

THE COUNTY COUNCIL OF WABASH COUNTY, INDIANA

RESOLUTION 2019-85-4

**DECLARATORY RESOLUTION DESIGNATING ALL UNINCORPORATED AREAS
OF WABASH COUNTY AS AN ECONOMIC REVITALIZATION AREA**

The County Council (the "Council") of the County of Wabash, Indiana, has been requested to find pursuant to I.C. §6-1.1-12.1 (the "Act"), that all of the real estate located in Wabash County, Indiana (the "County"), excluding all real estate located within the corporate limits of a town located with the County, is an Economic Revitalization Area.

The Council, at a meeting open to the public, has heard evidence and has considered the same.

Said real estate is located within the jurisdiction of the Council for purposes set forth in I.C. §6-1.1-12.1-2 of the Act.

The designation of the real estate described herein would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of Wabash County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:

Section 1. The real estate described above should be and is hereby declared to be an "Economic Revitalization Area" as the term is defined and intended in I.C. §6-1.1-12.1-1 of the Act.

Section 2. The designation of the real estate as an "Economic Revitalization Area" shall be until this Council adopts a resolution terminating said designation.

Section 3. The type of deduction that is allowed in the designated Economic Revitalization Area shall be limited to the redevelopment or rehabilitation of the real estate, and/or the installation of new manufacturing equipment, new research and development equipment, new logistic distribution equipment or new information technology equipment, and/or eligible vacant buildings used for commercial or industrial purposes, as the Council shall establish on a case by case basis by adoption of an appropriate resolution adopted within sixty (60) days after receiving a copy of an applicant's certified deduction application (on the forms prescribed by the Department of Local Government Finance) from the County Auditor. These limitations on the type of deduction(s) allowed established pursuant to I.C. §6-1.1-12.1-2(i)(2) of the Act.

Section 4. The Council may authorize that the deduction from assessed valuation for the redevelopment or rehabilitation of the real estate, and/or for the installation of new manufacturing equipment, new research and development equipment, new logistic distribution equipment or new information technology equipment, and/or eligible vacant buildings used for commercial or industrial purposes shall be as the Council shall establish on a case by case basis by adoption of an appropriate resolution adopted within sixty (60) days after receiving a copy of an applicant's certified deduction application (on the forms prescribed by the Department of Local Government Finance) from the County Auditor. These time limitations are established pursuant to I.C. §6-1.1-12.1-3(d), and/or I.C. §6-1.1-12.1-4.5(f) of the Act, and/or I.C. §6-1.1-12.1-4.8(g) of the Act.

Section 5. The amount of deduction applicable to the redevelopment or rehabilitation of the real estate, and/or to the installation of new manufacturing equipment, new research and development equipment, new logistic distribution equipment or new information technology equipment, and/or eligible vacant buildings used for commercial or industrial purposes, shall be as the Council shall establish on a case by case basis by adoption of an appropriate resolution adopted within sixty (60) days after receiving a copy of a property owner's certified deduction application (on the forms prescribed by the Department of Local Government Finance) from the County Auditor, or if not established by said resolution, shall be limited to the amounts set forth in the approved Statement of Benefits submitted by the property owner. These limitations on the amount of deductions are established pursuant to I.C. §6-1.1-12.1-2(i)(3) through (5) of the Act.

Section 6. The Council desires, with the consent of the applicant, to incorporate I.C. §6-1.1.1-12.1-14 of the Act into any resolution for the purposes of permitting Wabash County to charge the fee provided in said Section. For purposes of the calculation contained in I.C. §6-1.1.1-12.1-14(c) of the Act, the percentage amount shall be established on a case by case basis by adoption of an appropriate resolution adopted within sixty (60) days after receiving a copy of an applicant's certified deduction application (on the forms prescribed by the Department of Local Government Finance) from the County Auditor. The Council shall apply the fee collected as provided herein to one or more public or nonprofit entities established to promote economic development within the boundaries of Wabash County and shall identify such entities to the Wabash County Auditor as set forth in I.C. §6-1.1.1-12.1-14 of the Act.

Section 7. The Council shall cause to be published a notice in accordance with the requirements of the Act setting a date for the receiving and hearing of remonstrance's and objections from interested persons and file the same with all taxing unites that have authority to levy property taxes in the geographic area where the Economic Revitalization Area is located. After considering the evidence, the Council shall take final action determining whether the qualifications for an economic revitalization area have been met and either confirm, modify and confirm, or rescind this Resolution.

Section 9. No part of this Resolution shall be interpreted to conflict with any local, state or federal laws, and all reasonable efforts shall be made to harmonize same. Should any section or part thereof of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of the resolution are hereby declared to be severable.

Adopted this 15th day of July, 2019.

COUNTY COUNCIL OF WABASH COUNTY, INDIANA

By: Kyle Bowman
Kyle Bowman, Chairman

ATTEST:

Marcie Shepherd
Marcie Shepherd, Wabash County Auditor