CITY OF FRANKLIN, INDIANA

RESOLUTION NUMBER 2020-18

A RESOLUTION GRANTING TAX ABATEMENT FOR SHELBY GRAVEL

WHEREAS, the Indiana General Assembly has enacted a statute, IC 6-1.1-12.1 (the "Act") authorizing certain tax deductions of property taxes (as defined in the Act) attributable to redevelopment or rehabilitation activities in economic development areas; and

WHEREAS, *Shelby Gravel* (the "Applicant") has submitted a Statement of Benefits and made application for Personal Property Tax Abatement pursuant to the Act; and

WHEREAS, the Franklin Economic Development Commission has on November 10th, 2020, held a public meeting and considered the tax abatement request of *Shelby Gravel* (SE Corner of Commerce Drive and Graham Road) in a manner consistent with the applicable section of the Indiana Code;

WHEREAS, the Franklin Economic Development Commission has made the findings required by IC 6-1.1-12.1-4.5 and recommended that *Shelby Gravel* receive a six (6) year tax abatement **with a 5% Economic Development Fee**, on personal property 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 in "Exhibit A" is located in an existing Economic Development Target Area as approved by the City of Franklin Common Council with City Council Resolution Number 2012-04;

WHEREAS, the Common Council has received and reviewed "Exhibit B" with all attachments, and that such attachments are made a part 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 personal 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 personal property:

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 manufacturing 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

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the new equipment;

4) Other benefits about which information was requested are benefits that can be reasonably expected to result from the installation of the new equipment;

5) The totality of the benefits is sufficient to justify the tax abatement.

NOW THEREFORE BE IT RESOLVED THAT:

1) The abatement of personal property tax shall extend for a period of 6 years pursuant to the deduction schedule set forth in Exhibit C.

2) *Shelby Gravel* 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, as required by IC 6-1.1-12.1-5.1.

3) 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 16th day of November, 2020.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:	Voting Opposed:
Kenneth Austin, President	Kenneth Austin, President
absent Melissa Jones	Melissa Jones
Daniel J. Blankenship	Daniel J. Blankenship
Robert D. Heuchan	Robert D. Heuchan
Anne McGuinness	Anne McGuinness
Chris Rynerson	Chris Rynerson
Shawn Taylor	Shawn Taylor

Attest:

Jayne Rhoades

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 16 day of November, 2020 at 6:20 o'clock a.m./p.m.

Jayne Rhoades

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 16 day of November, 2020 at 6:20 o'clock a.m./p.m.

Stephen Barnett

Stephen Barnett
Mayor

Attest:

Jayne Rhoades

Jayne Rhoades,
City Clerk-Treasurer

Prepared by: Dana Monson, Community Development Specialist
"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."

Dana Monson

Dana Monson
Community Development Specialist

EXHIBIT A

PARCEL I:

Part of the northeast quarter of Section 11, Township 12, Range 4 east in Johnson County, Indiana, described as follows:

Commencing at P.K. Nail marking the northwest corner of said northeast quarter section; thence South 00 degrees 00 minutes 00 seconds west (assumed bearing) along the west line thereof a distance of 368.65 feet to Point of Beginning and a southwest corner of a 13.974 acre tract of land described in a deed to the City of Franklin, Indiana recorded in Book 275, page 611 in the Office of the Recorder of Johnson County, Indiana, the following two courses being along the south line of said tract; (1) North 90 degrees 00 minutes 00 seconds east perpendicular to the west line of said northeast quarter section a distance of 406.72 feet to the point of curvature of a curve having a radius of 770.00 feet, the radius point of which bears South 00 degrees 00 minutes 00 seconds west; (2) thence southeasterly along said curve an arc distance of 13.28 feet to a 5/8 inch rebar with plastic cap stamped "SCHNEIDER FIRM #0001" (hereafter referred to as "rebar"), said point bears North 00 degrees 59 minutes 18 seconds east from said radius point; thence South 00 degrees 00 minutes 00 seconds west parallel with the west line of said northeast quarter section a

distance of 1630.68 feet to the centerline of a 30 foot railroad easement recorded in Book 275, page 839, the following three courses being along said easement centerline; (1) thence south 74 degrees 22 minutes 45 seconds west a distance of 4.49 feet to a point on a non-tangent curve having a radius of 607.04 feet; the radius point of which bears north 15 degrees 31 minutes 07 seconds west; (2) thence southwesterly along said curve an arc distance of 155.30 feet to a point which bears south 00 degrees 51 minutes 38 seconds east from said radius point; (3) thence south 89 degrees 07 minutes 38 seconds west a distance of 262.41 feet to the west line of the aforesaid northeast quarter section; thence north 00 degrees 00 minutes 00 seconds east along said west line a distance of 1658.06 feet to the point of beginning, containing 15.93 acres, more or less.

PARCEL II:

A non-exclusive 30 foot railroad easement for the purpose of a railroad spur for the benefit of Parcel I, as created by a non-exclusive 30 foot railroad easement dated March 31, 1994 and recorded April 4, 1994 in Deed Record 275, page 839, and amended May 30, 1997 as Instrument #97011109, over and across the following real estate in Johnson County, Indiana:

A part of the north half 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 west line of the northeast quarter of said Section 11, north 00 degrees 00 minutes 00 seconds east (previous survey bearing) 718.52 feet from the southwest corner thereof; said point being 15 feet south of the center of an existing railroad track; thence south 89 degrees 07 minutes 38 seconds west and approximately parallel to said centerline 725.41 feet to the beginning of a curve to the right; thence northwesterly along an arc of said curve to the right having a radius of 618.11 feet; an arc distance of 220.14 feet; which arc is subtended by a chord bearing and distance of north 80 degrees 40 minutes 11 seconds west 218.98 feet; thence south 22 degrees 05 minutes 26 seconds west 7.51 feet; thence north 69 degrees 31 minutes 11 seconds west 20.01 feet; thence north 22 degrees 05 minutes 46 seconds east 7.50 feet; thence northwesterly along a curve to the right having a radius of 618.11 feet; an arc distance of 365.95 feet; which arc is subtended by a chord bearing and distance of north 51 degrees 39 minutes 03 seconds west 360.63 feet to a point on the westerly line of the grantor's land; said line also being the easterly right-of-way line of the former Conrail Railroad, now the Louisville-Indiana Railroad Company; thence northwesterly along said right-of-way line north 16 degrees 24 minutes 45 seconds west 156.55 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 46 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 a distance of south 88 degrees 44 minutes 06 seconds east 207.03 feet; thence north 89 degrees 07 minutes 38 seconds east 988.04 feet to the beginning of a curve to the left; thence northeasterly along an arc of said curve to the left having a radius of 592.04 feet; an arc distance of 151.45 feet; which arc is subtended by a chord bearing and distance of north 81 degrees 48 minutes 40 seconds east 151.04 feet; thence north 74 degrees 22 minutes 45 seconds east 249.92 feet to the beginning of a curve to the right; thence northeasterly along an arc of said curve to the right having a radius of 549.85 feet; an arc distance of 149.91 feet; which arc is subtended by a chord bearing and distance of north 82 degrees 13 minutes 03 seconds east 149.44 feet; thence north 90 degrees 00 minutes 00 seconds east 941.53 feet to the beginning of a curve to the left; thence northeasterly along an arc of said curve to the left having a radius of 612.50 feet; an arc distance of 316.56 feet; which arc is subtended by a chord bearing and distance of north 75 degrees 11 minutes 37 seconds east 313.05 feet; thence north 90 degrees 00 minutes 00 seconds east 56.86 feet; thence southwesterly along an arc of a curve to the right having a radius of 642.50 feet; an arc distance of 381.55 feet; which arc is subtended by a chord bearing and distance of south 72 degrees 59 minutes 15 seconds west 375.97 feet; thence south 90 degrees 00 minutes 00 seconds west 941.53 feet to the beginning of a curve to the left; thence southwesterly along said curve to the left having a radius of 519.85 feet; an arc distance of 141.73 feet; which arc is subtended by a chord bearing and distance of south 82 degrees 13 minutes 03 seconds west 141.29 feet; thence south 74 degrees 22 minutes 45 seconds west 249.92 feet to the beginning of a curve to the right; thence southwesterly along an arc of said curve to the right having a radius of 622.04 feet; an arc distance of 159.18 feet; which arc is subtended by a chord bearing and distance of south 81 degrees 48 minutes 40 seconds west 158.74 feet; thence south 89 degrees 07 minutes 38 seconds west 262.63 feet to the point of beginning, containing 2.4035 acres, more or less.

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: Shelby Gravel, Inc.

Address of taxpayer (*number and street, city, state, and ZIP code*): PO Box 280 Shelbyville, IN 46167

Name of contact person: Aaron Haehl

Telephone number: (317) 392-5502

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body:

Resolution number (s):

Location of property: N Graham Road

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*)

Ready-Mix concrete plant, Concrete reclaimer, IT and Office equipment

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	March 1, 2021	December 1, 2021
R & D Equipment		
Logist Dist Equipment		
IT Equipment	March 1, 2021	December 1, 2021

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

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
21	$48,000-$55,000	21	$48,000-$55,000	3	$48,000-$55,000

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		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values								
Plus estimated values of proposed project	$6,400,000						$70,000	
Less values of any property being replaced								
Net estimated values upon completion of project	$6,400,000						$70,000	

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

Estimated solid waste converted (*pounds*) ____________

Estimated hazardous waste converted (*pounds*) ____________

Other benefits:

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*)
Aaron Haehl	Secretary-Treasurer	10-30-2020

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 $ ________________ 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)*____

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, <u>only</u> 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)*
[signature]	317-736-3631	11-16-20
Attested by: Nicita Cinkai	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

EXHIBIT C

Personal Property Schedule

15.93 total acres

SE corner of Commerce Drive and Graham Road

Parcel Number:
41-08-11-013-003.000-009

Resolution 2020-18

Year	Abatement
1	100%
2	85%
3	66%
4	50%
5	34%
6	25%