

DEKALB COUNTY COUNCIL  
RESOLUTION *2022-RCC-1*  
A CONFIRMATORY RESOLUTION AWARDING  
PERSONAL PROPERTY TAX ABATEMENT AND  
REAL PROPERTY TAX ABATEMENT

WHEREAS. There exists in DeKalb County, Indiana areas that are undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character or occupancy, age, obsolescence, substandard buildings, and other factors that have impaired the values and have prevented normal development of property or use of property in those areas; and

WHEREAS, the County Council of DeKalb County, Indiana is permitted, pursuant to I.C. § 6-1.1-12.1, *et seq.*, to declare those portions of DeKalb County, Indiana experiencing said retarded growth as "Economic Revitalization Areas"; and WHEREAS, once declared an Economic Revitalization Area, parties with real estate and/or manufacturing equipment in said areas may apply for Tax Abatement under I.C. § 6-1.1-12.1, *et seq.*; and

WHEREAS, AUBURN RENEWABLES, LLC, has applied for Tax Abatement on real estate to be improved (see attached Exhibit "C") and on new machinery and equipment (see attached Exhibit "B"); and

WHEREAS, the County Council of DeKalb County, Indiana previously determined that the real estate described in attached Exhibit "A" meets the definition of an Economic Revitalization Area by way of its Declaratory Resolution 2021-RCC-26 dated effective December 14, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of DeKalb County, Indiana, that:

1. The County Council of DeKalb County, Indiana has also been advised by AUBURN RENEWABLES, LLC, of a proposed revitalization program set out, in part, on attached Exhibit "C", which includes the installation of new machinery and equipment in, on or upon the real estate described in attached Exhibit "B".
2. The County Council of DeKalb County, Indiana has reviewed the statement of benefits forms included here as attached Exhibit "B" and "C" and other information brought to its attention, and hereby determines that the deductions under I.C. § 6-1.1-12.1, *et seq.*, should be allowed based on the following findings:
  - (a) The estimate of costs of the real estate and new machinery and equipment is reasonable.
  - (b) The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from new construction of real estate improvements and installation of the new equipment.
  - (c) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed construction of real estate improvements and installation of new equipment.

- (d) The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid by employees, along with the value of the acquisition and construction of real and personal property improvements, create benefits of the type and quality anticipated by the County Council of DeKalb County, Indiana within the Economic Revitalization Area and can reasonably be expected to result from the proposed construction of real estate improvements and installation of the new equipment.
- (e) The Economic Development Agreement t between the DeKalb County Commissioners and Auburn Renewables, LLC. That requires Auburn Renewables L.L.C. to pay the total sum of \$245,000.00 in three equal installments.
- (f) The totality of benefits is sufficient to justify the deductions.

4. The County Council of DeKalb County, Indiana hereby finds that the purposes of Tax Abatement are served by allowing the deductions provided by I.C. § 6-1.1-12.1-4.5 for a period of 10 years for new manufacturing equipment which is to be installed as contemplated by and reflected in attached Exhibit "B", and or a period of 10 years for the real estate described in attached Exhibit "A" which is to be improved as contemplated by and reflected in attached Exhibit "C". The schedule of abatement is attached hereto as Exhibit "D"

5. The statement of benefits submitted by AUBURN RENEWABLES, LLC, is hereby approved.

Voted effective the 8<sup>th</sup> day of February, 2022, by the County Council of DeKalb County, Indiana.

DEKALB COUNTY COUNCIL

BY: Richard Ring, aye  
Richard Ring, President

BY: William VanWye, aye  
William VanWye, Vice President

BY: Eldonna King, aye  
Eldonna King

BY: Robert E. Krafft, aye  
Robert E. Krafft

BY: David Yarde, aye  
David Yarde

BY: Amy Demske, aye  
Amy Demske

BY: Amy Prosser, aye  
Amy Prosser

ATTEST:

