

2007/2008
Personal
Real

CITY CLERK
NOV 08 2006
CORRECTION DEPARTMENT

RESOLUTION NO. 2006-28

A RESOLUTION APPROVING A DEDUCTION FROM ASSESSED VALUATION FOR REDEVELOPMENT OR REHABILITATION IN AN ECONOMIC REVITALIZATION AREA, A CONTINUATION OF THE DESIGNATION OF SUCH ECONOMIC REVITALIZATION AREA, AND WAIVER OF NON-COMPLIANCE

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

WHEREAS, PK U.S.A., Inc. is the owner of certain land and improvements (the "Real Estate") within the City of Shelbyville, Indiana (the "City"), a description of which is attached hereto as "Exhibit A"; and

WHEREAS, pursuant to the provisions of Ind. Code 6-1.1-12.1 (the "Act"), the Common Council, in Resolution 1988-27 and Ordinance No. 1937, adopted a final resolution and a final ordinance, wherein the Common Council acknowledged that the Real Estate 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, substandard buildings or other factors and designated the Real Estate an Economic Revitalization Area pursuant to the Act; and

WHEREAS, PK U.S.A., Inc. has obtained subsequent tax abatement for additional manufacturing equipment as well as certain rehabilitation or redevelopment on said Real Estate; and

Shelby County, Indiana, and as described in "Exhibit A", be, and it is hereby confirmed as and found to be an Economic Revitalization Area and the Owner of the Real Estate shall be entitled to a deduction from the assessed value of the Real Estate for such redevelopment and rehabilitation for a period of ten (10) years pursuant to I.C. 6-1.1-12.1-3, and said Real Estate described in "Exhibit A" shall remain designated an Economic Revitalization Area, which area is located east of the Conrail Railroad, north of Northridge Drive, west of Pilkington and south of Beechbrook Addition, Shelbyville, Indiana.

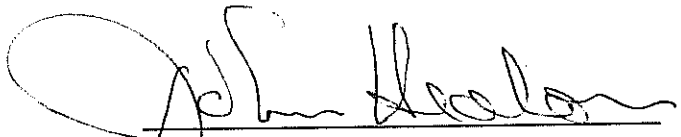
BE IT FURTHER RESOLVED that the Council, pursuant to IC 6-1.1-12.1-9.5 and 6-1.1-12.1-11.3 waives non-compliance with those provisions set forth in IC 6-1.1-12.1-9.5 and 6-1.1-12-1-11.3(a) regarding the rehabilitation described in the Project including "Exhibit A" attached to the Statement of Benefits filed by PK U.S.A., Inc. in order to allow the deduction under IC 6-1.1-12.1-3 and 6-1.1-12.1-4 regarding said rehabilitation for a period of ten (10) years by PK U.S.A., Inc. which non-compliance was the failure to file the Statement of Benefits prior to the initiation of said rehabilitation and that the Council further finds that said non-compliance has been corrected by the filing of the Statement of Benefits before the adoption of this Resolution.

ADOPTED this 4th day of December, 2006.

Dick Fero



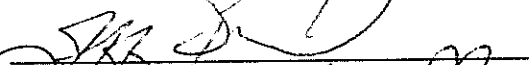
Scott Furgeson, Mayor
City of Shelbyville



John Heaton



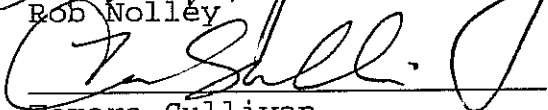
David Phares II



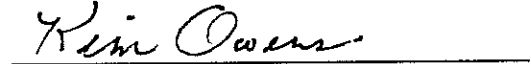
Jeff Sponser



Rob Nolley

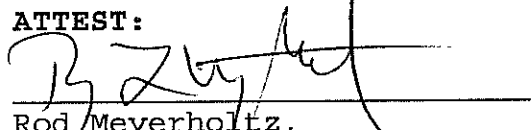


Tamara Sullivan



Kim Owens

ATTEST:



Rod Meyerholtz,
City-Clerk Treasurer

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

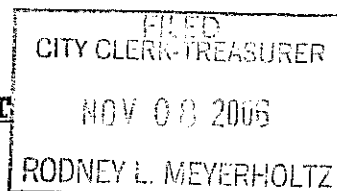
Michigan Road (formerly U.S. Highway 421) 17 feet south of the line dividing the north half and the south half of said section 30, and running thence north 89 degrees 56 minutes 00 seconds west 2107.40 feet along a fence line and its extension; thence south 00 degrees 29 minutes 00 seconds east 27.00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

