



CITY OF FRANKLIN

COMMUNITY DEVELOPMENT DEPARTMENT

Memorandum

To: City of Franklin Economic Development Commission

From: Dana Monson, Community Development Specialist

Date: March 9, 2021

Re: Case C 2021-28: Sunbeam FTP LLC Res. 19-07

Summary:

1. On November 18, 2019, the Franklin Common Council passed Resolution No. 2019-07, approving a 10-year tax abatement on real property for Sunbeam FTP LLC, located at 500 Bartram Parkway.
2. Actual and estimated benefits, as projected for 2020:

	Estimated on SB-1	Actual in 2020	Difference
Total Employees	0	0	0
Salaries	\$0	\$0	\$0
Average Hourly Salaries	\$0.00	\$0.00	\$0.00
Real Property Improvements	\$4,100,000	\$4,389,683	\$2889,683

3. The company has exceeded their estimate provided on the SB-1 Form for real property.
4. The property has been leased to Energizer Holdings with buildout occurring in 2020. The final employee numbers will come from Energizer.
5. The real property tax abatement is scheduled to expire in tax year 2031 payable 2032. The final compliance review will take place in 2031.

Staff Recommendation: Approval

GEESLIN AND ASSOCIATES, P.C.

127 W. MAIN STREET, SUITE 302

P. O. BOX 627

LEBANON, INDIANA 46052-0627

TELEPHONE (765) 482-1330

FAX (765) 482-1306

E-MAIL: jgeeslinjr@aol.com

JOSEPH D. GEESLIN, JR.
ATTORNEY AT LAW

WILLIAM H. PRICE
PARALEGAL

February 25, 2021

Ms. Dana Monson
Community Development Specialist
Franklin Development Corporation
70 E. Monroe Street, 3rd Floor
Franklin, IN 46131

Re: Sunbeam Development Corporation – Parcel No. 41-07-18-044-015.001-018
Resolution No. 2019-07

Dear Dana:

On behalf of our client please find attached a letter of statement of compliance and Form CF-1 for The tax year 2021 pay 2022 reflecting full compliance on the above referenced project. Also enclosed is a copy of the Resolution and original statement of benefits.

Should you have any questions, please feel free to contact Ken Kern or our office.

Sincerely,



William H. Price
Paralegal for Joseph D. Geeslin, Jr.
Attorney for Sunbeam Development Corporation

WHP:llj

Enclosures



February 24, 2021

City of Franklin
Attn: Dana Monson
Community Development Specialist
70 East Monroe Street
Franklin, IN 46131

Re: Resolution No. 2019-07– Tax Abatement Compliance for Sunbeam Development
(Buildout for Energizer)

Dear Ms. Monson:

Enclosed please find Form CF-1/RE (Compliance with Statement of Benefits) regarding compliance with the real property tax abatement which was granted to Sunbeam Development in 2019 under Franklin Common Council Resolution Number 2019-07.

The above resolution was granted for the interior buildout for the existing 933,504 Sq. Ft. building located at 180 Bartram Parkway, Franklin, IN for occupancy by the tenant Energizer Manufacturing, Inc. Construction of the buildout improvements began in the first quarter of 2020. The following is a breakdown by quarter of capital improvements for this project:

2020 1st Quarter	\$1,295,595
2020 2nd Quarter	\$1,869,459
2020 3rd Quarter	\$1,069,860
2020 4 th Quarter	<u>\$1,054,769</u>
	\$4,389,683

As of the end of December 2020, the buildout was complete and occupied by Energizer.

Attached with this letter is a copy of a completed CF-1/Real Property for 2021 pay 2022 reflecting the updated investment value. Currently no assessment has been made for the 2021 assessment year valuing the addition of the buildout improvements. An updated CF-1 will be filed with the Abatement Application, Form 322/RE when assessment is received.

Page 2
February 24, 2021
City of Franklin

Based on the foregoing information, Sunbeam Development Corporation is in full compliance with the investment requirements proposed on the original SB-1/Real Property.

Upon review of the enclosures should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Kern", with a horizontal line extending to the right.

Ken Kern
Vice President

KK:llj

Enclosures

**COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51766 (R3 / 2-13)

Prescribed by the Department of Local Government Finance

20 21 PAY 20 22

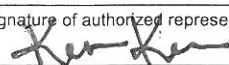
FORM CF-1 / Real Property

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 form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1 TAXPAYER INFORMATION			
Name of taxpayer SUNBEAM DEVELOPMENT CORPORATION		County JOHNSON	
Address of taxpayer (number and street, city, state, and ZIP code) 1401 79TH STREET CAUSEWAY, MIAMI BEACH, FL 33141		DLGF taxing district number 018	
Name of contact person KEN KERN 11800 EXIT FIVE PARKWAY, SUITE 100, FISHERS, IN 46037		Telephone number (317) 842-1166	
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY			
Name of designating body CITY OF FRANKLIN, IN BY ITS COMMON COUNCIL		Resolution number 2019-07	Estimated start date (month, day, year) 01/01/2020
Location of property 180 BARTRAM PARKWAY, FRANKLIN, IN 46037		Actual start date (month, day, year) 01/01/2020	
Description of real property improvements PROPOSED INVESTMENT TO EXISTING SHELL BUILDING TO PROVIDE MANUFACTURING, DISTRIBUTION, AND OFFICE SPACE.		Estimated completion date (month, day, year) 12/31/2020	
		Actual completion date (month, day, year)	
SECTION 3 EMPLOYEES AND SALARIES			
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		0	0
Salaries		0	0
Number of employees retained		0	0
Salaries		0	0
Number of additional employees		440	
Salaries		18.30 PER HOUR	
SECTION 4 COST AND VALUES			
COST AND VALUES		REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	
Values before project	\$16,756,300	\$16,756,300	
Plus: Values of proposed project	4,100,000	\$4,100,000	
Less: Values of any property being replaced			
Net values upon completion of project	\$20,856,300	\$20,856,300	
ACTUAL	COST	ASSESSED VALUE	
Values before project	\$25,907,253	\$23,715,600	
Plus: Values of proposed project	\$4,389,683	UNKNOWN	
Less: Values of any property being replaced			
Net values upon completion of project	30,296,936	UNKNOWN	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted			
Amount of hazardous waste converted			
Other benefits:			
SECTION 6 TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.			
Signature of authorized representative 		Title VICE PRESIDENT	Date signed (month, day, year)

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991**

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☐ the property owner **IS** in substantial compliance
- ☐ the property owner **IS NOT** in substantial compliance
- ☐ other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing

☐ AM
☐ PM

Date of hearing (month, day, year)

Location of hearing

HEARING RESULTS (to be completed after the hearing)

☐ Approved

☐ Denied (see instruction 4 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.