MINUTES OF THE CITY-COUNTY COUNCIL AND SPECIAL SERVICE DISTRICT COUNCILS OF INDIANAPOLIS, MARION COUNTY, INDIANA:

REGULAR MEETINGS, MONDAY, December 16, 1985

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:10 p.m., on Monday, December 16, 1985, with Councillor SerVaas presiding.

Councillor Beurt SerVaas opened the meeting with a prayer and lead the Pledge of Allegiance to the Flag.

ROLL CALL

Councillor SerVaas requested the Clerk to take the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Holmes, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
ABSENT: Page

[Clerk's Note: Councillor Edgar Campbell died December 4, 1985, creating a vacancy that had not been filled at the time of this meeting.]

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor SerVaas introduced Mr. Jack Patterson, former City-County Councillor.

Councillor Miller moved, seconded by Councillor McGrath, to advance Proposal Nos. 774 and 775, 1985, for Public Hearing. The motion carried on a voice vote.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NOS. 774 and 775, 1985. These two proposals for rezoning ordinances were certified by the Metropolitan Development Commission on November 21, 1985. PROPOSAL NO. 774, 1985, is for Center Township, Councilmanic District No. 21, 1006, 1014 and 1018 Fletcher Avenue, Indianapolis: Calvary Tabernacle requests the rezoning of 0.688 acre, being in the C-5 district, to the SU-1 classification, to provide for additional parking for the church. PROPOSAL NO. 775, 1985, is also for Center Township, Councilmanic District No. 21, 963 English Avenue, Indianapolis: Calvary Tabernacle requests the rezoning of 0.229 acre, being in the D-8 district, to the SU-1 classification, to provide for additional parking for the church. Councillor SerVaas explained that Proposal Nos. 774 and 775 were postponed at the Council's November 25, 1985, meeting in order that further negotiations could be conducted between all parties involved. Councillor SerVaas asked Councillor David McGrath if there had been any further progress in negotiations since the Council's last meeting. Councillor McGrath stated that he would support a continuance at this time because additional negotiations were needed. Councillor McGrath moved, seconded by Councillor Giffin, to postpone PROPOSAL NOS. 774 and 775, 1985, until the January 6, 1986, Council meeting. Without objection from any Councillor, PROPOSAL NOS. 774 and 775, 1985, were postponed by Consent.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

You are hereby notified that REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils, will be held in the City-County Building, in the Council Chambers, on Monday, December 16, 1985, at 7:00 p.m., the purposes of such MEETINGS being to conduct any and all business that may properly come before the regular meetings of the Councils.

Respectfully,

s/Beurt SerVass, President
City-County Council

December 3, 1985
TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on December 5, 1985, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Proposal Nos. 780, 781 and 799, 1985, to be held on Monday, December 16, 1985, at 7:00 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy
City Clerk

December 3, 1985
TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on December 5 and 12, 1985, a copy of LEGAL NOTICE of General Ordinance Nos. 94, 95 and 97, 1985.

Respectfully,

s/Beverly S. Rippy
City Clerk

December 5, 1985
TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Beverly S. Rippy, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 115, 1985, authorizing Marion County to borrow on a temporary loan for the use of the County Welfare Fund during the period January 2,

1986 to December 30, 1986, in anticipation of current taxes levied in the year 1985 and collectible in the year 1986, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

FISCAL ORDINANCE NO. 116, 1985, authorizing Marion County to borrow on a temporary loan for the use of the County General Fund during the period January 2, 1986, to December 30, 1986, in anticipation of current taxes levied in the year 1985 and collectible in the year 1986, authorizing the issuance of tax anticipation time warrants to evidence such loan; pledging and appropriating the taxes to be received in said fund to the payment of said tax anticipation time warrants including the interest thereon.

FISCAL ORDINANCE NO. 117, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional Thirty Thousand Dollars ($30,000) in the Consolidated County Fund for purposes of the Department of Public Safety, Emergency Management Planning Division, and reducing certain other appropriations for that Division and the unappropriated and unencumbered balance in the Consolidated County Fund.

FISCAL ORDINANCE NO. 118, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating Six Thousand Eight Hundred Sixty-five Dollars ($6,865) in the County General Fund for purposes of the Marion County Election Board and reducing certain other appropriations for the Marion County Auditor.

FISCAL ORDINANCE NO. 120, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Five Hundred Forty-Nine Dollars ($549) in the County General Fund for purposes of the Franklin Township Assessor and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 121, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating One Hundred Fifty Dollars ($150) in the County General Fund for purposes of the Marion County Surveyor and reducing certain other appropriations for that office.

FISCAL ORDINANCE NO. 122, 1985, amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Three Hundred Eighty-eight Dollars ($388) in the Adult Probation Fees Fund for purposes of the Marion County Superior Court, Criminal Division, Probation Department, and reducing certain other appropriations for that department.

GENERAL ORDINANCE NO. 99, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 100, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days.

GENERAL ORDINANCE NO. 101, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 102, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-136, Alternation of prima facie speed limit.

GENERAL ORDINANCE NO. 103, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-224, Trucks on certain streets restricted.

GENERAL ORDINANCE NO. 104, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-267, Parking prohibited at all times on certain streets.

GENERAL ORDINANCE NO. 105, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-92, Schedule of intersection controls.

GENERAL ORDINANCE NO. 106, 1985, amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

SPECIAL ORDINANCE NO. 89, 1985, ratifying and confirming City-County Special Ordinance No. 84, 1985, and the issuance of City of Indianapolis, Adjustable/Fixed Rate Resource Recovery Revenue Bonds (Ogden Martin Systems of Indianapolis, Inc. Project) 1985 Series A, 1985 Series B and 1985 Series C.

SPECIAL ORDINANCE NO. 90, 1985, authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Mediplex of Indiana, Inc. Project) in the maximum aggregate principal amount of Nine Million One Hundred Thousand Dollars ($9,100,000) and approving aht authorizing other actions in respect thereto.

SPECIAL RESOLUTION NO. 175, 1985, approving the sale of certain real property of the Department of Public Works.

Respectfully submitted,

s/William H. Hudnut, III

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE POLICE SPECIAL SERVICE DISTRICT OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the Police Special Service District, Mrs. Beverly S. Rippy, the following ordinances:

FISCAL ORDINANCE NO. 4, 1985, amending the Police Special Service District Annual Budget for 1985 (Police Special Service District Fiscal Ordinance No. 3, 1984) transferring and appropriating One Hundred Sixty-five Thousand Dollars ($165,000) in the Police Pension Fund for purposes of the Department of Public Safety, Police Division, and reducing certain other appropriations for that division.

Respectfully submitted,

William H. Hudnut, III

ADOPTION OF AGENDA

The agenda of the City-County Council and the Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils of December 16, 1985, as distributed was adopted by Consent.

APPROVAL OF JOURNALS

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 874, 1985. This proposal is in memoriam of Edgar T. Campbell. Councillor SerVaas expressed the Councillors' feelings of mourning at the loss of Edgar T. Campbell, a fellow Councillor and citizen of Marion County for many years, who passed away December 4, 1985. He read the resolution which was followed by a brief moment of silence in memoriam of Edgar T. Campbell. Councillor SerVaas moved, seconded by Councillor Journey, for adoption. Proposal No. 874, 1985, was adopted by unanimous voice vote, retitled Special Resolution No. 176, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 176, 1985

Proposal No. 874, 1985

A SPECIAL RESOLUTION in memoriam of Edgar T. Campbell.

WHEREAS, Edgar T. Campbell was a member of the Indianapolis-Marion County City-County Council for fourteen (14) years; and

WHEREAS, Edgar T. Campbell was a lifelong resident of the City of Indianapolis, graduating from Arsenal Technical High School and attending Purdue University; and

WHEREAS, Edgar T. Campbell was assistant sales manager for Bond Baking Company for fifteen (15) years, sales manager for the Commonwealth Life Insurance Company for thirty-one (31) years, and a member of the Moose Lodge, the Fraternal Order of Police, and the West Park Christian Church; and

WHEREAS, Edgar T. Campbell served as a Democrat precinct committeeman for twenty-one (21) years, the Tenth Ward Democrat Chairman for eight (8) years and a member of the Indiana and Tenth Ward Democrat Clubs; and

WHEREAS, Edgar T. Campbell was a respected colleague who exemplified the spirit of public service through his concern for people and his quality in performance; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis-Marion County City-County Council, on behalf of all the people who live and work in Indianapolis, extend condolences to the family of Edgar T. Campbell.

SECTION 2. The Council further wishes to express its deep feeling of loss at the passing of Edgar T. Campbell, a fellow member and dear friend.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 875, 1985. This proposal honors the Warren Central High School AAAAA State Football Champions. Councillor Clark, sponsor of Proposal 875, read the resolution and explained that representatives of Warren Central could not be present to accept the resolution due to their having another commitment. Councillor Clark moved, seconded by Councillor Nickell, for adoption. Proposal No. 875, 1985, was adopted by unanimous voice vote, retitled Special Resolution No. 177, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 177, 1985
Proposal No. 875, 1985

A SPECIAL RESOLUTION honoring the 1985 Warren Central High School AAAAA State Football Champions.

WHEREAS, the 1985 Warren Central Warriors High School Football Team ended another perfect season by winning the State of Indiana AAAAA Football Championship; and

WHEREAS, the Warriors, capturing back-to-back state football championship titles, now have an outstanding record of thirty-one (31) wins and no losses; and

WHEREAS, the Warren Central Warriors High School Football Team is of such excellent caliber that it ranks first in the State of Indiana and second in the United States; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council honors and recognizes team members Jerry Davis, Keith Williams, Gary Bounin, Jeff George, Charles Golliday, Richard DeJournett, Brad Johnson, Todd Oelschlager, Dolphus Ballinger, Matt Taylor, Tony Jones, Steve Hamilton, Craig Looper, Jaye Clark, Jerome Sparkman, Austin Young, Ron Clark, Torrence Terrell, Steve Battles, Jim Bowman, Todd Wellman, Mike Rehfus, Jeff Hampton, Jeff Massey, Rod Pool, Robert Washington, Chris Curtis, Rahvy Murray, Steve Deloach, Steve Kimbrough, Jason Gilman, Andre Denman, Scott Weishaar, Bill

Loman, Ron Cleary, Jim Dixon, Keith Snyder, Chris Limbach, Tim Choate, Joe Brown, Stephan Wilson, Rob Robinson, Tim Turner, Mark Fahey, Mark Rines, Andy Smith, Joe Guyer, Kipp Koonce, Dave Gwaltney, Scott Moore, Andy O'Brien, Dwight Cummings, Yogi Henderson and Butch Hoyt; Head Coach Jerry Stauffer, Athletic Director Jack Gary and Principal Ernest Medcalfe.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Lula Journey presented a petition containing approximately 376 signatures which opposed the action of the Parks Board on December 9, 1985, to dismiss Mr. John Green, a greenskeeper at the Douglas Golf Course. Mrs. Journey explained that Mr. Green had been a long-time employee of the Department and requested that the Board's decision be discussed at a future meeting of the Parks and Recreation Committee of the City-County Council.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 854, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code with regard to establishing a workmen''s compensation reserve fund'; and the President referred it to the Administration Committee.

PROPOSAL NO. 855, 1985. Introduced by Councillor Coughenour. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code with regard to increasing taxicab fares"; and the President referred it to the Administration Committee.

PROPOSAL NO. 856, 1985. Introduced by Councillor Stewart. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating $550 from the County Auditor to the Cooperative Extension Service to increase salary levels to $10,000"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 857, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appro-

priating $210,000 to purchase software for reassessment for the Marion County Auditor'; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 858, 1985. Introduced by Councillor Cottingham. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring $57,655 from the County Auditor to the Clerk of the Circuit Court and County Healthcare Center to increase salaries to $10,000"; and the President referred it to the County and Townships Committee.

PROPOSAL NO. 859, 1985. Introduced by Councillor Durnil. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the sale of real property of the Department of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 860, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $371,934 for the Prosecuting Attorney and County Auditor for reimbursable grants continuing in 1986"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 861, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $8,850 for the Prosecuting Attorney for the Juvenile Intake Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 862, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $1,014 for Superior Court, Civil Division, Room 4, to reclassify a position and salary"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 863, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $50,000 for Superior Court, Juvenile Division, for additional personnel to staff a twenty-four hour central intake unit"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 864, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE transferring and appropriating $28,215 from the County Auditor to the Prosecuting Attorney, Juvenile Detention Center and Superior Court, Juvenile Division"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 865, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE authorizing changes in the personnel schedule of the Marion County Sheriff"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 866, 1985. Introduced by Councillor Dowden. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $245,416 for the Community Corrections Advisory Board for the Community Corrections Program for January 1 to June 30, 1986, which will be reimbursed by the State"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 867, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a SPECIAL RESOLUTION approving the sale of certain real property of the Department of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 868, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $4,475,000 for the Department of Public Works, Flood Control Division, to pay for the design and appraisal fees for various projects and the construction of the Bean Creek Project, Indiana Avenue storm sewer and the Lockfield Garden storm sewer"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 869, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $1,970,000 for the Department of Public Works, Liquid Waste Processing Operations, for the construction of a sanitary sewer and lift station and to rehabilitate existing sewers in the Northwest Redevelopment Area"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 870, 1985. Introduced by Councillor West. The Clerk read the proposal entitled: "A Proposal for a FISCAL ORDINANCE appropriating $1,200,000 for the Department of Public Works, Liquid Waste Processing Operations, for maintenance and refurbishment of the wastewater transportation system"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 871, 1985. Introduced by Councillor Strader. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at E. Minnesota, Minnesota, Zwingley, and Renton Streets"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 872, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing parking controls on a portion of Georgia Street"; and the President referred it to the Transportation Committee.

PROPOSAL NO. 873, 1985. Introduced by Councillor Gilmer. The Clerk read the proposal entitled: "A Proposal for a GENERAL ORDINANCE amending the Code by changing intersection controls at Craig and 82nd Streets"; and the President referred it to the Transportation Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor SerVaas stated that there were fifty-four proposals concerning economic development bond financing to be considered under the "Special Orders-Priority Business" category of the agenda. The proposals had received a favorable recommendation by the Economic Development Committee at its December 4, 1985, and December 16, 1985, meetings. Councillor SerVaas explained that if there were no objections Councillor Schneider would read each Proposal number and its brief "legal digest", followed by a brief moment for Councillors to voice any objections to its passage. If no objections or absentions were stated the President would take it to be consent to passage. Before Councillor Schneider began, Councillor SerVaas requested the Councillors to record their presence. The Clerk took the roll call of the Council, which was as follows:

PRESENT: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West.

ABSENT: Holmes, Page

PROPOSAL NO. 800, 1985. This proposal is a final bond ordinance authorizing the issuance of $1,500,000 Economic Development Revenue Bonds for Design Printing Company, Inc. PROPOSAL NO. 801, 1985. This proposal is a final bond ordinance authorizing the issuance of $2,000,000 Economic Development Revenue Bonds for Indianapolis Fruit Company, Inc. PROPOSAL NO. 802, 1985. This proposal is a final bond ordinance authorizing the issuance of $1,400,000 Economic Development Revenue Bonds for J & W, an Indiana General Partnership. PROPOSAL NO. 803, 1985. This proposal is a final bond ordinance authorizing the issuance of $5,430,000 Economic Development Revenue Bonds for Oakleaf/Indianapolis, Ltd. PROPOSAL NO. 804, 1985. This proposal is a final bond ordinance authorizing the issuance of $1,500,000 Economic Development Revenue Bonds for Clyde W. vonGrimmenstein. PROPOSAL NO. 805, 1985. This proposal is a final bond ordinance authorizing the issuance of $4,000,000 Economic Development Revenue Bonds for Throgmartin Realty. PROPOSAL NO. 806, 1985. This proposal is a final bond ordinance authorizing the issuance of $500,000 Economic Development Revenue Bonds for R & R Enterprises, an Indiana General Partnership. PROPOSAL NO. 807, 1985. This proposal is a final bond ordinance authorizing the issuance of $2,100,000 Economic Development Revenue Bonds for John Loudermilk and Geneva P. Loudermilk. PROPOSAL NO. 808, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum of $5,500,000 Economic Development Mortgage Revenue Bonds for Congregate Housing Partnership of Indianapolis. PROPOSAL NO. 809, 1985. This proposal is a final bond ordinance authorizing the issuance of a total of $2,350,000 Economic Development Revenue Bonds in two series for Downey-Sloan Real Estate Leasing, Inc. PROPOSAL NO. 810, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum of $3,200,000 Economic Development Revenue Bonds for Union Federal Savings & Loan Association of Indianapolis. PROPOSAL NO. 811, 1985. This proposal is a final bond ordinance authorizing the issuance of $38,500,000

Economic Development Revenue Bonds for Canal Street Associates. PROPOSAL NO. 812, 1985. This proposal is a final bond ordinance authorizing the issuance of $1,800,000 Economic Development Revenue Bonds for Summit Finishing Company, Inc. PROPOSAL NO. 813, 1985. This proposal is a final bond ordinance authorizing the issuance of a $2,600,000 Economic Development Revenue Bond for Catalox Corporation. PROPOSAL NO. 814, 1985. This proposal is a final bond ordinance authorizing the issuance of $3,600,000 Economic Development Revenue Bonds for Suncrest Apartments. PROPOSAL NO. 815, 1985. This proposal is a final bond ordinance authorizing the issuance of $6,150,000 Economic Development Revenue Bonds for Masters Associates II. PROPOSAL NO. 816, 1985. This proposal is a final bond ordinance authorizing the issuance of $8,200,000 Economic Development Revenue Bonds for Waterford Place Associates. PROPOSAL NO. 817, 1985. This proposal is a final bond ordinance authorizing the issuance of a $800,000 Economic Development Revenue Bond for Angelo's, Inc. PROPOSAL NO. 818, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum of $20,900,000 Economic Development Revenue Bonds for Lockfield Associates. PROPOSAL NO. 819, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum of $9,900,000 Economic Development Revenue Bonds for Indiana Avenue Associates, Ltd. PROPOSAL NO. 820, 1985. This proposal is a final bond ordinance authorizing the issuance of a $1,500,000 Economic Development Revenue Bond for Pictorial Publishers, Inc. PROPOSAL NO. 821, 1985. This proposal is a final bond ordinance authorizing the issuance of $1,157,400 Economic Development Revenue Bonds for Park Place Associates. PROPOSAL NO. 822, 1985. This proposal is a special ordinance designating the parcel of land commonly known as the 200 block of West Washington Street as an economic devleopment target area. PROPOSAL NO. 823, 1985. This proposal is a final bond ordinance authorizing the issuance of $10,000,000 Economic Development Revenue Bonds for Convention Garage Associates, Inc. Councillor Rhodes stated that he was abstaining from the vote on Proposal No. 823, 1985. PROPOSAL NO. 824, 1985. This proposal is a final bond ordinance authorizing the issuance of a $8,100,000 Economic Development Revenue Bond for Webb-Henne Indianapolis Venture I. PROPOSAL NO. 825, 1985. This proposal is a final bond ordinance authorizing the issuance of a maximum of $8,600,000 Economic Development Revenue Bonds for Severin Associates. PROPOSAL NO. 826, 1985. PROPOSAL NO. 826, 1985. This proposal is a final bond ordinance authorizing the issuance of $13,000,000 Economic Development Revenue Bonds for 407 Associates, Ltd.

Councillor Schneider explained that the Economic Development Committee had given a "Do Pass" recommendation to Proposal Nos. 825 and 826 at its December 4, 1985, meeting; however, since that meeting company official from both companies have indicated a desire for the proposals to be stricken. In consideration of this Consent was given for Proposal Nos. 825 and 826, 1985, to be Stricken. PROPOSAL NO. 827, 1985. This proposal is a special ordinance designating the parcels of land commonly known as 919 North Pennsylvania Street, 1433 North Pennsylvania Street, 1229 North Pennsylvania, 1018 East 13th Street, 902 North Pennsylvania Street, 39 East 9th Street, 221 East Michigan Street, 611 North Pennsylvania Street and 30 East Georgia Street, Indianapolis, Indiana as an economic development target area. PROPOSAL NO. 828, 1985. This proposal is a final bond ordinance authorizing the issuance of $20,100,000 Economic Development Revenue Bonds for Indianapolis Historic Partners. PROPOSAL NO. 829, 1985. This proposal is a special ordinance designating the parcel of land commonly known as 225 North Delaware Street as an economic development target area. PROPOSAL NO. 830, 1985. This proposal is a final bond ordinance authorizing the issuance of a $650,000 Economic Development Revenue Bond for Algonquin Building Partners. PROPOSAL NO. 831, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for Severin Associates - induced 6/84 and extended 5/85). PROPOSAL NO. 832, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for B & D Associates - induced 12/83 and extended 5/85). PROPOSAL NO. 833, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for Brougher Agency, Inc. - induced 5/84 and extended 5/85). PROPOSAL NO. 834, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for Canal Commons - induced 11/81 and extended 5/85). PROPOSAL NO. 835, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for City Inns d/b/a Howard Johnson Downtown Motor Lodge - induced 5/83 and extended 5/85). PROPOSAL NO. 836, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for RC of A Retirement Living, Ltd. - induced 1/84 and extended 5/85). PROPOSAL NO. 837, 1985.

This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for We Care Manor, Inc. - induced 6/82 and extended 5/85). PROPOSAL NO. 838, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for We Care Manor, Inc. - induced 6/82 and extended 5/85). PROPOSAL NO. 839, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for John and Geneva Loudermilk - induced 5/85). PROPOSAL NO. 840, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for Allied Grocers of Indiana, Inc. - induced 5/85). Councillor Schneider explained that on December 4, 1985, Proposal No. 840, 1985, received a "Do Pass" recommendation from the Economic Development Committee. However, since the Committee meeting, company officials have requested that Proposal No. 840, 1985, be Stricken. The Council gave its Consent for Proposal No. 840, 1985, to be Stricken. PROPOSAL NO. 841, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for American Trans Air, Inc. - induced 5/85). PROPOSAL NO. 842, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for Voluntary Enterprises, Inc. - induced 5/85). PROPOSAL NO. 843, 1985. This proposal is an inducement resolution granting the extension of the expiration date contained in a previously adopted Special Resolution (inducement resolution for Suncrest Associates - induced 5/85). PROPOSAL NO. 844, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Central Restaurant Equipment, Inc. in an approximate amount of $325,000. PROPOSAL NO. 845, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Harold Skillman in an approximate amount of $9,500,000. PROPOSAL NO. 846, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Culligan Fireprotection, Inc. in an approximate amount of $1,100,000. PROPOSAL NO. 847, 1985. This proposal is a special ordinance designating the parcel of land commonly known as the City block

bounded by Capitol Avenue on the west, Illinois Street on the east, Louisiana Street on the south, and Georgia Street on the north as an economic development target area. PROPOSAL NO. 848, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Indiana Sports Corporation in an amount not to exceed $15,000,000. Councillor Borst stated that he was abstaining from the vote on Proposal Nos. 847 and 848, 1985. PROPOSAL NO. 849, 1985. This proposal is a special ordinance designating the parcel of land commonly known as 333 West Walnut Street as an economic development target area. PROPOSAL NO. 850, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Canalwalk Associates in an approximate amount of $4,200,000. PROPOSAL NO. 851, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Cybotech Corporation in an approximate amount of $7,200,000. PROPOSAL NO. 852, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Paper Manufacturers Company in an approximate amount of $1,000,000. PROPOSAL NO. 853, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed air pollution control bond financing for South Side Landfill, Inc. in an approximate amount of $7,500,000. PROPOSAL NO. 888, 1985. This proposal is a final bond ordinance authorizing the issuance of $15,000,000 Economic Development Revenue Bonds for Indiana Sports Corporation. Councillor Borst stated that he was abstaining from the vote on Proposal No. 888, 1985. PROPOSAL NO. 889, 1985. This proposal is a special ordinance approving amendments to previously approved financing documents for Symphony Tower to decrease the authorized aggregate principal amount of the bonds from $48,000,000 to $45,750,000 and approving certain other changes. PROPOSAL NO. 890, 1985. This proposal is an inducement resolution authorizing certain proceedings with respect to proposed economic development bond financing for Banquet Food Product, Inc., a corporation to be formed and/or Maplehurst Farms, Incorporated and/or any affiliated or related entities in an approximate amount of $4,000,000.

Councillor SerVaas stated that because Councillor Rhodes expressed a desire to abstain from voting on Proposal No. 823, 1985, and Councillor Borst expressed a desire to abstain from voting on Proposal Nos. 847, 848 and 888, 1985, if no

Councillor objected, the Council would vote on Proposal Nos. 823, 847, 848, and 888, 1985, separately. Councillor Miller moved, seconded by Councillor Schneider, for adoption of Proposal No. 823, 1985, As Amended. Proposal No. 823, 1985, As Amended, was adopted on the following roll call vote; viz:

24 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
4 NOT VOTING: Holmes, Howard, Page, Rhodes

Proposal No. 823, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 91, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 91, 1985
Proposal No. 823, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue one or more series of its "Economic Development Revenue Bonds, Series 1985 (Convention Garage Associates, Inc. Project)" in the maximum aggregate principal amount of Ten Million Dollars ($10,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Convention Garage Associates and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Convention Garage Associates, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately two tier, 1,030 space public parking garage containing approximately 352,000 square feet with ramps connecting to the proposed Convention Center Hotel and the machinery and equipment to be installed therein plus certain site improvements to be located in the 200 block of West Washington Street, Indianapolis, Indiana on the tract of land commonly known as the Mall Block ("the Project") which will be initially operated by Convention Garage Associates complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Mortgage and Trust Indenture, Loan Agreement, Mortgage and Security Agreement, Promissory Note Series 1985, Conditional Assignment of Sublease and Rentals, Subleasee's Consent and Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Conven-

tion Garage Associates, Inc. Project) and the aforesaid documents have been restructured into final forms of a Bond Purchase Agreement, Trust Indenture, Loan Agreement, Mortgage and Security Agreement and First Mortgage Notes and the form of one or more series of City of Indianapolis Economic Development Revenue Bonds, Series 1985 (Convention Garage Associates, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents as revised are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue one or more series of its Economic Development Revenue Bonds, Series 1985 (Convention Garage Associates, Inc. Project) in the maximum aggregate principal amount of Ten Million Dollars ($10,000,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price not less than 97% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this

City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Miller moved, seconded by Councillor Schneider, for adoption of Proposal Nos. 847, 848, and 888, 1985. Proposal Nos. 847, 848, and 888, 1985, were adopted on the following roll call vote; viz:

24 AYES: Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
4 NOT VOTING: Borst, Holmes, Howard, Page

Proposal No. 847, 1985, was retitled SPECIAL ORDINANCE NO. 92, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 92, 1985
Proposal No. 847, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City. as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on December 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as the City block bounded by Capital Avenue on the west, Illinois Street on the east, Louisiana Street on the south and Georgia Street on the north containing approximately 4 acres, Indianapolis, Indiana as an Economic Development Target Area; now, therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcels commonly known as the City block bounded by Capitol Avenue on the west, Illinois Street on the east, Louisiana Street on the south and Georgia Street on the north containing approximately 4 acres, Indianapolis, Indiana meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 848, 1985, was retitled SPECIAL RESOLUTION NO. 178, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 178, 1985
Proposal No. 848, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Indiana Sports Corporation or an entity designated thereby (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a multi-level public parking facility to be located in the block bounded by Capitol Avenue on the west, Illinois Street on the north in the City of Indianapolis, Indiana, containing approximately 1,000 parking spaces and consisting of approximately 525,000 square feet and other machinery, fixtures and equipment and site improvements to be used in connection with the public parking facility, all of which is intended to be used in connection with the Applicant's operation of a public parking facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and 10 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project respectively will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount not to exceed $15,000,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 888, 1985, was retitled SPECIAL ORDINANCE NO. 93, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 93, 1985
Proposal No. 888, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bonds (Indiana Sports Corporation Project)" in the aggregate principal amount of Fifteen Million Dollars ($15,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for Indiana Sports Corporation which was delivered to the Metropolitan Development Commission of Marion County on December 6, 1985; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 16, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Indiana Sports Corporation (the "Company") consisting of the acquisition, construction, installation and equipping of a multi-story public parking facility to be located in the block bounded by Capitol Avenue on the west, Illinois Street on the east, Louisiana Street on the south and Georgia Street on the north in the City of Indianapolis, Indiana, containing approximately 1,000 parking spaces and consisting of approximately 525,000 square feet and other machinery, fixtures and equipment and site improvements to be used in connection with the public parking facility, all of which is intended to be used in connection with the Company's operation of a public parking facility ("the Project") which will be initially owned and operated by Indiana Sports Corporation complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Promissory Note, Bond Purchase Agreement, Mortgage, Security Agreement and Trust Indenture, Loan Agreement and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bonds (Indiana Sports Corporation Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the the Financing Documents approved by the City of Indianapolis, Indiana Economic Development Commission are hereby approved and

all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Mortgage Revenue Bonds (Indiana Sports Corporation Project) in the aggregate principal amount of Fifteen Million Dollars ($15,000,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Fifteen Million Dollars ($15,000,000) which will be executed and delivered by Indiana Sports Corporation to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents provided, however, that the per annum rate of interest shall not exceed twenty percent (20%).

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds, and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Miller moved, seconded by Councillor Schneider, for adoption of Proposal Nos. 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, As Amended, 810, As Amended, 811, As Amended, 812, 813, 814, As Amended, 815, 816, 817, 818, As Amended, 819, 820, 821, 822, 824, As Amended, 825, 826, 827,

828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 849, 850, 851, 852, 853, 889, and 890. Proposal Nos. 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, As Amended, 810, As Amended, 811, As Amended, 812, 813, 814, As Amended, 815, 816, 817, 818, As Amended, 819, 820, 821, 822, 824, As Amended, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 849, 850, 851, 852, 853, 889, and 890 were adopted on the following roll call vote; viz:

26 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Howard, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
2 NOT VOTING: Holmes, Page

Proposal No. 800, 1985, was retitled SPECIAL ORDINANCE NO. 94, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 94, 1985
Proposal No. 800, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Design Printing Company, Inc. Project)" in the aggregate principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for Design Printing Company, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Design Printing Company, Inc. (the "Company") consisting of the acquisition and installation of a 19 x 25 five-color Heidelberg printing press plus the acquisition, construction installation and equipping of an approximately 19,000 square feet addition to Design Printing Company, Inc."s existing building in which the machine will be housed and the other machinery and equipment to be installed therein plus certain site improvements to be located at 626 North Illinois Street on approximately 0.42 acres of land in Indianapolis, Marion County, Indiana which will be used for printing commercial material such as brochures, catalogs, newsletters, annual reports, posters and publications ("the Project") which will be initially owned and operated by Design Printing, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Mortgage and Indenture of Trust, Loan Agreement, Series 1985 Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Design Printing Company, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the the Financing Documents approved by the City of Indianapolis, Indiana Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Design Printing Company, Inc. Project) in the aggregate principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) which will be executed and delivered by Design Printing Company, Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this

City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds, and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 801, 1985, was retitled SPECIAL ORDINANCE NO. 95, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 95, 1985
Proposal No. 801, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Indianapolis Fruit Company, Inc. Project)" in the aggregate principal amount of Two Million Dollars ($2,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed permanent financing of economic development facilities for Indianapolis Fruit Company, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Indianapolis Fruit Company, Inc. (the "Company") consisting of the acquisition construction, installation and equipping of a new building containing approximately 45,000 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 4300 Massachusetts Avenue on approximately 10 acres of land, Indianapolis, Indiana will be used by the Indianapolis Fruit Company, Inc. as a wholesale fruit and vegetable warehouse and distribution center ("the Project") which will be initially owned and operated by Indianapolis Fruit Company, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Mortgage and Indenture of Trust, Loan Agreement, Series 1985 Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Indianapolis Fruit Company, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the the Financing Documents approved by the City of Indianapolis, Indiana Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Indianapolis Fruit Company, Inc. Project) in the aggregate principal amount of Two Million Dollars ($2,000,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Two Million Dollars ($2,000,000) which will be executed and delivered by Indianapolis Fruit Company, Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the

Bonds, and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 802, 1985, was retitled SPECIAL ORDINANCE NO. 96, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 96, 1985
Proposal No. 802, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds Series 1985 (J & W Project)" in the aggregate principal amount of One Million Four Hundred Thousand Dollars ($1,400,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for J & W, an Indiana General Partnership and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by J & W an Indiana General Partnership (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of existing buildings containing approximately 21,778 square feet and 63,000 square feet, located at 2320 North Meridian Street respectively and 2323 North Illinois Street, Indianapolis, Indiana on approximately 2.922 acres of land which will be used by Indianapolis Office Supply, Inc. to warehouse, distribute and sell office products, furniture and supplies and also for sales and administrative offices; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for the facility ("the Project") which will be initially owned by the Company complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Mortgage and Indenture of Trust, Loan Agreement, Series 1985 Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (J & W Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (J & W Project) in the aggregate principal amount of One Million Four Hundred Thousand Dollars ($1,400,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million Four Hundred Thousand Dollars ($1,400,000) which will be executed and delivered by J & W to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. City-County Special Ordinance No. 25, 1985 is hereby amended and supplemented.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 803, 1985, was retitled SPECIAL ORDINANCE NO. 97, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 97, 1985
Proposal No. 803, 1985

A SPECIAL ORDINANCE authorizing the issuance of $5,430,000 aggregate principal amount of mortgage revenue bonds, series 1985 (FHA insured mortgage loan - Oakleaf II Project) of the City of Indianapolis for the purpose of financing part of the cost of a "Project" for Oakleaf/Indianapolis, Ltd.; providing for the pledge and assignment of revenues for the payment of said bonds; authorizing a trust indenture, supplemental loan agreement and agreement as to tax exemption authorizing the use and distribution of an official statement with respect to the bonds and acceptance of a bond purchase agreement in connection with the sale of such bonds appropriate for the security of such revenues and other agreements to secure further the payment of said bonds.

WHEREAS, the City of Indianapolis, Indiana (hereinafter called the "Issuer"), is an agency of the State of Indiana, and by virtue of the constitution and laws of the State, including 36-7-12, et seq. (the "Act"), is authorized and empowered, among other things: (a) to provide funds for the acquisition, construction, rehabilitation, remodeling and improvement of privately owned economic development facilities including a congregate retirement facility; (b) to issue its revenue bonds for the purpose set forth herein, (c) to secure such revenue bonds by a pledge and assignment of revenues and other documents, as provided for herein, and (d) to enact this Bond Resolution and accept the Bond Purchase Agreement, execute the Indenture, the Supplemental Loan Agreement and the Agreement as to Tax Exemption all hereinafter identified, and all other documents to be executed by it, upon the terms and conditions provided therein; and

WHEREAS, the Issuer has heretofore found and determined, and does hereby confirm, that (a) the property to be acquired, constructed and improved with the proceeds of the Bonds herein authorized (hereinafter called the "Project"), as set forth in the Indenture, the Supplemental Loan Agreement and the Agreement as to Tax Exemption, constitutes a "commercial project" as defined in Chapter 36-7-12 of the Indiana Code, as amended, and particularly that the Project is for elderly persons, (b) that the financing of the Project for such purpose will be of benefit to the living conditions and welfare of the State of Indiana and its citizens; and

WHEREAS, it is determined by the Issuer that the amount necessary to finance the costs of or related to the acquisition, construction and improvement of the Project, including the financing thereof, will require the issuance, sale and delivery of Economic Development Revenue Bonds, Series 1985 (FHA Insured Mortgage Loan - Oakleaf II Project) in the maximum principal amount of $5,430,000 (the "Bonds"); now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Definitions. All defined terms used herein and those not otherwise defined herein shall have the respective meanings given to them in the Trust Indenture, dated as of December 1, 1985 (the "Indenture"), by and between the Issuer and The Central Trust Company, N.A., and its successors in trust, as trustee, or such other trustee as may qualify under the Indenture (the Trustee").

Any reference herein to the Issuer, or to any officers thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof", "hereby", "hereto", "hereunder", and similar terms, mean this Bond Resolution.

SECTION 2. Determination of Issuer. Pursuant to the Act, the Issuer hereby finds and determines that the Bonds will be and are being issued by the Issuer to implement 36-7-12 of the Indiana Code, by providing moneys for the purposes of facilitating an increase in the supply of sanitary, safe and uncrowded housing and encouraging the construction of such housing, all at interest rates substantially below the current market rates which are otherwise available, in compliance with the Act. The Issuer finds and determines that the Bonds will be and are issued in full compliance with the provisions of the Indiana Code and in a manner consistent with the purpose thereof. The issuer hereby finds and determines that the Project constitutes multi-family residential housing as defined in the Act and is consistent with the provisions thereof. The Issuer specifically finds and determines that the Project will be occupied by elderly persons and that at least 20% of the units in the Project will be occupied by persons of low or moderate income, as set forth in the Commitment for Insurance of Advances issued by the Federal Housing Administration with respect to the Project and in the Agreement as to Tax Exemption among the Issuer, the Owner and the Trustee, the provisions of which are hereby approved and incorporated by reference. The Issuer hereby further declares it intention to comply fully with the requirements of Section 103 of the Internal Revenue Code of 1954, as amended (the "Code"), which applies to the Bonds and the applicable regulations prescribed under that Section.

SECTION 3. Authorization of the Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, Bonds in the maximum aggregate principal amount of $5,430,000 in the form approved by the Issuer's Counsel, and designated "$5,430,000 City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (FHA Insured Mortgage Loan - Oakleaf II Project):, the proceeds of which will be held by the Trustee under the Indenture and used to make a loan (the "Mortgage Loan") to Oakleaf/Indianapolis, Ltd. (the "Owner") to pay the cost of the acquisition, construction and equipping of a project consisting of a congregate retirement facility located at 8500 North Craig Street, Indianapolis, Marion County, Indiana and to be known as Oakleaf II (the "Project") and to establish a Debt Service Reserve Fund.

SECTION 4. Terms and Execution of the Bonds. The Bond shall be issued as fully registered Current Interest Bonds, without coupons, in the denomination of $5,000 each or any integral multiple thereof, and as fully registered Compound Interest Bonds in the denominations set forth in the Indenture, numbered consecutively from 1 upward in ascending order of maturity, and shall be payable at the office of the Trustee and mature as provided in the Indenture. The Bonds shall have such terms, bear such interest rates, and be subject to mandatory and optional redemption as

provided in the Indenture and Bond Purchase Agreement heretofore presented to the Issuer. The Bonds shall be executed on behalf of the Issuer by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until after that time.

The form of the Bonds submitted to this meeting subject to appropriate insertions and revisions in order to comply with the provisions of the Indenture be and the same is hereby approved, and when the same shall be executed on behalf of the Issuer by the appropriate officers thereof in the manner contemplated by the Indenture in an aggregate principal amount of $5,430,000 shall represent the approved form of Bonds of the Issuer.

SECTION 5. Sale of the Bonds. The Bonds are being purchased for reoffering by Cranston Securities Company, the Purchaser described in the Bond Purchase Agreement and are hereby awarded to said Purchaser at the purchase price set forth therein. The Bonds are purchased by said Purchaser on the terms and conditions described therein. The Bonds shall bear an average interest rate per annum not in excess of 10.75%. The Mayor and the Clerk are authorized and directed to make on behalf of the Issuer the necessary arrangements with the Purchaser to establish the date, location, procedure and conditions for the delivery of the Bonds to the Purchaser, and to take all steps necessary to effect due execution and delivery to the Purchaser of the Bonds (or Temporary Bonds delivered in lieu of definitive Bonds until their preparation and delivery can be effectuated) under the terms of this Bond Resolution, the Bond Purchase Agreement, the Supplemental Loan Agreement and Indenture. It is hereby determined that the price for and the terms of the Bonds, and the sale thereof, all as provided in the aforesaid documents and certificates, are in the best interest of the Issuer and are consistent with all legal requirements.

SECTION 6. Arbitrage Provisions. The Issuer will use its best efforts to restrict the use of the proceeds of the Bonds in such manner and to expectations at the time the Bonds are delivered to the Purchaser, so that they will not constitute arbitrage bonds under Section 103(c) of the Internal Revenue Code and the regulations prescribed under that section. The Mayor or Clerk or any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed, alone or in conjunction with any of the foregoing or with any other officer, employee, consultant or agent of the Issuer, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 103(c) and regulations thereunder. The Clerk, or other appropriate officer of the Issuer shall furnish to the Purchaser a true transcript of proceeding, certified by said officer, of all proceedings had with reference to the issuance of the Bonds along with such information for the records as is necessary to determine the regularity and validity of the issuance of said Bonds.

SECTION 7. Supplemental Loan Agreement, Indenture, Preliminary Official Statement, Official Statement, Bond Purchase Agreement, Agreement as to Tax Exemption, and All Other Documents to be Executed or Accepted by the Issuer. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor and Clerk of the Issuer are authorized and directed to execute, acknowledge and deliver, and in the case of the Bond Purchase Agreement to accept, in the name and on behalf of the Issuer, an Indenture, Supplemental Loan Agreement, Agreement as to Tax Exemption and Bond

Purchase Agreement and all other material documents and assignments to be executed or accepted by it in substantially the form submitted to this City-County Council, which are hereby approved, with such changes therein not inconsistent with this Bond Legislation and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of this City-County Council of the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a) through (a) (11). The approval of such changes by such officers, and that such are evidenced by the execution of said Indenture, Supplemental Loan Agreement, and Bond Purchase Agreement by such officers.

The Issuer hereby approves and ratifies the use and distribution of a Preliminary Official Statement and an Official Statement, in substantially the form submitted to the Issuer, in connection with the issuance, sale and delivery of the Bonds, and authorizes and directs the Mayor to sign same if so required by Peck, Shaffer & Williams, as bond counsel.

The forms of FHA Documents (as defined in the Indenture) in substantially the forms presented to the City-County Council to be executed by the Owner and th Trustee, and their execution by the Trustee, are hereby approved.

SECTION 8. Covenants of Issuer. In addition to other covenants of the Issuer in this Bond Legislation, the Issuer further convenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will, solely from the sources herein provided, pay or cause to be paid the principal of, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein and in the Bonds, and in all other documents referred to herein.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times faithfully observe and perform all agreements, convenants, undertakings, stipulations and provisions contained in the Supplemental Loan Agreement, Bond Purchase Agreement, Agreement as to Tax Exemption and Indenture executed and delivered under this Bond Legislation, and in all other proceedings of the Issuer pertaining to the Supplemental Loan Agreement, Bond Purchase Agreement, Agreement as to Tax Exemption and Indenture. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State of Indiana, including particularly and without limitation the Act, to issue the Bonds and to execute the Supplemental Loan Agreement, Agreement as to Tax Exemption, the Indenture, accept the Bond Purchase Agreement, and all other documents to be executed by it, to provide the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein set forth; that all actions on its part for the issuance of the Bonds and execution or acceptance and delivery of the Supplemental Loan Agreement, the Indenture, the Bond Purchase Agreement, the Agreement as to Tax Exemption, and all other documents to be executed or accepted by it have been or will be duly and effectively taken; and that the Bonds will be valid and enforceable special obligations of the Issuer according to the terms thereof. Each provision of the Bond Legislation, the Indenture, each Bond and all other documents to be executed by the Issuer is binding upon such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds and all other documents to be executed by the Issuer is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty.

SECTION 9. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Resolution, or in the Bonds, or in the Supplemental Loan Agreement or in the Indenture or the Bond Purchase Agreement, or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Supplemental Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Supplemental Loan Agreement, Indenture, and acceptance of the Bond Purchase Agreement and the issuance of the Bonds.

SECTION 10. No Debt or Tax Pledge. The Bonds shall not constitute a debt or pledge of the faith and credit of the State or any political subdivision hereof, and the holders or owners thereof shall have no right to have taxes levied by the General Assembly or taxing authority of any political subdivision for the payment of the principal of or interest on the Bonds, and the Bonds shall be payable solely from the revenues and security interests pledged from their payment as authorized by the Indenture.

SECTION 11. Severability. If any section, paragraph or provision of this Bond Legislation shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Legislation.

SECTION 12. Repeal of Conflicting Resolutions. All resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION 13. Public Inspection. Two (2) copies of the Supplemental Loan Agreement, Indenture, Bond Purchase Agreement, Preliminary Official Statement, Official Statement, Agreement as to Tax-Exemption, FHA Documents (as defined in the Indenture) and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bonds, Series 1985 (FHA Insured Mortgage Loan - Oakleaf II Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 14. Approval by Governmental Unit. This Bond Legislation is intended to satisfy the public approval requirements of Section 103(k) of the Code with respect to approval by the applicable elected representative of the governmental unit. In particular, the City-county Council as the „applicable elected representative" of the Issuer for the purposes of Section 103(k) of the Code, hereby approves of the issuance of the Bond in the aggregate face amount of $5,430,000, the proceeds of which will be used to finance the Project as follows:

The project is an economic development facility consisting of a 121-unit congregate retirement facility to be known as Oakleaf II, located at 8500 North Craig Street,

Indianapolis, Marion County, Indiana, to be owned by Oakleaf/Indianapolis, Ltd., a limited partnership.

SECTION 15. Compliance with Open Door Law. It is hereby determined that all formal actions of this City-County Council relating to the adoption of this Bond Legislation were taken in an open meeting of this City-County Council, that all deliberations of this City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including the Indiana Open Door Law.

SECTION 16 Effective Date. This Bond Legislation shall be in full force and effect from and after compliance with procedure required by Indiana Code 36-3-4-14.

Proposal No. 804, 1985, was retitled SPECIAL ORDINANCE NO. 98, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 98, 1985
Proposal No. 804, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Clyde W. von Grimmenstein Project)" in the aggregate principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Clyde W. von Grimmenstein and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Clyde W. von Grimmenstein (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an existing building containing approximately 13,500 square feet plus a new addition thereto which will contain approximately 30,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 1214-1218 North Meridian Street, Indianapolis, Indiana which will be leased to and used by Van Ausdall & Farrar, Inc. in the business of selling and servicing word processing, telephone and dictating equipment ("the Project") which will be initially owned by Clyde W. von Grimmenstein complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note Series 1985, Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds Series 1985 (Clyde W. von Grimmenstein Project) hereinafter referred to collectively as the "Financing Documents")

by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Clyde W. von Grimmenstein Project) in the aggregate principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) which will be executed and delivered by Clyde W. von Grimmenstein to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 805, 1985, was retitled SPECIAL ORDINANCE NO. 99, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 99, 1985
Proposal No. 805, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Throgmartin Realty Project)" in the aggregate principal amount of Four Million Dollars ($4,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Throgmartin Realty and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Throgmartin Realty (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of a 181,259 square foot office/warehouse project located at 4151 East 96th Street. The warehouse portion is 150,265 square feet of single story construction consisting of tilt-up pre-cast concrete panels and a steel structural frame. Office construction consists of 15,285 square feet of two-story steel frame construction with dry-vit and glass exterior materials. 15,710 sq.ft. of warehouse space consisting of humidity-controlled tape storage, replacement parts, etc. are contained within this portion of the building. The facilities will be located on approximately 14 acres of land and will be used for Gregg Appliance, Inc.'s corporate warehouse and distribution center and general offices, for all corporate matters ("the Project") and will be initially owned by Throgmartin Realty, complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note Series 1985, Commercial Lease and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds Series 1985 (Throgmartin Realty Project) hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Throgmartin Realty Project) in the aggregate principal amount of Four Million Dollars ($4,000,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Four Million Dollars ($4,000,000) which will be executed and delivered by Throgmartin Realty to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 806, 1985, was retitled SPECIAL ORDINANCE NO. 100, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 100, 1985
Proposal No. 806, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (R & R Enterprises Project)" in the principal amount of Five Hundred Thousand Dollars ($500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for R & R Enterprises and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by R & R Enterprises (the "Company") consisting of the acquisition, construction, installation and equipping of a building containing approximately 31,500 square feet which will be used as factory, warehouse and office space by Hoosier Trim Products, Inc. in its business of fabrication of ferrous and nonferrous materials and warehousing and delivery of bar and sheet stock to be located at 1900 Expo Lane, Indianapolis, Indiana on approximately 3 acres of land; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned by the Company complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (R & R Enterprises Project) hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series 1985 (R & R Enterprises Project) in the principal amount of Five Hundred Thousand Dollars ($500,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Five Hundred Thousand Dollars ($500,000) which will be executed and delivered by the Company to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 807, 1985, was retitled SPECIAL ORDINANCE NO. 101, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 101, 1985
Proposal No. 807, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Loudermilk Project)" in the aggregate principal amount of Two Million One Hundred Thousand Dollars ($2,100,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for John Loudermilk and Geneva P. Loudermilk and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by John Loudermilk and Geneva P. Loudermilk (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing garage containing approximately 10,150 square feet and an existing warehouse containing approximately 27,500 square feet by replacing and renovating the roof, heating and ventilation systems plus other general improvements and the paving of all unpaved surface areas all of which are used by Controlled Temperature Trucking and Cramer Warehouse, Inc. in warehouse, truck terminal distribution center operations and to proceed with the acquisition, construction, installation and equipping of a new terminal building containing approximately 20,000 square feet and a new warehouse building containing approximately 27,500 square feet and the machinery and equipment to be installed therein plus certain site improvements to be located at 5700 West Minnesota, Indianapolis, Indiana on approximately 8.1 acres of land which will be used by R & H Trucking Corporation and Schaller Trucking Corporation in their businesses as motor freight carriers ("the Project") which will be initially owned by John Loudermilk and Geneva P. Loudermilk complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase and Loan Agreement, Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Assignment of Loan Documents, Mortgage Note Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Loudermilk Project) hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Loudermilk Project) in the aggregate principal amount of Two Million One Hundred Thousand Dollars ($2,100,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Two Million One Hundred Dollars ($2,100,000) which will be executed and delivered by John Loudermilk and Geneva P. Loudermilk to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 808, 1985, was retitled SPECIAL ORDINANCE NO. 102, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 102, 1985
Proposal No. 808, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bonds (Congregate Housing Partnership of Indianapolis Project)" in the maximum aggregate principal amount of Five Million Five Hundred Thousand Dollars ($5,500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Congregate Housing Partnership of Indianapolis and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Congregate Housing Partnership of Indianapolis (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 129, 458 square foot 124 unit multi-family residential rental facility for the elderly and the machinery and equipment to be located therein plus certain site improvements to be located at 3060 Valley Farms Road, Indianapolis, Indiana on approximately 4.5 acres of land to be known as Eagle Valley Retirement Community ("the Project") which will be initially owned by Congregate Housing Partnership of Indianapolis complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Trust Indenture, Loan Agreement, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bonds (Congregate Housing Partnership of Indianapolis Project) hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Mortgage Revenue Bonds (Congregate Housing Partnership of Indianapolis Project) in the maximum aggregate principal amount of Five Million Five Hundred Thousand Dollars ($5,500,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Five Million Five Hundred Thousand Dollars ($5,500,000) which will be executed and delivered by Congregate Housing Partnership of Indianapolis to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents, provided however that the per annum rate of interest shall not exceed 25%.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 809, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 103, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 103, 1985
Proposal No. 809, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 A, B and C (Downey - Sloan Real Estate Leasing, Inc. Project)" in the maximum aggregate principal amount of Two Million Three Hundred Fifty Thousand Dollars ($2,350,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for D & S Leasing and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by D & S Leasing and Downey-Sloan Equipment Leasing Corp. (the "Company") consisting of the acquisition, construction, installation and equipping of a new building containing approximately 23,000 square feet located at 2265 Executive Drive (Park Fletcher) Indianapolis, Indiana on approximately 3.443 acres of land which will be used by i) D & S Casting Co., Inc.in its business of jewelry casting, finishing, stone setting and related jewelry manufacturing activities and ii) Dave Downey, Inc. in its business of manufacturing and service offering diamond remounting services for the jewelry industry; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially operated by D & S Casting Co., Inc. and Dave Downey, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Mortgage, Security Agreement and Trust Indenture, Bond Purchase and Loan Agreement, Series A Promissory Note, Series B Promissory Note, Series C Promissory Note, the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985-A (Downey - Sloan Real Estate Leasing, Inc. Project), the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985-B (Downey - Sloan Real Estate Leasing, Inc. Project) and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series C (Downey - Sloan Real Estate Leasing, Inc. Project) hereinafter referred to collectively as the "Financing Documents') by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the

Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985-A, B and C (Downey - Sloan Real Estate Leasing, Inc. Project) in the maximum aggregate principal amount of Two Million Three Hundred Fifty Thousand Dollars ($2,350,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on their Promissory Notes in the total principal amount of a maximum of Two Million Three Hundred Fifty Thousand Dollars ($2,350,000) which will be executed and delivered to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 810, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 104, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 104, 1985
Proposal No. 810, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Union Federal Savings & Loan Association of Indianapolis Project)" in the maximum aggregate principal amount of Three Million Two Hundred Thousand Dollars ($3,200,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Union Federal Savings & Loan Association of Indianapolis and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Union Federal Savings & Loan Association of Indianapolis (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of an existing office building containing approximately 87,000 square feet consisting of a lower level, eight floors above grade and a small penthouse, of which the lower level and the first two floors above grade are occupied by Union Federal Savings & Loan Association of Indianapolis and related persons for financial institution uses and the remaining portions of the facility are leased to various professional and other business tenants as office space located at 45 North Pennsylvania Street, Indianapolis, Indiana, plus certain rehabilitation work to the parking garage located immediately to the south at 35 North Pennsylvania Street, Indianapolis, Indiana which will continue to be used as a parking garage; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned by Union Federal Savings & Loan Association of Indianapolis complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Disbursement Agreement, Mortgage, Bond Purchase, Loan Agreement and Trust Indenture, Promissory Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Union Federal Savings & Loan Association of Indianapolis Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Union Federal Savings & Loan Association of Indianapolis Project) in the maximum aggregate principal amount of Three Million Two Hundred Thousand Dollars ($3,200,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the maximum principal amount of Three Million Two Hundred Thousand Dollars ($3,200,000) which will be executed and delivered by Union Federal Savings & Loan Association of Indianapolis to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents, provided however that such interest rate shall not exceed 10.5% per annum.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 811, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 105, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 105, 1985
Proposal No. 811, 1985

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis, Indiana, authorizing and providing for the issuance of City of Indianapolis (Indiana) multi-family housing revenue bonds (Canal Street Project), dated December 1, 1985, in the amount of $38,500,000.

WHEREAS, the City of Indianapolis, Indiana (the "City"), a political subdivision of the State of Indiana, is authorized and empowered by Indiana Code 36-7-12 (hereinafter referred to as the "Act"), to issue bonds and lend the proceeds of the bonds to any person to defray the costs of a public purpose; and

WHEREAS, the City, through an Inducement Resolution adopted on October 15, 1985, Sycamore Canal Associates, an Indiana limited partnership (the "Borrower'), or its designee or assignee, was induced to acquire, construct and equip certain residential facilities within the corporate limits of the City (the "Project"); and

WHEREAS, under the terms of a proposed Loan Agreement (the "Loan Agreement"), the City will receive payments from the Borrower sufficient to pay the principal and interest requirements of the Bonds, and which payments shall be pledged, together with the Loan Agreement itself, as security for the payment of the principal of, premium (if any), and interest on the Bonds; and

WHEREAS, it has been determined that bonds designated the City's Multi-Family Housing Revenue Bonds (Canal Street Project) in the principal amount of $38,500,000 (the "Bonds") should be issued, sold and delivered and the proceeds thereof loaned to the Borrower to pay the Costs of the Project (as defined in the Loan Agreement); and

WHEREAS, the City is satisfied as to the ability of the Borrower to make the required payments over a period of years, and that the operation of the proposed Project will tend to relieve existing conditions of unemployment in the area and will otherwise increase the supply of safe and sanitary housing in Indianapolis, Indiana and promote the economic development of the City and all of its citizens and inhabitants; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

1. AUTHORIZATION OF BONDS.

For the purpose of paying the Costs of the Project (as defined in the Loan Agreement), the City hereby authorizes and approves the issuance of City of Indianapolis (Indiana) Multi-Family Housing Revenue Bonds (Canal Street Project), dated December 1, 1985 (the "Bonds"), in the principal amount of Thirty-Eight Million Five Hundred Thousand Dollars ($38,500,000) consisting of the maturities, denominations, and numbering; and bearing the interest rates and other features set out in the Trust Indenture, the Bond Purchase Agreement and other documents hereinafter approved; provided, however, that the maximum rate of interest on the Bonds shall not exceed fifteen percent (15%) per annum.

2. APPROVAL AND AUTHORIZATION OF EXECUTION OF VARIOUS DOCUMENTS; LOAN AGREEMENT; TRUST INDENTURE; BOND PURCHASE AGREEMENT AND OFFICIAL STATEMENT.

The following documents in the respective forms attached to this Ordinance, are hereby approved, subject to such minor changes, insertions, or omissions as may be approved by the Mayor, such approval to be conclusively evidenced by his execution of said documents, in order to effectuate the purposes of this Ordinance; and the Mayor are hereby authorized to execute and acknowledge same for and on behalf of the City; and the City Clerk are authorized to attest same and to affix thereto the corporate seal of the City. Two copies of each of said documents are on file in the office of the City Clerk, labelled respectively, Exhibits A through C, as identified below, and each of said documents is on file for public inspection.

(a) The Loan Agreement, dated as of December 1, 1985, between the City and the Borrower. (Exhibit A)

(b) The Trust Indenture (the "Indenture"), dated as of December 1, 1985, between the City and American Fletcher National Bank, Indianapolis, Indiana, Trustee (Exhibit B)

(c) The Bond Purchase Agreement (the "Purchase Agreement"), dated the date of this Ordinance. (Exhibit C)

3. APPROVAL OF OFFICIAL STATEMENT.

The City hereby authorizes the Borrower to draft an Official Statement which the City, by subsequent Resolution, may approve to be used and distriburted by the Borrower and its agents in connection with the remarketing of said Bonds. The City hereby authorizes the distribution by the Borrower on behalf of the City of a preliminary Official Statement with respect to the Bonds in substantially the forms submitted to and agreed to by the City and its attorney prior to the adoption of the subsequent Resolution approving the Official Statement.

4. DISBURSEMENT OF PROCEEDS OF BONDS.

The Borrower and the Trustee are authorized to carry out the procedures specified in the Indenture for the completion of the Project. Such procedures shall include reimbursement to the Borrower for all advances made by the Borrower toward the Costs of the Project in contemplation of the issuance of these Bonds, in reliance on the commitment of the City in the original Inducement Resolution approved by Inducement Resolution adopted by the City-County Council on October 15, 1985.

5. REVENUES OF THE PROJECT.

The revenues and other payments to be received by the City under the terms of the Loan Agreement are determined to be sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same become due and payable; and all of said payments and other payments received under the Loan Agreement and all other revenues arising out of or in connection with the Project, together with the Loan Agreement, are hereby pledged to secure such payments and revenues, and in addition, for such other purposes as are more fully specified in the Indenture.

6. DESIGNATION OF TRUSTEE.

American Fletcher National Bank, Indianapolis, Indiana, is hereby designated as the corporate trustee under the Indenture and also as the paying agent and bond registrar for the Bonds.

7. EXECUTION OF BONDS.

The Bonds shall be executed in the manner provided in the Indenture and shall be delivered to the Trustee for proper authentication and delivery by the Trustee to the Purchasers of the Bonds, with instructions to that effect, as provided in the Indenture.

8. MAYOR AND OTHER CITY OFFICIALS TO TAKE ANY OTHER NECESSARY ACTION.

Pursuant to the Constitution and Laws of the State of Indiana, the Mayor, the City Clerk and all other appropriate officials of the City are hereby authorized and directed to take any and all further action and to execute and deliver all other documents as may be necessary to effect the issuance and delivery of the Bonds.

9. LIMITED OBLIGATION

The Bonds shall not be a general obligation of the City but a limited obligation payable solely from the amounts payable under the Loan Agreement and other revenues of the Project. Neither the City, the State of Indiana nor any other political subdivision of the state of Indiana shall be obligated to pay the principal of or interest on such Bonds or other costs incident thereto except from the revenues of the Project pledged therefor. Neither the faith and credit nor the taxing power of the City, the State of Indiana or any political subdivision of the State of Indiana is pledged to the payment of the principal of, or premium, if any, or interest on the Bonds or other costs incident thereto.

10. COMPLIANCE WITH FEDERAL ARBITRAGE REQUIREMENTS

Based on representations of the Borrower, the City covenants that sums derived from the proceeds of the Bonds shall not be invested in investments in a manner which would cause the Bonds to be treated as "arbitrage bonds" within the meaning of Section 103 of the Internal Revenue Code, as amended, and the applicable Regulations thereunder.

Prior to or at the time of delivery of the Bonds, the Mayor and/or Clerk, who are jointly and severally charged with the responsibility for the issuance of the Bonds, are authorized to execute the appropriate certification with reference to the matters required and contemplated by such statute and Regulations, setting out all known and contemplated facts concerning the anticipated construction, expenditures, and investments, including the execution of necessary and/or desirable certifications contemplated by the aforesaid regulations in order to assure that interest on the Bonds will be exempt from all federal income taxes and that the Bonds will not be treated as "arbitrage bonds". Such officer(s) is entitled to reply upon information furnished by the Borrower in making such certifications and representations unless they, or either of them, shall be aware of any fact or circumstances which would cause such certifications or representations to be questioned.

11. SEVERABILITY CLAUSE

If any section, paragraph, clause, or provision of this Ordinance shall be ruled by any court of competent jurisdiction to be invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the remaining provisions hereof.

12. CAPTIONS OF CLAUSES

The captions of this Ordinance are for convenience only and are not to be construed as part of this Ordinance nor as defining or limiting in any way the scope or intent of the provisions hereof.

13. PROVISIONS IN CONFLICT REPEALED

All ordinances, resolutions, and orders, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed.

14. EFFECTIVE DATE OF ORDINANCE

SECTION 1. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 812, 1985, was retitled SPECIAL ORDINANCE NO. 106, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 106, 1985
Proposal No. 812, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Summit Finishing Company, Inc. Project)" in the aggregate principal amount of One Million Eight Hundred Thousand Dollars ($1,800,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Summit Finishing Company, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Summit Finishing Company, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of a new building containing approximately 4,000 square feet of offices located on th east side of Girls School Road approximately 600 feet south of its intersection with West Morris Street, Indianapolis, Indiana on approximately 10 acres of land which will be used by Summit Finishing Company, Inc. for electroplating of basic metals and electronic parts; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned and operated by Summit Finishing Company, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Bond Purchase Agreement, Loan Agreement, Mortgage and Security Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Summit Finishing Company, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Summit Finishing Company, Inc. Project) in the aggregate principal amount of One Million Eight Hundred Thousand Dollars ($1,800,000 for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million Eight Hundred Thousand Dollars ($1,800,000) which will be executed and delivered by Summit Finishing Company, Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 813, 1985, was retitled SPECIAL ORDINANCE NO. 107, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 107, 1985
Proposal No. 813, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project)" in the principal amount of Two Million Six Hundred Thousand Dollars ($2,600,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Gabriel E. Aguirre and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Gabriel E. Aguirre (the "Company)" consisting of the acquisition, construction, installation and equipping of a new building containing approximately 120,000 square feet located at 2020 Production Drive, Indianapolis, Indiana on approximately 6.5 acres of land which will be used by Catalox Corporation for the manufacturing of soft serve ice cream machines, shake machines, slush and frozen beverage dispensers, continuous freezers, pasteurizers and machinery for the hard ice cream industry, the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned by Gabriel E. Aguirre complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net

proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond, Series 1985 (Gabriel E. Aguirre Project) in the principal amount of Two Million Six Hundred Thousand Dollars ($2,600,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Two Million Six Hundred Thousand Dollars ($2,600,000) which will be executed and delivered by Gabriel E. Aguirre to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents and the Bond.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 814, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 108, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 108, 1985
Proposal No. 814, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Fannie Mae Pass-Through Certificate Program-Suncrest Apartments Project)" in the aggregate principal amount of Three Million Six Hundred Thousand Dollars ($3,600,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Suncrest Apartments, a to be formed Indiana limited partnership in which Haskel W. Prock and Nancy H. Prock will be general partners and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Suncrest Associates (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 140 units of multi-family residential rental housing having 15 individual buildings having a total gross building area of approximately 107,348 square feet not including the community building and the machinery and equipment to be installed herein plus certain site improvements to be located at the northeast corner of West Morris Street and Hardin Boulevard on approximately 12.52 acres of land, Indiana--polis, Indiana ("the Project") which will be initially owned by Suncrest Associates complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Land Use Restriction Agreement, Official Statement, Financing Agreement, Mortgage Purchase Agreement, Trust Indenture and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Fannie Mae Pass-Through Certificate Program-Suncrest Apartments Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Fannie Mae Pass-Through Certificate Program-Suncrest Apartments Project) in the aggregate principal amount of Three Million Six Hundred Thousand Dollars ($3,600,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents provided however that such per annum interest rate shall not exceed 10.5% and the maximum maturity shall not exceed 30 years.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No 815, 1985, was retitled SPECIAL ORDINANCE NO. 109, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 109, 1985
Proposal No. 815, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Masters Associates, II Project)" in the aggregate principal amount of Six Million One Hundred Fifty Thousand Dollars ($6,150,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Masters Associates, II and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Masters Associates, II (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 176 units of multi-family residential rental housing and the machinery and equipment to be installed therein plus certain site improvements to be located at 91st Street and Masters Road on the east side of Masters Road on approximately 17.1 acres of land, Indianapolis, Indiana ("the Project") which will be initially owned by Masters Associates, II complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Masters Associates II Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Masters Associates, II Project) in the aggregate principal amount of Six Million One Hundred Fifty Thousand Dollars ($6,150,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Six Million One Hundred Fifty Thousand Dollars ($6,150,000) which will be executed and delivered by Masters Associates, II to evidence and secure said loan and as otherwise provided in

the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 816, 1985, was retitled SPECIAL ORDINANCE NO. 110, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 110, 1985
Proposal No. 816, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Waterford Place ASsociates Project)" in the aggregate principal amount of Eight Million Two Hundred Thousand Dollars ($8,200,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Waterford Place Associates and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Waterford Place Associates (the "Company") consisting of the acquisition, construction, installation and equipping of approximately 260 units of multi-family residential rental housing contained within a complex of buildings and the machinery and equipment to be installed therein plus certain site improvements to be located at the northwest quadrant of the intersection of Stop 12 Road and Shelby Street on approximately 26 acres of land, Indianapolis, Indiana ("the Project") which will be initially operated by Waterford Place Associates complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Waterford Place Associates Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Waterford Place Associates Project) in the aggregate principal amount of Eight Million Two Hundred Thousand Dollars ($8,200,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Eight Million Two Hundred Thousand Dollars ($8,200,000) which will be executed and delivered by to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the

aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 817, 1985, was retitled SPECIAL ORDINANCE NO. 111, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 111, 1985
Proposal No. 817, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond, Series 1985 (School No. 7 Project)" in the principal amount of Eight Hundred Thousand Dollars ($800,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Angelo's Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Angelo's Inc. (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of the existing School No. 7 building containing approximately 20,000 square feet located at 748 Bates, Indianapolis, Indiana on approximately 1 acre of land which will be used as a small business and office complex; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of

machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially operated by Angelo's Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, First Mortgage Note, Series 1985 and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (School No. 7 Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (School No. 7 Project) in the principal amount of Eight Hundred Thousand Dollars for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Eight Hundred Thousand Dollars ($800,000) which will be executed and delivered by Angelo's Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents and the Bond.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the

Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 818, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 112, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 112, 1985

Proposal No. 818, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Lockefield Associates Project)" in the maximum aggregate principal amount of Twenty Million Nine Hundred Thousand Dollars ($20,900,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Lockefield Associates and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Lockefield Associates (the "Company") consisting of the acquisition, construction, renovation, installation and equipping of an existing vacant multi-family residential rental housing complex as follows: The project will consist exclusively of one and two-bedroom apartments for use as multi-family rental residences, and a small amount of commercial space. The project will consist of i) the rehabilitation of six existing historic buildings which were part of the original Lockefield Gardens housing project, which will contain 198 apartment units, and ii) the construction of 11 new three-story buildings, which will contain 294 apartment units for a total of 492 apartment units. The project will also contain 11,138 square feet of commercial space in the existing buildings, and 657 parking spaces. The Project will be located at 800-1000 Indiana Avenue on approximately 25

acres of land and will also include the acquisition, construction, installation and equipping of various site improvements at the facility and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned by Lockefield Associates, complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Trust Indenture, Loan Agreement, Mortgage and Security Agreement, Land Use Restriction Agreement and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds (Lockefield Associates Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Lockefield Associates Project) in the maximum aggregate principal amount of Twenty Million Nine Hundred Thousand Dollars ($20,900,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment

for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 819, 1985, was retitled SPECIAL ORDINANCE NO. 113, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 113, 1985
Proposal No. 819, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Multi-Family Housing Revenue Bonds (The Canal Overlook Apartments Project) 1985 Series A" in the maximum aggregate principal amount of Nine Million Nine Hundred Thousand Dollars ($9,900,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Indiana Avenue Associates, Ltd. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Indiana Avenue Associates, Ltd. (the "Company") consisting of the acquisition, construction, installation and equipping of a multi-use five level complex containing approximately 121 multi-family residential rental housing units, 141 enclosed parking spaces and 13,500 square feet of rental and commercial space located at the southwest quadrant of the intersection of Vermont and Indiana Avenues, Indianapolis, Indiana on approximately 1.5 acres of land; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned by Indiana Avenue Associates, Ltd. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Indenture of Trust, Loan Agreement, Regulatory Agreement and the form of the City of Indianapolis, Indiana "Multi-Family Housing Revenue Bonds (The Canal Overlook Apartments Project) 1985 Series A" (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its "Multi-Family Housing Revenue Bonds (The Canal Overlook Apartments Project) 1985 Series A" in the maximum aggregate principal amount of Nine Million Nine Hundred Thousand Dollars ($9,900,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this

City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 820, 1985, was retitled SPECIAL ORDINANCE NO. 114, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 114, 1985
Proposal No. 820, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Pictorial Publishers, Inc. Project)" in the principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Pictorial Publishers, Inc. and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Pictorial Publishers, Inc. (the "Company") consisting of the acquisition, construction, installation and equipping of an approximately 16,000 square foot addition (plus loading docks) to an existing 45,000 square foot office, manufacturing, warehousing and printing facility owned by Pictorial Publishers, Inc., located at 8081 Zionsville Road, Indianapolis, Indiana on approximately 4.26 acres of land which will be used by V-marc, Inc. for manufacturing a special purpose portable computer (the V-MARC 88) and associated peripherals; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility ("the Project") which will be initially owned by Pictorial Publishers, Inc. complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Bond Purchase Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bond (Pictorial Publishers, Inc. Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Pictorial Publishers, Inc. Project) in the principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million Five Hundred Thousand Dollars ($1,500,000) which will be executed and delivered by Pictorial Publishers, Inc. to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 821, 1985, was retitled SPECIAL ORDINANCE NO. 115, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 115, 1985
Proposal No. 821, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, 1985 Series (FHA Insured Mortgage Loan - Park Place Associates Project)" in the aggregate principal amount of One Million One Hundred Fifty-seven Thousand Four Hundred Dollars ($1,157,400) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Park Place Associates and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Park Place Apartments (the "Company") consisting of the acquisition, renovation, construction, conversion, improvement, installation and equipping of approximately 38 units of multifamily residential rental housing contained within a portion of an existing building that has a total gross building area of approximately 58,000 square feet; the acquisition and installation of machinery, equipment, fixtures and furnishings for use therein; and the acquisition, construction, installation and equipping of various site improvements at the building to be located at 604 East 38th Street on approximately 1.7 acres of land, in Indianapolis Indiana ("the Project") which will be initially owned by Park Place Associates complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Trust Indenture, Supplemental Loan Agreement, Real Estate Mortgage, Security Agreement and Assignment of Leases and Rents, Regulatory Agreement as to Tax Exemption, Assignment of Loan Documents and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, 1985 Series (FHA Insured Mortgage Loan - Park Place Associates Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to

this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, 1985 Series (FHA Insured Mortgage Loan - Park Place Associates Project) in the aggregate principal amount of One Million One Hundred Fifty-seven Thousand Four Hundred Dollars ($1,157,400) for the purpose of procuring funds to loan to the Company in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of One Million One Hundred Fifty-seven Thousand Four Hundred Dollars ($1,157,400) which will be executed and delivered by Park Place Apartments to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents provided however that the per annum rate of interest shall not exceed 20%.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute those Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchase or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 822, 1985, was retitled SPECIAL ORDINANCE NO. 116, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 116, 1985
Proposal No. 822, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on December 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as the 200 block of West Washington Street, Indianapolis, Indiana commonly known as the Mall Block, Indianapolis, Indiana as an Economic Development Target Area which parcel is more specifically described as:

Square 68 of the Donation Lands, of the City of Indianapolis, including all streets and alleys within its boundaries, now vacated, and more particularly described as follows:

> Beginning at the Northwest corner of Square 68, said point being the intersection of the East line of Senate Avenue and the South line of Washington Street, thence east along the south line of Washington Street 419.47 feet to the West line of Capitol Avenue; thence South along said West line 420 feet to the North line of Maryland Street; thence West along said North line 419.28 feet to the East line of Senate Avenue; thence North along said East line 420 feet to the point of beginning.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcels commonly known as 200 block of West Washington Street, Indianapolis, Indiana commonly known as the Mall Block, Indianapolis, Indiana which is more specifically described as:

Square 68 of the Donation Lands, of the City of Indianapolis, including all streets and alleys within its boundaries, now vacated, and more particularly described as follows:

> Beginning at the Northwest corner of Square 68, said point being the intersection of the East line of Senate Avenue and the South line of Washington Street, thence east along the south line of Washington Street 419.47 feet to the West line of Capitol Avenue; thence South along said West line 420 feet to the North line of Maryland Street; thence West along said North line 419.28 feet to the East line of Senate Avenue; thence North along said East line 420 feet to the point of beginning.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

roposal No. 824, 1985, As Amended, was retitled SPECIAL ORDINANCE NO. 17, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO' 117, 1985
Proposal No. 824, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Mortgage Revenue Bond (Webb/Henne Indianapolis Venture I Project)" in the principal amount of Eight Million One Hundred Thousand Dollars ($8,100,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Webb/Henne Indianapolis Venture I and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Webb/Henne Indianapolis Venture I (the "Company") consisting of the acquisition, conversion, rehabilitation, construction, expansion, installation and equipping of a facility presently containing approximately 90,000 gross square feet located on the Project Site into an office building containing approximately 100,000 gross square feet; the acquisition, construction installation and equipping of various site improvements at the Project Site including parking areas; the acquisition and installation of machinery, equipment, fixtures and furnishings for use in connection with such facility; the demolition of a second building now located on the Project Site; and the acquisition of the Project Site (the "Project"). The Project which will be initially owned by Webb/Henne Indianapolis Venture I complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement including Exhibits attached thereto, Bond Purchase Agreement including Exhibits attached thereto, and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (Webb/Henne Indianapolis Venture I Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of a revenue bond, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission with the changes contained in such as are kept on file by the Clerk of the Council or City Controller are hereby approved and all such

documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Mortgage Revenue Bond (Webb/Henne Indianapolis Venture I Project) in the aggregate principal amount of Eight Million One Hundred Thousand Dollars ($8,100,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Eight Million One Hundred Thousand Dollars ($8,100,000) which will be executed and delivered by Webb/Henne Indianapolis Venture I to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The Company will enter into a lease agreement with Howard Needles Tammen & Bergendoff whereby the Company will lease approximately 27,330 net leasable square feet to Howard Needles Tammen & Bergendoff. The form of the lease is hereby approved and shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or the City Controller.

SECTION 7. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bond or the interest thereon remains unpaid.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Proposal Nos. 825 and 826, 1985, were Stricken by Consent.]

Proposal No. 827, 1985, was retitled SPECIAL ORDINANCE NO. 118, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 118, 1985
Proposal No. 827, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on December 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcels commonly known as the 919 North Pennsylvania Street, 1433 North Pennsylvania Street, 1229 North Pennsylvania, 108 East 13th Street, 902 North Pennsylvania Street, 39 East 9th Street, 221 East Michigan Street, 611 North Pennsylvania Street and 30 East Georgia Street, Indianapolis, Indiana as an Economic Development Target Area which parcels are more specifically described as:

Lots 11 and 12 in Joseph R. Pratt's Subdivision of a part of out lot 172 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Land Record U, page 123 and re-recorded in Plat Book 1, pages 79 and 80, in the Office of the Recorder of Marion County, Indiana. Also, the East Half of that part of Socioto Street adjacent to and adjoining the west ends of said Lots 11 and 12, theretofore vacated under Declaratory Resolution 80 VAC 10, recorded April 17, 1980, as Instrument No.80-24056, in the Office of the Recorder of Marion County, Indiana. Also, Lot 4 in A.M. Robertson's Subdivision of Lot 10 and the south half of Lot 9 in Pratt's Subdivision of out lot 172 of the Donation Lands of the City of Indianapolis, the plat of said A.M. Robertson's Subdivision appearing of record in the Office of the Recorder of Marion County, Indiana, in Plat Book 11, page 139, thereof.

Lot 6 in Hasson's Subdivision of Lots 10, 11, and 12 in Square 18 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 9, page 36, in the Office of the Recorder of Marion County, Indiana.

Lot 2 and 30 feet off the North End of Lot 1, in Adamson's Subdivision of lots 7, 8. 9, 10, 11 and 12 in Moses Frazee Estate Partition Subdivision of the West Hald of Out Lot 4 of the Donation Lands of the City of Indianapolis, the plat of Adamson's Subdivision being recorded in Plat Book 2, page 34, in the Office of the Recorder of Marion County, Indiana.

Part of Lot Numbered One (1) in McElvaine and Latham's Subdivision of 6.29 acres of ground in the North part of OUt Lot Numbered ONe Hundred Seventy-three (173) of the Donation Lands of the City of Indianapolis, asper plat thereof in Plat Book 1, pages 344 and 345 thereof, such portion of said Lot 1, being more particularly described as follows: Beginning at the Northwest corner of said Lot 1 and running thence South Along and with the West line of Said Lot 1 and running thence South Along and with the West line of said Lot, 45 feet to a point, thence Eastward parallel to the South line of said lot, 194 feet and 4 inches to a point; thence Northwardly parallel to Pennsylvania Street, 45 feet to an alley, thence West along and with the North line of said lot, 194 feet and 4 inches to the place of beginning.

Lots 1, 2 and 3 in A.M. Robertson's Subdivision of the south half of Lot 9 and all of Lot 10 in Joseph R. Pratt's Subivision of out lot 172 of the Donation Lands of the City of Indianapolis as per plat of said subdivision recorded in Plat Book 11 page 139, in the Office of the Recorder of Marion County, Indiana. Also, the North Half of Lot 9 and 15 feet 6 inches off the South side of Lot 8 in Joseph R. Pratt's Subdivision of out Lot 172 of the Donation Lands of the City of Indianapolis, per plat of said subdivision recorded in Plat Book 1, page 40, in the office of the Recorder of Marion County, Indiana.

Lot Numbered 9 in E.B. Martindale's Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 3, page 72, in the Office of the Recorder of Marion County, Indiana.

Lot 2 in Vajen's Third Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 3, page 86, in the Office of the Recorder of Marion County, Indiana. Lot 3 and 17 feet off entire south side of Lot 4 in Vajen's Third Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 3, page 86 in the office of the Recorder of Marion County, Indiana.

18 feet 2 3/4 inches by parallel lines off of the entire North side of Lot 6 and 47 feet and 1 3/4 inches, by parallel lines off of the entire South side of Lot 7, all in E. B. Martindale's Addition to the City of Indianapolis, now in the CIty of Indianapolis, as per plat thereof, recorded in Plat Book 3, page 72, in the Office of the Recorder of Marion County, Indiana.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcels commonly known as the 919 North Pennsylvania Street, 1433 North Pennsylvania Street, 1229 North Pennsylvania, 108 East 13th Street, 902 North Pennsylvania Street, 39 East 9th Street, 221 East Michigan Street, 611 North Pennsylvania Street and 30 East Georgia Street, , Indianapolis, Indiana which are more specifically described as:

Lots 11 and 12 in Joseph R. Pratt's Subidivision of a part of out lot 172 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Land Record U, page 123 and re-recorded in Plat Book 1, pages 79 and 80, in the Office of the Recorder of Marion County, Indiana. Also, the East Half of that part of Socioto Street adjacent to and adjoining the west ends of said Lots 11 and 12, theretofore vacated under Declaration Resolution 80 VAC 10, recorded April 17, 1980, as Instrument No.80-24056, in the Office of the Recorder of Marion County, Indiana. Also, Lot 4 in A.M. Robertson's Subdivision of Lot 10 and the south half of Lot 9 in Pratt's Subdivision of out lot 172 of the Donation Lands of th City of Indianapolis, the plat of said A.M. Robertson's Subdivision appear ing of record in the Office of the Recorder of Marion County, Indiana, in Plat Book 11, page 139, thereof.

Lot 6 in Hasson's Subidvision o Lots 10, 11, and 12 in Square 18 in the City of Indianapolis, asper plat thereof, recorded in Plat Book 9, page 36, in the Office of the Recorder of Marion County, Indiana.

Lot 2 and 30 feet off the North End of Lot 1, in Adamson's Subdivision of lots 7, 8. 9, 10, 11 and 12 in Moses Frazee Estate Partitition Subdivision of the West Half of Out Lot 4 of the Donation Lands of the City of Indianapolis, the plat of adamson's Subdivision being recorded in Plat Book 2, page 34, in the Office of the Recorder of Marion County, Indiana.

Part of Lot Numbered One (1) in McElvaine and Latham's Subdivision of 6.29 acres of ground inthe North part of OUt Lot Numbered One Hundred Seventy-three (173) of the Donation Lands of the City of Indianapolis, as per plat thereof inPlat Book 1, pages 344 and 345 thereof, such portion of said Lot 1, being more particularly described as follows: Beginning at the Northwest corner of said Lot 1 and running thence South along and with the West line of said Lot, 45 feet to a point, thence Eastward parallel to the South line of said lot, 194 feet and 4

to a point; thence Northwardly parallel to Pennsylvania Street, 45 feet to an alley, tehnce West along and with the North line of said lot, 194 feet and 4 inches to the place of beginning.

Lots 1, 2 and 3 in A.M. Robertson's Subdivision of the south half of Lot 9 and all of Lot 10 in Joseph R. Pratt's Subdivision of out lot 172 of the Donation Lands of the City of Indianapolis, as per plat of said subdivision recorded in Plat Book 11 page 139, in the Office of the Recorder of Marion County, Indiana. Also, the North Half of Lot 9 and 15 feet 6 inches off the South side of Lot 8 in Joseph R. Pratt's Subdivision of out Lot 172 of the Donation Lands of the City Of Indianapolis, as per plat of said subdivision recorded in Plat Book 1, page 40, in the office of the Recorder of Marion County, Indiana.

Lot Numbered 9 in E.B. Martindale's Addition t o the City ofIndianapolis, as per plat thereof, recorded in PlatBook 3, page 72, in the Office of the REcorder of Marion County, Indiana.

Lot 2 in Vajen's Third Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 3, page 86, in the Office of the Recorder of Marion Indiana. Lot 3 and 17 feet off entiere south side of Lot 4 in Vajen's Third Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 3, page 86 in the office of the Recorder of Marion County, Indiana.

18 feet 2 3/4 inches by parallel lines off of the entire North side of Lot 6 and 47 feet and 1 3/4 inches, by parallel lines off of the entire South side of Lot 7, all in E.B. Martindale's Addition to the Cityof Indianapolis, now in the City of Indianapolis, as per plat thereof, recorded in Plat Book 3, page 72, in the Office of the Recorder of Marion County, Indiana.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 828, 1985, was retitled SPECIAL ORDINANCE NO. 119, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 119, 1985
Proposal No. 828, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds (Indianapolis Historic Partners Project)" in the aggregate principal amount of Twenty Million One Hundred Thousand Dollars ($20,100,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Historic Partners with J. Scott Keller as General Partner to develop the Project and now Edwards Development Corp. has replaced J. Scott Keller as General Partner of Indianapolis Historic Partners; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Indianapolis Historic Partners with Edwards Development Corp. as General Partner (the "Company") consisting of the acquisition, renovation, construction, installation and equipping of various existing buildings all located in the City of Indianapolis, Indiana:

1. The Pennsylvania, located at 919 North Pennsylvania Street which will contain 14 multi-family residential rental units;

2. The Spink, located at 1433 North Pennsylvania Street which will contain 58 multi-family residential rental units;

3. The Van Dyke, located at 1229 North Pennsylvania Street which will contain 26 multi-family residential rental units;

4. The Raleigh, located at 108 East 13th Street on the northeast corner of the intersection of E. 13th Street and North Pennsylvania Street which will contain 70 multi-family residential rental units;

5. The Plaza, located at 902 North Pennsylvania Street on the northwest corner of the intersection of E. 9th Street and North Pennsylvania Street which will contain 27 multi-family residential rental units plus approximately 6,782 square feet of space which will be leased for commercial uses;

6. The Ambassador, located at 39 East 9th Street which will contain 60 multi-family residential rental units plus approximately 6,560 square feet of space which will be leased for commercial uses;

7. The Dartmouth, located at 221 East Michigan Street which will contain 42 multi-family residential rental units;

8. The McKay, located at 611 North Pennsylvania Street which will contain 24 multi-family residential rental units;

9. The John W. Murphy Building, and the Holliday and Wyons Building located at 30 East Georgia Street (which are the first two buildings on Georgia Street located at the northwest corner of the intersection of Georgia Street and South Pennsylvania Street) which collectively will contain 137 multi-family residential rental units plus approximately 21,500 square feet of space which will be leased for commercial uses;

("the Project") which will be initially owned by Indianapolis Historic Partners with Edwards Development Corp. as General Partner complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 22 at the end of one year and 22 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, First Mortgage Note, Trust Indenture, Land Use Restriction Agreement, Collateral Assignment of Leases and Rentals, Official Statement, Bond Purchase Agreement, Inducement Letter and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds(Indianapolis Historic Partners Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection. The substitution of Edwards Development Corp. as General Partner of Indianapolis Historic Partners replacing G. Scott Keller as General Partner of Indianapolis Historic Partners is hereby approved. All costs of the Project incurrred after the passage of City-County Special Resolution No. 102, 1983, including reimbursement or repayment to the Company of moneys expended by the Company for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to City-County Special Resolution No. 102, 1983 will be permitted to be included as part of the bond issue to finance the Project.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds (Indianapolis Historic Partners Project) in the aggregate principal amount of Twenty Million One Hundred Thousand Dollars ($20,100,000) for the purpose of

procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Twenty Million One Hundred Thousand Dollars ($20,100,000) which will be executed and delivered by Indianapolis Historic Partners to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to not less than 97% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Financing Documents. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bonds and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. City-County Special Ordinance No. 44, 1985, City-County Special Ordinance and City-County Special Resolution No. 102, 1983 as amended are supplemented and amended upon adoption of this ordinance and compliance with I.C. 36-3-4-14.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 829, 1985, was retitled SPECIAL ORDINANCE NO. 120, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 120, 1985
Proposal No. 829, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by

I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on December 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 225 North Delaware Street, Indianapolis, Indiana as an Economic Development Target Area which parcel is more specifically described as:

donation lands of the City of Indianapolis, Marion County, Indiana.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

ECTION 1. It is hereby found that the parcel commonly known as 225 North Delaware Street, Indianapolis, Indiana which is more specifically described as:

> 45 feet by parallel lines off the entire south side of lot 10 square 38 of the donation lands of the City of Indianapolis, Marion County, Indiana

meets the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcel set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 830, 1985, was retitled SPECIAL ORDINANCE NO. 121, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 121, 1985
Proposal No. 830, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bond (Algonquin Building Partners Project)" in the aggregate principal amount of Six Hundred Fifty Thousand Dollars ($650,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Algonquin Building Partners and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Algonquin Building Partners (the "Company") consisting of the acquisition, renovation, installation and equipping of an existing building containing approximately 15,500 square feet located at 225 North Delaware Street, Indianapolis, Indiana and the machinery and equipment to be installed therein plus certain site improvements on the real estate which will be acquired all of which will be leased for general and professional office use ("the Project") which will be initially owner and operated by Algonquin Building Partners complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 (collectively the "Act") and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 10 at the end of one year and three

years to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Bond Purchase Agreement, Promissory Note, Assignment of Interests, Real Estate Mortgage and the form of the City of Indianapolis, Indiana Economic Development Mortgage Revenue Bond (Algonquin Building Partners Project) (hereinafter referred to collectively as the "Financing Documents") by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to the Company for the purposes of financing the Project, and the repayment of said loan by the Company will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of the Act.

