

Personal
2/20/06

RESOLUTION NO. 2006-24

CITY CLERK-TREASURER
SEP 29 2005
RODNEY L. MEYERHOLTZ

A RESOLUTION APPROVING A DEDUCTION FROM
ASSESSED VALUATION FOR MANUFACTURING
EQUIPMENT IN AN ECONOMIC REVITALIZATION AREA
AND THE CONTINUING DESIGNATION OF AN
ECONOMIC REVITALIZATION AREA

WHEREAS, the City Council of Shelbyville, Indiana (the "Council") recognizes the need to stimulate growth and to maintain a sound economy within the corporate limits; and

WHEREAS, PK U.S.A., Inc. ("PK") is the owner of certain land and improvements (the "Real Estate") within Shelby County, Indiana and located in the City of Shelbyville; and

WHEREAS, said Real Estate was designated an Economic Revitalization Area in 1988 under Resolution No. 1988-27 and Ordinance No. 1937; and

WHEREAS, the Council has previously granted to PK tax abatements for the project described in said Resolution and Ordinance as well as several subsequent applications including Resolutions 1992-19, 1993-24, 1995-19, 1998-13, 2000-6, 2005-27 and 2005-31, 2005-32; and 2006-1; and

WHEREAS, PK has complied with the Statement of Benefits filed for said abatements; and

WHEREAS, PK has filed a new Statement of Benefits, State Form 27167, along with certain other information requested by the Council (collectively, the "Statement of Benefits") and requested ~~tax abatement for manufacturing equipment to be installed at PK on~~
~~said Real Estate (the "Project"); and~~

WHEREAS, pursuant to the provisions of IC 6-1.1-12.1 (the "Act"), any additional assessed value resulting from the purchase and installation of new manufacturing equipment is eligible for tax abatement.

BE IT RESOLVED by the Council (i) that the estimate of the cost of the new manufacturing equipment is reasonable for equipment of the type described by PK in its Statement of Benefits; (ii) that the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment; (iii) that the estimate of the annual salaries of the individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed installation of new manufacturing equipment; (iv) that the other benefits about which information was requested can be reasonably expected to result from the proposed installation of the new manufacturing equipment; (v) that the totality of benefits is more than sufficient to justify the deduction and the continuing designation of the Real Estate as an Economic Revitalization Area; and that none of the new manufacturing equipment shall be used to dispose of solid waste or hazardous waste by converting the solid waste or hazardous waste into energy or other useful products.

BE IT FURTHER RESOLVED by the Council that the Real Estate which is located at 600 Northridge Drive, Shelbyville, Shelby County, Indiana, is hereby confirmed as and found to be an Economic

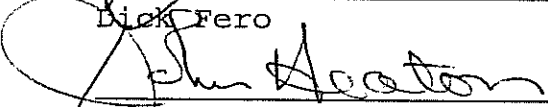
Revitalization Area and PK as Owner of the Real Estate shall be entitled to a deduction from the assessed value for a period of ten (10) years as to new manufacturing equipment pursuant to IC 6-1.1-12.1-4.5.

BE IT FURTHER RESOLVED that the Council, pursuant to IC 6-1.1-12.1-11.3 waives non-compliance with those provisions set forth in IC 6-1.1-12-1-11.3(a).

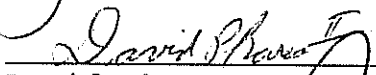
ADOPTED this 16th day of October, 2006.



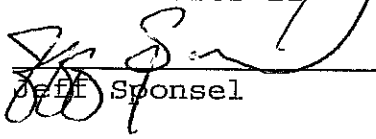
Dick Fero



John Heaton

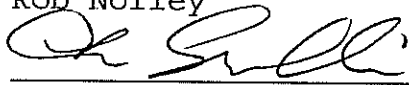


David Phares II




Jeff Sponsel

Rob Nolley



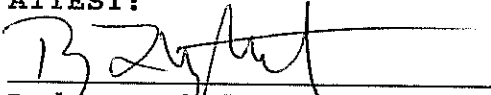
Tamara Sullivan



Kim Owens

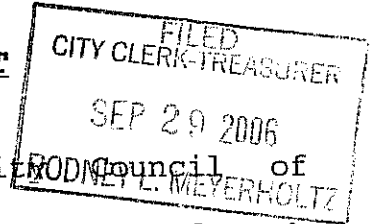
Scott Furgeson, Mayor
City of Shelbyville

ATTEST:



Rod Meyerholtz,
City-Clerk Treasurer

APPLICATION FOR TAX ABATEMENT



The undersigned hereby requests the City Council of Shelbyville, Indiana for Tax Abatement and, in support of such request, shows said Council as follows:

