AGENDA

Monday, April 15, 2019

Meetings of Standing Committees
Council Conference Room
6:45 P.M.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00 P.M.

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of the Minutes of the Previous Regular Meeting

April 01, 2019

5. Petitions, Communications, Remonstrance and Memorials

A letter from the City Plan Commission regarding their recommendations from their April, 09, 2019 meeting.

6. Report of Special Committee

7. Ordinances on First Reading

P.O. NO. 2019-09 Rezone from R-1 Residential To I-1 Light Industrial for Mini Storage Warehousing 215 & 217 S Elder.

P.O. NO. 2019-10 Additional Funds – Merrifield Improvements $18,500.00

P.O. NO. 2019-11 Amending Civil City 2019 Salary Ordinance

8. Resolutions

9. Ordinances on Second Reading

10. Privilege of the Floor – Non-Agenda Items

11. Unfinished Business

R2019-13 Adopting St Joe County Multi-Hazard Mitigation Plan

R2019-14 Tax Abatement Compliance Reports for 2018

12. New Business

13. Adjournment

At this time I know of no other business to come before the Council.
Deborah S. Block, IAMC, MMC, City Clerk

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Geoffrey Spiess, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
April 01, 2019

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday April 01, 2019, 2019, at 7:00 p.m. The meeting was called to order by President Dale "Woody" Emmons all were asked to stand for the Pledge of Allegiance.

Roll Call.
Present: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.
Absent: Mr. Mammolenti.

Minutes for the Regular Meeting of March 18, 2019 were approved as received from the Clerk's Office.

Appeal No. 2019-13 Use Variance for 175' Monopole Communication Broadcasting Tower (cell tower) 2506 Grape Rd Humane Society

Petition No. 2019-04 Rezone from C-1 Commercial to R-2 Two Family Res. 1211 W. Sixth St. (former Jerry's Pub)

Petition No. 2019-05 Rezone from R-1 Res. To I-1 Light Ind for Mini Storage Warehousing 215 & 217 S Elder.

Presentation of Tax Increment Finance Report 2018

Presentation of Outstanding and unpaid checks for a period of 2 years To be voided.

Clerk Block stated the Tax Increment Finance report 2018 and outstanding and unpaid checks to be voided were available in the clerk's office.

Clerk Block read the following resolutions by title and were opened for public hearing.

RESOLUTION NO. 2019-13

RESOLUTION OF THE CITY OF MISHAWAKA, INDIANA

ADOPTING THE ST. JOSEPH COUNTY MULTI-HAZARD MITIGATION PLAN

John Antonucci, Director of St. Joseph County Emergency Management Agency asked for the council to approve and accept the Multi Hazard Mitigation Plan. He said right after 9/11 the Department of Homeland Security created 3,400 Agency's across the United States. Mr. Antonucci said they believed disasters started and ended locally. He continued to say they were charged with preparedness, planning, recovery and response. Mr. Antonucci said the FEMA set forth a frame work for all communities across the united states to be able to plan and prepare for disasters. He explained one plan was called the Comprehensive Emergency Management Plan, which the process started from FEMA passed to the State then to the county. Mr. Antonucci said the other portion of the plan was the Multi Hazard Mitigation Plan which gave the tools to be able to decide how the city wanted to handle or prevent disaster from happening in their community. He informed the council they put together all the information they could on the City of Mishawaka and identified threats and vulnerabilities. Mr. Antonucci said they created a template of the things the city could do to help prevent.

Mr. Compton questioned how the plan was developed for Mishawaka. Mr. Antonucci said the first task they took on was to assemble a group from the entire county. He continued to say they worked with Fire Chief Greg Hunt and 17 others that served on the committee. Mr. Antonucci said this was a county plan but a portion of the plan was site specific for Mishawaka.
He stated they included every community in St. Joseph County.

Members of the council asked if the plan could be seen. Mr. Antonucci said there was a 116-page plan submitted. He said he would resubmit the plan clerk's office.

Mr. Bellovich asked how the plan was modified. Mr. Antonucci said this was a 5-year plan, the plan was reviewed every 2 years but at any time they could make necessary changes.

Mr. Hixenbaugh expressed he did not have any concerns about the process. He asked would postponing the resolution until they had a chance to view the plan harm the process. Mr. Antonucci replied not at all. Mr. Hixenbaugh also asked was there any concern in regard to distribution of the document and allowing direct access to the report. Mr. Antonucci replied no, there was nothing in the plan they identified as a risk or vulnerability that was not currently public.

Mr. Hixenbaugh made a motion to postpone **RESOLUTION NO. 2019-13** to a later date, date to be determined after the council had the opportunity to review the documents upon a second by Mrs. Voelker motion carried.

RESOLUTION NO. 2019-14

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS AND WITHDRAWING A PREVIOUSLY APPROVED REAL PROPERTY TAX ABATEMENT FOR BAYER HEALTHCARE

Mr. Hixenbaugh moved to postpone **RESOLUTION NO. 2019-14** until April 15th to allow the Budget and Finance Committee and the rest of the council to meet with at least one or more of the tax abatement recipients upon a second by Mrs. Voelker motion carried.

Clerk Block read the following proposed ordinance by title and opened the public hearing.

PROPOSED ORDINANCE NO. 2019-07

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.
(Rez 1-2 to R-1 Vacant Property 13880 Scout Lane)
(Assigned to the Land Use Planning Committee)

Mrs. Voelker reported the Land Use Planning Committee recommended this proposed ordinance should be presented to the council as a whole. This is signed by the entire committee upon a second by Mr. Banicki motion carried.

Mike Finkler, At Home Realty Group represented James Cole owner of Scout Lane. He said Mr. Cole bought the property 20 years ago. Mr. Finkler said during the Capital Road project, Mr. Cole sold some of his frontage to the State of Indiana. He described the property as a beautiful wooded property with a fishing creek. Mr. Finkler mentioned Mr. Cole had a home on the property on a well and septic. He said the frontage the state took from the property included the septic, which they basically abandoned, they tore it out and found the septic system needed to be replaced. Mr. Finkler mentioned Mr. Cole had an approval from the city to have a new system put in but during that time vandals broke into the home and burned it down. He said Mr. Cole has done nothing to the property in the last 15 years. Mr. Finkler went on to say Mr. Cole contacted him to put the land on the market, they found out the property was zoned heavy industrial. He said there were other homes in the area, heavy industrial did not belong on the property. Mr. Finkler continued to say he did not believe it would be a problem to convert the property back to residential. He said he was unsure what Mr. Cole planned to do with the property but there was a neighbor interested in the property. Mr. Antonucci continued to say they needed the property rezoned to sell the property as residential.

Question was called for at 7:23P.M. for **PROPOSED ORDINANCE NO. 2019-07 Vote: Motion carried by unanimous roll call vote (summary: Yes = 8).Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.** Thus, it becomes **ORDINANCE NO. 5651**

PROPOSED ORDINANCE NO. 2019-08

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.
(PUD Amd Micro blading/semi-permanent Makeup University Gardens 6910 N. Main St.)
(Assigned to the Land Use Planning Committee)

Mr. Banicki reported the Land Use Planning Committee recommended this proposed ordinance should be presented to the council as a whole. This is signed by the entire committee upon a second by Mr. Tanner motion carried.

Danielle Rzepka, owner of Aesthetic Beauty Studio said she was requesting approval to perform microblading and semi-permanent makeup at her studio. She explained microblading was a semi-permanent procedure done by placing small strokes into the top layer of the skin, which is then filled with a pigment. Ms. Rzepka said it was primarily done on women and it was great for people who had certain health conditions causing brow lost such as thyroid, chemo therapy and other conditions. She continued to say the pigment lasted 18 months to 2 years. Ms. Rzepka said the procedure was being classified right now as tattooing because it was relatively new, but it was not exactly the same, the procedure did not go into the skin.

Mrs. Voelker questioned how Ms. Rzepka would get clients with health-related conditions. Ms. Rzepka said at this time she was not partnered with any health care providers. She continued to say her background personally and professionally was in dermatology. Ms. Rzepka said she was a dermatological nurse working in cosmetic and surgical dermatology, she also had other licensing in the beauty industry. She mentioned she has been in the industry for 12 years. Ms. Rzepka said her goal was to partner with organizations in the area. She went on to say at this time she was focusing on the cosmetic aspect, she was a free-lance makeup artist and she would continue to work with her current clientele. Ms. Voelker also questioned would she be using her office for her private clients and other services and would she be there fulltime. Mr. Rzepka said at this time she was concentrating on microblading. She said her business was opened 3 days a week.

Ms. Petko Reisdorf questioned the Health Department regulations or guidelines and were they in place. Ms. Rzepka replied she had to follow tattoo parlor Heath Department related requirements. She said she was up to code.

Mr. Emmons asked would she be the only employee doing the procedure and questioned the business hours. Ms. Rzepka replied yes, she would be the only person doing the procedure by appointment only.

Question was called for at 7:30 P.M. for **PROPOSED ORDINANCE NO. 2019-08** **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).**Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5652**

UNFINISHED BUSINESS

RESOLUTION NO. 2019-08

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:

Southeast Corner Front and Spring Streets, Mishawaka, Indiana
(Use Variance for Temporary Trailer)

Catherine Desautels spoke on the behalf of Mishawaka Development Flaherty & Collins. She said they were requesting use variance for a temporary sales trailer to be used for pre-leasing for the Mill at Ironworks Plaza Apartments.

Mrs. Voelker questioned when they expected to begin the pre-leasing process and when they planned to open. Ms. Desautels said they were planning to open the trailer May 1st, 2019. She went on to say depending on if they get approval they may drop it mid-April then upfitted with furniture and marketing accessories. Ms. Desautels said they planned to have their first units delivered at the end of July. She mentioned July 26 they were schedule to have the first section of the building delivered. Ms. Desautels continued to say at that time the permanent amenity space, which would include the permanent leasing office would be open. She said they would then move out of the leasing trailer into their permanent leasing space and remove the trailer.

Mrs. Voelker expressed she would like to have the opportunity to tour the site. Ms. Desautels replied absolutely, they would schedule a tour with Clerk Block.

Question was called for at 7:35 P.M. for **RESOLUTION NO. 2019-08** **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

NEW BUSINESS

Mr. Tanner announced the Oaks Neighborhood meeting would be April 10th at the Battell Center at 7 P.M. He said guest speaker would be a representative from CASA.

Ms. Petko Reisdorf announced the Twin branch neighborhood meeting would be April 17th at 7 P.M., speaker to be announced.

Mr. Emmons announced the 1st District Neighborhood meeting would be April 25th at 7 P.M. at St. Bavo's Church. He said speaker would be Mayor Wood to give State of the City.

ADJOURNMENT 7:37 P.M.

Deborah S. Block /s/	Dale "Woody" Emmons /s/
Deborah S. Block, IAMC, MMC, City Clerk	Dale "Woody" Emmons, President

City of Mishawaka

DAVID A. WOOD, MAYOR **DEPARTMENT OF CITY PLANNING**

April 9, 2019

RECEIVED
DEBORAH S. BLOCK, MMC
APR 10 2019
CITY CLERK
MISHAWAKA, IN

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Plan Commission Recommendation
April 9, 2019, Public Hearing
Certification of Proposed Ordinances

Honorable Members:

A regular meeting of the Mishawaka Plan Commission was held on the above referenced date at which time the following proposed ordinance was considered:

PETITION #19-05 A petition submitted by Marc Campbell requesting to rezone **215 and 217 South Elder Street** from R-1 Single Family Residential District to I-1 Light Industrial District.

The Commission, with a vote of 8-0, recommended approval.

Pursuant to I.C. 36-7-4-605, the Mishawaka Plan Commission hereby certifies to the Mishawaka Common Council the attached proposed ordinances regarding the above matters.

Respectfully,

Kari Myers

Kari Myers, Administrative Planner
Secretary, Mishawaka Plan Commission

cc: Terry Lang

City Hall, 600 East Third Street, Mishawaka, IN 46544-2241 (574) 258-1625 FAX (574) 968-6999
E-mail planning @ Mishawaka.in.gov

STAFF REPORT

Location: 215 & 217 S. Elder Street Date: April 9, 2019

Petition: 19- 05 Prepared By: DJS

GENERAL INFORMATION

Applicant:	Marc Campbell & Carolyn Adams
Status:	Property Owners
Request:	To rezone from R-1 Single Family Residential District to I-1 Light Industrial to allow for the construction of a mini self-service storage facility
Zoning Classification:	R-1 Single Family Residential
Lot Size:	+/-1.9 acres
Applicable Regulations:	Section 137-585 thru 137-587 / I-I Light Industrial District, Section 137-41 / Amendments to the Zoning Map, and Chapter 121 / Flood Control

SPECIAL INFORMATION

Area Development Pattern:	North:	Norfolk Southern Rail Line & R-1 Single Family Residential (Residential)
	South:	R-1 Single Family Residential (Residential)
	East:	I-2 Heavy Industrial District (Plumbing Contractor/Abe's Complete Plumbing Service) – Owned by Applicant
	West:	I-2 Heavy Industrial District (Vacant)

Thoroughfare:	S. Elder Street
School District:	School City of Mishawaka
Township:	Penn Township
Public Utilities:	All utilities are available and/or will be extended/connected to the site at the expense of the developer. City of Mishawaka Electric and Water are located along S. Elder Street. Sanitary sewer is located to the north of the railroad tracks at the intersection of S. Elder Street and E. 3rd Street.
Comprehensive Plan:	Medium Density Residential

ANALYSIS

The Petitioners, Marc Campbell and Carolyn Adams, are requesting to rezone an approximate 1.9 acre site located at 915 & 917 S. Elder Street from R-1 Single Family Residential to I-1 Light Industrial to allow for the construction of a mini self-service storage facility.

The site is comprised of two separate parcels. The south parcel (Tax Parcel 016-1107-4169/217 S. Elder Street) is occupied with a single-family residential house and detached garage. The north parcel (Tax

Parcel 16-1107-4168/215 S. Elder Street) is currently vacant, and was previously occupied with a single-family residential house until being demolished in 2012.

Per the conceptual site plan submitted with the rezoning petition, the applicant is proposing to construct six (6) separate mini self-storage buildings, paved (asphalt) access drives, and other required infrastructure (stormwater drainage improvements, utilities, etc.). Access to the storage buildings will be provided via a new commercial drive located to the north of an existing residential driveway. This driveway will be maintained since the house is proposed to remain. Part of the driveway to the west and the detached garage will be removed. The development is proposed to be constructed in one phase.

The conceptual site plan shows that the site will comply with the required height, area and developmental regulations for the I-1 Light Industrial District except for the required 250' separation requirement between the proposed use and residential zoned property. In addition to the 8' high opaque fence required along all property lines contiguous to residentially zoned property, a 10' wide area shall be sodded, planted, and landscaped with at least 7' high shrubs or trees in order to form a permanent, opaque, landscaped screen. A developmental variance from the separation requirement and any other required variances shall be submitted for and approved by the Board of Zoning Appeals prior to or in conjunction with the final site plan.

The Indiana Department of Natural Resource, Division of Water, recently approved a "best available" floodplain mapping layer which is used to determine if a property is within a floodway or floodway fringe. The new data shows that this site is located within a "zone A model delineation". IDNR, Division of Water, provides approximate flooding elevations, which for this property, appear to range from between +/- 726.8' in the western part of the site to +/-727.1' near S. Elder Street. An official base flood elevation (BFE) is required to ensure that all proposed structures are elevated at or above the flood protection grade, which is the BFE plus 2'. These elevations are obtained through submitting a request for a Floodplain Analysis / Regulatory Assessment (FARA) from the IDNR, Division of Water. The official BFEs shall be submitted as part of the final site plan and are required prior to the issuance of any Improvement Location Permit. ILPs will only be issued if the lowest floor elevations, as defined in the Flood Control regulations and as shown on the final site plan (construction plans), is at or above the flood protection grade. After construction, an elevation certificate is required for each building and shall be submitted prior to obtaining a Certificate of Occupancy.

With this petition, the applicant is only seeking to establish the proper zoning required for the proposed use. If approved, a detailed final site plan shall be submitted for Staff review and Plan Commission approval prior to construction. The final site plan shall address storm drainage, grading, utilities, landscaping, soil erosion control, floodplain control, and all other required improvements pertinent to the proposed development.

Since the site is located adjacent to a plumbing contractor zoned for heavy industrial use, low density single-family properties, vacant property zoned for heavy industrial use, and an active rail line, the Staff supports the request for rezoning. The proposed mini self-storage facility is not out of character, and with the required screening and landscaping, is compatible with the existing adjacent land uses.

The Fire, Electric, and Water Departments have reviewed and approved the rezoning request providing no additional comments.

The Building Department commented that a state design release is required prior to obtaining the building permit.

The Engineering Department had no comments related to the rezoning petition but provided the following comments to be addressed with the final site plan:

1. No sanitary sewer is available to the site. If home is to remain, the existing septic system and field must be protected and shown on the site plan.
2. Commercial drive approach shall meet current standards.
3. Stormwater runoff shall be managed on site for 100 year, 24 hour storm event plus a 6% siltation factor, and shall not impact the septic system/field.

4. Since site disturbance is greater than 1 acre, an IDEM Rule 5 Notice of Intent will be required with the city's erosion control requirements (bond, stormwater pollution prevention plan (SWPPP), etc.)

RECOMMENDATION

Staff recommends in **favor** of rezoning Petition 19-05 to rezone approximately 1.9 acres located at 915 & 917 S. Elder Street from R-1 Single-Family Residential to I-1 Light Industrial to allow for the construction of a mini self-storage facility. This recommendation is based on the following findings of fact:

1. Existing Conditions – The subject property consists of two parcels with the south parcel including a single-family house and detached garage, and the north parcel being vacant. Adjacent land uses include a plumbing contractor to the east zoned heavy industrial, low density single-family properties to the south, vacant property zoned heavy industrial to the west, and an active rail line to the north.

2. Character of Buildings – The character of the buildings in the area are industrial to the east, and single-family residential to the south and to the north across the railroad tracks and E. 3rd Street.

