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Jill L. Jackson County Recorder
File 2014-014225

FILED

JUL 28 2014

Janice D. [signature]
AUDITOR, JOHNSON COUNTY

8

CITY OF FRANKLIN, INDIANA
RESOLUTION NUMBER 2014-10
A RESOLUTION GRANTING TAX ABATEMENT
FOR PRIDGEON & CLAY, INC. (EDC 2014-04)

WHEREAS, the economic growth and development of the City of Franklin, Johnson County, Indiana is the primary goal of the community;

WHEREAS, the Franklin Economic Development Commission has on June 10th, 2014, held a public meeting and considered the tax abatement request of Pridgeon & Clay, Inc. in a manner consistent with the *City of Franklin Community Investment Incentives Summary* and the applicable sections of the Indiana Code.

WHEREAS, the Franklin Economic Development Commission has made the findings required by IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5 and recommends that Pridgeon & Clay, Inc. receive a ten (10) year tax abatement on real property, with a 2% Economic Development Fee; and a seven (7) year tax abatement on personal property, with a 5% Economic Development Fee, for the real estate described as Exhibit "A" and described in the tax abatement request.

WHEREAS, a copy of the Statement of Benefits recommended for approval by the Franklin Economic Development Commission is attached hereto as Exhibit "B;"

WHEREAS, the said real estate as described as Exhibit "A" is located in an existing Economic Revitalization Area as approved by the City of Franklin Common Council with City Council Resolution No. 2012-05;

WHEREAS, the Common Council has received and reviewed Exhibit "B" with all attachments, and that such attachments are made a port hereof and incorporated herein, all which together contain the necessary statements of benefits and description of the project, along with the recommendation of the Economic Development Commission for tax abatement for real property; and

WHEREAS, the Common Council has given careful consideration to the materials submitted and affirms the findings of the Franklin Economic Development Commission relative to the requirements of IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5, and specifically including the following findings:

As to **real property** the following findings are made:

1) Whether the estimate of the value of the development or rehabilitation is reasonable for projects of that nature;
2) Whether the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation;
3) Whether the estimate of annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation;
4) Whether any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed redevelopment or rehabilitation; and
5) Whether the totality of the benefits is sufficient to justify the tax abatement.

Sales Disclosure NOT Required
Johnson County Assessor

As to **personal property** the following findings are made:

1) The estimate of the cost of new equipment is reasonable for equipment of that type;
2) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new equipment;
3) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new equipment;
4) Any other benefits about which information was requested are benefits that can be reasonably expected to result from the installation of the new equipment; and
5) The totality of the benefits is sufficient to justify the tax abatement.

NOW THEREFORE BE IT RESOLVED THAT:

(1) The abatement of real property tax for the property described as Exhibit "A" shall extend for a period of (10) years with a 2% Economic Development Fee, pursuant to the deduction schedule set forth in IC 6-1.1-12.1-3(e)(10).

(2) The abatement of personal property tax shall extend for a period of seven (7) years with a 5% Economic Development Fee, pursuant to the deduction schedule set forth in IC 6-1.1-12.1-4.5(e)(10).

(3) Pridgeon & Clay, Inc. shall be required to provide the City of Franklin with information showing the extent to which there has been compliance with the statement of benefits submitted in their request for tax abatement within sixty (60) days after the end of each year in which the deduction is applicable, all as require by IC 6-1.1-12.1-5.1.

(4) A copy of this resolution and a description of the affected area will be available and can be inspected in the office of the Johnson County Assessor and the City Clerk/Treasurer.

APPROVED by the Common Council of the City of Franklin, Johnson County, Indiana, this 21st day of July, 2014.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:	**Voting Opposed:**
Stephen D. Barnett, Council President	Stephen D. Barnett, Council President
Kenneth W. Austin, Vice-President	Kenneth W. Austin, Vice President
Joseph R. Ault	Joseph R. Ault
Joseph P. Abban	Joseph P. Abban
Robert D. Henderson	Robert D. Henderson

Stephen D. Hougland

Stephen D. Hougland

Richard L. Wertz

Richard L. Wertz

Attest:

Janet P. Alexander
Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, 16, this 21st day of July, 2014.