1. Owner's Name: PK U.S.A., Inc.
2. Owner's Address: c/o Peter G. DePrez
24 E. Polk, P.O. Box 718
Shelbyville, IN 46176
3. Name of person, firm, association, partnership or corporation intending to lease or buy owner's real estate if designated as an economic revitalization area: N/A
4. Legal description and commonly known address of property previously designated as economic revitalization area:

Common Address: 600 Northridge Drive, Shelbyville, IN 46176

Description attached hereto as "Exhibit A".
5. A map and plat are attached hereto as "Exhibit B".
6. Current zoning of area: M-2.
7. Will rezoning or variance be required? No.
8. 2005 assessed valuation of land: \$604,700.00
Improvements: \$17,118,400.00
2005 assessed value of personal property and of manufacturing equipment: \$13,579,960.00
9. Amount of property taxes payable during 2006:
Real Estate \$199,778.57 per half
Personal Property \$134,214.76 per half
10. Describe in detail the anticipated redevelopment or rehabilitation: None.
11. Date project will begin: October, 2006.
Completion date: November, 2006.
12. Estimated cost of redevelopment or rehabilitation: Not applicable.

13. Additional municipal services necessitated by the project: None

14. Description of new manufacturing equipment: Assembly Equipment for Nissan Project.

15. Estimated cost of new manufacturing equipment: \$35,000.00 to \$40,000.00.

16. Estimated installation of new manufacturing equipment date: November, 2006

17. Statement describing in what manner the property is an economic revitalization area as defined in I.C. 6-1.1-12.1-1(1): The reason the real estate continues to be qualified for designation as an Economic Revitalization Area is that the real estate is within the jurisdictional limits of the City of Shelbyville and had become undesirable for or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence or was technologically, economically or energy obsolete or other factors which had impaired values and prevented a normal development of property or use of property prior to the original designation, and the Company needs to update some equipment from a technological and economical aspect.

18. No new jobs will be created but the installation of the new manufacturing equipment will help to maintain current employment levels.

The undersigned owner hereby certifies that the foregoing information and representations are true and accurate this 27 day of September, 2006.

PK U.S.A., INC.

By 

Peter G. DePrez, Attorney for Applicant

BROWN, DePREZ & JOHNSON
24 E. Polk, P.O. Box 718
Shelbyville, IN 46176
317/398-2414 or 835-4456

LEGAL DESCRIPTION

Part of section 25, township 13 north, range 6 east and part of section 30, township 13 north, range 7 east in Shelby County, Indiana, more particularly described as follows:

Beginning at a point on the centerline of the Michigan Road (Old US 421) 17 feet south of the north line of the south half of section 30, township 13 north, range 7 east; thence south 22 degrees 12 minutes east along the centerline of said road 701.87 feet; thence north 89 degrees 56 minutes 34 seconds west 2282.06 feet; thence north 00 degrees 00 minutes 00 seconds 50.00 feet to the point of beginning of the following described tract: Running thence from said point of beginning north 89 degrees 56 minutes 34 seconds west 1477.35 feet to the northeast right of way line of the Conrail Railroad; thence north 49 degrees 04 minutes 50 seconds west along said right of way line 1979.62 feet; thence south 89 degrees 50 minutes 46 seconds east 2973.22 feet; thence south 00 degrees 00 minutes 00 seconds 1290.14 feet to the point of beginning.

EXCEPT,

Part of the southwest quarter of section 30, township 13 north, range 7 east in Shelby County, Indiana; more particularly described as follows:

Beginning at a point at a road nail on the centerline of the Michigan Road (formerly U.S. Highway 421) 17 feet south of the line dividing the north half and the south half of said section 30, and running thence north 89 degrees 56 minutes 00 seconds west 1748.90 feet to an iron pipe; thence north 00 degrees 29 minutes 00 seconds west 687.10 feet to an iron pipe; thence south 89 degrees 58 minutes 00 seconds west 358.50 feet to an iron pipe; thence south 00 degrees 29 minutes 00 seconds east 713.48 feet to the point of beginning of this tract: thence continuing south 00 degrees 29 minutes 00 seconds east 120.37 feet to an iron pipe; thence north 89 degrees 31 minutes 00 seconds east 200.00 feet to an iron pipe; thence north 00 degrees 29 minutes 00 seconds west 118.45 feet to an iron pipe, said pipe also being on the south line of a 27.0 foot easement; thence north 89 degrees 56 minutes 00 seconds west 200.00 feet along the south line of said easement to the point of beginning, subject to all existing legal highway rights of way and easements of record.