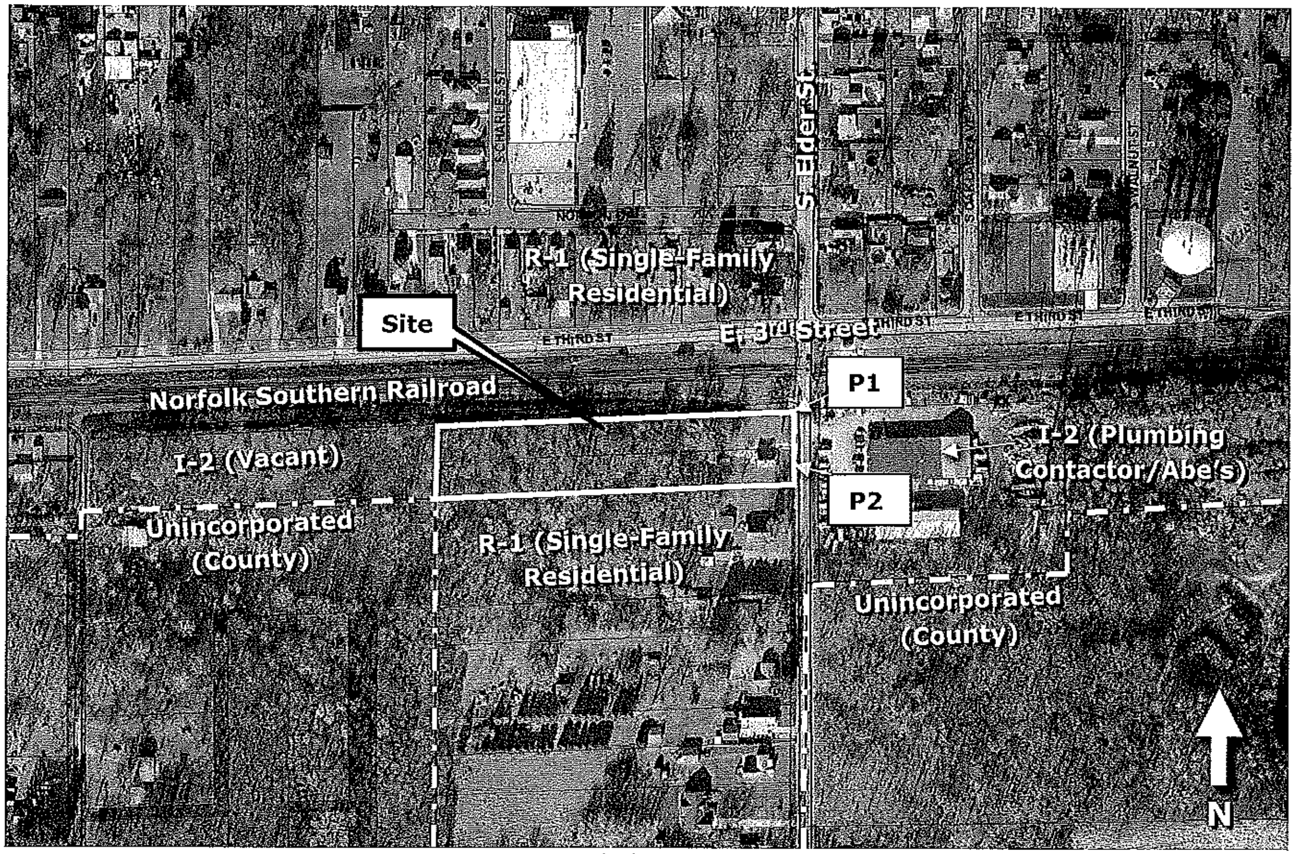
3. The most desirable/highest and best use – Because of the parcel's location adjacent to existing low-density residential uses and an industrial (contractor) use, and a vacant property zoned for heavy industrial use, the most desirable use for the property is either continued use as single-family residential or an industrial use.

4. Conservation of property values – The proposed rezoning should not be injurious to property values in the area since it is compatible with the existing adjacent uses. Additionally, the site shall comply with all screening and landscaping requirements along property lines that are contiguous to residentially zoned properties.

5. Comprehensive Plan – The 2000 Mishawaka Comprehensive Plan, created in 1990, recommended medium density residential use within this property. However, the proposed land use is consistent with the existing adjacent industrial use and vacant property zoned for heavy industrial use.

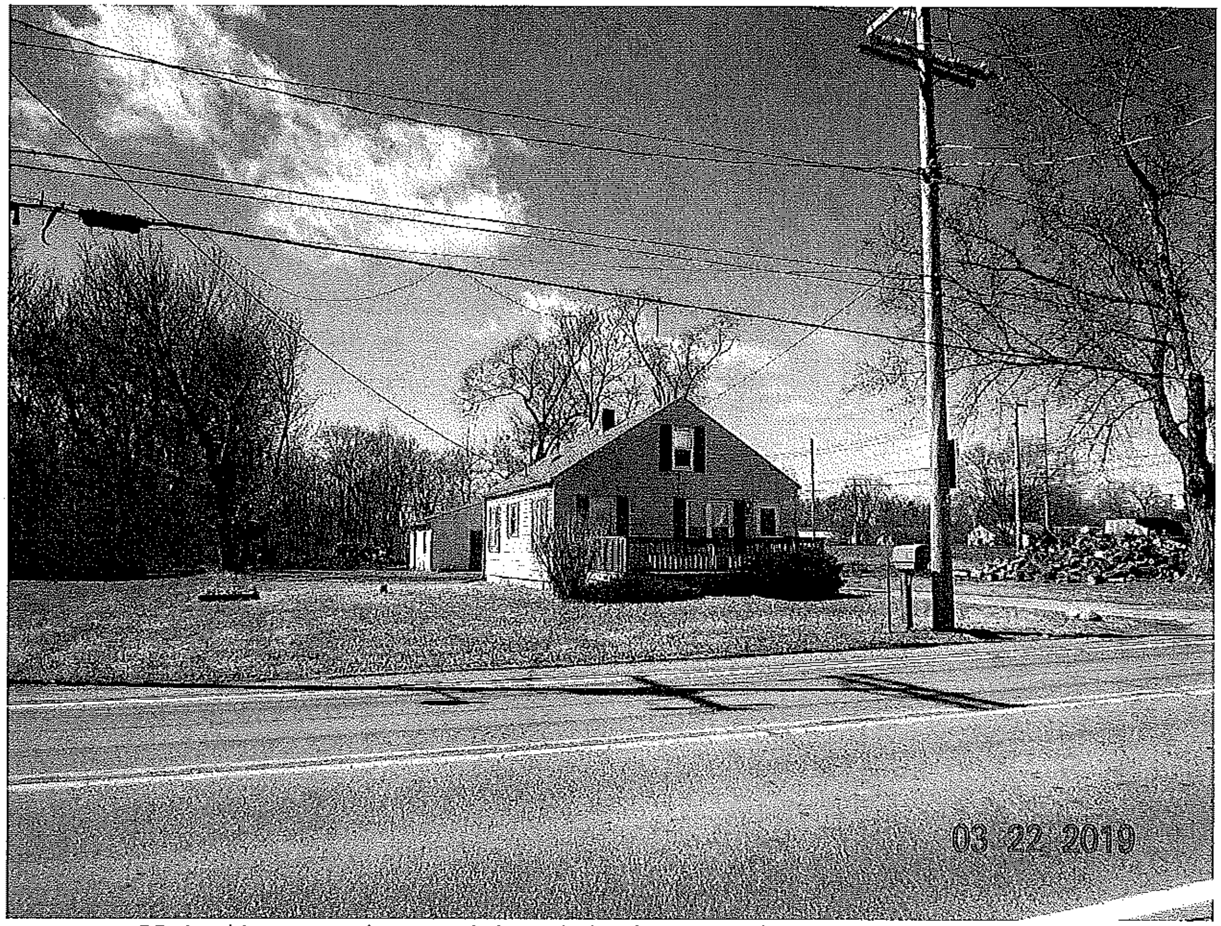
ATTACHMENTS

Aerial Photograph, Site Photographs, Petition, Location Map, Preliminary/Conceptual Site Plan

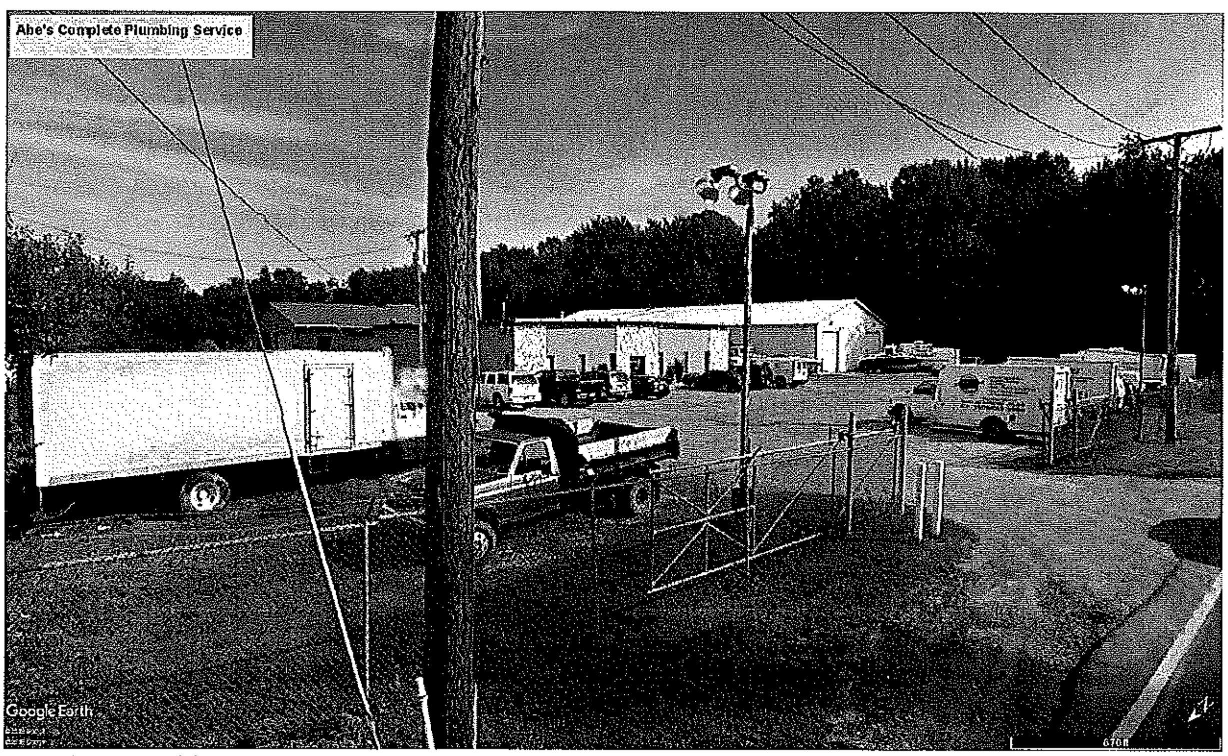


Aerial Photograph
215 & 217 S. Elder Street
Proposed Mini Self-Storage Facility

P1. Looking southwesterly from S. Elder Street and the railroad tracks toward the site to be rezoned.



P2. Looking westerly toward the existing house on the property to be rezoned.



View from S. Elder Street just south of the railroad looking toward the industrial use (Abe's Plumbing) to the east of the site to be rezoned. (Google Street View – September 2015)

1st Reading
2nd Reading
Passed
Failed
Continued To

PETITION 19-05

RECEIVED
DEBORAH S. BLOCK, MMC
APR 10 2019
CITY CLERK
MISHAWAKA, IN

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2019-09

ORDINANCE NO. ______

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

> Beginning at a point twenty (20) feet south of the right of way of the New York Central Lines, where the same is crossed by the east line of the East Half (1/2) of the West Half (1/2) of Section Eighteen (18), Township Thirty-seven (37) North, Range Four (4) East; thence running south four (4) rods; thence west forty (40) rods; thence north four (4) rods; thence east forty (40) rods; thence east forty (40) rods to the place of beginning.
>
> COMMON ADDRESS: 215 South Elder Street
>
> Also a tract of land in the West Half (1/2) of the Northwest Quarter (1/4) of Section eighteen (18), Township thirty-seven (37) North, Range four (4) East described as: Beginning at a point on the east line of said Half Quarter Section, five hundred eighty-five (585) feet north of a stone marking the southeast corner of said Half Quarter Section, thence north along the east line of said Half Quarter Section a distance of sixty-six (66) feet, thence west parallel with the right of way of the New York Central Railroad Company crossing said Section, six hundred sixty-two and sixty-two hundredths (662.62) feet, more or less, to the center line of said Half Quarter Section, thence south sixty-six (66) feet; thence east six hundred sixty-two and sixty-five hundredths (662.65) feet, more or less to the place of beginning, containing one (1) acre, more or less and being designated as Lot Numbered Two (2) on the unrecorded plat of Ward's Subdivision, in St. Joseph County, Indiana. Also a tract of land five (5) feet in width, north and south and one hundred fifty (150) feet in length, east and west, taken out of and from the southeast corner of the following described tract, two-wit: A lot or parcel of

land in the West Half (1/2) of the Northwest Quarter (1/4) of Section numbered eighteen (18), Township thirty-seven (37) North, Range four (4) east described as follows: beginning at a point twenty (20) feet south of the intersection of the south line of the right of way of the New York Central Railroad Company with the west line of the East Half (1/2) of the West Half (1/2) of said Section eighteen (18); thence south four (4) rods; thence west forty (40) rods; thence north four (4) rods; thence east four (4) rods to the place of beginning, now within and a part of the City of Mishawaka. Commonly described as 217 South Elder Street.

COMMON ADDRESS: 217 South Elder Street

which real estate is now classified as R-1 Single Family Residential District shall hereafter be within and a part of that District known as I-1 Light Industrial District designated in "The Zoning Ordinance of 1966" as amended.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject property consists of two parcels with the south parcel including a single-family house and detached garage, and the north parcel being vacant. Adjacent land uses include a plumbing contractor to the east zoned heavy industrial, low density single-family properties to the south, vacant property zoned heavy industrial to the west, and an active rail line to the north.

2. Character of Buildings – The character of the buildings in the area are industrial to the east, and single-family residential to the south and to the north across the railroad tracks and E. 3rd Street.

3. The most desirable/highest and best use – Because of the parcel's location adjacent to existing low-density residential uses and an industrial (contractor) use, and a vacant property zoned for heavy industrial use, the most desirable use for the property is either continued use as single-family residential or an industrial use.

4. Conservation of property values – The proposed rezoning should not be injurious to property values in the area since it is compatible with the existing adjacent uses. Additionally, the site shall comply with all screening and landscaping requirements along property lines that are contiguous to residentially zoned properties.

5. Comprehensive Plan – The 2000 Mishawaka Comprehensive Plan, created in 1990, recommended medium density residential use within this property. However, the proposed land use is consistent with the existing adjacent industrial use and vacant property zoned for heavy industrial use.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

Proposed Ordinance No: ____________________

Ordinance No: ____________________________

PASSED by the Common Council of the City of Mishawaka, Indiana, this __________day of ______________________, 2019, at _________ o'clock ___.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _________ day of ____________________, 2019, at _________ o'clock ____.M.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _________ day of ___________________, 2019, at _________o'clock ____.M.

____
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

MAR 27 2019

CITY CLERK
MISHAWAKA, IN

RECEIVED
MAR 20 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Pet 19-05

March 20, 2019

Honorable Members of the
Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

Re: Petition for Rezone

The undersigned, Marc Campbell respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph County, Indiana, to wit:
Beginning at a point twenty (20) feet south of the right of way of the New York Central Lines, where the same is crossed by the east line of the East Half (1/2) of the West Half (1/2) of Section Eighteen (18), Township Thirty-seven (37) North, Range Four (4) East; thence running south four (4) rods; thence west forty (40) rods; thence north four (4) rods; thence east forty (40) rods; thence east forty (40) rods to the place of beginning. Commonly described as 215 S Elder Street, Tax ID 016-1107-4168; Also a tract of land in the West Half (1/2) of the Northwest Quarter (1/4) of Section eighteen (18), Township thirty-seven (37) North, Range four (4) East described as: Beginning at a point on the east line of said Half Quarter Section, five hundred eighty-five (585) feet north of a stone marking the southeast corner of said Half Quarter Section, thence north along the east line of said Half Quarter Section a distance of sixty-six (66) feet, thence west parallel with the right-of-way of the New York Central Railroad Company crossing said Section, six hundred sixty-two and sixty-two hundredths (662.65) feet, more or less, to the center line of said Half Quarter Section, thence south sixty-six (66) feet, thence east six hundred sixty-two and sixty-five hundredths (662.65) feet, more or less, to the place of beginning, containing one (1) acre, more or less and being designated as Lot Numbered Two (2) on the unrecorded plat of Ward's Subdivision, in St. Joseph County, Indiana. Also, a tract of land five (5) feet in width, north and south and one hundredth fifty (150) feet in length, east and west, taken out of and from the southeast corner of the following described tract, to-wit: A lot or parcel of land in the West Half (1/2) of the Northwest Quarter (1/4) of Section numbered eighteen (18), Township thirty-seven (37) North, Range four (4) east described as follows: beginning at a point twenty (20) feet south of the intersection of the south line of the right of way of the New York Central Railroad Company with the west line of the East Half (1/2) of the West Half (1/2) of said Section eighteen (18); thence south four (4) rods; thence west forty (40) rods; thence north four (4) rods; thence east four (40) rods to the place of beginning, now within and a part of the City of Mishawaka. Commonly described as 217 S Elder Street, Tax ID 016-016-1107-4169.

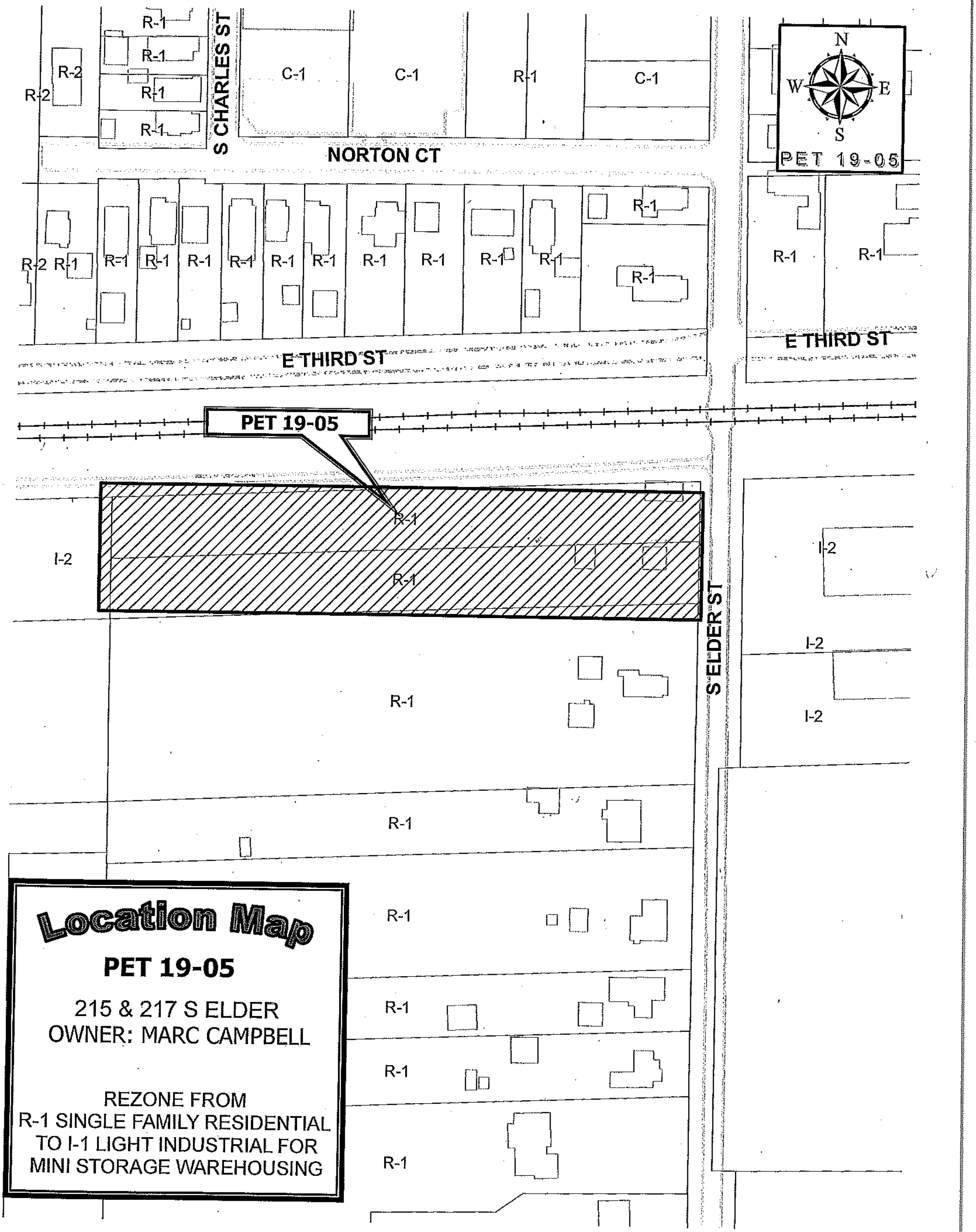
Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification of R-1 Single Family Residential District. Said property is residential containing a house and garage.

