

COUNTY COUNCIL OF DEKALB COUNTY, INDIANA

PRELIMINARY (DECLARATORY) RESOLUTION FOR
THE CREATION OF AN ECONOMIC REVITALIZATION AREA

Resolution No. 2024-RCC-5

REAL AND PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, George W. Brand and Christine A. Brand, and David G. Brand and Kimberlee S. Brand ("**Brand**") have requested the County Council of DeKalb County, Indiana (the "**Council**") approve a personal and real property tax deduction schedule and for a proposed installation of new agricultural equipment and real property development (the "**Project**");

WHEREAS, **Brand** has advised the Council that it intends to construct the Project on property located in Smithfield Township, DeKalb County, such property being generally depicted on the map attached hereto as Exhibit A, and a legal description set forth in Exhibit B, said Exhibits incorporated herein by this reference (the "**Real Property**");

WHEREAS, **Brand** has further requested that the Real Property be designated an economic revitalization area for purposes of permitting such deduction;

WHEREAS, the Real Property is located within the jurisdiction of the Council for the purposes of Ind. Code §6-1.1-12.1-2 and Ind. Code §6-1.1-12.1-2.5;

WHEREAS, **Brand** have advised the Council that the Project will involve significant investment in new agricultural equipment and real property development on the Real Property;

WHEREAS, **Brand** has submitted to the Council a form SB-1/Real Property and SB-1/PP, Statement Of Benefits and an application for tax abatement, in connection with the Project, and provided information and documentation necessary for the Council to make an informed decision (the "**Statement Of Benefits**");

WHEREAS, the Council is authorized under the provisions of Ind. Code §6-1.1-12.1-1 *et seq.* to designate areas of the County as an economic revitalization area for the purposes described herein;



202403234
07/11/2024 01:39:34 PM
RECORDER OF DEKALB CO, IN
LETA HULLINGER
RECORDED AS PRESENTED
FEE AMOUNT: 0.00

WHEREAS, the Council has considered the Statement Of Benefits submitted by **Brand** and has conducted a complete and proper investigation of the Real Property and determined that the area qualifies as an economic revitalization area under Indiana statutes; and,

WHEREAS, the Council has considered the following factors under Ind. Code §6-1.1-12.1-17 in connection with the Project:

1. The total amount of **Brands'** investment in personal property and real estate improvements in connection with the Project;
2. The number of new full-time equivalent jobs to be created under the Project;
3. The average wage of the new employees compared to the state minimum wages;
4. The infrastructure requirements for **Brands'** investment under the Project; and,

(collectively, the "**Deduction Schedule Factors**").

NOW, THEREFORE, IT IS FOUND, DETERMINED, AND RESOLVED by the Council that:

1. The estimate of the cost of the new agricultural equipment to be installed in connection with the Project is reasonable for projects of that type.
2. The estimate of the number of individuals who will be employed or whose employment will be created as a result of the proposed new agricultural equipment can reasonably be expected to result from the proposed installation of the new agricultural equipment and the real estate improvements.
3. The estimate of annual salaries of those individuals who will be employed arising from the Project can reasonably be expected to result from the proposed new agricultural equipment and real estate improvements.
4. The number of individual opportunities for employment, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements as a result of the Project, create

benefits of the type and quality anticipated by the Council within the economic revitalization area and can reasonably be expected to result from the proposed Project and the proposed installation of new agricultural equipment and real estate development.

5. The benefits described in the Statement Of Benefits can reasonably be expected to result from the proposed installation of new agricultural equipment and real estate development.
6. The totality of benefits from the proposed installation of new agricultural equipment and real estate development is sufficient to justify a personal property and real estate tax deduction schedule.
7. The Deduction Schedule Factors in connection with the Project justify granting deduction schedules for personal property and real estate under Ind. Code §6-1.1-12.1-17.
8. The Real Property is within the County and constitutes an "economic revitalization area" as defined by Ind. Code §6-1.1-12.1-1(1).

NOW, THEREFORE, based on the foregoing, the Council further RESOLVES, FINDS, AND DETERMINES:

1. That all of the conditions for the designation of the economic revitalization area have been met, and the foregoing findings are true and all information required to be submitted has been submitted in proper form;
2. That the Real Property is hereby designated as an "economic revitalization area" pursuant to Ind. Code §6-1.1-12.1-1 *et seq.*
3. That, pursuant to Ind. Code §6-1.1-12.1-2.5 and Ind. Code §6-1.1-12.1-11.3, notice hereof ("**Notice**") should be published according to law stating the following: (i) the adoption and substance hereof, (ii) a copy of the description of the affected area is available for inspection in the County Assessor's Office, and (iii) the setting of a subsequent date on which the Council will hear and receive remonstrances and objections and take final action ("**Hearing**"), all as required by law.

4. At least ten (10) days prior to the Hearing, pursuant to Ind. Code §6-1.1-12.1-2.5, the County Auditor shall file copies of the Notice and the Statement Of Benefits with the officers of each taxing unit that has the authority to fix budgets, tax rates, and tax levies under Ind. Code §6-1.1-17-5.

This Preliminary (Declaratory) Resolution is hereby adopted by the Council on June 12, 2024.

**COUNTY COUNCIL OF
DEKALB COUNTY, INDIANA**

BY: David Yarde
David Yarde, President

BY: William VanWye
William VanWye, Vice President

BY: Rick Collins
Rick Collins

BY: Robert E. Krafft
Robert E. Krafft

BY: Rick Ring
Rick Ring

BY: Amy Demske
Amy Demske

BY: Amy Prosser
Amy Prosser

ATTEST:

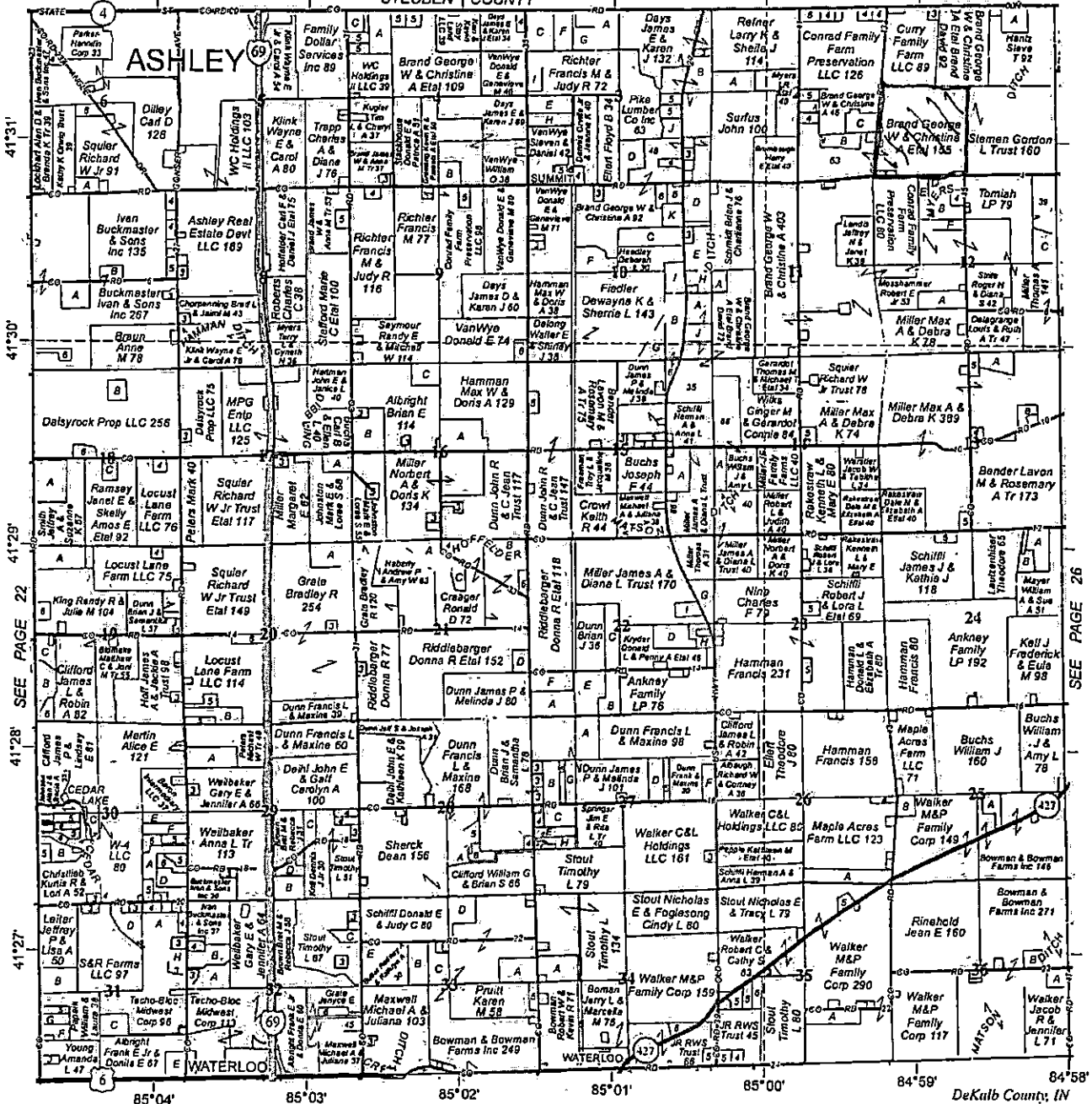
Susan Sleeper
Susan Sleeper
DeKalb County Auditor