Together with a 27.00 feet easement for the purpose of ingress and egress more particularly described as follows:

Part of the south half quarter of section 30, township 13 north, range 7 east of the second principal meridian in Shelby County, Indiana more particularly described as follows:

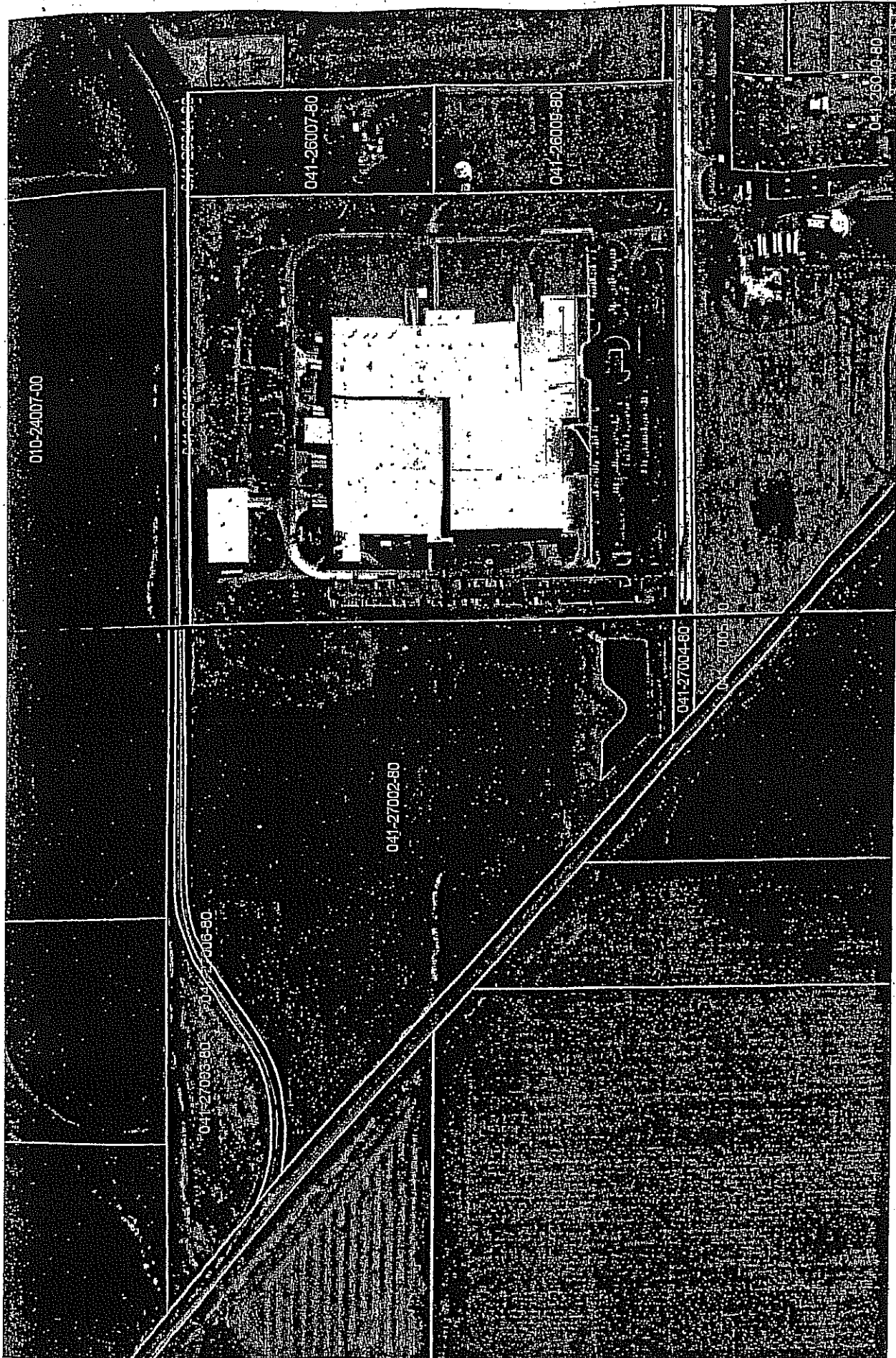
Beginning at a point at a road nail on the centerline of the

Michigan Road (formerly U.S. Highway 421) 17 feet south of the line dividing the north half and the south half of said section 30, and running thence north 89 degrees 56 minutes 00 seconds west 2107.40 feet along a fence line and its extension; thence south 00 degrees 29 minutes 00 seconds east 27.00 feet; thence south 89 degrees 56 minutes 00 seconds east 2118.48 feet to the centerline of said Michigan Road; thence north 22 degrees 19 minutes 00 seconds west 29.18 feet along the centerline of said Michigan Road to the point of beginning of this easement.