SECTION 2. The forms of the Financing Documents approved by the Indianapolis, Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Financing Documents are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bond (Algonquin Building Partners Project) in the principal amount of Six Hundred Fifty Thousand Dollars ($650,000) for the purpose of procuring funds to loan to the Company in order to finance the Project, which is more particularly set out in the Financing Documents incorporated herein by reference, which Bond will be payable as to principal, premium, if any, and interest solely from the payments made by the Company on its Promissory Note in the principal amount of Six Hundred Fifty Thousand Dollars ($650,000) which will be executed and delivered by Algonquin Building Partners to evidence and secure said loan and as otherwise provided in the above described Financing Documents. The Bond shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bond to the purchaser or purchasers thereof at a price equal to 100% of the aggregate principal amount thereof, plus accrued interest, if any and at a stated per annum rate of interest as set forth in the Financing Documents and the Bond.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Financing Documents which require the signature of the Mayor and City Clerk approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which may be necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bond may be facsimile signatures. The City Clerk or City Controller are authorized to arrange for the delivery of such Bond to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures on the Bond or their manual signatures thereof approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or City Clerk without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27 (a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Financing Documents shall constitute a contract binding between the City of Indianapolis and the holder of the Bond and after the issuance of said Bond this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 831, 1985, was retitled SPECIAL RESOLUTION NO. 179, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 179, 1985
Proposal No. 831, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 53, 1984 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Severin Associates (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of April 30, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 832, 1985, was retitled SPECIAL RESOLUTION NO. 180, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 180, 1985
Proposal No. 832, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 103, 1983, as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 103, 1983, as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by B & D Associates, an Indiana limited partnership (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration

date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 833, 1985, was retitled SPECIAL RESOLUTION NO. 181, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 181, 1985
Proposal No. 833, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 44, 1984 (the "Inducement Resolution") as amended has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Brougher Agency, Inc.(the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, a request has been made to change the definition of the Company to include "Brougher International or any direct or indirect subsidiary thereof" and also to reflect that the building to be renovated is within the Wood High School complex but is not the main school building itself; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31,

1986 and mofitying the definition of the Company to include "Brougher International or any direct or indirect subsidiary thereof" and also to reflect that the building to be renovated is within the Wood High School Complex but is not the main school building itself.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 834, 1985, was retitled SPECIAL RESOLUTION NO. 182, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 182, 1985
Proposal No. 834, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 92, 1981 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 92, 1981 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Canal Commons Associates, an Indiana limited partnership (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the

Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 835, 1985, was retitled SPECIAL RESOLUTION NO. 183, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 183, 1985
Proposal No. 835, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 45, 1983 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 45, 1983 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by City Inns, Inc. d/b/a Howard Johnson's (Downtown) Motor Lodge (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 836, 1985, was retitled SPECIAL RESOLUTION NO. 184, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 184, 1985
Proposal No. 836, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 7, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 7, 1984 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by RC of A Retirement Living, Ltd., Series V or an entity to be formed in which Richard T. Conard, M.D. is a partner or shareholder (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid xpiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 837, 1985, was retitled SPECIAL RESOLUTION NO. 185, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 185, 1985
Proposal No. 837, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 41, 1982 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by We Care Manor, Inc. Nursing Center (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 838, 1985, was retitled SPECIAL RESOLUTION NO. 186, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 186, 1985
Proposal No. 838, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 34, 1984 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Eastside Community Investment, Inc. or a partnership to be formed by Eastside Community Investments, Inc. (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 839, 1985, was retitled SPECIAL RESOLUTION NO. 187, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 187, 1985
Proposal No. 839, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 64, 1985 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by John Loudermilk and Geneva P. Loudermilk (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

[Clerk's Note: Proposal No. 840, 1985, was Stricken by Consent.]

Proposal No. 841, 1985, was retitled SPECIAL RESOLUTION NO. 188, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 188, 1985
Proposal No. 841, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 70, 1985 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by American Trans Air, Inc. (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 842, 1985, was retitled SPECIAL RESOLUTION NO. 189, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 189, 1985
Proposal No. 842, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or sub-leased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 58, 1985 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Voluntary Enterprises, Inc., or partnership in which Voluntary Enterprises, Inc. is a partner or a corporation in which Voluntary Enterprises, Inc. is a shareholder (the "ompany") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the

showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 843, 1985, was retitled SPECIAL RESOLUTION NO. 190, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 190, 1985
Proposal No. 843, 1985

A SPECIAL RESOLUTION amending City-County Special Resolution No. 53, 1984 as amended and approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "City") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, renovation, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, City-County Special Resolution No. 59, 1985 as amended (the "Inducement Resolution") has been previously adopted by the City-County Council of The City of Indianapolis and Marion County, Indiana, concerning certain proposed economic development facilities to be developed by Suncrest Associates (the "Company") which Special Resolution set an expiration date of December 31, 1985 unless the economic development revenue bonds for the Project have been issued prior to the aforesaid date or unless, upon a showing of good cause by the Company, the City by official action extends the term of the inducement resolution; and

WHEREAS, such bonds have not yet been issued as of the date of adoption of this City-County Special Resolution but the Company has shown good cause to extend the aforesaid expiration date; now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the Inducement Resolution is hereby amended by deleting the expiration date of December 31, 1985 contained therein and replacing said date with the date of July 31, 1986.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that except as modified by Section 1 hereof, all other findings and provisions of the Inducement Resolution shall remain unchanged and are hereby reaffirmed and confirmed.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 844, 1985, was retitled SPECIAL RESOLUTION NO. 191, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 191, 1985
Proposal No. 844, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Central Restaurant Equipment, Inc. or a partnership of which Richard D. Weinstein (the sole shareholder of Central Restaurant Equipment, Inc.) is a general partner (the "Applicant') has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of an existing building located at 1010 North Central Avenue, Indianapolis, Indiana on approximately 1.66 acres of land which will be used by Central Restaurant Equipment, Inc. for the wholesale distribution of restaurant equipment (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 2 at the end of one year and 4 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $325,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation,

underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Alternate Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 845, 1985, was retitled SPECIAL RESOLUTION NO. 192, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 192, 1985
Proposal No. 845, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Harold Skillman, the Skillman Corporation, or a partnership to be formed (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, renovation, installation and equipping of the existing vacant Wood High School Building containing approximately 120,000 square feet located at 501 South Meridian Street, Indianapolis, Indiana on approximately 0.95 acres of land which will be used by the Applicant for a 150 room motel (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 26 at the end of one year and 33 at the end of three years) to be achieved by the acquisition, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of premanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $9,500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to

the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 846, 1985, was retitled SPECIAL RESOLUTION NO. 193, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 193, 1985
Proposal No. 846, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Culligan Fireprotection, Inc.(the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct or renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction or renovation, installation and equipping of a a facility containing approximately 30,000 square feet to be located in Indianapolis, Indiana which will be used by the Applicant for manufacturing, fabrication and distribution of pipe and pipe fittings (the Project'); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 6 at the end of one year and 13 at the end of three years) to be achieved by the acquisition, construction or renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction or renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $1,100,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction or renovation, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction or renovation, underwriting expenses, attorney and bond counsel fees, acquisition, construction or renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect

expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Alternate Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 849, 1985, was retitled SPECIAL ORDINANCE NO. 122, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 122, 1985
Proposal No. 849, 1985

A SPECIAL ORDINANCE designating part of the Consolidated City as an Economic Development Target Area, which designation meets the requirements imposed by I.C. 36-7-12 for allowing industrial development bond financing for economic development facilities used for retail trade, banking, credit agencies or services.

WHEREAS, I.C. 36-7-11.9 and I.C. 36-7-12 limits the use of industrial development bonds for financing economic development facilities for retail trade, finance, insurance, real estate or certain services; and

WHEREAS, the statute provides that such economic development facilities may be financed by industrial development bonds if the facility is located in an Economic Development Target Area and the City-County Council finds the facility will not have an adverse competitive impact on operating facilities of the same kind in the same market area and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, I.C. 36-7-12-38 authorizes the City-County Council, after favorable recommendation by the Economic Development Commission, to designate by ordinance a specific geographic area in the Consolidated City, no larger than 15% of the area of the Consolidated City, as an Economic Development Target Area; and

WHEREAS, I.C. 36-7-11.9-4 indicates that an Economic Development Target Area means a geographic area that:

"(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property;

(2) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under I.C. 36-7-11, I.C. 36-7-11.1, or I.C. 14-3-3.2; or

(3) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the national register of historic places established pursuant to the National Historic Preservation Act of 1966;

(B) listed on the register of Indiana historic sites and historic structures established under I.C. 14-3-3.3; or

(C) determined to be eligible for listing on the Indiana register by the Indiana state historic preservation officer."; and

WHEREAS, at its meeting on December 4, 1985 the Indianapolis Economic Development Commission reviewed, considered and favorably recommended to the City-County Council designating the parcel commonly known as 333 West Walnut Street, Indianapolis, Indiana as an Economic Development Target Area which parcel are more specifically described as:

James Blakes Subdivision, Lots 16 to 30 inclusive, plus Out Lot 9.

now, therefore:

BE IT ORDAINED BY THE CITY-COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the parcels commonly known as 333 West Walnut Street, Indianapolis, Indiana which are more specifically described as:

James Blakes Subdivision, Lots 16 to 30 inclusive, plus Out Lot 9.

meet the requirement imposed by I.C. 36-7-11.9-4, as amended of having "... become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvements or character of occupancy, age obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property ...".

SECTION 2. This City-County Council hereby designates, pursuant to I.C. 36-7-11.9 and I.C. 36-7-12, as amended, the parcels set forth in Section 1 of this ordinance as an Economic Development Target Area.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 850, 1985, was retitled SPECIAL RESOLUTION NO. 194, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 194, 1985
Proposal No. 850, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Canalwalk Associates (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, renovate, install and equip certain economic development

facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a multi-family residential rental housing complex containing approximately 50 to 60 such units plus approximately 15,000 square feet of commercial space located at 333 West Walnut Street, Indianapolis, Indiana on approximately 0.985 acres of land (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 12 at the end of one year and 22 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $4,200,000 under the Act to be privately placed or a public offering with credit enhancement and subject to the Project Site being designated as an Economic Development Target Area pursuant to the Act for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the

private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Alternate Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 851, 1985, was retitled SPECIAL RESOLUTION NO. 195, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 195, 1985
Proposal No. 851, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Cybotech Corporation (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, and install and equip certain economic development

facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of a new building containing approximately 150,000 square feet of manufacturing area, research facilities and offices located on a tract of land to be acquired in Indianapolis, Indiana which will be used by the Applicant for manufacturing and distribution of industrial robot systems and software (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 41 at the end of one year and 102 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $7,200,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable

limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the
Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Alternate Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 852, 1985, was retitled SPECIAL RESOLUTION NO. 196, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 196, 1985
Proposal No. 852, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Paper Manufacturers Company(the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic develop-

ment facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition, construction, installation and equipping of building improvements to the Applicant's existing facility located at 8525 East 33rd in its business of manufacturing rolls and folded products for business machines; the acquisition, construction, installation and equipping of various site improvements at the facility; and the acquisition of machinery, equipment, fixtures and furnishings for use in the facility (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 19 at the end of one year and 36 at the end of three years) to be achieved by the acquisition, construction, installation and equipping of the Project respectively will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $1,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of

private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 853, 1985, was retitled SPECIAL RESOLUTION NO. 197, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 197, 1985
Proposal No. 853, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, South Side Landfill, Inc. (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of a pollution control financing to the Applicant for the same, said pollution control facilities to be the acquisition, construction, installation and equipping of a curtain or slurry containment wall to surround the existing landfill operated by Southside Landfill, Inc. at 2561 Kentucky Avenue, Indianapolis, Indiana and the machinery and equipment to be installed therein plus certain site improvements (the "Project"); and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $7,500,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, construction, installation and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied

for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 889, 1985, was retitled SPECIAL ORDINANCE NO. 123, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 123, 1985
Proposal No. 889, 1985

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana amending Special Ordinance No. 85, 1985 to reduce the authorized aggregate principal amount of bonds and to approve amended forms of financing documents concerning the issuance and sale of revenue bonds and the loaning of the proceeds derived therefrom to Symphony Tower, an Indiana Limited Partnership to finance the costs of construction of an economic development facility.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana on October 15, 1985 adopted Special Ordinance No. 85, 1985 which approved the issuance of one or more series of revenue bonds in the aggregate principal amount not to exceed Forty-Eight Million Dollars ($48,000,000) and approved and authorized the execution and delivery of various financing documents necessary to consummate the financing; and

WHEREAS, the previously authorized bonds have not yet been issued and Symphony Tower has requested that financing documents reflecting certain amendments be approved which would supercede the previously approved financing documents; and

WHEREAS, the City of Indianapolis, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of Indiana Code 36-7-11.9 and 36-7-12, inclusive as amended (hereinafter collectively called the "Act"), is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the cost of acquisition construction and equipping of economic development facilities to promote the general welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of acquisition or renovation of such economic development facilities, including engineering, legal fees and all other expenses relating thereto during construction, including the costs of issuing the bonds, and to secure said bonds pursuant to a Loan Agreement (the "Loan Agreement") dated as of December 1, 1985 by and among the City, Symphony Tower, an Indiana limited partnership (the "Owner"), and the Indenture of Trust (the "Indenture") dated as of December 1, 1985 by and between the City and a trustee or trustees to be named (the "Trustee"); and

WHEREAS, the Owner is an Indiana limited partnership duly organized and existing under the laws of the State of Indiana, having its principal place of business in the City of Indianapolis; and

WHEREAS, the Owner has agreed to acquire, construct, install and equip a mixed-use facility consisting of approximately 380 units of multi-family housing, 696 parking spaces and 36,644 square feet of commercial space located at 18 N. Pennsylvania Street through 42 N. Pennsylvania Street (the "Project") within the City and thereby assist in providing for the increased general economic welfare in or near the area of the City and has agreed to make obligations in an amount or amounts designed to be sufficient to pay the principal of, premium, if any, and interest on the City's Multi-Family Housing Economic Development Revenue Bonds (Symphony Tower Project), Series 1985 (the "Bonds"); and

WHEREAS, the City-County Council of Indianapolis and of Marion County, Indiana (the "City-County Council") has heretofore, by Ordinance and pursuant to the Act, created the Indianapolis Economic Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that the economic welfare of the City would be benefited by financing the acquisition of the Project for and on behalf of the Owner; and

WHEREAS, the Commission has approved a report and an amended report estimating the public services which would be made necessary or desirable, the expense thereof, the number of the residential units developed for use on account of the acquisition of the Project and the cost of the Project and has submitted such report and amended report to the Presiding Officer of the Metropolitan Development Commission of Marion County, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held on November 6, 1985 a public hearing pursuant to IRC '1103 and I.C. 36-7-12-24 on the proposed financing of the Project and adopted a resolution finding the proposed

financing of the Project complies with the purposes and provisions of the Act, and the Commission now on December 16, 1985 has adopted a resolution approving the financing as revised and approving the form and terms of the Bonds now proposed to be issued by the City for the purpose of funding a loan from the City to the Owner to fund the cost of acquisition, construction and equipping of the Project to pay certain costs of issuance and to fund certain reserve funds, and approving drafts of the forms of financing documents in connection therewith (the "Financing Documents"), two copies of which resolution and Financing Documents and information pertaining to the proposed financing have been transmitted to the City-County Council by the Secretary of the Commission all of which are on file in the office of the Clerk of the City-County Council for public inspection; and

WHEREAS, pursuant to the Act, the City-County Council adopted on September 10, 1984 a resolution finding that the proposed financing of the acquisition and construction of such economic development facilities by the Owner will be of benefit to the general welfare of the City, approving the proposed financing and authorizing the issuance by the City of its bonds, upon adoption by the City of a Bond Ordinance, payable solely from the sources, having such terms and provisions and secured as provided by the Indenture and the Loan Agreement; and

WHEREAS, there have been presented to this meeting the following documents which the City proposes to enter into or accept to effectuate the proposed issuance of the Bonds:

1. The form of Loan Agreement;
2. The form of Indenture which sets forth the terms of the Bonds (including, without limitation, the maturity dates, rates of interest and redemption provisions) and the conditions and security for the Bonds;
3. The form of Bond Purchase Agreement (the "Purchase Agreement") between the City and J. C. Bradford & Co. the "Underwriter");
4. The form of Investment Agreement (the "Investment Agreement");
5. The form of Regulatory Agreement and Declaration of Restrictive Covenants (the "Regulatory Agreement") among the City, the Owner, and the Trustee;
6. The form of the Preliminary Official Statement relating to the Bonds (the official Statement");
7. The form of the Bonds, as set forth in the Indenture; and
8. The form of the Mortgage, Security Agreement, Assignment of Rents and Financing Statement from the Company to the Trustee and Mortgage Trustee; and

WHEREAS, it appears that each of the instruments above referred to, which are now before the City, is in appropriate form and is an appropriate instrument for the purposes intended; now, therefore;

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Public Benefits. The City-County Council of Indianapolis and of Marion County, Indiana hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment to be acquired and constructed with the proceeds of the Bonds herein authorized are "economic development facilities" as that phrase is used in the Act and that the construction and equipping of the Project will improve and promote the economic stability, development and the general welfare of the area in and near the City, and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic facilities in such area.

SECTION 2. Findings. The City-County Council hereby finds that this Ordinance (the "Bond Ordinance") is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist and that such benefit is greater than the cost of public facilities (as that phrase if defined in the Act) which will be required by the Project and further that the proposed financing will be of benefit to the welfare of the City and complies with the purposes and provisions of the Act.

SECTION 3. Authorization of Bonds.

(A) In order to provide for the financing of the Project, the Bonds are hereby authorized to be issued in one or more series in the total principal amount not to exceed $48,000,000, in accordance with the terms of the Indenture. The Bonds shall be issued in any denomination or denominations authorized by terms of the Indenture, shall be numbered consecutively from (1) upwards and shall be typewritten, photo-offset, printed or any combination of the foregoing, provided however, that such date shall be as set forth in the Indenture.

(B) The bonds shall be issued in fully registered form without coupons, shall be dated as of their date of first authentication and delivery, except as otherwise provided in the Indenture, and shall mature not later than 30 years after their date and bear interest payable and at a rate as provided in the Indenture, provided that the interest rate shall not exceed a maximum rate of 15% per annum.

(C) The Bonds shall be subject to redemption prior to maturity and to purchase upon the demand of the owners thereof as provided therein and in the Indenture.

(D) The Mayor is hereby authorized to execute, by manual or facsimile signature, each of the Bonds in the name of the City in the manner provided by the Indenture. The Clerk of the City-County Council is hereby authorized to affix the corporate seal of the City to each of the Bonds or to impress the corporate seal thereon or to provide for the engraving or other reproduction of the corporate seal on each Bond and to attest, by manual or facsimile signature, to such affixing, imprinting, engraving or other reproduction of the corporate seal, all as provided in the Indenture.

SECTION 4. Obligation of Bonds.

(A) The Bonds shall be limited obligations of the City payable solely from certain payments and other amounts due pursuant to the Loan Agreement and from other moneys available to the Trustee under the Indenture, including a debt service reserve fund, if any.

(B) Each Bond shall contain thereon a statement substantially as follows: The Bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Indiana, particularly Indiana Code 36-7-11.9 and 36-7-12, as amended and pursuant to an ordinance adopted by the City which authorizes the execution and delivery of the Indenture. The Bonds and the interest thereon are limited obligations of the City and are payable solely from payments and other amounts due pursuant to the Loan Agreement. The Bonds are not in any respect a general obligation of the City and are not payable in any manner from revenues raised by taxation. The Bonds shall never constitute an indebtedness of the City or the State of Indiana or within the meaning of any constitutional or statutory provision but shall be payable solely from the revenues pledged therefor.

(C) Neither the City-County Council of the City or the Indianapolis Economic Development Commission (including the members of either or both) nor any person executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

SECTION 5. Execution and Delivery of the Indenture, the Loan Agreement, the" Regulatory Agreement and the Investment Agreement.
The Indenture, the Loan Agreement, the Regulatory Agreement and the Investment Agreement are hereby approved in the forms presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor and Clerk are hereby authorized to execute, acknowledge and deliver the Indenture, Loan Agreement, Investment Agreement and Regulatory Agreement on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to the Indenture, the Loan Agreement, the Regulatory Agreement, and the Investment Agreement.

SECTION 6. Sale of Bonds. The Bonds shall be sold to the Underwriter thereof at a price of not less than 97% of the aggregate principal amount thereof on the terms and conditions set forth in the Purchase Agreement submitted to this meeting, with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(1) through (a)(11) inclusively. The Mayor is hereby authorized to execute and deliver the Purchase Agreement to the Underwriter on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions), and the Clerk of the City-County Council is hereby authorized to impress, imprint or otherwise affix the corporate seal of the City to said document and attest to the impressing, imprinting or otherwise affixing of the corporate seal to said document. The proceeds of the sale of the Bonds shall be applied as provided in the Indenture.

SECTION 7. Official Statement. The Official Statement of the City relating to the Bonds is hereby approved in the form presented to this meeting with such changes, omissions and insertions as the Mayor may approve which changes may be made without further approval of the City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a)(2) through (a)(11) inclusively. The Mayor is hereby authorized to execute the deliver the Official Statement on behalf of the City (such execution to be conclusive evidence of the approval of any such changes, omissions or insertions). The Underwriter is hereby authorized to distribute the Official Statement to prospective purchasers of the Bonds and any such distribution made prior to the passage of this Bond Ordinance is hereby ratified and approved.

SECTION 8. Appointment of Remarketing Agent; Indexing Agent; Registrar and Compliance Agent. J. C. Bradford & Co. is hereby appointed to serve as the initial Remarketing Agent. The Mayor is authorized to approve the appointment of any other agents who may be required or desirable to complete the transactions contemplated or necessary by the issuance or reoffering of the Bonds.

SECTION 9. Authorization for Financing. The Trustee is hereby authorized to provide permanent financing for the Project under the terms of the Loan Agreement as provided in the Indenture.

SECTION 10. Effect of Agreements.

(A) All covenants, stipulations, obligations and agreements of the City contained in this Bond Ordinance and contained in each of the agreements or other documents authorized by this Bond Ordinance shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the City and its successors from time to time and upon any body to which any powers or duties affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this Bond Ordinance, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this Bond Ordinance, and by each of the agreements or other documents authorized by this Bond Ordinance shall be exercised or performed by the City or by such officers, board or body as may be required by law to exercise such powers and to perform such duties.

(B) All covenants, stipulations, promises, agreements and obligations of the City contained herein and in each of the agreements and other documents authorized by this Bond Ordinance shall be deemed to be covenants, stipulations, promises, agreements and obligations of the City and not of any member, officer or employee of the City or its Economic Development Commission in his individual capacity.

SECTION 11. Further Authority. The Mayor and the Clerk of the City-County Council are hereby designated the authorized representatives of the City, and each of them is hereby authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do and cause to be done any and all acts and things necessary desirable or convenient for carrying out this Bond Ordinance, the agreements and other documents authorized by this Bond Ordinance and the issuance or reoffering of the Bonds.

SECTION 12. Repeal, Amendment and Modification of this Bond Ordinance. This Bond Ordinance shall be part of the contract with the owners from time to time of the Bonds and from and after the delivery of the Bonds shall not be repealed, amended or modified except to the extent and in the manner permitted for supplemental agreements to the Indenture.

SECTION 13. Effective Date and Repeal of Conflicting Ordinances or Resolutions. This Bond Ordinance shall take effect and be in full force and effect immediately upon adoption and compliance with I.C. 36-4-14. All ordinance or resolutions inconsistent with this Bond Ordinance including Special Ordinance No. 85, 1985 are hereby repealed to the extent of such inconsistency.

SECTION 14. Severability. If any provisions of this Bond Ordinance shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent wherever; provided however, that if the limitation on the source of revenues to pay principal, interest and premium, if any, on the Bonds is held invalid, the Issuer shall have no obligation to pay the Bonds from other sources.

SECTION 15. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 890, 1985, was retitled SPECIAL RESOLUTION NO. 198, 1985, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 198, 1985
Proposal No. 890, 1985

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana, (the "Issuer") is authorized by I.C. 36-7-12 and I.C. 36-7-11.9 (collectively the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities either directly owned by or leased or sold to a company; and leased or subleased to users of the facilities; and

WHEREAS, Banquet Food Products, Inc., a corporation to be formed and/or Maplehurst Farms, Incorporated and/or any affiliated or related entities (the "Applicant") has advised the Indianapolis Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct, renovate, install and equip certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be the acquisition of the assets of the existing facility of Banquet Ice Cream and Milk Company, Inc., including land buildings and equipment located at 1214 Southeastern Avenue, Indianapolis, Indiana, consisting of approximately 50,000 square feet of manufacturing space, including milk plant, ice cream plant, ice cream freezer storage, and dry storage, and 42,000 square feet of garage space; construction of a 7,000 square foot ice cream hardening and storage facility, renovation of the existing equipment and facilities, and acquisition of new equipment for the Banquet facility, including but not limited to vehicles a continuous hardening system for ice cream, equipment for production of specialty ice cream products, and equipment for production of imitation dips and other food products; additionally, a portion of the proceeds will be used to acquire vehicles and milk processing and storage equipment, including storage tanks, air operated valves, welded lines, and cleaned-in-place systems to replace existing equipment at the facilities currently operated by Maplehurst Farms, Inc., located at 3745 Farnsworth Street, Indianapolis, Indiana, which consist of approximately 225,000 square feet of manufacturing (ice cream plant and milk plant), warehouse, and office space (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (an additional number of jobs of approximately 22 at the end of one year and 61 at the end of three years) to be achieved by the acquisition, construction, renovation, installation and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens and will contribute significantly to the creation of permanent new job opportunities; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition, construction, renovation, installation and equipping of the facilities will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating or in the same market area or in or about Indianapolis, Indiana; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in or near Indianapolis, Indiana and in Marion County, is desirable to preserve the health, safety and general welfare of the citizens of the City of Indianapolis, and that it is in the public interest that the Indianapolis Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The City-County Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an approximate amount of $4,000,000 under the Act to be privately placed or a public offering with credit enhancement for the acquisition, renovation, installation and equipping of the Project and the sale or leasing of the Project to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition, renovation, installation and equipping of the Project, the City-County 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 Issuer and the Applicant; (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 provided that at the time of the proposed issuance of such bonds the aggregate amount of private activity bonds issued pursuant to such issue when added to the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year it being understood that the Issuer by taking this action is not making any representation nor any assurances that any such allocable limit will be available, that inducement resolutions in an aggregate amount in excess of the private activity bond limit may and in all probability will be adopted, and that the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions and that no portion of such private activity bond limit has been guaranteed for the proposed project and subject to the further caveat that this inducement resolution expires July 31, 1986 unless such bonds have been adopted by the governing body of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer by official action extends the term of this inducement resolution; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose (as defined in the Act) at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the passage of this resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for application fees, planning, engineering, interest paid during renovation, underwriting expenses, attorney and bond counsel fees, acquisition, renovation, installation and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer City will thereafter sell the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purpose or sell the same to the Applicant. Also certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this

inducement resolution will be permitted to be included as part of the bond issue to finance the Alternate Project.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 877-887, 1985. Introduced by Councillor Borst. The Clerk read the proposals entitled "REZONING ORDINANCES certified by the Metropolitan Development Commission on December 6, 1985." No action was taken on Proposal Nos. 877-887, 1985, by the Council; and the proposals were deemed adopted. Proposal Nox. 877-887, 1985, were retitled REZONING ORDINANCE NOS. 190-200, 1985, and read as follows:

REZONING ORDINANCE NO. 190, 1985 85-Z-178 WARREN TOWNSHIP COUNCILMANIC DISTRICT NO. 13
7801 EAST ENGLISH AVENUE, INDIANAPOLIS
Deliverance Temple, Inc., by Stephen D. Mears, requests the rezoning of 19.38 acres, being in the A-2 district, to the SU-1 classification, to provide for the consruction of a church.

REZONING ORDINANCE NO. 191, 1985 85-Z-183 WASHINGTON TOWNSHIP COUNCILMANIC DISTRICT NO. 4
8602 NORTH MERIDIAN STREET, INDIANAPOLIS
Hart N. Hasten and Mark Hasten, by Stephen D. Mears, request the rezoning of 14.06 acres, being in the D-2 district, to the D-P classification, to provide for the construction of 5 apartment buildings containing a total of 120 units.

REZONING ORDINANCE NO. 192, 1985 85-Z-184 LAWRENCE TOWNSHIP COUNCILMANIC DISTRICT 5
8502 MUD CREEK ROAD, INDIANAPOLIS
Christian Church in Indiana, by Mary E. Solada, requests the rezoning of approximately 9 acres, being in the D-1 district, to the SU-1 classification, to provide for the development of a church.

REZONING ORDINANCE NO. 193, 1985 85-Z-191 LAWRENCE TOWNSHIP COUNCILMANIC DISTRICT 3
10101 EAST 59TH STREET, INDIANAPOLIS
John M. McVeigh, by Steven R. Eichholtz, requests the rezoning of 6.00 acres, being in the I-2-S district, to the C-ID classification, to provide fo ruse by a tree service contractor.

REZONING ORDINANCE NO. 194, 1985 85-Z-193 WASHINGTON TOWNSHIP
5263 EAST 82ND STREET, INDIANAPOLIS
William Sadlier, by Philip A Nicely, requests the rezoning of 0.13 acre, being in the A-2 district, to the C-4 classification, to provide for commercial development.

REZONING ORDINANCE NO. 195, 1985 85-Z-195 LAWRENCE TOWNSHIP COUNCILMANIC DISTRICT 3
4601 NORTH SHADELAND ROAD, INDIANAPOLIS
Shell Oil Company, by James L. Touhy, requests the rezoning of 0.18 acre, being in the D-6 district, to the C-4 classification, to provide for commercial use.

REZONING ORDINANCE NO. 196, 1985 85-Z-196 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT 18
5007 WEST MORRIS STREET, INDIANAPOLIS
Norman A. Borenstein, by Leonidas G. Condos, requests the rezoning of 1.32 acres, being in the SU-27 and D-3 districts, to the I-2-U classification, to provide for general industrial use.

REZONING ORDINANCE NO. 197, 1985 85-Z-197 CENTER TOWNSHIP
COUNCILMANIC DISTRICT 16
1510 REMBRANDT STREET, INDIANAPOLIS
Capitol Tool & Die, Inc., by Mary E. Solada, requests the rezoning of 0.2 acre, being in the D-5 district, to the I-3-U classification, to provide for expansion of existing industrial use.

REZONING ORDINANCE NO. 198, 1985 85-Z-199 WASHINGTON TOWNSHIP
COUNCILMANIC DISTRICT 4
5249 EAST 82ND STREET, INDIANAPOLIS
Dr. and Mrs. Orbry Phipps, by Craig D. Doyle, request the rezoning of 1.09 acres, being in the A-2 district, to the C-1 classification, to provide for professional offices.

REZONING ORDINANCE NO. 199, 1985 85-Z-200 WAYNE TOWNSHIP
COUNCILMANIC DISTRICT 17
1002 NORTH BELMONT AVENUE, INDIANAPOLIS
Temple of St. David Church of God in Christ, Inc., requests the rezoning of 1.15 acres, being in the D-5 district, to the SU-1 classification, to provide for the construction of a church.

REZONING ORDINANCE NO. 200, 1985 85-Z-219 CENTER TOWNSHIP
COUNCILMANIC DISTRICT 9
3601 WASHINGTON BOULEVARD, INDIANAPOLIS
Metropolitan Development Commission requests the rezoning of approximately46 acres, being in the D-3 district, to the D-3 classification, to correct a mapping error.

PROPOSAL NO. 876, 1985. This proposal reaffirms the appointment of Steve H. Brizendine to the Board of Zoning Appeals, Division III. Councillor Miller, Sponsor of Proposal No. 876, explained that Mr. Brizendine had been on vacation followed by a period of sickness which caused him to miss more than two consecutive meetings of the Board. Councillor Miller moved, seconded by Councillor Cottingham, for adoption. Proposal No. 876, 1985, was adopted by unanimous voice vote, retitled COUNCIL RESOLUTION NO. 27, 1985, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 27, 1985
Proposal No. 876, 1985

A COUNCIL RESOLUTION reaffirming the appointment of Steve H. Brizendine to the Board of Zoning Appeals, Division III of Marion County, Indiana.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The appointment of Steve H. Brizendine to the Board of Zoning Appeals, Division III of Marion County, Indiana, made pursuant to City-County Council Resolution No. 3, 1985, is hereby reaffirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPEICAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 780, 1985. This proposal transfers $130,000 from the Department of Metropolitan Development, Planning Division, to the Department of Administration, Legal Division, for contractual legal expenses. Councillor Coughenour explained that the appropriation is for City Legal's continuing defense for the "Baltimore Colts" case. The Administration Committee on December 2, 1985, recommended Proposal No. 780, 1985, Do Pass, by a vote of 4-0. The President called for public testimony at 8:20 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor McGrath, for adoption. Proposal No. 780, 1985, was adopted on the following roll call vote; viz:

24 AYES: Borst, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Howard, Jouney, McGrath, Miller, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
4 NOT VOTING: Boyd, Holmes, Nickell, Page

Proposal No. 780, 1985, was retitled FISCAL ORDINANCE NO. 123, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 123, 1985
Proposal No. 780, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Thirty Thousand Dollars ($130,000) in the Consolidated County Fund for purposes of the Department of Administration, Legal Division, and reducing certain other appropriations for the Department of Metropolitan Development, Planning Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for contractual legal expenses.

SECTION 2. The sum of One Hundred Thirty Thousand Dollars ($130,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF ADMINISTRATION LEGAL DIVISION	CONSOLIDATED COUNTY FUND
1. Personal Services	$130,000
TOTAL INCREASE	$130,000

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF METROPOLITAN DEVELOPMENT PLANNING DIVISION	CONSOLIDATED COUNTY FUND
1. Personal Services	$130,000
TOTAL REDUCTION	$130,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 781, 1985. This proposal approves the issuance of temporary tax anticipation time warrants for the Park District Fund, Consolidated County Fund, Consolidated City Police Force Account, Police Pension Fund, Consolidated City Fire Force Account, Firemen's Pension Fund and Sanitary Solid Waste General Fund during the period of January 1, 1986, to December 31, 1986. Councillor Coughenour explained that the interes rate should be approximately 6-7%. The Administration Committee on December 2, 1985, recommended Proposal No. 781, 1985, Do Pass by a vote of 4-0. The President called for public testimony at 8:22 p.m. There being no one present to testify, Councillor Coughenour moved, seconded by Councillor McGrath, for adoption. Proposal No. 781, 1985, was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Bradley, Cottingham, Coughenour, Curry, Durnil, Giffin, Gilmer, Hawkins, Jouney, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
6 NOT VOTING: Clark, Crowe, Dowden, Holmes, Howard, Page

Proposal No. 781, 1985, was retitled FISCAL ORDINANCE NO. 124, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 1985
Proposal No. 781, 1985

A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis to make temporary loans for the use of the Consolidated County Fund, the Park District Fund, the Flood Control General Fund, the Consolidated City Police Force Account, the Police Pension Fund, the Consolidated City Fire Force Account, the Firemen's Pension Fund, and the Sanitary Solid Waste General Fund during the period January 1, 1986, to December 31, 1986, in anticipation of current taxes levied in the year 1985 and collectible in the year 1986, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Funds to the payment of said tax anticipation time warrants including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated County Fund to meet the current expenses of the Consolidated County Fund, payable from said fund prior to the June and December, 1986 distribution of taxes levied for said Fund, and the June and December, 1986 distribution of taxes to be collected for said Consolidated County Fund will amount to more than five million five hundred thousand dollars ($5,500,000) and the interest cost of making a temporary loan for said Consolidated County Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Park District Fund to meet the current expenses of the Department of Parks and Recreation payable from said Fund prior to the June and December, 1986 distribution of taxes levied for said Fund, and the June and December, 1986 distribution of taxes to be collected for said Park District Fund will amount to more than six million seven hundred thousand dollars ($6,700,000) and the interest cost of making a temporary loan for said Park District Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Flood Control General Fund to meet the current expenses of the Flood Control General Fund payable from said Fund prior to the June and December, 1986 distribution of taxes levied for said Fund, and the Board of Public Works of the City of Indianapolis has authorized the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Flood Control General Fund in the amount of one million one hundred thousand dollars ($1,100,000) payable from the June and December, 1986 distribution of taxes levied for said Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from said Account prior to the June and December, 1986 distribution of taxes levied for said Account, and the June and December, 1986 distribution of taxes to be collected for said Consolidated Police Force Account will amount to more than twenty million three hundred thousand dollars ($20,300,000) and the interest cost of making a temporary loan for said Consolidated City Police Force Account; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the June and December, 1986 distribution of taxes levied for said Fund, and the June and December, 1986 distribution of taxes collected for said Police Pension Fund will amount to more than four million four hundred thousand dollars ($4,400,000) and the interest cost of making a temporary loan for said Police Pension Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Consolidated City Fire Force Account to meet the current expenses payable from said Account prior to the June and December, 1986 distribution of taxes levied for said Account, and the June and December, 1986 distribution of taxes to be collected for said Consolidated City Fire Force Account will amount to more than seventeen million dollars ($17,000,000) and the interest cost of making a temporary loan for said Consolidated City Fire Force Account; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Firemen's Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the June and December, 1986 distribution of taxes levied for said Fund, and the June and December, 1986 distribution of taxes collected for said Firemen's Pension Fund will amount to more than four million nine hundred thousand dollars ($4,900,000) and the interest cost of making a temporary loan for said Firemen's Pension Fund; and

WHEREAS, the Controller has represented and the City-County Council now finds that there will be insufficient funds in the Sanitary Solid Waste General Fund to meet the current expenses of the Sanitary Solid Waste Fund payable from said Fund prior to the June and December, 1986 distribution of taxes levied for said Fund, and the Board of Public Works of the City of Indianapolis has authorized the making of temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund in the amount of six million three hundred thousand dollars ($6,300,000) payable from the June and December, 1986 distribution of taxes levied for said Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Funds and Accounts in anticipation of current revenues for aid Funds and Accounts actually levied for the year 1985 and in course of collection for the year 1986; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated County Fund of said City in the maximum amount of five million five hundred thousand dollars ($5,500,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest

accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Consolidated County Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated County Fund from the June and December, 1986 distribution of taxes for said Consolidated County Fund, viz; five million five hundred thousand dollars ($5,500,000) to the Consolidated County Fund, the 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Consolidated County Fund, 1986 Budget Fund No. 027, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Park District Fund of said City in the maximum amount of six million seven hundred thousand dollars ($6,700,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of 10 percent, the exact rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Park District Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Park District Fund from District Fund, viz; six million seven hundred thousand dollars ($6,700,000) to the Park District Fund, the 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and said Park District Fund, 1986 Budget Fund No. 092, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 3. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Flood Control General Fund of said City in the maximum amount of one million one hundred thousand dollars ($1,100,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent, the exact rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Flood Control General Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Flood Control General Fund from the June and December, 1986 distribution of taxes for said Flood Control General Fund, viz; one

million one hundred thousand dollars ($1,100,000) to the 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrant evidencing such temporary loan, and to the 1986 Budget Fund No. 066, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 4. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Police Force Account of said City in the maximum amount of twenty million three hundred thousand dollars ($20,300,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent, the exact rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Consolidated City Police Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Police Force Account from the June and December, 1986 distribution of taxes for said Consolidated City Police Force Account, viz; twenty million three hundred thousand dollars ($20,300,000) to the 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1986 Budget Fund No. 084, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 5. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Police Pension Fund of said City in the maximum amount of four million four hundred thousand dollars ($4,400,000) in anticipation of current tax revenues actually levied and in course of collection for said fund for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Police Pension Fund from the June and December 1986 distribution of taxes for said Police Pension Fund, viz; four million four hundred thousand dollars ($4,400,000) to the Police Pension Fund 1986 Budget Fund No. 085, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 6. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Fire Force Account of said City in the maximum amount of seventeen million dollars ($17,000,000) in anticipation of current tax revenues actually levied and in course of collection for said Account for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent, the exact rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Consolidated City Fire Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Fire Force Account from the June and December, 1986 distribution of taxes for said Consolidated City Fire Force Account, viz; seventeen million dollars ($17,000,000) to the 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1986 Budget Fund No. 087, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 7. The City of Indianapolis is authorized to borrow n a temporary loan for the use and benefit of the Firemen's Pension Fund of said City in the maximum amount of four million nine hundred thousand dollars ($4,900,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrants, including interest shall be payable from the Firemen's Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Firemen's Pension Fund from the June and December, 1986 distribution of taxes for said Firemen's Pension Fund, viz; four million nine hundred thousand dollars ($4,900,000) to the Firemen's Pension 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Firemen's Pension Fund 1986 Budget Fund No. 088, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates or said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 8. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Sanitary Solid Waste General Fund of said City in the maximum amount of six million three hundred thousand dollars ($6,300,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1986, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed a maximum rate of ten percent, the exact rate or rates of interest to be determined as hereinafter provided in Section 11, and said warrants to be substantially in the form set forth in Section 10.

Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable not later than December 31, 1986. Said warrant, including interest shall be payable from the Sanitary Solid Waste General Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Sanitary Solid Waste General Fund from the June and December, 1986 distribution of taxes for said Sanitary Solid Waste General Fund, viz; six million three hundred thousand dollars ($6,300,000) to the 1986 Budget Payment of Temporary Loans (hereby created) for the payment of the principal for the warrants evidencing such temporary loan, and to the 1986 Budget Fund No. 055, Character 3, Other Services and Charges, Interest (Temporary Loans) and the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates determined in the manner hereinafter provided in Section 11.

SECTION 9. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the facsimile signature of the Mayor of said City, countersigned by the Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk of the Council. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer or the paying agent of the City of Indianapolis.

SECTION 10. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No._____ Principal and Interest$_____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT
_____(FUND)

On the_____date of_____, 19__, the City of Indianapolis in Marion County, Indiana promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer or the paying agent of the City of Indianapolis, the sum of including interest on the principal amount of this warrant from the date hereof to maturity, payable out of and from taxes levied in the year of 19__, and payable in the year 19__, which said taxes are now in course of collection for the_____of the City of Indianapolis, with which to pay general, current, operating expenses of the _____ .

This Tax Anticipation Time Warrant is one of an authorized issue of warrants aggregating a sum of_____exclusive of interest added thereto to the maturity, evidencing a temporary loan in_____(Fund) of said City of Indianapolis and Marion County.

Said temporary loan was authorized by (Resolution No.____duly adopted by the Board of Public Works of the City of Indianapolis at a meeting thereof duly and legally convened and held on the_____day of_____, 19__, for the purpose of providing funds for the Sanitary Solid Waste General Fund of said Sanitary District in compliance with the provision of I.C. 36-9-25-32) and by ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the____day of

_____, 19__, for the purpose of providing funds for the_____(Fund) of said City of Indianapolis, in compliance with I.C. 36-3-4-22.

