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Theresa D. Lynch
Hendricks County Recorder IN
Recorded as Presented

PLAINFIELD TOWN COUNCIL



RESOLUTION NO. 2018-24

RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC
REVITALIZATION AREA AND QUALIFYING CERTAIN PERSONAL PROPERTY
FOR TAX ABATEMENT – WAL-MART.COM USA LLC

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, Wal-Mart.com USA LLC (the “Applicant”) has filed with the Town Council on March 21, 2018, 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 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.

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;

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- (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.
- (e) The Applicant understands that in order to receive the proposed personal property tax abatement, construction on the second industrial facility on the adjacent lot must begin by December 31, 2018.

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.

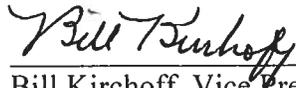
7. Effective Date. This resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the meeting of the Town Council on April 9, 2018, to wit: Plainfield 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.

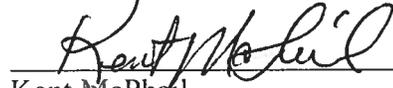
8. Filing with Hendricks County Authorities. Upon the adoption of this resolution, the Clerk-Treasurer of the Town shall cause a certified copy of this resolution, including the description of the previously described location and attached map, to be filed with the Hendricks County Assessor and/or such 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.

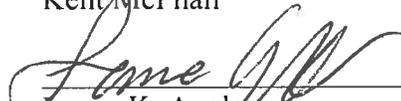
Adopted by the Town Council of the Town of Plainfield, Indiana this 26th day of March, 2018.

TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA


Robin G. Brandgard, President

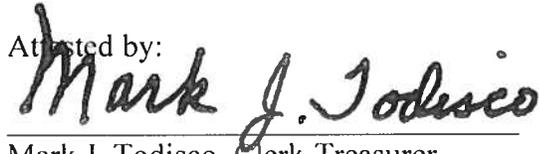

Bill Kirchoff, Vice President


Kent McPhail


Lance K. Angle


Dan Bridget

Attested by:



Mark J. Todisco, Clerk-Treasurer
Town of Plainfield, Indiana

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO REDACT
EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW."

NAME Melanie Q. Noble

PREPARED BY
Melanie Q. Noble

LAND DESCRIPTION

ALLPOINTS MIDWEST BUILDING #3
PART OF INSTRUMENT NUMBER: 2006000032310 & 200600013800

THAT PORTION OF THE 118.462-ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2006000032310 AND THAT PORTION OF PARCEL 1" AS DESCRIBED IN INSTRUMENT NUMBER 200600013800 BOTH BEING ON FILE IN THE OFFICE OF THE HENDRICKS COUNTY, INDIANA RECORDER LYING WITHIN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 59 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER 567.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE NORTH 87 DEGREES 59 MINUTES 01 SECONDS EAST 772.26 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 00 MINUTES 42 SECONDS EAST ALONG SAID WEST LINE 330.00 FEET TO THE SOUTHWEST CORNER OF THE 2-ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 200200027889 ON FILE IN THE OFFICE OF SAID RECORDER; THENCE NORTH 87 DEGREES 59 MINUTES 02 SECONDS EAST ALONG THE SOUTH LINE OF SAID 2-ACRE TRACT AND A SOUTH LINE OF PARCEL 2" AS DESCRIBED IN INSTRUMENT NUMBER 201100213 ON FILE IN THE OFFICE OF SAID RECORDER 279.07 FEET TO THE WEST LINE OF SAID PARCEL 2; THENCE SOUTH 01 DEGREE 53 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF SAID PARCEL 2 AND THE WEST LINE OF LOT 1 AS SHOWN ON THE PLAT OF ALLPOINTS MIDWEST BUSINESS PARK SECTION TWO RECORDED AS INSTRUMENT NUMBER 200818455 ON FILE IN THE OFFICE OF SAID RECORDER 2262.79 FEET TO THE NORTH RIGHT-OF-WAY OF ALLPOINTS PARKWAY AS DESCRIBED IN INSTRUMENT NUMBER 200809789 ON FILE IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 88 DEGREES 06 MINUTES 09 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY AND ITS WESTERLY EXTENSION 1045.39 FEET; THENCE NORTH 01 DEGREE 54 MINUTES 57 SECONDS WEST 2590.57 FEET TO THE POINT OF BEGINNING, CONTAINING 60.127 ACRES MORE OR LESS.