APPLICATION FOR TAX ABATEMENT



The undersigned hereby requests the Common Council of the City 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: \$588,400
Improvements: \$16,781,500
2005 assessed value of personal property and of manufacturing equipment: \$13,608,300
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: See "Exhibit C" attached hereto.
11. Date project will begin: October, 2006
Completion date: February, 2007
12. Estimated cost of redevelopment or rehabilitation: \$399,175.00.

13. Additional municipal services necessitated by the project: None

14. Description of new manufacturing equipment: None.

15. Estimated cost of new manufacturing equipment: Not applicable.

16. Estimated installation of new manufacturing equipment date: Not applicable.

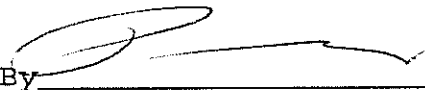
17. Statement describing in what manner the property is an economic revitalization area as defined in I.C. 6-1.1-12.1-1(1): The reason the real estate continues to be qualified for designation as an Economic Revitalization Area is that the real estate is within the jurisdictional limits of the City of 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.

18. No new jobs will be created by this project, but existing jobs are expected to be retained.

19. How many full-time jobs: There are 450 full time jobs presently.

The undersigned owners hereby certify that the foregoing information and representations are true and accurate this 7th day of November, 2006.

PK U.S.A., INC.


By _____

Peter G. DePrez, Attorney for
PK U.S.A., Inc.

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

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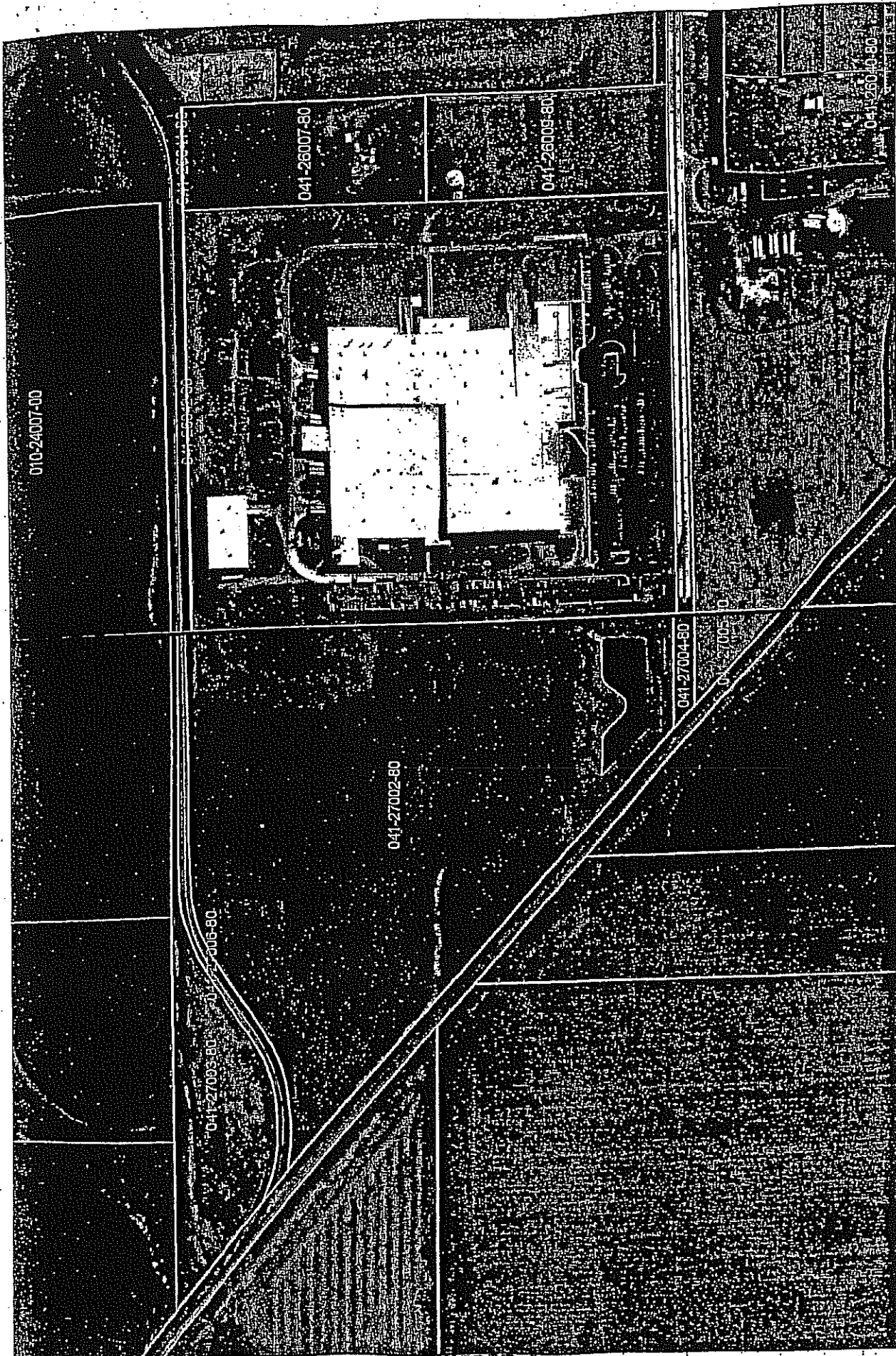
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Subject to all existing legal rights-of-way and easements of record.



