

PLAINFIELD TOWN COUNCIL

RESOLUTION NO. 2015-39

**RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC
REVITALIZATION AREA AND QUALIFYING CERTAIN PERSONAL PROPERTY
FOR TAX ABATEMENT – MD LOGISTICS, INC.**

WHEREAS, the Town Council of the Town of Plainfield, Indiana (the “Town Council” and “Town,” respectively) adopted a Tax Abatement Procedures Ordinance on March 24, 1997 (the “Ordinance”); and

WHEREAS, pursuant to the Ordinance, MD Logistics, Inc. (the “Applicant”) has filed with the Town Council on August 31, 2015, a Petition for Personal Property Tax Abatement Consideration (the “Application”), pursuant to I.C. 6-1.1-12.1-1-1 et. seq.; and

WHEREAS, the Application has been reviewed by the staff, the Tax Abatement Committee and the Town Council, and the Town has received from the Applicant the requisite filing fee.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA, AS FOLLOWS:

1. Declaration of Economic Revitalization Area. The Town Council declares that the location described in Exhibit A, attached to and made part of this resolution (the “Location”), is, and shall hereinafter be, preliminarily deemed an “economic revitalization area” as that phrase is used and intended under the provisions of Indiana Code Sections 6-1.1-12.1-1 et. seq.

2. Personal Property. The Town Council declares that any and all personal property purchased and installed at the Location after the date of the adoption of this resolution by the Town Council, including the personal property described in Exhibit B, shall be eligible for personal property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et. seq.

3. Compliance with Applicable Resolution and Statues. The Town Council declares that the Application complies in all respects with the Ordinance and all governing Indiana statutes, and that the Application, in all respects, is preliminarily granted and approved.

4. Findings of Fact. The Town Council states that the Location is now undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors that have impaired value or prevent normal development of property. The Town Council hereby finds the following:

- (a) The estimate of the value of the Applicant’s Project as stated in the Application is reasonable;

- (b) The employment numbers stated in the Application as a result of the Project, if any, are reasonably expected;
- (c) The salaries related to such employment, if any, are reasonable; and
- (d) The benefits to be received from the Applicant's Project are sufficient to justify the deduction.

6. Abatement Duration. Based upon the provisions of the Ordinance, the Town Council declares that a seven (7) year abatement duration meets the requirements of the Ordinance.

7. Effective Date. This resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the meeting of the Town Council on September 28, 2015, to wit: Plainfield Town Hall, 206 W. Main Street, Plainfield, Indiana, at 7 p.m. local time. At such meeting the Town Council shall take final action determining whether the qualifications for an economic revitalization area and the personal property abatement have been met, and shall confirm, modify and confirm, or rescind this resolution. Such determination and final action by the Council shall be binding upon all affected parties; subject to the appeal procedures contemplated by I.C. 6-1.1-12.1-1 et. seq.

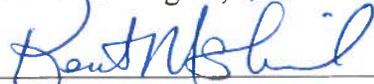
8. Filing With Hendricks County Authorities. Upon the adoption of this resolution, the Clerk-Treasurer of the Town shall cause a certified copy of this resolution, including the description of the previously described location and attached map, to be filed with the Hendricks County Assessor and/or such other Hendricks County Government officials as shall be necessary to make the Applicant eligible to file for personal property tax abatement as to the personal property contemplated by the Application.

Adopted by the Town Council of the Town of Plainfield, Indiana this 28th day of September, 2015.

TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA



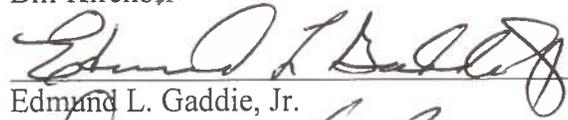
Robin G. Brandgard, President



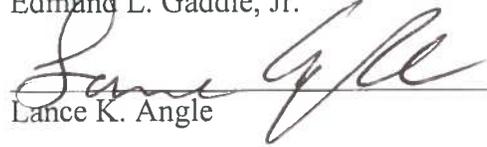
Kent McPhail



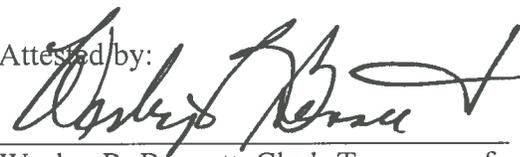
Bill Kirchoff



Edmund L. Gaddie, Jr.