Petitioner(s) desire said real estate to be rezoned to L-1 Light Industrial District.
Petitioner(s) further state that they intend to utilize said land for mini self-storage facility to serve the surrounding community.

Wherefore, the petitioners pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of real estate located in the City of Mishawaka.

Marc Campbell

CONTACT PERSON:
Lang, Feeney & Associates, Inc.
Terance D. Lang
715 South Michigan Street
South Bend, Indiana 46601
Phone: 574-233-1841


PET 19-05
N
S
E
W
S CHARLES ST
NORTON CT
E THIRD ST
S ELDER ST
C-1
R-1
R-2
I-2
Location Map
PET 19-05
215 & 217 S ELDER
OWNER: MARC CAMPBELL
REZONE FROM
R-1 SINGLE FAMILY RESIDENTIAL
TO I-1 LIGHT INDUSTRIAL FOR
MINI STORAGE WAREHOUSING

RECEIVED
DEBORAH S. BLOCK, MMC

APR 11 2019

CITY CLERK
MISHAWAKA, IN

1st Reading
2nd Reading
Passed
Failed
Continued To

PROPOSED ORDINANCE NO. 2019-10

ORDINANCE NO.____________

AN ORDINANCE DECLARING AN EMERGENCY AND
DETERMINING THE EXPENDITURE OF ADDITIONAL
FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA INDIANA, THAT:

Section 1. An emergency exists which requires the appropriation of additional funds for the fiscal year ending December 31, 2019 in addition to that set out in detail in the published budget.

Section 2. There is hereby appropriated from the Park Non-Reverting Fund of the City of Mishawaka the sum of $18,500.00 for assignment as follows:

Park Non-Reverting

Other Services and Charges		
214-50-436-20	Merrifield Improvements	$18,500.00

Section 3. This Ordinance shall be in full force and effect from and after its passage, signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana

On this ____________day of ________________, 2019 at __________ o'clock, ____. M.

____
Dale "Woody" Emmons, Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor of the City of Mishawaka, Indiana

on this ___________day of ___________________, 2019 at_______ o'clock, ____. M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this ___________day of ___________________, 2019 at

_____________o'clock, _____. M.

David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

PARKS AND RECREATION DEPARTMENT
ADMINISTRATION OFFICE

Date: March 28, 2019
To: Mishawaka Common Council
From: Phil Blasko, Superintendent of Parks
Re: Additional Appropriation of Park Department Funds

Mr. President and Honorable Council Members:

Due to unexpected circumstances, the Parks and Recreation Department must move forward with repairs to the Merrifield Pool Slide. In order to accommodate the cost, an additional appropriation of funds in the amount of $18,500 from the non-reverting accounts is needed.

Thank you for your consideration of this matter. Should you have any questions, please do not hesitate to contact me at (574) 258-1664 or pblasko@mishawaka.in.gov.

Respectfully submitted,

Phil Blasko, Superintendent of Parks

cc: Honorable Mayor Dave Wood
Rebecca Miller, City Controller

Battell Center • 904 N. Main Street • Mishawaka IN • 46545-6631
Building Phone: (574) 258-1664 • Fax: (574) 258-1736 • Website: www.mishawaka.in.gov

PROPOSED ORDINANCE NO. 2019 - 11

ORDINANCE NO. _______

AN ORDINANCE AMENDING ORDINANCE 5642 THE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA, FOR THE YEAR BEGINNING JANUARY 1, 2019.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, THAT:

Section 1. The biweekly salaries of all employees of the City of Mishawaka except the Mishawaka Park Department, Elected Officials and the Mishawaka Utilities for the year beginning January 1, 2019 and shall be payable in 26 bi-weekly pay periods commencing on January 11, 2019.

	BIWEEKLY HOURLY
PART-TIME HELP	7.25-30.00
CENTRAL SERVICES/MVH:	
GROUP 3	18.20

Section 2. This ordinance shall be in full force and effect from and after its signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on

this _________ day of ________________2019, at ________o'clock, ___.m.

____
Dale "Woody" Emmons, President

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME, to the Mayor on this ______ day of ___________ 2019, at _____o'clock, __.m.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this ______ day of _____________, 2019, at _______ o'clock, __.m.

____
David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Kurtis D. Vardaman, Deputy Controller

Date: April 11, 2019

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: Amend Civil City 2019 Salary Ordinance 5627

I am requesting first reading on the City salary amendment as two corrections are needed:

Part Time:

As salaries have increased, certain specialized positions have employees in a part time status. Employees benefit from the flexible hours, and the City saves money on health insurance ($29,000 per employee for the family plan) and contributions to their pension at 14.2%.

I am requesting to amend the **Part Time** position from $7.25 - $25.00 per hour to $7.25 - $30.00.

Central Services/MVH:

Group 3 was not calculated correctly for 2019.

I am requesting to amend this wage from $18.11/hour to $18.20/hour.

Thank you for your consideration and please contact me with any questions.

c: David A. Wood, Mayor
Geoff Spiess, HR Director/Corporation Counsel
Tim Ryan, Street Commissioner
Chris Jamrose, Director of Engineering/City Engineer

RESOLUTION NUMBER R2019-13

RESOLUTION OF THE CITY OF MISHAWAKA, INDIANA

ADOPTING THE ST. JOSEPH COUNTY MULTI-HAZARD MITIGATION PLAN

WHEREAS the City of Mishawaka has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the St. Joseph County Plan includes a risk assessment including past hazards, hazards that threaten the county, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the St. Joseph County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the St. Joseph County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how St. Joseph County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Indiana Department of Homeland Security and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the St. Joseph County Multi-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, St. Joseph County Multi-Hazard Mitigation Plan updates the existing Multi-Hazard Mitigation Plan adopted in 2017; and

WHEREAS, this is a multi-jurisdictional plan and cities and towns that participated in the planning process may choose to also adopt the county plan.

NOW THEREFORE, BE IT RESOLVED, that the City of Mishawaka supports the hazard mitigation planning efforts and wishes to adopt the St. Joseph County Multi-Hazard Mitigation Plan.

This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _______ day of _________, 2019, at _______ o'clock ___.m.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC,MMC, City Clerk

PRESENTED by me to the Mayor this ______ day of __________ 2019, at ______ o'clock ____m.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this ____ day of ________, 2019, at ______ o'clock ___.m.

____
David A. Wood, Mayor

Chapter 1 - Overview

Introduction

The St. Joseph County Multiple Hazard Mitigation Plan is the guide for the county's assessment of hazards, vulnerabilities, and risks and includes the participation of a wide range of stakeholders and the public in the planning process. This plan aids the county, cities and towns in preventing, protecting against, responding to, and recovering from disasters that may threaten the community's economic, social and environmental well-being. This plan documents historical disasters, assesses probabilistic disasters through Hazus-MH and GIS analyses, and addresses specific strategies to mitigate the potential impacts of these disasters.

The St. Joseph County Emergency planning team, The Polis Center at Indiana University-Purdue University Indianapolis (IUPUI) originally developed the 2010 St. Joseph County Hazard Mitigation Plan (HMP). They have again teamed up to complete the update for the 2017 plan.

The St. Joseph County Multiple Hazard Mitigation Plan Update is developed to the "Multiple Hazards" mitigation approach which the Indiana Department of Homeland Security (IDHS) and FEMA recommend as an option to single hazard mitigation planning. While the plan considered all of the potential hazards, it should be recognized that only limited mitigation actions are feasible for some of these hazards, since they are not site-specific or repetitive in nature.

Disaster Mitigation Act of 2000

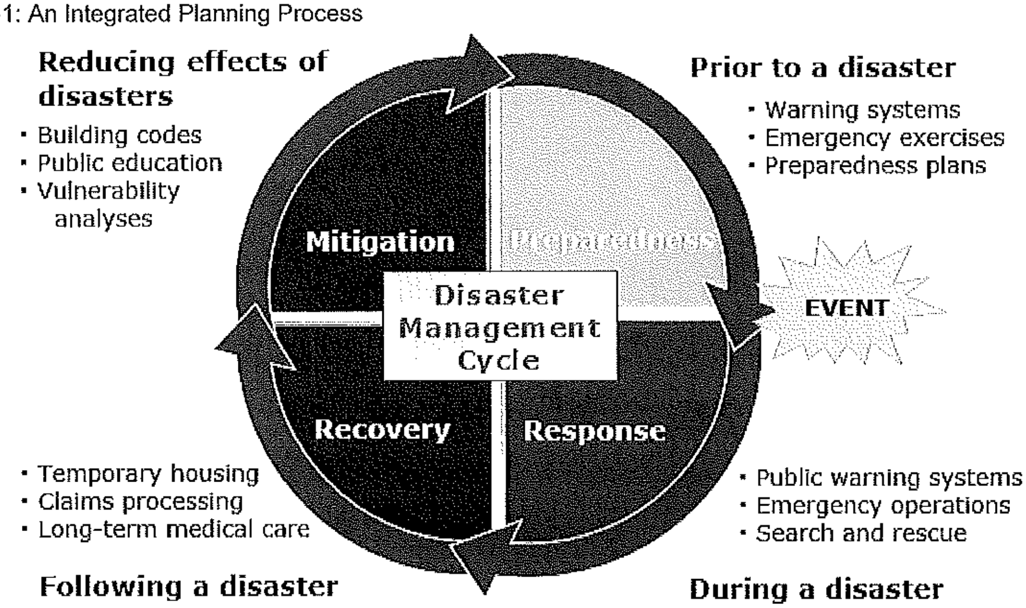
With the development of the federal Disaster Mitigation Act of 2000, FEMA requires in order to be eligible for Hazard Mitigation Grant Program (HMGP) funds. The purpose of a HMP plan is, "to reduce the loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from natural disasters." All jurisdictions must first have in place a Multi-Hazard mitigation plan and update the plan within a five-year time span. This plan update addresses changes in development, progress in local mitigation efforts, and changes in priorities. This update will remain effective for 5 years from the community adoption.

The procedures outlined in the plan are based upon guidance provided by the Federal Emergency Management Agency and is consistent with the requirements and procedures defined in the Disaster Mitigation Act of 2000. The analysis includes three components: 1) profile and analysis of hazard events, 2) inventory of vulnerability assessment of community assets, and 3) development of hazard mitigation strategies.

Hazard Mitigation

Hazards are something that is potentially dangerous or harmful, often the root cause of an unwanted outcome. Hazards are included, both natural and human caused, which threaten loss of life and property in the county. Hazard mitigation is defined as any action taken to eliminate or reduce the long-term risk to human life and property from natural and technological hazards. The Federal Emergency Management Agency (FEMA) has made reducing hazards one of its primary goals.

Figure 1-1: An Integrated Planning Process



Hazard mitigation planning and the subsequent implementation of the projects, measures, and policies developed as part of this plan, is a primary mechanism in achieving FEMA's goal. Potential types of hazard mitigation measures include the following:

- Structural hazard control or protection projects,
- Retrofitting of facilities,
- Acquisition and relocation of structures,
- Development of mitigation standards, regulations, policies, and programs,
- Public awareness and education programs,
- Development or improvement of warning systems.

Local governments have the responsibility to protect the health, safety, and welfare of their citizens. This mitigation plan considers the importance of mitigation to:

- Protect public safety and prevent loss of life and injury.
- Reduce harm to existing and future development.
- Prevent damage to a community's unique economic, cultural, and environmental assets.
- Minimize operational downtime and accelerate recovery of government and business after disasters.
- Reduce the costs of disaster response and recovery and the exposure to risk for first responders.
- Help accomplish other community objectives, such as leveraging capital improvements, infrastructure protection, open space preservation, and economic resiliency.

Developing and putting into place long-term strategies that reduce or alleviate loss of life, injuries and property resulting from natural or human caused hazards accomplish this goal. These long-term strategies must incorporate a range of community resources including planning, policies, programs and other activities that can make a community more resistant to disaster. Mitigation planning efforts should both protect people, structures, while minimizing costs of disaster response and recovery. Mitigation is the cornerstone for emergency management and should be viewed as a method for decreasing demand on scarce and valuable disaster response resources.

Mitigation Planning Process

The process to update the HMP included a number of activities between the planning team and Polis. The planning team was comprised of a representative group of the county and incorporated communities. The emergency manager coordinated the planning team invitations to wide range of potential interested parties in the county and communities, including, elected and appointed officials, representatives of law enforcement, fire departments, public health, streets and highway coordinators, planners and engineers, local businesses, disaster relief, state IDHS district coordinators, and higher education officials. The team participated in a series of surveys and meetings, documented in the appendix, to complete the following 10-step process outlined by FEMA in the local hazard mitigation-planning handbook:

- Organize planning process. Involve key stakeholders and the public.
- Identify and screen major hazards for the county.
- Analyze the risks posed by those hazards.
- Review existing capabilities and resources and then identify the issues.
- Prioritize the hazards.
- Develop specific hazard mitigation measures. Include a timeline.
- Set implementation guidelines.

- Draft the plan.
- Adopt the plan.
- Implement, evaluate success and update regularly.

Each chapter was reviewed, revised and expanded upon with current information and included new feedback from taskforce members with an emphasis on the updating the goals, objectives and strategies. The mitigation planning requirements identified in 44 CFR 201.6 call for all jurisdictions participating in a multijurisdictional hazard mitigation plan to take part in the planning process. Examples of participation include, but are not limited to, attending planning meetings, contributing research, data, or other information, related to hazards and strategies and commenting on drafts of the plan.

State Mitigation Planning Team

The Silver Jackets program, administered by the US Army Corps of Engineers operate in states across the United States bring together multiple state, federal, and sometimes tribal and local agencies to learn from one another in reducing flood risk and other natural disaster. The Indiana Silver Jackets team works together toward its shared vision, to be a catalyst in developing comprehensive and sustainable solutions to natural hazard issues. The mission of the core agencies of the Silver Jackets team is to work together to:

- Enable the effective and efficient sharing of information
- Foster the leveraging of available agency resources
- Provide improved service to our mutual customers
- Promote wise stewardship of the tax-payers' investment

The Indiana Silver Jackets have led projects highlighted in this report, such as the Low Head Dam initiatives and the Fluvial Erosion & Non-Levee Embankment mapping projects.

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR **DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

March 28, 2019

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Stacy Petko Reisdorf, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At-Large City Council
Mr. Matt Mammolenti, At-Large City Council
Mr. Bryan Tanner, At-Large City Council
Mrs. Deborah Block, City Clerk

RE: Resolution 2019-14
2018 Tax Abatement Compliance Reports & Withdrawal of Previously Approved Real Property Tax Abatement for Bayer Healthcare

Dear Council Members and Clerk:

Property owners who have applied for and been granted a tax abatement for either real or personal property on or after July 1, 1991, must file a report with the Mishawaka Common Council and the St. Joseph County Auditor's Office reporting the extent of compliance with the goals set forth in the Statement of Benefits filed when granting the aforesaid abatement. The Department of Local Government Finance requires one compliance form per project, thus where applicable, there are separate compliance forms for Real Estate (CF-1/Real Property) and Personal Property (CF-1/PP).

<u>There are currently twelve active tax abatements in the City of Mishawaka of which eleven require reporting for calendar year 2018.</u> The one active abatement not requiring compliance reporting is the proposed Bayer Healthcare office building. The building, which was to be constructed on Beacon Parkway, was granted a tax abatement in October 2015. In February, Bayer announced plans to close its customer logistics service center at 3930 Edison Parkway, which is their last remaining facility in the region. Due to this closure, they will no longer pursue construction of a new corporate services building as previously planned. A letter from John S. Herzig, Jr., VP Customer Logistics, requesting that the previously approved tax abatement be withdrawn is attached. All property owners/companies have responded to our request to complete the Compliance with Statement of Benefits form. CF-1 forms/responses have been attached to this letter for your use and reference for the eleven active tax abatement recipients that require reporting.

<u>In summary, ten of the eleven active abatements which require reporting are in compliance and have exceeded, nearly met, or are working toward expectations. Construction for one of the active abatements, being the proposed River Walk multi-family residential project, has not yet begun.</u>

Since the prior reporting period for calendar year 2017, none of the previously approved tax abatements have expired.

City Hall ◦ 600 East Third Street ◦ Mishawaka IN ◦ 46544-2241
Community Development ◦ Redevelopment ◦ Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999
Planning ◦ Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999
E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

As you are aware, the CF-1 Compliance Forms for Real Estate and Personal Property are due to the County Auditor's Office by May 15th of each year. A copy of the history of the City's tax abatements from 1986 to present has been attached for your use. This summary identifies the current and recently closed abatements and is a beneficial reference tool.

Staff has reviewed the information submitted by all companies. The abatements are listed by the age/date of approval of the abatement oldest to newest.

- **BD Mishawaka Development LLC** (St. Joseph Regional Medical Center Office Building) – Although this medical office building is connected to the St. Joseph Regional Medical Center, it is not owned by the hospital. Healthcare Realty, a Nashville, Tennessee based real estate investment trust with a nationwide portfolio of outpatient medical facilities, acquired the property in 2013. Thus, Healthcare Realty now performs the annual compliance reporting for the prior LLC that originally obtained the tax abatement. Local property management and leasing continues to be performed by Newmark Grubb Cressy & Everett. The total number of additional employees estimated on the SB-1 in 2007 was 370 with a total estimated payroll of $10,555,000. Per the attached CF-1, 489 employees were occupying the building as of December 31, 2018, exceeding the total employment projections set in 2007 by 119. Annual salaries in 2017 were reported as $29,157,683, which is nearly three times the estimated payroll indicated in the original statement of benefits. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.

