

MAR 23 2016

Ramona J. Burton
AUDITOR, JOHNSON COUNTY

CITY OF FRANKLIN, INDIANA

RESOLUTION NUMBER 2016-01

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File **2016-006080**

**A DECLARATORY RESOLUTION DESIGNATING AN ECONOMIC REVITALIZATION
AREA FOR PIERCE HARDY LIMITED PARTNERSHIP AND 84 LUMBER COMPANY
(EDC 2016-01)**

WHEREAS, Pierce Hardy Limited Partnership and 84 Lumber Company have submitted a Statement of Benefits and made application for an Economic Revitalization Area designation pursuant to IC 6-1.1-12.1, *et. seq.*, for the property commonly known as 1850 N. Graham Road; and

WHEREAS, pursuant to IC 6-1.1-12.1, *et. seq.*, the Council may find that a particular area within the jurisdiction of the City is an Economic Revitalization Area and may by adoption of a resolution, declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and

WHEREAS, pursuant to IC 6-1.1-12.1, *et. seq.*, the City of Franklin, Indiana (the "City") by and through its Common Council, acting in its capacity as the fiscal body of the City and acting as the designating body identified in IC 6-1.1-12.1 *et. seq.*, the City has the right and opportunity to abate the payment of real property taxes for real estate located within an area declared by the City to be an Economic Revitalization Area and to also abate the payment of personal property taxes within the Economic Revitalization Area; and

WHEREAS, the Franklin Economic Development Commission has on January 12th, 2016 held a public meeting and considered the economic revitalization area designation and the real and personal property tax abatement requests of Pierce Hardy Limited Partnership and 84 Lumber Company, in a manner consistent with all applicable sections of the Indiana Code; and

WHEREAS, the Franklin Economic Development Commission made the findings required by IC 6-1.1-12.1 *et. seq.* and recommended that the property commonly known as 1850 N. Graham Road, Franklin, Indiana more particularly described in Exhibit A, be designated as an economic revitalization area; and

WHEREAS, said property meets the criteria for designation as an Economic Revitalization Area pursuant to IC 6-1.1-12.1 *et. seq.*;

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Franklin as follows:

Section 1. The Common Council has reviewed the Statement of Benefits and additional information submitted pursuant to IC 6-1.1-12.1 *et. seq.* and makes the following findings:

- a. 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 occupation of the eligible vacant building; and
- b. 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 proposed occupation of the eligible vacant building; and
- c. Other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed occupation of the eligible vacant building; and

Sales Disclosure NOT Required
Johnson County Assessor

0003901

- d. The occupation of the eligible vacant building will increase the tax base and assist in the rehabilitation of the economic revitalization area; and
- e. The totality of benefits is sufficient to justify the deduction.

Section 2. Based on these findings, the Common Council has determined that the purposes of IC 6-1.1-12.1 *et. seq.* are served by allowing the deduction, and the property described in Exhibit A is hereby declared to be an Economic Revitalization Area.

Section 3. A public hearing shall be held on the 7th day of March, 2016 at 6:00 p.m. at the Franklin City Hall Council Chambers, 70 E. Monroe Street, Franklin, Indiana. The Council shall publish or cause to be published, pursuant to the provisions of IC 6-1.1-12.1 *et. seq.*, notice of the adoption and substance of this Resolution in accordance with IC 5-3-1, one time at least 10 days before the date of the public hearing on this matter, which notice shall state the date and time for the public hearing, that the Council will hear all remonstrance's and objections from interested persons at the public hearing, and that at the conclusion of the public hearing, the Council may take final action on the proposed designation determining whether the qualifications for an economic revitalization area have been met and confirm, modify, or rescind this Resolution. A copy of this Resolution, including a legal description of the property, will be filed with and shall be available for inspection in the office of the Johnson County Assessor.

Section 4. Said designation shall begin and be in full force and effect immediately upon adoption of the Confirming Resolution.