Lance K. Angle

Attested by:


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

EXHIBIT A [description of location deemed an economic revitalization area]

Exhibit A-2: 2150 Stanley Road Site

LEGAL DESCRIPTION OF LAND

Part of the Southeast Quarter of Section 36, Township 15 North, Range 1 East, Hendricks County, Indiana being more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 36; thence 88 degrees 21 minutes 02 seconds West (an assumed bearing) 1187.67 feet along the North Line of the Southeast Quarter of said Section 36; thence South 01 degree 10 minutes 16 seconds East 87.32 feet to southern right-of-way line of Stafford Road and the POINT OF BEGINNING of this description; thence South 01 degree 10 minutes 16 seconds East 2,528.11 feet to the northern right-of-way line of Stanley Road as recorded by Instrument Number 200100027930 of the Hendricks County Recorder's Office, the following three (3) courses are along the northern right-of-way line of Stanley Road; 1) thence South 88 degrees 19 minutes 55 seconds West 407.27 feet; 2) thence North 85 degrees 57 minutes 26 seconds West 100.50 feet; 3) thence South 88 degrees 19 minutes 55 seconds West 190.71 feet; thence North 01 degree 07 minutes 00 seconds West 12.83 feet to a point of curvature to the left, said point being located North 88 degrees 53 minutes 00 seconds East 201.00 feet from the radius point of said curve; thence Northerly 131.80 feet along said curve to its point of tangency, said point being located North 51 degrees 18 minutes 50 seconds East 201.00 feet from the radius point of said curve; thence North 38 degrees 41 minutes 10 seconds West 210.60 feet to a point of curvature to the right, said point being located South 51 degrees 18 minutes 50 seconds West 417.00 feet from the radius point of said curve; thence Northwesterly 125.13 feet along said curve to its point of tangency, said point being located South 68 degrees 30 minutes 22 seconds West 417.00 feet from the radius point of said curve; thence North 90 degrees 00 minutes 00 seconds East 38.80 feet to the point located on a non-tangent curve concave to the northeast, said point being located South 68 degrees 29 minutes 19 seconds West 383.00 feet from the radius point of said curve; thence Northerly along said curve 167.16 feet, said point being located South 80 degrees 00 minutes 00 seconds West 383.00 feet from the radius point of said curve; thence North 00 degrees 00 minutes 00 seconds East 624.78 feet to a point of curvature to the left, said point being located North 90 degrees 00 minutes 00 seconds East 217.00 feet from the radius point of said curve; thence Northerly 160.06 feet along said curve to its point of tangency, said point being located North 47 degrees 44 minutes 15 seconds East 217.00 feet from the radius point of said curve; thence North 42 degrees 15 minutes 45 seconds West 289.43 feet to a point of curvature to the left, said point being located North 47 degrees 44 minutes 15 seconds East 117.00 feet from the radius point of said curve; thence Northwesterly 71.65 feet along said curve to the centerline of George's Creek and its point of tangency, said point being located North 12 degrees 39 minutes 01 seconds East 117.00 feet from the radius point of said curve, the following twenty seven (27) courses are along the centerline of George's Creek; 1) thence North 18 degrees 51 minutes 51 seconds East 16.93 feet; 2) thence North 24 degrees 32 minutes 47 seconds East 63.89 feet; 3) thence North 32 degrees 17 minutes 38 seconds East 101.28 feet; 4) thence North 10 degrees 59 minutes 34 seconds West 12.33 feet; 5) thence North 45 degrees 18 minutes 07 seconds East 86.43 feet; 6) thence South 83 degrees 06 minutes 51 seconds East 21.12 feet; 7) thence North 27 degrees 52 minutes 04 seconds East 41.37 feet; 8) thence North 15 degrees 48 minutes 07 seconds East 61.53 feet; 9) thence North 35 degrees 20 minutes 12 seconds East 68.24 feet; 10) thence North 10 degrees 20 minutes 28 seconds East 20.81 feet; 11) thence North 34 degrees 46 minutes 46 seconds East 21.48 feet; 12) thence North 69 degrees 43 minutes 02 seconds East 20.54 feet; 13) thence North 59 degrees 36 minutes 40 seconds East 88.18 feet; 14) thence North 35 degrees 52 minutes 51 seconds East 25.37 feet; 15) thence North 00 degrees 18 minutes 11 seconds East 41.52 feet; 16) thence North 10 degrees 51 minutes 00 seconds East 120.88 feet; 17) thence North 07 degrees 39 minutes 10 seconds East 166.31 feet; 18) thence North 11 degrees 12 minutes 28 seconds West 39.56 feet; 19) thence North 16 degrees 59 minutes 24 seconds East 68.81 feet; 20) thence North 00 degrees 26 minutes 18 seconds West 8.47 feet; 21) thence North 08 degrees 15 minutes 58 seconds West 29.41 feet; 22) thence North 03 degrees 16 minutes 19 seconds West 34.70 feet; 23) thence North 40 degrees 00 minutes 05 seconds West 15.90 feet; 24) thence North 24 degrees 45 minutes 36 seconds West 8.66 feet; 25) thence North 02 degrees 33 minutes 37 seconds East 8.75 feet; 26) thence North 26 degrees 37 minutes 30 seconds East 16.23 feet; 27) thence North 38 degrees 09 minutes 16 seconds East 28.36 feet to the southern right-of-way line of Stafford Road, the following three (3) courses are along the southern right-of-way line of Stafford Road; 1) thence South 89 degrees 57 minutes 50 seconds East 5.01 feet; 2) thence North 83 degrees 09 minutes 21 seconds East 181.19 feet; 3) thence North 08 degrees 30 minutes 51 seconds East 593.52 feet to the POINT OF BEGINNING containing 52.942 acres, more or less.