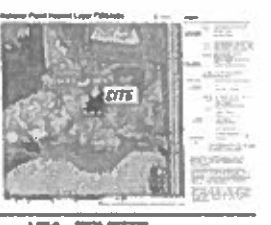
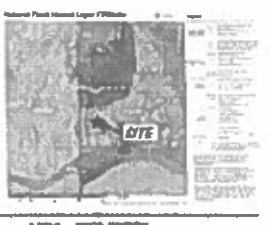
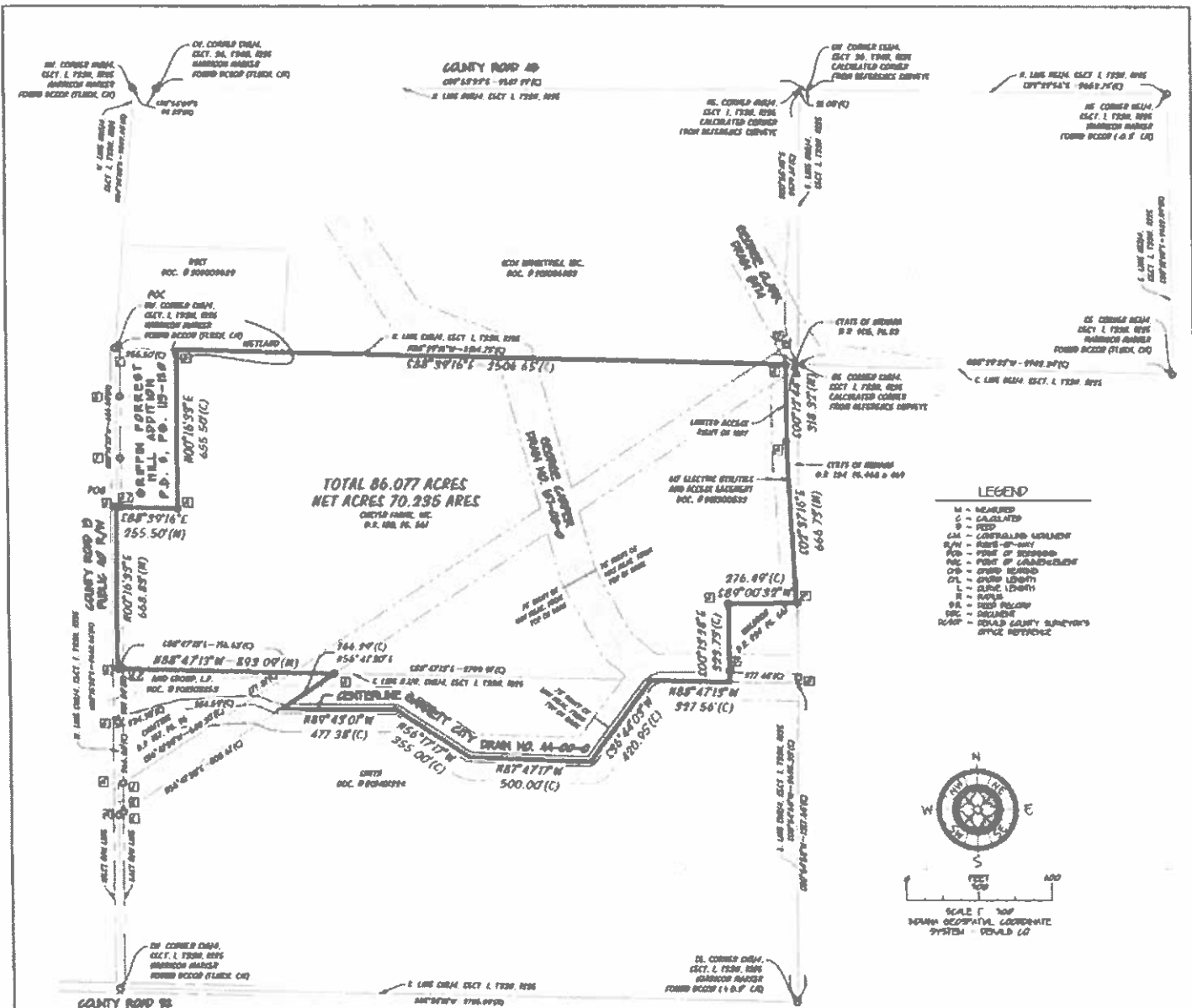
Susan Sleeper  
DeKalb County Auditor  
Susan Sleeper