- **NAC (North American Composites)** – The CF-1 attached is for the abatement approved in 2012 for North American Composite's north central Indiana sales and distribution facility located at 1460 East 12th Street. NAC is headquartered in Lino Lakes, Minnesota. The abatement included improvements to the facility for the storage and handling of hazardous materials and the purchase of various types of material handling and transportation equipment. Even though this abatement was limited to 3 years for personal property, annual compliance reporting will be required through 2018 as the last equipment covered under the abatement request was installed in 2014/2015. The total employment has increased to 20 jobs, which is two more than reported in last year's compliance report. This is 10 more jobs than the 10 that were estimated on the SB-1 when the abatement was filed. Total payroll was listed at $1,765,586, which is higher than the estimated $750,000 listed on the SB-1. Investment was projected to be $1,246,000 while the actual investment for the improvements and equipment was $1,554,744. Given that the total employment, payroll, and investment is higher than the projected amounts, this abatement is in substantial compliance.

- **Long Term Care Investments V, LLC (5805 North Fir Road)** – The CF-1 attached is for the abatement approved in 2013 for BellTower Heath & Rehabilitation Center, a new rehabilitation and nursing center. Although approved in 2013, construction did not begin until October 2014 with completion in July 2016. This abatement was limited to 4 years for real property. Annual compliance reporting will be required through reporting year 2020 since the construction was not complete until 2016. The total number of employees estimated on the SB-1 in 2013 was 61 full time equivalencies with a total estimated payroll of $2,161,524. At present, there are 64 full time equivalent employees, which is an increase from 61 employees in 2017 and 49 employees during its first year in operation. Current combined annualized salaries were reported at $2,677,111. With more residents being served at the facility, the number of employees has steadily increased. The estimated values of the project, as indicated on the SB-1, was $16,500,000 with the actual construction costs being $14,500,000. The current total assessed value for the completed project is $6,908,500 including an improvement value of $5,617,000 and land value of $1,291,500. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.

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E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

- **Barak River Rock LLC** – The CF-1 attached is for the abatement approved in 2013 for River Rock Apartments, a new mixed use building including apartments and first floor retail space along Mishawaka Avenue. Although approved in 2013, construction did not begin early 2015 with completion in late 2016. This abatement was limited to 5 years for real property. Annual reporting will be required through reporting year 2021 since the construction was not completed until 2016. The total employment for the project as indicated on the CF-1 is 11 jobs, which is higher than the 5-8 jobs estimated on the SB-1 when the abatement was filed. As indicated in the attached correspondence, Barak River Rock employs 6 people including a managing partner, senior project manager, chief finance operator, senior property manager, design and development assistance, and a senior maintenance supervisor. All of these employees are based in Mishawaka and are tenants at the River Rock apartment building. Five additional employees are based at Tule Spa and the Bar Method, an exercise studio, located in the first-floor retail/commercial portion of the building. Total payroll was listed as $564,200 ($47,000 per month) which is substantially higher than the approximate $200,000 listed on the SB-1. A breakdown of the salaries of all employees, as provided last year, is included in the attached correspondence. The estimated values of the construction project, as indicated on the SB-1, was $14,000,000 to $17,000,000 with actual construction costs being $14,565,233. The current assessed value for the completed project is $9,657,100. Since the improvements for the project as envisioned on the SB-1 are complete and employment and construction cost projections were met, this abatement should be considered in substantial compliance.

- **WellPet LLC (Regrind System 2014)** – The CF-1 attached is for the abatement approved in 2014 for the equipment associated with a regrind system to be located at WellPet's facility at 1011 W. 11th Street. As indicated in prior compliance reports, the equipment was installed in 2014 and is in operation. The abatement was limited to 5 years for personal property requiring annual reporting through 2019. The net values upon completion of the project was estimated at $17,370,388 on the SB-1 when the abatement was filed. The actual net values upon completion of the project is $23,534,042, exceeding the estimated values by $6,163,654. The total employment at the facility has increased beyond what was projected on the SB-1. When the abatement was filed, the total existing employment was listed at 91 with an additional 6 jobs to be added. The total employment reported was 110. This is an increase of 19 positions, 13 greater than the 6 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $6,246,121 which is significantly higher than the $3,404,000 listed on the SB-1 and is commensurate to the additional hiring that occurred. Given that the investment, employment, and payroll is higher than the projected amounts, this abatement should be considered in substantial compliance.

- **Dearborn Crane and Engineering Company, Inc.** – The CF-1 attached is for the abatement approved in 2014 for adding a 7,200 sq. ft. building addition, improving site drainage, re-grading and paving, and connecting to sanitary sewer at 1133 E. Fifth Street. All proposed improvements included in this abatement request, originally estimated as a $750,000 investment, were completed by February 2015. Since the abatement was limited to 3 years for real property, annual reporting is required through 2018. Actual investment for the project was $859,146. The total employment at the facility is greater than projected on the SB-1 when the abatement was filed. When filed, the total existing employment was listed at 24 with an additional 3 jobs to be added. Current employment was reported at 32 which equates to an additional 8 jobs. Total payroll was listed at $1,726,624 exceeding the $1,353,211 listed on the SB-1. Given that the total investment, employment, and payroll for the new jobs is higher than the projected amounts, this abatement is in substantial compliance.

- **WellPet LLC (High Speed Packaging Line 2015)** – The CF-1 attached is for the abatement approved in 2015 for the equipment associated with a high speed packaging line at WellPet's facility at 1011 W. 11th Street. Installation of the new equipment included within this abatement request occurred in 2016 and is in operation. Since the abatement was limited to 5 years for personal property, annual reporting is required though year 2021. The net values upon completion of the project was estimated at

City Hall ◦ 600 East Third Street ◦ Mishawaka IN ◦ 46544-2241
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E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

$17,370,388 on the SB-1 when the abatement was filed. The actual net values upon completion of the project is $23,366,011, exceeding the estimated values by $5,995,623. The total employment at the facility has not met what was projected on the SB-1. When the abatement was filed the total existing employment was listed at 115 with an additional 4 jobs to be added. The total employment reported was 110 which is a decrease of 5 positions and 9 positions less than projected. Although the reported total employment decreased at the end of last year, average monthly employment ranges from 115 to 120 positions. According to a recent internet search, approximately 7 vacant positions exist at the company which are actively being advertised. With the recent drop in employment due to the current tight labor market, average annual salaries have increased from approximately $33,900 to $56,800. Total payroll was listed at $6,246,121 which is 60% higher than the $3,898,000 listed on the SB-1. Given that the total investment and payroll is higher than the projected amounts and employment levels continue to remain relatively steady, this abatement should be considered in substantial compliance.

- **Patrick Industries (New Facility)** – The CF-1 attached is for the abatement approved in 2016 for new general woodworking equipment, a CNC router, a vinyl forming press, and other manufacturing and information technology equipment at Patrick Industries' new manufacturing facility at 1241 E. 12th Street. As indicated in the attached correspondence, the proposed equipment and improvements, originally estimated at $915,000 on the SB-1, were completed and in operation by October 2016. Since the abatement was limited to 3 years for personal property, annual reporting is required through 2019. Actual investment to date is $2,067,075 more than double the initial estimate. New employment projected on the SB-1 was 84, while actual employment was reported at 163 nearly double the initial projection. Total payroll was listed at $7,430,402 which is two and half times higher than the $2,953,900 listed on the SB-1. Given that the total investment, employment levels, and payroll greatly exceeds the projected amounts as the facility's growth is far outpacing expectations, the abatement is in substantial compliance.

- **River Walk Development Group LLC** – The CF-1 attached is for the abatement approved in 2017 for a new multi-family residential apartment project to be constructed on a 2 acre city-owned area. The site is generally located north of the Riverwalk, east of N. Main Street, south of Mishawaka Avenue, and adjacent to Sarah Street if extended to the St. Joseph River. When originally submitted for consideration, the $12.5-$13.5 million project was to include a 120,000 sq. ft. building with 63 rental units. Per the attached correspondence submitted with the CF-1, the developer is reevaluating the project due to changes in the market and the addition of new projects in the downtown area. The project scope and design, soon to be determined, will be based upon market and demographic research. The developer's intent is to start construction during the second quarter of 2020. In March 2018, an amended development agreement between the City and the developer was approved which extended the project completion and occupancy date to March 2021. Since construction on the project has yet to begin, total investment, employment, and salary cannot be evaluated at this time. Given that this project is active and progressing as planned, this abatement should be considered in substantial compliance with the understanding that a more detailed analysis will occur in future years following completion of the project.

- **Lippert Components** – The attached correspondence, which provides an update on the project, and CF-1s are for both real and personal property abatements approved in 2017 for the renovation and improvements of the former AM General Warehousing facility located at 400 S. Byrkit Avenue. Lippert Components occupies the building as a distribution facility, a service center for recreational vehicles, and a call center. A majority of the proposed real estate improvements included in this abatement request, originally estimated as a $7.4 million investment, have been completed or are currently under construction. These improvements include renovation of the existing building, a 48,000 sq. ft. building addition (less than the anticipated 79,200 sq. ft. addition as identified in the abatement request), and site improvements including access drives, drainage, and additional employee and semi-truck parking areas. Actual real estate investment per the CF-1 is $13,538,189. Although additional

City Hall ◦ 600 East Third Street ◦ Mishawaka IN ◦ 46544-2241
Community Development ◦ Redevelopment ◦ Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999
Planning ◦ Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999
E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

investment in the building renovation and expansion is anticipated, the amount of the deduction applicable to real estate improvements is limited to $7,400,000 per the approved SB-1. The personal property improvements included in this abatement request, originally estimated as a $1.8 million investment, have been purchased. The personal property investment includes new racking and general logistics distribution equipment, and new furniture and fixtures. Actual personal property investment per the CF-1 is $2,950,816. Although additional personal property (equipment, etc.) may be purchased, the amount of the deduction applicable to personal property improvements is limited to $1.8 million per the approved SB-1. *In addition to limiting the amount of deductions, the approved abatement request designated the area as an Economic Revitalization Area through July 5, 2018. Therefore, only the additional real and personal property investment completed by this date is applicable.* Since the abatement was approved for 10 years for both the real and personal property, annual reporting will be required through 2028. When the abatement was filed, the total existing employment was listed at 247 with an additional 200 jobs to be added. At present, there are 221 employees, which is a substantial increase from 21 employees in 2017. Additional jobs are anticipated over the next 10 years based on the company's growth projections. Total payroll was listed at $9,124,640 which is slightly less than the $10,354,808 listed on the SB-1. Given that the total investment has exceeded the projected amounts, the employment levels and total payroll are increasing, and employment is expected to increase, this abatement should be considered in substantial compliance.

- **Jamil Packaging Corporation** - The CF-1 attached is for the abatement approved in 2017 for new manufacturing equipment and associated building upgrades to be located at Jamil's facility at 1420 Industrial Drive. The proposed equipment and improvements, originally estimated at $1,500,000 on the SB-1, were completed and in operation by August 2017. Since the abatement was limited to 3 years for personal property, annual reporting is required through 2020. When the abatement was filed, the total existing employment was listed at 112 with an additional 8 jobs to be added. The total employment reported was 140. This is an increase of 28 positions, 15 greater than the 8 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $4,864,354, which is higher than the $3,647,509 listed on the SB-1 and is commensurate to the additional hiring that occurred. Given that the improvements were completed with current employment and payroll exceeding the projected amounts, this abatement should be considered in substantial compliance.

This compliance review is required to be received by the Auditor no later than May 15th. If additional information is desired, or if the Council would like to review any individual abatement by committee, please contact our office at your earliest convenience so that we can arrange for the necessary participants to attend.

Thank you. Please contact me if you have any questions.

Sincerely,

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: Kenneth B. Prince, ASLA, AICP, City Planner & Economic Development Director
David A. Wood, Mayor

RESOLUTION NO. 2019-14

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS AND WITHDRAWING A PREVIOUSLY APPROVED REAL PROPERTY TAX ABATEMENT FOR BAYER HEALTHCARE

WHEREAS, property owners who have applied for and been granted a tax abatement for either real or personal property on and after July 1, 1991, must file a report with the Mishawaka Common Council and the County Auditor reporting the extent to which there has been compliance with the goals set forth in the Statement of Benefits filed at the time of the action granting the aforesaid abatement, and

WHEREAS, ten (10) recipients of the eleven (11) active tax abatements that require reporting have been found to be subject to this requirement, and each have submitted the proper reports, which have been reviewed and found to be in order.

WHEREAS, Bayer Healthcare requested that a previously granted real property tax abatement, which was approved by the Common Council on October 5, 2015 via Declaratory Resolution 2015-35 and on October 19, 2015 via Confirming Resolution 2015-36, be withdrawn .

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That the "Compliance with Statement of Benefits" reports submitted by the following companies are found to be in order:

   - **BD SJRMC Mishawaka Development, LLC**
   - **NAC North American Composites**
   - **Long Term Care Investments V, LLC**
   - **Barak River Rock, LLC**
   - **WellPet, LLC (Regrind System 2014 & High Speed Packaging Line 2015)**
   - **Dearborn Crane and Engineering Company, Inc.**
   - **Patrick Industries Inc.**
   - **River Walk Development Group LLC**
   - **Lippert Components Manufacturing Inc.**
   - **Jamil Packaging Corporation**

2. That the aforesaid property owners are hereby found to be in substantial compliance, and

3. That the request to withdraw the aforesaid approved real property tax abatement for Bayer Healthcare is accepted, and

4. That the President of the Mishawaka Common Council is hereby authorized to approve the aforementioned reports and withdrawal of the Bayer Healthcare tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, on this ________ day of ____________, 2019.

____
Dale "Woody" Emmons, President

ATTEST:

____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this ______ day of _________________, 2019.

____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me on this _______ day of _____________, 2019 at ______ o'clock, ____.m.

____
David A. Wood, Mayor

HISTORY OF ALL TAX ABATEMENTS 1986-CURRENT

	Name	Common Council Approval Date	No. of Years Real Estate	No. of Years Machinery	No. of Retained Jobs (Proposed)	No. of New Jobs (Proposed)	No. of Retained Jobs (Actual)	No. of New Jobs (Actual)	Date of Latest CF1 Found	Capital Investment**	Abated Through Collect CF-1s*	Pay*	Abatement Complete
1	Patrick Industries	October 20, 1986	10 Years			52			(-)	$ 8,622,845.00	1997	1998	YES
2	Former Baby Place	June 7, 1988	6 Years	0	0	38.5			(-)	$ 2,000,000.00	1995	1996	YES
3	Wheelabrator Area	December 19, 1988	10 Years		338	246			(-)	$ 2,500,000.00	1999	2000	YES
4	National - Standard	February 21, 1989	6 Years	5 Years	15	180			(-)	$10,100,000.00	1995	1996	YES
5	Thermoplastics Phase I	November 20, 1989	6 Years	5 Years	151	13			(-)	$ 2,500,000.00	1995	1996	YES
6	Thermoplastics Phase II	November 20, 1989	3 Years	5 Years	155	20			(-)	$ 3,200,000.00	1993	1994	YES
7	Contech Division I	July 2, 1990	6 Years			75			(-)	$10,962,483.00	1996	1997	YES
8	Hilti Steel	September 13, 1990	0	5 Years	n/a	14			(-)	$ 578,000.00	1996	1997	YES
9	Penz Products Inc.	September 24, 1990	3	0	76	10			(-)	$ 475,000.00	1994	1995	YES
10	Dodge Reliance Electrical I	January 7, 1991	0	5 Years	10	15			(-)	$ 1,050,000.00	1996	1997	YES
11	Janco Products, Inc.	May 6, 1991		5 Years	10	20			(-)	$ 220,000.00	1996	1997	YES
12	Thermoplastics Phase III	November 4, 1991	0	5 Years	150	19	150	51	Feb-93	$ 2,750,000.00	1996	1997	YES
13	National Steel Corporation	December 16, 1991	10 Years		250	130	250	32	Mar-01	$10,346,394.00	2002	2003	YES
14	Maron Products, Inc.	February 3, 1992	0	5 Years	38	10	41	11	Feb-95	$ 610,794.00	1998	1999	YES
15	Dodge Reliance Electrical II	July 6, 1992	0	5 Years	300+	0	300+	0	Mar-96	$ 3,000,000.00	1998	1999	YES
16	Thermoplastic Phase IV	October 19, 1992	6 Years		210	50	210	148	Mar-98	$ 6,812,832.00	1999	2000	YES
17	Contech Division II	April 19, 1993		5 Years	10		15	108	Mar-99	$ 1,206,461.00	1999	2000	YES
18	Dana/Ristance Corp./Standard Motor Products - Wire and Cable Div.	January 3, 1994	10 Years		80	60	42	88	Mar-05	$ 6,067,253.00	2004	2005	YES
19	United Limo	September 6, 1994	6 Years		77	8	77	8	Jan-01	$ 1,262,200.00	2001	2002	YES
20	Dearborn Crane	December 5, 1994	10 Years	5 Years	26	4	26	7	May-99	$ 612,841.00	2005	2006	YES
21	Scott Brass II	December 18, 1995	10 Years		73	31	73	13	Mar-06, Apr-01	$11,934,000.00	2006	2007	YES
22	Federal Window (Fedor)	December 18, 1995	6 Years	5 Years	8	8	8	26	Apr-02, Mar-01	$ 1,018,181.00	2002	2003	YES
23	Maron Products, Inc. II	December 18, 1995		5 Years	6	4	2	8	Apr-01	$ 250,000.00	2001	2002	YES
24	Quality Dining	April 15, 1996	10 Years		73	109	73	70	Mar-06	$ 5,087,402.00	2006	2007	YES
25	Baycote Metal Finishing	January 6, 1997	6 Years	5 Years	70	15	79	7	Jul-00	$ 1,800,000.00	2003	2004	YES
26	Krizman International	January 6, 1997	6 Years		225	20	225	20	Jul-00	$ 1,500,000.00	2003	2004	YES
27	Troyer	March 3, 1997	3 Years		60	40		0	(-)	$ 1,100,000.00	2001	2002	YES
28	Nyloncraft Incorporated	May 19, 1997	6 Years	5 Years	378	40	341	58	Feb-02	$ 7,598,531.00	2004	2005	YES
29	Ristance Corporation	October 20, 1997	6 Years	5 Years	139	18		0	(-)	$ 3,600,000.00	2004	2005	YES
30	DeWald Manufac. Inc./Power Gear/Engineered Solutions	October 20, 1997	6 Years	5 Years	62	15	62	40	Mar-05	$ 1,842,833.00	2004	2005	YES
31	Thermoplastic Phase V	December 1, 1997	6 Years	5 Years	299	70	299	19	Mar-00	$ 3,181,310.00	2003	2004	YES
32	Atchison/Dodge	December 1, 1999		5 Years	325	50	230		Mar-05	$ 2,000,000.00	2006	2007	YES
33	Sampson Fiberglass	March 6, 2000	3 Years		15	20	15	5	Feb-01	$ 375,000.00	2004	2005	YES
34	RMG Foundry LLC	March 6, 2000		5 Years	325	50	202	0	Feb-06	$ 2,000,000.00	2006	2007	YES
35	WF Associates (AMG Byrkit Facility)	November 19, 2001	10 Years		285	15	234	0	Apr-11	$ 2,650,000.00	2011	2012	YES
36	Nyloncraft Incorporated	March 20, 2003		5 Years	396	16	320	9	May-09	$ 1,168,064.00	2009	2010	YES
37	Nyloncraft Incorporated	November 6, 2003		5 Years	405	13	329	27	May-09	$ 2,730,304.00	2009	2010	YES
38	Plastimatics Arts Corporation	August 18, 2004		3 Years	31	4	31	16	May-06	$ 1,450,290.00	2007	2008	YES
39	Ironwood Enterprises, LLC	September 6, 2005	5 Years		14	49	27	34	May-09	$ 6,000,000.00	2010	2011	YES
40	Daman Products Company	October 17, 2005		3 Years	95	6	82	23	Feb-07	$ 1,118,980.00	2007	2008	YES
41	Culture Systems, Inc.	December 18, 2006	3 Years	3 Years	12	7	12	2	May-09	$ 1,200,000.00	2009	2010	YES
42	Patrick Industries (Metals Div)	June 19, 2006	5 Years	5 Years	172	26			Apr-10	$ 4,600,000.00	2011	2012	YES
43	Jamil Packaging Corporation	August 21, 2006		3 Years	51	5	51	5	May-10	$ 1,250,000.00	2010	2011	YES
44	Nyloncraft Incorporated	December 6, 2007		5 Years	340	50	291	12	Apr-13	$ 2,185,000.00	2012	2013	YES
45	BD Mishawaka Development LLC	February 4, 2008	10 Years		0	370	0	489	Mar-19	$44,000,000.00	2021	2022	NO
46	Jamil Packaging Corporation	May 1, 2008		3 Years	64	5	62	11	Apr-12	$ 1,650,000.00	2011	2012	YES
47	Long Term Care Investments, LLC (Douglas)	June 1, 2009	3 Years		0	120	0	67	Apr-12	$18,000,000.00	2012	2013	YES
48	Jamil Packaging Corporation	May 16, 2011		3 Years	73	6	73	29	Apr-16	$ 900,000.00	2014	2015	YES
49	North American Composites (NAC)	March 5, 2012		3 Years	0	10	0	20	Mar-19	$ 1,577,000.00	2018	2019	NO
50	Long Term Care Investments, LLC (Fir)	October 7, 2013	4 Years		0	61	0	64	Mar-19	$15,000,000.00	2020	2021	NO
51	Barak River Rock LLC	November 6, 2013	5 Years		0	5 to 8	0	11	Mar-19	$14,565,000.00	2021	2022	NO
52	WellPet LLC	January 8, 2014		5 Years	91	6	91	19	Mar-19	$ 1,470,500.00	2020	2021	NO
53	Dearborn Crane	May 19, 2014	3 years		24	3	24	8	Mar-19	$ 859,100.00	2018	2019	NO
54	WellPet LLC	April 20, 2015		5 Years	115	4	110	0	Mar-19	$ 1,790,000.00	2021	2022	NO
~~55~~	~~Barak Group LLC (Iron Rock Café)~~	~~September 21, 2015~~	~~5 Years~~						~~Apr-16~~	~~$ 450,000.00~~	~~2020~~	~~2021~~	~~NO~~
~~56~~	~~Barak Group LLC (Iron Rock Condominiums)~~	~~September 21, 2015~~	~~5 Years~~						~~Apr-16~~	~~$10,000,000.00~~	~~2020~~	~~2021~~	~~NO~~
~~57~~	~~Bayer Heathcare~~	~~October 19, 2015~~	~~10 Years~~		~~171~~	~~30 to 60~~	~~203~~	~~TBD~~	~~Mar-18~~	~~$42,500,000.00~~	~~2025/TBD~~	~~2026~~	~~NO~~
58	Patrick Industries	February 15, 2016		3 Years	0	84	0	163	Mar-19	$ 2,067,000.00	2019	2020	NO
59	River Walk Development Group LLC (Mult-Family Residential)	June 5, 2017	5 Years		0	2	0	3	Mar-19	$13,500,000.00	2025 or 2026/TBD	2024	NO
60	Lippert Components	July 5, 2017	10 Years	10 Years	247 (relocated)	200	0	221	Mar-19	$ 9,200,000.00	2028	2029	NO
61	Jamil Packaging Corporation	July 24, 2017		3 Years	112	8	112	28	Mar-19	$ 1,500,000.00	2020	2021	NO
62	Jamil Packaging Corporation	February 18, 2019		3 Years	139	12	TBD	TBD	NA	$ 1,550,000.00	2022	2023	NO