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

EXHIBIT B

PK U.S.A

EXHIBIT C

The real property improvements will be as set forth on attached list.

The estimated cost is \$399,175.00.

EXHIBIT C

| | | |
|-----------------------|--|-----------|
| General Contractor | | \$260,000 |
| Mechanical Contractor | | \$42,095 |

Scope change after contractor's original budget estimate:

| | | |
|---|------------------|-----------|
| ● Replace existing fluorescent fixtures with T-8 electronic fixtures (do not change out return air lights in front locker room) | 29 \$120 each | \$3,480 |
| ● Add photo cells [REDACTED] | 18 \$200 each | \$3,600 |
| ● Add photo cells [REDACTED] | 34 \$200 each | \$6,800 |
| ● Re-Grout floor and base | | \$40,000 |
| ● Extra plumbing repairs | | \$15,000 |
| ● Insulate city water pipes above ceilings | | \$2,000 |
| ● Replace some sprinkler heads | | \$1,000 |
| ● Replace ventilation grilles at janitors closet doors | | \$1,000 |
| ● Put in additional exhaust ventilation | | \$5,000 |
| ● Replace ceilings in the janitors closets | | \$3,000 |
| ● Additional fixtures at Stamping women's rest room | | \$5,000 |
| ● (Replace cabinets, stove and sink in café kitchenette) | | \$7,000 |
| ● Put FRP on wall at basin at factory entry and take out water fountain | | \$1,200 |
| ● Replace the VCT in the men's main locker room | | \$3,000 |
| | Total | \$399,175 |

110 000



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R / 1-06)
Prescribed by the Department of Local Government Finance

CITY CLERK - AREA 1
FORM SB-1 / RE
NOV 07 2006
RODNEY L. NEVENSALTE

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** the redevelopment or rehabilitation of real property 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 initiation of the redevelopment or rehabilitation, **BEFORE** a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1/RE annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b))
5. The schedules established under IC 6-1.1-12.1-4(d) 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.