Exhibit A  
Auburn Renewables, LLC Legal Description  
For Solar Array Project

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 33 NORTH, RANGE 12 EAST, KEYSER TOWNSHIP, DEKALB COUNTY, INDIANA, AS SURVEYED BY AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY ANGELA D. WALLACE LS #21200016 ON JUNE 3RD, 2021, REVISED JULY 7TH, 2021, AS PROJECT NUMBER 21-267, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MARKER AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 33 NORTH, RANGE 12 EAST; THENCE SOUTH 00 DEGREE 16 MINUTES 33 SECONDS WEST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO. BASIS OF BEARINGS), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 655.50 FEET TO A MAG NAIL WITH "WALLACE-LS21200016" IDENTIFICATION WASHER AT THE SOUTHWEST CORNER OF THE PLAT OF GRIFFIN FORREST HILL ADDITION AS RECORDED IN PLAT BOOK 5, PAGE 119-120 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 39 MINUTES 16 SECONDS EAST, ALONG THE SOUTH LINE OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION, A DISTANCE OF 255.50 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP AT THE SOUTHEAST CORNER OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION; THENCE NORTH 00 DEGREE 16 MINUTES 33 SECONDS EAST, ALONG THE EAST LINE OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION AND BEING PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 655.50 FEET TO THE NORTHEAST CORNER OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION; THENCE SOUTH 88 DEGREES 39 MINUTES 16 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2506.65 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF DEED RECORD 205, PAGE 83 IN SAID OFFICE, ALSO BEING THE WEST RIGHT OF WAY LINE OF INTERSTATE 69; THENCE SOUTH 00 DEGREE 12 MINUTES 44 SECONDS WEST, ALONG SAID WEST LINES AND THE WEST LINE OF DEED RECORD 134, PAGE 468 & 469 IN SAID OFFICE, A DISTANCE OF 318.32 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP; THENCE SOUTH 02 DEGREES 37 MINUTES 16 SECONDS EAST, CONTINUING ALONG SAID WEST LINES, A DISTANCE OF 666.73 FEET TO A POINT ON THE NORTH LINE OF DEED RECORD 224 PAGE 561 IN SAID OFFICE, SAID POINT REFERENCED BY A 1" PIPE 5.3 FEET EAST; THENCE SOUTH 89 DEGREES 00 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 276.49 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF SAID DEED RECORD 224 PAGE 561; THENCE SOUTH 00 DEGREE 13 MINUTES 28 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 323.73 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 47 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 327.56 FEET TO THE CENTERLINE OF GARRETT CITY REGULATED DRAIN NO. 44-00-0; THENCE ALONG SAID CENTERLINE FOR THE FOLLOWING 4 COURSES: SOUTH 36 DEGREES 44 MINUTES 03 SECONDS WEST, A DISTANCE OF 420.95 FEET; THENCE NORTH 87 DEGREES 47 MINUTES 17 SECONDS WEST, A DISTANCE OF 500.00 FEET; THENCE NORTH 56 DEGREES

17 MINUTES 17 SECONDS WEST, A DISTANCE OF 355.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 01 SECONDS WEST, A DISTANCE OF 477.38 FEET TO THE EAST RIGHT OF WAY LINE OF THE FORMER DETROIT, EEL RIVER & ILLINOIS RAILROAD; THENCE NORTH 56 DEGREES 41 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 266.29 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 47 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 893.09 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREE 16 MINUTES 33 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 668.83 FEET TO THE POINT OF BEGINNING. CONTAINING 86.077 ACRES OF LAND, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 19, SUBJECT TO THE RIGHT OF WAY OF GEORGE CARPER LEGAL DRAIN NO. 167-00-0, SUBJECT TO THE RIGHT OF WAY OF GARRETT CITY REGULATED DRAIN NO. 44-00-0, SUBJECT TO A 60' ELECTRICAL UTILITY AND ACCESS EASEMENT AS RECORDED IN DOCUMENT NUMBER 210300533, AND SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD.