* The "Abated through collect CF-1s" and "Pay" column demonstrates the number of years from the completion of the project/final installation of the equipment and not the number of years from the date the abatement was approved.

The tax abatements highlighted above are active requiring the completion of annual compliance forms (CF-1s).

** The capital investment may be the proposed or actual levels of investment based on the current project status.

HEALTHCARE REALTY
3310 West End Avenue, Suite 700
Nashville, Tennessee 37203
P 615.269.8175
www.healthcarerealty.com

March 1, 2019

RECEIVED
MAR 05 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Mr. Derek J. Spier, AICP
Senior Planner & Economic Development Specialist
City of Mishawaka
Department of Planning & Community Development
600 East Third Street
Mishawaka, IN 46544-2241

Re: 611 E. Douglas Road, Mishawaka IN
Form CF-1

Dear Mr. Spier,

Enclosed please find the Compliance with Statement of Benefits form (CF-1) for Real Estate Improvements located at the above referenced address.

If you have any questions, please don't hesitate to contact me at (615) 269-8396 or by e-mail at: ksullivan@healthcarerealty.com

Thank you,

Kim Sullivan

Kim Sullivan
Associate Vice President
Asset Management

cc: Sarah Purser

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS
State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20 18 PAY 20 19

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: HR of Indiana, LLC	County: St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 3310 West End Avenue, Nashville, TN 37203	DLGF taxing district number: 71-022
Name of contact person: Kim Sullivan	Telephone number: (615) 269-8396

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Common Council of the City of Mishawaka	Resolution number: R-2008-02	Estimated start date *(month, day, year)*: 02/11/2008
Location of property: 611 East Douglas Road, Mishawaka, IN 46545		Actual start date *(month, day, year)*:
Description of real property improvements: Construction of a 205,573 square foot medical office building and all parking as required. Building is connected to Saint Joseph Regional Medical Center Hospital.		Estimated completion date *(month, day, year)*:
		Actual completion date *(month, day, year)*: 08/01/2009

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		489
Salaries		29,157,682.00
Number of employees retained		
Salaries		
Number of additional employees	370	
Salaries	10,555,000.00	

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	46,000,000.00	
Less: Values of any property being replaced		
Net values upon completion of project	46,000,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	37,765,910.00	18,216,400.00
Less: Values of any property being replaced		
Net values upon completion of project	44,000,000.00	

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	Date signed *(month, day, year)*
Kim Sullivan	Associate Vice President	3/1/2019

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.

2018 Tax Info

	Employees	Salaries
Martin's Pharmacy	8	191,513.00
Alick's Home Medical*		
SJRMC	387	24,066,984.34
Cataract and Laser	32	1,253,897.67
Allied Physicians	15	602,000.00
MRI	8	684,419.72
Centre PC	39	2,358,868.14
	489	**$29,157,682.87**

**Numerous attempts were made to this tenant to obtain information with no response.*

STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS
State Form 51767 (R / 1-06)
Prescribed by the Department of Local Government Finance

FORM SB-1 / RE

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1/RE annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b))
5. The schedules established under IC 6-1.1-12.1-4(d) effective July 1, 2000, apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to those statement of benefits filed before July 1, 2000.

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: BD SJRMC Mishawaka Development, LLC

Address of taxpayer (number and street, city, state, and ZIP code): 510 E. 96th. Street, Suite 250, PO Box 40509, Indpls, IN 46240

Name of contact person: David P. Durm

Telephone number: (317) 808-6449

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: See Application

Resolution number:

Location of property: Douglas Rd.Mishawaka, IN.

County: St. Joseph

DLGF taxing district number:

Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary): Exhibit A (See Attached)

ESTIMATED Start Date	ESTIMATED Completion Date
6/1/07	10/1/08

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
615	$2,399,730	615	$2,399,730	308	$12,047,425

~~See attached~~

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	REAL ESTATE IMPROVEMENTS COST	REAL ESTATE IMPROVEMENTS ASSESSED VALUE
Current values	~~See Attached~~	
Plus estimated values of proposed project	$46,000,000	
Less values of any property being replaced		
Net estimated values upon completion of project	$46,000,000	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) ______

Estimated hazardous waste converted (pounds) ______

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed (month, day, year)
[signature]	Auth Rep	4/19/07

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed Three (3) calendar years * *(see below)*. The date this designation expires is February 4, 2011.

B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; ☒ Yes ☐ No
2. Residentially distressed areas ☐ Yes ☒ No

C. The amount of deduction applicable for redevelopment or rehabilitation is limited to $ N/A cost with an assessed value of $ N/A.

D. Other limitations or conditions *(specify)* N/A

E. The deduction for redevelopment or rehabilitation is allowed for Ten (10) years* *(see below)*.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above. (IC 6-1.1-12-3(b))

Approved: *(signature and title of authorized member)*	Telephone number	Date signed *(month, day, year)*
John J. Roggeman John J. Roggeman, Pres	(574)258-1616	02-04-2008
Attested by: Deborah S. Block Deborah S. Block, City Clerk	Designated body Mishawaka Common Council	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.

For residentially distressed areas, the deduction period may not exceed five (5) years. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years. For ERAs after June 30, 2000, the deduction period may not exceed ten (10) years. An area designated as an urban development area pursuant to an application filed after December 31, 1978, and prior to January 1, 1986, are entitled to a ten (10) year deduction.

1st Reading
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, CMC
JAN 31 2008
CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. R 2008-02

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA MAKING FINAL DETERMINATION AND CONFIRMING A CERTAIN AREA IN THE CITY OF MISHAWAKA, INDIANA AS AN ECONOMIC REVITALIZATION AREA

(BD SJRMC Mishawaka Development, LLC)

CONFIRMING RESOLUTION

WHEREAS, the Common Council of the City of Mishawaka, Indiana (the "Common Council"), did pursuant to the "Deduction for Rehabilitation or Redevelopment of Real Property in Economic Development Revitalization Areas Act" (Indiana Code 6-1.1-12.1-1 et. seq.) as amended (hereinafter referred to as the "Act"), declare that the following described area in the City of Mishawaka, County of St. Joseph, State of Indiana, is an "Economic Revitalization Area":

A lot or parcels of land described as follows:

1. Tax Keys #27-1059-1178.16; #27-1059-1177.01 and #27-1059-1177 with the legal description marked 'Exhibit A' and attached hereto;

More commonly known as vacant land on East Douglas Road.

All of the above described property being located within the municipal corporate limits of the City of Mishawaka, Indiana, and

WHEREAS, this declaration was effected by Resolution No. R 2007-21 (the "Declaratory Resolution") adopted by the Common Council on the 18th day of June, 2007; and

WHEREAS, under the provisions of the Act a copy of the Declaratory Resolution was filed for public inspection at the office of the St. Joseph County Assessor's Office; and

WHEREAS, pursuant to Indiana Code 5-3-1, public notice of the adoption and substance of the Declaratory Resolution was given; as well as setting forth that a public hearing would be held on February 4, 2008 to receive and hear all remonstrance and objections from interested persons; and

WHEREAS, pursuant to the Act, a copy of said public notice along with a copy of the Statement of Benefits (the "State of Benefits") of BD SJRMC Mishawaka Development, LLC (the "Applicant") was filed with each taxing unit in whose jurisdiction the property described in the above legal description is located; and

WHEREAS, on February 4, 2008, the Common Council received and heard all remonstrance and objections to the Declaratory Resolution from interested persons and considered the evidence;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That upon conclusion of said public hearing and consideration of evidence presented, it is now determined that the area described meets the qualifications for an Economic Revitalization Area; and

2. That the Declaratory Resolution is hereby modified and confirmed as follows:

   a) That the above described area shall be designated as an Economic Revitalization Area for a period of three (3) years beginning with the date of this resolution; and

   b) That the property tax deduction to which the property owner is entitled shall apply to real property pursuant to Section 3 of the Act; and

   c) That these deductions applicable for real property tax abatement and are limited to ten (10) years; and

   d) That the estimate of the value of the redevelopment is reasonable for projects of this nature; and

   e) That the description of the proposed redevelopment meets applicable standards for such development; and

   f) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment by the Applicant; and

   g) The estimate of the annual salaries of those individuals who will be employed o whose employment will be retained can be reasonably expected to result from the proposed described redevelopment by the Application; and

   h) That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment; and

   i) That the deduction will not be allowed unless the facility is constructed or rehabilitated to meet local code standards; and

   j) That the totality of benefits is sufficient to justify the granting of this requested deduction.

NORTH AMERICAN COMPOSITES

ELECTRONIC MAIL DELIVERY & US MAIL DELIVERY

March 14, 2019

Derek J. Spier
Senior Planner & Economic Development Specialist
City of Mishawaka
City Hall
600 East Third Street
Mishawaka, Indiana 46544-2241

Subject: **North American Composites Company, 1460 E. 12th Street, Mishawaka, IN 46544**

Dear Derek:

Enclosed you will find our Compliance with Statement of Benefits Personal Property Form (CF-1).

NAC added 2 new jobs from April 1, 2018, to March 31, 2019.

This original letter and Form CF-1 will be mailed via U.S. Mail.

Please send a reply confirming receipt of our submission and contact me if you have any questions or need additional information.

Thank you.

Sincerely,

Jerry D. Davis

Jerry D. Davis
Vice President of Operations

300 APOLLO DRIVE
LINO LAKES, MINNESOTA 55014
TELEPHONE: (651) 766-5485
FACSIMILE: (651) 765-8378
EMAIL: JDAVIS@NACOMPOSITES.COM

COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15 of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: NORTH AMERICAN COMPOSITES COMPANY
County: ST. JOSEPH
Address of taxpayer *(number and street, city, state, and ZIP code)*: 1460 EAST 12TH STREET, MISHAWAKA, INDIANA 46544
DLGF taxing district number:
Name of contact person: JERRY D. DAVIS
Telephone number: (651) 766-5485

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: CITY OF MISHAWAKA, INDIANA, DEPARTMENT OF BUILDING, COMMUNITY DEVELOPMENT
Resolution number: R2012-05 & R2012-06
Estimated start date *(month, day, year)*:
Location of property: 1460 EAST 12TH STREET, MISHAWAKA, INDIANA 46544
Actual start date *(month, day, year)*: 4/1/2017
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired.
NAC completed improvements to the building for the storage and handling of hazardous materials and purchased various types of material handling and transportation equipment.
Estimated completion date *(month, day, year)*:
Actual completion date *(month, day, year)*: 3/31/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		20
Salaries	750,000.00	1,765,586.00
Number of employees retained		18
Salaries		1,589,027.00
Number of additional employees		2
Salaries		176,559.00

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project					1,223,500.00		22,500.00	
Less: Values of any property being replaced								
Net values upon completion of project					1,223,500.00		22,500.00	
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project					1,554,744.00		22,000.00	
Less: Values of any property being replaced								
Net values upon completion of project					1,554,744.00		22,000.00	

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).

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: Jerry D. Davis
Title: VICE PRESIDENT OF OPERATIONS
Date signed *(month, day, year)*: 03/14/2019

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 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within 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.*
3. *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. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. 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.

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 5 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 clerk of 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.

SOPKO, NUSSBAUM, INABNIT & KACZMAREK
ATTORNEYS AT LAW
5TH FLOOR - PLAZA BUILDING
210 S. MICHIGAN STREET
SOUTH BEND, INDIANA 46601
TELEPHONE (574) 234-3000
FACSIMILE (574) 234-4220
E-MAIL ADDRESS: SNI@SNI-LAW.COM

RICHARD A. NUSSBAUM, II*
BRENT E. INABNIT**
MATTHEW R. KACZMAREK
KEVIN E. WARREN
JOSHUA A. VISSER
NICHOLAS J. DERDA
WILLIAM M. SIDERITS
CHRISTINA M. SHAKOUR

*ALSO ADMITTED IN MICHIGAN
**ALSO ADMITTED IN ILLINOIS

OF COUNSEL
THOMAS C. SOPKO

February 28, 2019
(Via Email Transmission and U.S. Mail)

Derek J. Spier, Senior Planner & Economic Development Specialist
Planning and Development Department
City of Mishawaka
600 East 3rd Street
Mishawaka, Indiana 46544

Re: Tax Abatement Compliance
Long Term Care Investments V, LLC Compliance with Statement of Benefits
5805 N. Fir Road, Granger, Indiana

Dear Mr. Spier:

Enclosed please find Long Term Care Investments V, LLC's Compliance with Statement of Benefits Real Estate Improvements Form CF-1. Please contact me should you have any questions or if you need any additional information.

Very truly yours,

Brent E. Inabnit
brenti@sni-law.com

BEI:jh
Enclosures
cc: Long Term Care Investments V, LLC (w/enclosure)

P:\ATT\NJD\LTCI\2019 Belltower Letter.wpd

COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20 19 PAY 20 20

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: Long Term Care Investments V, LLC	County: St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 1620 N. Ironwood Drive, South Bend, Indiana 46635	DLGF taxing district number: 036
Name of contact person: Andrew W. Place	Telephone number: (574) 259-4858

SECTION 2	LOCATION AND DESCRIPTION OF PROPERTY	
Name of designating body: City of Mishawaka Common Council	Resolution number: 2013-18	Estimated start date *(month, day, year)*: 10/21/2013
Location of property: 5805 N. Fir Road, Granger, Indiana 46530		Actual start date *(month, day, year)*: 10/1/2014
Description of real property improvements: Construction of a new one-story Skilled Nursing Care Facility consisting of 55,880 sq. ft., containing 84 beds, and having an estimated cost of $14-$15 million plus $1.5 million for fixtures and furniture.		Estimated completion date *(month, day, year)*: 5/1/2016
		Actual completion date *(month, day, year)*: 7/31/16

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	0	64 Full Time Equiv.
Salaries	0	$2,677,111.00
Number of employees retained	0	0
Salaries	0	0
Number of additional employees	61 Full Time	0
Salaries	$2,161,524.00	0

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	0	$48,600.00
Plus: Values of proposed project	16,500,000.00	
Less: Values of any property being replaced	10,000.00	
Net values upon completion of project	16,490,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	0	$52,200.00
Plus: Values of proposed project	14,500,000.00	$5,617,000
Less: Values of any property being replaced	10,000.00	10,000.00
Net values upon completion of project	14,490,000.00	$5,607,000.00

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	0	0
Amount of hazardous waste converted	0	0
Other benefits:	N/A	N/A

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
[signature]	Attorney	2-28-19

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 5 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.

