

RESOLUTION NO. 2009-21

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD,
INDIANA, APPROVING STATEMENT OF BENEFITS**

WHEREAS, pursuant to Resolution No. 2005-26 and Resolution No. 2005-27 (the "2005 Resolutions"), the Town Council of the Town of Plainfield, Indiana ("Town Council") has designated an economic revitalization area as described in the 2005 Resolutions (the "ERA");

WHEREAS, pursuant to the 2005 Resolutions, deductions under Ind. Code §6-1.1-12.1 *et seq.*, from the assessed value of real property, included in the ERA, may be approved and allowed by the Town Council for ten (10) year deduction periods;

WHEREAS, Ind. Code §6-1.1-12.1-4.5 requires that a taxpayer file a statement of benefits with the Town Council in order to obtain real property tax abatement in an economic revitalization area;

WHEREAS, Whitaker Properties, LLC, has filed with the Town Council a statement of benefits dated September 4, 2009, describing a certain project (a copy of said statement of benefits is attached hereto as Exhibit A) such project, involving improvements to real estate tax abatement (hereinafter referred to as the Whitaker Properties, LLC, Statement of Benefits"); and

WHEREAS, the Town Council has reviewed and considered Whitaker Properties, LLC, Statement of Benefits.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL THAT:

1. Pursuant to the 2005 Resolutions, deductions under Ind. Code §6-1.1-12.1 *et seq.*, from the assessed value of personal property in the ERA, may be approved and allowed by the Town Council for ten (10) year deduction periods.

2. The Whitaker Properties, LLC, Statement of Benefits dated September 4, 2009, and attached hereto as Exhibit A, should be and is hereby approved.

3. For Whitaker Properties, LLC, Statement of Benefits, the Town Council makes the following findings of fact pursuant to Ind. Code §6-1.1-12.1-4.5(b):

a. The estimate value of the real estate improvements is reasonable for this type of development;

b. Other benefits about which information was requested are benefits that can be reasonably expected to result from development of a bottled water manufacturing facility; and

c. The totality of benefits is sufficient to justify the deduction.

4. The Town Council hereby finds and declares that:

a. Deductions from the assessed value of real estate improvements described in the Whitaker Properties, LLC, Statement of Benefits approved by this resolution shall be allowed over a ten (10) year deduction period; and

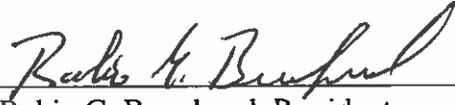
5. The Whitaker Properties, LLC, Statement of Benefits shall be executed at page 2 thereof by the presiding member of the Town Council and the Town Manager, consistent with this Resolution.

6. This Resolution complies with Ordinance No. 5-97.

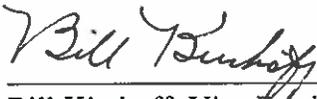
7. This Resolution shall become effective immediately upon its adoption.

Adopted this 14th day of September, 2009, by the Town Council of the Town of Plainfield, Indiana.

TOWN COUNCIL OF THE TOWN OF
PLAINFIELD, INDIANA



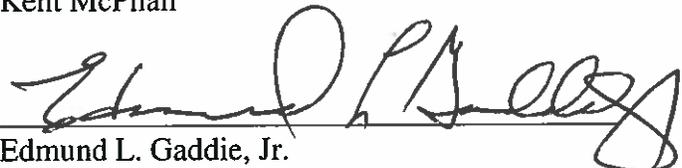
Robin G. Brandgard, President



Bill Kirchoff, Vice President



Kent McPhail



Edmund L. Gaddie, Jr.



Renea S. Whicker

Attested by:



Clerk-Treasurer of the Town of Plainfield
Hendricks County, Indiana



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R2) 1-07
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 CF-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(j)]
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(1) 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.

SECTION 1 TAXPAYER INFORMATION						
Name of taxpayer Whitaker Properties, LLC*						
Address of taxpayer (number and street, city, state, and ZIP code) 2560 E. Philadelphia Street, Ontario, CA 91761						
Name of contact person Kent Ratzlaff		Telephone number (909) 230-5056		E-mail address kratzlaff@niagarawater.co		
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT						
Name of designating body Town of Plainfield Council				Resolution number *		
Location of property 1250 Whitaker Road		County Hendricks		DLGF taxing district number 21		
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) New offices, dock door improvements, electrical upgrades, clean building roof, re-enforcement, guard shack, warehouse lighting upgrades, fencing, caulk floor, ongrade door upgrades, drians. new building utility and process infrastructure.				Estimated start date (month, day, year) 01/15/2010		
				Estimated completion date (month, day, year) 08/15/2010		
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT						
Current number 0.00	Salaries \$0.00	Number retained 0.00	Salaries \$0.00	Number additional 37.00 *	Salaries \$1,524,800.00 *	
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT						
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		11,400,000.00	*
			Plus estimated values of proposed project		1,000,000.00	*
			Less values of any property being replaced		0.00	*
Net estimated values upon completion of project		12,400,000.00	*			
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER						
Estimated solid waste converted (pounds) 0.00			Estimated hazardous waste converted (pounds) 0.00			
Other benefits See Attached "Rider A"						
SECTION 6 TAXPAYER CERTIFICATION						
I hereby certify that the representations in this statement are true.						
Signature of authorized representative 			Title Director of Operations		Date signed (month, day, year) 09/04/2009	

EXHIBIT A

Land Description

Lot Numbered 22 in Incremental Lot 22, Airwest Business Park, Section Three, Phase B, an addition to the Town of Plainfield, Indiana, the plat of which is recorded in Plat Cabinet 2, Slide 83, pages 2A and 2B, as Instrument No. 99-13280, in the Office of the Recorder of Hendricks County, Indiana.