

RESOLUTION NO. 2014-07 ~~07~~ ¹⁰⁻⁰⁰¹ ERA

2014071138

A RESOLUTION OF THE KOSCIUSKO COUNTY COUNCIL
APPROVING A TEN-YEAR PERSONAL PROPERTY TAX ABATEMENT
IN AN ECONOMIC REVITALIZATION AREA FOR
R. R. DONNELLEY & SONS COMPANY

WHEREAS, I.C. 6-1.1-12.1 allows for abatement of property taxes attributable to the installation of new personal property in an Economic Revitalization Area; and

WHEREAS, on May 12, 2005 by Resolution 05-05-12-001ERA the Kosciusko County Council designated the area described in Exhibit A (the "Area") an Economic Revitalization Area under the provisions of Indiana Code 6-1.1-12.1-1 et seq. for a period of ten (10) years; and

WHEREAS, the County Council has received a completed form SB-1/PP Statement of Benefits from R. R. Donnelley & Sons Company (hereinafter referred to as "Donnelley" or "Applicant") proposing the installation in the Area of new manufacturing equipment to be acquired by Applicant, as its owner, for use in the direct production, manufacture, fabrication, assembly, processing, refining or finishing of other tangible personal property, and never before used by its owner for any purpose in Indiana (the "Equipment"), and requesting the approval of a deduction for the purposes of a tax abatement related to the Equipment for a period of ten (10) years; and

WHEREAS, the County Council has considered Donnelley's SB-1/PP Statement of Benefits documentation and the County Council finds that:

- a. The estimated cost of the Equipment is reasonable for equipment of the type described in the Statement of Benefits.

- b. The estimate of the number of individuals who will be provided additional employment or whose employment will be retained can reasonably be expected to result from the installation of the Equipment.
- c. The estimate of the annual salaries of those individuals who will be provided additional employment or whose employment will be retained can be reasonably expected to result from the installation of the Equipment.
- d. Other benefits about which information was requested are benefits which can reasonably be expected to result from the installation of the Equipment.
- e. The totality of benefits to be derived from the installation of the Equipment is sufficient to justify the deduction sought by the Applicant, and the tax abatement.

NOW THEREFORE, BE IT RESOLVED by the Kosciusko County Council as follows:

SECTION I

The County Council hereby determines and finds that the installation of the Equipment can be reasonably expected to yield the benefits identified in the Statement of Benefits form completed by Donnelley, the form being the one prescribed by the State Board of Accounts, and are sufficient to justify the deductions granted under Indiana Code 6-1.1-12.1-4.1.

SECTION II

The County Council hereby determines that Applicant is qualified for and is granted personal property tax deductions for a period of ten (10) years from date of completion and eligibility, as more particularly described in the following Section, and further determines that the petition filed by Donnelley complies with Indiana Code 6-1.1-12.1, et seq.

SECTION III

The abatement is approved and granted as follows:

- a. Abatement shall be allowed for all personal property for a period of ten (10) calendar years.

b. It is recognized that installation of personal property may begin after July 1, 2014 and continue for a period of approximately eighteen (18) months before the entire project is completed. The tax abatement approved and granted by this Resolution is intended to apply appropriately to all personal property covered by this Resolution for a ten (10) year period from the year in which the personal property is first eligible for tax abatement. It is recognized that this may create several separate schedules of tax abatement for this project dependent upon when eligibility begins for any particular item of personal property. The specific items for abatement will be reflected by the certified deduction applications filed by Donnelley as required by law.

c. The abatement is being treated as a personal property tax abatement on the assumption that the capital expenditure for the Equipment will be assessed and taxed as personal property. In the event that any part thereof is assessed under the assessment and tax regulations in such manner as it becomes a fixture, and therefore becomes part of the real property, it is intended that abatement be granted for real property in the same manner, and to the extent that any of the expenditures are deemed to be for real property rather than personal property.

SECTION IV

Tax abatement is granted on the further condition that during any period in which tax abatement is permitted under this Resolution that the "assessed valuation" of Donnelley property affected hereby shall not decrease during any taxable year. Because of current modification of legislation, it is the intent that the term "assessed valuation" as used in the Resolution shall be appropriately adjusted for changes of methodology for determining assessed valuation from time to time.

Passed and adopted this 24th day of July, 2014.

KOSCIUSKO COUNTY COUNCIL

ABSENT

Doug Heinisch

Jim Moyer

Larry Tegtmeyer

Jon Fussle

Brad Tandy

ABSENT

Jon Garber

Robert Sanders

ATTEST:

Marsha McSherry
Marsha McSherry, Auditor

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.

Missy Farmer