Refer to page 38 for keyed parcels

SMITHFIELD

T.35N.-R.13E.

STEBEN COUNTY



"EXHIBIT B"

Part of the Southwest Quarter of Section 1, Township 35 North, Range 13 East, located in Smithfield Township, DeKalb County, Indiana, and being described as follows:

Commencing at the Harrison monument marking the Northwest corner of the Southwest Quarter of Section 1, Township 35 North, Range 13 East; thence South 00 degrees 00 minutes 00 seconds (assumed basis of bearing) 1088.00 feet on and along the West line of said Southwest Quarter to a Mag nail marking the point of beginning of this description; thence continuing South 00 degrees 00 minutes 00 seconds on and along said West line 243.76 feet to a Mag nail; thence South 90 degrees 00 minutes 00 seconds East, 188.89 feet to a No. 5 rebar with plastic cap stamped LS9700007; thence North 05 degrees 45 minutes 48 seconds West, 122.04 feet to a No. 5 rebar with plastic cap stamped LS9700007; thence South 84 degrees 38 minutes 50 seconds West, 37.44 feet to a Mag nail; thence North 00 degrees 59 minutes 19 seconds West, 126.44 feet to a railroad spike; thence South 89 degrees 45 minutes 21 seconds West, 137.19 feet to the point of beginning, containing 0.90 acres plus or minus.

TRACT 29:

The South one-half (1/2) of the Southwest Quarter (1/4) of Section One (1), Township Thirty-five (35) North, Range Thirteen (13) East, in DeKalb County, State of Indiana, EXCEPTING THEREFROM the following described parcel:

Beginning at the southwest corner of Section 1, Township 35 North, Range 13 East, and from thence as follows: North 89 degrees 30 minutes East on Section line 689.5 feet, thence North 4 degrees 45 minutes East 161.3 feet; thence North 89 degrees 28 minutes West 687.8 feet to Section line; thence South 5 degrees 00 minutes West 173.8 feet to the place of beginning. Enclosing an area containing 2.63 acres.

Exhibit "A"

ALSO EXCEPTING THEREFROM the following described parcel:

A part of the Southwest Quarter of Section 1, Township 35 North, Range 13 East, Smithfield Township, DeKalb County, Indiana, described as follows:

Commencing at an iron rod at the southwest corner of the Southwest Quarter of said Section 1; thence North 05 degrees 00 minutes East, (assumed bearing) 889.97 feet along the West line of the Southwest Quarter of Section 1 to an iron rod at the true point of beginning of this description; thence continuing North 05 degrees 00 minutes East 208.71 feet along said West line to an iron rod; thence South 85 degrees East 208.71 feet to an iron rod; thence South 05 degrees 00 minutes West 208.71 feet to an iron rod; thence North 85 degrees 00 minutes West 208.71 feet back to the true point of beginning, containing 1.00 acres.