**TABLE A NOTES**

NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED.

**COMMITMENT NOTES**

COMMITMENT FILE NO 20240111  
 COMMITMENT DATE MAY 9, 2024 8:00AM  
**SCHEDULE D PART II**

ITEM #1 TO #4 - NONE FOUND  
 ITEM #5 THROUGH ITEM #8 - NOT SURVEY ITEM  
 ITEM #9 - NONE FOUND  
 ITEM #10 - AVERAGE SHOWN ON PLAT OF SURVEY  
 ITEM #11 - REGULATED DRAINS SHOWN ON PLAT OF SURVEY  
 ITEM #12 - SUBJECT TO ORDINANCE OF BOARD OF AVIATION  
 ITEM #13 & #14 - SHOWN ON SURVEY  
 ITEM #15 THROUGH ITEM #18 - NOT SURVEY ITEM

**MONUMENT LEGEND**

- A - 1/8" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET
- B - 1/4" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 1/4" DIA
- C - 3/8" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 3/8" DIA
- D - 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 1/2" DIA
- E - 3/4" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 3/4" DIA
- F - 1" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 1" DIA
- G - 1 1/4" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 1 1/4" DIA
- H - 1 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 1 1/2" DIA
- I - 1 3/4" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 1 3/4" DIA
- J - 2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 2" DIA
- K - 2 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 2 1/2" DIA
- L - 3" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 3" DIA
- M - 3 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 3 1/2" DIA
- N - 4" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 4" DIA
- O - 4 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 4 1/2" DIA
- P - 5" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 5" DIA
- Q - 5 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 5 1/2" DIA
- R - 6" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 6" DIA
- S - 6 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 6 1/2" DIA
- T - 7" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 7" DIA
- U - 7 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 7 1/2" DIA
- V - 8" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 8" DIA
- W - 8 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 8 1/2" DIA
- X - 9" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 9" DIA
- Y - 9 1/2" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 9 1/2" DIA
- Z - 10" DIA STEEL WITH "WALLACE-LEIBENOW" IDENTIFICATION CAP SET 10" DIA

**FLOODPLAIN CERTIFICATION**

THE LANDS OF CLUSTER FARMS, INC. LIE WITHIN ZONE A & B BASED ON THE NATIONAL FLOOD INSURANCE PROGRAM. SHOULD COUNTY, MAJOR DRAINAGE PANEL, FLOOD PLATE, OR STATE EFFECTIVE DATE, SEPTEMBER 12, 2024, MAP NUMBER, SUPPLEMENTAL, SUPPLEMENTAL, AND SUPPLEMENTAL.

<b>PROJECT:</b> ALTA/NEPS LAND TITLE SURVEY	<b>DATE:</b> 04/07/2024
<b>CLIENT:</b> THE LANDS OF CLUSTER FARMS, INC.	<b>ADDRESS:</b> COUNTY ROAD 40
<b>PROJECT NO:</b> 11-161	<b>DATE:</b> 04/07/2024
<b>CLIENT:</b> ALTA/NEPS LAND TITLE SURVEY	<b>DATE:</b> 04/07/2024



17 MINUTES 17 SECONDS WEST, A DISTANCE OF 355.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 01 SECONDS WEST, A DISTANCE OF 477.38 FEET TO THE EAST RIGHT OF WAY LINE OF THE FORMER DETROIT, EEL RIVER & ILLINOIS RAILROAD; THENCE NORTH 56 DEGREES 41 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 266.29 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 47 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 893.09 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREE 16 MINUTES 33 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 668.83 FEET TO THE POINT OF BEGINNING. CONTAINING 86.077 ACRES OF LAND, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 19, SUBJECT TO THE RIGHT OF WAY OF GEORGE CARPER LEGAL DRAIN NO. 167-00-0, SUBJECT TO THE RIGHT OF WAY OF GARRETT CITY REGULATED DRAIN NO. 44-00-0, SUBJECT TO A 60' ELECTRICAL UTILITY AND ACCESS EASEMENT AS RECORDED IN DOCUMENT NUMBER 210300533, AND SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD.