

**ORDINANCE NO. 051622A**

**AN ORDINANCE AMENDING ORDINANCE NO. 081516J WITH  
RESPECT TO THE USE OF THE PROCEEDS OF THE CITY OF  
FISHERS, INDIANA TAXABLE ECONOMIC DEVELOPMENT  
REVENUE BONDS, SERIES 2018C**

WHEREAS, the City of Fishers, Indiana (“City”) has issued its Taxable Economic Development Revenue Bonds, Series 2018C (the “Bonds”), as authorized by Ordinance No. 081516J, adopted by the Common Council August 15, 2016, as amended by Ordinance No. 101716E adopted by the Common Council on October 17, 2016 (the “Bond Ordinance”);

WHEREAS, the City, the Fishers Redevelopment Commission, the Fishers Town Hall Building Corporation, the City of Fishers Economic Development Commission, and HG Envoy Fishers II, LLC (the “Developer”), entered into a Project Agreement (the “Project Agreement”), which provides for the acquisition and construction of a mixed-use development, including a parking garage, mixed-use building, streetscape and other infrastructure improvements, and related improvements to be constructed by the Developer northwest of the intersection of North Street and Lantern Road in the City (collectively, the “Project”)

WHEREAS, the Project has been completed, and the City has surplus proceeds of the Bonds, which were not anticipated at the time of the issuance of the Bonds; and

WHEREAS, the City needs to pay the cost of the construction of additional public infrastructure that serves the mixed-use development, consisting of certain improvements to the Nickel Plate Trail and other related improvements (the “New Project”), and desires to apply the surplus proceeds of the Bonds to such New Project.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Fishers, Indiana, as follows:

SECTION 1. The definition of Project in the Bond Ordinance is hereby amended to include the New Project, and the Bond Ordinance is hereby amended to permit the expenditure of the proceeds of the Bonds on the New Project.

SECTION 2. The Mayor and the Controller of the City, and each of them, are hereby authorized and directed, in the name and on behalf of the City, to execute such agreements or certifications, and to perform any and all acts, deemed by them, or either of them, to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this Ordinance.

SECTION 3. This Ordinance shall be of full force and effect from and upon its adoption and in accordance with Indiana law.

SO ORDAINED, by the Common Council for the City of Fishers meeting this 16th day of May, 2022

**COMMON COUNCIL OF THE CITY OF FISHERS,  
HAMILTON COUNTY, INDIANA**

**051622A**

**YAY**

**NAY**

**ABSTAIN**

	Todd Zimmerman, President		
	John Weingardt, Vice President		
	C. Pete Peterson, Member		
	Cecilia C. Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the   20th   day of   June   2022, at                      p.m.

ATTEST: \_\_\_\_\_  
**Jennifer L. Kehl, Fishers City Clerk**

**MAYOR'S APPROVAL**

\_\_\_\_\_  
**Scott A. Fadness, Mayor**

\_\_\_\_\_  
**DATE**   June 20, 2022  

**MAYOR'S VETO**

\_\_\_\_\_  
**Scott A. Fadness, Mayor**

\_\_\_\_\_  
**DATE**

This instrument prepared by: Richard J. Hall, Barnes & Thornburg LLP, 11 South Meridian, Indianapolis, IN 46204.

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." /s/ Richard J. Hall.