

**RESOLUTION NO. 2023-08**

**CONFIRMATORY RESOLUTION**

**A RESOLUTION OF THE LA PORTE COUNTY COUNCIL DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND CONFIRMING A DECLARATORY RESOLUTION ADOPTED BY THE LA PORTE COUNTY COUNCIL**

**Operating Company: Sammann Company, Inc. d/b/a Peepers by Peeperspecs**

**Real Estate Owner: S & G Partners LLC (for Real Estate)**

**Addresses: 9935 E US HWY 12, Michigan City, IN 46360  
Parcel ID: 46-02-18-105-006.000-062**

**5656 W 1000 N, Michigan City, IN 46360  
Parcel ID: 46-02-18-126-002.000-062**

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WHEREAS the La Porte County Council pursuant to “Deduction for Rehabilitation or Redevelopment of Real Property in Economic Revitalization Areas Act” (hereinafter referred to as the “Act” and a.k.a. Indiana Code 6-1.1-12.1-1) has declared the following described area to be an economic revitalization area:

**9935 E US HWY 12, Michigan City, IN 46360  
Parcel ID: 46-02-18-105-006.000-062**

**and**

**5656 W 1000 N, Michigan City, IN 46360  
Parcel ID: 46-02-18-126-002.000-062**

both of which are more particularly described on Exhibit A;

WHEREAS, under the provisions of said “Act” a copy of the foregoing Resolution was filed for public inspection at the office of the La Porte County Assessor’s office.

WHEREAS public notice of the adoption and substance of such resolution has been published in accordance with I.C. 6-1.1-12.1-1; as well as setting forth that a public hearing would be

held on August 28, 2023 to receive and hear all remonstrance and objections from interested persons; and,

WHEREAS the La Porte County Council received and heard all remonstrance and objections to its Declaratory Resolution from interested persons and considered the evidence.

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

SECTION 1. The La Porte County Council hereby determines that the area described hereinabove meets the qualifications for designation as an economic revitalization area.

SECTION 2. Resolution No. 2023-7B, the same being a resolution declaring a portion of La Porte County an economic revitalization area, pursuant to I.C. 6-1.1-12.1-1, et seq., is hereby confirmed and the following are adopted, to-wit:

a. That the above-described area shall be designated as an Economic Revitalization Area; and

b. That the property tax deduction to which the Petitioner is entitled shall apply to the real estate pursuant to I.C. 6-1.1-12.1-1 through I.C. 6-1.1-12.1-1; and,

c. That the aforesaid deduction for real estate and personal property taxes are allowed for 10 years pursuant to the appropriate schedule contained in I.C.; and,

d. That no limitation is placed upon the dollar amount of the deduction applicable to redevelopment or rehabilitation and new development of the property described hereinabove; and,

e. That no limitation is placed upon the dollar amount of the deduction applicable to the personal property described hereinabove; and,

f. That the estimate of cost for new development is reasonable for that type of facility to be built; and,

g. That the estimate of the additional employees that will be hired can reasonably be expected to result from the proposed development; and,

h. That the estimate of the annual salaries of the new employees can reasonably be expected to result from the proposed development; and,

i. That the totality of the benefits is sufficient to justify the granting of this requested deduction; and,

j. That the "Statement of Benefits for Real Property" dated July 12, 2023, submitted by the S & G Partners LLC is hereby approved and the President of the La Porte County Council is hereby authorized to execute the same on behalf of said Council; and,

k. That the "Statement of Benefits for Personal Property" dated July 12, 2023, submitted by Sammann Company, Inc. is hereby approved and the President of the La Porte County Council is hereby authorized to execute the same on behalf of said Council; and,

l. That this determination is final except that an appeal may be taken and heard as provided under the "Act" (I.C. 6-1.1-12.1-1 (d), (e) and (f))

SECTION 3. This Resolution shall be in full force and effect from and after its passage and approval, as required by law.

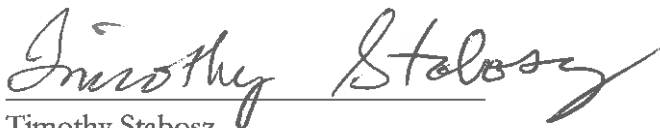
SECTION 4. This Resolution replaces and supersedes Resolution 2022-03A adopted by this Council on March 28, 2022.

