

RESOLUTION NO. 2017-6A

DECLARATORY RESOLUTION

**A RESOLUTION OF THE LA PORTE COUNTY COUNCIL
DECLARING A PORTION OF LA PORTE COUNTY, INDIANA
AN ECONOMIC REVITALIZATION AREA
PURSUANT TO I.C. § 6-1.1-12.1-1, *ET. SEQ.*,
FOR
KINGSBURY ELEVATOR, INC
(PERSONAL PROPERTY)**

WHEREAS, the La Porte County Council is the statutory body with the authority to designate an area within its jurisdiction as an economic revitalization area as defined in I.C. § 6-1.1-12.1-1, *et. seq.*; and,

WHEREAS, a petition for Personal Property tax abatement has been filed with and for consideration by the La Porte County Council requesting that the area located in Washington Township, La Porte County, Indiana, State Tax Parcel Identification No. 46-11-31-352.000-066, and more particularly described on attached **Exhibit "A"** and titled in the names of Edgar K. & Yvonne L. Lindborg, be designated as an Economic Revitalization Area under the provisions of I.C. § 6-1.1-12.1 *et. seq.*; and,

WHEREAS, the La Porte County Council has reviewed the information contained in the statement of benefits filed by the Petitioner with its request, including the impact on the tax rate incorporated therein.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE LA PORTE COUNTY COUNCIL, THAT:

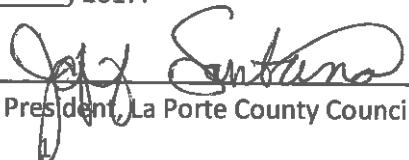
SECTION 1. The La Porte County Council now finds that the benefits described in the statement of benefits filed in regard to this area can be reasonably expected to result from the project and are sufficient to justify the applicable deduction in the event the above-referenced property is designated and confirmed to be an economic revitalization area.

SECTION 2. The area described hereinabove and located within La Porte County is hereby declared to be an economic revitalization area, pursuant to I.C. § 6.1.1-12.1, *et. seq.*

SECTION 3. The designation of this area is put in effect for a period of two (2) years from the passage of the confirmation of this Resolution.

SECTION 4. This resolution shall be in full force and effect from and after its passage and approval and confirmation, as required by law.

Passed and adopted this 19 day of JUNE, 2017.



President, La Porte County Council

LEGAL DESCRIPTION



A parcel of land lying South of the Grand Trunk and Western Railroad and East of U.S. Highway No. Thirty-five (35) situated in that portion of the Middle part (Gvmt. Lots No. four (4) and six (6)) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-one (31), Township Thirty-six (36) North, Range Two (2) West which lies East of U.S. Highway No. Thirty-five (35), being more particularly described as follows:

Commencing at a cast iron monument marking the Southwest corner of Section Thirty-one (31), Township Thirty-six (36) North, Range two (2) West, LaPorte County, Indiana; thence North eighty-eight degrees fifty-six minutes twenty-one seconds East (N88°56'21"E), along the South Line of said Section Thirty-one (31) a distance of two thousand four hundred sixty-six and fifty-six hundredths (2466.56) feet to a masonry nail marking the approximate Southeast corner of the Middle part (Gvmt. Lots No. four (4) and six (6)) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section; thence North zero degrees thirty-nine minutes thirty seconds West (N00°39'30"W), along the approximate East Line of said Middle part a distance of seven hundred fifty (750.00) feet to an iron pipe, for the point of beginning; thence South eighty-eight degrees fifty-six minutes twenty-one seconds West (S88°56'21"W), a distance of one thousand ninety-six and forty-eight hundredths (1096.48) feet to an iron pipe on the East right of way line of U.S. Highway No. Thirty-five (35); thence North eleven degrees thirty minutes eleven seconds West (N11°30'11"W), along said East right of way line, a distance of four hundred thirty-six and fifty-five hundredths (436.55) feet to a concrete highway right of way marker; thence North eight degrees fifty-six minutes twenty-four seconds West (N08°56'24"W), continuing along said East right of way line, a distance of two hundred fifty (250.00) feet to a concrete highway marker; thence North eight degrees forty-seven minutes seventeen seconds West (N08°47'17"W), continuing along said East right of way line, a distance of five hundred eighty-seven and fifty-nine hundredths (587.59) feet to a railroad spike on the Southerly right of way line of the Grand Trunk and Western Railroad; thence North sixty-three degrees forty-three minutes twenty-two seconds East (N63°43'22"E), along said Southerly right of way line, a distance of twenty-two and fifty hundredths (22.50) feet to a railroad spike; thence South eleven degrees twenty minutes thirty-one seconds East (S11°20'31"E), along the Westerly right of way line of said Railroad, a distance of fifty-one and eighty-five hundredths (51.85) feet to an iron pipe marking the intersection of said Westerly right of way line with the Southerly right of way line and marking the Northwest corner of a parcel of land as recorded in Micro-film Record No. 79-04062; thence South fifteen degrees fifty-two minutes twenty-two seconds East (S15°52'22"E), along the Westerly side of said parcel a distance of sixty-one and twenty-eight hundredths (61.28) feet to an iron pipe; thence South twenty-six degrees thirty-

one minute eighteen seconds East ($S26^{\circ}31'18''E$), continuing along said Westerly side a distance of sixty-one and seventy hundredths (61.70) feet to an iron pipe marking the Southwest corner thereof; thence North seventy-five degrees twenty-five minutes fifty-two seconds East ($N75^{\circ}25'52''E$), along the Southerly side thereof, a distance of two hundred thirty-six and twenty-seven hundredths (236.27) feet to an iron pipe; thence North one degree twenty-four minutes eight seconds West ($N01^{\circ}24'08''W$), along the Easterly side thereof a distance of one hundred thirty-three and sixty-seven hundredths (133.67) feet to an iron pipe; thence North sixty-four degrees four minutes fifty-two seconds East ($N64^{\circ}04'52''E$), along the Southerly side of said parcel and the Southerly side of a parcel of land as recorded in Micro-film Record No. 78-13310, a distance of six hundred twenty-two and eighty-three hundredths (622.83) feet to an iron pipe marking the Southeastly corner thereof; thence North two degrees thirty-six minutes eight seconds West ($N02^{\circ}36'08''W$), (South two degrees fifty-seven minutes thirty-eight seconds East ($S02^{\circ}57'38''E$)) recording the Easterly side of said parcel, a distance of one hundred eleven and ninety hundredths (111.90) feet (one hundred thirteen and sixty-nine hundredths (113.69) feet record) to an iron pipe on the Southerly right of way line of the Grand Trunk and Western Railroad and the Northeastly corner thereof; thence North sixty-three degrees forty-three minutes twenty-two seconds East ($N63^{\circ}43'22''E$), along the Southerly right of way line of said Railroad, a distance of four hundred eighty-six and sixty-three hundredths (486.63) feet to an iron pipe on the approximate East Line of the Middle part (Gvmt. Lots No. four (4) and Six (6)) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section thirty-one (31); thence South zero degrees thirty-nine minutes thirty seconds East ($S00^{\circ}39'30''E$), along said approximate East Line, a distance of one thousand eight hundred seventy-three and eight hundredths (1873.08) feet to point of beginning, containing forty-one and two hundred seventy-nine thousandths (41.279) acres, more or less.

Exhibit C

Indiana Tax Abatement Deduction Percentages

One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten (Real)	Ten (Personal)
100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	50%	66%	75%	80%	85%	85%	88%	88%	95%	90%
		33%	50%	60%	66%	71%	75%	77%	80%	80%
			25%	40%	50%	57%	63%	66%	65%	70%
				20%	34%	43%	50%	55%	50%	60%
					17%	29%	38%	44%	40%	50%
						14%	25%	33%	30%	40%
							13%	22%	20%	30%
								11%	10%	20%
									5%	10%

Hickman, Williams and Company

Moraine Consultants

LaPorte County



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS:

- 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 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.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-CRA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 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 is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer KINGSBURY ELEVATOR, INC.	Name of contact person EDGAR K. LINDBORG
Address of taxpayer (street and number, city, state, ZIP code) P.O. BOX 66 KINGSBURY IN 46345	Telephone number 219-393-5381

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body LAPORTE COMMON COUNCIL	Resolution number (s)
Location of property 5621 S. HIGHWAY 35 KINGSBURY IN 46345	County Laporte
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) VERTICAL & HORIZONTAL CONVEYER, TRACKMOBILE MOBILE RAILCAR MOVER, GRAIN LOADING AND UNLOADING EQUIPMENT, SEMI-TRACTORS AND TRAILERS, CONTAINER LOADING EQUIPMENT, TRUCK SCALE.	DLFG taxing district number C66
	ESTIMATED
	Start Date Completion Date
Manufacturing Equipment	07/01/2017 12/31/2018
R & D Equipment	
Logist Dist Equipment *	07/01/2017 12/31/2018
IT Equipment *	

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

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
17	1,505,800	17	1,448,851	10	572,000

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (4) (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					2,823,851	260,570	25,000	10,000
Plus estimated values of proposed project					769,260	280,000		
Less values of any property being replaced								
Net estimated values upon completion of project					3,593,851	540,570	25,000	10,000

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROVIDED BY THE TAXPAYER

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

Other benefits: _____

SECTION 6 TAXPAYER CERTIFICATION

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

Signature of authorized representative: *[Signature]* Date signed (month, day, year): **6/5/17**

Printed name of authorized representative: **EDGAR K. LINDBORG** Title: **PRESIDENT**

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 _____ calendar years * (see below). The date this designation expires is _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- B. The type of deduction that is allowed in the designated area is limited to:
- 1. Installation of new manufacturing equipment; Yes No Enhanced Abatement per IC 6-1.1-12.1-18
 - 2. Installation of new research and development equipment; Yes No *Check box if an enhanced abatement was approved for one or more of these types.*
 - 3. Installation of new logistical distribution equipment. Yes No
 - 4. Installation of new information technology equipment; Yes No
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- G. Other limitations or conditions (specify) _____
- 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 is allowed for:
- Year 1 Year 2 Year 3 Year 4 Year 5 Enhanced Abatement per IC 6-1.1-12.1-18
 - Year 6 Year 7 Year 8 Year 9 Year 10 *Number of years approved: _____*
- (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)*
- I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

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 of designating body)	Telephone number	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by: (signature and title of attester)	Printed name of attester	

* 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

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

**Kingsbury Elevator Expansion Project
Schedule of Project Investment**

Real Property		Cost
Land Improvement-Rail Track (8,000 feet)**		2,000,000
New Office Building		250,000
Storage Bins		500,000
<small>**Includes excavating work, rail track base, rail switches, rails, and railroad ties</small>		
Total Real Property Investment		\$2,750,000
Personal Property		Cost
Semi-Tractors and Trailers		400,000
Loading and Unloading Conveyors		200,000
Truck Scale		100,000
Total Personal Property Investment		\$700,000
Total Project Investment		\$3,450,000