The consideration of said warrant is a loan made to the City of Indianapolis in anticipation of taxes levied for the_____of said City for the year of 19__, payable in the year 19__, and said taxes so levied are hereby specifically appropriated and pledged to the payment of said Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of said City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this___day of_____, 19___

CITY OF INDIANAPOLIS

By:_____
Mayor, City of Indianapolis
William H. Hudnut, III

COUNTERSIGNED:

By:_____
Controller, City of Indianapolis

Fred L Armstrong

ATTEST:

By:_____

Clerk, City of Indianapolis
Beverly S. Rippy

SECTION 11. A. The Controller may sell the tax anticipation time warrants pursuant to either subsection B. or C. of this section. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner substantially set out in the form hereinbefore provided.

B. The Controller may sell any or all said warrants to the Indianapolis Local Public Improvement Bond Bank ("Bond Bank") pursuant to I.C. 5-1.4 on such terms and conditions as are mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute an Advance Funding Agreement with the Bond Bank in a form acceptable to the Controller and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such warrants.

C. The Controller may sell any or all said warrants at public sale. Prior to the sale of said warrants at public sale, the Controller shall cause to be published a notice of sale at least ten days before the date of sale in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids at public sale for said warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for said warrants, or portion thereof bid for. If sold at public sale, said warrants, or portion thereof bid for, shall be awarded to the bidder or bidders therefore submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants, such warrants shall be awarded to the bidder submitting the greatest premium. Any premium bid shall be used solely for the repayment of the principal of and interest on the warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time warrants to the purchaser or purchasers of said warrants at public sale at the agreed purchase price. The warrants may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to said delivery by and between the Controller and the purchaser of the warrants at public sale.

SECTION 12. The proceedings had and action taken by the Board of Public Works of the City of Indianapolis in authorizing the making of a temporary loan and the issuance of tax anticipation time warrants to evidence such loan for the Sanitary Solid Waste General Fund for six million three hundred thousand dollars ($6,300,000) payable from the June and December, 1986 distribution of taxes levied for said funds, are hereby ratified, approved, and confirmed and to the extent as may be required by law, shall be deemed to be proceedings had and action taken by this City-County Council, and are incorporated herein by reference.

SECTION 13. This ordinance shall be in full force and effect upon adoption and compliance with I.C. 36-3-4-14.

PROPOSAL NO. 799, 1985. This proposal transfers and appropriates $187,805 within the Department of Parks and Recreation Divisions for utilies and vehicle maintenance for the remainder of the year. Councillor Durnil explained that the transfer/appropriation is needed to pay utilities and billings from the City's Central Equipment Management Division. On December 3, 1985, the Parks and Recreation Committee recommended Proposal No. 799, 1985, Do Pass by a vote of 5-0. The President called for public testimony at 8:23 p.m. There being no one present to testify, Councillor Durnil moved, seconded by Councillor Crowe, for adoption. Proposal No. 799, 1985, was adopted on the following roll call vote; viz:

22 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Rhodes,

Ser Vaas, Shaw, Stewart, Strader, West
NO NAYS
6 NOT VOTING: Clark, Dowden, Holmes, Howard, Page, Schneider

Proposal No. 799, 1985, was retitled FISCAL ORDINANCE NO. 125, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 1985
Proposal No. 799, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) appropriating an additional One Hundred Eighty-seven Thousand Eight Hundred Five Dollars ($187,805) in the Park General Fund for purposes of the Department of Parks and Recreation, Administration and Sports and Special Facilities Divsions, and reducing certain other appropriations for the Department of Parks and Recreation Divisions.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.02 of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds for utilities and vehicle maintenance for the remainder of the year.

SECTION 2. The sum of One Hundred Eighty-seven Thousand Eight Hundred Five Dollars ($187,805) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

DEPARTMENT OF PARKS AND RECREATION	
ADMINISTRATION DIVISION	**PARK GENERAL FUND**
3. Other Services & Charges	**$125,805**
SPORTS AND SPECIAL FACILITIES DIVISION	
3. Other Services & Charges	**62,000**
TOTAL INCREASE	**$187,805**

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PARKS AND RECREATION	
ADMINISTRATIVE DIVISION	**PARK GENERAL FUND**
2. Supplies	**$21,000**
4. Capital Outlay	**5,000**
	26,000

EAGLE CREEK DIVISION	
2. Supplies	**8,000**
4. Capital Outlay	**9,900**
	17,900
COMMUNITY RECREATION DIVISION	
2. Supplies	**5,000**
4. Capital Outlay	**10,000**
	15,000
PARKS MANAGEMENT DIVISION	
2. Supplies	**40,405**
3. Other Services & Charges	**57,000**
4. Capital Outlay	**6,500**
	103,905
SPORTS AND SPECIAL FACILITIES DIVISION	
4. Capital Outlay	**25,000**
TOTAL REDUCTION	**$187,805**

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 636, 1985. This proposal is a final bond ordinance authorizing the issuance of $4,400,000 Economic Development Revenue Bonds for Buckingham Balmoral Historical Partners, a limited partnership. Councillor Schneider explained that the project is for the acquisition and renovation of two existing buildings containing a total of approximately 125,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 3055 North Meridian Street (the Balmoral) and 3101-3199 North Meridian Street (the Buckingham) which will be used for multi-family residential rental housing containing a total of eighty-eight units. The Economic Development Committee on December 4, 1985, recommended Proposal No. 636, 1985, Do Pass As Amended by a 6-0 vote. Councillor Schneider moved, seconded by Councillor Clark, for adoption. Proposal No. 636, 1985, was adopted on the following roll call vote; viz:

25 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Jouney, McGrath, Miller, Nickell,

Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West.
NO NAYS
3 NOT VOTING: Holmes, Howard, Page

Proposal No. 636, 1985, was retitled SPECIAL ORDINANCE NO. 124, 1985, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 124, 1985
Proposal No. 636, 1985

A SPECIAL ORDINANCE authorizing the City of Indianapolis to issue its "Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project)" in the aggregate principal amount of Four Million Four Hundred Thousand Dollars ($4,400,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Indianapolis Economic Development Commission has rendered a report of the Indianapolis Economic Development Commission concerning the proposed financing of economic development facilities for Buckingham Balmoral Historical Partners and the Metropolitan Development Commission of Marion County has commented thereon; and

WHEREAS, the Indianapolis Economic Development Commission, after a public hearing conducted on December 4, 1985, adopted a Resolution on that date, which Resolution has been previously transmitted hereto, finding that the financing of certain economic development facilities to be developed by Buckingham/ Balmoral Historical Partners (the "Company") consisting of the acquisition, renovation, installation and equipping of two existing buildings containing a total of approximately 125,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 3055 North Meridian Street (the Balmoral) and 3101-3199 North Meridian Street (the Buckingham), Indianapolis, Marion County, Indiana which will be used for multi-family residential rental housing containing a total of 88 units ("the Project') which will be initially owned and operated by Buckingham/Balmoral Historical Partners complies with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9 and that such financing will be of benefit to the health and welfare of the City of Indianapolis and its citizens; and

WHEREAS, the Indianapolis Economic Development Commission has approved the final forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Conditional Assignment of Leases and Rentals, Land Use Restriction Agreement, First Mortgage Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project) by Resolution adopted prior in time to this date, which Resolution has been transmitted hereto; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement, Mortgage and Security Agreement consisting of the acquisition, renovation, installation and equipping of two existing buildings containing a total of approximately 125,000 square feet and the machinery and equipment to be installed therein plus certain site improvements located at 3055

North Meridian Street (the Balmoral) and 3101-3199 North Meridian Street (the Buckingham), Indianapolis, Marion County, Indiana which will be used for multi-family residential rental housing containing a total of 88 units previously approved by the Indianapolis Economic Development Commission now presented to this City-County Council, the issuance and sale of revenue bonds, the loan of the net proceeds thereof to Buckingham/Balmoral Historical Partners for the purposes of financing the economic development facilities being acquired, renovated, installed and equipped in Indianapolis, Indiana, and the repayment of said loan by Buckingham/Balmoral Historical Partners will be of benefit to the health and welfare of the City of Indianapolis and its citizens and does comply with the purposes and provisions of Indiana Code 36-7-12 and Indiana Code 36-7-11.9.

SECTION 2. The forms of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Conditional Assignment of Leases and Rentals, Land Use Restriction Agreement, First Mortgage Note, and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project) approved by the Indianapolis Economic Development Commission are hereby approved and all such documents shall be inserted in the minutes of the City-County Council and kept on file by the Clerk of the Council or City Controller. Two (2) copies of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Conditional Assignment of Leases and Rentals, Land Use Restriction Agreement, First Mortgage Note and the form of the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project) are on file in the office of the Clerk of the Council for public inspection.

SECTION 3. The City of Indianapolis shall issue its Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project) in the aggregate principal amount of Four Million Four Hundred Thousand Dollars ($4,400,000) for the purpose of procuring funds to loan to Buckingham Balmoral Historical Partners in order to finance the economic development facilities, heretofore referred to as the Project, which is more particularly set out in the Loan Agreement, Mortgage and Security Agreement incorporated herein by reference, which Bonds will be payable as to principal, premium, if any, and interest solely from the payments made by Buckingham/Balmoral Historical Partners on its First Mortgage Note in the principal amount of Four Million Four Hundred Thousand Dollars ($4,400,000) and as otherwise provided in the above described Loan Agreement, Mortgage and Security Agreement, Trust Indenture and Conditional Assignment of Leases and Rentals. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City of Indianapolis.

SECTION 4. The City Clerk or City Controller are authorized and directed to sell such Bonds to the purchaser or purchasers thereof at a price equal to 100% of the principal amount thereof, plus accured interest, if any and at a stated per annum rate of interest as set forth in the Trust Indenture and the Bonds.

SECTION 5. The Mayor and City Clerk are authorized and directed to execute the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Conditional Assignment of Leases and Rentals, Land Use Restriction Agreement, First Mortgage Note, the City of Indianapolis, Indiana Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project) approved herein, and their execution is hereby confirmed, on behalf of the City of Indianapolis and any other document which maybe necessary or desirable to consummate the transaction. The signatures of the Mayor and City Clerk on the Bonds may be facsimile signatures.

The City Clerk or City Controller are authorized to arrange for the delivery of such Bonds to the purchaser or purchasers thereof payment for which will be made in the manner set forth in the Trust Indenture. The Mayor and City Clerk may by their execution of the Loan Agreement, Mortgage and Security Agreement, Trust Indenture, Land Use Restriction Agreement, Endorsement to the First Mortgage Note and imprinting of their facsimile signatures on the Bonds or their manual signatures thereof approve changes therein and also in the First Mortgage Note and Conditional Assignment of Leases and Rentals without further approval of this City-County Council or the Indianapolis Economic Development Commission if such changes do not affect terms set forth in I.C. 36-7-12-27(a) through (a)(11).

SECTION 6. The provisions of this ordinance and the Trust Indenture shall constitute a contract binding between the City of Indianapolis and the holder of the Economic Development Revenue Bonds, Series 1985 (Buckingham/Balmoral Historical Partners Project) and after the issuance of said Bonds this ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. This ordinance shall be in full force and effect from and after compliance with procedure required by Indiana Code 36-3-4-14.

PROPOSAL NO. 698, 1985. This proposal transfers $9,859 for the Probate Court to encumber funds needed to renovate office space being vacated by the Coroner. Councillor Dowden explained that the Coroner's Office will relocate from the 17th Floor of the City-County Building to the Marion County Jail and that Judge Victor Pfau of the Probate Court has requested the Coroner's vacated space. The offices of the Probate Court are currently located on the 17th Floor but are "spread out", and the relocation would allow Judge Pfau's Court and offices to be in closer proximity to each other. The Weights and Measures Division and a portion of the Police Complaint Division will move into the vacated space of the Probate Court. The Public Safety and Criminal Justice Committee on December 4, 1985, recommended Proposal No. 698, 1985, Do Pass by a vote of 5-0. Councillor Dowden moved, seconded by Councillor Holmes, for adoption. Proposal No. 698, 1985, was adopted on the following roll call vote; viz:

24 YES: Borst, Boyd, Bradley, Cottingham, Coughenour, Crowe, Curry, Dowden, Durnil, Giffin, Gilmer, Hawkins, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
4 NOT VOTING: Clark, Holmes, Howard, Page

Proposal No. 698, 1985, was retitled FISCAL ORDINANCE NO. 126, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 1985
Proposal No. 698, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Nine Thousand Eight Hundred Fifty-Nine Dollars ($9,859) in the County General Fund for purposes of the Marion County Superior Court, Probate Division and reducing certain other appropriations for that division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02 (b)(6) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to renovate office space being vacated by the coroner.

SECTION 2. The sum of Nine Thousand Eight Hundred Fifty-Nine Dollars ($9,859) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

Superior Court - Probate Division	COUNTY GENERAL FUND
3. Other Services & Charges	$9,859
TOTAL INCREASE	$9,859

SECTION 4. The said increased appropriation is funded by the following reductions:

Superior Court - Probate Division	COUNTY GENERAL FUND
1. Personal Services	$6,968
2. Supplies	500
4. Capital Outlay	2,391
TOTAL REDUCTION	$9,859

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underline herein:

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Elected Official	1	17,153	17,153
Hearing Judge	1	41,555	41,555
Commissioners	4	34,188	~~67,179~~ 63,266
Court Attorney	1	8,077	8,077
Court Reporters	2	20,033	39,024
Bailiff	1	15,170	15,170
Admin. Assistant	1	15,170	~~15,170~~ 13,992
Estate & Gdnshp. Clerks	2	13,943	27,886
Adoption Clerk	1	13,943	13,943
Temporary Help			~~16,677~~ 400
TOTAL	14		~~247,484~~ 240,466

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 754, 1985. This proposal would have added an article VIII to Chapter 17 of the Code for regulating the operations of pedicabs and establishing a licensing procedure and fixing fees therefor. Councillor Coughenour explained that she was not on the prevailing side at the Committee meeting and asked Councillor Strader to give the Committee report. Councillor Strader stated that the Administration Committee on December 2, 1985, recommended Proposal No. 754, 1985, Do Pass As Amended by a vote of 3-1. The Proposal was sponsored by Councillors Gilmer and Rhodes. Councillor Clark moved, seconded by Councillor Howard, to Strike Proposal No. 754, 1985. Councillor Clark stated that the pedicabs would detract from other things in the downtown area. Councillor Boyd also expressed disagreement with the intent of the Proposal because it would add to traffic congestion and because the idea is dehumanizing. Councillor Rhodes disagreed with previous comments stating that the pedicabs would add to the ambiance of the downtown area. Councillor Rhodes moved, seconded by Councillor Gilmer, to Postpone Proposal No. 754, 1985, by retirning it to Committee. The motion to Postpone failed on the following roll call vote; viz:

11 AYES: Borst, Curry, Dowden, Gilmer, McGrath, Miller, Rhodes, Schneider, Ser Vaas, Shaw, Strader
3 NOT VOTING: Giffin, Hawkins, Page
14 NAYS: Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Durnil, Holmes, Howard, Journey, Nickell, Rader, Stewart, West

The motion to Strike was carried on the following roll call vote; viz:

16 AYES: Boyd, Bradley, Clark, Cottingham, Coughenour, Crowe, Curry, Durnil, Giffin, Holmes, Howard, Journey, Nickell, Rader, Stewart, West.
1 NOT VOTING: Page
11 NAYS: Borst, Dowden, Gilmer, Hawkins, McGrath, Miller, Rhodes, Schneider, Ser Vaas, Shaw, Strader

PROPOSAL NO. 755, 1985. This proposal provides for indemnifying the directors of the Indianapolis Local Public Improvement Bond Bank. The Admin-

istration Committee on December 2, 1985, recommended Proposal No. 755, 1985, Do Pass As Amended by a vote of 2-1-1. Councillor Coughenour explained that the Committee amended Proposal No. 755 at the request of Mr. Fred Armstrong, City Controller, who requested that the condition be added to clarify the City Controller serving as Director and Corporation Counsel serving as General Counsel to the Bond Bank. Councillor Coughenour moved, seconded by Councillor Rader, for adoption. Councillor Miller moved, seconded by Councillor Coughenour, to amend Proposal No. 755, 1985, by inserting "January 1, 1987" in Sec. 2-193.5. to read as follows: ". . . . . duties and responsibilities undertaken as directors prior to January 1, 1987," but only with respect to actions taken while, or arising. . . . .". Consent was given on the amendment. Proposal No. 755, 1985, As Amended, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Bradley, Cottingham, Coughenour, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Jouney, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
5 NOT VOTING: Clark, Crowe, Dowden, Howard, Page

Proposal No. 755, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 107, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 107, 1985
Proposal No. 755, 1985

A GENERAL ORDINANCE indemnifying the directors of the Indianapolis Local Public Improvement Bond Bank.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article V of Chapter 2 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by adding a new Section 2-193.5 to read as follows:

Sec. 2-193.5. Defense and indemnification of directors of the Indianapolis Local Public Improvement Bond Bank.

(a) The consolidated city and the county shall indemnify and defend the board of directors of the Indianapolis Local Public Improvement Bond Bank, and the executive director of the Indianapolis Local Public Improvement Bond Bank, without expense to those persons, with respect to any action filed against them in their official or individual capacities, or both, if the action complained of was taken within the scope and arising out of the performance of official duties and responsibilities undertaken as directors prior to January 1, 1987, but only with respect to actions taken while, or

arising during such time as, the city controller serves as executive director of the Indianapolis Local Public Improvement Bond Bank and the corporation counsel of the city acts as general counsel for the Indianapolis Local Public Improvement Bond Bank.

(b) Indemnification under this section shall encompass any judgment recovered against any such director in any court of law having jurisdiction thereof, arising out of a civil action brought to recover damages to persons or property resulting from alleged acts of negligence, wrongful acts or omissions of any such director acting within the scope of his or her authority and appointment as a director of the bond bank.

(c) The obligation to indemnify shall not extend to acts of malice, acts of willful or wanton nature, criminal acts, acts calculated to accrue to the personal benefit of the individual director, or acts which are clearly beyond the duties or scope of authority of the director. Exoneration by a court of law shall be conclusive as to the absence of malice, criminality and other such conditions. In the absence of such a judicial determination, a determination as to the presence of such conditions shall be made by the corporation counsel and presented to the city-county council in the form of a written finding. The finding of the corporation counsel shall prevail unless the council within thirty (30) days of the receipt thereof passes a resolution rejecting the finding.

(d) "Directors of the Indianapolis Local Public Improvement Bond Bank shall mean the board of directors established under the authority of IC 5-1.4-2-2. "Executive director of the Indianapolis Local Public Improvement Bond Bank" shall mean the executive director appointed by the board of directors pursuant to IC 5-1.4-2-3.

SECTION 2. This ordinance shall be in full force and effect upon passage and compliance with IC 36-3-4-14.

PROPOSAL NO. 760, 1985. This proposal transfers $10,600 and amends the personnel schedule for the Presiding Judge of the Municipal Court to reduce the vacancy factor. The Public Safety and Criminal Justice Committee on December 4, 1985, recommended Proposal No. 760, 1985, Do Pass As Amended, by a vote of 6-0. Councillor Dowden explained that the amendment was to increase the Total to $11,600, with the $1,000 increase being transferred to Character 02, Supplies. Councillor Dowden moved, seconded by Councillor Hawkins, for adoption. Proposal No. 760, 1985, As Amended, was adopted on the following roll call vote; viz:

20 AYES: Borst, Boyd, Bradley, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Strader, West
2 NAYS: Cottingham, Durnil
6 NOT VOTING: Clark, Coughenour, Crowe, Howard, Page, Stewart

Proposal No. 760, 1985, As Amended, was retitled FISCAL ORDINANCE NO. 127, 1985, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 1985
Proposal No. 760, 1985

A FISCAL ORDINANCE amending the City-County Annual Budget for 1985 (City-County Fiscal Ordinance No. 65, 1984) transferring and appropriating Eleven Thousand Six Hundred Dollars ($11,600) in the County General Fund for purposes of the Presiding Judge of the Municipal Court and reducing certain other appropriations for that court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 2.02(b)(24) of the City-County Annual Budget for 1985, be and is hereby amended by the increases and reductions hereinafter stated for the purposes of transferring funds to reduce the vacancy factor.

SECTION 2. The sum of Eleven Thousand Six Hundred Dollars ($11,600) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

PRESIDING JUDGE OF THE MUNICIPAL COURT	COUNTY GENERAL FUND
1. Personal Services	$10,600
2. Supplies	1,000
TOTAL INCREASE	$11,600

SECTION 4. The said increased appropriation is funded by the following reductions:

Presiding Judget of the Municipal Court	COUNTY GENERAL FUND
3. Other Services & Charges	$ 9,426
4. Capital Outlay	2,174
TOTAL REDUCTION	$11,600

SECTION 5. The personnel schedule is hereby amended by deleting the crosshatched portions and adding the new amounts as underlined herein:

(24) PRESIDING JUDGE OF THE MUNICIPAL COURT - Dept. 47
County General Fund

Personnel Classification	Maximum Number	Maximum Salary	Maximum Per Classification
Judges	15	17,160	247,104
Court Reporters	16	18,616	279,240
Bailiffs	47	17,550	689,078

Managers	3	29,744	78,520
Supervisor/Admin. Asst.	9	20,930	164,060
Court Specialists	48	15,574	503,802
Professional	42	28,080	737,270
Temporary			16,486
Vacancy Factor			(147,519) 111,919
Overtime			10,000
TOTAL	180		2,608,044 2,613,641

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 783, 1985. This proposal amends Chapter 8 of the Code regarding building standards and procedures. The Metropolitan Development Committee on December 4, 1985, recommended Proposal No. 783, 1985, Do Pass As Amended by a 3-0 vote. Councillor Borst stated that the amendments were minor to correct typographical and drafting errors. Councillor Borst added that the Department has met with various builder, contractors, etc. and the groups are supporting passage of Proposal No. 783 which will allow the Department to be less than 20% funded by property taxes. Councillor Borst moved, seconded by Councillor Rader, for adoption. Proposal No. 783, 1985, As Amended, was adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Clark, Cottingham, Coughenour, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Jouney, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
5 NOT VOTING: Bradley, Crowe, Dowden, Howard, Page

Proposal No. 783, 1985, was retitled GENERAL ORDINANCE NO. 108, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 108, 1985
Proposal No. 783, 1985

A GENERAL ORDINANCE amending Chapter 8 of the "Code of Indianapolis and of Marion County, Indiana", Chapter 8, Buildings and Construction, by making technical changes to reflect the proper names of current agencies, adjusting the fee structure for permits, adjusting bond and insurance provisions for listed contractors and licensed skilled trades and amending the powers of certain boards.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 8 of the Code of Indianapolis and Marion County, Indiana", Chapter 8, Buildings and Construction, is hereby amended by inserting the language underscored and deleting the language crosshatched to read as follows:

BUILDING AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Title.

This chapter and all matter included herein by reference shall comprise and be known as the "Building Standards and Procedures of the Consolidated City of Indianapolis."

Sec. 8-2. Chapter remedial; purpose.

This chapter is hereby declared to be remedial and shall be construed in such a manner as to effectuate its purpose, which is to protect the safety, health and general welfare of the citizens of the Consolidated City of Indianapolis.

Sec. 8-3. Severability.

If for any reason any article, division, section, subsection, sentence or phrase of this chapter or the application thereof to any person or circumstance is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter.

Sec. 8-4. ~~"Administrative Building Council~~ Fire Prevention & Building Safety Commission" identified and defined.

As used herein the phrase "Fire Prevention & Building Safety Commission" means that unit of Indiana State government created by ~~Acts 1969~~ IC 22-11-5-2. ~~Chapter 338, as amended, more formally known as the "Administrative Building Council of Indiana."~~

Sec. 8-5. "Building equipment" defined.

As used herein the phrase "building equipment" means any machine, device, apparatus or material located in or connected directly to a new or existing structure which is used by an occupant to supply or distribute water, remove wastes, supply or transmit electricity, supply or distribute fuel, create conditions of heat or of cold or accomplish the movement of air.

Sec. 8-6. "Building standards and procedures" defined.

As used herein the phrase "building standards and procedures" means regulations, standards or requirements relative to either construction activity or the condition of existing structures or building equipment established by or under federal law, state law or city ordinances. Building standards and procedures shall specifically include rules promulgated by the ~~administrative building council~~ Fire Prevention & Building Safety Commission and the substantive and procedural provisions of this chapter.

Sec. 8-7. Construction Activity" defined.

As used herein the phrase "construction activity" means the erection, construction, placement, repair, alteration, conversion, removal, demolition, maintenance,

moving, razing or remodeling of any new or existing structure
or any part thereof; or the construction, installation, extension, repair, alteration, conversion, removal or maintenance of building equipment; provided, however, the phrase "construction activity" shall not include the construction, alteration, repair or maintenance of airplanes, boats, railroad rolling stock or motor vehicles; the manufacture or shop repair of building equipment; the installation, alteration, maintenance or repair of water supply lines from a public utility to a structure; the construction, installation, alteration, repair or maintenance of apparatus and equipment used by telegraph companies in the direct provision of services to the public; or the installation, alteration, maintenance or repair by an electrical utility of a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park.

Sec. 8-8. "Cooling system" defined.

As used herein the phrase "cooling system" means a system which utilizes a source of energy to accomplish the cooling (not below a constant temperature of sixty [60]degrees Fahrenheit) of more than one partitioned space in a structure or to accomplish the cooling of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping.

Sec. 8-9. "Electrical power distribution system" defined.

As used herein the phrase "electrical power distribution system" means a system for the distribution of electrical current both within and on the exterior structure, from an electrical power source to receptacles or equipment "hich uses electricity; provided, however, that class 2 and class 3 circuits (as defined by the National Electrical Code) shall not be considered part of an electrical power distribution system for purposes of this definition.

Sec. 8-10. "Heating systems" defined.

As used herein the phrase "heating systems" means a system which utilizes a source of energy, including but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of more than one partitioned space in a structure or to accomplish the warming of all or part of a structure by distribution of air through ductwork extending more than twelve (12) inches from the appliance collars, or distribution of liquid or vapor through on-site piping; provided, however, that a structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure shall not be considered a heating system for purposes of this definition.

Sec. 8-11. "One- or two-family residential structure" defined.

As used herein the phrase "one- or two-family residential structure" shall mean a one-family dwelling structure, a two-family dwelling structure or any accessory structure appurtenant to either a one-family dwelling structure or two-family dwelling structure.

Sec. 8-12. "Ordinary maintenance and repair" defined.

As used herein the phrase "ordinary maintenance and repair" means construction activity commonly accomplished in or on an existing structure or existing

building equipment for the purpose of preventing deterioration or performance deficiencies, maintaining appearance, or securing the original level of performance. Preventing deterioration or deficient performance shall include such activities as caulking windows, painting, pointing bricks, oiling machinery and replacing filters. Maintenance appearance shall include such activities as sandblasting masonry and cleaning equipment. Securing the original level of performance shall include such activities as replacing broken glass, patching a roof, disassembling and reassembling a piece of building equipment, welding a broken part and replacing a component of a heating system (but not a furnace) with an identical component. Ordinary maintenance and repair shall not include any construction activity which alters the prior or initial capacity, performance specifications, type of required energy or functional features of an existing structure or building equipment.

Sec. 8-13. "Person" defined.

As used herein the word "person" means individual human being.

Sec. 8-14. "Refrigeration equipment" defined.

As used herein the phrase "refrigeration equipment" means equipment which utilizes a source of energy to accomplish the cooling of a space or materials to a constant temperature below sixty (60) degrees Fahrenheit, typically for such purposes as food storage, mechanical fabrication, or industrial processing; provided, however, that plug-in electrical appliances such as freezers or icemakers that do not require more than twelve (12) ampers of "current at a nominal one hundred fifteen (115) volts shall not be considered refrigeration equipment for purposes of this definition.

Sec. 8-15. "Service equipment" defined.

Is used herein the phrase "service equipment" means the necessary equipment, usually consisting of a circuit breaker or switch and fuses and their accessories, located near the point of entrance of electrical supply conductors to a structure or an otherwise defined area, intended to constitute the main control and means of cutoff of the electrical supply.

Sec. 8-16. "Space cooling equipment" defined.

As used herein the phrase "space cooling equipment" means equipment which utilizes a source of energy to accomplish the cooling (not below a constant temperature of sixty [60] degrees Fahrenheit) of an unpartitioned space within a structure in which the equipment is located without the use of ductwork for the distribution of air extending more than twelve (12) inches beyond the appliance collars or the use of on-site piping for the distribution of liquid or vapor; provided, however, that plug-in electrical appliances such as window air conditioners that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts shall not be considered space cooling equipment for purposes of this definition.

Sec. 8-17. "Space heating equipment" defined.

As used herein the phrase "space heating equipment" means equipment which utilizes a source of energy, including but not limited to electricity, fossil fuels, geothermal, solar and wind, to accomplish the warming of an unpartitioned space within a structure in which the equipment is located without the use of air distribution ductwork which extends more than twelve (12) inches beyond the appliance collars or

the use of on-site piping for the distribution of liquid or vapor; provided, however, that the following shall not be considered space heating equipment for the purposes of this definition:

(a) Plug-in electrical appliances such as freestanding room heaters that do not require more than twelve (12) amperes of current at a nominal one hundred fifteen (115) volts;

(b) Self-contained fireplaces; and

(c) A structural design which utilizes largely natural means to cause flow of thermal energy from the sun to accomplish warming of all or part of a structure.

Sec. 8-18. "Structure" defined.

As used herein the word "structure" means that which is built or constructed, such as an edifice or building of any kind, or any piece of work artificially built up or composed of parts formed together in some definite manner, or any part thereof. The word "structure" shall specifically include signs, grandstands, ~~tents~~, and air-supported structures and ~~amusement devices, trailers, and coliseums~~. The word "structure" shall not include improvements such as public roadways or bridges.

Sec. 8-19. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

IVISION 1. GENERALLY

Sec. 8-20. Administration of building code.

The administrator, division of ~~buildings~~ development services, department of metropolitan development, shall administer and enforce the provisions of this chapter.

Sec. 8-21. Territorial application.

This chapter shall be applicable throughout the territorial limits of the Consolidated City of Indianapolis, State of Indiana. Article IV, Division 2 of this chapter shall be applicable throughout the territorial limits of Marion County.

Sec. 8-22. Subject matter application.

All construction activity shall be accomplished in compliance with the provisions of this chapter. All existing structures and existing building equipment shall be subject to the provisions of this chapter.

Secs. 8-23- 8-29. Reserved.

DIVISION 2. BUILDING PERMITS AND DESIGN AND SUPERVISION

Sec. 8-30. When building permits required.

No person, partnership or corporation shall engage in any construction activity in the consolidated city unless a written building permit issued by the division of ~~buildings~~ development services describing the activity has been obtained by and is in force relative to the person, partnership or corporation which is actually accomplishing, supervising accomplishment or is contractually responsible for accomplishment of the construction activity allowed by the building permit; provided, however, that a building permit shall not be required for:

(a) Ordinary maintenance and repair of a structure or building equipment, except as provided below in this section; or

(b) Construction activity other than that described in (a) above where the total value of labor and materials does not exceed five hundred dollars ($500.00) except as provided below in this section; or

(c) Erection of any sign in those categories of signs described in section 8-330(c) of this chapter; or

(d) Connection, provision or use of temporary electrical power for on-site construction activity; or

(e) Installation of a single-phase electric circuit not exceeding sixty (60) amperes at a nominal 120/240 volts which is accomplished in connection with work in an existing one- or two-family residential structure which involves the installation, modernization, replacement, service or repair of a heating system, space heating equipment, cooling system, space cooling equipment, a water heater or a food waste disposer for which a building permit has been issued; or

(f) Construction of a structure which spans one hundred twenty (120) square feet or less of base area, is less than fifteen (15) feet in height, is not placed on or attached to a permanent foundation and does not contain an electrical power distribution system, heating system, space heating equipment, cooling system, or space cooling equipment; or

(g) Installation of household appliances such as window air conditioners, refrigerators, refrigerators with automatic icemakers, ranges, clothes washers, clothes dryers, dishwashers, food waste disposers and trash compactors in one- or two-family residential structures or apartment buildings when such installation does not include the installation of an electrical circuit; or

(h) Installation of thermal insulation; or

(i) Construction of a fence six (6) feet in height or less; or

(j) Installation, maintenance and repair of storm windows and other exterior windows designed and used as protection against severe weather; or

(k) Placement of a one-family factory constructed building not on a permanent foundation in a mobile home park licensed by the Indiana State Board of Health; or

(l) Initial connection or reconnection of plumbing to a mobile home not placed on a permanent foundation located in a mobile home park licensed by the Indiana State Board of Health; or

(m) Initial connection or reconnection of electric plug-in cable connections from a mobile home not placed on a permanent foundation to service equipment supplying electrical power in a mobile home park licensed by the Indiana State Board of Health.

(n) Construction of an above ground swimming pool (5) feet or less at its widest points.

Relative to paragraphs (a) and (b) above, building permits shall be required for construction activity on either a structure or building equipment rly, is a potential health hazard or safety hazard. Examples of construction activity relative to a structure which, if done improperly, would be a potential health or safety hazard include the construction or alteration of a chimney or venting system; stripping and reapplication of roofing material; a change in exterior bulk or facade; the creation or cutting away of any load-bearing wall, partition or portion thereof; the addition of concentrated roof loading; the creation, removal or change of any required means of egress; rearrangement of parts of structure affecting the exitway requirements; or a change of the use group occupancy or structure type. Examples of construction activity relative to building equipment which, if done improperly, would be a potential health or safety hazard include installation, significant alteration or relocation of any water distribution system within a structure, gas distribution system within a structure, soil, waste, vent or similar piping; relocation of plumbing fixtures; installation or significant alteration of an electrical power distribution system; installation of heating system, space heating equipment, cooling system or space cooling equipment; installation of a hot water heater; or replacement of a hot water heater with one that is not identical as to temperature or pressure protection, venting arrangement and type of fuel or energy input. Provided further, construction activity for which a permit is required may be accomplished without a permit being then in force, notwithstanding what is stated hereinabove in this section, where an emergency need for such construction activity occurs on a day when the office of the division of ~~building~~ development services is not open for business and the person, partnership or corporation which has accomplished such construction applies for a building permit on the first day the office of the division of ~~building~~ development services is open for business after the initiation of such construction activity.

Sec. 8-31. Eligibility to obtain and apply for a building permit.

To obtain a building permit a person, partnership or corporation must meet the requirements of and make application through a person possessing the qualifications stated in one of paragraphs (a) through (e) below and must be the person, partnership or corporation which will either actually accomplish, supervise accomplishment or be contractually responsible for accomplishment of the construction activity allowed by the building permit:

(A) Any person, partnership or corporation which is a listed contractor under Article IV; Division 2 of this chapter may obtain a building permit to accomplish any construction activity except work for which Article IV, Division 3, 4 or 5 of this chapter requires licensure or Public Law 188 of the acts of 1972, as amended, requires a state license. If the listed contractor is a person, application for a building permit must be made by that person. If the listed contractor is a partnership or corporation,

application for a building permit must be made by an employee, partner or officer designated in a written document filed with the division of ~~buildings~~ development services, as having authority to act for that partnership or corporation.

(b) Any person, partnership or corporation listed or licensed under Article IV, Division 2, 3, 4 or 5 of this chapter may obtain a building permit soley to accomplish construction activity allowed by that license or type of license held by the person, partnership or corporation, If the license listed contractor or holder is a person, application for a building permit must be made by that person. If the listed contractor or license holder is a partnership or corporation, application for a building permit must be made by an employee, partner or officer designated in a written document filed with the division of ~~buildings~~ development services as having authority to act for that partnership or corporation and who himself holds a license or type of license which allows accomplishment of the construction activity stated in the building permit.

(c) Any person or corporation registered under Article IV, Division 6 of this chapter may obtain a building permit solely to accomplish construction activity for which state licensure as a plumbing contractor is required. If a person holding a state plumbing contractor license is registered under Article IV, Division 6 of this chapter, application for a building permit must be made by that person. If a corporation holding a state plumbing contractor license is registered, application for a building permit must be made either by the officer named in the state license or another officer or employee holding a plumbing contractor license.

(d) Any person who is either a registered architect or registered engineer licensed to practice in the State of Indiana may obtain a building permit to accomplish any construction activity for which the approval of the ~~administrative building council~~ Fire Prevention & Building Safety Commission is required and has been given. Such architect or engineer, however, may not obtain a building permit for work relative to which Article IV, Division 3, 4, or 5 of this chapter requires license. Such architect or engineer must himself apply for the building permit which he is authorized to obtain.

(e) Any person, partnership, or corporation which owns, is a contract purchaser or is a long-term leasee of an improved or unimproved parcel of land which the person, partnership or corporation intends to utilize for its own purposes may obtain a building permit to accomplish construction activity on such parcel carried out through direct efforts of the person or direct efforts of employees or noncompensated volunteers of the person, partnership or corporation. Such a person, partnership or corporation may not obtain a building permit to wreck a structure for which Article IV, Division 5 requires licensure. Such a person, partnership or corporation may not obtain a building permit for work relative to which Public Law 188 of the Acts of 1972, as amended, requires a state license. The requirements of section 8-200 and section 8-230 must be met for such a person, partnership or corporation to obtain a building permit to accomplish construction activity relative to which he is authorized to obtain. Such a partnership must apply for the building permit which it is authorized to obtain through a partner. Such a corporation must apply for the building permit which it is authorized to obtain through an employee having authority to act for the corporation.

Sec. 8-32. Building permits obtained by written application.

Application for a building permit shall be made to the division of ~~buildings~~ development services. The application shall be made in accordance with this section, unless each and every requirement of section 8-36 is met and the administrator decides to issue a building permit on the basis of that section.

(a) The application shall be in writing on a form prescribed by the division of ~~building~~ development services and shall be supported with:

(1) Two (2) copies of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. In lieu thereof, it shall be within the discretion of the administrator of the division of ~~building~~ development services to accept two (2) copies of a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.

(2) Two (2) copies of a plot plan drawn to scale which reflect the location of the structure in relation to existing property lines and which show streets, curbs and sidewalks and proposed changes or additions to such street, curbs and sidewalks; provided, however, such plot plan shall not be required in the instance where all of the construction activity is to occur inside an existing structure.

(3) An improvement location permit, issued by the division of ~~planning and zoning~~ development services department of metropolitan development, if required by the ordinance providing for the improvement location permit.

(4) Written approval from the Marion County Health and Hospital Corporation for any contemplated private sewage disposal system.

(5) Written approval from the ~~administrative building council~~ Fire Prevention & Building Safety Commission, if required by Indiana law or any rule or standard of the ~~administrative building council~~ Fire Prevention & Building Safety Commission.

(6) A drainage permit, issued by the department of public works, if required by the ordinance providing for a drainage permit.

(7) A connection permit, issued by the department of public works, if required by the ordinance requiring a permit for connection to a sewer.

In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected, and with either a written statement from the record titleholder of such premises authorizing the demolition or removal or a court order or administrative order requiring the demolition or removal of the structure.

In the instance where a building permit is requested for the purpose of allowing the demolition or removal of a structure which is in excess of seventy-five (75) feet in height, such application shall be supported by a certificate of insurance reflecting that the obtaining of the building permit has a public liability and property damage insurance policy naming the licensee and the Consolidated City of Indianapolis as the assured and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis in the minimum amounts of ~~five hundred thousand dollars ($500,000.00)~~ one million dollars ($1,000,000.00) for any occurance relative to which there is injury to or death of one or more persons and ~~two hundred fifty thousand dollars ($250,000.00)~~ five hundred thousand dollars ($500,000.00) for any occurance relative to which there is property damage.

(b) Except as provided in section 8-100 or 8-101, a building permit shall be issued if:

(1) The application and supporting information required by this section have been properly prepared and submitted; and

(2) The application and supporting information filed in accordance with this section reflect compliance with building standards and procedures; and

(3) The fee has been paid in compliance with Article II, Division 6 of this chapter; and

(4) The person, partnership or corporation obtaining the building permit complies with the requirements of section 8-31; and

(5) The person applying for the building permit complies with the requirements of section 8-31.

(c) By making payment for the building permit, the applicant shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant shall within ten (10) days provide in writing to the division of ~~buildings~~ development services any additions or corrections to that information.

Sec. 8-33. Structure requiring professional services of architects of engineers.

Except for those structures for which the ~~administrative building council~~ Fire Prevention & Building Safety Commission does not require filing of plans for approval by the responsible design architect or engineer, all detailed plans and specifications supplied with building permit applications shall be designed by and prepared under the control and supervision of a registered architect or engineer duly licensed to practice in the State of Indiana. Such professionally prepared plans and specifications shall bear the stamp or seal and registration number of such architect or engineer and shall be accompanied by the usual form of certification which is now or may be hereafter prescribed for use by architects and engineers by the ~~administrative building council~~ Fire Prevention & Building Safety Commission.

Sec. 8-34. Scales of plans, numbering of plan sheets, provision of address on plan sheets.

All plans shall be drawn to scale or scales suitable to illustrate the work using accepted professional practices. Drawing scale or scales must be noted on each sheet. All plans with more than one sheet shall be numbered. Except with respect to one- or two-family residential structures, an index shall be furnished on the first sheet setting forth the character of each sheet in the set of plans. The address appearing on the building permit shall be placed in letters at least one-quarter inch on the face of each sheet.

Sec. 8-35. Examination of detailed plans and specifications.

The purpose of any examination of detailed plans and specifications and plot plans shall be to determine consistency with building standards and procedures. Design characteristics not affecting consistency with building standards and procedures shall not be considered in any examination of detailed plans and specifications and plot plans. Issuance of a building permit relative to plans which do not comply with

building standards and procedures shall not relieve the person, partnership or corporation who applied for or obtained the building permit of the responsibility of complying with all building standards and procedures. The division of ~~building~~ development services shall file-mark all acceptable plans "plans received and application approved" and then return one copy of the detailed plans and specifications and one copy of the plot plan to the applicant.

Sec. 8-36. Building permits obtained by telephone communication.

(a) The administrator may, but is not required to, issue a ~~building~~ permit on the basis of information received by a telephone call over a specified telephone line in the office of the division of ~~building~~ development services (to which may be attached a recording device to make a record of all information supplied).

(b) To receive a permit on the basis of a telephone communication, all of the following requirements must be met:

(1) The person, partnership or corporation obtaining the permit and the person applying for the permit are eligible to obtain and apply for a building permit pursuant to section 8-31, and:

a. Have accomplished construction activity in the consolidated city for a period of the preceding twelve (12) calendar months without a violation of building standards or procedures which caused a revocation of a building permit pursuant to section 8-103; issuance of a stop-work order pursuant to section 8-104; issuance of an order forbidding occupancy pursuant to section 8-105; initiation of a civil action filed pursuant to section 8-106; forfeiture of a licensing bond pursuant to section 8-107; or a judicially imposed fine or imprisonment pursuant to section 8-108; and

b. Have over the period of the previous one hundred eighty (180) days made prompt payment of all building permit fees for permits issued under this chapter;

~~(2) The value of the construction activity is four thousand dollars ($4,000.00) or less;~~

~~(3)~~ (2) The construction activity is being accomplished in or on an existing structure;

~~(4)~~ (3) The construction activity does not involve the demolition or removal of a structure;

~~(5)~~ (4) The construction activity does not require the approval of the ~~administrative building council~~ Fire Prevention & Building Safety Commission;

~~(6)~~ (5) An improvement location permit, issued by the division of ~~planning and zoning~~ development services, department of metropolitan development, is not required;

~~(7)~~ (6) Approval of the Marion County Health and Hospital Corporation for a ~~private water supply or~~ private sewage disposal system is not required;

~~(8)~~ (7) The construction activity does not require a drainage permit; and

~~(9)~~ (8) The construction activity is susceptible to being accurately described without the aid of either a plot plan or detailed plans and specifications.

(c) The following information shall be supplied over the specified telephone line in order to obtain a building permit under this section 8-36:

(1) The name and address of the person telephoning (applicant);

(2) The name, address and number of the contractor in whose name the requested building permit is being issued (obtainer);

(3) The address of the construction activity;

(4) A precise description of the construction activity to be accomplished;

(5) The value of the construction activity.

