

# 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 2021-29: Sunbeam FTP LLC Res. 20-10

### Summary:

1. On June 1<sup>st</sup>, 2020 the Franklin Common Council passed Resolution No. 2020-10, approving a 10-year tax abatement on real property for Sunbeam FTP LLC, located at 120 Jim Black Road.
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	\$17,000,000	\$0	-\$17,000,000

3. The company has done substantial completion of the building and has invested \$17,668,443. However, the county has not yet assessed the property for 2020.
4. The property is currently being marketed but no potential tenant yet.
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**

JOSEPH D. GEESLIN, JR.

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WILLIAM H. PRICE

PARALEGAL

February 25, 2021

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

Re: Sunbeam Development Corporation – Parcel No. 41-07-18-041-002.000-018  
Resolution No. 2020-10

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. 2020-10 – Tax Abatement Compliance for Sunbeam Development

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 2020 under Franklin Common Council Resolution Number 2020-10

The above resolution was granted for the construction of a modern bulk warehouse facility of 519,699 square feet for an estimated value of \$17,000,000. In the Spring of 2020, Sunbeam broke ground for the construction of a 519,699 square foot warehouse facility. The following is a breakdown by quarter of capital investments for the building:

2020 2 <sup>nd</sup> Quarter	\$1,504,200
2020 3 <sup>rd</sup> Quarter	\$9,797,673
2020 4 <sup>th</sup> Quarter	<u>\$6,366,570</u>
	\$17,668,443

As of the end of December 2020, the shell structure was substantially completed. We are currently marketing the available space for lease. Upon securing a tenant, additional build-out will be completed per their specifications.

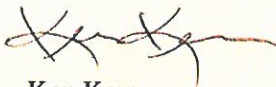
Attached with this letter is a copy of a completed CF-1/Real Property for 2021 pay 2022 reflecting the updated investment value as stated. Currently no assessment has been made for the 2021 assessment year. An updated CF-1 will be filed with the Abatement Application, Form 322/RE when assessment is received.

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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 stylized flourish 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 20 PAY 20 21

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 <b>SUNBEAM DEVELOPMENT CORPORATION</b>	County <b>JOHNSON</b>
Address of taxpayer (number and street, city, state, and ZIP code) <b>1401 79TH STREET CAUSEWAY, MIAMI BEACH, FL 33141</b>	DLGF taxing district number <b>018</b>
Name of contact person <b>KEN KERN 11800 EXIT FIVE PARKWAY, SUITE 100, FISHERS, IN 46037</b>	Telephone number <b>( 317 ) 842-1166</b>

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body <b>CITY OF FRANKLIN, IN BY ITS COMMON COUNCIL</b>	Resolution number <b>2020-10</b>	Estimated start date (month, day, year) <b>06/2020</b>
Location of property <b>120 JIM BLACK ROAD, FRANKLIN, IN</b>		Actual start date (month, day, year) <b>06/1/2020</b>
Description of real property improvements <b>CONSTRUCTION OF 519,699 SQ. FT. BULK WAREHOUSE/DISTRIBUTION FACILITY BUILT ON A SPECULATIVE BASIS BY SUNBEAM DEVELOPMENT CORPORATION</b>		Estimated completion date (month, day, year) <b>06/2021</b>
		Actual completion date (month, day, year)

SECTION 3 EMPLOYEES AND SALARIES			
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees			
Salaries			
Number of employees retained			
Salaries			
Number of additional employees			
Salaries			

SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	0	
Plus: Values of proposed project	\$17,000,000	
Less: Values of any property being replaced		
Net values upon completion of project	\$17,000,000	
ACTUAL	COST	ASSESSED VALUE
Values before project	0	
Plus: Values of proposed project		
Less: Values of any property being replaced		
Net values upon completion of project		

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 <b>VICE PRESIDENT</b>	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.