Janet P. Alexander
Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me this [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 21st day of July, 2014, at 6:30 o'clock p.m.

Joseph E. McGuinness
Mayor

Attest:

Janet P. Alexander
Clerk-Treasurer

21-'16J.

EXHIBIT A

RECEIVED FOR RECORD
JOHNSON COUNTY RECORDER
JEAN HARMON

97019416

97 SEP -2 PM 3:08

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That Franklin Mills, Inc. ("Grantor"), a corporation organized and existing under the laws of the State of Indiana CONVEYS AND WARRANTS to Pridgeon & Clay, Inc. a Michigan corporation, for the sum of one Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Johnson County, in the State of Indiana.

A part of the Southeast quarter of Section 11, Township 12 North, Range 4 East of the Second Principal Meridian, Franklin Township, Johnson County, Indiana, described as follows:
Commencing at a railroad spike found and marking the southwest corner of said southeast quarter section; thence north 00 degrees 06 minutes 08 seconds west (previous survey bearing) on and along the west line of said southeast quarter section 50.00 feet to a railroad spike found and marking the Place of Beginning of this described tract; thence continuing north 00 degrees 06 minutes 08 seconds west on and along said west line 1000.00 feet to a P-K nail set; thence north 89 degrees 13 minutes 22 seconds east and parallel to the south line of said southeast quarter section 450.00 feet to a capped iron pin set; thence south 00 degrees 06 minutes 08 seconds east and parallel to said west line 1000.00 feet to a capped iron pin set on the north line of a 50 foot wide strip used as a right-of-way for Arvin Drive; thence south 89 degrees 13 minutes 22 seconds west and parallel to said south line of said southeast quarter section 450.00 feet to the Place of Beginning, containing 10.3299 acres, more or less.

Property Address: 1301 Graham Road, Franklin IN 46131

Parcel #: 5100 11 01 007/01

Grantor certifies there is no Indiana Gross Income Tax due in respect to the transfer made by this deed at this time.

The undersigned hereby represent. that this real estate is not "property" as defined in Indiana Code Section 13-11-2-174 and is not, and has not been used as a landfill or dump, and contains no underground storage tanks or toxic or hazardous waste or materials, and that no disclosure statement under Indiana Chapter 13-25-3 (Indiana Responsible Transfer Law) is required for this transaction.

Subject to any and all easements, agreements and restrictions of record.

The undersigned persons executing this deed on behalf of Grantor represent and certify that they are duly elected officers of Grantor and have been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

EXHIBIT B

20____ PAY 20____

FORM SB-1 / Real Property

STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51767 (R4 / 2-13)
Prescribed by the Department of Local Government Finance

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 under the following Indiana Code (check one box):
☑ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

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 redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made 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.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(j))
5. The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property apply to any economic revitalization areas designated after June 30, 2000, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17). The schedules effective prior to July 1, 2000, shall continue to apply to economic revitalization areas designated before July 1, 2000.

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Pridgeon and Clay, Inc.		
Address of taxpayer (number and street, city, state, and ZIP code): 50 Cottage Grove SW, Grand Rapids, MI 49507		
Name of contact person: Bruce Penno	Telephone number: 616 248-4819	E-mail address: bpenno@pridgeonandclay.com

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: City of Franklin		Resolution number:
Location of property: 150 Arvin Rd.	County: Johnson	DLGF taxing district number:
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary): New construction for two-story office building adjoining the current facility; to include a lobby, private and open offices, facilities, conference rooms, and open space for future use		Estimated start date (month, day, year): 09/02/2014 Estimated completion date (month, day, year): 12/08/2014

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
82.00	$16.85 (2,873,936)	82.00	$16.85	18.00	$13.90 (520,416)

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS COST	REAL ESTATE IMPROVEMENTS ASSESSED VALUE
Current values		
Plus estimated values of proposed project	500,000.00	
Less values of any property being replaced	0.00	0.00
Net estimated values upon completion of project		

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) 0.00
Estimated hazardous waste converted (pounds) 0.00

Other benefits
No additional waste generated to be converted. Maintain zero exposure certification

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed (month, day, year)
Bruce Penno	Vice President	06/24/2014

RE

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, provides for the following limitations:

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. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
2. Residentially distressed areas ☐ Yes ☐ No
3. Occupancy of a vacant building ☐ Yes ☐ No

C. The amount of the deduction applicable is limited to $ 500,000.

D. Other limitations or conditions *(specify)* with 2% Economic Development Fee

E. The deduction is allowed for 7 years* *(see below)*.

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)*	Telephone number	Date signed *(month, day, year)*
Steve Barnett Steve Barnett Council President	317-736-3631	7-21-14
Attested by *(signature and title of attester)*	Designated body	
Krista Linke Krista Linke Director of Comm. Dev.	City of Franklin Common Council	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.12-12.1-4.

