

THE COUNTY COUNCIL OF WABASH COUNTY, INDIANA

RESOLUTION NO. 2018-85-03

**A RESOLUTION CONFIRMING THE DESIGNATION OF AN ECONOMIC
REVITALIZATION AREA AND QUALIFYING REAL AND PERSONAL PROPERTY
FOR TAX ABATEMENT**

Midwest Poultry Services, LP, ("Applicant") has requested the County Council of Wabash County, Indiana ("Council"), to find, pursuant to IC 6-1.1-12.1-2 and IC 6-1.1-12-2.5, that a tract of land in Wabash County, Indiana, more particularly described as follows:

A part of the East Half of the East Half of Section 1, Township 29 North, Range 7 East in Chester Township, Wabash County, Indiana, being more particularly described as follows:

Beginning at an iron stake found at the Southeast corner of the Southeast Quarter of said Section 1; thence North 90° 00' 00" West along the South line of said Southeast Quarter a distance of 1341.53 feet to a railroad spike found at the Southwest corner of said East Half of Section 1; thence North 01° 09' 24" East along the West line of the East Half of the Southeast Quarter of Section 1, a distance of 2651.99 feet to a stone found at the Northwest corner of said East Half of the Southeast Quarter; thence North 01° 09' 47" East along the West line of the Southeast Quarter of the Northeast Quarter a distance of 1326.61 feet to a stone found at the Northeast corner of said Southeast Quarter of the Northeast Quarter; thence North 01° 11' 37" East along the West line of the Northeast Quarter of the Northeast Quarter a distance of 31.84 feet to a point, (witnessed by a wood corner post a distance of 2.46 feet South 88° 52' 49" East); thence South 88° 52' 49" East along a fence line a distance of 1331.75 feet to a concrete corner post; thence South 00° 52' 44" West along the East line of the Northeast Quarter of said Section 1 a distance of 1330.93 feet to a stone found at the Northeast corner of said Southeast Quarter of Section 1; thence South 01° 05' 40" West along the East line of said Southeast Quarter a distance of 2653.30 feet to the point of beginning; containing 122.93 acres, more or less.

("Area") is an Economic Revitalization Area.

The Area is located within the jurisdiction of the Council for the purposes set forth in IC 6-1.1-12.1-2 and IC 6-1.1-12.1-2.5.

The Applicant is planning to construct new manufacturing facilities and to install new manufacturing equipment and new logistical distribution equipment ("Project") as described in Applicant's Statements of Benefits ("Statements") previously submitted to the Council.

The Council has reviewed the Statements and hereby finds that the Project as described in the Statements will be of public utility, will be to the benefit and welfare of all citizens and taxpayers of the County, and qualifies as investments for which deductions are permitted under IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5.

Pursuant to IC 6-1.1-12.1-2 and IC 6-1.1-12.1-2.5, the Council passed Resolution No. 2018-85-01 ("Declaratory Resolution") on February 26, 2018, which designated the Area as an economic revitalization area pursuant to the Act and approved real estate and personal property tax deductions for new manufacturing equipment and new logistical distribution equipment installed in the Area for up to ten (10) years.

In compliance with IC 6-1.1-12.1-2.5 and IC 6-1.1-12.1-11.3, the Council published notice (“Notice”) on March 14, 2018, describing the adoption and substance of the Declaratory Resolution and stating that, on the date hereof, the Council would hold a public hearing (“Public Hearing”) at which it will receive and hear all remonstrances and objections from interested persons, with respect to the Declaratory Resolution and the Statements.

In compliance with IC 6-1.1-12.1-2.5, the County Auditor filed, with each taxing unit that has authority to levy property taxes in the Area, a copy of the Notice, the Declaratory Resolution, and the Statements.

In compliance with IC 6-1.1-12.1-2.5 and IC 6-1.1-12.1-11.3, on the date hereof, the Council held a Public Hearing at which it received, heard and considered evidence concerning the Declaratory Resolution and Statements, and any remonstrances or objections with respect to the Declaratory Resolution.

Pursuant to IC 6-1.1-12.1-2.5, IC 6-1.1-12.1-9.5, and IC 6-1.1-12.1-11.3, the Council desires to take final action confirming the Declaratory Resolution, approving the Statements, and granting tax abatement.

NOW THEREFORE, BE IT RESOLVED by the County Council of Wabash County, Indiana, as follows:

Section 1. The Council hereby finds that (i) the Area is within the County, and (ii) the Area has become undesirable for, or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age obsolescence, substandard buildings or equipment, or other factors which have impaired values and prevented a normal development of property and use of property.

Section 2. The Area is hereby declared to be an “economic revitalization area” pursuant to IC 6-1.1-12.1-1, *et seq.*

Section 3. Based on the information in the Statements describing the Project, the Council makes the following findings:

- (a) The estimate of the value and cost of the Project is reasonable for projects of that nature.
- (b) 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 Project.
- (c) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project.
- (d) The estimate of the amount of solid waste that will be converted into energy or other useful products can be reasonably expected to result from the Project.
- (e) The other benefits about which information was requested are benefits that can be reasonably expected to result from the Project.
- (f) The totality of benefits is sufficient to justify the granting of real and personal property tax deductions to the Applicant pursuant to IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5, subject to the limitations set forth in the Resolution.

Section 4. Based on the information in the Statements and the foregoing findings, the Council, pursuant to IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5, hereby approves and allows the Applicant (i) real property tax deductions for the Project under IC 6-1.1-12.1-3 for redevelopment or rehabilitation in the Area for a period

of ten (10) years, and (ii) personal property tax deductions for the Project under IC 6-1.1-12.1-4.5 for new manufacturing equipment and new logistical distribution equipment installed in the Area for a period of ten (10) years, on the following schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	90%
3 rd	80%
4 th	70%
5 th	60%
6 th	50%
7 th	40%
8 th	30%
9 th	20%
10 th	10%

Section 5. All real and personal property comprising the Project shall be eligible for a ten (10) year property tax abatement, regardless of when it is first assessed.

Section 6. Pursuant to I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3, the Council hereby waives any noncompliance related to the failure to designate the Area an economic revitalization area prior to the initiation of the redevelopment, rehabilitation, or installation of new manufacturing equipment or new logistical distribution equipment. Such waiver will not result in a delay in the issuance of tax bills, require the recalculation of tax rates or tax levies for a particular year, or otherwise cause an undue burden on a taxing unit.

Section 7. The Council hereby confirms the Declaratory Resolution.

Section 8. The Auditor of the County is hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolution, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 9. The Resolution shall be in full force and effect from and after its adoption.

Adopted this 26th day of March, 2018.

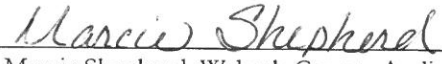
COUNTY COUNCIL OF WABASH COUNTY, INDIANA

By: _____


Randy Curless, Chairman

ATTEST:

By: _____


Marcie Shepherd, Wabash County Auditor