Passed and adopted August 28, 2023



Michael Rosenbaum,  
La Porte County Council President

ATTEST



Timothy Stabosz  
Auditor La Porte County

EXHIBIT A

9935 E US HWY 12, Michigan City, IN 46360

Parcel ID: 46-02-18-105-006.000-062

**A tract of land in the Northwest ¼ of the Northwest ¼ of Section 18, Township 38 North, Range 3 West, LaPorte County, Indiana, bounded and described as follows: Commencing at the Northeast corner of the Northwest ¼ of the Northwest ¼ of Section 18, thence South 00 degrees 50 minutes 52 seconds East, 421.88 feet along the East line of the Northwest ¼ of the Northwest ¼ of Section 18 to the place of beginning; thence continuing South 00 degrees 50 minutes 52 seconds East, 410.63 feet along the East line of the Northwest ¼ of the Northwest ¼ of Section 18; thence South 69 degrees 05 minutes 40 seconds West, 122.81 feet; thence North 28 degrees 10 minutes 51 seconds West, 548.15 feet; thence Northeasterly 268.42 feet along an arc to the left on the South right of way line of U.S. 12 and having a radius of 11,563.40 feet a delta angle of 8 degrees 18 minutes and subtended by a long chord having a bearing of North 52 degrees 27 minutes 07 seconds East and a length of 268.41 feet; thence South 38 degrees 49 minutes 00 seconds East, 246.84 feet to the place of beginning.**

5656 W 1000 N, Michigan City, IN 46360

Parcel ID: 46-02-18-126-002.000-062

A tract of land situated in the Northwest Quarter of Section 17, Township 38 North, Range 3 West, LaPorte County, Indiana. Containing 2.28 acres more or less. More particularly described as follows:

Commencing at the North 1/4 Corner of Section 18, Township 38 North, Range 3 West, LaPorte County, Indiana; thence South 89° 51' 00" West along the North line of said Section 18 a distance of 1351.65 feet to the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 18; thence South 00° 05' 23" East along the West line of the Northeast Quarter of the Northwest Quarter of said Section 18 a distance of 421.88 feet to the place of beginning for the following description; thence South 61° 59' 34" East a distance of 190.44 feet; thence North 89° 54' 37" East a distance of 50.00 feet; thence South 00° 05' 23" East a distance of 421.00 feet; thence South 89° 54' 37" West a distance of 218.00 feet to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 18; thence North 00° 05' 23" West along said West line a distance of 510.69 feet to the place of beginning.

AFFP  
NOTICE S&G Partners

# Affidavit of Publication

STATE OF IN }  
COUNTY OF LA PORTE } SS

Isis Cains, being duly sworn, says:

That she is Legal Clerk of the La Porte County Herald Dispatch, a daily newspaper of general circulation, printed and published in Michigan City, La Porte County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

August 05, 2023

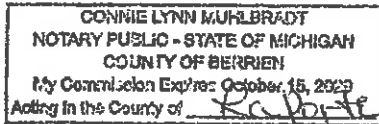
Publication Fees: \$ 714.65

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Subscribed to and sworn to me this 5th day of August 2023.

Connie Lynn Muhlbardt, Notary Public 10/15/2029



00014376 70735854

Newby, Lewis, Kaminski & Jones  
916 Lincolnway  
LaPorte, IN 46350

## NOTICE TO RESIDENTS OF LA PORTE COUNTY, INDIANA

Notice is hereby given to the residents of La Porte County, Indiana that on July 24, 2023, the La Porte County Council passed Resolution No. 2023-7B declaring certain property within La Porte County to be an Economic Revitalization Area pursuant to I.C. § 6-1.1-12.1-1. Following is the Resolution:

...

RESOLUTION OF THE LA PORTE COUNTY COUNCIL IDENTIFYING AND DECLARING PORTIONS OF LA PORTE COUNTY, INDIANA BE DESIGNATED AS AN ECONOMIC REVITALIZATION AREA(S) PURSUANT TO I.C. §6-1.1-12.1-1, ET.SEQ.

