

## **RESOLUTION NO. 2012-34**

### **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA, REGARDING THE WAIVER OF THE COMPLIANCE WITH STATEMENT OF BENEFITS FILING DEADLINE RELATED TO AN ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE SECTION 6-1.1-12.1-9.5**

WHEREAS, Indiana Code 6-1.1-12.1 (the "Act") allows an abatement of property taxes attributable to the redevelopment or rehabilitation of real property and the installation of new manufacturing equipment, new logistical distribution equipment, new research and development equipment, and new information technology equipment in economic revitalization areas;

WHEREAS, Indiana Code 6-1.1-12.1-2 empowers the Town Council of the Town of Plainfield, Indiana ("Town Council") to designate economic revitalization areas;

WHEREAS, on October 9, 2006, the Town Council did adopt a Resolution No. 2006-41 (the "Original Declaratory Resolution"), pursuant to Indiana Code 6-1.1-12.1-2, designating and declaring a certain geographic area within the Town of Plainfield an "economic revitalization area" as defined in the Act, known as the Ronald Reagan Corridor Real Estate;

WHEREAS, on November 13, 2006, the Town Council, by Resolution No. 2006-48 ("Original Confirmatory Resolution"), confirmed the Declaratory Resolution and made findings with respect to the Ronald Reagan Corridor Real Estate, allowing deductions from the assessed value of redevelopment or rehabilitation, new manufacturing equipment, new logistical distribution equipment, new research and development equipment and new technology equipment;

WHEREAS, on April 14, 2008, the Town Council did adopt a declaratory resolution for the designation of certain real estate annexed into the Town as "economic revitalization areas" pursuant to Resolution No. 2008-08 of the Town Council (the "Second Declaratory Resolution," and together with the Original Declaratory Resolution, the "Declaratory Resolution") allowing deductions from the assessed value of redevelopment or rehabilitation of real property, as well as the installation of new manufacturing equipment, new logistical distribution equipment, new research and development equipment and new technology equipment;

WHEREAS, on April 28, 2008, the Town Council, by Resolution No. 2008-09, confirmed the designation of certain real estate annexed into the Town to be "economic revitalization areas" as that term is defined in the Act, and included in the Ronald Reagan Corridor Real Estate (the "Second Confirmatory Resolution," and together with the Original Confirmatory Resolution, the "Confirmatory Resolution");

WHEREAS, on June 9, 2008, the Town Council did adopt a Resolution No. 2008-12 (the "Kappel Declaratory Resolution"), pursuant to Indiana Code 6-1.1-12.1-2, designating and declaring a certain geographic area within the Town of Plainfield an "economic revitalization area" as defined in the Act, known as the Kappel Real Estate;

WHEREAS, on June 23, 2008, the Town Council, by Resolution No. 2008-16 ("Kappel Confirmatory Resolution"), confirmed the Kappel Declaratory Resolution and made findings with respect to the Kappel Real Estate, allowing deductions from the assessed value of redevelopment or rehabilitation of real property, as well as the installation of new manufacturing equipment, new logistical distribution equipment, new research and development equipment and new technology equipment;

WHEREAS, the Kappel Real Estate and the Ronald Reagan Corridor Real Estate continue to be designated as economic revitalization areas within the Town of Plainfield;

WHEREAS, deductions from the assessed value of new manufacturing equipment, new logistical distribution equipment, new research and development equipment, and new technology equipment installed in Kappel Real Estate are allowed over a ten (10) year period;

WHEREAS, Brightpoint North America, L.P. ("Applicant") is located within the Kappel Real Estate, has installed new manufacturing equipment, new logistical distribution equipment, new research and development equipment and/or new technology equipment;

WHEREAS, Brightpoint North America, L.P. (including any affiliates, any entity resulting from consolidation or merger, any joint owner of any improvement or new equipment in the Kappel Real Estate) filed with the Town Council a statement of benefits describing the new equipment that has been or will be installed in Kappel Real Estate (attached as Exhibit A);

WHEREAS, the Town Council previously approved the Application's Statement of Benefits by Resolution No. 2012-23;

WHEREAS, the Applicant has filed an amended personal property tax return and Form CF-1/PP for the March 1, 2012 assessment year to incorporate and detail the ERA deduction from installing new manufacturing equipment, new logistical distribution equipment, new research and development equipment and/or new technology equipment;

WHEREAS, the Applicant's Form CF-1/PP for the March 1, 2012 assessment (attached as Exhibit B) was submitted after May 15, 2012;

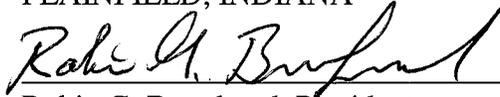
WHEREAS, the Applicant is requesting pursuant to Indiana Code Sections 6-1.1-12.1-9.5, that the Town Council waive the requirement that a Form CF-1/PP be submitted to the county assessor and county auditor by May 15, 2012 (the "Waiver");

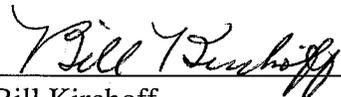
WHEREAS, any noncompliance related to this Waiver request has been corrected prior to the adoption of this Waiver;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that the Applicant's request for adoption of Waiver pursuant to Indiana Code Section 6-1.1-12.1-9.5, as described above, should be and hereby is granted and adopted, and any and all noncompliance with such requirements by the Applicant is hereby waived.

PASSED AND ADOPTED this 10<sup>th</sup> day of December, 2012, by the Town Council of the Town of Plainfield, Indiana.

TOWN COUNCIL OF THE TOWN OF  
PLAINFIELD, INDIANA

  
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Robin G. Brandgard, President

  
\_\_\_\_\_  
Bill Kirchoff

  
\_\_\_\_\_  
Renea Whicker

  
\_\_\_\_\_  
Kent McPhail

  
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Ed Gaddie

ATTEST:

  
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Wesley R. Bennett, Clerk-Treasurer  
Town of Plainfield, State of Indiana