

**PLAINFIELD TOWN COUNCIL
RESOLUTION NO. 2015-35**

**RESOLUTION SETTING FORTH FINAL ACTION IN
APPROVING AMENDED REAL PROPERTY TAX ABATEMENT APPLICATION
AND CONFIRMING RESOLUTION NO. 2015-34 REGARDING
BROWNING/DUKE, LLC #3**

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, Browning/Duke, LLC (the “Applicant”) filed with the Town in 2013 a Petition for Real Property Tax Abatement Consideration for Building #3, pursuant to I.C. 6-1.1-12.1-1-1 et. seq.; and

WHEREAS, in 2013 the Town passed Declaratory Resolution 2013-34 and Confirmatory Resolution 2013-41 granting Browning/Duke, LLC real property tax abatement for Building #3 in the amount of \$22,000,000, an estimated amount of what the assessed value would be; and

WHEREAS, the value of the completed property in 2015 has been assessed at over \$38,000,000, and Browning/Duke LLC has submitted an amended SB-1 form (the “Application”) with the new property value listed; and

WHEREAS, at a duly constituted meeting of the Town Council held on August 24, 2015, the Town Council reviewed and approved the Amended Application pursuant to the specifications of Resolution No. 2015-34 adopted and approved on that date (the “Declaratory Resolution”); and

WHEREAS, pursuant to I.C. 6-1.1-12.1-1 et. seq. the Town Council has properly published “Notice Of Public Hearing of the Town Council of Plainfield, Indiana on Amended Application for Real Property Tax Abatement – Browning/Duke, LLC #3” in the Hendricks County Flyer on August 29, 2015 and filed the required information with the affected taxing units, as required in I.C. 6-1.1-12.1-2.5; and

WHEREAS, such hearing was held on this night by the Town Council and all persons and organizations wishing to express their views were heard and consideration given to any such views; and

WHEREAS, no remonstrances, written or oral, have been filed stating opposition, of any type or character, to the Declaratory Resolution or the approval of real property tax abatement.

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

1. Findings of Fact. The Town Council states that the Findings of Fact in the original 2013 Declaratory Resolution are still applicable with the additional of the following:

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

2. Compliance with the Ordinance and Indiana Law. It is hereby found by the Town Council that the Application complies with the Ordinance and Indiana Code 6.1.1-12.1-3.

3. Confirmation of the Declaratory Resolution. It is hereby declared by the Town Council that the Declaratory Resolution is in all respects hereby confirmed, and real property tax abatement is approved in accordance with the percentages shown for abatement on the attached Exhibit A are approved.

4. Final Action. After legally required public notice, and after public hearing pursuant to such notice, the Town Council hereby takes "final action," as that phrase is defined in I.C. 6-1.1-12.1-1 et. seq., on the date hereof, with regard to approval of the Amended Application and the approval of the Declaratory Resolution.

5. Effective Date. This resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by Indiana law.

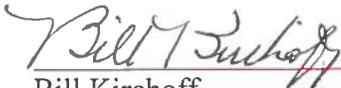
6. Filing with Hendricks County Authorities. Upon the adoption of this resolution, the Clerk-Treasurer of the Town shall cause a certified copy of this resolution to be filed with the Hendricks County Assessor and/or such other Hendricks County government officials as shall be necessary to make the Applicant eligible to file for real estate tax abatement as to the real property improvements contemplated by the Application heretofore reviewed and approved by the Declaratory Resolution and ratified and confirmed by this resolution.

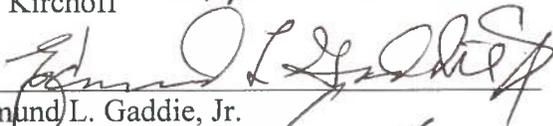
Adopted by the Town Council of the Town of Plainfield, Indiana this 14th day of September, 2015.

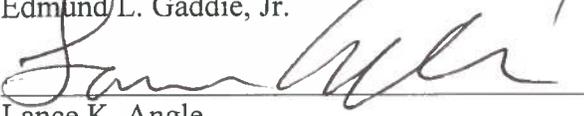
TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA


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