Petitioners: S & G Partners LLC (for Real Estate)  
Sammann Company, Inc.  
d/b/a Peepers by Peeperspecs

Address: 9935 E US HWY 12, Michigan City, IN 46360  
Parcel ID: 46-02-18-105-006.000-062

5656 W 1000 N, Michigan City, IN 46360  
Parcel ID: 46-02-18-126-002.000-062

WHEREAS, the La Porte County Council is the statutory body with the authority to designate an area(s) within its jurisdiction as an Economic Revitalization Area(s) as defined in I.C. § 6-1.1-12.1-1, et.seq.; and,

WHEREAS, it has been determined by the La Porte County Council that creating an Economic Revitalization Area(s) in the County will help promote development, redevelopment, investment and job creation; and,

WHEREAS, the La Porte County Council has identified such area(s) in La Porte County, Indiana, State Tax Parcel Identification be considered for the creation of an Economic Revitalization Area(s), namely:

9935 E US HWY 12, Michigan City, IN 46360  
Parcel ID: 46-02-18-105-006.000-062

and

5656 W 1000 N, Michigan City, IN 46360  
Parcel ID: 46-02-18-126-002.000-062

both of which are more particularly described on Exhibit A, and both of which be designated as an Economic Revitalization Area(s) under the provisions of I.C. § 6-1.1-12.1 et.seq.; and

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

SECTION 1. The area(s) described herein above is declared to be included in the creation of the Economic Revitalization Area(s); and

SECTION 2. This resolution shall be in full force and effect from and after its passage, approval and confirmation, as required by law.

SECTION 3. This resolution replaces and supersedes Resolution 2022-02C adopted by this Council on February 28, 2022.

Passed and adopted this 24th day of July, 2023.

...

The complete Resolution No. 2023-7B and the referenced Exhibit A containing the legal description of the designated area is on file in the La Porte County Assessor's Office, 555 Michigan St., Suite 1205, LaPorte, Indiana 46350, and for public inspection during normal office hours 8:00 A.M. to 4:00 P.M., Monday through Friday. Notice is also given that the La Porte County Council will receive and hear all remonstrances at the meeting on Monday, August 28, 2023 at 6:00 P.M. in the Assembly Room of the County Complex located at 809 State Street, LaPorte, Indiana 46350 on the adoption of a confirming resolution containing the following:

SECTION 1. The La Porte County Council hereby determines that the area described hereinabove meets the qualifications for designation as an economic revitalization area.

SECTION 2. Resolution No. 2023-7B, the same being a resolution declaring a portion of La Porte County an economic revitalization area, pursuant to I.C. 6-1.1-12.1-1, et seq., is hereby confirmed and the following are adopted, to-wit:

- a. That the above-described area shall be designated as an Economic Revitalization Area; and
- b. That the property tax deduction to which the Petitioner is entitled shall apply to the real estate pursuant to I.C. 6-1.1-12.1-1 through I.C. 6-1.1-12.1-1; and,
- c. That the aforesaid deduction for real estate and personal property taxes are allowed for 10 years pursuant to the appropriate schedule contained in I.C.; and,
- d. That no limitation is placed upon the dollar amount of the deduction applicable to redevelopment or rehabilitation and new development of the property described hereinabove; and,
- e. That no limitation is placed upon the dollar amount of the deduction applicable to the personal property described hereinabove; and,
- f. That the estimate of cost for new development is reasonable for that type of facility to be built; and,
- g. That the estimate of the additional employees that will be hired can reasonably be expected to result from the proposed development; and,
- h. That the estimate of the annual salaries of the new employees can reasonably be expected to result from the proposed development; and,
- i. That the totality of the benefits is sufficient to justify the granting of this requested deduction; and,
- j. That the "Statement of Benefits for Real Property" dated July 12, 2023, submitted by the S & G Partners LLC is hereby approved and the President of the La Porte County Council is hereby authorized to execute the same on behalf of said Council; and,
- k. That the "Statement of Benefits for Personal Property" dated July 12, 2023, submitted by Sammann Company, Inc. is hereby approved and the President of the La Porte County Council is hereby authorized to execute the same on behalf of said Council; and,
- l. That this determination is final except that an appeal may be taken and heard as provided under the "Act" (I.C. 6-1.1-12.1-1 (d), (e) and (f))

SECTION 3. This Resolution shall be in full force and effect from and after its passage and approval, as required by law.

SECTION 4. This Resolution replaces and supersedes Resolution 2022-03A adopted by this Council on March 28, 2022.

/s/ Anthony G. Novak  
Attorney for Petitioners  
hspaxlp