

RESOLUTION NO. 2015-28

**RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC
REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY AND
IMPROVEMENTS FOR REAL PROPERTY TAX ABATEMENT –
SONIC LIGHTING D/B/A SPYDER AUTO GROUP**

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, Sonic Lighting d/b/a Spyder Auto Group (the “Applicant”) has filed with the Town Council on June 12, 2015, a Petition for Real Property Tax Abatement Consideration (the “Application”) and SB-1 Vacant Building Deduction form, 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 real estate described in Exhibit A, attached to and made part of this resolution, 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. Real Property and Improvements. The Town Council declares that any and all improvements placed upon the real estate described in Exhibit A after the date of the adoption of this resolution by the Town Council, along with the said real estate, shall be eligible for real property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et. seq.

3. Maps and Location of Economic Revitalization Area. Exhibit B, attached to and made part of this resolution, is a map showing the real estate declared to be an “economic revitalization area” as a result of the adoption of this resolution.

4. Compliance with Applicable Resolution and Statutes. 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.

5. Findings of Fact. The Town Council states that the property 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 contained in the Application of the value of the Applicant's project is reasonable;
- (b) The employment numbers contained in the Application, if any, are reasonably expected;
- (c) The salaries reported in the Application related to such employment, if any, are reasonable; and
- (d) The benefits reported in the Application to be received from the Applicant's project are sufficient to justify the deduction.

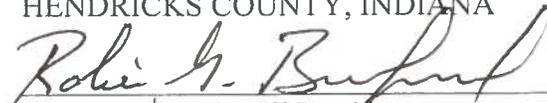
6. Vacant Building Deduction Duration. Based upon the provisions of the Ordinance, the Town Council declares that a two (2) year deduction duration, as requested by Applicant, meets the requirements of the Ordinance.

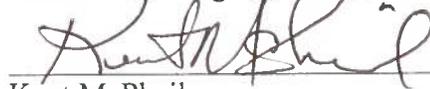
7. Effective Date. This resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the meeting of the Town Council on July 13, 2015, to wit: Plainfield 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 (as to the real estate) 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.

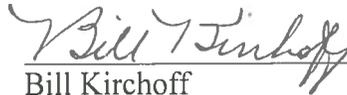
8. Filing With Hendricks County Authorities. Upon the adoption of this resolution, the Clerk-Treasurer of the Town shall cause a certified copy of this resolution, including the legal description of the previously described real estate and attached map, to be filed with the Hendricks County Assessor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

Adopted by the Town Council of the Town of Plainfield, Indiana this 22nd day of July, 2015.

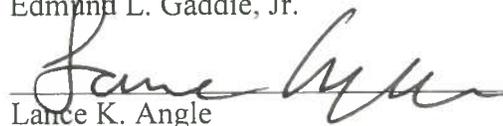
TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA


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



STATEMENT OF BENEFITS VACANT BUILDING DEDUCTION

State Form 55182 (R / 2-14)
Prescribed by the Department of Local Government Finance

20 <u>16</u> PAY 20 <u>17</u>
FORM SB-1 / VBD

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1-1-12, 1-5-1 (c) and (d)

This statement is being completed for real property that qualifies as an "eligible vacant building" as defined by IC 6-1-1-12, 1-1(17)

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 occupation of the eligible vacant building for which the person wishes to claim a deduction.
- 2 To obtain a vacant building deduction, a Form 322/VBD must be filed with the county auditor before May 10 in the year in which the property owner or his tenant occupies the vacant building or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. If the property owner misses the May 10 deadline in the initial year of occupation, he can apply between March 1 and May 10 of a subsequent year.
- 3 A property owner who files the Form 322/VBD must provide the county auditor and the designating body with a Form CF-1/VBD to show compliance with the approved Form SB-1/VBD. The Form CF-1/VBD must also be updated each year in which the deduction is applicable.

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Sonic Lighting d/b/a Spyder Auto					
Address of taxpayer (number and street, city, state, and ZIP code) 19395 East Walnut Drive North, City of Industry, CA 91748					
Name of contact person Brandy Perry			Telephone number (626) 956-9138	E-mail address hrcenter@spyderauto.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Town Council of the Town of Plainfield					Resolution number
Location of property 1570 South Perry Road, Plainfield, IN 46168			County Hendricks	DLGF taxing district number 32-012	
Description of eligible vacant building that the property owner or tenant will occupy (use additional sheets if necessary) Spyder Auto seeks to acquire the 105,000 square foot facility that has been vacant for over a year, make improvements to the facility, and use the facility for its wholesale distribution operations.					
Parcel Number: 32-16-06-351-001 000-012 Lot 4, Plainfield Business Park					Estimated occupancy date (month, day, year) June 23, 2015
					Estimated date placed-in-use (month, day, year) June 23, 2015
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS A RESULT OF PROPOSED PROJECT					
Current number	Salaries	Number retained	Salaries	Number of new	Salaries
0	0.00	0	0.00	45	14.50
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
REAL ESTATE IMPROVEMENTS					
			COST	ASSESSED VALUE	
Current values				3,647,700.00	
Plus estimated values of proposed project			5,000,000.00		
Less values of any property being replaced					
Net estimated values upon completion of project			5,000,000.00		
SECTION 5 EFFORTS TO SELL OR LEASE VACANT BUILDING					
Describe efforts by the owner or previous owner to sell, lease, or rent the building during period of vacancy The building has been vacant for over one year. The building is actively listed for sale.					
Show amount for which the building was offered for sale, lease, or rent during period of vacancy Active listing is for \$5,000,000					
List any other benefits resulting from the occupancy of the eligible vacant building Benefits resulting from Spyder's occupancy of the building include the generation of new jobs in the Plainfield area as well as the utilization of a currently unoccupied building that is not currently being utilized for any purpose at all.					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative			Title Andrew Mak, Director	Date signed (month, day, year) 06/12/2015	