(d) The obtainer of the building permit shall remit fees for the permit along with a written application (as provided for in section 8-32) to the division of ~~buildings~~ development services within five (5) days following the date of the permit"s issuance by check or money order made payable to the controller of the City of Indianapolis. The permit number shall be clearly marked on the face of the check or money order. Payment shall be made in the office of the division of ~~buildings~~/development services or through the United States Postal Service. If mailed, the postmark on the envelope shall be evidence of compliance with the five-day remittance requirement. If payment is not received within five (5) business days, the permit shall be voided by order of the administrator. If a permit issued under this section is voided, no further construction activity shall be accomplished under that permit.

(e) The building permit obtained in accordance with this section shall be in full force and effect at the time a building permit number is furnished by the division of ~~buildings~~ development services over the telephone line to the applicant. Following the issuance of the building permit in accordance with this section, the division of ~~buildings~~/development services shall, as soon as conveniently possible after the payment of the permit fee, mail a copy of the building permit document to the applicant for the building permit.

(f) By making payment for the building permit, the applicant shall be deemed to represent and certify that the information contained in that permit is complete and accurate, unless the applicant shall within ten (10) days provide in writing to the division of ~~buildings~~ development services any additions or corrections to that information.

Sec. 8-37. Permit and file-marked plans to be available.

Any person, partnership or corporation to which a building permit has been issued shall prominently display such permit or a document bearing the permit number provided by the division of ~~buildings~~ development services which evidence permit issuance, or, in the instance of a permit obtained by telephone communication, a paper bearing the authorization number, at the job site during construction activity. If required to submit detailed plans and specifications in order to obtain a building permit such person, partnership or corporation shall have available for inspection at all times a copy of the detailed plans and specifications bearing the file mark of the division of ~~buildings~~ development services. Any change in such detailed plans and specifications, except for minor deviations that neither diminish structural quality nor would cause noncompliance with applicable building standards and procedures, shall be filed with and approved by the division of ~~buildings~~/development services prior to the time construction involving the change occurs.

Sec. 8-38. Transfer of building permits.

A building permit may be transferred with the approval of the administrator of the division of ~~building~~ development services to a person, partnership or corporation which would be eligible under section 8-31 to obtain such building permit in the first instance (hereinafter called "transferee"), after both the payment of a fee specified in section 8-90 and the execution and filing of a form furnished by the division of ~~building~~ development services. Such a transfer form shall contain, in substance, the following certifications, release and agreement:

(a) The person who applied for the original building permit or a person who meets the requirements of section 8-51 for the execution and filing of a modified certificate of completion and compliance (hereinafter called "transferor) shall:

(1) Certify under penalties for perjury that he is familiar with construction activity accomplished pursuant to the building permit; he is familiar with the building standards and procedures applicable to the construction activity; and to the best of his knowledge, information and belief the construction activity, to the extent performed, is in conformity with all building standards and procedures; and

(2) Sign a statement releasing all rights and privileges secured under the building permit to the transferee.

(b) The transferee shall:

(1) Certify that he is familiar with the information contained in the original building permit application, the detailed plans and specifications, the plot plan and any other documents filed in support of the application for the original building permit; and

(2) Certify that he is familiar with the present condition of the premises on which construction activity is to be accomplished pursuant to the building permit; and

(3) Agree to adopt and be bound by the information contained in the original application for the building permit, the detailed plans and specifications, the plot plans and other documents supporting the original permit application; or in the alternative, agree to be bound by such application plans and documents modified by plan amendments submitted to the division of ~~building~~ development services for approval.

The transferee shall assume the responsibilities and obligations of and shall comply with the same procedures required of the transferor (including, but not being limited to, the requirement of section 8-50 that a certificate of completion and compliance be executed and filed and the requirement of section 8-61 and 8-62 that further construction activity not be accomplished without notice of and opportunity for inspection at certain stages) and shall be subject to any written orders issued by the administrator or his representative.

Sec. 8-39. Obligation of subsequent obtainer of building permit relative to partially completed work.

If construction activity allowed by a building permit has been commenced but only partially completed and a person, partnership or corporation desires to complete such construction activity, then such person, partnership or corporation must obtain a building permit covering the construction previously accomplished as well as that to be accomplished, shall be responsible for accomplishing all construction activity

encompassed by the subsequent building permit (including that previously accomplished) in accordance with building standards and procedures and shall be obligated to file a certificate of completion and compliance required by section 8-50 or 8-51 covering all the construction activity encompassed by the subsequent permit.

Sec. 8-40. Expiration by operation of law.

If the construction activity for which a building permit has been issued has not been commenced within one hundred fifty (150) days from the date of its issuance, the permit shall expire by operation of law and shall no longer be of any force or effect; provided, however, the administrator of the division of ~~buildings~~ development services may, for good cause shown in writing, extend the validity of any such permit for an additional period which is reasonable under the circumstances, but in no event shall the continuance exceed a period of sixty (60) days, Such extension shall be confirmed in writing. If the construction activity has been commenced but only partially completed, and thereafter substantially no construction activity occurs on the construction site over a period of six months, the permit shall expire by the operation of law and no longer be of any force or effect; provided however, the administrator may, for good cause shown in writing, extend the validity of any such permit for an additional period which is reasonable under the circumstances to allow reinitiation on construction activity.

Sec. 8-41. Defacing permit.

It shall be unlawful for any person, other than an employee of the division of ~~buildings~~ development services, to intentionally remove, deface, obscure, mutilate, mark or sign a posted building permit or document bearing the permit number provided by the division of ~~buildings~~ development services which evidences permit issuance without authorization from the administrator of the division of ~~buildings~~ development services or his authorized representative until fifteen (15) calendar days after both the construction activity is completed and the division of ~~buildings~~ development services is notified of such completion.

Secs. 8-42. - 8-49. Reserved.

DIVISION 3. CERTIFICATE OF COMPLETION AND COMPLIANCE

Sec. 8-50. Filing of certificate of completion and compliance.

Within ten (10) days after completion of the construction activity for which a building permit has been issued pursuant to the provisions of this chapter and prior to the occupancy or use of the structure, the person who applied for the building permit for such construction activity shall execute and file a certificate of completion and compliance with the division of ~~buildings~~ development services. Such certificate shall be in the following form:

CERTIFICATE OF COMPLETION AND COMPLIANCE

Address of premises on which construction activity was accomplished:

_____

Permit number: _____

The undersigned person hereby certifies under the penalties for perjury that:

1. I applied for the above referenced building permit, and

2. I am familiar with the construction activity accomplished pursuant to that building permit, and

3. I know such construction activity has been completed with exceptions here noted

_____,and

4. I am familiar with building standards and procedures applicable to such construction activity, and

5. To the best of my knowledge, information and belief such construction activity has been performed in conformity with all building standards and procedures.

Date: _____ Signature: _____

Typed or printed name: _____

Electrical, heating and cooling or wrecking contractor license number, plumbing contractor registration number, contractor listing number, and contractor's license number, or registered architect or registered engineer registration number: _____

If a licensed electrical contractor has properly executed and delivered or mailed an electrical craft work certificate of completion and compliance pursuant to section 8-63(b)(3), he shall not be required to file the above certificate of completion and compliance.

If a registered architect or registered engineer has properly executed and delivered or mailed an architect''s or engineer''s certificate of completion and compliance pursuant to section 8-52, he shall not be required to file the above certification of completion and compliance.

1)

Sec. 8-51. Modified certificate of completion and compliance.

If it is impossible or will impose a substantial hardship for the person who applied for the building permit to execute and file a certificate of completion and compliance, a modified certificate of completion and compliance omitting the language stating the person signing the certificate obtained the building permit will be accepted from a person having sufficient knowledge of the construction activity to allow him to execute the certificate of completion and compliance, if:

(a) The person executing and filing the modified certificate of completion and compliance fulfills the requirements imposed by section 8-31 of an applicant for the type of building permit obtained to allow such construction activity; and

(b) An affidavit is executed and filed along with the modified certificate of completion and compliance which provides in substance that it is impossible or will impose a substantial hardship for the person who applied for the building permit to execute and file a certificate of completion and compliance.

Where a building permit is obtained for a partnership or corporation by an applicant and a certificate of completion and compliance is not filed because it would be impossible or impose a substantial hardship for the applicant to execute and file such certificate, it shall be the responsibility of the partnership or corporation to cause a modified certificate of completion and compliance to be executed and filed relative to such construction activity within ten (10) days after completion of the construction activity.

Sec. 8-52. Filing of architect"s or engineer"s certificate of completion and compliance.

Within ten (10) days after the completion of construction activity for which a building permit was issued pursuant to this chapter and for which review and monitoring of construction activity by an architect or engineer is required by the ~~administrative building council~~ Fire Prevention & Building Safety Commission, the architect or engineer who observed the construction activity accomplished pursuant to the permit shall execute and file an architect"s or engineer"s certificate of completion and compliance with the division of buildings development services in the following form:

ARCHITECT"S AND ENGINEER"S CERTIFICATE OF COMPLETION AND COMPLIANCE

Address of construction activity: _____

Permit number: _____

The undersigned architect or engineer hereby states under penalties for perjury that:

1. I have made reasonable and periodic observation of the above mentioned construction project to determine whether the work accomplished is in accordance with the plans and specifications for this project as released by the ~~administrative building council~~ Fire Prevention & Building Safety Commission and whether the work accomplished is in compliance with building standards promulgated by the ~~administrative building council~~ Fire Prevention & Building Safety Commission and provisions of article III, division 1 and 3, of chapter 8 of the Code of Indianapolis and Marion County, with the following exceptions hereafter noted: _____

_____

2. I am familiar with such building standards and the provisions of article III, division 1 and 3, of chapter 8 applicable to the work accomplished; and

3. To the best of my knowledge, information and belief such work has been accomplished in conformity with such building standards promulgated by the ~~Administrative Building Council~~ Fire Prevention & Building Safety Commission and the provision of article III, divisions 1 and 3 of chapter 8.
8.

Date: _____ Signature: _____

SEAL Typed name: _____

Architect No._____Engineer No.___

Indiana Registration No._____

Address:_____

_____

Phone:_____

Secs. 8-53 - 8-59. Reserved.

DIVISION 4. INVESTIGATIONS AND INSPECTIONS OF CONSTRUCTION ACTIVITIES

Sec. 8-60. General authority to make investigations and inspections.

The administrator of the division of ~~buildings~~ development services or his authorized representative may at any reasonable time go in, upon, around or about the premises where any structure or building equipment subject to the provisions of this chapter or to the rules of the ~~administrative building council~~ Fire Prevention & Building Safety Commission is located (irrespective of whether a building permit has been or is required to be obtained) for the purpose of investigation and inspection of such structure or building equipment. Such investigation and inspection may be made either before or after construction activity on the project is completed and it may be made for the purposes, among others, of determining whether the structure or building equipment meets building standards and procedures, and ascertaining whether the construction activity and procedures have been accomplished in manner consistent with a certificate filed pursuant to section 8-50, 8-52 or 8-63(b)(3). Reasonable efforts to afford an opportunity for investigation and inspection of the structure or building equipment by the division of ~~buildings~~/development services shall be made by persons working on or having control of the construction activity. However, nothing in this section shall be construed to require the administrator to make inspections and investigations.

Sec. 8-61. Notice of availability for inspection as a condition to the accomplishment of further work.

Whenever a stage of construction activity is reached which is designated below, the person who applied for the building permit (or if it is impossible or would impose a substantial hardship for the applicant, the person, partnership or corporation which obtained the permit) shall be under a duty to give appropriate notice to the administrator of the division of ~~buildings~~ development services that the construction activity is available for inspection.

(a) Relative to the construction of, remodeling of or addition to a structure, notice of availability is required, as applicable, for:

(1) A "foundation inspection" after poles or piers are set, trenches or basement areas excavated, any required reinforcing steel is in place, but prior to the placing of concrete; and

(2) A "frame and masonry inspectio

(2) A "frame and masonry inspection" after the roof, masonry, all framing, fire-stopping and bracings are in place and all electrical wiring, pipes, chimneys and vents are complete, but prior to the interior covering of walls.

(b) Relative to the installation, modernization or replacement of building equipment (including but not limited to plumbing work for which licensure is required by the Indiana Plumbing Commission, or work on electrical power distribution systems, heating systems, space heating equipment, cooling systems or space cooling equipment), notice of availability for a separate "rough inspection" is required, as applicable, for each of the three (3) crafts after installation, but prior to the covering or concealment thereof and before fixtures are set.

(c) Relative to demolition or removal of a structure, notice of availability for a "fill inspection" is required (in the instance when a basement or subgrade chamber exists) after demolition or removal and prior to "lacing fill.

(d) The administrator or his authorized representative may, relative to any construction activity, add a reasonable number of other construction stages by communicating the additional stage requirements to the person obtaining the building permit for that construction activity.

Notice of availability shall be given either by telephone communication over a specified telephone line in the office of the division of ~~buildings~~ development services (to which may be attached a recording device to make a record of all information supplied), by hand-delivered written notice or by a letter delivered by the United States Postal Service.

Sec. 8-62. Requirement that construction activity remain available for inspection.

Whenever a stage of construction activity designated in section 8-61 is reached, no person shall take any action or accomplish any additional construction activity which would substantially impede the opportunity of the administrator or his authorized representative to inspect that stage of construction activity for a period of at least forty-eight (48) hours after notice of the availability for inspection has been received during business hours in the division of ~~buildings~~ development services or until after an inspection is made, whichever first occurs. The forty-eight (48) hour period shall begin to run upon actual receipt of the notice during business hours but shall not run during any day when an inspection attempt by a representative of the division of ~~buildings~~ development services is unsuccessful because the work is not accessible.

A person, partnership or corporation may, however, pour a foundation two (2) hours after notification is received in the office of the division of ~~buildings~~ development services. If a foundation is so poured, the remainder of the excavation must remain open for a period of forty-eight (48) hours from the time when notice is received and the person, partnership or corporation must assist an inspector in making the excavation available for proper inspection.

Sec. 8-63. Connection, provision or use of electrical power.

(a) No person, partnership or corporation shall accomplish or allow the connection, provision or use of electrical power relative to an electrical power distribution system in or on a structure where construction activity (for which a building permit has been or is required to be obtained pursuant to this chapter) has

been accomplished, until after an inspection has been made and a distinctive sticker (signifying the electrical power distribution system may be used) has been attached to each service equipment by the administrator or his authorized representative to use, complete, apply or alter such sticker.

(b) As an alternative to section 8-62(a), the administrator or the division of ~~buildings~~ development services may allow the connection by a person who is a licensed electrical contractor if all of the following requirements are met:

(1) After the completion of the work and before use of the electrical power distribution system is initiated, the licensed electrical contractor who applied for the building permit shall communicate over a specified telephone line in the office of the division of ~~buildings~~ development services during business hours (to which the division of ~~buildings~~ development services may attach a recording device to make a record of all information supplied) the following information.

a. The name of the person telephoning;

b. The electrical contractor license number of the person telephoning;

c. The address of the affected premises;

d. The building number of the electrical craft work certificate of completion and compliance form to be used.

(2) If such information is in order and if the licensed electrical contractor has been accomplished construction activity for a period of the preceding twelve (12) calendar months without violation of building standards or procedures which in the discretion of the administrator are of sufficient seriousness to make the contractor ineligible to use the certificate, the division of ~~buildings~~ development services shall indicate over the specified telephone line authorization to attach a certificate to each service equipment and assign an authorization number to be placed on each certificate by the licensee.

(3) A certificate, in the following form, must then be executed and attached to each service equipment as a precondition to the connection, provision or use of electrical power:

ELECTRICAL CRAFT WORK CERTIFICATE OF COMPLETION AND COMPLIANCE

Address if the craft work: _____

_____

Serial number: _____
Permit number: _____
Authorization number: _____

The undersigned licensee hereby certifies under the penalties for perjury that:

1. I am an electrical contractor licensed in accordance with chapter 8 of the Code of Indianapolis-Marion County, Indiana;

2. I am responsible for the proper completion of the construction activity which is the subject of the above referenced building permit as applicant for the permit or applicant representing the transferee of the permit; and

3. I have either personally accomplished or personally inspected all such construction activity, or in the alternative, I have caused the construction activity to be inspected by a responsible and competent employee who works under my direction and control, who has fully reported to me the condition of the construction activity; and

4. I know that such construction activity is completed and in condition for immediate and final inspection on the date stated below; and

5. I am familiar with building standards and procedures applicable to such construction activity; and

6. I know that such construction activity has been done in compliance with all building standards and procedures; and

7. I acknowledge and understand that if such construction activity is done in violation of building standards and procedures, that under the provisions of chapter 8 my electrical contractor's license may be suspended or revoked.

Date certificate attached to
service equipment:

_____ _____
Signature

Electrical contractor license
number:

_____ _____
Typed or printed name

After the signator attaches a certificate to each service equipment, he shall cause a duplicate copy of each certificate to be either delivered to the division of ~~buildings~~ development services or post-marked no later than the next business day by the United States Postal Service.

(4) After completion of the above requirements, the division of ~~buildings~~ development services will notify the electric utility that electrical power can be connected and used at the site.

(c) It shall be unlawful for any person, partnership or corporation to accomplish the connection, provision or use of electrical power relative to an electrical power distribution system without first receiving authorization from the division of ~~buildings~~ development services either by telephone communication and attachment of an electrical craft work certificate of completion and compliance or by the distinctive sticker described in section 8-63(a).

(d) Nothing stated in this section shall be construed to deny the right of the division of ~~buildings~~ development services to inspect the electrical power is connected either before or after such connection is made or before or after the electrical power distribution system is used.

(e) Electrical craft work certificates of completion and compliance may be purchased only by a licensed electrical contractor who is eligible to use such forms from the division of buildings development services, acting on behalf of the controller, for a fee specified in Article II, Division 6 of this chapter. Each certificate form shall bear a different serialized number which shall be recorded by the division of buildings development services along with the name and licensure number of the electrical contractor who purchases the form. The certificate may only be signed and attached by the licensed electrical contractor who purchased it from the division of buildings development services. It shall be unlawful to sell or transfer such certificate and unlawful to sell or transfer such certificate and unlawful to use, complete, sign or attach such a certificate except as prescribed in this section.

Secs. 8-64. - 8-69. Reserved.

DIVISION 5. INSPECTION OF EXISTING STRUCTURES AND BUILDING EQUIPMENT CONTAINED THEREIN; SPECIAL STRUCTURES

Sec. 8-70. Inspection of existing public, institutional, commercial and industrial structures and building equipment contained therein.

The administrator of the division of buildings development services or his authorized representative may inspect public school buildings, public assembly halls, churches, theaters, grandstands, buildings used for manufacturing or commercial purposes, hotels, motels, apartment houses, hospitals, nursing homes, buildings used for entertainment or amusement, and all other structures which are used, occupied or frequented by large numbers of people for the purpose of determining whether such structures and the building equipment related to such structures are safe and comply with applicable building standards and procedures.

Sec. 8-71. Inspection of dangerous structures.

The administrator of the division of buildings development services or his authorized representative may inspect any structure or building equipment reported or appearing to be defective, dangerous or damaged by fire, casualty or vandalism for the purpose of determining whether such structure or building equipment is safe and complies with building standards and procedures.

Sec. 8-72. Inspection of special structures.

Before any tent enclosing more than one thousand five hundred (1,500) square feet, unsupported structure enclosing more than one thousand five hundred (1,500) square feet or amusement device upon which persons are conveyed is used, such structure shall be inspected by the administrator of the division of buildings or his authorized representative. In the case of such tents and such unsupported structures the inspection shall be for the purpose of determining whether the structure is safe and complies with building standards and procedures and in the case of such amusement devices the inspection shall be for the purpose of determining whether the structure uses electricity in a safe manner and complies with building standards and procedures relating to safe use of electricity. In such tent, unsupported structure or amusement device remains in place for a period of longer than twelve (12) calendar months it may be inspected annually during the month when original and annual inspection, an inspection (for which no charge shall be made) may be made at any reasonable time.

~~Such structure shall not be used unless approved on the basis of the most recent inspection of the administrator of the division of buildings or his authorized representative. A fee specified by Article II, Division 6 shall be paid for the original inspection and each annual reinspection by the owner or operator of such structure, except that if it is necessary to obtain a building permit for the structure, payment of the original inspection fee is not required.~~

Sec. 8-72 2. Inspection of premises on which municipally licensed activities are carried out.

At the request of the controller, the administrator of the division of ~~buildings~~ development services or his authorized representative may inspect the structure and building equipment on any premises which are being used or may be used in connection with a business operation licensed pursuant to Chapter 17 of the Code of Indianapolis and Marion County. Such inspection shall be made for the purpose of determining whether such structure and building equipment are safe and comply with applicable building standards and procedures. A fee specified by Article II, Division 6 shall be paid for the original inspection and each annual reinspection by the person, partnership or corporation which made application to the controller for licensure for such business operation.

Secs. 8-73 3. - 8-79. Reserved.

DIVISION 6. PERMIT, LISTING, REGISTRATION, LICENSE, EXAMINATION AND INVESTIGATION FEES

Sec. 8-80. Payment of fees.

Fees required for activities regulated by this chapter shall be collected by the administrator, division of ~~buildings~~ development services, acting on behalf of the city controller, and are specified in the following sections. All fees shall be rounded to the nearest whole dollar after computation. Floor area shall be determined on the basis of exterior dimensions.

Sec. 8-81. Permit fees for construction, placement or additions to structures.

(a) One- or two-family residential structures:

(1) A one- or two-family dwelling structure:

a. Minimum fee - ~~$30.00~~ 35.00

b. General rate - ~~$0.02~~ 0.023 per square foot of gross floor area, which shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished base ment or attic.

a. Minimum fee - ~~$15.00~~ 20.00.

b. General rate - ~~$0.02~~ 0.023 per square foot of gross floor area.

(b) Structures other than one- or two-family residential structures:

(1) Minimum fee - ~~$45.00~~ 55.00.

(2) General rate - ~~$0.025~~ 0.030 per square foot of gross floor area, each floor.

Sec. 8-82. Permit fees for remodeling, alteration, ~~addition to~~ or repair of structures.

(a) One- or two-family residential structures:

(1) Minimum fee - ~~$15.00~~ 20.00.

(2) General rate - ~~$5.00~~ 5.50 per $1,000.00 of total value or ~~$0.02~~ 0.023 per square foot of gross floor area of each floor being remodeled or altered; whichever method of computation yields the lesser fee amount.

(3) When remodeling, alteration, or repair of a one- or two-family residential structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to Sec. 8-81.

(b) Structures other than one- or two-family residential structures:

(1) Minimum fee - ~~$20.00~~ 25.00.

(2) General rate - ~~$5.00~~ 5.50 per $1000.00 of total value or ~~$0.025~~ 0.03 per square foot of gross floor area of each floor being remodeled or altered; whichever method of computation yields the lesser fee amount.

Sec. 8-83. Permit fees for plumbing activity.

(a) Installation of a plumbing system in a new structure or in an addition to an existing structure other than a one- or two-family dwelling structure:

(1) Minimum fee - ~~$20.00~~ 25.00.

(2) General rate - 15% of the fee for the building permit (as provided for in section 8-81) which has been obtained for the new structure.

(b) Alteration, ~~addition~~, repair or replacement of plumbing in an existing structure, in an addition to an existing one- or two-family dwelling structure, or in a structure appurtenant to an one- or two-family dwelling structure:

(1) Minimum fee - $15.00.

(2) General rate - ~~$5.00~~ 5.50 per $1,000.00 of total value.

(3) When documentation submitted prior to the issuance of a permit indicates that the value structural work is greater than or equal to the value of the plumbing work, the plumbing permit fee shall not exceed the structural permit fee (as provided in section 8-81(a), or in section 8-82).

(c) Initial connection or reconnection of plumbing to a structure which has been removed from one location and is being placed at another location or to a factory construction building - $15.00 20.00.

(d) If plumbing activity is limited solely to replacement or installation of one or more water heaters in a structure:

(1) Minimum fee - $10.00 15.00.

(2) General rate - $5.00/5.50 per $1,000.00 of total value.

(e) A permit may encompass plumbing activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. 8-84. Permit fees for electrical activity.

(a) Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than an one- or two-family dwelling structure:

(1) Minimum fee - $25.00 30.00.

(2) General rate - 20% of the fee for the building permit (as provided for in section 8-81) which has been obtained for the new structure or addition.

(b) Repair, alteration or remodeling of an electrical power distribution system in an existing structure, in an addition to a one- or two-family dwelling structure, or in an accessory structure appurtenant to an one- or two-family dwelling structure:

(1) Minimum fee - $10.00 15.00.

(2) General rate - $5.00/5.50 per $1,000.00 total value.

(3) When documentation submitted prior to the issuance of a permit indicates that the value to the structural work is greater than or equal to the value of the electrical work, the electrical permit fee shall not exceed the structural permit fee (as provided for in section 8-81(a) or

(c) Installation or replacement of space heating equipment using electricity as its primary source of energy:

(1) Minimum fee - $15.00.

(2) General rate - $0.13/0.15 per each 1,000 Btuh of input capacity up to the first 1,200,000 Btuh and $0.05/0.07 per each additional 1,000 Btuh.

~~(H) Replacement of space heating equipment using electricity as its primary source of energy:~~

~~(1) Minimum fee - $15.00.~~

~~(2) General rate - $0.19 per 1,000 Btuh of output capacity up to the first 1,200,000 Btuh, and $0.05 per each additional 1,000 Btuh.~~

~~(e)~~ (d) Installation or replacement of space cooling equipment using electricity as its primary source of energy:

(1) Minimum fee - $15.00.

(2) General rate - ~~$.019~~ 0.20 per 1,000 Btuh of output capacity up to the first 600,000 Btuh, and ~~$0.05~~ 0.07 per each additional 1,000 Btuh. (f) Replacement of space cooling equipment using electricity as its primary source of energy.

~~(1) Minimum fee - $15.00.~~

~~(2) General rate - $0.19 per 1,000 Btuh of output capacity up to the first 600,000 Btuh and $0.05 per each additional 1,000 Btuh.~~

~~(f)~~ (e) Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy.

(1) Minimum fee - $20.00.

(2) General rate - 70% of the sum of both general rates provided above in section 8-84(c)(2) and ~~(e)(2)~~ (d)(2) as they are applied to the heating input capacity and cooling input capacity, respectfully, or the combined space equipment.

~~(I) Replacement of combined space heating and space cooling equipment using electricity as their primary source of energy.~~

~~(1) Minimum fee - $20.00.~~

~~(2) General rate - 70% of the sum of both general rates provided above in section 8-84(c)(2) and (f)(2) as they are applied to the heating input capacity and cooling input capacity, respectively, of the combined space equipment.~~

~~(j)~~ (f) Initial connection or reconnection of electrical power to a structure which has been removed from one location and is being placed at another location - ~~$15.00~~ $20.00.

~~(j)~~ (g) Installation, alternation, replacement or repair of a system distributing electrical power to service equipment supplying power to factory constructed dwellings located in a mobile home park:

(1) Minimum fee - ~~$15.00~~ 20.00.

(2) General rate - ~~$5.00~~ 6.00 per service equipment assembly located on

property owned by the same person, partnership or corporation by the same person, partnership or corporation and available for inspection at one time.

~~(h)~~ (h) "Electrical craft work certificate of completion and compliance" forms, as allowed in section 8-63 - ~~$3.00~~ 5.00 each.

~~(i)~~ (i) A permit may encompass electrical activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. 8-85. Permit fees for heating, cooling and refrigeration activity.

(a) Heating systems:

(1) Installation, replacement, or addition which entails duct work or other types of a heating transfer system:

a. Minimum fee - ~~$15.00~~ 20.00

b. General rate - ~~$0.13~~ 0.15 per each 1,000 Btuh of ~~output~~ input capacity up to the first 1,200,000 Btuh, and ~~$0.05~~ 0.07 each additional 1,000 Btuh.

(2) Replacement or addition which does not entail duct work or other types of a heating transfer system:

a. Minimum fee - $15.00.

b. General rate - $0.13 0.15 per each 1,000 Btuh of output input capacity up to the first 1,200,000 Btuh, and $0.05 0.07 per each additional 1,000 Btuh.

~~(3) Addition to an existing heating system to accommodate structural alterations:~~

~~a. Minimum fee - $10.00.~~

~~b. General rate - $0.13 per each 1,000 Btuh of output capacity up to the first 1,200,000 Btuh and $0.05 per each additional 1,000 Btuh.~~

(b) Cooling systems:

(1) Installation ~~of a cooling system.~~ addition or replacement which entails duct work or other types of heating transfer.

a. Minimum fee - ~~$15.00~~ 20.00

b. General rate - ~~$0.18~~ 0.20 per each 1,000 Btuh of ~~output~~ input capacity up to the first 600,000 Btuh, and ~~$0.05~~ 0.07 per each additional 1,000 Btuh.

(2) ~~Replacement of a cooling system~~ Installation or replacement which does not entail duct work or other types of cooling transfer.

a. Minimum fee - $15.00

b. General rate - $~~0.18~~ 0.20 per each 1,000 Btuh of ~~output~~ input capacity up to the first 600,000 Btuh, and $~~0.05~~ 0.07 per additional 1,000 Btuh.

~~(3) Addition to an existing cooling system to accommodate structural enlargement:~~

~~a. Minimum fee - $10.00.~~

~~b. General rates - $0.19 per each 1,000 Btuh of output capacity up to the first 600,000 Btuh, and $0.05 per each additional 1,000 Btuh.~~

(c) Combined heating systems and cooling systems, ~~utilizing common duct work or piping:~~

(1) ~~Installation of a~~ Combined heating systems and cooling system s: entailing duct work or other types of heating or cooling transfer.

a. Minimum fee - $~~20.00~~ 25.00.
b. General rate - 70% of the sum of both general rates provided above in section 8-85(a)(1)b and 8-85(b)(1)b as they are applied to the heating ~~output~~ input capacity and cooling ~~output~~ input capacity, respectively, of the combined systems.

(2) Replacement ~~of a combined heating system and cooling system~~ or addition which does not entailing duct work or other types of heating or cooling transfer.

a. Minimum fee - $20.00

b. General rate - 70% of the sum of both general rates provided above in section 8-85(a)(~~2~~ 1)b and 8-85(b)(~~2~~ 1)b as they are applied to the heating ~~output~~ input capacity and cooling ~~output~~ input capacity, respectively, of the combined systems.

~~(3) Addition to an existing combined heating and cooling system to accommodate structural enlargement:~~

~~a. Minimum fee - $15.00.~~

~~b. General rate - 70% of the sum of both general rates provided above in section 8-85(a)(2)b and 8-85(b)(2)b as they are applied to the heating output capacity and cooling output capacity, respectively, of the combined systems.~~

(d) Space heating equipment:

(1) Installation of space heating equipment:

a. Minimum fee - $15.00.

b. General rate - $~~0.13~~ 0.15 per each 1,000 Btuh of ~~output~~ input capacity up of the first 1,200,000 Btuh, and $~~0.05~~ 0.07 per each additional 1,000 Btuh.

(2) Replacement of space heating equipment:

a. Minimum fee - $15.00.

b. General rate - $~~0.13~~ 0.15 per each 1,000 Btuh of ~~output~~ input capacity up to the first 1,200,000 Btuh, and $~~0.05~~ 0.07 per additional 1,000 Btuh.

(e) Space cooling equipment:

(1) Installation of space cooling equipment:

a. Minimum fee - $15.00.

b. General rate - $~~0.19~~ 0.20 per each 1,000 Btuh ~~output~~ input capacity up to the first 600,000 Btuh, and $~~0.05~~ 0.07 per each additional 1,000 Btuh.

(2) Replacement of space cooling equipment:

a. Minimum fee - $15.00.

b. General rate - $~~0.19~~ 0.20 per 1,000 Btuh of ~~output~~ input capacity up to the first 600,000 Btuh, and $~~0.05~~ 0.07 per each additional 1,000 Btuh.

(f) Combined space heating and space cooling equipment:

(1) Installation of combined space heating and space cooling equipment:

a. Minimum fee - $20.00.

b. General rate - 70% of the sum of both general rates provided above in section 8-85(d)(1)b and 8-85(e)(1)b as they are applied to the heating output capacity and cooling output capacity respectively, of the combined space equipment.

(2) Replacement of combined space heating and space cooling equipment:

a. Minimum fee - $20.00.

b. General rate - 70% of the sum of both general rates provided above in section 8-85(d)(2)b and 8-85(e)(2)b as they are applied to the heating output capacity and cooling output capacity, respectively, or the combined space equipment.

(g) Refrigeration equipment:

(1) Installation of refrigeration equipment:

a. Minimum fee - $~~15.00~~ 20.00.

b. General rate - ~~$2.00 per horse power or fraction thereof.~~ $3.00 per horse power or fraction thereof.

~~c. Maximum fee - $200.00~~

(2) Alteration or repair of refrigeration equipment.

a. Minimum fee - $~~10.00~~ 15.00.

b. General rate - $~~5.00~~ 5.50 per $1,000.00 of total value.

(h) A permit may encompass heating, cooling and refrigeration activity in one fee category to be accomplished within a single structure, regardless of the number of independent systems or equipment units in the structure. The amount of the permit fee for such activity shall be the minimum fee or the general rate, whichever is higher.

Sec. 8-86. Permit fees for demolition or removal of structures.

(a) One- or two-family dwelling structures:

(1) ~~One or more~~ one- or two-family dwelling structures located on the same premises:

~~a. Tallest building is one story - $25.00~~

~~b. Tallest building is one and one-half story - $30.00.~~

a. ~~b.~~ Tallest building is two story - $35.00.

b. ~~c.~~ For each additional story of tallest building over two stories, add $10.00.

(2) Accessory structure appurtenant to a one- or two-family dwelling structure - $~~15.00~~ 20.00.

(b) Structures other than one- or two-family residential structures:

(1) One story:

a. Ground floor area up to 2,000 square feet - $~~25.00~~ 40.00.

b. Ground floor area up to 4,000 square feet - $~~50.00~~ 80.00.

c. Ground floor area up to 10,000 square feet - $~~100.00~~ 120.00.

d. Ground floor area up to 20,000 square feet - $~~150.00~~ 175.00.

e. Ground floor area over to 20,000 square feet - $~~300.00~~ 350.00.

(2) For each additional story over one story, add 50% of the ground floor area fee.

Sec. 8-87. Listing, registration and license fees.

(a) General ~~C~~ contractors, annual listing fee for sole proprietors ~~$30.00~~ - 50.00.:

(b) Plumbing contractors, annual registration fee for sole proprietors - ~~$20.00~~ 30.00.

(c) Electrical contractors, annual license fee ~~- $50.00~~:

(1) Master electrical - $75.00.

(2) Residential electrical - $50.00.

(d) Heating and cooling contractors, annual license fee:

(1) Heavy commercial (unrestricted), light commercial/residential, steam and refrigeration licenses - ~~$50.00~~ 75.00.

(2) Residential and all service licenses - ~~$30.00~~ 50.00.

(e) Wrecking contractors, annual license fee:

(1) Type A - ~~$200.00~~ 100.00.

(2) Type B - ~~$100.00~~ 75.00.

(3) Type C - $50.00.

(f) Licensure, listing and registration fees for partnerships and corporations shall be ~~$50.00~~ 75.00.

(1) A listed contractor shall be allowed five (5) names which includes officers, partners or employees of the corporation who are eligible to obtain permits. An additional $15.00 shall be charged for each subsequent name.

(g) Plumbing registration fees for individuals within a corporation who are eligible to obtain permits - $20.00.

~~(g)~~ (h) A person who meets the inspector status requirements stated in section 8-167, 8-192, 8-222 or 8-252 is relieved of the requirement of the annual license or listing fees.

Sec.8-88. Examination fees.

Fees for examinations which are required as a condition to contractor licensure shall be in the amounts following, or be in the amounts established as the actual cost incurred by the division of ~~building~~ development services in having an outside organization prepare and grade such examinations, whichever amount shall be be the greater:

(a) Electrical examination fee - $~~25.00~~ 50.00.

(b) Heating and cooling examination fee - $~~25.00~~ 50.00.

(c) Wrecking examination fee - $~~30.00~~ 50.00.

Sec. 8-89. Miscellaneous inspection fees.

(a) For inspection of premises upon which municipally licensed activities are to be carried out, as specified in section 8-73, initial inspection and annual reinspection - $25.00.

~~(b) Tents and air-supported structures, initial inspection and annual reinspection:~~

~~(1) 1,500 to 4,000 square feet - $25.00;~~

~~(2) Over 4,000 square feet - $50.00.~~

~~(c) Amusement devices, initial inspection and annual reinspection - $10.00 per device.~~

Sec. 8-90. Fee for transfer of building permit.

Fee for transfer of building permit as provided for in section 8-38 - $~~15.00~~ 20.00.

Sec. 8-91. Fee for construction activity not specifically defined above.

If construction activity should not be adequately specified by above sections of this Division 6, the general permit or inspection fee shall be calculated at the following rate:

(a) Minimum fee (residential) - $~~15.00~~ 20.00.

(b) Minimum fee (anything other than residential) - $25.00.

~~(b)~~ (c) General rate - $~~5.00~~ 5.50 per $1,000.00 of total value.

Sec. 8-92. Fee exemption relative to construction activity accomplished by or for a governmental unit.

Permits, as required by section 8-30, shall be obtained for construction activity in the consolidated city accomplished by or for a governmental unit and inspections as specified by this chapter relative to such construction activity shall be allowed. Fees shall be required as specified in this division, except for the following:

(a) Construction activity for which a fee cannot be charged by the municipality because of federal or state law, or

(b) Construction activity accomplished by an employee of the Consolidated City of Indianapolis or the Indianapolis-Marion County Building Authority in the course of his governmental duties.

Sec. 8-93. Fee for building permit obtained by telephone communication.

When a building permit is obtained by telephone communication (as provided for in section 8-36) an additional fee of $5.00 shall be assessed.

Secs. 8-94. - 8-99. Reserved.

DIVISION 7. PENALTIES

Sec. 8-100. Failure to file a proper certificate of completion and compliance.

Any person, partnership or corporation which, being required to do so, fails to file with the division of ~~buildings~~ development services a certificate of completion and compliance in accordance with section 8-50, 8-51, 8-52 or 8-63(b)(3) of this chapter or who files a certificate of completion and compliance which is false in a material respect shall not be eligible to subsequently obtain a building permit until a proper certificate of completion and compliance is filed. This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. 8-101. Authority to withhold issuance of permits.

Whenever a person, partnership or corporation which is either an applicant for or obtainer of a building permit owes fees (including checks returned for insufficient funds and permit fees owed pursuant to section 8-36) to the division of ~~buildings~~ development services pursuant to this chapter or has failed to maintain the bond and insurance requirements of this chapter, the administrator is authorized to withhold the issuance of subsequently requested permits until such time that the debt is satisfied or the bond and insurance requirements are satisfied.

Sec. 8-102. Fees for permits obtained after commencement of work.

If work for which a permit is required by this chapter has been commenced by the obtainer without compliance with the provisions of section 8-30, the permit fee shall be ~~double~~ five (5) times the applicable amount stated in Article II, Division 6 of this chapter; ~~and if work for which a permit is required is commenced or is substantially completed by the obtainer without compliance with the provisions of section 8-30, the permit fee shall be ten (10) times the applicable amount stated in Article II, Division 6 of this chapter;~~ plus the amount of the normal fee for the permit provided, however that the maximum fee incurred under this section shall be ~~three hundred dollars ($300.00)~~ one thousand dollars ($1,000.00) plus the amount of the normal fee for the permit. This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. 8-103. Revocation of permits.

The administrator of the division of ~~buildings~~ development services may revoke a building permit when:

(a) The application, plans or supporting documents contain a false statement or misrepresentation as to a material fact; or

(b) The application, plans or supporting documents reflect a lack of compliance with building standards and procedures; or

(c) There is a failure to comply with the requirements of section 8-31, 8-32 or 8-36; or

(d) The contractor has failed to maintain the surety bond or insurance required as a condition to his licensure or listing; or

(e) The contractor has failed to maintain the insurance required by section 8-32 as a prerequisite for obtaining a building permit for the demolition or removal of a structure in excess of seventy-five (75) feet in height.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. 8-104. Stop-work order.

Whenever the administrator of the division of ~~building~~ development services or his authorized representative discovers the existence of any of the circumstances listed below, he is empowered to issue an order requiring the suspension of the pertinent construction activity. The stop-work order shall be in writing and shall state to which construction activity it is applicable and the reason for its issuance. The stop-work order shall be posted on the property in a conspicuous place and, if conveniently possible, shall be given to the person doing the construction and to the owner of the property or his agent. The stop-work order shall state the conditions under which construction may be resumed.

(a) Construction activity is proceeding in an unsafe manner, including, by way of example and not of limitation, in violation of any standard set forth in this chapter or any state standard pertaining to safety during construction; or

(b) Construction activity is occurring in violation of building standards and procedures or in such a manner that if construction is allowed to proceed, there is a reasonable probability that it will be substantially difficult to correct the violation; or

(c) Construction activity has been accomplished in violation of building standards and procedures and a period of time which is one-half the time period in which construction could be completed, but no longer than fifteen (15) calendar days has elapsed since written notice of the violation or noncompliance was either posted on the property in a conspicuous place or given to the person doing the construction, without the violation or noncompliance being corrected; or

(d) Construction activity for which a building permit is required is proceeding without a building permit being in force; in such an instance, the stop-work order shall indicate that the effect of the order terminates if the required building permit is obtained; or

(e) Construction activity for which a building permit was issued more than thirty (30) days earlier is proceeding without there being in force applicable permits and approvals required by governmental units (including, but not limited to, department of public safety, department of public works, department of transportation, Health and Hospital Corporation of Marion County, state board of health, state department of natural resources, state highway department) for compliance with standards for air quality, drainage, flood control, fire safety, vehicular access, and waste treatment and disposal on the real estate on which the structure is located; in such an instance, the stop-work order shall indicate that the order is applicable to all construction activity allowed by the building permit and that the effect of the order terminates if the required permits and approvals are obtained; or

(f) Construction activity is occurring for which a certificate of appropriateness from the Indianapolis Historic Preservation Commission is required pursuant to Indiana Code 18-4-22-1 et seq., without a certificate of appropriateness being in force; in such an instance, the stop-work order shall indicate that the effect of the order terminates if the required certificate of appropriateness is obtained.

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. 8-105. Order forbidding occupancy.

The administrator of the division of ~~buildings~~ development services or his authorized representative is empowered to issue an order forbidding the occupancy of any structure or part of any structure if construction activity on the structure or applicable part of the structure is not yet completed or has occurred in violation of applicable building standards and procedures:

~~(a) Some construction activity for which a building permit is required has been accomplished on the structure or applicable part of the structure within the previous one hundred eighty (180) days; and~~

~~(b) Construction activity on the structure or applicable part of the structure is not yet completed or has occurred in violation of applicable building standards and procedures; and~~

~~(c) The stage of construction or nature of violation is such that occupation of the structure or applicable part of the structure would pose a significant threat to the health or safety of persons.~~

The order forbidding occupancy shall be in writing specifying whether it is applicable to the entire structure or to only a part of the structure, and shall state the reason for its issuance. The order forbidding occupancy shall be posted on the structure in a conspicuous place and, if conveniently possible, shall be given to the owner of the property or his agent and to any person doing the work on the premises. The order forbidding occupancy shall state the conditions under which the structure or part of the structure may be occupied.

This sanction shall in no way limit the operation of penalties provided elsewhere in the chapter.

Sec. 8-106. Civil action.

The Consolidated City of Indianapolis may initiate a civil action in a court of competent jurisdiction to restrain any person, partnership or corporation from violating a provision of this chapter or any building standard or procedure. The purposes for which injunctive relief may be obtained shall include, but not be limited to:

(a) Preventing a person, partnership or corporation which is not licensed as an electrical contractor, heating and cooling contractor or wrecking contractor, is not a registered plumbing contractor or is not a listed contractor from engaging in construction activity for which such licensure, registration or listing is required by this chapter; or

(b) Enforcing the provisions of a stop-work order issued pursuant to section 8-104; or

(c) Enforcing the provision of an order forbidding occupancy issued pursuant to section 8-105; or

(d) Preventing work in violation of a building standard or procedure; or

(e) Requiring the reconstruction of any structure or building equipment, or part thereof, which was constructed in violation of building standards or procedures; or

This sanction shall in no way limit the operation of penalties provided elsewhere in this chapter.

