

RESOLUTION 2010 - 2

RESOLUTION APPROVING AN ABATEMENT FOR  
DA-EG&G @ WG, LLC, AND A CONTINUANCE  
OF THE DESIGNATION OF AN ECONOMIC  
REVITALIZATION AREA

WHEREAS, pursuant to Title 6 of the Statutes of the State of Indiana as well as a Resolution of the Daviess County Council establishing guidelines for tax abatement program as heretofore passed by the Council on the 14<sup>th</sup> day of June, 1986, DA-EG&G @ WG, LLC, has made application for a tax abatement and anticipates increases in the assessed value of real property from the proposed redevelopment and rehabilitation of real property and has submitted documents, including a Statement of Benefits to the County Council in the form attached hereto as Exhibit A, incorporated herein by reference; and

WHEREAS, the Daviess County Council having considered said application and representations made to the Daviess County Council by a representative of DA-EG&G @ WG, LLC, does now find that the real estate situated on Exhibit B, attached hereto, has previously been designated as a Economic Revitalization Area by resolution passed by the Daviess County Council on the 9<sup>th</sup> day of July, 2008, and further, a Confirmatory Resolution was adopted on the 13<sup>th</sup> day of August, 2008, and that the Council has reviewed the Statement of Benefits included in Exhibit A and other information brought to its attention and hereby determines that it is in the best interest of the County to continue to designate the Plant Site as described in Exhibit B as an Economic Revitalization Area and that the deductions under I. C. 6-1.1-12.1-3 should be allowed based upon the following findings:

- (1) The estimate of the value of the redevelopment or rehabilitation is reasonable for projects of that nature.
- (2) 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 proposed described redevelopment or rehabilitation.
- (3) 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 proposed described redevelopment or rehabilitation.
- (4) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements, create benefits of the type and quality anticipated by the County Council within the Area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation.
- (5) The totality of benefits is sufficient to justify the deductions.

AND WHEREAS, the County Council hereby finds that the purposes of I.C. 6-1.1-


12.1 are served by allowing DA-EG&G @ WG, LLC, the deductions provided by I. C. 6-1.1-12.1-3 for a period of ten (10) years.

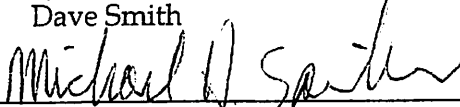
NOW, THEREFORE, BE IT RESOLVED, by the Daviess County Council that:

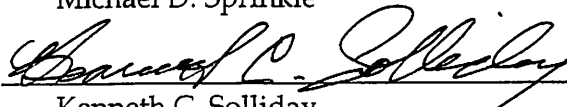
1. The real estate described on Exhibit B is continued to be continued to be designated as an Economic Revitalization Area within the meaning of I. C. 6-1.1-12.1.
2. That DA-EG&G @ WG, LLC, owner of the 4.568 acres within the WestGate Economic Revitalization Area previously designated as an Economic Revitalization Area shall be entitled to the deductions provided by I. C. 6-1.1-12.1-3 for a period of ten (10) years with respect to real property which is redeveloped or rehabilitated as contemplated by and reflected in Exhibit A.
3. The Statement of Benefits submitted by DA-EG&G @ WG, LLC, is approved.
4. BE IT FURTHER RESOLVED, that the County Council, pursuant to Indiana Code 6-1.1-12.1-11.3, waives noncompliance with those provisions set forth in Indiana Code 6-1.1.12.1-11.3(a).


ADOPTED, this 12 day of MAY, 2010, by the Daviess County Council,  
Daviess County, Indiana.

DAVIESS COUNTY COUNCIL

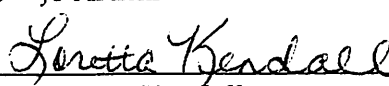
By   
Dave Smith

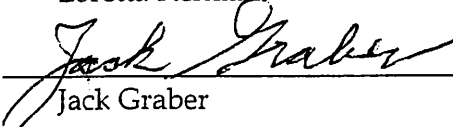
By   
Michael D. Sprinkle

By   
Kenneth C. Solliday


By   
Jo Ann McCracken

By   
Jo Arthur

By   
Loretta Kendall

By   
Jack Graber

ATTEST:

  
Gail Doads, Auditor



STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS

EXHIBIT A

State Form 51767 (FR 11-07)  
Prescribed by the Department of Local Government Finance

20 \_\_\_ PAY 20 \_\_\_  
FORM SB-1 / Real Property

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Eligible vacant building (IC 6-1.1-12.1-4.8)

INSTRUCTIONS

1. 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 submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.
3. To obtain a deduction, application Form 322 ERA/RE or Form 322 ERA/VBD, whichever is applicable, must be filed with the County Auditor by the later of (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form SB-1/Real Property annually to the application to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(f))
5. The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property and under IC 6-1.1-12.1-4.8(f) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000. The schedules effective prior to July 1, 2000 shall continue to apply to a statement of benefits filed before July 1, 2000.

Name of taxpayer DA-EG&S WC LLC		
Address of taxpayer (number and street, city, state and ZIP code) 6548 Ferguson, Indianapolis, IN 46220		
Name of contact person Dale E. Ankrum	Telephone number (317) 257-1880	E-mail address dear@deainc.us
Name of designating body Daviess County Council	Resolution number N/A	DLGF taxing district number
Location of property 1633 N 1400 E County Line Road, Odon, IN 47562	County Daviess	
Description of real property improvements, replacement, or rehabilitation (use additional sheets if necessary) 17,410 sq. ft. one-story wood frame, metal & stone masonry commercial office building	Estimated start date (month, day, year) 04/26/2010	Estimated completion date (month, day, year) 10/25/2010

Current number	Salaries	Number estimated	Salaries	Number estimated	Salaries

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values		
Plus estimated values of proposed project	1,500,000.00	1,500,000.00
Less values of any property being replaced		
Net estimated values upon completion of project	1,500,000.00	1,500,000.00

Estimated solid waste converted (pounds): \_\_\_\_\_ Estimated hazardous waste converted (pounds): \_\_\_\_\_

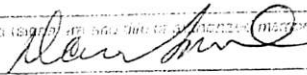
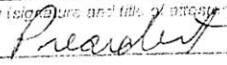
I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title OWNER	Date signed (month, day, year)
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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 6-1-12-1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed 10 calendar years\* (see below). The date this designation expires is \_\_\_\_\_.
- B. The type of deduction that is allowed in the designated area is limited to:
  - 1. Redevelopment or rehabilitation of real estate improvements  Yes  No
  - 2. Residentially distressed areas  Yes  No
  - 3. Construction of a vacant building  Yes  No
- C. The amount of the deduction applicable is limited to \$ \_\_\_\_\_.
- D. Other limitations or conditions (specify) \_\_\_\_\_.
- E. The deduction is allowed for \_\_\_\_\_ years\* (see below).

We have also 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): _____
Attested by (signature and title of attorney): 		
Designated body: _____		

\* 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 for a number of years designated under IC 6-1-12-1-4.

- A. For residentially distressed areas, the deduction period may not exceed five (5) years.
- B. For redevelopment and rehabilitation of real estate improvements:
  - 1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.
  - 2. If the Economic Revitalization Area was designated after June 30, 2000, the deduction period may not exceed ten (10) years.
- C. For vacant buildings, the deduction period may not exceed two (2) years.

## EXHIBIT B

That portion of the Northeast Quarter of Section 1, Township 5 North, Range 5 West of the Second Principal Meridian lying in Madison Township, Daviess County, Indiana, being more particularly described as follows: Commencing at a cast iron monument stamped "QUARTER CORNER" found flush at the southeast corner of said quarter section; thence North 00 degrees 13 minutes 40 seconds West, along the east line of said quarter section, 396.22 feet to a railroad spike found flush at the northeast corner of the lands described to Charles Greene in Deed Record 136, page 273; thence South 89 degrees 46 minutes 20 seconds West, along the north line of said Greene tract, 40.00 feet to a 5/8-inch rebar with a survey cap "HELMS PLS 29800008" set flush in the west 40-foot right-of-way line of County Road 1400 East and being the POINT OF BEGINNING of this description; thence continuing along the north line of said Greene tract and a westerly projection thereof, South 89 degrees 46 minutes 20 seconds West 366.63 feet to a 5/8-inch rebar with said Helms' survey cap found flush at the southwest corner of the lands described to the County of Daviess, State of Indiana in Instrument No. 05-2078; thence North 00 degrees 13 minutes 40 seconds West, along the west line of said Daviess County tract, 542.75 feet to a 5/8-inch rebar with said Helms' survey cap set flush; thence North 89 degrees 46 minutes 20 seconds East 366.63 feet to a 5/8-inch rebar with said Helms' survey cap set flush in the west 40-foot right-of-way line of County Road 1400 East; thence South 00 degrees 13 minutes 40 seconds East, along said west right-of-way line, 542.75 feet to the point of beginning and containing 4.568 acres, more or less. The bearing system of this survey is based upon the Indiana State Plane Coordinate System, West Zone, NAD 83 (1997) as determined by GPS observations. This description was prepared from a boundary survey completed by Landmark Surveying Co., Inc. and certified by Dennis N. Helms, PLS 29800008 on July 06, 2006.

The undersigned person executing this Deed represents and certifies on behalf of the Grantor, that the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this Deed; that the Grantor is a corporation in good standing in the State of its origin and, where required, in the State where the subject real estate is situated; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken.