

RESOLUTION NO. 2026-24

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF COLUMBIA CITY PRELIMINARILY APPROVING LEASE

WHEREAS, the Columbia City Building Corporation ("Building Corporation") has been organized pursuant to the Indiana Non-Profit Corporation Act of 1991 for the purpose of acquiring, renovating, constructing and equipping governmental buildings, for use by the City of Columbia City, Indiana ("City");

WHEREAS, the Common Council of the City ("Council") has preliminary determined that a need exists for the construction of an outdoor amphitheater, together with all necessary appurtenances, related improvements and equipment (collectively, "Project");

WHEREAS, a petition in eight (8) counterparts, signed by fifty-seven (57) taxpayers of the City, as certified by the Whitley County Auditor, which certification is attached hereto as **Exhibit A** (collectively, "Petition"), has been filed with this Council requesting the financing and construction of the Project and the leasing of the Project to the City;

WHEREAS, such Petition has been carefully considered and investigations have been conducted by this Council, both before and after the filing of said Petition;

WHEREAS, receipt of the Petition further demonstrates that a need exists for the financing and construction of the proposed Project, and this Council finds that the City cannot provide the necessary funds to pay the cost of the construction of the Project required to meet such need;

WHEREAS, it is deemed desirable to proceed with the necessary negotiations and all other steps looking toward the financing and construction of the Project by the Corporation and the lease of the Project to the City ("Lease");

WHEREAS, a proposed form of Lease for the Project with the Corporation ("Lease") has been drafted and submitted to this Council; and

WHEREAS, the Lease provides that lease rentals will be payable from any legally available revenues ("General Revenues") and, to the extent General Revenues are not sufficient, from an ad valorem property tax levied on all property taxpayers in the City ("Property Tax");

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, THAT:

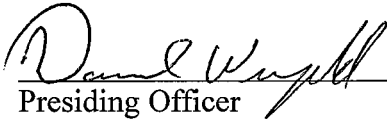
1. The Petition of taxpayers heretofore filed with the Council is hereby acknowledged and accepted.
2. A need exists for the financing of the cost of the Project, and that the Project cannot be financed from any funds available to the City, and that the Council proceed to take such steps as may be necessary to secure the financing and leasing of the Project as provided by the Indiana Code, Title 36, Article 1, Chapter 10.
3. Providing for the financing and construction of the Project by the Building Corporation and the leasing of same to the City is in the public interest of the citizens of the City and it is a proper public purpose for which the Council agrees to cooperate with the Building Corporation and to assist the Building Corporation in fulfilling the requirements of all agencies of the federal, state and City governments.
4. Upon the redemption or retirement of the bonds to be issued by the Building Corporation, the City will accept from the Building Corporation title to such Project, free and clear of any and all liens and encumbrances thereon except those liens and encumbrances that may exist and are set forth in the Lease.
5. The terms and conditions of the proposed form of Lease are herein agreed to as the basis for a hearing, as required by law, and that such hearing should be held by the Council upon the necessity for the execution of such Lease and whether the lease rental provided therein is a fair and reasonable rental for the proposed Project, prior to final determination of such questions, so that the Council may determine whether to execute such Lease as now written, or as modified, said hearing to be held on July 14, 2026 at 6:00 p.m. at City Hall, 112 S. Chauncey St., Columbia City, Indiana.
6. The Clerk-Treasurer is authorized and directed to publish a notice of such hearing as required by law.

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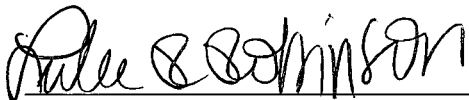
This resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

ALL OF WHICH IS RESOLVED by the Common Council of the City of Columbia City, Indiana, this 23rd day of June, 2026.

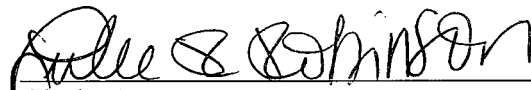
COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA


Presiding Officer

Attest:


Clerk-Treasurer

Presented by me to the Mayor of the City of Columbia City, Indiana on the 23rd
day of June, 2026, at 06 : 10 a.m./p.m.


Clerk-Treasurer

Presented to and approved by me, the Mayor of the City of Columbia City, Indiana and
signed on this 23rd day of June, 2026, at 06 : 10 a.m./p.m.

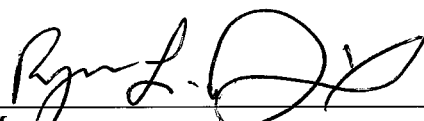

Mayor

EXHIBIT A

Certificate of Whitley County Auditor Re: Supporting Taxpayer Petition

CERTIFICATE OF THE WHITLEY COUNTY AUDITOR RE:
 PETITION REQUESTING THE CONSTRUCTION OF THE
 PROJECT AND LEASE FROM THE COLUMBIA CITY
 BUILDING CORPORATION

STATE OF INDIANA)
) SS:
 CITY OF WHITLEY)

I, Tiffany Deakins, the duly elected, qualified and acting Auditor of Whitley County, Indiana, hereby certify that I have examined the 8 counterparts of a petition addressed to the Common Council of the City of Columbia City, Indiana ("City"), requesting the construction of an outdoor amphitheater project, including all necessary appurtenances and equipment, in the City (collectively, the "Project") and lease from the Columbia City Building Corporation, which counterparts of said petition so examined by me are attached to this certificate.

I further certify that I have checked the signatures on the various counterparts of said petition with the tax records in my office; that all of the counterparts of said petition are verified by the affidavits of owners of taxable real estate located within the corporate limits of the City, and that said petition is signed by 57 owners of taxable real estate located within the corporate limits of the City, as shown more particularly by the following computation:

	Counterpart No.	Verified by the Affidavit of	Number of Signers	Taxable Real Estate	
				Owners	Non-Owners
1.	<u>1</u>	_____	<u>10</u>	<u>10</u>	_____
2.	<u>2</u>	_____	<u>10</u>	<u>10</u>	_____
3.	<u>3</u>	_____	<u>10</u>	<u>8</u>	<u>2</u>
4.	<u>4</u>	_____	<u>10</u>	<u>10</u>	_____
5.	<u>5</u>	_____	<u>10</u>	<u>10</u>	_____
6.	<u>6</u>	_____	<u>10</u>	<u>9</u>	<u>1</u>
7.	<u>7</u>	_____	<u>1</u>	_____	_____
8.	<u>8</u>	_____	<u>1</u>	_____	_____

Total number of persons signing petition 60

Total number of owners of taxable real estate 57

Total number of non-owners of taxable real estate 3

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of Whitley County, Indiana, on this, the 16 day of ~~May~~ June, 2026.

Tiffany Deaton
Auditor, Whitley County, Indiana

