

PLAINFIELD TOWN COUNCIL

RESOLUTION NO. 2021-07

**RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC
REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY AND
IMPROVEMENTS FOR TAX ABATEMENT – NEWBY GATEWAY VI INDUSTRIAL,
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, Newby Gateway VI Industrial, LLC (the “Applicant”) has filed with the Town Council on December 23, 2020, a Petition for Real Property Tax Abatement Consideration (the “Application”), pursuant to I.C. 6-1.1-12.1-1 et. seq.; and

WHEREAS, the Application has been reviewed by the staff, the Tax Abatement Committee and 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., subject to the following limitations:

- a. The designation of said real estate as an “economic revitalization area” shall last for a period of ten (10) years;
- b. Only the deduction under I.C. 6-1.1-12.1-3 is allowed within the economic revitalization area;
- c. The deduction will be allowed with respect to redevelopment or rehabilitation occurring in the economic revitalization area relates to \$11,900,000 of redevelopment or rehabilitation; and

2. Real Property and Improvements. The Town Council declares that any and all improvements (up to \$11,900,000) placed upon the real estate described in Exhibit A hereto after the date of the adoption of this resolution by the Town Council, along with the said real estate, shall be eligible for 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 of the value of the Applicant’s project described in the Application is reasonable;
- (b) The employment numbers described in the Application as a result of the Project, if any, are reasonably expected;
- (c) The salaries described in the Application related to such employment, if any, are reasonable; and
- (d) The benefits to be received from the Applicant’s project shown in the Application are sufficient to justify the deduction.

6. Abatement Duration. Based upon the provisions of the Ordinance, the Town Council declares that a ten (10) year standard phase-in abatement 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 January 25 2021, to wit: Plainfield Fire Territory HQ, 591 Moon Road, 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 and improvements) 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 11th day of January, 2021.

TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA

DocuSigned by:
Robin G. Brandgard

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Robin G. Brandgard, President

DocuSigned by:
Bill Kirchoff

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Bill Kirchoff, Vice President

DocuSigned by:
Kent McPhail

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Kent McPhail

DocuSigned by:
Lance K. Angle

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Lance K. Angle

DocuSigned by:
Dan Bridget

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Dan Bridget

Attested by:
DocuSigned by:

Mark J. Todisco

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

EXHIBIT A [description of real estate]

PARCEL 1- FEE:

Part of the Southwest Quarter of Section 32, Township 15 North, Range 2 East of the Second Principal Meridian, in Hendricks County, Indiana, described as follows:

Commencing at a Hendricks County Surveyor's disk at the northwest corner of said Southwest Quarter of Section 32, Township 15 North, Range 2 East; thence South 00 degrees 11 minutes 04 seconds East along the west line thereof 1338.04 feet to the southwest corner of the Northwest Quarter of said Southwest Quarter; thence South 00 degrees 11 minutes 04 seconds East along said west line 16.78 feet to the Point of Beginning at the southwest corner of Lot 1 of Gateway Business Park Building 5, the plat of which is recorded as Instrument Number 201819540 and filed in Plat Cabinet 8, Slide 205, Page 1AB in the Hendricks County Recorder's office; thence South 00 degrees 11 minutes 04 seconds East 737.22 feet to a westerly corner of the "Indianapolis Airport Authority" 70.262 acre land tract as described in Instrument Number 201710758 (the following 16 calls are along the lines of said land tract); 1) thence South 57 degrees 20 minutes 20 seconds East 175.74 feet; 2) thence North 44 degrees 12 minutes 36 seconds East 66.55 feet; 3) thence North 21 degrees 52 minutes 05 seconds East 202.99 feet; 4) thence South 55 degrees 48 minutes 29 seconds East 203.56 feet; 5) thence South 50 degrees 32 minutes 37 seconds East 158.54 feet; 6) thence South 00 degrees 36 minutes 11 seconds East 59.20 feet; 7) thence North 87 degrees 40 minutes 32 seconds East 115.78 feet; 8) thence South 80 degrees 29 minutes 20 seconds East 210.76 feet; 9) thence South 51 degrees 04 minutes 20 seconds East 186.79 feet; 10) thence South 89 degrees 24 minutes 01 seconds East 184.48 feet; 11) thence North 00 degrees 59 minutes 33 seconds West 278.62 feet; 12) thence North 01 degrees 18 minutes 02 seconds East 432.15 feet; 13) thence North 02 degrees 17 minutes 58 seconds West 209.10 feet; 14) thence North 21 degrees 02 minutes 43 seconds West 123.92 feet; 15) thence North 05 degrees 37 minutes 57 seconds East 25.42 feet to the North line of the Southwest Quarter of said Southwest Quarter; 16) thence South 88 degrees 49 minutes 40 seconds West along said North line 505.13 feet to the southerly extension of the east line of said Lot 1; thence North 00 degrees 13 minutes 47 seconds West along said southerly extension 139.65 feet to the southeast corner of Lot 1 (the remaining courses being along the southern lines of said Lot 1); thence South 89 degrees 07 minutes 06 seconds West 329.95 feet; thence South 00 degrees 15 minutes 47 seconds East 156.14 feet; thence South 88 degrees 29 minutes 43 seconds West 337.00 feet to the Point of Beginning. Containing 25.103 acres, more or less.

PARCEL 2- EASEMENT

Non-Exclusive Easement for ingress and egress as created by a certain Access and Easement Agreement by and between Indy Gateway Building 5, LLC and TKO Commercial Development, L.L.C. recorded June 22, 2018 as Instrument No. 201813535 and as amended by Amended and Restated Access Easement Agreement recorded _____, 2020 as Instrument No. 2020_____, in the Office of the Recorder of Hendricks County, Indiana.

PARCEL 3- EASEMENT

Non-Exclusive Easement for Ingress and Egress as per the Plat of Lot 1 Gateway Business Park Building 5 recorded as Instrument 201819540 and filed in PC 8, Slide 205, Pages 1AB.

EXHIBIT B [Map of Real Estate]