ALSO: Part of the southwest quarter of section 30, township 13 north, range 7 east in Shelby County, Indiana; more particularly described as follows:

Commencing at a point in the centerline of the Old Michigan Road where the north line of the south half of said section crosses said centerline said point also being 3169.80 feet east of the northwest corner of said southwest quarter section, said point being a road nail; thence south 22 degrees 19 minutes 00 seconds east (assumed bearing) 310.22 feet along the centerline of said road to a point; thence south 89 degrees 58 minutes 00 seconds west 382.10 feet; thence north 00 degrees 00 minutes 00 seconds 29.77 feet; thence south 89 degrees 58 minutes 00 seconds west 1232.28 feet to the point of beginning; thence continuing south 89 degrees 58 minutes 00 seconds west 419.93 feet; thence north 00 degrees 29 minutes 00 seconds west 99.20 feet; thence north 89 degrees 31 minutes 00 seconds east 20.45 feet to an iron pin, said iron pin being the southeast corner of a .55 acre tract; thence north 00 degrees 29 minutes 00 seconds west 118.45 feet to an iron pin, said iron pin being the northeast corner of a 0.55 acre tract; thence south 89 degrees 56 minutes 00 seconds east 399.48 feet; thence south 00 degrees 29 minutes 00 seconds east 216.92 feet to the point of beginning.

Subject to all existing legal rights-of-way and easements of record.



Shelbyville-Shelby County GIS

25 W. Polk St. Room 104 Shelbyville, Indiana 46176 Phone (317) 392-6354 Fax (317) 392-6382
E-mail jim.brown@co.shelby.in.us
Aerial Photography March 14, 2003



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (5-04)
Prescribed by the Department of Local Government Finance

**FORM
SB - 1 / PP**

FILED
CITY CLERK-TREASURER
SEP 29 2006

INSTRUCTIONS:

1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to installation of the new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment, **BEFORE** a deduction may be approved
3. To obtain a deduction, Form 322 ERA/PPME and/or Form 322 ERA/PP Other, must be filed with the county auditor. Form 322 ERA/PPME and/or Form 322 ERA/PP Other must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved after June 30, 1991 must submit Form CF-1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. The schedules established under IC 6-1.1-12.1-4(d) and IC 6-1.1-12.1-4.5(e) effective July 1, 2000 apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000 shall continue to apply to those statement of benefits filed before July 1, 2000.

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer
PK U.S.A., Inc.

Address of taxpayer (street and number, city, state and ZIP code)
600 Northridge Drive, Shelbyville, IN 46176

Name of contact person
William Kent

Telephone number
317-395-5403

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body
City Council of Shelbyville, Indiana

Resolution number
2006-24

Location of property
600 Northridge Drive, Shelbyville, IN County **Shelby** Taxing district **City of Shelbyville/Addison**

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment (use additional sheets if necessary)
See Exhibit A

	ESTIMATED	
	Start Date	Completion Date
Manufacturing Equipment	Oct., 2006	Nov., 2006
R & D Equipment	N/A	N/A
Logist Dist Equipment *	N/A	N/A
IT Equipment *	N/A	N/A

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
450	17,335,000	450	17,335,000	0	0

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.

	Manufacturing Equipment		R & D Equipment		Logist Dist Equipment *		IT Equipment *	
	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value
Current values	40,824,880	13,608,300.	(Includes value for Res. 2006-1)					
Plus estimated values of proposed project	35,000.	12,000.						
Less values of any property being replaced	-0-		-0-					
Net estimated values upon completion of project	59,880	13,620,300.						

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____ Estimated hazardous waste converted (pounds) _____

Other benefits:
N/A

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative _____ Title **Attorney** Date signed (month, day, year) **Sept. 27, 2006**

* See IC 6-1.1-12.1-2.3.

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

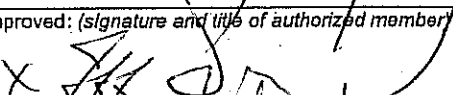

- A. The designated area has been limited to a period of time not to exceed N/A calendar years * (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
- | | |
|--|---|
| 1. Installation of new manufacturing equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ N/A cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to new research and development equipment is limited to \$ N/A cost with an assessed value of \$ _____.
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ N/A cost with an assessed value of \$ _____.
- F. The amount of deduction applicable to new information technology equipment is limited to \$ N/A cost with an assessed value of \$ _____.
- G. Other limitations or conditions (specify) None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction after July 1, 2000 is allowed for:

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> 1 year | <input type="checkbox"/> 6 years |
| <input type="checkbox"/> 2 years | <input type="checkbox"/> 7 years |
| <input type="checkbox"/> 3 years | <input type="checkbox"/> 8 years |
| <input type="checkbox"/> 4 years | <input type="checkbox"/> 9 years |
| <input type="checkbox"/> 5 years ** | <input checked="" type="checkbox"/> 10 years ** |

** For ERA's established prior to July 1, 2000 only a 5 or 10 year schedule may be deducted.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member) 	Telephone number 317-392-5103	Date signed (month, day, year) Oct. 16, 2006
Attested by 	Designated body City Council of Shelbyville, Indiana	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.5

PK U.S.A. EQUIPMENT

Assembly Equipment for Nissan Project \$35,000.00 to \$40,000.00

EXHIBIT A