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed 2 (two) calendar years* (see below). The date this designation expires is 6/2015

B. The amount of the deduction applicable is limited to \$ 5,000,000

C. Other limitations or conditions (specify) _____

D. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10

E. For a statement of benefits approved after June 30, 2013, did the 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

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) <i>Robin G. Brandgard</i> PRESIDENT	Telephone number (317) 839-2561	Date signed (month/day/year) 6/18/15
Printed name of authorized member of designating body ROBIN G. BRANDGARD	Name of designating body TOWN OF PLAINFIELD	
Attested by (signature and title of attester) <i>Anthony A. Perrone</i> INTERIM TOWN MANAGER	Printed name of attester ANTHONY A. PERRONE	

* 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 6-1.1-12.1-1(17) "Eligible vacant building" means a building that

(A) is zoned for commercial or industrial purposes, and

(B) is unoccupied for at least one (1) year before the owner of the building or a tenant of the owner occupies the building, as evidenced by a valid certificate of occupancy, paid utility receipts, executed lease agreements, or any other evidence of occupation that the department of local government finance requires

IC 6-1.1-12.1-17

Abatement schedules

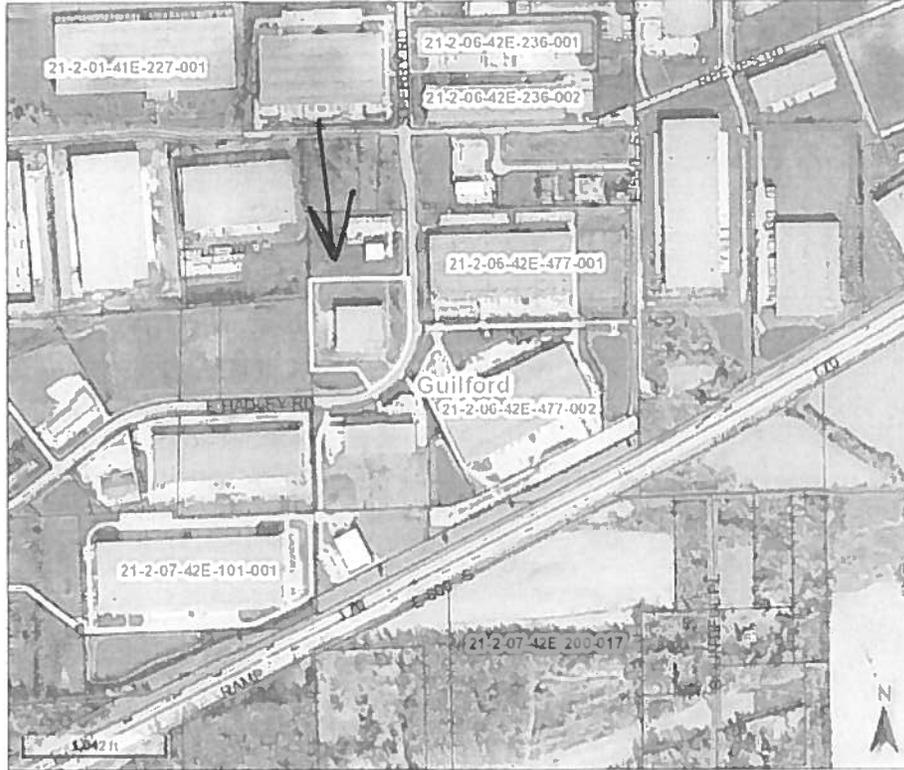
Sec. 17 (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (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.

EXHIBIT B



Overview



Legend

- Parcels
- Right of Way
- Townships
- Road Center lines

Parcel ID	32-16-06-351-001.000-012	Alternate ID	21-2-06-42E-351-001	Owner Address	KAVOD REALITY ADA COMPLIANT L.P
Sec/Twp/Rng	6-14-2	Class	INDUSTRIAL WAREHOUSE		4444 ST CATHERINE W Ste 100
Property Address	1570 SOUTH PERRY RD	Acreage	10.25		Westmount, QC H3Z 1R2
	Plainfield				
District	Town Of Plainfield				
Brief Tax Description	LOT 4 PLAINFIELD BUSINESS PARK LOT 4 & BLOCK E				
	10.25 AC				
	CAME FROM 21-2-06-41E 300-010 SEE SHEET 07/08 E21G				
	(Note: Not to be used on legal documents)				

Date created: 6/10/2015
 Last Data Upload: 6/10/2015 7:54:06 AM



Exhibit A – Legal Description of the Property

Per the Auditor's website, the legal description of the Property is "Lot 4 Plainfield Business Park Lot 4 & Block E 10.25 AC (Came from 21-2-06-41E 300-010 See Sheet 07/08 E21G)."