Derek Spier

From: Scott Sivan <sivan@insite-dev.com>
Sent: Monday, March 25, 2019 11:08 AM
To: Derek Spier
Subject: Re: Barak River Rock - Annual Tax Abatement Compliance Reporting

>>> FROM EXTERNAL SENDER <<<

hi Derek,

Today there are still 6 people in our Insite Office located at 112 W Mishawaka Ave:
- Managing Partner
- Senior Project Manager
- Chief Finance Officer
- Senior Property Manager
- Design and Development Assistant
- Senior Maintenance Supervisor

the Gallery is no longer operating. Tule' has 2 employees, the Bar Method, an exercise studio, who was not yet operating this time last year, has at least 3, will confirm,

All the best,

Scott

On Mon, Mar 25, 2019 at 9:41 AM Derek Spier <dspier@mishawaka.in.gov> wrote:

> Scott-
>
> Good morning!
>
> For last year's compliance reporting, Samantha provided the following information which was included in our annual compliance report:
>
> " Barak River Rock employs 6 people including a managing partner, property manager, finance manager, marketing manager, maintenance supervisor, and a general maintenance position. All of these employees are based in Mishawaka and are tenants at the River Rock apartment building. Four additional employees are based at The Gallery R&S Studios and Tule Spa located in the first-floor retail/commercial portion of the building."

Is this data still accurate to use in this year's reporting? If not, please provide updated information.

Thank you.

Best regards,

Derek Spier, AICP

Senior Planner / Economic Development Specialist

City of Mishawaka

600 East Third Street

Mishawaka, IN 46544

p: 574-258-1625

f: 574-968-6999

e: dspier@mishawaka.in.gov

COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
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: Barak River Rock, LLC	County: St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 117 W Grove Street Mishawaka	DLGF taxing district number: 71-023
Name of contact person: Scott Sivan, Managing Partner	Telephone number: (574) 302-7236

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Common Council of the City of Mishawaka	Resolution number: R2013-21	Estimated start date *(month, day, year)*: 9/1/2015
Location of property: 126 W Mishawaka Ave, Mishawaka, IN 46545		Actual start date *(month, day, year)*: 1/4/2016
Description of real property improvements: River Rock Apartments at 116 + 128 W Mishawaka Ave		Estimated completion date *(month, day, year)*: 8/31/2016
		Actual completion date *(month, day, year)*: 1/11/2017

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	5-8	~~10~~ 11
Salaries	$200,000/yr	47,000 Mo
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		
Plus: Values of proposed project		
Less: Values of any property being replaced		
Net values upon completion of project		
ACTUAL	COST	ASSESSED VALUE
Values before project	155,000	177,300.00
Plus: Values of proposed project	14,565,233	9,203,300.00
Less: Values of any property being replaced	155,000	177,300.00
Net values upon completion of project	14,565,233	$9,380,600.00

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	Date signed *(month, day, year)*
[signature]	Managing Partner	3.12.19

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.

FORM CF-1 / PP

COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: WELLPET	County: St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)*: 1011 West 11th Street Mishawaka IN 46544	DLGF taxing district number: 71-023
Name of contact person: Terry Peterson	Telephone number:

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Mishawaka Common Council	Resolution number: R 2014 - 4	Estimated start date *(month, day, year)*: 04/29/2014
Location of property: 1121 West 11th Street MISHAWAKA IN 46544		Actual start date *(month, day, year)*: / /
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. See Attached *Regrind System: An Overiew - December 2013		Estimated completion date *(month, day, year)*: 11/25/2014
		Actual completion date *(month, day, year)*: / /

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	91	110
Salaries	3,404,000	6,246,121
Number of employees retained	91	91
Salaries	3,404,000	3,404,000
Number of additional employees	6	19
Salaries	197,000	2,842,121

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	14,705,633							
Plus: Values of proposed project	2,000,000							
Less: Values of any property being replaced								
Net values upon completion of project	16,705,633							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	22,063,528	6,590,977						
Plus: Values of proposed project	1,470,514	441,154						
Less: Values of any property being replaced								
Net values upon completion of project	23,534,042	7,032,131						

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

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	1,500,000	
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	Date signed *(month, day, year)*
Terry Peterson	Controller	3/13/19

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 6-1.1-12-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within 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.*
3. *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. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially compy was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has* ***NOT*** *made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. 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.

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 insruction 5 above)*

Reasons for 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.

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R3 / 12-13)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: WellPet LLC	Name of contact person: Michelle Teigenhorst
Address of taxpayer (number and street, city, state, and ZIP code): 1011 West 11th Street	Telephone number: (574) 259-7834

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: Mishawaka Common Council		Resolution number(s)
Location of property: 1121 West 11th Street, Mishawaka, IN 46544	County: St. Joseph	DLGF taxing district number: 71-023

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.)
SEE ATTACHED "REGRIND SYSTEM: An Overview - December 2013"

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	04/28/2014	11/28/2014
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
81	$3,404,000	81	$3,404,000	6	$197,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	14,706,633.(							
Plus estimated values of proposed project	2,000,000.0(							
Less values of any property being replaced								
Net estimated values upon completion of project	16,706,633.(							

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) 1,500,000

Estimated hazardous waste converted (pounds) ______

Other benefits:
Increases production capabilities by 1,500,000 pounds.

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative: Michelle Teigenhorst		Date signed (month, day, year): 12/18/2013
Printed name of authorized representative: Michelle Teigenhorst	Title: Controller	

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed five (5) calendar years * *(see below)*. The date this designation expires is 12-31-2018.

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☒ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☐ No
3. Installation of new logistical distribution equipment. ☐ Yes ☐ No
4. Installation of new information technology equipment; ☐ Yes ☐ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 2,000,000. cost with an assessed value of $to be determined by the assessor not to exceed $2,000,000.00

D. The amount of deduction applicable to new research and development equipment is limited to $ N/A cost with an assessed value of $ N/A.

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ N/A cost with an assessed value of $ N/A.

F. The amount of deduction applicable to new information technology equipment is limited to $ N/A cost with an assessed value of $ N/A.

G. Other limitations or conditions *(specify)* None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☒ Year 1 ☒ Year 2 ☒ Year 3 ☒ Year 4 ☒ Year 5 (see below *)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body)	Telephone number	Date signed (month, day, year)
Council President	(574)258-1616	1-20-2014
Printed name of authorized member of designating body	Name of designating body	
Matt Mammolenti	Mishawaka Common Council	
Attested by: (signature and title of attester)	Printed name of attester	
Deborah S. Block	Deborah S. Block, IAMC,MMC, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20___ PAY 20____
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: Cha Cha Properties	County: St Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 1133 E Fifth Street, Mishawka, IN 46544	DLGF taxing district number: 023 Mishawaka Penn
Name of contact person: Joan Joshi, General Manager	Telephone number: (574) 208-6851

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Mishawaka City Council	Resolution number: R2014-10	Estimated start date *(month, day, year)*: 06/01/2014
Location of property: 1133 E Fifth Street, Mishawka, IN 46544		Actual start date *(month, day, year)*: 06/01/2014
Description of real property improvements:		Estimated completion date *(month, day, year)*: 02/15/2015
		Actual completion date *(month, day, year)*: 02/15/2015

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	24	32
Salaries	1,353,211.00	1,726,624.43
Number of employees retained	24	24
Salaries	1,353,211.00	1,407,745.07
Number of additional employees	3	8
Salaries	128,000.00	318,879.36

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	150,000.00	380,000.00
Plus: Values of proposed project	750,000.00	
Less: Values of any property being replaced		
Net values upon completion of project	900,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	150,000.00	467,600.00
Plus: Values of proposed project	859,146.00	
Less: Values of any property being replaced		
Net values upon completion of project	1,009,146.00	

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	Date signed *(month, day, year)*
Joan Joshi	President	3/14/2019

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.

COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer WELLPET	County St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)* 1011 West 11th Street Mishawaka IN 46544	DLGF taxing district number 71-023
Name of contact person Terry Peterson	Telephone number

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body MISHAWAKA COMMON COUNCIL	Resolution number R2015-14	Estimated start date *(month, day, year)* 07/01/2015
Location of property 1121 West 11th Street MISHAWAKA IN 46544		Actual start date *(month, day, year)* / /
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. SEE ATTACHED "High Speed Packaging Line Overview 2015"		Estimated completion date *(month, day, year)* 11/01/2015 Actual completion date *(month, day, year)* / /

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	115	110
Salaries	3,898,000	6,246,121
Number of employees retained	115	110
Salaries	3,898,000	3,898,000
Number of additional employees	4	
Salaries	200,000	2,348,121

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	15,570,388							
Plus: Values of proposed project	1,800,000							
Less: Values of any property being replaced								
Net values upon completion of project	17,370,388							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	21,732,971	6,491,810						
Plus: Values of proposed project	1,801,071	540,321						
Less: Values of any property being replaced								
Net values upon completion of project	23,534,042	7,032,131						

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

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	Date signed *(month, day, year)*
Terry Peterson	Controller	3/13/19

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 6-1.1-12-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within 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.*
3. *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. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially compy was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. 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.

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 insruction 5 above)*

Reasons for 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.

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R3 / 12-13)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer	Name of contact person
WellPet LLC	Michelle Tatgenhorst

Address of taxpayer (number and street, city, state, and ZIP code)	Telephone number
1011 West 11th Street	(574) 259-7834

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number (s)
Mishawaka Common Council	

Location of property	County	DLGF taxing district number
1121 West 11th Street, Mishawaka, IN 46544	St. Joseph	71-023

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.)		ESTIMATED START DATE	ESTIMATED COMPLETION DATE
SEE ATTACHED "High Speed Packaging Line Overview 2016"	Manufacturing Equipment	07/01/2016	11/01/2016
	R & D Equipment		
	Logist Dist Equipment		
	IT Equipment		

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
116	$3,898,000	116	$3,898,000	4	$200,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	16,570,888.[illegible]							
Plus estimated values of proposed project	1,600,000.0[illegible]							
Less values of any property being replaced								
Net estimated values upon completion of project	18,705,838.[illegible]							

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (*pounds*) ____________ Estimated hazardous waste converted (*pounds*) ____________

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Date signed (*month, day, year*)
Michelle Tatgenhorst	03/17/2016

Printed name of authorized representative	Title
Michelle Tatgenhorst	Controller

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed (5) Five calendar years * (see below). The date this designation expires is 12-31-2019.

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☒ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☒ No
3. Installation of new logistical distribution equipment. ☐ Yes ☒ No
4. Installation of new information technology equipment; ☐ Yes ☒ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 1,800,000 cost with an assessed value of $1,800,000 or is determined by the assessor.

D. The amount of deduction applicable to new research and development equipment is limited to $ -------- cost with an assessed value of $ --------.

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ -------- cost with an assessed value of $ --------.

F. The amount of deduction applicable to new information technology equipment is limited to $ -------- cost with an assessed value of $ --------.

G. Other limitations or conditions (specify) None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☒ Year 1 ☒ Year 2 ☒ Year 3 ☐ Year 4 ☐ Year 5 (see below *)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body)	Telephone number	Date signed (month, day, year)
Dale "Woody" Emmons	(574) 258-1616	04-20-2015
Printed name of authorized member of designating body	Name of designating body	
Dale "Woody" Emmons, President	Mishawaka Common Council	
Attested by: (signature and title of attester)	Printed name of attester	
Deborah S. Block	Deborah S. Block, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Mayor D. Wood
Mishawaka City Hall
600 East Third Street
Mishawaka, IN 46544-2241

February 22, 2019

Bayer HealthCare LLC
3930 Edison Lakes Parkway
Mishawaka, IN 46545
Phone: (574) 252-4734
John.Herzig@bayer.com

Dear Mayor Wood:

On behalf of Bayer, I would like to thank you, Ken Prince, and the members of the Mishawaka City Council for the partnership and support of our Edison Lakes operation. Our team enjoys being part of this community, and the opportunity to give back as well.

As discussed with the announced site closure over the next 18 months. We would like to formally withdraw our request for Declaratory Resolution R2015-35 and R2015-36 Tax Abatement-Bayer HealthCare. Bayer is not aware of any outstanding compliance associated with this incentive.

I'll continue to keep your office updated as we progress through the transition period.

Best Regards,

John S. Herzig Jr.

John S. Herzig Jr.
VP Customer Logistics
Bayer HealthCare

COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15 of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer	PATRICK INDUSTRIES, INC.	County	ST. JOSEPH
Address of taxpayer *(number and street, city, state, and ZIP code)*	107 W FRANKLIN ST, PO BOX 638, ELKHART, IN 46515-0638	DLGF taxing district number	71022
Name of contact person	MATHEW DAVIS	Telephone number	(574) 294-7511 EXT 7750

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body	CITY OF MISHAWAKA COMMON COUNCIL
Resolution number	2016-04
Estimated start date *(month, day, year)*	03/21/2016
Location of property	1241 E 12TH ST, MISHAWAKA, IN 46544
Actual start date *(month, day, year)*	03/21/2016
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired.	GENERAL WOODWORKING EQUIPMENT, CNC ROUTERS, VINYL FORMING PRESS, AIR COMPRESSOR, AND DUST COLLECTION BAGHOUSE.
Estimated completion date *(month, day, year)*	10/31/2016
Actual completion date *(month, day, year)*	

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		163
Salaries		7,430,402.00
Number of employees retained		163
Salaries		
Number of additional employees	84	
Salaries	2,953,900.00	

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project	895,000.00	375,900.00					20,000.00	8,400.00
Less: Values of any property being replaced								
Net values upon completion of project	895,000.00	375,900.00					20,000.00	8,400.00
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project	2,047,588.00	859,990.00					19,487.00	8,180.00
Less: Values of any property being replaced								
Net values upon completion of project	2,047,588.00	859,990.00					19,487.00	8,180.00

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).

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	Date signed *(month, day, year)*
Mathew L Davis	TAX MANAGER	3/6/2019

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 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within 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.*
3. *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. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. 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.

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 5 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 clerk of 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.

RIVERWALK APARTMENTS
PROJECT UPDATE

INS!TE

INSITE DEVELOPMENT LLC

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

03/11/2019

To whom it may concern,

Due to changes in the market over the last few years and the addition of new projects in downtown Mishawaka, we have been considering which type of project will best serve us and the community. We are reaching a conclusion based on our market and demographic research. We plan to make a decision to proceed with design, with the intent to commence construction by the second quarter of 2020.

Should you have any further questions, please do not hesitate to contact us.

Best Regards,

Scott Sivan

Scott Sivan, Architect
Managing Partner
INSITE Development, LLC
117 W. Grove St., Suite 103
Mishawaka, IN 46545
office 574 855 2072
cell 574 302 7236
www.insite-dev.com
www.riverrocklife.com
www.rgsliving.com

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
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: RIVER WALK DEVELOPMENT LLC	County:
Address of taxpayer *(number and street, city, state, and ZIP code)*: 117 W GROVE St, MISHAWAKA, IN 46545, STE 103	DLGF taxing district number: 71023
Name of contact person: SCOTT SIVAN, MANAGING PARTNER	Telephone number: (574) 8552072

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: COMMON COUNCIL OF THE CITY OF MISHAWAKA	Resolution number: 2017-08	Estimated start date *(month, day, year)*: MAY 2020
Location of property: VACANT LAND AT 100 BLOCK OF EAST MISHAWAKA AVE, EAST OF SARA ST		Actual start date *(month, day, year)*:
Description of real property improvements: INVESTMENT OF AT LEAST $12.5 mm ~~$13.5mm~~ in the DEVELOPMENT AND CONSTRUCTION OF A MULTI-FAMILY HOUSING PROJECT CONTAINING APPROXIMATELY 120,000 SQF		Estimated completion date *(month, day, year)*: AUGUST 2021
		Actual completion date *(month, day, year)*:

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	Ø	2	3
Salaries	$ Ø	$75000/Y	$ 28166/Y
Number of employees retained	Ø	0	0
Salaries	$ Ø	0	0
Number of additional employees	Ø	0	0
Salaries	$ Ø	0	0

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	Ø	EXEMPT
Plus: Values of proposed project	$12.5-13.5 mm	Reg 17
Less: Values of any property being replaced	N/A	N/A
Net values upon completion of project	$12.5-13.5 mm	Reg 17
ACTUAL	COST	ASSESSED VALUE
Values before project	Ø	EXEMPT
Plus: Values of proposed project	Ø	Reg 17
Less: Values of any property being replaced	N/A	N/A
Net values upon completion of project	N/A	N/A

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	Date signed *(month, day, year)*
[signature]	Managing Partner	3.12.19

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.

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Lippert Components Manufacturing, Inc.
Annual Tax Abatement Reporting - REAL PROPERTY
CF-1 Attachment

The project is still ongoing.

The designated property, 400 S Byrkit Avenue, Mishawaka, IN, was a massive reconstruction project. There were -0- employees at the location prior to the project beginning. The 221 employees retained were a combination of employees transferred from other Lippert Components Manufacturing, Inc. locations as well as new hires.

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

2019 PAY 2020
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: Lippert Components Manufacturing, Inc.	County: Elkhart
Address of taxpayer *(number and street, city, state and ZIP code)*: 3501 County Road 6E Elkhart IN 46514	DLGF taxing district number: 023
Name of contact person: Tom Bauters	Telephone number: (574) 312-6159

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: City of Mishawaka	Resolution number:	Estimated start date *(month, day, year)*: 08/01/2017
Location of property: 400 S Byrkit Avenue Mishawaka IN 46544		Actual start date *(month, day, year)*: 08/01/2017
Description of real property improvements: Remodeling existing building, Adding new Addition, Adding paved parking lot		Estimated completion date *(month, day, year)*: 08/01/2019
		Actual completion date *(month, day, year)*: 08/01/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	247	221
Salaries	10,354,808	9,124,640
Number of employees retained	247	221
Salaries	10,354,808	9,124,640
Number of additional employees	200	
Salaries	7,800,000	

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	1,760,341	
Plus: Values of proposed project	7,400,000	
Less: Values of any property being replaced		
Net values upon completion of project	9,160,341	
ACTUAL	COST	ASSESSED VALUE
Values before project	1,760,341	
Plus: Values of proposed project	13,538,189	
Less: Values of any property being replaced		
Net values upon completion of project	15,298,530	

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	Date signed *(month, day, year)*
[signature]	Assistant Treasurer + Tax Director	03.15.2019

Client/Loc BYRKIT

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.

STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
FORM SB-1 / Real Property
PRIVACY NOTICE Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (*check one box*):

☑ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body* ***BEFORE*** *the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.*
3. *To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.*
4. *A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)*
5. *For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Lippert Components Manufacturing, Inc.		
Address of taxpayer (*number and street, city, state, and ZIP code*): 3501 County Road 6 East, Elkhart, IN 46514		
Name of contact person: Tom Bauters	Telephone number: (574) 312-6159	E-mail address: tbauters@lci1.com

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: City of Mishawaka		Resolution number:
Location of property: 400 South Byrkit Avenue, Mishawaka, IN 46544	County: St. Joseph	DLGF taxing district number: 023 - Mish
Description of real property improvements, redevelopment, or rehabilitation (*use additional sheets if necessary*): Remodel existing facility 347,000 sq. ft: $3,000,000 Construct new 79,200 sq. ft building addition: $3,200,000 Asphalt parking lot for 380 parking spaces and 40 semi truck spaces: $1,200,000		Estimated start date (*month, day, year*): August 1, 2017 Estimated completion date (*month, day, year*): August 1, 2019

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
247.00	$10,354,808.00	247.00	$10,354,808.00	200.00	$7,800,000.00

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	1,760,341.00	4,485,000.00
Plus estimated values of proposed project	7,400,000.00	
Less values of any property being replaced	0.00	
Net estimated values upon completion of project	9,160,341.00	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (*pounds*) ____________

Estimated hazardous waste converted (*pounds*) ____________

Other benefits

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative: TS Bauters, CPA	Date signed (*month, day, year*): 06/12/2017
Printed name of authorized representative: Tom Bauters	Title: Assistant Treasurer & Tax Director

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed ____________ calendar years* *(see below)*. The date this designation expires is ______________________________.

B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
2. Residentially distressed areas ☐ Yes ☐ No

C. The amount of the deduction applicable is limited to $ __________________.

D. Other limitations or conditions *(specify)* ______________________________

E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below) ☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (*signature and title of authorized member of designating body*)	Telephone number ( )	Date signed (*month, day, year*)
Printed name of authorized member of designating body	Name of designating body	
Attested by (*signature and title of attester*)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)

B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RESOLUTION NO. 2017-17

Lippert Components Manufacturing Inc.
400 South Byrkit Avenue

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

420 SOUTH BYRKIT AVENUE, WITH OTHER ADDRESSES INCLUDING 408, 418, 424, AND 440 SOUTH BRYKIT AVENUE AND 401 SOUTH BEIGER STREET.

AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF REAL PROPERTY TAX ABATEMENT

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street, Mishawaka, IN 46544, to be an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

Tax Parcel ID Numbers:
71-09-14-301-002.000-023
71-09-14-301-001.000-023
71-09-14-301-003.000-023
71-09-14-301-013.000-023
71-09-14-301-021.000-023
71-09-15-285-005.000-023
71-09-15-428-006.000-023
71-09-15-428-007.000-023
71-09-15-428-008.000-023
71-09-15-428-009.000-023
71-09-15-428-010.000-023
71-09-15-428-011.000-023
71-09-14-184-001.000-023
71-09-14-326-002.000-023
71-09-14-326-001.000-023
71-09-14-326-003.000-023

A parcel of land in the West Half (½) of the West Half (½) of Section Fourteen (14), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, more particularly described as fellows: The "Point of Beginning" of said parcel of land herein described being the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds West, along the West line of Section 14 and the centerline of Byrkit Avenue, a distance of 332.38 feet to the Southerly right of way line of Conrail Corporation; thence along a curve, concave Southerly, whose elements are: central angle of 04 degrees 33 minutes 30 seconds, radius of 9536.76 feet, arc length of 757.34 feet, and a chord that bears North 85 degrees 33 minutes 33 seconds East, 757.14 feet; thence North 87 degrees 43 minutes 30 seconds East, along the Southerly right of way line of Conrail Corporation, a distance of 549.65 feet to the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14; thence South 00 degrees 12 minutes 30 seconds East, along the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14, a distance of 406.39 feet to the Northeast corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence South 00 degrees 02 minutes 30 seconds East along the East line of the West Half (½) of the Southwest Quarter (¼) of said Section 14; a distance of 229.93 feet; thence North 89 degrees 59 minutes 44 seconds West a distance of 393.74 feet; times South 00 degrees 10 minutes 42 seconds West a distance of 302.57 feet; thence South 89 degrees 51 minutes 00 seconds West a distance of 871.05 feet to the East right of way line of Byrkit Avenue and to a point which is South 00 degrees 00 minutes 00 seconds West 528.42 feet and North 89 degrees 51 minutes 00 seconds East 40.00 feet from the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds East, along the East right of way of Byrkit Avenue; a distance of 272.89 feet; thence South 89 degrees 43 minutes 00seconds West a distance of 40.00 feet to the West line of said Section 14 and the centerline of Byrkit Avenue; thence North 00 degrees 00 minutes 00 seconds West, along the West line of said Section 14 and the centerline of Byrkit Avenue, a distance of 255.62 feet to the "Point of Beginning".

Together with:

Part of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Fifteen (15), Township Thirty –seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Southeast corner of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section 15, Township 37 North, Range 3 East; thence North 89 degrees 28 minutes 00 seconds West, a distance of 20.00 feet to the point of beginning; thence continue North 89 degrees 28 minutes 00 seconds West on the North line of Fifth Street, a distance of 267.50 feet; thence North 00 degrees 00 minutes 00 seconds East parallel with the East line of Section 15, a distance of 310.27 feet to the Southerly right of way Line of the Conrail Corporation; thence North 84 degrees 01 minutes 48 seconds East on the Southerly right of way line of the Conrail Corporation, a distance of 268.945 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 340.73 feet to the point of beginning.

Together with:

Part of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Northeast corner of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East; thence South 00 degrees 00 minute 00 seconds East on the East line of Section 15, a distance of 66.00 feet; thence North 89 degrees 28 minutes 00 seconds West, a distance of 40.00 feet to the West line of Byrkit Avenue and the point of beginning; thence South 00 degrees 00 minutes 00 seconds West parallel with the East line of Section 15 and on the West right of way line of Byrkit Avenue, a distance of 120.00 feet; thence North 89 degrees 28 minutes 00 seconds West parallel with the South right of way line of Fifth Street, a distance of 118.98 feet; thence North 00 degrees 05 minutes 44 seconds East, a distance of 120.00 feet to the South right of way line of Fifth Street, a distance of 118.78 feet to the point of beginning and being known as Lots 18 through 23 in the Broadmoor Proposed Subdivision.

Together with:

A lot or parcel of land in the Northwest Quarter of Section 14, Township 37 North, Range 3 East, bounded by a line running as follows: Beginning at a point 684 ½ feet West of the center of said Section, which point is in the West line of Beiger Street, as platted in Beiger Farm Addition to the City of Mishawaka; thence North along the West line of said Beiger Street 438.6 feet to the South line of the New York Central Railroad Company's right of way; thence Westerly with said Railroad Company's right of way 624.74 feet; thence South 416.9 feet; thence East 624 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the West Half of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 195 feet South of the Northwest Corner of the West Half of the East Half of the Southwest Quarter of said Section 14; thence South along the West line of the West Half of the East Half of the Southwest Quarter of said Section 14, Township 37 North, Range 3 east, 332.8 feet; thence East parallel with the North line of the West Half of the East Half of the Southwest Quarter of said Section 14, 654.41 feet to the centerline of Beiger Street in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 332.8 feet to a point 195 feet South of the North line of said West Half of the East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.43 feet to the place of beginning.

Together with:

A lot or parcel of land in the Southwest Quarter of Section 14, Township 37 North Range 3 East bounded as follows: Beginning at a point on the centerline of said Section 654 ½ feet West of the center of said Section 14, which beginning point is in the middle of Beiger Street; thence South along the middle of said Beiger Street 161 ½ feet; thence West 269.72 feet; thence North 161 ½ feet; thence East 269.72 feet, to the place of beginning.

Together with:

A tract or parcel of land in Section 14, Township 37 North, Range 3 East, described as follows: Beginning at a point 924.22 feet West of the center of said Section 14, which is the Northwest corner of a tract heretofore conveyed to Charles Haney and wife on October 13, 1915 by deed recorded in Deed Record 153 at pages 245 and 246 in the Recorder's Office of St. Joseph county, Indiana; thence West along the East and West centerline 390.28 feet to the North and South centerline of the Southwest Quarter of said Section 14; thence South along said line 195 feet; thence East 630 feet to the West line of Beiger Street; thence North 33 ½ feet to the South line of the tract heretofore conveyed to Charles Haney and wife, as above described; thence West along said South line to the Southwest Corner of said tract conveyed to said Charles Haney and wife; thence North 161 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 527.8 feet South of the Northwest Corner of the East Half of the Southwest Quarter of said Section 14; thence continuing South of the Northwest corner of the East Half of said Southwest Quarter of said Section 462.2 feet; thence East parallel to the North line of the East Half of the Southwest Quarter of said Section 14, 654.36 feet to the centerline of Beiger Street, in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 462.2 feet to a point 527.8 feet South of the North line of said East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said East Half of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.41 feet to the place of beginning.

More commonly having addresses at 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrance and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to one (1) calendar year.

2. The Common Council hereby determines that the property owner is qualified for and is granted a real property tax deduction; provided the same shall be limited to a period of ten (10) years for real property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	90%
Year 3	80%
Year 4	70%
Year 5	60%
Year 6	50%
Year 7	40%
Year 8	30%
Year 9	20%
Year 10	10%

3. That the petition for tax abatement, and the Statement of Benefits submitted by Lippert Manufacturing Components, Inc. comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.

4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subjections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 5th day of July, 2017.

____
Ross Deal, President

ATTEST:

____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _____ day of July, 2017.

____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me this _____ day of July , 2017, at _____ o'clock ____.M.

____
David A. Wood, Mayor

Tax Abatement Schedule prepared for: 28-Jun-17

Lippert Components Manufacturing Inc.

Real Property

Mishawaka Penn Township 10 Year Tax Abatement Schedule*

TOTAL PROJECT IMPACT

Total estimated Project Cost: 7,400,000.00

Base Assessed Value: 5,920,000.00

(base assessed value is estimated at 85% of project cost)

Assume constant tax rate of: 4.5291% 2017 pay 2018 tax rate

Year	Assessed Value	Gross Tax	Max Tax Bill*	Percent Abated	Tax Abated	Tax Paid
1	5,920,000	268,123	240,370	100%	240,370	0
2	5,920,000	268,123	240,370	90%	216,333	24,037
3	5,920,000	268,123	240,370	80%	192,296	48,074
4	5,920,000	268,123	240,370	70%	168,259	72,111
5	5,920,000	268,123	240,370	60%	144,222	96,148
6	5,920,000	268,123	240,370	50%	120,185	120,185
7	5,920,000	268,123	240,370	40%	96,148	144,222
8	5,920,000	268,123	240,370	30%	72,111	168,259
9	5,920,000	268,123	240,370	20%	48,074	192,296
10	5,920,000	268,123	240,370	10%	24,037	216,333
				2,403,700	1,322,035	1,081,665

* Maximum tax bill is per the 3% property tax cap rate and a 1.0603% property tax exempt tax rate calculated per the Indiana DLGF on-line tax bill calculator.

Total Taxes Due During Abatement: 2,403,700

Total Taxes Abated During Abatement: 1,322,035

Total Taxes Paid During Abatement: 1,081,665

* - This schedule is for estimation purposes only and assumes constant tax rates.
The true tax values will ultimately be determined by the actual
assessed valuation and the then current tax rates.

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Lippert Components Manufacturing, Inc.
Annual Tax Abatement Reporting - PERSONAL PROPERTY
CF-1 Attachment

The project is still ongoing.

The designated property, 400 S Byrkit Avenue, Mishawaka, IN, was a massive reconstruction project. There were -0- employees at the location prior to the project beginning. The 221 employees retained were a combination of employees transferred from other Lippert Components Manufacturing, Inc. locations as well as new hires.

COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Lippert Components Manufacturing, Inc.	County: St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)*: 3501 County Road 6E, Elkhart IN 46514	DLGF taxing district number: 023
Name of contact person: Tom Bauters	Telephone number: 574 312-6159

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: City of Mishawaka	Resolution number: 2017-16	Estimated start date *(month, day, year)*: 08/01/2017
Location of property: 400 S Byrkit Avenue, Mishawaka IN 46544		Actual start date *(month, day, year)*: 08/01/2017
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Racking, Equipment, Furniture & Fixtures		Estimated completion date *(month, day, year)*: 08/01/2019
		Actual completion date *(month, day, year)*: 08/01/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	247	221
Salaries	10,354,808	9,124,640
Number of employees retained	247	221
Salaries	10,354,808	9,124,640
Number of additional employees	200	
Salaries	7,800,000	

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project					109,605			
Plus: Values of proposed project					1,625,000			
Less: Values of any property being replaced								
Net values upon completion of project					1,734,605			
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project					109,605			
Plus: Values of proposed project					2,841,211			
Less: Values of any property being replaced								
Net values upon completion of project					2,950,816			

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

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	Date signed *(month, day, year)*
[illegible], CPA	Assistant Treasurer + Tax Director	03-15-2019

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 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within 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.*
3. *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. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. 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.

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 5 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 clerk of 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.

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer	Name of contact person
Lippert Components Manufacturing, Inc.	Tom Bauters
Address of taxpayer *(number and street, city, state, and ZIP code)*	**Telephone number**
3501 County Road 6 East, Elkhart, IN 46514	(574) 312-6159

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body		Resolution number (s)
City of Mishawaka		
Location of property	**County**	**DLGF taxing district number**
400 South Byrkit, Mishawaka, IN 46544	St. Joseph	023 - Mishawaka - Penn

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. *(Use additional sheets if necessary.)*

Racking for distribution facility - $500,000
Equipment - $800,000
Furniture & Fixtures - $325,000

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment		
R & D Equipment		
Logist Dist Equipment	08/01/2017	08/01/2019
IT Equipment	08/01/2017	08/01/2019

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
247	10,354,808	247	10,354,808	200	7,800,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values					109,605	43,840		
Plus estimated values of proposed project					1,625,000			
Less values of any property being replaced								
Net estimated values upon completion of project					1,734,605			

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted *(pounds)* ____________ Estimated hazardous waste converted *(pounds)* ____________

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Date signed *(month, day, year)*
TJ Bauters, CTA	6/12/2017
Printed name of authorized representative	**Title**
Tom Bauters	Assistant Treasurer & Tax Director

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed ___________ calendar years * *(see below)*. The date this designation expires is ______________________________. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☐ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☐ No
3. Installation of new logistical distribution equipment. ☐ Yes ☐ No
4. Installation of new information technology equipment; ☐ Yes ☐ No

☐ Enhanced Abatement per IC 6-1.1-12.1-18 *Check box if an enhanced abatement was approved for one or more of these types.*

C. The amount of deduction applicable to new manufacturing equipment is limited to $ ________________ cost with an assessed value of $ ____________________. *(One or both lines may be filled out to establish a limit, if desired.)*

D. The amount of deduction applicable to new research and development equipment is limited to $ ________________ cost with an assessed value of $ ____________________. *(One or both lines may be filled out to establish a limit, if desired.)*

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ ________________ cost with an assessed value of $ ____________________. *(One or both lines may be filled out to establish a limit; if desired.)*

F. The amount of deduction applicable to new information technology equipment is limited to $ ________________ cost with an assessed value of $ ____________________. *(One or both lines may be filled out to establish a limit, if desired.)*

G. Other limitations or conditions *(specify)*____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

☐ Enhanced Abatement per IC 6-1.1-12.1-18
Number of years approved: __________
(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: *(signature and title of authorized member of designating body)*	Telephone number ( )	Date signed *(month, day, year)*
Printed name of authorized member of designating body	Name of designating body	
Attested by: *(signature and title of attester)*	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RESOLUTION NO. 2017-16

Lippert Components Manufacturing Inc.
400 South Byrkit Avenue

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

420 SOUTH BYRKIT AVENUE, WITH OTHER ADDRESSES INCLUDING 408, 418, 424, AND 440 SOUTH BRYKIT AVENUE AND 401 SOUTH BEIGER STREET.

AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street, Mishawaka, IN 46544, to be an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

Tax Parcel ID Numbers:

71-09-14-301-002.000-023	71-09-15-428-008.000-023
71-09-14-301-001.000-023	71-09-15-428-009.000-023
71-09-14-301-003.000-023	71-09-15-428-010.000-023
71-09-14-301-013.000-023	71-09-15-428-011.000-023
71-09-14-301-021.000-023	71-09-14-184-001.000-023
71-09-15-285-005.000-023	71-09-14-326-002.000-023
71-09-15-428-006.000-023	71-09-14-326-001.000-023
71-09-15-428-007.000-023	71-09-14-326-003.000-023

A parcel of land in the West Half (½) of the West Half (½) of Section Fourteen (14), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, more particularly described as fellows: The "Point of Beginning" of said parcel of land herein described being the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds West, along the West line of Section 14 and the centerline of Byrkit Avenue, a distance of 332.38 feet to the Southerly right of way line of Conrail Corporation; thence along a curve, concave Southerly, whose elements are: central angle of 04 degrees 33 minutes 30 seconds, radius of 9536.76 feet, are length of 757.34 feet, and a chord that bears North 85 degrees 33 minutes 33 seconds East, 757.14 feet; thence North 87 degrees 43 minutes 30 seconds East, along the Southerly right of way line of Conrail Corporation, a distance of 549.65 feet to the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14; thence South 00 degrees 12 minutes 30 seconds East, along the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14, a distance of 406.39 feet to the Northeast corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence South 00 degrees 02 minutes 30 seconds East along the East line of the West Half (½) of the Southwest Quarter (¼) of said Section 14; a distance of 229.93 feet; thence North 89 degrees 59 minutes 44 seconds West a distance of 393.74 feet; times South 00 degrees 10 minutes 42 seconds West a distance of 302.57 feet; thence South 89 degrees 51 minutes 00 seconds West a distance of 871.05 feet to the East right of way line of Byrkit Avenue and to a point which is South 00 degrees 00 minutes 00 seconds West 528.42 feet and North 89 degrees 51 minutes 00 seconds East 40.00 feet from the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds East, along the East right of way of Byrkit Avenue; a distance of 272.89 feet; thence South 89 degrees 43 minutes 00seconds West a distance of 40.00 feet to the West line of said Section 14 and the centerline of Byrkit Avenue; thence North 00 degrees 00 minutes 00 seconds West, along the West line of said Section 14 and the centerline of Byrkit Avenue, a distance of 255.62 feet to the "Point of Beginning".

Together with:

Part of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Fifteen (15), Township Thirty –seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Southeast corner of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section 15, Township 37 North, Range 3 East; thence North 89 degrees 28 minutes 00 seconds West, a distance of 20.00 feet to the point of beginning; thence continue North 89 degrees 28 minutes 00 seconds West on the North line of Fifth Street, a distance of 267.50 feet; thence North 00 degrees 00 minutes 00 seconds East parallel with the East line of Section 15, a distance of 310.27 feet to the Southerly right of way Line of the Conrail Corporation; thence North 84 degrees 01 minutes 48 seconds East on the Southerly right of way line of the Conrail Corporation, a distance of 268.945 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 340.73 feet to the point of beginning.