Sec. 8-107. Securing payment of bonds and drawing against letters of credit.

(a) Recovery of funds upon a surety bond obligation or letter of credit may be made by asserting a claim against the surety or financial institution or by initiating an action in court of competent jurisdiction.

(1) A claim may be asserted by providing written notice of the claim to be provided within one year of the date when the work occurred which gave rise to the claim or, in the instance when a fee is not paid, one year from the date when the fee was first due and owing.

(2) Court actions may be initiated as follows:

a. The corporation counsel of the Consolidated City of Indianapolis may initiate an action in court of competent jurisdiction to recover funds upon a bond obligation or a letter of credit:

1. ~~As a penalty~~ To declare a forfieture on the bond or letter of credit in an amount to be determined by the court up to ~~five thousand dollars ($5,000.00)~~ ten thousand dollars ($10,000.00) whenever any listing or license issued pursuant to this chapter is suspended or revoked; or

2. To indemnify the Consolidated City of Indianapolis against any loss, damage or expense for damages to property of the city caused by an action of the ontractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration (as defined in section 10 1/2-9 of this Code), sewer work (as defined in section 29-1 of this Code) or while engaged in any construction activity, land alteration, sewer work or excavation work as defined in section 28-163 of this Code.

3. To secure payment of any fees owed to the Consolidated City of Indianapolis pursuant to this chapter, Chapter 10 1/2, section 27-22 or Chapter 28, Article III, Divisions 2 and 3 of this Code which have become delinquent, after reasonable notice has been given to the contractor of the delinquency.

b. A person, partnership or corporation which holds a property interest in the real estate on which construction activity, a land alteration, sewer work, ~~/or/~~ driveway work or excavation work has accured may initiate an action in a court of competent jurisdiction aganst the bond or letter of credit for losses arising out of and expenses necessary to correct violations of requirements of state statute, city regulation or this Code which must be met to properly carry out construction activity, a land alteration, sewer work, caused by any action of the contractor, his agents, employees principals,

subcontractors, materialmen, or suppliers, after written notice of the Code deficiency has been given to the contractor and after the contractor is given reasonable opportunity to correct performance. If such a person, partnership, or corporation prevails in any action brought under this section, he may also recover, as part of the judgement, court costs and attorneys' fees based on actual time expended determined by the court to have been reasonably incurred by the plaintiff in connection with the commencement and prosecution of such action unless the court in its discretion shall determine that an award of court costs and attorney's fees would be inappropriate.

(b) A surety shall have no obligation to pay on a bond and a financial stitution shall have no obligation to disburse from a letter of credit for sses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of state statute, city regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration, sewer work, oro driveway work or excavation.

(c) A surety shall have no obligation to pay on a bond and a financial institution shall have no obligation to disburse from a letter of credit unless either written notice of the claim is given to the surety or financial institution or a court action has been initiated within one year of the date when the work occured that gave rise to the claim or in the instance when a fee is not paid, one year from the date when the fee was first due and owing. This paragraph shall not be construed to limit the time allowed by state law for the filing of court actions.

(d) If payment is made on a bond or if a letter of credit is drawn against, such bond or letter of credit shall be deemed to not meet the requirements of section 8-168, 8-194, 8-224 or 8-254. In order to meet the requirements of section 8-168, 8-194, 8-224 or 8-254 the person, partnership or corporation shall secure a new bond or letter of credit or replenish the bond or letter of credit so that it reflects an obligation in the full amount required for listing or licensure by section 8-168, 8-194, 8-224 or 8-254.

Sec. 8-108. General penalty.

Any person, partnership or corporation violating any provision of this chapter or any building standard or procedure thereof shall be guilty of a misdemeanor and may be subject to a fine in any sum not exceeding one thousand dollars ($1,000.00) two thousand five hundred dollars ($2,500.00). This penalty shall in no way limit the operation of special penalties for specific provisions of this chapter, nor shall such special penalties in any way limit the operation of this general penalty.

Secs. 8-109. - 8-119. Reserved.

ARTICLE III. MINIMUM CONSTRUCTION STANDARDS

DIVISION 1. GENERALLY

Sec. 8-120. Minimum standards for structures and building equipment not regulated by administrative building council.

Any construction activity for which rules or standards are not fixed by the administrative building council pursuant to Chapter 338 of the Acts of 1969, as amended, shall be regulated by the most recently fixed set of rules or standards of the

~~administrative building council~~ Fire Prevention & Building Safety Commission which are most reasonably applicable to that kind of structure or building equipment. The determination of what set of rules or standards are applicable shall be made by the administrator of buildings the division of development services taking into account the size, method of construction, nature of materials, and ultimate use of the structure or building equipment.

Sec. 8-121. Required installation of food waste disposer.

An electrically driven grinder capable of reducing garbage so that it can be accommodated by the sewerage facility of the Indianapolis Sanitary District shall be installed in the following dwelling units, if such dwelling units have in place or available to them a connection to the sewerage facilities of the Indianapolis Sanitary District:

(a) Every newly constructed dwelling unit containing a kitchen; and

(b) Every dwelling unit in which a kitchen is added; and

(c) Every dwelling unit where construction activity of a value in excess of two thousand dollars ($2,000.00), for which a building permit is required, is accomplished on a kitchen; and

(d) Every dwelling unit where construction activity of a value in excess of five hundred dollars ($500.00), for which a building permit is required, is accomplished on the plumbing system of a kitchen.

Secs. 8-122. - 8-129. Reserved.

DIVISION 2. CONDITION OF PREMISES DURING CONSTRUCTION ACTIVITY

Sec. 8-130. Public property; walkways; dust control.

Any person, partnership or corporation carrying out construction activity shall comply with the following requirements:

(a) The use of public property shall meet the requirements of the governmental unit having jurisdiction. Building equipment and material shall not be placed or stored on public property so as to obstruct free and convenient access to and functioning of any fire hydrant, fire or police call box, utility device, manhole, street, alley or gutter. A protective frame shall be provided for any fire hydrant, fire or police call box or utility device which might be damaged by construction activity. Bridges or covers shall be provided for sidewalks and manholes which might be damaged by construction activity.

(b) A walkway shall be constructed and maintained on the sidewalk and alley around the site of construction activity involving the erection, construction, major alteration or razing of any structure (except signs, grandstands, tents, air-supported structures ~~and amusement devices upon which persons are carried~~) (1) which has an initial or ultimate height in excess of fifteen (15) feet and (2) which is located (or any part of an excavation more than eight (8) feet in depth relative to such construction activity is located) within twenty (20) feet of the lot ine, sidewalk or street (whichever is closer to such structure or excavation); provided, however, that the administrator of the

division of ~~buildings~~ development services has the discretion to waive the requirement of placing the walkway on a showing that omission of walkway will not significantly increase the possibility of injury to person or damage to property as a result of construction activity on the site. The walkway may be placed further from the site on a sidewalk or within a street or alley if the governmental unit having jurisdiction gives appropriate authorization. Such walkway shall be equipped with suitable lighting devices and illumination shall be provided in the walkway at all times. Such walkway shall at all times be maintained in a clean and sanitary condition and shall be kept free from rubbish, litter and advertising display and shall be provided with suitable solid inclined approaches. Such walkway shall be not less than four (4) feet in width and shall have a durable wearing surface capable of supporting a live load of two hundred (200) pounds per square foot, be provided with a fence along the construction side, a railing along the street side and a full roof above, so as to afford maximum protection to pedestrians. The protective fence shall be no less than eight (8) feet high above the grade and be constructed from three-quarter-inch boards or plywood laid tightly together and securely fastened to four (4) inch uprights, set not over four (4) feet apart, with two (2) inch by six (6) inch bracing and girts. The post shall be securely set and braced to prevent buckling and overturning. Openings in the fence shall be protected by doors which are normally kept closed. The protective railings shall be substantially built and when of wood shall be constructed of new material having a nominal size of at least two (2) inches by four (4) inches. Railings shall be at least four (4) feet in eight and when adjacent to the excavation shall be provided with a midrail. The protective roof shall have a clear height of eight (8) above the walkway. The roof shall be tightly sheathed. The sheathing shall be two (2) inch nominal wood planking or equal. Such walkways shall be maintained in place and kept in good condition for the length of time construction activity continues, after which it shall be removed within thirty (30) days.

(c) Emission of excessive dust or particulate matter shall not occur in the course of construction activity. A sufficient supply of water shall be available at the site of construction activity in case it may be needed to put out a small fire or settle dust.

Sec. 8-131. Removing structures.

Any person, partnership or corporation carrying out construction activity limited to demolishing, dismantling, dismembering, razing or removing a structure shall in addition to the requirements of section 8-130 comply with the following requirements:

(a) The administrator of the division of ~~buildings~~ development services or his authorized representative may, if reasonably necessary to insure public safety, require the licensed wrecking contractor to submit plans and a complete schedule for demolition. Where such are required, no work shall be accomplished until such plans and schedule are approved by the administrator, the division of ~~buildings~~ development services or his authorized representative.

(b) Blasting and use of explosives shall be accomplished only by a person who has obtained a blasting permit pursuant to section 12-247 of Chapter 12 of the Code of Indianapolis and Marion County, and by special permission of and under the supervision of the administrator of the division of ~~buildings~~ development services, fire prevention bureau of the appropriate jurisdiction, and the division of air pollution control.

(c) No open fires or other sources of flame except necessary cutting torches are permitted on the inside of the structure which is being wrecked, or in close proximity

to flammable materials located outside of the structure, and every reasonable precaution shall be taken to prevent the possibility of fire.

(d) Suitable provisions shall be made for the disposal of materials which are accumulated during the wrecking of a structure.

(e) The buildings, foundations, curbs, sidewalks, concrete or asphalt drives and all appurtenances shall be removed to one foot below the ground line or one foot below subgrade elevation, whichever of the two is lower. Such removal shall also include the removal and disposal of buried or exposed tanks. Concrete slabs, under which a basement, pit, well, or cistern exists, shall be broken and removed.

(f) All rubbish and debris including any goods, merchandise, commodities, products or materials of any kind which may have been stored within the structure being wrecked or on said property shall be removed or cleaned away, the ground leveled off, and the premises put in a clean and sanitary condition; provided, however, that if said property is properly fenced and the erection of a new structure is to be commenced within ninety (90) days, the ground need not be leveled until all such work on the premises is completed.

(g) Material used for fill or grading shall be only material that can be properly compacted in order to avoid future settlement of earth filled in or the structure erected over such fill. No pieces of stone, lumber, boards or other material which due to their size or character would prevent proper compaction or would cause later settlement of the surface shall be used in such fill.

(h) Where a structure is wrecked and an excavation which at any point is eight (8) or more feet below grade level is left unfilled, the fence portion of the walkway required by section 8-130(b) shall remain at the site; provided, however, that the administrator of the division of ~~buildings~~ development services may approve a fence that does not meet the standards of section 8-130(b) so long as it is sufficient to prevent persons, especially children, from falling into the excavation.

Sec. 8-132. Electrical power for on-site construction activity.

(a) No person, partnership or corporation shall accomplish or allow the connection, provision or use of electrical power for on-site construction activity until after a statement of acceptable condition for temporary on-site electrical power has been attached to the temporary service equipment. Such statement shall be in the following form:

STATEMENT OF ACCEPTABLE CONDITIONS FOR
TEMPORARY ON-SITE ELECTRICAL POWER

Address of temporary service equipment: _____

_____

The undersigned licensee hereby certifies under the penalties for purjury that:

1. I am an electrical contractor licensed in accordance with chapter 8 of the Code of Indianapolis-Marion County, Indiana, and

2. I have either personally accomplished or personally inspected all the above referenced electrical work accomplished in connection with the installation of the temporary service equipment, or in the alternative, I have caused such electrical work to be inspected by a responsible and competent employee who works under my direction and control, who has fully reported to me the condition of such electrical work; and

3. I am familiar with building standards and procedures applicable to electrical work accomplished in connection with the installation of temporary service equipment; and

4. I know that such electrical work has been done in compliance with all building standards and procedures; and

5. I acknowledge and understand that if such electrical work is done in violation of building standards and procedures, that under the provisions of chapter 8 my electrical contractor's license may be suspended or revoked.

Date statement attached to temporary service equipment:

_____

Signature

Electrical contractor license number:

_____

Typed or printed name

(b) The provision and use of electrical power for on-site construction activity shall be subject to reasonable orders made by the administrator or his authorized representative pertaining to such matters as magnitude, duration and method of furnishing and distributing electrical power.

Sec. 8-133. Temporary sign at site of construction of new structure.

At any location where a structure, not part of or attached to any other structure, is being erected in the consolidated city, the person obtaining the building permit for said structure shall be responsible for placing and maintaining a temporary sign on the premises during construction. The sign shall state the street name and address of the premises as reflected in the building permit and all building permit numbers pertaining to the construction activity accomplished on the premises shall be placed on the sign. The address information on the sign shall be clearly visable from the street. The sign required by this section shall conform to all zoning requirements.

Secs. 8-134. - 8-139. Reserved.

DIVISION 3. FIRE PREVENTION

Sec. 8-140. Issuance of building permit only where adequate fire prevention services, systems and equipment exist.

Notwithstanding the provisions of section 8-32 and 8-36, the administrator of the division of ~~buildings~~ development services is authorized to decline to issue a building

permit for any structure, other than a one- or two-family residential structure, if the application for the building permit and supporting documents submitted therewith (including plot plan and detailed plans and specifications) do not reflect provision of adequate fire prevention services, systems and equipment, including but not limited to fire-fighting fixtures, fire exits, fire escapes, fire sprinkling systems and fire alarm systems.

The standard of adequate fire prevention services, systems and equipment shall be the following:

(a) State law;

(b) Standards promulgated by the ~~administrative building council~~ Fire Prevention & Building Safety Commission;

(c) Standards promulgated by the Fire Prevention Commission of the State of Indiana; and

(d) Ordinances of the Consolidated City of Indianapolis (including the National Fire Codes, 1971-1972, formulated by the National Fire Protection Association which are adopted by Chapter 12 of the Code of Indianapolis and Marion County).

In the instance where a conflict exists between two or more of the legislative standards stated above, the more stringent standard shall be applied unless such application conflicts with state law requiring application of a provision of state law or standards promulgated by a state agency.

In determining whether building permit issuance should be declined for such a structure, the administrator of the division of ~~buildings~~ development services is authorized to utilize technically proficient employees assigned by the Indianapolis Fire Prevention Bureau or any township fire prevention bureau located in Marion County to examine plot plans and detailed plans and specifications and to make comments thereon respecting the adequacy of fire prevention services, systems and equipment. The administrator of the division of ~~buildings~~ development services shall have final authority in determining whether a building permit for such a structure shall be issued. The failure to reject an application for a building permit for such a structure shall neither be construed to mean the application for building permit and supporting documents (including the plot plan and detailed plans and specifications) provide for adequate fire prevention services, systems and equipment nor shall it limit the authority of the Indianapolis Fire Prevention Bureau or any township fire prevention bureau to determine and require compliance with any standard stated above or any other standard which such bureaus are authorized by law to enforce, including standards set forth in chapter 12 of the Code of Indianapolis and Marion County.

Secs. 8-141. - 8-144. Reserved.

DIVISION 4. ONE- AND TWO-FAMILY DWELLINGS

Sec. 8-145. Factory-constructed one- and two-family residential buildings placed on a permanent foundation.

(a) Indiana law specifies that rules adopted by the ~~administrative building council~~ Fire Prevention & Building Safety Commission pursuant to IC 22-11-1 establish construction standards applicable throughout the State of Indiana. One rule, the Indiana One- and Two-Family Dwelling Code, establishes construction standards for most one- and two-family houses. This rule establishes set up and utility connection requirements for the following categories of factory-constructed buildings located or used as a one- or two-family dwelling unit which are placed on a permanent foundation:

(1) One- or two-family dwelling units which bear a seal certifying compliance with the Indiana One- and Two-Family Dwelling Code; and

(2) One-family dwelling units which bear a seal certifying compliance with the Federal Manufactured Housing Construction and Safety Standards law.

The Indiana One- and Two-Family Dwelling Code is, in accordance with state law, enforceable by the division of buildings in the Consolidated City of Indianapolis.

(b) Public Law 312 of the Acts of 1981 authorizes local units of government to adopt underfloor space enclosure requirements for dwelling units, including those units designed and built in a factory which bear a seal certifying compliance with the Federal Manufactured Housing Construction and Safety Standards law. The following categories of factory-constructed buildings located or used as a one- or two-family dwelling unit which are placed on a permanent foundation in Marion County must meet the requirements set forth in this subsection:

(1) One- or two-family dwelling units which bear a seal certifying compliance with the Indiana One- and Two-Family Dwelling Code and which are constructed in such manner as to allow the unit to be towed on its own chassis; and

(2) One-family dwelling units which bear a seal certifying compliance with the Federal Manufactured Housing Construction and Safety Standards law.

Such units must be erected on foundations, footings and crawl spaces or basement walls, constructed in accordance with the Indiana One- and Two-Family Dwelling Code. The space between the floor joists of the unit and the underfloor grade shall be completely enclosed with a permanent perimeter enclosure. The permanent perimeter enclosure shall be constructed of materials allowed by Chapter 3 of the Indiana One- and Two-Family Dwelling Code, shall have the number and type of access and ventilation openings required by such code and shall be built in such a manner that it will not subject the unit to frost heaving as prescribed in the Indiana One- & Two-Family Dwelling Code.

(c) All factory-constructed buildings located or used as a one- or two-family dwelling which are placed on a permanent foundation in Marion County shall contain in each kitchen an electrically driven garbage grinder meeting the requirements of section 8-121 if the dwelling has in place or available to it a connection to the sewage facilities of the Indianapolis Sanitary District.

If work at the site involves additional construction or use of components not certified by the dwelling manufacturer pursuant to standards and procedures of the federal Department of Housing and Urban Development under the Federal Manufactured Housing Construction and Safety Standards law or the ~~administrative building council~~ Fire Prevention & Building Safety Commission under Public Law 360 of the Act of 1971, such work must conform with the Indiana One- and Two-Family Dwelling Code. Where the manufacturers instructions or procedures

differ from those in the Indiana One- and Two-Family Dwelling Code or this division, the most restrictive requirements shall be followed.

Sec. 8-146. Factory-constructed one- and two-family residential buildings not placed on a permanent foundation.

All factory-constructed buildings located or used as a one- or two-family dwelling unit in the consolidated city must comply with the following requirements if the building is not placed on a permanent foundation:

(a) Be supported on footings which are placed on undisturbed earth or on controlled fill free of grass and organic material compacted to a minimum load-bearing capacity of two thousand (2000) pounds per square foot. The footings shall be of such area and spacing as to support the weight of the home when distributed among the piers specified by the manufacturer. The footings may be concrete pads or reinforced concrete slabs extending the length of the buildings.

(b) Be supported above the footings by concrete block, approved pressure-treated wood, concrete or steel piers which conform with the manufacturers instructions and published industry standards, which recognize height and attachment needs and which are acceptable to the administrator of the division of ~~buildings~~ development services.

(c) Be supported and anchored for not less than a wind pressure specified in the Indiana One- and Two-Family Dwelling Code in a manner compatible with the manufacturers instructions and acceptable to the administrator of the division of ~~buildings~~ development services. Wind anchors shall equal the requirements of Section 11 of the state board of health Rule 410 IAC 6-6. If there is a continuous reinforced concrete support slab, it may be designed to incorporate anchorage attachments. Vertical and diagonal ties between the anchors and the building shall attach to the building as specified by the manufacturer and be of material adequate to meet strength requirements. If anchors and building supports are not a single rigid combination, adjustment means must be provided to prevent damage to buildings due to frost heaving.

(d) Have a minimum twelve-inch servicing clearance between the structural members below the building and the earth or concrete. If water can accumulate in this space, drainage must be provided.

(e) Provide electric service in accordance with either Article 230 of Article 550 of the National Electric Code 1981.

(f) Have potable water and sewer connections conforming with Section 10 and 11 of Indiana Plumbing Rules. Between grade level and the dwelling sufficient pipe flexure must be provided to absorb the effect of frost heaving. The potable water connection shall include a main shutoff valve and be protected against freezing in accord with the manufacturers instructions. A food disposal unit meeting the requirements of section 8-121 shall be installed if the dwelling has a place or available to it a connection to the sewerage facilities of the Indianapolis Sanitary District.

(g) Fuel piping from grade to the dwelling shall conform with Indiana Mechanical Rules and be able to flex enough to absorb the effect of frost heaving. Facilities for storing fuel oil or LP gas shall meet the requirements of the state fire marshal. If a furnace or water heater within the building draws in combustion air from space below the dwelling floor, a permanent opening of equivalent free area must be placed in the

perimeter enclosure. If heating or cooling equipment is not installed within the delivered building, its construction and installation shall conform with the Indiana Mechanical Rules and Electrical Rules.

(h) Having siding or skirting (or a more durable material) enclosing the entire perimeter of the home from grade level to the lower edge of the home. Such siding or skirting and back-up framing shall be weather-resistant, noncombustible or self-extinguishing materials, which blend with the exterior siding of the home. Below grade level and for a minimum distance of six (6) inches above finish grade, the materials shall be unaffected by decay or oxidation. The siding shall be installed in accordance with manufacturer's recommendations or approval equal standards. The siding or skirting shall be ventilated by openings, which shall have a net area of not less than one and one-half (1 1/2) square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion-resistant wire mesh not larger than one-half inch in any dimension. The underfloor area shall be provided with an eighteen-inch-by-twenty-four-inch minimum size access panel, which shall not be blocked by pipes, ducts or other construction interfering with the accessibility of the underfloor space, or other approved access mechanism.

Sec. 8-147. Application of this division.

(a) The division has not application to:

(1) Panelized construction and modular components of structures;

(2) Recreational vehicles such as land cruisers and travel trailers that are on wheels, capable of being moved and not suitable for permanent residential occupancy;

(3) Factory-constructed buildings that:

a. Were located for use as dwellings in Marion County prior to July 1, 1982;

b. Have been actually used as dwellings without significant interruption since a date prior to July 1, 1982; and

c. Have not been moved to another location on July 1, 1982 or after;

(4) Factory-constructed buildings that are located in a mobile home park licensed by the Indiana State Board of Health.

(b) The intenet of this division is to recite and impose setup, underfloor space enclosure and utility connection requirements for factory-constructed buildings used as a dwelling that are in addition to other federal, state and local government requirements including building, health and zoning requirements. This division shall not be interpreted as authorizing location or use of factory-constructed buildings for dwelling purposes on the sole basis of compliance with requirements set forth in this division.

Secs. 8-148. - 8-149. Reserved.

ARTICLE IV. CONTRACTORS AND SKILLED TRADES

DIVISION 1. GENERALLY

Secs. 8-15. - 8-159. Reserved.

DIVISION 2. LISTING OF CONTRACTORS

Sec. 8-160. Required.

Any person, partnership or corporation which has entered into a contractual relationship to engage in any construction activity with another person, partnership or corporation which holds a property interest in the real estate on which construction activity is occurring must be a listed contractor under this division. This requirement shall not apply, however, with reference to persons, partnerships or corporation which are described in section 8-31(b), (d) or (e) and whose construction activity is confined to the activities described in those subsections.

Sec. 8-161. Board of contractors.

A board of contractors (hereinafter in this division referred to as the "board") shall consist of eight (8) members and shall be responsible for carrying out the provisions of this division relative to listing of contractors. The administrator shall be a nonvoting member of the board, ex officio. The seven (7) voting members of the board shall be appointed by the mayor for two (2) year terms in such manner that three (3) terms expire on January 1st of one year and four (4) other terms expire on January 1st of the next year. Six (6) of the seven (7) members appointed by the mayor shall be persons who are listed in accordance with this division and who have had at least five (5) years" experience as contractors, and the remaining appointed member shall be a person (not listed under this division) representing the public at large. Appointment of the six (6) listed contractors shall be made in such manner that varied fields of contracting, such as driveway construction, excavation, grading, major construction and one- and two-family house building, are represented on the board. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointed office in the consolidated city.

Sec. 8-162. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the consolidated and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.

Sec. 8-163. Meetings of board.

The board shall hold regular meetings once each month in offices of the consolidated city if there is some official business to come before the board. Special meetings may be called by the chairman or any three (3) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Four (4) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. 8-164. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. 8-165. Registry of listings.

The board shall maintain a registry of all persons, partnerships and corporations which apply for listing and all persons, partnerships and corporations which receive approval as listed contractors.

Sec. 8-166. Qualifications for persons, partnerships or corporations to be listed as contractor.

A person, partnership or corporation shall be entitled to receive a listing as a contractor if the following requirements are met:

(a) An application form indicating the name, address and legal business status of the contractor has been submitted to the division of ~~buildings~~ development services; and

(b) The listing fee specified in section 8-87 has been paid; and

(c) A surety bond meeting the requirements of section 8-168 has been posted and certificates of insurance meeting the requirements are relieved because a person meets the inspector status requirement stated in section 8-167; and

(d) The person, partnership or corporation does not presently have a listing issued under this division currently suspended nor has had such a listing revoked within the preceding three hundred and sixty-five (365) days; and

(e) The partnership does not presently have a partner or the corporation does not presently have an officer who has a listing under this division currently suspended or who has had such a listing revoked within the preceding three hundred sixty-five (365) days; and

(f) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation listed under this division at the time when actions related to policies or practices of the partnership or corporation occurred which provided a primary basis on which the listing of the partnership or corporation was revoked or suspended for more than on hundred eighty (180) days.

Unless these requirements are met a person, partnership or corporation shall or be entitled to receive a listing as a contractor. No prerequisites other than the six (6) listed in this section shall be imposed in determining which persons, partnership and corporations may be listed contractors.

Sec. 8-167. Inspector status.

The inspector status is met by a person who is employed full time by the consolidated city in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures, Article II provisions or this division of this chapter, the proper performance of any land alteration (as defined in section 10 1/2-9 of this Code) in accordance with state law and Chapter 10 1/2 of this Code, the proper performance of all sewer work (as defined in

section 27-1 of this Code) in accordance with state law (including rules of the administrative building safety commission Fire Prevention & Building Safety Commission), rules and requirements of the department of public works and Chapter 27 of this Code, the proper performance of all driveway work (as defined in section 28-139 of this Code) and the proper performance of all excavation work (as defined in section 28-163 of this code) in accordance with state law and Chapter 28, Article III, Division 2 and 3 of this Code. Such a person shall not use his listing other than with respect to his employment by the City of Indianapolis. Listing under this section terminates by operation of law when the person is no longer employed by the consolidated city and does not meet the requirements of section 8-168 and 8-169.

Sec. 8-168. Bond.

(a) Before a listing is issued by the division of buildings development services to any person, partnership or corporation, the administration shall require the appli—cant to file a surety bond in the amount of five thousand dollars ($5,000.00) ten thousand dollars ($10,000.00). The bond shall be maintained in full force and effect for each period between August 1st and July 31st of the following year (or the balance of the listing period if it is shorter) and shall be a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

(1) Issued by a surety authorized to do business in Indiana;

(2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;

(3) Conditioned upon:

a. Compliance with requirements set forth in Article IV of this chapter which must be met to retain listing and licensure; and

b. Prompt payment of all fees owed the consolidated city as set forth in this chapter, Chapter 10 1/2, Chapter 27 and Chapter 28 of this Code; and

c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, city regulation or this Code, which requirement must be met to properly carry out construction activity, a land alteration (as defined in section 10 1/2-9 of this Code), sewer work (as defined in section 27-1 of this Code) /,/ driveway work (as defined in section 28-139 of this Code) or excavation work (as defined in Section 28-163 of this Code) while engaged in any construction activity, land alteration, sewer work, or driveway work or excavation work; and

d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:

1. Losses arising our of violations,

2. Expenses necessary to correct violations, and

3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violation of regulation or this Code, which requirements must be met to properly carry out construction activity, a land alteration, sewer work ~~or~~, driveway work, or excavation work on property of the unknown third party obligee, caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in any construction activity, land alteration, sewer work or driveway work. However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or improper workmanship violates requirements of the state statute, city regulation or this Code, which requirement must be met to properly carry out con—struction activity, land alteration, sewer work ~~or~~ driveway work, or excavation work.

(b) The administrator may accept in lieu of the surety bond a properly cond—itioned irrevocable letter of credit in the amount of ~~five thousand dollars ($5,000.00)~~ ten thousand dollars ($10,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protection afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to ~~five thousand dollars ($5,000.00)~~ ten thousand dollars ($10,000.00). A surety or financial institution may pay on the bond or disburse form the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If a written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit. the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. 8-169. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all construction activity accomplished by the listed contractor or under permits obtained by the listed contractor, any land alteration (as defined in section 10 1/2-9 of the Code) accomplished by the listed contractor or under a permit obtained by the contractor, all sewer work (as defined in section 27-1 of this Code) accomplished by the listed contractor or under a permit obtained by the listed contractor, and all driveway work (as defined in section 28-139 of this Code) accomplished by the listed or licensed contractor or under a permit by the listed contractor, and thereafter maintains such insurance in full force and effect:

(a) A public liability and property damage insurance policy assuring the listed contractor and naming the Consolidated City of Indianapolis as an " and providing for the payment of any liability imposed by the law on such listed contractor or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the listed contractor in the minimum amounts of ~~three hundred thousand dollars ($300,000.00)~~ one million dollars ($1,000,000.00) for any occurance relative to which there is injury or death to one or more persons and ~~one hundred thousand dollars ($100,000.00)~~ five hundred thousand dollars ($500,000.00) for any occurance relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of buildings development services.

(b) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the listed contractor. A certificate of such insurance shall be delivered to the administrator of the division of ~~buildings~~ development services. This provision shall not apply if the listed contractor has no employees and gives appropriate notice to the division of ~~buildings~~ development services.

The insurance carrier shall give notice both to the listed contractor and the division of ~~buildings~~ development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. 8-170. Approval for listing.

Approval of a person, partnership or corporation as a listed contractor shall be by the board or the administrator acting on behalf of the board. Upon receipt of such approval the controller shall issue the listing. The listing shall be in effect for a one-year period ~~between August 1st and July 31st of the following year, or for the remainder of the listing period, whichever period is shorter.~~ No listing shall be issued by the controller to any person, partnership or corporation except as provided in this division.

Sec. 8-171. Listing personal, not transferable.

No listing issued under the provisions of this division shall be assigned or transferred.

Sec. 8-172. Suspension or revocation of listing for a person.

The board may, pursuant to section 8-174, suspend the listing of a person for a period of up to three hundred sixty-five (365) days or revoke the listing of a person if one of the following is shown:

(1) The listed contractor made any materially false statement of fact on his application for listing;

(2) The listed contractor failed to post and maintain the surety bond and insurance required by section 8-168 and section 8-169;

(3) The listed contractor acted fraudulently or with deceit in his relationship with other persons, partnerships or corporations with regard to construction activity, a land alteration (as defined in section 10 1/2-9 of this Code), sewer work (as defined in section 27-1 of this Code) ~~or~~, driveway work (as defined in section 28-139 of this Code)~~;~~ or excavation work (as defined in section 28-163 of this code);

(4) Construction activity, a land alteration, sewer work, ~~or~~ driveway work, or excavation work for which the listed contractor was responsible as obtainer or as transferee of the permit, was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or does not comply with building standards and procedures, provisions of state law, regulations of the City or provisions of this Code;

(5) The listed contractor failed to correct a violation of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code, relative to construction activity, land alteration, sewer work ~~or~~ driveway work or

excavation work, for which the listed contractor was responsible as permit obtainer or permit transferee after an authorized official or employee of the consolidated city issued a notice of code violation, revoked a permit or issued a stop-work order and the violations causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the authorized official or employee in writing;

(6) The listed contractor has consistently failed to apply for or obtain required permits for construction activity, land alteration, sewer work~~)/(~~ driveway or excavation work accomplished by the listed contractor;

(7) The listed contractor has consistently failed to timely file certificates of completion and compliance, as required, for construction activity accomplished pursuant to his listing;

(8) The listed contractor consistently failed to give notice of availability for inspection at designated stages of construction activity or sewer work as required by section 8-61 and section 27-22 of this Code;

(9) The listed contractor has attempted to conceal violations of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work ~~)/(~~, driveway work~~;~~/ or excavation work;

(10) The listed contractor listed under section 8-167 is no longer employed by the consolidated city and has not met the requirements of section 8-166;

(11) The listed contractor has not properly paid the fee specified by section 8-87 for a listing which has been issued, or is delinquent in other fees owed pursuant to this chapter, Chapter 10 1/2, section 27-22 or Chapter 28, Article III, Division 2 and 3 of this Code.

Sec. 8-173. Suspension or revocation of listing for partnership or corporation.

The board may, pursuant to section 8-174, suspend the listing of a partnership or corporation for a period of up to three hundred sixty-five (365) days or revoke the listing of a partnership or corporation if one of the following is shown:

(1) A materially false statement of fact was placed on the listed contractor's application for listing by an agent of the listed contractor;

(2) The listed contractor failed to post and maintain the surety bond and insurance required by section 8-168 and section 8-169;

(3) Agents of the listed contractor acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with regard to construction activity, a land alteration (as defined in section 10 1/2-9 of this Code), sewer work (as defined in section 27-1 of this Code) ~~)(,~~/ driveway work (as defined in section 28-139 of this Code)~~)~~/or excavation work (as defined in section 28-163 of this Code);

(4) Construction activity, land alteration, sewer work, ~~or~~/driveway work or excavation work for which the listed contractor was responsible as obtainer or as transferee of the permit was performed either incompentently or in such manner that it does not comply with building standards and procedures, provisions of state law, regulations of the city or provisions of this Code;

(5) The listed contractor failed to correct a violation of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work or driveway work for which the listed contractor was responsible as permit obtainer or permit transferee after an authorized official or employee of the consolidated city issued a notice of code violation, revoked a permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the authorized official or employee in writing;

(6) The listed contractor has consistently failed to apply for or obtain required permits for construction activity, land alteration, sewer work ~~or~~/ driveway work or excavation work accomplished by the listed contractor;

(7) The listed contractor has consistently failed to give notice of availability for inspection at designated stages of construction activity or sewer work as required by section 8-61 and section 27-22 of this Code;

(8) The listed contractor has consistently failed to timely file certificates of completion and compliance, as required, for construction activity accomplished pursuant to his listing;

(9) The listed contractor has not properly paid the fee specified by section 8-87 for a listing which has been issued, or is delinquent in other fees owed pursuant to this chapter, Chapter 10 1/2, section 27-22 of Chapter 28, Article III, Division 2 and 3 of this Code;

(10) The partnership presently has a partner or the corporation presently has an officer who has a listing under this division currently suspended or who has had such a listing revoked within the preceding three hundred sixty-five (365) days;

(11) The partnership presently has a partner or the corporation presently has an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or an office in a corporation listed under this division at the time when actions related to policies or practices of the partnership or corporation occured which provided a primary basis on which the listing of the partnership or corporation was revoked or suspended for more than one hundred eighty (180) days;

(12) The listed contractor has attempted to conceal violations of building standards and procedures, provisions of state law, regulations of the city or provisions of this Code relative to construction activity, land alteration, sewer work ~~or~~/ driveway work or excavation work.

Sec. 8-174. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board. At least ten (10) days before such date a written copy of the charges,

prepared by the consolidated city, and notice of the time and place of the hearing thereon shall be served upon the listed contractor, either by hand delivery to the charged listed person or to the partner of a charged listed partner or officer of a charged listed corporation, or by certified mail with return receipt addressed to the listed contractor at its main place of business as shown by the listed contractor's application for listing. The ten (10) or more days shall run form the date such notice is mailed as shown by the post mark thereon.

(b) The listed contractor may appear in person or by counsel, produce evidence (including testimonial and documentation evidence), making argument and cross-examine witnesses at such hearing. The consolidated city shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of the evidence presented at the hearing, the board shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and copy thereof has been served upon the listed contractor, in the same manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the listed contractor may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of building development services, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development, under the procedure prescribed by the statute for hearings on the suspension or revocation of licenses. The director shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The director's order shall be final and conclusive and be binding upon both the listed contractor and the board.

Sec. 8-175. Improper display.

It shall be unlawful for any person, partnership or corporation accomplishing construction activity, land alteration, sewer work or driveway work to use the word "listed " in connection with its business if such person, partnership or corporation is not a listed contractor. Such a person, partnership or corporation shall not, for example, use the word "listed" on any display used for advertising or identification or on any of its business forms.

Secs. 8-176. - 8-179. Reserved.

DIVISION 3. LICENSING AND REGULATION OF ELECTRICAL CONTRACTORS

Sec. 8-180 License required.

Licensure as an electrical contractor is required to accomplish the connection of electrical power for on-site construction activity, to install, alter, replace, service or repair a system distributing electrical power to service equipment supplying power to factory-constructed dwellings located in a mobile home park and to install, modernize, replace, service or repair all or any part of an electrical power distribution system. An electrical contractor shall also be entitled to install, modernize, replace, service or repair space heating equipment or space cooling equipment using electricity as its primary source of energy, excluding work on any refrigerant cycle.

Construction activity which this division allows licensed electrical contractors to carry out is hereafter referred to in this division as "electrical work."

A person not licensed under this division who is employed by a licensed electrical contractor may, however, accomplish electrical work while working under the direction and control of a person who is a licensed electrical contractor, but shall not otherwise enter into or offer to enter into a contractual relationship to engage in the electrical work.

A person not licensed under this division may, however, accomplish electrical work in carrying out ordinary maintenance and repair if such work is accomplished by the person in the regular course of his sole, fultime employment by the owner of the premise where such ordinary maintenance and repair occurs.

Sec. 8-180.5 Types of licenses.

There shall be two types of licenses approved by the Board pursuant to this chapter. Electrical work may be accomplished under these licenses as follows:

A. The "master" license authorizes the holder thereof to perform electrical work without limitation.

B. The "residential license authorizes the holder thereof to perform electrical work in one- or two-family residential structures as defined in the Indiana One & Two Family Dwelling Code. All such electrical work must conform to the requirements delineated in the Indiana Electrical Rules as promulgated by the Fire Prevention and Building Safety Commission.

Sec. 8-181. Board of electrical examiners.

A board of electrical examiners (hereinafter in this chapter referred to as the "board"), shall consist of six (6) members and shall be responsible for carrying out the provisions of this division relative to licensure of electrical contractors. The administrator shall be a nonvoting member of the board, ex officio. The (5) voting members of the board shall be appointed by the mayor for two (2) year terms in such manner that two (2) terms expire on January 1st of one year and three (3) other terms expire on January 1st of the next year. Four (4) of the five (5) members appointed by the mayor shall be persons to whom a license has been issued in accordance with this division, and the remaining appointed member shall be a person (not licensed under this division) representing the public at large. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointed office in the consolidated city.

Sec. 8-182. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the department of metropolitan development and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.

At its annual meeting each January, the board shall promulgate written policies and regulations concerning the administration of the written examination stated in Sec. 8-187 and of the equivalent examination stated in Sec., 8-189.

Said written policies and regulations shall be maintained and made available to the public through the offices of the division of development services.

Sec. 8-183. Meeting of board.

The board shall hold regular meetings once each month in offices of the department of metropolitan development if there is one or more applications for license pending or other official business to come before the board. Special meetings may be called by the chairman of any two (2) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Three (3) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. 8-184. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. 8-185. Register of applications.

The board shall maintain a register of all persons, partnerships and corporations which apply for licensure and persons who apply for renewal of licensure under this division.

(a) If the applicant is a person the register shall show the date of application, the name of the applicant, the age, education, years of experience and other qualifications of the applicant, the address of the places of business and the residence of the applicant, whether the application is for an initial license or renewal of a license and whether the application was rejected of approved and the date of such action.

(b) If the applicant is a partnership the register shall show the date of application, the name of the partnership, the addresses of its places of business, names of all partners and their respective residential addresses, and whether the application was rejected or approved and the date of such action.

(c) If the applicant is a corporation the register shall show the date of application, the name of the corporation, state of incorporation, addresses of its places of business, names of all officers and their respective residential addresses, and whether the application was rejected or approved and the date of such action.

Sec. 8-186. Qualifications for a person to be licensed as an electrical contractor.

A person shall be entitled to receive the license as an electrical contractor (either initially or by renewal of a license) if the following requirements are met:

(a) The person:

(1) Meets the written examination requirement stated in section 8-187, and the experience requirement stated in section 8-188; or

(2) Meets the equivalent examination requirement stated in section 8-189 and the experience requirement stated in section 8-188; or

(3) Meets the eligibility for renewal requirement stated in section 8-190; and

(b) The person does not presently have a license issued under this division suspended

nor has he had such license revoked within a period of the preceding seven hundred thirty (730) days; and

(c) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 8-101 that the person is not eligible for license renewal; and

(d) The person has submitted an acceptable bond and certificates of insurance as required by sections 8-194 and 8-195 unless this requirement is relieved because such person either meets the partnership or corporate agent status requirement stated in section 8-191 or such person meets the inspector status requirement stated in section 8-192; and

(e) The person has paid the fee specified by section 8-87.

Unless these requirements are met a person shall not be entitled to an electrical contractor's license.

Sec. 8-187. Written examination.

The written examination requirement of sections 8-186(a) is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score of at least seventy (70) percent on a written examination administered by the board relative to electrical work for which such license is required:

(a) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and

(b) General knowledge of the rules and regulations of the administrative building council, state and federal agencies applicable in the consolidated city; and

(c) Expert knowledge about the proper, practical and safe methods of accomplishing electrical work; and

(d) In the event a person fails to obtain a passing score on the written examination administered by the board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the board under Sec. 8-182.

Sec. 8-188. Experience.

The experience requirement of section 8-180.5 and 8-186(a) is met by a person who has had at least a total of six (6) years" experience, two (2) of which may be educational and four (4) of which must be practical experience, all pertaining to electrical power distribution systems.

Sec. 8-189. Equivalent examination.

The equivalent examination requirement of section 8-186(a) is met by a person who demonstrated, either orally or in writing, to the satisfaction of the board his familiarity with this chapter and presents evidence satisfactory to the board at one of its meetings that he currently practices the craft of an electrical contractor and that he is presently licensed in good standing as a result of his successfully completing an examination administered by a licensure board for another state or another municipality which was then the equivalent in scope of subject matter and difficulty as the examination presently administered by the board.

Sec, 8-190. Eligibility for license renewal.

The eligibility for renewal requirement of section 8-186(a) is met by a person who:

(a) Has held an unrevoked license under this division within the preceding seven hundred thirty (730) days; or

(b) Has held an unrevoked license under this division within the preceding one thousand four hundred sixty (1,460) days and demonstrates to the satisfaction of the board that during at least two (2) years of that period the person has been actively engaged, in the Consolidated City of Indianapolis or elsewhere, in construction activity pertaining to electrical power distribution systems.

Sec. 8-191. Partnership or corporate agent status.

The partnership or corporate agent status requirement of section 8-186(d) is met by a person who:

(a) Is a partner or employee of a partnership or an officer or employee which is licensed under this division; and

(b) Does not make any use of his license as an electrical contractor other than as an agent of the partnership or corporation.

Whenever such a person has occasion to enter into a transaction or take action for which license under this division is required he shall clearly state the fact he is acting as agent for an identified partnership or corporate principal.

Sec. 8-192. Inspector status.

The inspector status requirement of section 8-186(d) is met by a person who is employed full time by the division of ~~buildings~~ development services in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relative to electricity, Article II provisions or this division of this chapter. Such a person shall not use a license as an electrical contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the division of ~~buildings~~ development services and does not meet the requirements of sections 8-194 and 8-195.

Sec. 8-193. Qualifications for a partnership or corporation to be licensed as an electrical contractor.

