

RESOLUTION NO. 09-09-10- Louis Dreyfus

**A RESOLUTION OF THE KOSCIUSKO COUNTY COUNCIL WAIVING  
THE NONCOMPLIANCE OF LOUIS DREYFUS AGRICULTURAL  
INDUSTRIES LLC IN REGARD TO THE FILING OF DEDUCTION  
APPLICATIONS PURSUANT TO I.C. 6-1.1-12.1-5.3 AND 5.4**

WHEREAS, this Council adopted Confirmatory Resolution Number 06-05-01 Dreyfus on May 1, 2006 approving abatement of property taxes attributable to the redevelopment or rehabilitation of real property and the installation of new manufacturing equipment, new logistical distribution equipment, and new information technology equipment in economic revitalization areas for the benefit of Louis Dreyfus Agricultural Industries LLC, and;

WHEREAS, the redevelopment of real estate and installation of personal property was completed by Louis Dreyfus Agricultural Industries LLC in such a fashion as to permit tax deductions based on increased assessed valuations made beginning in 2008, and;

WHEREAS, through inadvertence, Louis Dreyfus Agricultural Industries LLC failed to timely file Forms CF-1/PP and CF-1/RE and Forms 322 ERA and Form 103-ERA in 2008 and 2009, and;

WHEREAS, in accordance with I.C. 6-1.1-12.1-9.5(c), this Council has conducted a public hearing on the request for waiver and no objections to the waiver have been heard.

WHEREAS, the Council has determined that Louis Dreyfus Agricultural Industries LLC is eligible for waiver of the noncompliance by virtue of its filing of the above-described forms copies of which are attached hereto and pursuant to I.C. 6-1.1-12.1-11.3(5)(A),.

The Council specifically finds:

1. The attached forms describe the property, deductions and taxpayer that are affected by this resolution and are incorporated herein;

2. The noncompliance that is the subject of this Resolution is the failure to timely file Forms CF-1/PP and CF-1/RE and Forms 322 ERA and Form 103-ERA for 2008 and 2009; and

3. The noncompliance has been corrected by the filing of the attached documents with the Auditor of Kosciusko County.

THEREFORE, BE IT RESOLVED by the Kosciusko County Council:

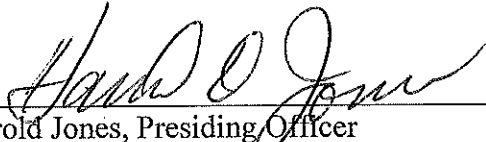
1. The Kosciusko County Assessor and Kosciusko County Auditor are directed to accept for filing the above-described forms tendered by Louis Dreyfus Agricultural Industries LLC as if such forms had been timely filed;

2. The Kosciusko County Assessor and Kosciusko County Auditor are directed to provide to Louis Dreyfus Agricultural Industries LLC the deductions to which such company would have been entitled had such forms been timely filed, and


3. In order to obtain the deductions as authorized by this resolution, Louis Dreyfus Agricultural Industries LLC shall execute and deliver to the Kosciusko County Auditor and/or Kosciusko County Assessor such additional documents as may be requested by either office.

4. A copy of this Resolution shall be certified to Louis Dreyfus Agricultural Industries LLC and the Department of Local Government Finance.

Adopted this 10<sup>th</sup> day of September, 2009, by the County Council of Kosciusko County, Indiana.

  
\_\_\_\_\_  
Harold Jones, Presiding Officer  
County Council of Kosciusko County, Indiana

ATTEST:

  
\_\_\_\_\_  
Marsha McSherry, Auditor,  
Kosciusko County, Indiana

“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 (Stephen R. Snyder).”

This instrument prepared by Stephen R. Snyder, Attorney at Law