Board of Commissioners

and the Hobart Storm Water Department acting through its Board of Directors (said bodies being identical pursuant to law), to prepare design and bid documents, solicitations to bidders, to make award of the contract or contracts for the work, to inspect, administer and oversee construction on behalf of the Authority as owner, to authorize change orders as necessary, to report to the Authority and Commission on the progress of construction, and to perform all related matters necessary and desirable for the efficient, timely and cost effective completion of the work.

b. With regard to the portion of the project consisting of construction of a public parking lot on real estate owned by the City and construction of a "gateway" sign, monument and related road, sidewalk, trail and landscape enhancements at Main Street between 6th and 7th Streets as described in sections (ii) and (iii) of the second recital paragraph above, to authorize the Commission to prepare design and bid documents, solicitations to bidders, to make award of the contract or contracts for the work, to inspect, administer and oversee construction on behalf of the Authority as owner, to authorize change orders as necessary, to report to the Authority and Sanitary District/Storm water Department on the progress of construction, and to perform all related matters necessary and desirable for the efficient, timely and cost effective completion of the work.

c. In the event that the Authority determines to proceed with any one or more than one of the portions of the project described in sections (iv) through (viii), inclusive, of the second recital paragraph above through the Sanitary District or Commission, the Authority shall amend the agency agreement authorized by this Resolution to authorize the Commission or the Sanitary District, as the case may be, to prepare design and bid documents, solicitations to bidders, to make award of the contract or contracts for the work, to inspect, administer and oversee construction on behalf of the Authority as owner, to authorize change orders as necessary, to report to the Authority and Commission on the progress of construction, and to perform all related matters necessary and desirable for the efficient, timely and cost effective completion of the work.

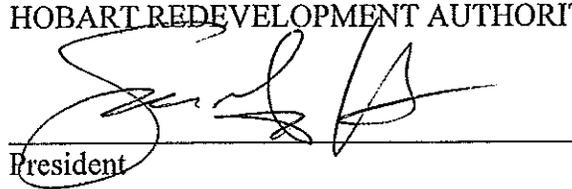
Section 2. The President, Vice President, and Secretary-Treasurer of this Authority and each of them is hereby authorized to take all such actions and to execute all such instruments as are desirable to carry out the transactions contemplated by this Resolution, in such forms as the President, Vice President, and Secretary-Treasurer executing the same shall deem proper, to be evidenced by the execution thereof.

Section 3. This resolution shall be in full force and effect from and after its adoption by the Authority.

ADOPTED at a meeting of the Hobart Redevelopment Authority held on March
3, 2015.

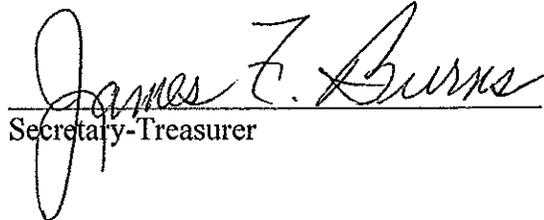
HOBART REDEVELOPMENT AUTHORITY

BY:



President

ATTEST:



Secretary-Treasurer