A partnership or corporation shall be entitled to receive a license as an electrical contractor if the following requirements are met:

(a) At least one general partner (who is a person) or employee of a partnership or at least one officer or employee of a corporation holds a license under this division; provided, however, that an unlicensed general partner or employee of a partnership or an unlicensed officer or employee of a corporation shall be deemed to fulfill the requirement of this paragraph if such person is prevented from meeting the requirements of section 8-186 for licensure soley because the person cannot comply with the

requirements of section 8-191 because the partnership or corporation of which he is a partner or officer or employee has submitted an application for licensure so that the licenses of the partner or employee and partnership or officer or employee and corporation can be approved and issued simultaneously provided further that after December 31, 1986, a person may not be the sole licensed general partner or employee of a partnership or officer or employee of a corporation for more than one partnership or corporation; and

(b) The partnership or corporation does not presently have a license issued under this division suspended nor has it had such a license revoked within a period of the preceding seven hundred thirty (730) days; and

(c) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 8-201 that the partnership or corporation is not eligible to receive a successor license; and

(d) The partnership does not presently have a partner or the corporation does not presently have an officer who has a license under this division presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility for license renewal within the preceding three hundred sixty-five (365) days; and

(e) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership of officer in a corporation licensed under this division at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than one year, or a determination made of ineligibility for receipt of a successor license; and

(f) The partnership or corporation has submitted an acceptable bond and certificates of insurance as required by sections 8-194 and 8-195; and

(g) The partnership or corporation has paid the fee specified by section 8-87.

Unless these requirements are met a partnership or corporation shall not be entitled to an electrical contractor's license.

Sec. 8-194. Bond.

(a) Before a license is issued by the division of ~~building~~ development services to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of ~~five thousand dollars ($5,000.00)~~ ten thousand dollars ($10,000.00). The bond shall be maintained in full force and effect for ~~each period between January 1st and December 31st of the balance of the license period if it is shorter~~ a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company, and shall be:

(1) Issued by a surety authorized to do business in Indiana;

(2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;

(3) Conditioned upon:

a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and

b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and

c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any electrical work or any related construction activity.

d. Prompt payment to a person, partnership, or corporation which is an unknown third party obligee for any:

1. Losses arising our of violations,

2. Expenses necessary to correct violations, and

3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in electrical work or any related construction activity.

However, the surety is not responsible under the bond for losses for expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of ~~five thousand dollars ($5,000.00)~~ ten thousand dollars ($10,000.00) if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety financial institution relative to this bond or letter of credit is limited to ~~five thousand dollars ($5,000.00)~~ ten thousand dollars ($10,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall prorate payment according to the amount of such claims.

Sec. 8-195. Insurance.

Insurance requirements are met if the person, partnership or corporation secures insurance covering all electrical work and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintain such insurance in full force and effect:

(a) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an

"additional assured," and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of three hundred thousand dollars ($300,000.00) one million dollars ($1,000,000.00) for any occurrence relative to which there is injury or death to one or more persons and one hundred thousand dollars ($100,000) five hundred thousand dollars ($500,000.00) for any occurance relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of buildings development services.

(b) Workman's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of buildings development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of buildings.

The insurance carrier shall give notice both to the licensee and the division of buildings at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. 8-196. Type of license.

There shall be only one two types of licenses approved by the board pursuant to this division.

Sec. 8-197. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as an electrical contractor shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board, delegate to one of its officers or the administrator of the division of buildings development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by section 8-190(a) or the applicant is a partnership or corporation.

Upon delivery of such approval an electrical contractor's license shall be issued by the controller for a period of one year in for the remainder of the calendar year following the issuance of said license, whichever time period is shorter. All licenses and renewals of the same shall expire on the thirty-first day of December each year. No license shall be issued by the controller to any person, partnership or corporation as an electrical contractor except as provided in this division.

Sec. 8-198. License personal, not transferable.

No license issued under the provisions of this division shall be assigned or transferred.

Sec. 8-199. Supervision by licensee.

All electrical work shall be accomplished under the direction and control of either:

(a) The licensed person who applied for the building permit; or

(b) If the building permit has been transferred, the licensed person who is the applicant representing the transferee of the building permit; or

(c) If the applicant for the building permit no longer is able or desires to continue his responsibilities and obligations as the applicant and the obtainer of the building permit is a partnership which has a licensed person as a partner or a corporation which has a licensed person as an officer who meets the requirements imposed by section 8-31 to apply for such a building permit in the first instance, such licensed partner or officer upon his notifying (using a form furnished by the division of ~~buildings~~ development services) the administrator of his assumption of the responsibilities and obligations of the applicant for the specified building permit.

The licensed person providing direction and control shall specify materials and work processes and supervise the person or persons accomplishing the electrical work.

Sec. 8-200. Electrical work on one"s own property.

A person who both owns and possesses an improved or unimproved parcel of land may personally accomplish electrical work for which a license is required by this division, without having such a license, relative to a one- or two-family residential structure on such parcel, if:

(a) The nonlicensed person obtains a building permit for the electrical work, if required; and

(b) In the instance of electrical work for which a building permit is required which poses a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, the board's written approval of the specified work; or

(c) In the instance of electrical work for which a building permit is required which, if done improperly is not a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, approval in writing of the specified work from the administrator, division of ~~buildings~~ development services, or a representative which he designates.

The determination by the board or the administrator as to whether the nonlicensed person shall be allowed to accomplish the electrical work shall be made on the basis of whether the nonlicensed person possesses sufficient knowledge and technical skill to accomplish the work in accordance with building standards and procedures.

Sec. 8-201. License suspension, revocation or determination of ineligibility for renewal for a person.

The board may, under section 8-203, suspend the license of a person for a period of up to seven hundred thirty (730) days, revoke the license of a person or determine on the basis of activities carried out while licensed that a person who is or has been licensed within the previous three hundred sixty-five (365) days is ineligible for license renewal, if one of the following is shown:

(1) The licensee made any material false statement of fact either to the board or on his application for license or license renewal; or

(2) The licensee acted fraudulently in the license examination; or

(3) The licensee (but not including licensees who are exempt because of compliance with requirements of section 8-191 or section 8-192) failed to post and maintain a surety bond and insurance required by section 8-194 or 8-195; or

(4) The licensee acted fraudulently, or with deceit, in his business relationship with other persons, partnerships or corporations with which he dealt in connection with electrical work; or

(5) Electrical work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or

(6) The licensee failed to correct a violation of building standards and procedures relative to electrical work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit, after the administrator of the division of buildings issued a notice of building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time was fixed by the administrator in writing; or

(7) The licensee has consistently failed to apply for or obtain required applicable permits for electrical work accomplished by the licensee or under his supervision; or

(8) The licensee has consistently failed to timely file certificates of completion and compliance for electrical work relative to which he was applicant for the permits or applicant representing the transferee of the permits; or

(9) The licensee has consistently failed to give notice of availability for nspection at designated stages of electrical work as required by section 8-61; or

(10) The licensee, excluding licensees who meet the inspector status requirement of section 8-192, has not for a period of five (5) continuous years accomplished or supervised the accomplishment of a significant amount of electrical work; or

(11) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 8-194 and 8-195 by meeting the inspector status requirements of section 8-192, but is no longer employed by the division of buildings and does not meet the requirements of sections 8-194 and 8-195; or

(12) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 8-194 and 8-195 by meeting the partnership or corporate agent requirements of section 8-191 and 8-195, either he:

(a) Is no longer a partner or employee of a partnership or an officer or employee of a corporation licensed under this division; or

(b) Has made use of his license other than as an agent of the partnership or

corporation named in his application; or

(13) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued of if delinquent in the payment of fees owed pursuant to this chapter; or

(14) The licensee has failed to give proper supervision to electrical work in accordance with the requirements of section 8-199; or

(15) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. 8-202. License suspension, revocation or determination of ineligibility for receipt of successor license for partnership or corporation.

The board may, under section 8-203, suspend the license of a partnership or corporation for a period of up to seven hundred thirty (730) days, revoke the license of a partnership or corporation, or determine on the basis of activities carried out while licensed within the previous three hundred sixty-five (365) days that the partnership or corporation is ineligible to receive a successor license, if one of the following is shown:

(1) A materially false statement of fact was made to the board by an agent of the licensee or placed on the licensee"s application for license; or

(2) The licensee failed to post and maintain the surety bond and insurance required by sections 8-194 and 8-195; or

(3) Agents of the licensee acted fradulently or with deceit in its relationship with other persons, partnerships or corporations with which it dealt in connection with electrical work; or

(4) Electrical work for which the licensee was responsible as obtainer of the permit or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or

(5) The licensee failed to correct a violation of building standards and procedures relative to electrical work for which the licensee was responsible as obtainer of the permit or as transferee of the permit after the administrator of the division of buildings issued notice of a building code violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or

(6) The licensee has consistently failed to obtain required applicable permits for electrical work accomplished by the licensee; or

(7) The licensee has consistently failed to given notice of availability for inspection at designated stages of electrical work as required by section 8-61; or

(8) The licensee has consistently failed to timely file certificates of completion and compliance, as required, for electrical work accomplished pursuant to his license; or

(9) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or

(10) If a partnership, does not have a licensed person as a general partner or employee, or if a corporation, does not have a licensed person as an officer or employee; or

(11) The partnership presently has a partner or the corporation presently has an officer who has a license under this division presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility or license renewal within the preceding three hundred sixty-five (365) days; or

(12) The partnership presently has a partner or the corporation presently has an officer who. within the previous three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation licensed under this division at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than three hundred sixty-five (365) days, or a determination made of ineligibility for receipt of a successor license; or

(13) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. 8-203. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board. At least ten (10) days before such a date a written notice of the general nature of the charges, prepared by the division of ~~buildings~~ development services and of the time and place of the hearing thereon shall be served upon the licensee, either by hand delivery to the charged corporation, or by certified mail with return receipt requested addressed to the licensee at his place of business as shown by the licensee's application for license or license renewal. The ten (10) or more days shall run from the date such notice is mailed. In the instance where charges are made which have a similar factual basis and a business relationship exists (as, for example, charges against two (2) licensed partners or charges against a licensed corporation and its licensed corporate officer) the board may hear evidence relative to two (2) or more charges at the same hearing.

(b) The licensee may appear in person or by counsel, produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The division of buildings shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of evidence presented at the hearing, the board shall make findings, which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the licensee, in the manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the licensee may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of buildings, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development or a representative designated in writing (but not an employee of the division of ~~building~~ development services) by the director, under the procedure prescribed by the statute for hearings on the suspension or revocation or licenses. The director of his representative shall thereupon render such decisions as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The order of the director or his representative shall be final and conclusive and be binding upon both the licensee and the board.

Secs. 8-204. - 8-209. Reserved.

DIVISION 4. LICENSING AND REGULATION OF HEATING AND COOLING CONTRACTORS

Sec. 8-210. License required.

Licensure as a heating and cooling contractor of the appropriate type is required to install, modernize, replace, service or repair all or any part of a heating system, space heating equipment, a cooling system, space cooling equipment or refrigeration equipment.

Construction activity which this division allows licensed heating and cooling contractors to carry out is hereafter referred to in this division as "heating and cooling work."

A person not licensed under this division who is employed by a licensed heating and cooling contractor may, however, accomplish heating and cooling work while working under the direction and control of a person who is a licensed heating and cooling contractor, but shall not otherwise enter into or offer to enter into a contractual relationship to engage in the heating and cooling work. The scope of activity of such nonlicensed person shall not extend beyond that allowed by the license type of the licensed heating and cooling contractor providing direction and control over the nonlicensed person.

A person not licensed under this division may, however, accomplish heating and cooling work in carrying out ordinary maintenance and repair if such work is accomplished by the person in the regular course of his sole, full-time employment by the owner of the premises where such ordinary maintenance and repair occurs. Persons, partnerships or corporations engaged in the business of service and repair, however, must be licensed under this chapter.

Sec. 8-211. Board of heating and cooling examiners.

A board of heating and cooling examiners (hereinafter in this division referred to as the "board") shall consist of eight (8) members and shall be responsible for carrying out the provisions relative to licensure of heating and cooling contractors. The administrator shall be a a nonvoting member of the board ex officio. The seven (7) voting members of the board shall be appointed by the mayor for two (2) year terms in such manner that three (3) terms expire on January 1st of one year and four (4) other terms expire on January 1st of one year and four (4) other terms expire on January 1st of the next year. Six (6) of the seven (7) members appointed by the mayor shall be

persons to whom a license has been issued in accordance with this division and the remaining appointed member shall be a person (not licensed under this division) representing the public at large. At least two (2) of the licensed appointed members shall hold a refrigeration license. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

Sec. 8-212. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the department of metropolitan development and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.

At its annual meeting each January, the board shall promulgate written policies and regulations concerning the administration of the written examination stated in Sec. 8-217 and of the equivalent examination stated in Sec. 8-219.

Said written policies and regulations shall be maintained and made available to the public through the offices of the division of development services.

Sec. 8-213. Meetings of board.

The board shall hold regular meetings once each month in offices of the department of metropolitan development if there are one or more applications for license pending or other official business to come before the board. Special meetings may be called by the chairman or any three (3) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Four (4) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. 8-124. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. 8-215. Register of applications.

The board shall maintain a register of all persons, partnerships and corporations which apply for licensure and persons who apply for renewal of licensure under this division.

(a) If the applicant is a person, the register shall show the date of application, the name of the applicant, the age, education, years of experience and other qualifications of the applicant, the addresses of the places of business and the residence of the applicant, the type of license for which application is made, whether the application is for an initial license or renewal of a license and whether the application was rejected or approved and date of such action.

(b) If the applicant is a partnership, the register shall show the date of application, the name of the partnership, the addresses of its places of business, names of all partners and their respective residential addresses, the type of license for which application is made, and whether the application was rejected or approved and the date of such action.

(c) If the applicant is a corporation, the register shall show the date of application, the name of the corporation, state of incorporation, addresses of its places of business, names of all officers and their respective residential addresses, the type of license for which application is made and whether the application was rejected and the date of such action.

Sec. 8-216. Qualifications for a person to be licensed as a heating and cooling contractor.

A person shall be entitled to receive one license of the appropriate type as a heating and cooling contractor (either initially or by renewal of a license) if the following requirements are met:

(a) The person:

(1) Meets the written examination requirement stated in section 8-217, and the experience requirement stated in section 8-218; or

(2) Meets the equivalent examination requirement stated in section 8-219 and the experience requirement stated in section 8-218; or

(3) Meets the eligibility for renewal requirement stated in section 8-220; and

(b) The person does not presently have a license issued under this division suspended nor has he had such license revoked within a period of the preceding seven hundred thirty (730) days; and

(c) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 8-231 that the person is not eligible for license renewal; and

(d) The person has submitted an acceptable bond and certificates of insurance as required by section 8-224 and 8-225 unless this requirement is relieved because such person either meets the partnership or corporate agent status requirement stated in section 8-221, or such person meets the inspector status requirement stated in section 8-222; and

(e) The person has paid the fee specified by section 8-87.

Unless these requirements are met a person shall not be entitled to a heating and cooling contractor's license of the appropriate type.

Sec. 8-217. Written examination.

The written examination requirement of section 8-216(a) is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score of seventy (70) percent on a written examination administered by the board relative to heating and cooling work for which such license of the applicable type is required:

(a) General knowledge of the provisions of this chapter and other relevant ordinances of the consolidated city; and

(b) General knowledge of the rules and regulations of the administrative building council, state and federal agencies applicable in the consolidated city; and

(c) Expert knowledge about the proper, practical and safe methods of accomplishing heating and cooling work.

(d) In the event a person fails to obtain a passing score on the written

(d) In the event a person fails to obtain a passing score on the written examination administered by the Board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the Board under Sec. 8-212.

Sec. 8-218. Experience.

The experience requirement of section 8-216(a) is met by a person who has had at least ~~two (2)~~ five (5) years of practical work experience pertaining to heating and cooling work or a combination of experience and school which totals five (5) years.

Sec. 8-219. Equivalent examination.

The equivalent examination requirement of section 8-216(a) is met by a person who demonstrates, either orally or in writing, to the satisfaction of the board his familiarity with this chapter and presents evidence satisfactory to the board at one of its meetings that he currently practices the craft of a heating and cooling contractor and that he is presently licensed in good standing as a result of his successfully completing an examination administered by a licensure board for another state or another municipality which was then the equivalent in scope of subject matter and difficulty as the examination presently administered by the board for the applicable license type.

Sec. 8-220. Eligibility for license renewal.

The eligibility for renewal requirement of section 8-216(a) is met by a person who:

(a) Has held an unrevoked license of the same type under this division within the preceding seven hundred thirty (730) days;

(b) Has held an unrevoked license of the same type under this division within the preceding one thousand four hundred sixty (1,460) days (four ½4¼ years) and demonstrates to the satisfaction of the board that during at least two (2) years of that period the person has been actively engaged, in the Consolidated City of Indianapolis or elsewhere, in heating and cooling work.

Sec. 8-221. Partnership or corporate agent status.

The partnership or corporate agent status requirement of section 8-216(d) is met by a person who:

(a) Is a partner or employee of a partnership or an officer or employee of a corporation which is licensed under this division; and

(b) Does not make any use of his license as a heating and cooling contractor other than as an agent of the partnership or corporation.

Whenever such person has occasion to enter into a transaction or take action for which licensure under this division is required he shall clearly state the fact he is acting as agent for an identified partnership or corporate principal.

Sec. 8-222. Inspector status.

The inspector status requirement of section 8-216(d) is met by a person who is employed full time by the division of ~~buildings~~ development services in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relating to heating and cooling work, ½Article II¼ provisions or this division of this chapter. Such a person shall not use a license as a heating and cooling contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the division of ~~buildings~~ development services and does not meet the requirement of sections 8-224 and 8-225.

Sec. 8-223. Qualifications for a partnership or corporation to be licensed as heating and cooling contractor.

A partnership or corporation shall be entitled to receive one license of the appropriate type as a heating and cooling contractor if the following requirements are met:

(a) A least one general partner (who is a person) or employee of a partnership or at least one officer or employee of a corporation holds a license of the same type under this division as that relative to which the partnership or corporation has made application; provided, however, that an unlicensed general partner or employee of a partnership or an unlicensed officer or employee of a corporation shall be deemed to fulfill the requirement of this paragraph if such person is prevented from meeting the requirements of section 8-216 for licensure of the applicable type solely because the person cannot comply with the requirements of section 8-221 because the partnership or corporation of which he is a partner or employee or officer or employee is not licensed under this division and such partner or employee or officer or employee has submitted an application for licensure so that the licenses of the partner or employee and corporation can be approved and issued simultaneously; and

(b) The partnership or corporation does not presently have a license issued under this division suspended nor has it had such a license revoked within a period of the preceding seven hundred thirty (730) days; and

(c) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 8-232 that the partnership or corporation is not eligible to receive a successor license; and

(d) The partnership does not presently have a partner or the corporation does not presently have an officer who has a license under this division presently suspended or who has had such a license revoked within the preceding seven seven hundred thirty (730) days, or a determination made of ineligibility for license renewal within the preceding three hundred sixty-five (365) days; and

(e) The partnership does not presently have a partner or the corporation does not presently have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or officer in a corporation licensed under this division at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended more than one year or a determination made or ineligibility for receipt of a successor license; and

(f) The partnership or corporation has submitted an acceptable bond and certificates of insurance as required by sections 8-224 and 8-225; and

(g) The partnership or corporation has paid the fee specified by section 8-87.

Unless these requirements are met, a partnership or corporation shall not be entitled to a heating and cooling contractor's license of the appropriate type.

Sec. 8-224. Bond.

(a) Before a license is issued by the division of ~~buildings~~ development services to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of five thousand dollars ($5,000.00). The bond shall be maintained in full force and effect for ~~each period between January 1st and December 31st (or the balance of the licensure period if it is shorter)~~ a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company, and shall be:

(1) Issued by a surety authorized to do business in Indiana;

(2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;

(3) Conditioned upon:

a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and

b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and

c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any heating and cooling work or any related construction activity; and

d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:

1. Losses arising out of violations,

2. Expenses necessary to correct violations, and

3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in heating and cooling work or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of five thousand dollars ($5,000.00) if the city controller approves the obligor financial institution as being

financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to five thousand dollars ($5,000.00). A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. 8-225. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all heating and cooling work and any related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

(a) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an "additional " and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of ~~three hundred thousand dollars ($300,000.00)~~ one million dollars ($1,000,000.00) for any occurrence relative to which there is injury or death to one or more persons and ~~one hundred thousand dollars ($100,000.00)~~ five hundred thousand dollars ($500,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of buildings.

(b) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of ~~buildings~~/development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of ~~buildings~~ development services.

The insurance carrier shall give notice both to the licensee and the division of ~~buildings~~/development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. 8-226. Types of licenses.

There shall be ten (10) types of licenses approved by the board pursuant to this division. Heating and cooling work may be accomplished under these license types as follows:

(a) The "heavy commercial (unrestricted)" license authorizes the holder thereof to perform all of the kinds of heating and cooling work without limitation.

(b) The "light commercial/residential" license authorizes the holder thereof to perform work of the following kinds:

(1) Installation, modernization, replacement, service or repair of cooling systems or space cooling equipment, which system or equipment has a rated output not in excess of six hundred thousand (600,000) Btuh and does not include preassembled air-conditioning condensing units which exceed a rating of fifty (50) tons under ARI standards; and

(2) Installation, modernization, replacement, service or repair of heating systems or space heating equipment, which system or equipment has a rated Btuh and which does not utilize a water boiler in which the rated pressure exceeds thirty (30) pounds per square inch.

(c) The "residential" license authorizes the holder thereof to perform work of the following kinds in one- or two-family residential structures, commercial buildings of not more than one story and apartment buildings:

(1) Installation, modernization, replacement, service, service or repair of cooling system or space cooling equipment, which system or equipment is single phase and has a rated output of not in excess of sixty thousand (60,000) Btuh; and

(2) Installation, modernization, replacement, service or repair of a heating system or space heating equipment, which system or equipment has a rated input of less than two million (2,000,000) Btuh and which does not utilize a boiler in which the rated pressure exceeds fifteen (15) pounds per square inch or steam boiler in which the rated pressure exceeds thirty (30) pounds per square inch.

(d) The "high pressure steam" license authorizes the holder thereof to perform installation, modernization, replacement, service or repair of heating systems or space heating equipment, which system or equipment utilizes a boiler.

(e) The "refrigeration" license authorizes the holder thereof to perform installation, modernization, replacement, service or repair of refrigeration equipment.

(f) The "heavy commercial (unrestricted) service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "heavy commercial (unrestricted)" license may perform.

(g) The "light commercial/residential service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "light commercial/residential" license may perform.

(h) The "residential service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "residential" license may perform.

(i) The "steam service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "steam" license may perform.

(j) The "refrigeration service only" license authorizes the holder thereof to perform work limited to service and repair relative to the kinds of construction activity which the holder of a "refrigeration" license may perform.

Sec. 8-227. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as a heating and cooling contractor of the appropriate type shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board, delegate to one of its officers or the administrator of the division of ~~buildings~~ development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by section 8-220(a) or the applicant is a partnership or corporation.

Upon delivery of such approval a heating and cooling contractor's license of the appropriate type shall be issued by the controller for a period of one year~~, or for the remainder of the calendar year following the issuance of said license, whichever time is shorter. All licenses and renewals of the same shall expire on the thirty-first day of December each year.~~ No license shall be issued by the controller to any person, partnership or corporation as a heating and cooling contractor except as provided in this division.

Sec. 8-228. License personal, not transferable.

No license issued under the provisions of this division shall be assigned or transferred.

Sec. 8-229. Supervision by licensee.

All heating and cooling work shall be accomplished under the direction and control of either:

(a) The licensed person who applied for the building permit; or

(b) If the building permit has been transferred, the licensed person who is the applicant representing the transferee of the building; or

(c) If the applicant for the building permit no longer is able or desires to continue his responsibilities and obligations as the applicant and the obtainer of the building permit is a partnership which has a licensed person as a partner or a corporation which has a licensed person as an officer who meets the requirements imposed by section 8-31 to apply for such a building permit in the first instance, such licensed partner or officer upon his notifying (using a form furnished by the office of the division of ~~buildings~~ development services) the administrator of his assumption of the responsibilities and obligations of the applicant for the specified building permit.

The licensed person providing direction and control shall specify work processes and supervise the person or persons accomplishing the heating and cooling work. Such licensed person or a competent person responsible to him must be present at the site when any significant heating and cooling work occurs.

Sec. 8-230. Heating and cooling work on one"s own property.

A person who both owns and possesses an improved or unimproved parcel of land may personally accomplish heating and cooling work for which a license is required by this division, without having such a license, relative to a one- or two-family residential structure on such parcel, if:

(a) The nonlicensed person obtains a building permit for the heating and cooling work, if required; and

(b) In the instance of heating and cooling work for which a building permit is required which poses a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information, the board's written approval of the specified work; or

(c) In the instance of heating and cooling work for which a building permit is required which, if done improperly is not a substantial potential health or safety hazard (as determined by the board or by the administrator on behalf of the board by making reference to standards issued by the board), the nonlicensed person has secured, after furnishing full plans and information approval in writing of the specified work from the administrator, division of ~~buildings~~, development services, or a representative which he designates.

The determination by the board or the administrator as to whether the nonlicensed person shall be allowed to accomplish heating and cooling work shall be made on the basis of whether the nonlicensed person possesses sufficient knowledge and technical skill to accomplish the work in accordance with building standards and procedures.

Sec. 8-231. License suspension, revocation or determination of ineligibility for renewal for a person.

The board may, under section 8-233, suspend the license of a person for a period of up to seven hundred thirty (730) days, revoke the license of a person, or determine on the basis of activities carried out while licensed that a person who is or has been licensed within the previous three hundred sixty-five (365) days is ineligible for license renewal, if one of the following is shown:

(1) The licensee made any materially false statement of fact either to the board or on his application for license or license renewal; or

(2) The licensee acted fraudulently in the license examination; or

(3) The licensee (but not including licensees who are exempt because of compliance with the requirements of section 8-221 or section 8-222) failed to post and maintain the surety bond and insurance required by sections 8-224 and 8-225; or

(4) The licensee acted fraudulently, or with deceit, in his relationship with other persons, partnerships or corporations with which he dealt in connection with heating and

(5) Heating and cooling work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or

(6) The licensee failed to correct a violation of building standards and procedures relative to heating and cooling work for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit, after the administrator of the division of ~~buildings~~ development services issued notice of a building

code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where the period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or

(7) The licensee has consistently failed to apply for or obtain required applicable permits for heating and cooling work accomplished by the licensee or under his supervision; or

(8) The licensee has consistently failed to give notice of availability for inspection at designated stages of heating and cooling work as required by section 8-61; or

(9) The licensee has consistently failed to timely file certificates of completion and compliance for heating and cooling work relative to which he was the applicant for the permits; or

(10) The licensee, excluding licensees who meet the inspector status requirement of section 8-222, has not for a period of five (5) continuous years accomplished or supervised the accomplishment of a significant amount of heating and cooling work; or

(11) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 8-224 and 8-225 by meeting the inspector status requirements of section 8-222, but is no longer employed by the division of ~~buildings~~ development services and does not meet the requirements of sections 8-224 and 8-225; or

(12) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 8-224 and 8-225 by meeting the partnership or corporate agent requirements of section 8-221, but without presently meeting the requirements of sections 8-224 and 8-225, either he:

a. Is no longer a partner or employee of a partnership or an officer or employee of a corporation licensed under this division; or

b. Has made use of his license other than as an agent of the partnership or corporation named in his application; or

(13) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in other fees owed pursuant to this chapter; or

(14) The licensed has failed to give proper supervision to heating and cooling work in accordance with requirements of section 8-229; or

(15) The licensee holding a heating and cooling license other than a "heavy commercial (unrestricted)" license has accomplished (without supervision by a licensee of the appropriate type) or supervised the accomplishment of heating and cooling work without having the type license which is required for such construction activity; or

(16) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. 8-232. License suspension, revocation or determination of ineligibility for receipt of a successor license for a partnership or corporation.

The board may, under section 8-233, suspend the license of a partnership or corporation for a period of up to seven hundred thirty (730) days, revoke the license of a partnership or corporation, or determine on the basis of activities carried out while licensed within the previous three hundred sixty-five (365) days that the partnership or corporation is ineligible to receive a successor license, if one of the following is shown:

(1) A materially false statement of fact was made to the board by an agent of he licensee or placed on the licensee's application for license; or

(2) The licensee failed to post and maintain the surety bond and insurance required by sections 8-224 and 8-225; or

(3) An agent of the licensee acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with which it dealt in connection with heating and cooling work; or

(4) Heating and cooling work for which the licensee was responsible as obtainer of the permit or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or

(5) The licensee failed to correct a violation of building standards and procedures relative to heating and cooling work for which the licensee was responsible as obtainer of the permit or as transferee of the permit, after the administrator of the division of ~~buildings~~ development services issued notice of a building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date issuance of ½notice of¼ the building code violation, revocation of permit, or stop-work order, or in the instance where a period of ten (10) days was not sufficient such longer period of time as was fixed by the administrator in writing; or

(6) The licensee has consistently failed to obtain required applicable permits for heating and cooling work; or

(7) The licensee has consistently failed to give notice of availability for inspection at designated stages of heating and cooling work as required by section 8-61; or

(8) The licensee has consistently failed to timely file certificates of completion and compliance, as required, for heating and cooling work accomplished pursuant to his license; or

(9) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or

(10) If a partnership does not have a licensed person as a general partner or employee, or if a corporation does not have a licensed person as an officer or employee; or

(11) The partnership presently has a partner or the corporation presently has an officer who has a license under this division presently suspended or who has had such a

license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility for license renewal within the preceding three hundred sixty-five (365) days; or

(12) The partnership presently has a partner or the corporation presently has an officer who, within the previous three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation licensed under this division at a time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than three hundred sixty-five (365) days, or a determination made of ineligibility for receipt of a successor license; or

(13) Heating and cooling work for which the licensee, holding a heating and cooling license other than a "heavy commercial (unrestricted)" license, was responsible as obtainer of the permit or as transferee of the permit was performed without the licensee having the type of license which is required for such work; or

(14) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. 8-233. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board. At least ten (10) days before such date a written notice of the general nature of the charges, prepared by the division of ~~buildings~~ development services, and of the time and place of the hearing thereon shall be served upon the licensee, either by hand delivery to the charged licensed person or to a partner of a charged partnership or officer of a charged corporation or be certified mail with return receipt requested, addressed to the licensee at his main place of business as shown by the licensees application for license or license renewal. The ten (10) or more days shall run from the date such notice is mailed. In the instance where charges are made which have a similar factual basis and a business relationship exists (as, for example, charges against two (2) licensed partners or charges against a licensed corporation and a licensed corporate officer), the board may hear evidence relative to two (2) or more charges at the same hearing.

(b) The licensee may appear in person or by counsel, produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The division of ~~buildings~~ development services shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of the evidence presented at the hearing, the board shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the licensee in the manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the licensee may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of ~~buildings~~ development services, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development or a representative designated in writing (but not an employee of the division of

buildings development services) by the director, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The directors or his representative shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The order of the director or his representative shall be final and conclusive and be binding upon both the licensee and the board.

Secs. 8-234. - 8-239. Reserved.

DIVISION 5. LICENSING AND REGULATION OF WRECKING CONTRACTORS

Sec. 8-240. License required.

Licensure as a wrecking contractor of the appropriate type is required to either engage or offer to engage in the business, trade or calling of demolishing, dismantling, dismembering, razing or removing structures; provided, however, that licensure as a wrecking contractor is not required:

(a) To wreck a one-story detached accessory structure containing less than five hundred seventy-seven (577) square feet of floor area which is located on the same premises as a one- or two-family residential structure or to wreck a structure containing less than five hundred (500) square feet of floor area; or

(b) To wreck a one-story, one- or two-family residential structure if:

(1) The wrecking is accomplished by the person who owns the structure; and

(2) The person is a previous occupant of the structure; and

(3) No part of the structure is located nearer than ten (10) feet to another structure not owned by the person accomplishing the wrecking or any street, alley or sidewalk; and

(4) The wrecking will not create a substantial potential health or safety hazard; and

(5) If deemed reasonably necessary by the administrator of the division of buildings development services, the person who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy, in amounts established by the administrator (but not less than fifty thousand dollar ½$50,000.00¼ for personal injury or death, and twenty-five thousand dollars ½$25,000.00¼ for property damage), naming the person the wrecking and the Consolidated City of Indianapolis as the assured; or

(c) To wreck a one-story, wood-frame structure that is not a residential structure if:

(1) To wrecking is accomplished by the person who owns the structure or by permanent, full-time employees of the partnership or corporation which owns the structure; and

(2) The person, partnership or corporation which owns the premises where the structure is located is in possession of the premises where the structure is located; and

(3) No part of the structure is located nearer than ten (10) feet to another structure not owned by the person, partnership or corporation accomplishing the wrecking or

any street, alley or sidewalk; and

(4) The wrecking will not create a substantial potential health or safety hazard; and

(5) If deemed reasonably necessary by the administrator of the division of ~~buildings~~ development services, the person, partnership or corporation who will accomplish the wrecking demonstrates that the wrecking activity is covered by a public liability and property damage insurance policy in amounts established by the administrator (but not less than fifty thousand dollar ½$50,000.00¼ for personal injury or death, and twenty-five thousand dollars ½$25,000.00¼ for property damage), naming the person doing the wrecking and the Consolidated City of Indianapolis as the assured.

In determining whether to issue a permit for wrecking pursuant to paragraphs (a) through (c) above, the administrator of the division of ~~buildings~~ development services may consult with and seek the advice of the board of wrecking examiners.

A person not licensed under this division who is employed by a licensed wrecking contractor may, however, accomplish wrecking while working under the direction and control of a person who is a licensed wrecking contractor. The scope of activity of such nonlicensed person shall not extend beyond that allowed by the license type of the licensed wrecking contractor providing direction and control over the nonlicensed person. Such nonlicensed person shall not enter into or offer to enter into a contractual relationship with a consumer to himself engage in wrecking.

Construction activity which this division allows licensed wrecking contractors to carry out is hereafter referred to in this division as "wrecking."

Sec. 8-241. Board of wrecking examiners.

A board of wrecking examiners (hereinafter in this chapter referred to as the "board") shall consist of six (6) members and shall carry out the provisions of this chapter relative to licensure of wrecking contractors. The administrator shall be a nonvoting member of the board, ex officio. The five (5) voting members of the board shall be appointed by the mayor for two (2) year terms in such manner that two (2) terms expire on January 1st of one year and three (3) other terms expire on January 1st of the next year. Two (2) of the five (5) members appointed by the mayor shall be persons to whom a license has been issued in accordance with this division, one appointed member shall be an architect registered in the state, one appointed member shall be a professional engineer registered in the state, one appointed member shall be a person (not licensed under this division) representing the public at large. At least one of the licensed appointed members shall hold a type A license. Each of the appointed members shall be a resident of the consolidated city. Members shall not receive compensation for serving on the board. Those members appointed by the mayor shall serve at his pleasure and shall hold no other elective or appointive office in the consolidated city.

Sec. 8-242. Organization of board.

The board shall meet annually in each January on a date specified for regular monthly meetings in offices of the department of metropolitan development and elect a chairman and any other officers, who shall serve one year or until a successor is chosen, whichever is longer.

At its annual meeting each January, the board shall promulgate written policies and regulations concerning the administration of the written examination stated in Sec. 8-247.

Said written policies and regulations shall be maintained and made available to the public through the offices of the division of development services.

Sec. 8-243. Meetings of board.

The board shall hold regular meetings once each month in offices of the department of metropolitan development if there are one or more applications for licenses pending or other official business to come before the board. Special meetings may be called by the chairman or any two (2) members upon giving written notice fixing the time and place of the meeting at least two (2) days in advance of the special meeting. Three (3) appointed members of the board shall constitute a quorum for the transaction of all business.

Sec. 8-244. Record of proceedings.

The board shall keep a summary record of its proceedings.

Sec. 8-245. Register of applications.

The board shall maintain a register of all persons, partnerships and corporations which apply for licensure and persons who apply for renewal of licensure under this division:

(a) If the applicant is a person the register shall show the date of application, the name of the applicant, the age, education, years of experience and other qualifications of the applicant, the addresses of the places of business and the residence of the applicant, the type of license for which application is made, whether the application is for an initial license or renewal of a license and whether the application was rejected or approved and the date of such action.

(b) If the applicant is a partnership the register shall show the date of application, the name of the partnership, the addresses of its places of business, names of all partners and their respective residential addresses, the type of license for which application is made and whether the application was rejected or approved and the date of such action.

(c) If the applicant is a corporation the register shall show the date of application, the name of the corporation, state of incorporation, addresses of its places of business, names of all officers and their respective residential addresses, the type of license for which application is made and whether the application was rejected or approved and the date of such action.

Sec. 8-246. Qualifications for a person to be licensed as a wrecking contractor.

A person shall be entitled to receive one license of the appropriate type as a wrecking contractor (either initially or by renewal of a license) if the following requirements are met:

(a) The person:

(1) Meets the written examination requirement stated in section 8-247, and the experience requirement stated in section 8-248; or

(2) Meets the equivalent examination requirement stated in section 8-249 and the experience requirement stated in section 8-248; or

(3) Meets the eligibility for renewal requirement stated in section 8-250; and

(b) The person does not presently have a license issued under this division suspended nor has he had such license revoked within a period of the preceding seven hundred thirty (730) days; and

(c) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 8-260 that the person is not eligible for license renewal; and

(d) The person has submitted an acceptable bond and certificates of insurance as required by sections 8-254 and 8-255 unless this requirement is relieved because such person either meets the partnership or corporate agent status requirement stated in section 8-251 or such person meets the inspector status requirement stated in section 8-252; and

(e) The person has paid the fee specified by section 8-87.

Unless these requirements are met a person shall not be entitled to a wrecking contractor's license of the appropriate type.

Sec. 8-247. Written examination.

The written examination requirement of section 8-246(a) is met by a person who demonstrates his understanding of the following subject matter areas by attaining a passing score ~~of at least seventy (70) per cent~~ on a written examination of the applicable type is required.

(a) General knowledge of the provisions of this chapter and their relevant ordinances of the consolidated city; and

(b) General knowledge of the rules and regulations of the administrative building council, state and federal agencies applicable in the consolidated city; and

(c) Expert knowledge about the proper, practical and safe methods of accomplishing wrecking.

(d) In the event a person fails to obtain a passing score on the written examination administered by the board, re-examination shall only be allowed pursuant to the written policies and regulations promulgated by the board under Sec. 8-242.

Sec. 8-248. Experience.

The experience requirement of section 8-246(a) is met by a person who has had at least the following number of years of practical work experience pertaining to wrecking, either in a supervisory capacity or as an operator of heavy equipment on wrecking sites:

Type A license.....6 years
Type B license.....4 years
Type C license.....2 years

Sec. 8-249. Equivalent examination.

The equivalent examination requirement of section 8-246(a) is met by a person who demonstrates, either orally or in writing, to the satisfaction of the board his familiarity with this chapter and presents evidence satisfactory to the board at one of its meetings that he currently practices the trade of a wrecking contractor and that he is presently licensed in good standing as a result of his successfully completing an examination administered by a licensure board for another state or another municipality which was then the equivalent in scope of subject matter and difficulty as the examination presently administered by the board for the applicable license type.

Sec. 8-250. Eligibility for license renewal.

The eligibility for renewal requirement of section 8-246(a) is met by a person who:

(a) Has held an unrevoked license of the same type (or any other type identified by a letter nearer the start of the alphabet) under this division within the preceding seven hundred thirty (730) days; or

(b) Has held an unrevoked license of the same type (or any other type identified by a letter nearer the start of the alphabet) under this division within the preceding one thousand four hundred sixty (1,460) days and demonstrates to the satisfaction of the board that during at least two (2) years of that period the person has been actively engaged, in the Consolidated City of Indianapolis or elsewhere, in wrecking.

Sec. 8-251. Partnership or corporate agent status.

The partnership or corporate agent status requirement of section 8-246(d) is met by a person who:

(a) Is a partner or employee of a partnership or an officer or employee of a corporation which is licensed under this division; and

(b) Does not make any use of his license as a wrecking contractor other than as an agent of the partnership or corporation.

Whenever such person has occasion to enter into a transaction or take action for which licensure under this division is required, he shall clearly state the fact he is acting as agent for an identified partnership or corporate principal.

Sec. 8-252. Inspector status.

The inspector status requirement of section 8-246(d) is met by a person who is employed full time by the division of ~~buildings~~/development services in a position in which he makes or supervises the making of inspections to determine compliance with building standards and procedures relating to wrecking, Article II provisions or this division of this chapter. Such a person shall not use a license as a wrecking contractor other than with respect to his employment by the Consolidated City of Indianapolis. Licensure under this section terminates by operation of law when the person is no longer employed by the division of ~~buildings~~/development services and does not meet the requirements of sections 8-254 and 8-255.

Sec. 8-253. Qualifications for a partnership or corporation to be licensed as a wrecking contractor.

A partnership or corporation shall be entitled to receive one license of the appropriate type as a wrecking contractor if the following requirements are met:

(a) At least one general partner (who is a person) or employee of a partnership or at least one officer or employee of a corporation holds a license of the same type (or any other type identified by a letter nearer the start of the alphabet) under this division that relative to which the partnership or corporation has made application; provided, however, that an unlicensed general partner or employee of a partnership or an unlicensed officer or employee of a corporation shall be deemed to fulfill the requirement of this paragraph if such person is prevented from meeting the requirements of section 8-246 for licensure of the applicable type solely because the person cannot comply with the requirements of section 8-251 because the partnership or corporation of which he is a partner or employee or officer or employee is not licensed under this division and such partner or employee or officer or employee is not licensed under this division and such partner or employee or officer or employee has submitted an application for licensure so that the licenses of the partner or employee and partnership or officer or employee and corporation can be approved and issued simultaneously; and

(b) The partnership or corporation does not presently have a license issued under this division suspended nor has it had such a license revoked within a period of the preceding seven hundred thirty (730) days; and

(c) The board has not, within the preceding three hundred sixty-five (365) days, determined in accordance with section 8-260 that the partnership or corporation is not eligible to receive a successor license; and

(d) The partnership does not presently have a partner or the corporation does not presently have an officer who has a license under this division presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of the ineligibility of license renewal within the preceding three hundred sixty-five (365) days; and

(e) The partnership does not presently have a partner or the corporation does not presently have an officer, who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or officer in a corporation licensed under this division at the time when actions related to policies or practices of the partnership or corporation occurred which provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than one year, or a determination made of ineligibility for receipt of a successor license; and

(f) The partnership or corporation has submitted an acceptable bond and certificates of insurance as required by sections 8-254 and 8-255; and

(g) The partnership or corporation has paid the fee specified by Article II, Division 6 of this chapter.

Unless these requirements are met a partnership or corporation shall not be entitled to a wrecking contractor's license of the appropriate type.

Sec. 8-254. Bond.

(a) Before a license is issued by the division of ~~building~~ development services to any person, partnership or corporation, the administrator shall require the applicant to file a surety bond in the amount of thirty thousand dollars ($30,000.00) in the case of a type A license, twenty thousand dollars ($20,000.00) in the case of a type B license and ten thousand dollars ($10,000.00) in the case of a type C license. The bond shall be maintained in full force and effect for ~~each period between January 1st~~ and

and December 31st (or the balance of the licensure period if it is shorter), a period of not less than one year. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

(1) Issued by a surety authorized to do business in Indiana;

(2) Payable to the Consolidated City of Indianapolis or an unknown third party as obligee;

(3) Conditioned upon:

a. Compliance with requirements set forth in this chapter which must be met to retain licensure; and

b. Prompt payment of all fees owed the consolidated city as set forth in this chapter; and

c. Prompt payment to the Consolidated City of Indianapolis for any loss or expense for damages to property of the Consolidated City of Indianapolis caused by any action of the contractor, his agents or employees, principals, subcontractors, materialmen or suppliers in violation of building standards and procedures while engaged in any wrecking or any related construction activity; and

d. Prompt payment to a person, partnership or corporation which is an unknown third party obligee for any:

1. Losses arising out of violation,

2. Expenses necessary to correct violations, and

3. Court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violations of building standards and procedures caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in wrecking or any related construction activity.