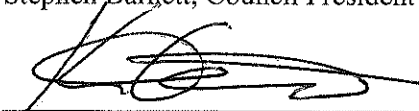
Introduced and Filed on the 1st day of February, 2016.

DULY PASSED on this 1st day of February, 2016, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

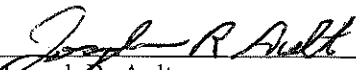
City of Franklin, Indiana, By its Common Council:

Voting Affirmative:


Stephen Barnett, Council President


Kenneth W. Austin, Vice President


Joseph P. Abban


Joseph R. Ault

Voting Opposed:

Stephen Barnett, Council President

Kenneth W. Austin, Vice President

Joseph P. Abban

Joseph R. Ault



Andrew Eggers

Andrew Eggers



Keith Fox

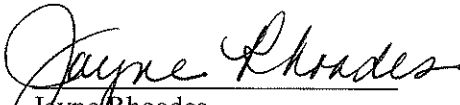
Keith Fox



Richard L. Wertz

Richard L. Wertz

Attest:



Jayne Rhoades
City 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 1st day of February, 2016 at 6:00 o'clock a.m./p.m.



Jayne Rhoades
City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me [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 1st day of February, 2016 at 6:00 o'clock a.m./p.m.



Joseph E. McGuinness
Mayor

Attest:



Jayne Rhoades
City Clerk-Treasurer

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

NAME Krista Linke

Prepared by: Krista M. Linke, Director of Community Development

EXHIBIT A

THIS INDENTURE WITNESSETH, That Maurice Fred Linville and Helen Ann Linville, Husband and Wife (Grantor) of Johnson County, in the State of Indiana, CONVEY(S) AND WARRANT(S) to Abacus Enterprises, Inc., an Indiana Corporation (Grantee) of Johnson County, in the State of Indiana, for the sum of One and no/100 Dollars (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Johnson County, State of Indiana:

Parcel II

A part of the Northwest Quarter of Section 11, Township 12 North, Range 4 East of the Second Principal Meridian, Franklin Township, Johnson County, Indiana, more particularly described as follows:

Beginning at a point on the East line of the said Northwest Quarter Section that is North 00 degrees 00 minutes 00 seconds East (previous survey bearing) 748.52 feet from the Southwest corner thereof; thence North 00 degrees 00 minutes 00 seconds East on and along said Quarter Section line a distance of 870.22 feet; thence South 89 degrees 25 minutes 20 seconds West a distance of 1424.39 feet to the East right-of-way of the Louisville and Indiana Railroad; thence Southeasterly along said right-of-way line South 16 degrees 24 minutes 45 seconds East 485.25 feet; thence Southeasterly along a curve to the left having a radius of 588.11 feet, an arc distance of 498.85 feet which arc is subtended by a chord bearing and distance of South 44 degrees 20 minutes 54 seconds East 484.03 feet; thence North 22 degrees 05 minutes 45 seconds East 7.50 feet; thence South 69 degrees 38 minutes 42 seconds East 20.01 feet; thence South 22 degrees 05 minutes 46 seconds West 7.51 feet; thence Southeasterly along a curve to the left having a radius of 588.11 feet, an arc distance of 208.12 feet which arc is subtended by a chord bearing and distance of South 88 degrees 44 minutes 06 seconds East 207.03 feet; thence North 89 degrees 07 minutes 38 seconds East 725.41 feet to the East line of said Quarter Section and the Point of Beginning, containing 25.000 acres, more or less, subject to legal rights-of-way, easements and restrictions.

Parcel #: 5100 11 01 029/00

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

Tax bills should be sent to Grantee at 609 Treyborne Dr. Ste. A, Greenwood, IN 46142.

IN WITNESS WHEREOF, Grantor has executed this deed this 10th day of FEBRUARY, 2005.

Grantor:

Signature: Maurice Fred Linville
Maurice Fred Linville by
Charlotte Ann Sullivan, Attorney in Fact

Grantor:

Signature: Helen Ann Linville
Helen Ann Linville by
Charlotte Ann Sullivan, Attorney in Fact