

**The County Council of Wabash County, Indiana**

**RESOLUTION No. 4, 2014**

**CONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION  
AREA AND QUALIFYING PERSONAL PROPERTY OF ADVANCED AG  
RESOURCES, LLC FOR TAX ABATEMENT**

**Whereas**, Advanced Ag Resources, LLC (the "Applicant") has requested the County Council of Wabash County, Indiana (the "Council"), to find, pursuant to IC 6-1.11-12.1-2, that a tract of land in Wabash County, State of Indiana, more particularly described as follows, to-wit:

The Northeast Quarter (1/4) of Section Thirty-two (32) in Township Twenty-eight (28) North, of Range Six (6) East, containing One Hundred fifty-four (154) acres, more or less.

**EXCEPT THEREFROM**

A part of the Northeast Quarter in Section Thirty-two (32), Township Twenty-eight (28) North, Range Six (6) East, more particularly described as follows:

Beginning at the northeast corner of said Northeast Quarter, marked by a brass plug; thence South No (0) degrees a distance of Two Hundred Twenty (220) feet; thence North Eighty-seven (87) degrees Thirty-five (35) minutes Twenty-three (23) seconds West parallel with the north line of said Northeast Quarter a distance of Three Hundred and Eighty hundredths (300.80) feet to a rebar stake; thence North No (0) degrees Twenty-five (25) minutes No (0) seconds West parallel with the east line of said Northeast Quarter a distance of Two Hundred Twenty (220) feet to a wood corner post on the north line of said Northeast Quarter; thence South Eighty-seven (87) degrees Thirty-five (35) minutes Twenty-three (23) seconds East along said north line distance of Three Hundred and Eighty Hundredths (300.80) feet to the point of beginning.

Containing therein One and Fifty-two Hundredths (1.52) acres, more or less.

**AND EXCEPT THEREFROM**

A part of the Northeast Quarter of Section 32, Township 28 North, Range 6 East, in Noble Township, Wabash County, Indiana, being more particularly described as follows: Commencing at the southwest corner of said Northeast Quarter, marked by a Wabash County section corner monument; thence North 90 degrees 00 minutes 00 seconds East (assumed basis of bearing) along the south line of said Northeast Quarter, 639.85 feet to the POINT OF BEGINNING; thence North 00 degrees 17 minutes 57 seconds East, 369.78 feet; thence North 90 degrees 00 minutes 00 seconds East parallel with the south line of said Northeast Quarter, 257.51 feet; thence South 00 degrees 41 minutes 15 seconds West, 369.80 feet to the south line of said Northeast Quarter; thence North 90

degrees 00 minutes 00 seconds West along said south line, 255.00 feet to the point of beginning. Containing 2.18 acres, more or less.

(the "Area") is an Economic Revitalization Area; and

**Whereas**, the Area is located within the jurisdiction of the Council for the purposes set forth in IC 6-1.1-12.1-2; and

**Whereas**, the request has been reviewed by the County Tax Abatement Committee, which Committee recommends that the request be granted; and

**Whereas**, the Applicant is remodeling, repairing or bettering improvement in the Area and installing certain new manufacturing equipment as described in Applicant's Statement of Benefits (the "Statement") which has been submitted to the Council, and such constitute a rehabilitation of the Area for the purposes of IC 6-1.1-12.1-3, (the "Project"); and

**Whereas**, the Council has reviewed the Statement and hereby finds that the Project as described in the Statement will be of public utility and will be to the benefit and welfare of all citizens and taxpayers of the County, and

**Whereas**, Pursuant to IC 6-1.1-12.1-2, the Council passed Resolution No. \_\_\_\_\_ (the "Declaratory Resolution") on January 27, 2014, which designated the Area as an economic revitalization area pursuant to the Act and approved the personal property tax deductions for new manufacturing equipment installed in the Area for up to ten (10) years; and

**Whereas**, in compliance with IC 6-1.1-12.1-6 and IC 6-1.1-12.1-11.3, the Council published notice (the "Notice") describing the adoption and substance of the Declaratory Resolution and stating that, on the date hereof, the Council would hold a public hearing (the "Public hearing") at which it will receive and hear all remonstrances and objections from interested persons, with respect to the Declaratory Resolution; and

**Whereas**, in compliance with IC 6-1.1-12.1-2.5, the Council 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 Statement; and

**Whereas**, 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 the Public Hearing at which it received, heard and considered evidence concerning the Declaratory Resolution and any remonstrances or objections with respect to the Declaratory Resolution; and

**Whereas**, 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.

**NOW THEREFORE, BE IT RESOLVED** by the Council 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.* The period for personal property tax deduction under IC 6-1.1-12.1-4.5 for new manufacturing equipment installed in the Area shall be ten (10) years.

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

- (a) The estimate of the value of the Project is reasonable for projects of that nature.
- (b) The estimate of the number of individuals who will be employed can be reasonably expected to result from the Project.
- (c) The estimate of the annual salaries of those individuals who will be employed can be reasonably expected to result from the Project.
- (d) The other benefits about which information was requested are benefits that can be reasonably expected to result from the Project.
- (e) The totality of benefits is sufficient to justify the granting of personal property tax deductions to the Applicant pursuant to IC 6-1.1-12.1-3, subject to the limitations set forth in the Resolution.

**Section 4.** Based on the information in the Statement and the foregoing findings, the Council, pursuant to IC 6-1.1-12.1-4.5, hereby approves and allows the Applicant personal property tax deductions for the Project located in the Area.

**Section 5.** Pursuant to IC 6-1.1-12.1-9.5 and IC 6-1.1-12.1-11.3, the Council hereby waives any noncompliance related to the failure to submit the Statement to the Council or to designate the Area as an economic revitalization area, prior to the initiation of the Project. The Council hereby finds that providing 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 6.** Based on the information in the Statement and the foregoing findings, the Council, pursuant to IC 6-1.1-12.1-4.5, hereby approves and allows the

Applicant personal property tax deductions for the new manufacturing equipment to t b4e installed in the Area.

**Section 7.** The Council hereby confirms the Declaratory Resolution and the actions set forth in the Resolution are final, except for the limited rights of appeal provided under IC 6-1.1-12.1-2.5.

**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 24 day of February, 2014.

COUNTY COUNCIL OF WABASH COUNTY, INDIANA

By: James Kaltenmark  
James Kaltenmark, Chairman

ATTEST:

By: Linda L. Conrad