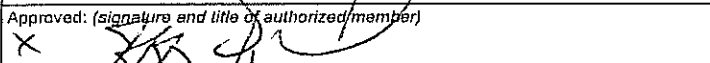

| SECTION 1 TAXPAYER INFORMATION | | | | | |
|--|------------------------|--------------------------|--|---|----------------------------------|
| Name of taxpayer PK U.S.A., Inc. | | | | | |
| Address of taxpayer (number and street, city, state, and ZIP code) 600 Northridge Drive, Shelbyville, IN 46176 | | | | | |
| 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 2006-28 |
| Location of property 600 Northridge Drive, Shelbyville, IN | | | County Shelby | DLGF taxing district number City of Shelbyville/Addison | |
| Description of real property improvements, redevelopment, or rehabilitation. (use additional sheets if necessary) See Exhibit A | | | | | |
| ESTIMATED | | | | | |
| Start Date | | | Completion Date | | |
| Oct. 2006 | | | Feb. 2007 | | |
| SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT | | | | | |
| Current number 450 | Salaries 17,335,000 | Number retained 450 | Salaries 17,335,000 | Number additional 0 | Salaries 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. | | REAL ESTATE IMPROVEMENTS | | | |
| | | COST | | ASSESSED VALUE | |
| Current values | | Excess of 20,000,000. | | 16,781,500. | |
| Plus estimated values of proposed project | | 399,175. | | 399,000. | |
| Less values of any property being replaced | | Unknown | | Unknown | |
| Net estimated values upon completion of project | | 20,399,175. | | 17,180,500. | |
| SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER | | | | | |
| Estimated solid waste converted (pounds) N/A | | | Estimated hazardous waste converted (pounds) N/A | | |
| 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) Nov. 7, 2006 | |

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 N/A.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements; Yes No
 2. Residentially distressed areas Yes No
- C. The amount of deduction applicable for redevelopment or rehabilitation is limited to \$ N/A cost with an assessed value of \$ N/A.
- D. Other limitations or conditions (specify) N/A
- E. The deduction for redevelopment or rehabilitation is allowed for ten (10) years* (see below).

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. (IC 6-1.1-12-3(b))

| | | |
|--|---|---|
| Approved: (signature and title of authorized member)  | Telephone number 317-392-5103 | Date signed (month, day, year) Nov. , 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.

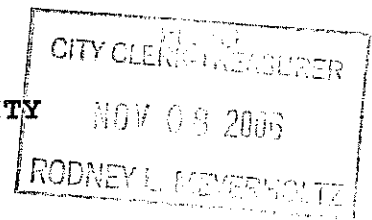
For residentially distressed areas, the deduction period may not exceed five (5) years. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years. For ERAs after June 30, 2000, the deduction period may not exceed ten (10) years. An area designated as an urban development area pursuant to an application filed after December 31, 1978, and prior to January 1, 1986, are entitled to a ten (10) year deduction.

| | | |
|-----------------------|--|-----------|
| General Contractor | | \$260,000 |
| Mechanical Contractor | | \$42,095 |

Scope change after contractor's original budget estimate:

| | | |
|---|------------------|-----------|
| ● Replace existing fluorescent fixtures with T-8 electronic fixtures (do not change out return air lights in front locker room) | 29 \$120 each | \$3,480 |
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| ● Extra plumbing repairs | | \$15,000 |
| ● Insulate city water pipes above ceilings | | \$2,000 |
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| ● Replace ventilation grilles at janitors closet doors | | \$1,000 |
| ● Put in additional exhaust ventilation | | \$5,000 |
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| ● Additional fixtures at Stamping women's rest room | | \$5,000 |
| ● (Replace cabinets, stove and sink in café kitchenette) | | \$7,000 |
| ● Put FRP on wall at basin at factory entry and take out water fountain | | \$1,200 |
| ● Replace the VCT in the men's main locker room | | \$3,000 |
| | Total | \$399,175 |

NOTICE OF PUBLIC HEARING BY THE CITY
OF SHELBYVILLE COMMON COUNCIL



RE: RESOLUTION WAIVING NON-COMPLIANCE REGARDING TIMELY
FILING OF STATEMENT OF BENEFITS FOR GRANTED TAX ABATEMENT

TO: The Citizens of Shelbyville, Shelby County, Indiana

You are hereby notified that on December 4, 2006, at 7:00 P.M. in the Common Council Chambers at the Shelbyville City Hall, 44 West Washington Street, Shelbyville, Indiana, the Shelbyville Common Council will consider Resolution Number 2006-28 which is entitled A Resolution Approving a Deduction From Assessed Valuation for Redevelopment or Rehabilitation in an Economic Revitalization Area, a Continuation of the Designation of Such Economic Revitalization Area, and Waiver of Non-Compliance. The applicant is PK U.S.A., Inc.

In considering this Resolution and pursuant to Indiana Code 6-1.1-12.1-9.5 and 6-1.1-12.1-11.3, the Shelbyville Common Council will consider whether to waive non-compliance with the requirement that an applicable Statement of Benefits be filed prior to the initiation of the redevelopment or rehabilitation as set forth in the request for tax abatement as to such rehabilitation or redevelopment.

Rod Meyerholtz
City Clerk-Treasurer
Shelbyville, Indiana