A. For residentially distressed areas, the deduction period may not exceed five (5) years.
B. For redevelopment and rehabilitation or real estate improvements:
1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.
2. If the Economic Revitalization Area was designated after June 20, 2000, the deduction period may not exceed ten (10) years.
C. For vacant buildings, the deduction period may not exceed two (2) years.

EXHIBIT B

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R / 1-06)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

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).

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*** *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. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)*
2. *Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to installation of the new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment.* ***BEFORE*** *a deduction may be approved*
3. *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. 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.*
4. *Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1 / PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *The schedules established under IC 6-1.1-12.1-4.5(d) and (e) apply to equipment installed after March 1, 2001. For equipment installed prior to March 2, 2001, the schedules and statutes in effect at the time shall continue to apply. (IC 6-1.1-12.1-4.5(f) and (g))*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer PRIDGEON AND CLAY, INC.	
Address of taxpayer *(number and street, city, state, and ZIP code)* 50 COTTAGE GROVE SW GRAND RAPIDS, MI 49507	
Name of contact person BRUCE PERNO	Telephone number (616) 248-4819

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body CITY OF FRANKLIN		Resolution number (s)
Location of property 150 ARVIN RD	County JOHNSON	DLGF taxing district number

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)*		ESTIMATED START DATE	ESTIMATED COMPLETION DATE
NEW STAMPING LINE WITH FIVE PRESSES AND AUTOMATED TRANSFERS, AND THREE NEW ROBOTIC WELD CELLS.	Manufacturing Equipment	9/2/2014	4/24/2015
	R & D Equipment	–	–
	Logist Dist Equipment	–	–
	IT Equipment	–	–

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
52	16.85 $13.90	52	$13.90	13	$13.90

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 COST	MANUFACTURING EQUIPMENT ASSESSED VALUE	R & D EQUIPMENT COST	R & D EQUIPMENT ASSESSED VALUE	LOGIST DIST EQUIPMENT COST	LOGIST DIST EQUIPMENT ASSESSED VALUE	IT EQUIPMENT COST	IT EQUIPMENT ASSESSED VALUE
Current values								
Plus estimated values of proposed project	$3,500,000							
Less values of any property being replaced	0	0						
Net estimated values upon completion of project								

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted *(pounds)* 0 Estimated hazardous waste converted *(pounds)* 0

Other benefits: NO ADDITIONAL WASTE WILL BE GENERATED. MAINTAIN ZERO EXPOSURE CERTIFICATION

SECTION 6 — TAXPAYER CERTIFICATION

~~I hereby~~ certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed (month, day, year)
[signature] Bruce Perno	VICE PRESIDENT	02/27/14

PP

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: ☑ Yes ☐ No
2. Installation of new research and development equipment: ☐ Yes ☐ No
3. Installation of new logistical distribution equipment. ☐ Yes ☐ No
4. Installation of new information technology equipment; ☐ Yes ☐ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 3,300,000 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)* with a 5% Economic Development Fee

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 on or after July 1, 2000, is allowed for:

☐ 1 year	☐ 6 years	** For ERA's established prior to July 1, 2000, only a 5 or 10 year schedule may be deducted.
☐ 2 years	☑ 7 years	
☐ 3 years	☐ 8 years	
☐ 4 years	☐ 9 years	
☐ 5 years **	☐ 10 years **	

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: *(signature and title of authorized member)*	Telephone number	Date signed *(month, day, year)*
Steve Barnett Council President	317-736-3631	7-21-14
Attested by: Krista Linke Director of Comm. Dev.	Designated body City of Franklin Common Council	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.5