Also legally described as Lot 10 of Plainfield Commerce Center, as shown on that certain Secondary Plat of Plainfield Commerce Center recorded August 22, 2006 in Plat Cabinet 6, Slide 151, pages 1A, 1B, 1C and 1D in the office of Recorder of Hendricks County, Indiana.



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (R3 / 12-13)
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 submitted 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-ERA) 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 March 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 March 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 MD Logistics, Inc. | | | Name of contact person Mark Sell | | | | | | | | |
| Address of taxpayer (number and street, city, state, and ZIP code) 1301 Perry Road, Plainfield, IN 46168 | | | | | | Telephone number (317) 707-3222 | | | | | |
| SECTION 2 | | LOCATION AND DESCRIPTION OF PROPOSED PROJECT | | | | | | | | | |
| Name of designating body Town Council of the Town of Plainfield | | | | | | Resolution number (s) | | | | | |
| Location of property 1301 Perry Road, Plainfield, IN 46168 | | | | County Hendricks | | DLGF taxing district number 32-012 | | | | | |
| 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.) Company will install additional cooler space to provide cold storage for distribution operations. This is 10 year property. | | | | | | ESTIMATED | | | | | |
| | | | | | | START DATE | | | COMPLETION DATE | | |
| | | | | | | Manufacturing Equipment | | | | | |
| | | | | | | R & D Equipment | | | | | |
| | | | | | | Logist Dist Equipment | | | 09/01/2015 10/01/2016 | | |
| IT Equipment | | | | | | | | | | | |
| SECTION 3 | | ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT | | | | | | | | | |
| Current number 163 | Salaries \$6,550,253 | Number retained 163 | Salaries \$6,550,253 | Number additional 25 | Salaries \$780,000 | | | | | | |
| 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. | | MANUFACTURING EQUIPMENT | | R & D EQUIPMENT | | LOGIST DIST EQUIPMENT | | IT EQUIPMENT | | | |
| | | COST | ASSESSED VALUE | COST | ASSESSED VALUE | COST | ASSESSED VALUE | COST | ASSESSED VALUE | | |
| Current values | | | | | | | | | | | |
| Plus estimated values of proposed project | | | | | | 1,500,000 | | | | | |
| Less values of any property being replaced | | | | | | | | | | | |
| Net estimated values upon completion of project | | | | | | 1,500,000 | | | | | |
| SECTION 5 | | WASTE CONVERTED AND OTHER BENEFITS PROMISED 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 <i>Mark Sell</i> | | | | | | Date signed (month, day, year) 9-8-15 | | | | | |
| Printed name of authorized representative Mark Sell | | | | Title President & CEO | | | | | | | |

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 _____.
- B. The type of deduction that is allowed in the designated area is limited to:
- | | | |
|--|------------------------------|-----------------------------|
| 1. Installation of new manufacturing equipment; | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____.
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____.
- F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____.
- 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:
- | | | | | | |
|---------------------------------|--|---------------------------------|---------------------------------|----------------------------------|---------------|
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input type="checkbox"/> Year 5 | (see below *) |
| <input type="checkbox"/> Year 6 | <input checked="" type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 | |
- 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 by: (signature and title of authorized member of designating body) <i>Robin G. Brandeard, PRESIDENT</i> | Telephone number <i>(317) 839-2561</i> | Date signed (month, day, year) <i>9/3/2015</i> |
| Printed name of authorized member of designating body <i>ROBIN G. BRANDEARD</i> | Name of designating body <i>TOWN COUNCIL, TOWN OF PLAINFIELD</i> | |
| Attested by: (signature and title of attester) <i>Anthony A. Pereira, INTEGRIM TOWN MANAGER</i> | Printed name of attester <i>ANTHONY A. PEREIRA</i> | |

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

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.