However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or workmanship violates requirements of building standards and procedures.

(b) The administrator may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of thirty thousand dollars ($30,000.00) in the case of a type A license, twenty thousand dollars ($20,000.00) in the case of a type B license and ten thousand dollars ($10,000.00) in the case of a type C license if the city controller approves the obligor financial institution as being financially responsible and if the corporation counsel approves the letter of credit as affording the same protections to the City of Indianapolis and an unknown third party as the protections afforded by the surety bond.

(c) The obligation of the surety and financial institution relative to this bond or letter of credit is limited to thirty thousand dollars ($30,000.00) in the case of a type A license, twenty thousand dollars ($20,000.00) in the case of a type B license and ten thousand dollars ($10,000.00) in the case of a type C license. A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit. If written notice is received of claims which exceed the unpaid penalty of the bond or undisbursed balance of the letter of credit, the surety or financial institution shall pro-rate payment according to the amount of such claims.

Sec. 8-255. Insurance.

The insurance requirements are met if the person, partnership or corporation secures insurance covering all wrecking and related construction activity accomplished by the licensee or under permits obtained by the licensee and thereafter maintains such insurance in full force and effect:

(a) A public liability and property damage insurance policy assuring the licensee and naming the Consolidated City of Indianapolis as an " and providing also for the payment of any liability imposed by law on such licensee or the Consolidated City of Indianapolis arising out of operations being performed by or on behalf of the licensee in the minimum amounts of ~~three hundred thousand dollars ($300,000.00)~~ one million dollars ($1,000,000.00) for any occurrence relative to which there is injury or death to one or more persons, and ~~one hundred thousand dollars ($100,000.00)~~ five hundred thousand dollars ($500,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the administrator of the division of ~~buildings~~ development services.

(b) Workmen's compensation insurance covering the personnel employed for death or injury arising out of operations being performed by or on behalf of the licensee. A certificate of such insurance shall be delivered to the administrator of the division of ~~buildings~~ development services. This provision shall not apply if the licensee has no employees and gives appropriate notice to the division of ~~buildings~~ development services.

The insurance carrier shall give notice both to the licensee and the division of ~~buildings~~ development services at least fifteen (15) days before such insurance is either canceled or not renewed, and the certificate shall state this obligation.

Sec. 8.256. Types of license.

There shall be three (3) types of license approved by the board pursuant to this division:

(a) The type A license authorizes the holder thereof to wreck structures without limitation;

(b) The type B license authorizes the holder thereof to wreck structures up to seventy-five (75) feet in height;

(c) The type C license authorizes the holder thereof to wreck woodframe and solid masonry structures not exceeding three (3) stories or fifty (50) feet in height, whichever is less.

Sec. 8-257. Board's approval for licensure.

Approval for licensure of a person, partnership or corporation as a wrecking contractor of the appropriate type shall be in writing signed by a majority of the board. The board may, however, by resolution agreed to by a majority of the board delegate to one of its officers or the administrator of the division of ~~buildings~~ development services authority to approve applications for licensure or renewal of licensure on behalf of the board in instances where the applicant is a person whose eligibility for license renewal is established by section 8-250(a) or the applicant is a partnership or corporation.

Upon delivery of such approval a wrecking contractor's license of the appropriate type shall be issued by the controller for a period of one year, ~~or for the remainder of the calendar year following the issuance of said license, whichever time is shorter. All licenses shall expire on the thirty-first day of December each year.~~ No license shall be issued by the controller to any person, partnership or corporation as a wrecking contractor except as provided in this division.

Sec. 8-258. License personal, not transferable.

No license issued under the provisions of this division shall be assigned or transferred.

Sec. 8-259. Supervision by licensee.

All wrecking shall be accomplished under the direction and control of either:

(a) The licensed person who applied for the building permit; or

(b) If the building permit has been transferred, the licensed person who is the applicant representing the transferee of the building permit; or

(c) If the applicant for the building permit no longer is able or desires to continue his responsibilities and obligations as the applicant and the obtainer of the building permit is a partnership which has a licensed person as a partner or a corporation which has a licensed person as an officer who meets the requirements imposed by section 8-31 to apply for such a building permit in the first instance, such licensed partner or officer upon his notifying (using a form furnished by the division of ~~buildings~~ development services) the administrator of his assumption of the responsibilities and obligations of the applicant for the specified building permit.

The licensed person providing direction and control shall specify work processes and supervise the person or persons accomplishing the wrecking. Such licensed person or a competent person responsible to him must be present at the site when any significant wrecking occurs.

Sec. 8.260. License suspension, revocation or determination of ineligibility for renewal for a person.

The board may, under section 8-262, suspend the license of a person for a period of up to seven hundred thirty (730) days, revoke the license of a person, or determine on the basis of activities carried out while licensed that a person who is or has been licensed within the previous three hundred sixty-five (365) days is ineligible for license renewal, if one of the following is shown:

(1) The licensee made any materially false statement of fact either to the board or on his application for license renewal; or

(2) The licensee acted fraudulently in the license examination; or

(3) The licensee (but not including licensees who are exempt because of compliance with the requirements of section 8-251 or section 8-252) failed to post and maintain the surety bond and insurance required by sections 8-254 and 8-255; or

(4) The licensee acted fraudulently or with deceit in his relationship with other persons, partnerships or corporations with which he dealt in connection with wrecking; or

(5) Wrecking for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or

(6) The licensee failed to correct a violation of building standards and procedures relative to wrecking for which the licensee was responsible as applicant for the permit or applicant representing the transferee of the permit, after the administrator of the division of buildings issued notice of a building code violation revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of "Othe notice of"o the building code violation, revocation of permit or stop-work order, or in the instance when a period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or

(7) The licensee has consistently failed to apply for or obtain required applicable permits for wrecking accomplished by the licensee or under his supervision; or

(8) The licensee has consistently failed to give notice of availability for inspection at designated stages of wrecking as required by section 8-61; or

(9) The licensee has consistently failed to timely file certificates of completion and compliance for wrecking relative to which he was the applicant for the permits or applicant representing the transferee of the permits; or

(10) The licensee, excluding licensees who meet the inspector status requirement of section 8-252, has not for a period of five (5) continuous years accomplished or supervised the accomplishment of a significant amount of wrecking; or

(11) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 8-254 and 8-255 by meeting the inspector status requirements of section 8-252, but is no longer employed by the division of buildings and does not meet the requirements of sections 8-254 and 8-255; or

(12) The licensee qualified for licensure without meeting the bond and insurance requirements of sections 8-254 and 8-255 by meeting the partnership or corporate agent requirements of section 8-251 but, without presently meeting the requirements of sections 8-254 and 8-255, either he:

a. Is no longer a partner or employee of a partnership or an officer or employee of a corporation licensed under this division; or

b. He made use of his license other than as an agent of the partnership or corporation named in his application; or

(13) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in other fees owed pursuant to this chapter; or

(14) The licensee has failed to give proper supervision to wrecking in accordance with the requirements of section 8-259; or

(15) The licensee holding a type B or type C wrecking license has accomplished (without supervision by a licensee of the appropriate type) or supervised the accomplishment of wrecking without having the type license which is required for such construction activity; or

(16) The licensee has attempted to conceal or has concealed violations of building standards and procedures.

Sec. 8-261. License suspension, revocation or determination of ineligibility for receipt of a successor license for a partnership or corporation.

The board may, under section 8-262, suspend the license of a partnership or corporation for a period of up to seven hundred thirty (730) days, revoke the license of a partnership or corporation, or determine on the basis of activities carried out while licensed within the previous three hundred sixty-five (365) days that the partnership or corporation is ineligible to receive a successor license, if one of the following is shown:

(1) A materially false statement of fact was made to the board by an agent of the licensee or placed on the licensee"s application for license; or

(2) The licensee failed to post and maintain a surety bond and insurance required by sections 8-254 and 8-255; or

(3) An agent of the licensee acted fraudulently or with deceit in its relationship with other persons, partnerships or corporations with which it dealt in connection with wrecking; or

(4) Wrecking for which the licensee was responsible as obtainer of the permit or as transferee of the permit was performed either incompetently or in such manner that it does not meet standards of reasonable workmanship or compliance with building standards and procedures; or

(5) The licensee failed to correct a violation of building standards and procedures relative to wrecking for which the licensee was responsible as obtainer of the permit or as transferee of the permit, after the administrator of the division of buildings issued notice of a building code violation, revoked a building permit or issued a stop-work order and the violation(s) causing any of these actions remained uncorrected for a period of ten (10) days from the date of issuance of the notice of the building code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time as was fixed by the administrator in writing; or

(6) The licensee has consistently failed to obtain required applicable permits for wrecking accomplished by the licensee; or

(7) The licensee has consistently failed to give notice of availability for inspection at designated stages of wrecking as required by section 8-61; or

(8) The licensee has consistently failed to timely file certificates of completion and compliance, as required, for wrecking accomplished pursuant to his license; or

(9) The licensee has not properly paid the fee specified by section 8-87 for a license which has been issued or is delinquent in the payment of fees owed pursuant to this chapter; or

(10) If a partnership does not have a licensed person as a general partner or employee, or if a corporation, does not have a licensed person as an officer or employee; or

(11) The partnership presently has a partner or the corporation presently has an officer who has a license under this division presently suspended or who has had such a license revoked within the preceding seven hundred thirty (730) days or a determination made of ineligibility of license renewal within the preceding three hundred sixty-five (365) days; or

(12) The partnership presently has a partner or the corporation presently has an officer who, within the previous three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation licensed under this division at the time when actions related to policies or practices of the partnership or corporation occurred which

provided the primary basis on which the license of the partnership or corporation was revoked, suspended for more than three hundred sixty-five (365) days, or a determination made of ineligibility for receipt of a successor license; or

(13) Wrecking, for which the licensee holding a type B or type C wrecking license is responsible as obtainer of the permit or as transferee of the permit, was performed without the licensee having the type license which is required for such wrecking activity; or

(14) The licensee has attempted to conceal or has concealed violations or building standards and procedures.

Sec. 8-262. Hearing and appeal.

(a) The date and place for a revocation or suspension hearing shall be fixed by the board and at least ten (10) days before such date a written notice of the general nature of the charges, prepared by the division of ~~buildings~~ development services, and of the time and place of the hearing thereon, shall be served upon the licensee, either by hand delivery to the charged person or to a partner of a charged partnership or officer of a charged corporation, or by certified mail with return receipt requested, addressed to the licensee at his main place of business as shown by the licensee"s application for license or license renewal. The ten (10) or more days shall run from the date such notice is mailed. In the instance where charges are made which have a similar factual basis and a business relationship exists (as, for example, charges against two ½2¼ licensed partners or charges against a licensed corporation and a licensed corporate officer), the board may hear evidence relative to two (2) or more charges at the same hearing.

(b) The licensee may appear in person or by counsel and produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The division of ~~buildings~~ development services shall have the same right. The board may cause or allow any other relevant evidence to be introduced. On the basis of evidence presented at the hearing, the board shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and a copy thereof has been served upon the licensee, in the manner required for notice of the hearing.

(c) On or before ten (10) days after service of said order, the licensee may appeal therefrom to the director of the department of metropolitan development, by serving a notice of appeal upon the director either in person or by filing it at his office, with a copy thereof delivered to the board at the office of the administrator of the division of ~~buildings~~ development services, who shall deliver such copy to the board. Unless such appeal is so taken, the order of the board shall be final.

(d) If so appealed, the order of the board shall be stayed until the appeal is heard and determined by the director of the department of metropolitan development or a representative designated in writing (but not an employee of the division of ~~buildings~~ development services) by the director, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The director or his representative shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the board. The order of the director or his representative shall be final and conclusive and be binding upon both the licensee and the board.

Secs. 8-263. - 8-269. Reserved.

DIVISION 6. REGISTRATION OF PLUMBING CONTRACTORS

Sec. 8-270. Registration.

Any person or corporation which is licensed by the Indiana Plumbing Commission as a plumbing contractor pursuant to Public Law 188 of the Acts of 1972, as amended, and which performs any work within the Consolidated City of Indianapolis which it is privileged to accomplish pursuant to such license shall register with the administrator of the division of ~~buildings~~ development services. Such registration shall be accomplished by annually paying a fee specified by section 8-87 and by furnishing the following information on a form supplied by the division ~~buildings~~ development services:

(a) Name of business;

(b) Legal status (whether sole proprietor, member of partnership or corporation);

(c) Address of business;

(d) The identification number of the license issued by the Indiana Plumbing Commission;

(e) In the instance of a corporation which is a licensed plumbing contractor, the name of all corporate officers or employees who hold a plumbing contractor's license and are authorized by the corporation to obtain building permits on behalf of the corporation

for construction activity relative to which state licensure as a plumbing contractor is required.

Such registration shall expire on December 31st of the year of registration, or at such earlier time as the person or corporation is not licensed by the Indiana Plumbing Commission as a plumbing contractor.

Sec. 8-271. - 279. Reserved.

SECTION 2. This ordinance shall be in full force and effect from and after January 1, 1986; except that general contractors currently listed under Sections 8-160 through 8-175 shall not be required to meet the increased bond and insurance levels found in Sections 8-168 and 8-169 until such time as their current listing expires or until July 31, 1986, whichever is sooner.

'ROPOSAL NO. 785, 1985. This proposal establishes a reserve fund for the Advanced Wastewater Treatment Plant. Councillor West explained that repairs n this field can be very costly. Funds from the user fee will be set aside each year vhich could fund certain repairs at the Advanced Wastewater Treatment Plant. The Fund should decrease the frequency and dollar amount of future bond issues. The Public Works Committee on December 5, 1985, recommended Proposal No. '85, 1985, Do Pass As Amended by a 5-0 vote. Councillor West moved, seconded y Councillor Coughenour, for adoption. Proposal No. 785, 1985, was adopted n the following roll call vote; viz:

23 AYES: Boyd, Bradley, Clark, Cottingham, Coughenour, Curry, Durnil, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, Strader, West
NO NAYS
5 NOT VOTING: Borst, Crowe, Dowden, Howard, Page

Proposal No. 785, 1985, was retitled GENERAL ORDINANCE NO. 109, 1985, nd reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 109, 1985
Proposal No. 785, 1985

A GENERAL ORDINANCE establishing a reserve fund for the advanced wastewater treatment plant.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article IV of Chapter 27 of the Code of Indianapolis and Marion County, Indiana, is hereby amended by adding a new Section 27-111.1, which reads as follows:

Sec. 27-111.1. Advanced wastewater treatment facilities reserve fund.

(a) Effective in fiscal year 1985, there is hereby created a special fund to be designated as the "advanced wastewater treatment facility reserve fund", in the division of finance, under the controller.

(b) This fund shall be a continuing fund, with all balances remaining therein at the end of each calendar year and no such balances shall lapse into the city or county general funds or ever be diverted, directly or indirectly, in any manner, to any other uses than for capital expenditures for the repair, remodeling, addition to, or replacement of major facilities at the city"s advanced wastewater treatment plant. Such "major facilities" shall be limited to capital equipment with an anticipated useable life in excess of at least fifteen (15) years, the replacement cost of which is in excess of two hundred thousand dollars ($200,000).

(c) The fund shall be created by the transfer from sanitation general of revenues from the sewer user fees and pretreatment charges established under this chapter, in any amount not to exceed One Million Two Hundred Thousand Dollars ($1,200,000). The accumulated fund balance shall not exceed Five Million Dollars ($5,000,000).

(d) Monies from this reserve fund shall be appropriated in accordance with IC 36-3-6-6.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 786, 1985. This proposal amends the Code with regard to changing various parking, stopping, standing and parking meter zone regulations at various lcoations. PROPOSAL NO. 787, 1985. This proposal amends the Code with regard to changing various parking, stopping, standing and parking meter zone regulations at various locations. PROPOSAL NO. 788, 1985. This proposal amends the Code with regard to changing various parking, stopping, standing and parking meter zone regulations at various locations. Councillor Gilmer explained that all three proposals concern streets within the Central Business District and that the proposals are necessary to ensure that posted regulations are consistent with what is contained in the Code. The Transportation Committee on December 4, 1985, recommended Proposal Nos. 786, 787, and 788, 1985, Do Pass As Amended by a 5-0 vote. The amendments were technical in nature to correct typographical and drafting errors. Councillor Gilmer moved, seconded by Councillor McGrath, for adoption. Proposal Nos. 786, 787, and 788, 1985, As Amended, were adopted on the following roll call vote; viz:

21 AYES: Borst, Boyd, Bradley, Clark, Coughenour, Curry, Durnil, Giffin, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, SerVaas,

Shaw, Stewart, Strader, West
NO NAYS
7 NOT VOTING: Cottingham, Crowe, Dowden, Gilmer, Howard, Page, Schneider

Proposal No. 786, 1985, was retitled General Ordinance No. 110, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 110, 1985
Proposal No. 786, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by changing various parking, stopping, standing and parking meter zone regulations at various locations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

College Avenue, on both sides, from Thirty-eighth Street to Thirty-ninth Street;

College Avenue, on both sides, from Washington Street to Market Street;

College Avenue, on both sides, from Sixty-fourth Street to Seventy-first Street;

College Avenue, on the west side, from a point 106.5 feet north of the north curbline of Thirty-eighth Street to a point 201.5 feet north of the north curbline of Thirty-eighth Street;

East Street, on the east side, from Virginia Avenue to Louisiana Street;

East Street, on the east side, from Washington Street to Court Street

East Street, on the west side, from Stevens Street to Louisiana Street;

Kentucky Avenue, on both sides, from Georgia Street to White River Parkway;

Kentucky Avenue, on both sides, from White River Parkway to the city limits;

Kentucky Avenue, on the northwest side, from Senate Avenue to a point 90 feet west of Senate Avenue;

Kentucky Avenue, on the southeast side, from Senate Avenue to the Belt Railroad;

Kentucky Avenue, on the southeast side, from Stock Street to the Belt Railroad elevation;

Noble Street, on the west side, from Walnut Street to the first alley north of Walnut Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated

locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
from 7:00 a.m. to 9:00 a.m.

College Avenue, on the west side, from Thirty-eighth Street to Massachusetts Avenue;

East Street, on both sides, from North Street to Washington Street;

East Street, on the west side, from Tenth Street to North Street;

Kentucky Avenue, on both sides, from Maryland Street to West Street;

Kentucky Avenue, on the southeast side, from West Street to the Belt Railroad;

ON ANY DAY EXCEPT SATURDAY AND SUNDAY
from 6:00 a.m. to 9:00 a.m.

College Avenue, on the east side, from a point 100 feet north of the north curbline of Forty-second Street, north for a distance of 100 feet;

East Street, on both sides, from North Street to Tenth Street;

Kentucky Avenue, on both sides, from West Street to the west city limits;

from 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.

East Street, on the east side, from Washington Street to North Street;

Kentucky Avenue, on both sides, from Maryland Street to West Street;

from 3:00 p.m. to 6:00 p.m.

College Avenue, on the east side, from Fall Creek Parkway, North Drive, to Forty-second Street;

East Street, on the east side, from Washington Street to North Street;

East Street, on the west side, from Ohio Street to South Street;

Kentucky Avenue, on both sides, from West Street to the west city limits;

Noble Street, on both sides, from Washington Street to Massachusetts Avenue;

from 4:00 p.m. to 6:00 p.m.

East Street, on both sides, from Washington Street to North Street;

East Street, on the east side, from North Street to St. Clair Street;

East Street, on the east side, from Washington Street to the first railroad elevation south of Washington Street;

Kentucky Avenue, on both sides, from Maryland Street to South Street;

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS OR HOLIDAYS
from 7:00 a.m. to 9:00 a.m.

Noble Street, on both sides, from Washington Street to Massachusetts Street.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-272, Parking time restricted on designated days, be and same is hereby amended by the deletion of the following, to wit:

NINETY MINUTES
ON ANY DAY EXCEPT SUNDAY
from 7:00 a.m. to 6:00 p.m.

College Avenue, on both sides, from Fifty-eighth Street to Sixtieth Street;

College Avenue, on both sides, from a point 300 feet south of the south curbline of Forty-second Street to a point 300 feet north of the north curbline of Forty-second Street;

Kentucky Avenue, on the northwest side, from Oliver Avenue to the White River bridge;

Noble Street, on both sides, from Michigan Street to Massachusetts Avenue;

Noble Street, on the west sice, from Washington Street to Louisiana Street;

ON ANY DAY EXCEPT
SUNDAYS AND HOLIDAYS
from 7:00 a.m. to 6:00 p.m.

College Avenue, on both sides, from Fifty-second Street north for a distance of 250 feet;

College Avenue, on both sides, from Fifty-second Street south for a distance of 250 feet.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

ONE HOUR

College Avenue, on both sides, from a point 270 feet south of the south line of Forty-second Street to a point 280 feet north of the north line of Forty-second Street on the east side of College Avenue and to a point 380 feet north of the north line of Forty-second Street on the west side of College Avenue;

College Avenue, on both sides, from Watson Road to Thirty-ninth Street;

College Avenue, on the east side, from approximately 30 feet north of the north end of the curved curbing at the northeast corner of College Avenue and Fairfield Avenue to a point approximately 45 feet north thereof;

Kentucky Avenue, on both sides, from Washington Street to Georgia Street;

TWO HOURS

East Street, on both sides, from South Street north to the first railroad underpass;

East Street, on both sides, from Washington Street to St. Clair Street;

East Street, on both sides, from Washington Street south to the first railroad underpass.

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same hereby amended by the addition of the following, to wit:

College Avenue, on the east side, from a point 159 feet south of Broad Ripple Avenue to Ninety-sixth Street;

College Avenue, on the west side, from a point 250 feet south of Broad Ripple Avenue to Ninety-sixth Street;

College Avenue, on the east side, from Watson Road to Thirty-ninth Street;

East Street, on the east side, from Virginia Avenue to Expire Street.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

College Avenue, on the west side, from Washington Street to Market Street.

SECTION 7. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAY AND SUNDAY
from 6:00 a.m. to 9:00 a.m.
from 3:00 p.m. to 6:00 p.m.

College Avenue, on the east side, from New York Street to Walnut Street;

College Avenue, on the east side, from Fairfield Avenue to Watson Road;

Delaware Street, on the east side, from Pearl Street to Court Street.

SECTION 8. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-283, Parking meter zones designated be, and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Delaware Street, on the west side, from Miami Street to Michigan Street;

East Street, on the west side, from Ohio Street to Washington Street.

SECTION 9. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 787, 1985, was retitled GENERAL ORDINANCE NO. 111, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 111, 1985
Proposal No. 787, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by changing various parking, stopping, standing and parking meter zone regulations at various locations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

Ohio Street, on the north side, from Delaware Street to Pennsylvania Street;

Ohio Street, on the south side, from Delaware Street to Hudson Street;

Ohio Street, on the south side, from Noble Street to Highland Avenue;

New York Street, on the north side, from Alabama Street to Ogden Street;

New York Street, on the north side, from the Indianapolis Water Company Canal to Ellsworth Street;

New York Street, on the south side, from Delaware Street to Pennsylvania Street;

New York Street, on the south side, from Pennsylvania Street to Delaware Street;

New York Street, on the south side, from West Street to Capitol Avenue.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

Ohio Street, on the north side, from Illinois Street to Pierson Street;

New York Street, on both sides, from Pennsylvania Street to Arsenal Street;

West New York Street, on the north side, from North Pierson Street to North Meridian.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
from 6:00 a.m. to 9:00 a.m. and
rom 3:00 p.m. to 6:00 p.m.

Ohio Street, on the south side, from Pennsylvania Street to Delaware Street; from 7:00 a.m. to 9:00 a.m.

Ohio Street, on both sides, from Delaware Street to East Street;

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
6:00 a.m. to 9:00 a.m.

New York Street, on the north side, from East Street to Alabama Street;

from 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.

Ohio Street, on both sides, from West Street to Senate Avenue;

from 7:00 a.m. to 9:00 a.m. and
from 4:00 p.m. to 6:00 p.m.

Ohio Street, on the north side from Pierson Street to Pennsylvania Street;

Ohio Street, on the north side, from Senate Avenue to Illinois Street;

Ohio Street, on the south side, from Senate Avenue to Pennsylvania Street;

from 3:00 p.m. to 6:00 p.m.

New York Street, on both sides, from East Street to Alabama Street;

New York Street, on the north side, from West Street to Capitol Avenue;

from 4:00 p.m. to 6:00 p.m.

New York Street, on both sides, from West Street to Highland Avenue;

New York Street, on the north side, from West Street o Beauty Avenue;

New York Street, on the south side, from Highland Avenue to Sherman Drive;

ON ANY DAY EXCEPT SATURDAYS,
SUNDAYS AND HOLIDAYS
from 7:00 a.m. to 9:00 a.m.

Ohio Street, on the north side, from East Street to Arsenal Street

New York Street, on both sides, from West Street to Highland Avenue;

New York Street, on the south side, from Highland Avenue to Arsenal Avenue.

SECTION 4. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-272, Parking time restricted on designated days, be and same is hereby amended by the deletion of the following, to wit:

THIRTY MINUTES
ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
from 9:00 a.m. to 4:00 p.m.

Ohio Street, on the north side, from Pierson Street to Meridian Street;

NINETY MINUTES
ON ANY DAY EXCEPT SUNDAY
from 7:00 a.m. to 6:00 p.m.

New York Street, on the north side, from Gray Street to LaSalle Street.

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

TWENTY-FOUR MINUTES

Illinois Street, on the west side, from South Street to the first railroad underpass north of South Street;

Virginia Avenue, on both sides, from Washington Street to Maryland Street;

THIRTY MINUTES

Delaware Street, on the west side, from Market Street to Ohio Street;

King Avenue, on the west side, from Michigan Street to a point 90 feet north of Michigan Street;

Louisiana Street, on both sides, from McCrea Street to Meridian Street;

McCrea Street, on both sides, from Georgia Street to Jackson Place, effective between the hours of 9:00 a.m. and 6:00 p.m.;

Meridian Street, on the west side, from New York Street to Miami Street;

New York Street, on the north side, from Meridian Street to Pennsylvania Street;

Virginia Avenue, on the southwest side, from Pennsylvania Street to Delaware Street;

THIRTY-SIX MINUTES

Jackson Place, South Drive, on the north side, from Illinois Street to McCrea Street;

Louisiana Street, on both sides, from McCrea Street to Meridian Street;

McCrea Street, on the east side, from Jackson Place, North Drive, to Louisiana Street;

Washington Street, on the north side, from the first alley west of Missouri Street to West Street;

TWO HOURS

Ohio Street, on both side, from Meridian Street to Pennsylvania Street;

Ohio Street, on the south side, from Pennsylvania Street to Delaware Street;

Ohio Street, on the north side, from Senate Avenue to West Street;

Ohio Street, on the south side, from West Street to Senate Avenue, between 9:00 a.m. and 3:00 p.m.;

New York Street, on both sides, from Capitol Avenue to Senate Avenue;

West New York Street, on the north side, beginning at a point 24 feet east of North Meridian Street and running east 401 feet to a point 27 feet west of North Pennsylvania Street;

ONE HOUR

New York Street, on both sides, from Indiana Avenue to Meridian Street;

New York Street, on both sides, from Pennsylvania Street to Alabama Street.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the north side, from Illinois Street to Delaware Street;

Ohio Street, on the south side, from Illinois Street to Meridian Street;

New York Street, on both sides, from East Street to Arsenal Street;

New York Street, on the south side, from Arsenal Avenue to State Street.

SECTION 7. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
from 1:00 a.m. to 6:00 p.m.

Ohio Street, on the north side, from Capitol Avenue to Illinois Street;

New York Street, on both sides, from Pennsylvania Street to East Street;

New York Street, on the north side, from West Street to Pierson Street;

New York Street, on the south side, from West Street to Meridian Street.

SECTION 8. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
from 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.

Ohio Street, on the north side, from West Street to Capitol Avenue;

Ohio Street, on the north side, from Delaware Street to East Street;

Ohio Street, on the north side, from Pierson Street to Meridian Street;

Ohio Street, on the south side, from West Street to Illinois Street;

Ohio Street, on the south side, from Meridian Street to East Street;

from 4:00 p.m. to 6:00 p.m.

New York Street, on the south side, from Arsenal Avenue to LaSalle Street;

New York Street, on the south side, from Gale Street to Sherman Drive;

from 3:00 p.m. to 6:00 p.m.

New York Street, on the south side, from Sherman Drive to Emerson Avenue.

SECTION 9. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Ohio Street, on the north side, from West Street to Capitol Avenue;

Ohio Street, on the south side, from West Street to Illinois Street;

Ohio Street, on the south side, from Meridian Street to Delaware Street;

New York Street, on the north side, from Pierson Street to Pennsylvania Street.

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 788, 1985, was retitled GENERAL ORDINANCE NO. 112, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 112, 1985
Proposal No. 788, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", by changing various parking, stopping, standing and parking meter zone regulations at various locations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

Michigan Street, on the north side, from East Street to Noble Street;

Michigan Street, on the south side, from East Street to New Jersey;

North Street, on both sides, from Pennsylvania Street to Delaware Street;

Michigan Street, on the north side, from Kealing Avenue to Gale Street;

Michigan Street, on the north side, from LaSalle Street to the Belt Railroad;

Vermont Street, on the south side, from Alabama Street to New Jersey Street.

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

Michigan Street, on both sides, from Pennsylvania Street to Arsenal Avenue.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

ON ANY DAY EXCEPT SUNDAY
from 7:00 a.m. to 9:00 a.m.

Michigan Street, on both sides, from West Street to Noble Street;

Michigan Street, on the north side, from Noble Street to Sherman Drive;

Vermont Street, on both sides, from New Jersey Street to East Street;

Vermont Street, on both sides, from West Street to Massachusetts Avenue;

Vermont Street, on the north side, from Massachusetts Avenue to New Jersey Street;

ON ANY DAY EXCEPT SATURDAY AND SUNDAY
from 6:00 a.m. to 9:00 a.m. and from 3:00 p.m. to 6:00 p.m.

North Street, on the south side, from Indiana Avenue to Massachusetts Avenue;

Vermont Street, on the north side, from Pennsylvania Street to Delaware Street;

Vermont Street, on the south side, from Capitol Avenue to Meridian Street;

Vermont Street, on the south side, from Pennsylvania Street to Alabama Street;

Michigan Street, on the south side, from Oxford Street to Rural Street;

from 7:00 a.m. to 9:00 a.m.

Michigan Street, on the south side, from College Avenue, to the Indianapolis Union Railway Tracks;

from 6:00 a.m. to 9:00 a.m.

Michigan Street, on the north side, from Linwood Avenue to Ellenberger Parkway;

Michigan Street, on the north side, from Sherman Drive to Linwood Avenue;

from 3:00 p.m. to 6:00 p.m.

East Michigan Street, on the south side, from the Belt Railroad viaduct to LaSalle Street;

Michigan Street, on both sides, from College Avenue to Indiana Avenue;
Vermont Street, on the south side, from Capitol Avenue to Meridian Street;

Vermont Street, on the south side, from Pennsylvania Street to Alabama Street

North Street, on the south side, from Indiana Avenue to Massachusetts Avenue;

from 4:00 p.m. to 6:00 p.m.

Michigan Street, on both sides, from West Street to Noble Street;

Michigan Street, on the south side, from Noble Street to Sherman Drive;

Vermont Street, on both sides, from New Jersey Street to East Street;

Vermont Street, on both sides, from West Street to Massachusetts Avenue;

ON ANY DAY EXCEPT SATURDAYS
SUNDAYS OR HOLIDAYS
from 4:00 p.m. to 6:00 p.m.

North Street, on the south side, from Blake Street to West Street;

North Street, on the south side, from Indiana Avenue to Massachusetts Avenue;

from 8:00 a.m. to 9:00 a.m.

North Street, on both sides, from Oakland Avenue to Gray Street;

from 3:00 p.m. to 4:00 p.m.

North Street, on both sides, from Oakland Avenue to Gray Street.

SECTION 3. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-272, Parking time restricted on designated days, be and same is hereby amended by the deletion of the following, to wit:

NINETY MINUTES
ON ANY DAY EXCEPT SUNDAY
from 7:00 a.m. to 4:00 p.m.

Michigan Street, on the south side, from Eastern Avenue to Oxford Street;

Michigan Street, on the south side, from Noble Street to the Monon Railroad;

Michigan Street, on the south side, from Oakland Avenue to Sherman Drive;

from 7:00 a.m. to 6:00 p.m.

North Street, on both sides, from The Belt Railroad to Sherman Drive;

North Street, on both sides, from East Street to Noble Street;

North Street, on both sides, from Gray Street to LaSalle Street;

Michigan Street, on both sides, from Holmes Avenue to Pershing Street;

Michigan Street, on the north side, from Pershing Street to Belmont Avenue;

Michigan Street, on the north side, from Sherman Drive to a point 168 feet east of Sherman Drive;

Michigan Street, on the south side, from Arsenal Avenue to a point 150 feet east of Arsenal Avenue;

Michigan Street, on the south side, from Sherman Drive to a point 141 feet east of Sherman Drive;

from 9:00 a.m. to 4:00 p.m.

Michigan Street, on both sides, from Massachusetts Avenue to Noble Street;

Michigan Street, on the north side, from Meridian Street to Pennsylvania;

from 9:00 a.m. to 6:00 p.m.

Michigan Street, on the north side, from Noble Street to the Monon Railroad;

Michigan Street, on the north side, from Oakland Avenue to LaSalle Street;

Michigan Street, on the north side, from the Belt Railroad to Sherman Drive;

Michigan Street, on the north side, from Eastern Avenue to Rural Street;

ON ANY DAY EXCEPT
SUNDAYS AND HOLIDAYS
from 7:00 a.m. to 6:00 p.m.

North Street, on both sides, from Gray Street to Oakland Avenue.

SECTION 5. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

ONE HOUR

Vermont Street, on both sides, from Illinois Street to Capitol Avenue;

Vermont Street, on the north side, from Meridian Street to Illinois Street;

Vermont Street, on the south side, from Pierson Street to Illinois Street;

TWO HOURS

Michigan Street, on both sides, from Alabama Street to Senate Avenue;

North Street, on both sides, from East Street to Illinois Street, except the section of North Street between Delaware Street and Pennsylvania Street;

North Street, on both sides, from Illinois Street to Capitol Avenue;

Vermont Street, on both sides, from Capitol Avenue to Senate Avenue

Vermont Street, on both sides, from Meridian Street to Alabama Street;

Vermont Street, on both sides, from New Jersey Street to East Street;

Vermont Street, on both sides, from Senate Avenue to Canal Street;

Vermont Street, on the north side, from Alabama Street to New Jersey Street.

SECTION 6. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-267, Parking prohibited at all times on certain streets, be and the same hereby amended by the addition of the following, to wit:

Michigan Street, on the north side, from Sherman Drive to LaSalle Street.

SECTION 7. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-268, Stopping or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Michigan Street, on both sides, from East Street to Highland Avenue;

Michigan Street, on the north side, from Highland Avenue to Arsenal Avenue;

North Street, on both sides, from Delaware Street to Pennsylvania;

North Street, on the south side, from Pennsylvania Street to a point 150 feet west of Pennsylvania Street;

North Street, on the north side, from Fayette Street to a point 100 feet east of Senate Avenue;

North Street, on the north side, from Meridian Street to a point 125 feet east of Meridian Street.

SECTION 8. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-270, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
FROM 1:00 a.m. to 6:00 p.m.

Michigan Street, on both sides, from Pennsylvania Street to East Street;

Michigan Street, on the south side, from West Street to Meridian Street;

Michigan Street, on the north side, from West Street to Senate Avenue;

Michigan Street, on the north side, from Illinois Street to Meridian Street;

North Street, on both sides, from Delaware Street to Alabama Street;

Vermont Street, on the south side from Alabama Street to New Jersey Street.

SECTION 9. The "Code of Indianapolis and Marion County, Indiana", specifically, Chapter 29, Section 29-271, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT
SATURDAYS AND SUNDAYS
from 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.

Michigan Street, on the north side, from LaSalle Street to Arsenal Avenue;

Michigan Street, on the north side, from Senate Avenue to Illinois Street

North Street, on the south side, from Meridian Street to a point 150 feet west of Pennsylvania Street;

North Street, on the north side, from Pennsylvania Street to a point 125 feet east of Meridian Street;

North Street, on the north side, from Meridian Street to Illinois Street;

from 6:00 a.m. to 9:00 a.m.

Michigan Street, on the north side, from Sherman Drive to Ellenberger Parkway, West Drive;

Michigan Street, on the south side, from Rural Street to Highland Avenue;

from 3:00 p.m. to 6:00 p.m.

North Street, on the south side, from Senate Avenue to Meridian Street;

from 4:00 p.m. to 6:00 p.m.

Vermont Street, on the south side, from Capitol Avenue to Meridian Street;

Vermont Street, on the south side, from Pennsylvania Street to Alabama Street.

SECTION 10. The "Code of Indianapolis and Marion County, Indiana", Chapter 29, Section 29-283, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

TWO HOURS

Michigan Street, on both sides, from Meridian Street to Pennsylvania Street;

Michigan Street, on the north side, from Senate Avenue to Illinois Street;

North Street, on both sides, from Capitol Avenue to Pennsylvania Street;

Vermont Street, on both sides, from Senate Avenue to Alabama Street;

Vermont Street, on the north side, from Alabama to East Street;

Vermont Street, on the south side, from New Jersey Street to East Street.

SECTION 11. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 789, 1985. This proposal changes parking regulations on a portion of Lowry Road. PROPOSAL NO. 790, 1985. This proposal establishes intersection controls for Geist Harbours South Subdivision. PROPOSAL NO. 791, 1985. This proposal changes loading zone regulations for a portion of Ohio Street. On December 4, 1985, all three Proposals were discussed by the Transportation Committee. Proposal Nos. 789 and 791 received a Do Pass recommendation by a vote of 5-0, and Proposal No. 790, 1985, received a Do Pass recommendation by a vote of 4-1. Councillor Curry explained that he voted against Proposal No. 790 in Committee because of the legal drafting of the Proposal. It is Councillor Curry's opinion that since uncontrolled streets are outside of the City's maintenance district, they should not be listed in the ordinances. Councillor Gilmer moved, seconded by Councillor Bradley, for adoption of Proposal Nos. 789, 790 and 791, 1985. President SerVaas explained

that the roll call vote on Proposal No. 790, 1985, would be taken separately due to Councillor Curry's opposition. Proposal Nos. 789 and 791, 1985, were adopted on the following roll call vote; viz:

23 AYES: Borst, Boyd, Bradley, Clark, Cottingham, Coughenour, Curry, Dowden, Giffin, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Nickell, Rader, Rhodes, Schneider, SerVaas, Shaw, Stewart, West
NO NAYS
5 NOT VOTING: Crowe, Durnil, Howard, Page, Strader

Proposal No. 789, 1985, was retitled GENERAL ORDINANCE NO. 113, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 113, 1985
Proposal No. 789, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Section 29-267, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Lowry Road, on the west side, from Thirty-fourth Street to a point 250 feet south of Thirty-fourth Street.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 791, 1985, was retitled GENERAL ORDINANCE NO. 115, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 115, 1985
Proposal No. 791, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the deletion of the following, to wit:

Ohio Street, on the south side, from a point 134 feet west of Meridian Street to a point 194 feet west of Meridian Street

SECTION 2. The "Code of Indianapolis and Marion County, Indiana", Section 29-331, Passenger and materials loading zones, be and the same is hereby amended by the addition of the following, to wit:

Ohio Street, on the south side, from a point 122 feet west of Meridian Street to a point 229 feet west of Meridian Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 790, 1985, was adopted on the following roll call vote; viz:

15 AYES: Boyd, Cottingham, Dowden, Durnil, Gilmer, Hawkins, Holmes, Journey, McGrath, Miller, Rader, Rhodes, Shaw, Stewart, Strader
5 NAYS: Borst, Curry, Giffin, SerVaas, West
8 NOT VOTING: Bradley, Clark, Coughenour, Crowe, Howard, Nickell, Page, Schneider

Proposal No. 790, 1985, was retitled GENERAL ORDINANCE NO. 114, 1985, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 114, 1985
Proposal No. 790, 1985

A GENERAL ORDINANCE amending the "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Code of Indianapolis and Marion County, Indiana", Section 29-92, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

Base Map	Intersection	Preferential	Type of Control
7, Pg. 1	Catamaran Ct. & Catamaran Dr.	Catamaran Dr.	YIELD
7, Pg. 1	Catamaran Dr. & Halyard Way	Halyard Way	STOP
7, Pg. 1	Catamaran Dr. & Jib Ct.	Catamaran Dr.	YIELD
7, Pb. 1	Catamaran Dr. & Reef Ct.	Catamaran Dr.	YIELD

7, Pg. 1	**Courageous Dr. & Halyard Way**	**Halyard Way**	**STOP**
7, Pg. 1	**Halyard Way, Red Sail Ct., & White Sail Ct., (Pvt)**	**Halyard Way**	**YIELD**
7, Pg. 1	**Halyard Way & Running Tide Ct.**	**Halyard Way**	**STOP**
7, Pg. 1	**Halyard Way & Skipjack Dr.**	**Halyard Way**	**STOP**
7, Pg. 1	**Halyard Way & Tenacious Dr.**	**Halyard Way**	**STOP**

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The President recessed the City-County Council at 7:53 p.m. for purposes of convening the Fire Special Service District. A quorum being present, the President called the Fire Special Service District to order at 7:53 p.m.

SPECIAL SERVICE DISTRICT COUNCILS

FIRE SPECIAL SERVICE DISTRICT

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 784, 1985. This proposal amends the Code with regard to the Fire Merit Ordinance. Councillor Dowden explained that on December 4, 1985, the Public Safety and Criminal Justice Committee recommended Proposal No. 784, 1985, Do Pass As Amended, by a vote of 6-0. Councillor West questioned the membership of the Fire Merit Board. Proposal No. 784, 1985, would omit the requirement that members of the Board be residents of the Fire Special Service District; the new language states that the members of the Board would need to be a resident of the Consolidated City. Councillor Curry referenced the requirements for prospective members of the Merit Board, specifically, referring to the ordinance requiring them not to have been convicted of a felony in any state. Councillor Curry moved to Strike "in any state". Consent was given on the motion. Councillor Journey stated that additional study was needed on the

Proposal. She concurred with Councillor West that there were qualified residents living within the Fire Special Service District to be appointed to the Fire Merit Board. Councillor Journey moved, seconded by Councillor Clark, to send Proposal No. 784, 1985, Back to Committee. President SerVaas requested a voice vote on the motion. After hearing the AYES and NAYS, President SerVaas ruled that the motion carried, and Proposal No. 784, 1985, was sent back to Committee.

There being no further business for the Fire Special Service District Council, the President reconvened the City-County Council at 9:20 p.m.

Councillor SerVaas stated that since no further committee action was anticipated on Proposal Nos. 117, 187, 426, 554, 587, 646, and 647, 1985, it would be appropriate to delete them from the agenda at this time. With no objections from any Councillor, Proposal Nos. 117, 187, 426, 554, 587, 646, and 647, 1985, were Stricken by Consent.

ANNOUNCEMENTS AND ADJOURNMENT

Councillor Dowden announced that the next meeting of the Public Safety and Criminal Justice Committee would be December 18, 1985, at 5:00 p.m.

Councillor Cottingham announced that the next meeting of the County and Townships Committee would be December 19, 1985, at 4:00 p.m.

Councillor Coughenour announced that the next meeting of the Administration Committee would be December 23, 1985, at 4:00 p.m.

Councillor Gilmer announced that the Transportation Committee had no further meetings in 1985.

Councillor Durnil announced that the Parks and Recreation Committee would meet December 18, 1985, at 4:00 p.m.

There being no further business, upon motion duly made and seconded the meeting adjourned at 9:23 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-County Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 16th day of December, 1985.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the City-County Council

(SEAL)