Together with:

Part of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Northeast corner of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East; thence South 00 degrees 00 minute 00 seconds East on the East line of Section 15, a distance of 66.00 feet; thence North 89 degrees 28 minutes 00 seconds West, a distance of 40.00 feet to the West line of Byrkit Avenue and the point of beginning; thence South 00 degrees 00 minutes 00 seconds West parallel with the East line of Section 15 and on the West right of way line of Byrkit Avenue, a distance of 120.00 feet; thence North 89 degrees 28 minutes 00 seconds West parallel with the South right of way line of Fifth Street, a distance of 118.98 feet; thence North 00 degrees 05 minutes 44 seconds East, a distance of 120.00 feet to the South right of way line of Fifth Street, a distance of 118.78 feet to the point of beginning and being known as Lots 18 through 23 in the Broadmoor Proposed Subdivision.

Together with:

A lot or parcel of land in the Northwest Quarter of Section 14, Township 37 North, Range 3 East, bounded by a line running as follows: Beginning at a point 684 ½ feet West of the center of said Section, which point is in the West line of Beiger Street, as platted in Beiger Farm Addition to the City of Mishawaka; thence North along the West line of said Beiger Street 438.6 feet to the South line of the New York Central Railroad Company's right of way; thence Westerly with said Railroad Company's right of way 624.74 feet; thence South 416.9 feet; thence East 624 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the West Half of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 195 feet South of the Northwest Corner of the West Half of the East Half of the Southwest Quarter of said Section 14; thence South along the West line of the West Half of the East Half of the Southwest Quarter of said Section 14, Township 37 North, Range 3 east, 332.8 feet; thence East parallel with the North line of the West Half of the East Half of the Southwest Quarter of said Section 14, 654.41 feet to the centerline of Beiger Street in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 332.8 feet to a point 195 feet South of the North line of said West Half of the East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.43 feet to the place of beginning.

Together with:

A lot or parcel of land in the Southwest Quarter of Section 14, Township 37 North Range 3 East bounded as follows: Beginning at a point on the centerline of said Section 654 ½ feet West of the center of said Section 14, which beginning point is in the middle of Beiger Street; thence South along the middle of said Beiger Street 161 ½ feet; thence West 269.72 feet; thence North 161 ½ feet; thence East 269.72 feet, to the place of beginning.

Together with:

A tract or parcel of land in Section 14, Township 37 North, Range 3 East, described as follows: Beginning at a point 924.22 feet West of the center of said Section 14, which is the Northwest corner of a tract heretofore conveyed to Charles Haney and wife on October 13, 1915 by deed recorded in Deed Record 153 at pages 245 and 246 in the Recorder's Office of St. Joseph county, Indiana; thence West along the East and West centerline 390.28 feet to the North and South centerline of the Southwest Quarter of said Section 14; thence South along said line 195 feet; thence East 630 feet to the West line of Beiger Street; thence North 33 ½ feet to the South line of the tract heretofore conveyed to Charles Haney and wife, as above described; thence West along said South line to the Southwest Corner of said tract conveyed to said Charles Haney and wife; thence North 161 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 527.8 feet South of the Northwest Corner of the East Half of the Southwest Quarter of said Section 14; thence continuing South of the Northwest corner of the East Half of said Southwest Quarter of said Section 462.2 feet; thence East parallel to the North line of the East Half of the Southwest Quarter of said Section 14, 654.36 feet to the centerline of Beiger Street, in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 462.2 feet to a point 527.8 feet South of the North line of said East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said East Half of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.41 feet to the place of beginning.

More commonly having addresses at 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrance and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to one (1) calendar year.

2. The Common Council hereby determines that the property owner is qualified for and is granted a personal property tax deduction; provided the same shall be limited to a period of ten (10) years for real property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	90%
Year 3	80%
Year 4	70%
Year 5	60%
Year 6	50%
Year 7	40%
Year 8	30%
Year 9	20%
Year 10	10%

3. That the petition for tax abatement, and the Statement of Benefits submitted by Lippert Manufacturing Components, Inc. comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.

4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subjections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 5th day of July, 2017.

____
Ross Deal, President

ATTEST:

____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _____ day of July, 2017.

____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me this _____ day of July , 2017, at _____ o'clock ____.M.

____
David A. Wood, Mayor

Tax Abatement Schedule prepared for: 28-Jun-17

Lippert Components Manufacturing Inc.

Personal Property

Mishawaka Penn Township 10 Year Tax Abatement Schedule*

TOTAL PROJECT IMPACT

Total estimated Project Cost: 1,625,000.00

Base Assessed Value: 1,300,000.00

(base assessed value is estimated at 85% of project cost)

Assume constant tax rate of: 4.5291% 2017 pay 2018 tax rate

Year	Assessed Value	Gross Tax	Max Tax Bill*	Percent Abated	Tax Abated	Tax Paid
1	1,300,000	58,878	52,784	100%	52,784	0
2	1,300,000	58,878	52,784	90%	47,506	5,278
3	1,300,000	58,878	52,784	80%	42,227	10,557
4	1,300,000	58,878	52,784	70%	36,949	15,835
5	1,300,000	58,878	52,784	60%	31,670	21,114
6	1,300,000	58,878	52,784	50%	26,392	26,392
7	1,300,000	58,878	52,784	40%	21,114	31,670
8	1,300,000	58,878	52,784	30%	15,835	36,949
9	1,300,000	58,878	52,784	20%	10,557	42,227
10	1,300,000	58,878	52,784	10%	5,278	47,506
				527,840	290,312	237,528

* Maximum tax bill is per the 3% property tax cap rate and a 1.0603% property tax exempt tax rate calculated per the Indiana DLGF on-line tax bill calculator .

Total Taxes Due During Abatement: 527,840

Total Taxes Abated During Abatement: 290,312

Total Taxes Paid During Abatement: 237,528

* - This schedule is for estimation purposes only and assumes constant tax rates. The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.

COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FILED
FEB 21 2019
ST. JOSEPH COUNTY INDIANA

INSTRUCTIONS:

1. *Property owners whose Statement of Benefits was approved must file this form with the local designating body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person that obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Jamil Packaging Corporation	County: St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)*: 1420 Industrial Drive, Mishawaka IN 46544	DLGF taxing district number: 71-022
Name of contact person: David J. Hershberger	Telephone number: 574-256-2600

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Mishawaka Common Council	Resolution number: R2017-18	Estimated start date *(month, day, year)*: 07/20/2017
Location of property: 1420 Industrial Drive, Mishawaka IN 46544		Actual start date *(month, day, year)*: 07/24/2017
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Digital printer for larger printing capability on corrugated materials including our current boxes and POP displays		Estimated completion date *(month, day, year)*: 08/31/2017
		Actual completion date *(month, day, year)*: 08/28/2017

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	112	140
Salaries	3,647,509	4,864,354
Number of employees retained	112	112
Salaries	3,647,509	3,647,509
Number of additional employees	8	9
Salaries	249,600	262,434

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	8,192,090							
Plus: Values of proposed project	1,500,000							
Less: Values of any property being replaced								
Net values upon completion of project	9,692,090							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	8,523,318	2,245,877						
Plus: Values of proposed project	976,160	603,966						
Less: Values of any property being replaced								
Net values upon completion of project	9,499,478	2,849,843						

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

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: [signature]	Title: President	Date signed *(month, day, year)*: 2-13-19

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 6-1.1-12-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within 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.*
3. *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. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially compy was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. 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.

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 insruction 5 above)*

Reasons for 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.

SCHEDULE OF DEDUCTION FROM ASSESSED VALUATION PERSONAL PROPERTY IN ECONOMIC REVITALIZATION AREA

State Form 52503 (R16 / 10-18)
Prescribed by the Department of Local Government Finance

JANUARY 1, 2019

FORM 103 – ERA

PRIVACY NOTICE

This form contains information confidential pursuant to IC 6-1.1-35-9.

INSTRUCTIONS:

1. *In order to receive a deduction, this schedule must be submitted with a timely filed Form 103-Long.*
2. ***A separate schedule must be completed and attached to Form 103-Long for each approved Form SB-1 / PP for that abatement.***
3. *Attach a copy of the applicable approved Form CF-1 to this schedule. First-time filings must also include the SB-1 and the Resolution from the designating body.*
4. ***For any acquisitions included herein since the last assessment date, attach a list of the newly included equipment on Form 103-EL.***

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer Jamil Packaging Corporation		Name of contact person David J. Hershberger	
Full address (number and street, city, state, and ZIP code) 1420 Industrial Drive Mishawaka IN 46544		E-mail address of contact person	Telephone number 574-256-2600
County St. Joseph	Township Penn	Taxing district 71-022	Fax number 574-256-2605

SECTION 2 — ECONOMIC REVITALIZATION AREA INFORMATION

Name of body designating the Economic Revitalization Area Mishawaka Common Council	Resolution number R2017-18	Length of abatement (years) 3
Date designation approved *(month, day, year)* 07/24/2017	Date designation will terminate *(month, day, year)* 07/24/2018	Does resolution limit dollar amount of deduction? ☒ YES - and limit is based on equipment ☒ Cost and/or ☒ Assessed Value ☐ NO

SECTION 3 — ABATED EQUIPMENT POOLING SCHEDULE

The total cost of depreciable assets is to be reported on Form 103-Long. ***This schedule includes only the values attributable to the new manufacturing, research and development, logistical distribution, and/or information technology equipment under abatement per the resolution and IC 6-1.1-12.1.***

The Minimum Value Ratio applies if Line 53 is greater than Line 52D on page 2 of the Form 103-Long [IC 6-1.1-12.1-4.5(g)]	Box 1 - Enter amount shown on Line 53 of Form 103-Long	Box 2 - Enter amount shown on Line 52D of Form 103-Long	Box 3 - Divide Box 1 by Box 2 (carry ratio 5 decimal places)
	2,849,843	2,579,385	1.10485

POOL NUMBER 1 (1 TO 4 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
13	1-2-18 to 1-1-19	$	65%	$	1.10485	1		%	$
14	1-2-17 to 1-1-18		50%		1.10485	2			
15	1-2-16 to 1-1-17		35%		1.10485	3			
16A	3-2-15 to 1-1-16		20%		1.10485	4			
16B	3-2-14 to 3-1-15		20%		1.10485	5			
16C	3-2-13 to 3-1-14		20%		1.10485	6			
16D	3-2-12 to 3-1-13		20%		1.10485	7			
16E	3-2-11 to 3-1-12		20%		1.10485	8			
16F	3-2-10 to 3-1-11		20%		1.10485	9			
16G	3-2-09 to 3-1-10		20%		1.10485	10			
17	TOTAL POOL NUMBER 1	$	--	$	--	--	--	--	$

POOL NUMBER 2 (5 TO 8 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
18	1-2-18 to 1-1-19	$	40%	$	1.10485	1		100 %	$
19	1-2-17 to 1-1-18	976,160	56%	546,650	1.10485	2		66	398,618
20	1-2-16 to 1-1-17		42%		1.10485	3		33	
21	3-2-15 to 1-1-16		32%		1.10485	4			
22	3-2-14 to 3-1-15		24%		1.10485	5			
23	3-2-13 to 3-1-14		18%		1.10485	6			
24A	3-2-12 to 3-1-13		15%		1.10485	7			
24B	3-2-11 to 3-1-12		15%		1.10485	8			
24C	3-2-10 to 3-1-11		15%		1.10485	9			
24D	3-2-09 to 3-1-10		15%		1.10485	10			
25	TOTAL POOL NUMBER 2	$ 976,160	--	$ 546,650	--	--	--	--	$ 398,618

SUB-TOTAL- POOLS 1 and 2 *(Total lines 17 and 25. Enter to the right and on Page 2)*	$ 398,618

SECTION 3 (continued)

ABATED EQUIPMENT POOLING SCHEDULE
POOL NUMBER 3 (9 TO 12 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
26	1-2-18 to 1-1-19	$	40%	$	1.10485	1		%	$
27	1-2-17 to 1-1-18		60%		1.10485	2			
28	1-2-16 to 1-1-17		55%		1.10485	3			
29	3-2-15 to 1-1-16		45%		1.10485	4			
30	3-2-14 to 3-1-15		37%		1.10485	5			
31	3-2-13 to 3-1-14		30%		1.10485	6			
32	3-2-12 to 3-1-13		25%		1.10485	7			
33	3-2-11 to 3-1-12		20%		1.10485	8			
34	3-2-10 to 3-1-11		16%		1.10485	9			
35	3-2-09 to 3-1-10		12%		1.10485	10			
37	**TOTAL POOL NUMBER 3**	$	--	$	--	--	--	--	$

POOL NUMBER 4 (13 YEAR AND LONGER LIVES)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
38	1-2-18 to 1-1-19	$	40%	$	1.10485	1		%	$
39	1-2-17 to 1-1-18		60%		1.10485	2			
40	1-2-16 to 1-1-17		63%		1.10485	3			
41	3-2-15 to 1-1-16		54%		1.10485	4			
42	3-2-14 to 3-1-15		46%		1.10485	5			
43	3-2-13 to 3-1-14		40%		1.10485	6			
44	3-2-12 to 3-1-13		34%		1.10485	7			
45	3-2-11 to 3-1-12		29%		1.10485	8			
46	3-2-10 to 3-1-11		25%		1.10485	9			
47	3-2-09 to 3-1-10		21%		1.10485	10			
51	**TOTAL POOL NUMBER 4**	$	--	$	--	--	--	--	$

SUB-TOTAL- POOLS 3 and 4 *(Total lines 37 and 51. Enter at right and below)*	$

SPECIAL TOOLING

Round all figures to the nearest $1. Report only the cost of abated special tools, dies, jigs, etc. (50 IAC 4.2-6-2)			True Tax Value *(Included on Form 103-T)*			Abatement Year	Abatement Year*	Abatement Percent	Deduction Claimed
S1	1-2-18 to 1-1-19	$	30%		The Minimum Value Ratio Is Not Applicable To Special Tooling	1		%	$
S2	1-2-17 to 1-1-18		3%			2			
S3	1-2-16 to 1-1-17		3%			3			
S4	3-2-15 to 1-1-16		3%			4			
S5	3-2-14 to 3-1-15		3%			5			
S6	3-2-13 to 3-1-14		3%			6			
S7	3-2-12 to 3-1-13		3%			7			
S8	3-2-11 to 3-1-12		3%			8			
S9	3-2-10 to 3-1-11		3%			9			
S10	3-2-09 to 3-1-10		3%			10			
S11	**TOTAL SPECIAL TOOLS**	$	--		--	--	--	--	$

SUB-TOTAL POOLS 1 and 2 (from Page 1)		$ 398,618
SUB-TOTAL POOLS 3 and 4 (from above)		
SUB-TOTAL SPECIAL TOOLING (from above - line S11)		
TOTAL ALL POOLS AND SPECIAL TOOLING		$ 398,618
LIMIT ON AMOUNT OF ABATEMENT STATED IN RESOLUTION	Cost $ 1,500,000	AV $ 1,500,000
AMOUNT OF DEDUCTION CLAIMED - Lesser of resolution limit on abatement or total all pools. (Carry deduction forward to the Summary Section on page 1 of the Form 103-Long.)		$ 398,618

Obsolescence claimed on Form 106? ☐ YES ☒ NO

NOTE: If obsolescence is claimed on depreciable assets, the applicable adjustment must be taken on the Abatement Deduction being claimed. Show calculations on the Form 106.
Line numbers on this form match the line numbers on the Form 103-Long. Lines were added to Pools 1 & 2 and deleted from Pools 3 & 4 to reflect the ten (10) year abatement limitation.

* This column may be used when the abatement year does not correlate with the acquisition year within the pool.
An example might be when used equipment is moved into Indiana from out of state and it was granted an abatement.

Client/Loc 03754

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Jamil Packaging Corporation	Name of contact person: David J. Herschberger
Address of taxpayer *(number and street, city, state, and ZIP code)*: 1420 Industrial Dr, Mishawaka, IN 46544	Telephone number: (574) 256-2600

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: City of Mishawaka Common Council		Resolution number (s):
Location of property: 1420 Industrial Dr, Mishawaka, IN 46544	County: St. Joseph	DLGF taxing district number: 71022

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. *(Use additional sheets if necessary.)*

Digital Printer for larger printing capability on corrugated materials including our current boxes and POP displays

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	07/20/2017	08/31/2017
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
112	3,647,509	112	3,647,509	8	249,600

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.

	MANUFACTURING EQUIPMENT COST	MANUFACTURING EQUIPMENT ASSESSED VALUE	R & D EQUIPMENT COST	R & D EQUIPMENT ASSESSED VALUE	LOGIST DIST EQUIPMENT COST	LOGIST DIST EQUIPMENT ASSESSED VALUE	IT EQUIPMENT COST	IT EQUIPMENT ASSESSED VALUE
Current values	8,192,090							
Plus estimated values of proposed project	1,500,000							
Less values of any property being replaced	0							
Net estimated values upon completion of project	9,692,090							

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted *(pounds)* ______________ Estimated hazardous waste converted *(pounds)* ______________

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative:	Date signed *(month, day, year)*: 6/22/2017
Printed name of authorized representative: David A. Diroll	Title: President

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed One (1) calendar years * *(see below)*. The date this designation expires is 7-24-2018. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☒ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☒ No
3. Installation of new logistical distribution equipment. ☐ Yes ☒ No
4. Installation of new information technology equipment; ☐ Yes ☒ No

☐ Enhanced Abatement per IC 6-1.1-12.1-18 *Check box if an enhanced abatement was approved for one or more of these types.*

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 1,500,000 cost with an assessed value of $ 1,500,000. *(One or both lines may be filled out to establish a limit, if desired.)* or less as may be determined by the Penn Township Assessor

D. The amount of deduction applicable to new research and development equipment is limited to $ NA cost with an assessed value of $ NA. *(One or both lines may be filled out to establish a limit, if desired.)*

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ NA, cost with an assessed value of $ NA. *(One or both lines may be filled out to establish a limit, if desired.)*

F. The amount of deduction applicable to new information technology equipment is limited to $ NA cost with an assessed value of $ NA. *(One or both lines may be filled out to establish a limit, if desired.)*

G. Other limitations or conditions *(specify)* None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☒ Year 1 ☒ Year 2 ☒ Year 3 ☐ Year 4 ☐ Year 5
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

☐ Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: ______ *(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)*

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: *(signature and title of authorized member of designating body)*	Telephone number (574)258 1616	Date signed *(month, day, year)* 7/24/2017
Printed name of authorized member of designating body Ross Deal, President	Name of designating body Mishawaka City Council	
Attested by: *(signature and title of attester)* Deborah S. Block	Printed name of attester Deborah S. Block, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RESOLUTION NO. 2017-18

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA DECLARING CERTAIN AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS:

1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544

TO BE AN ECONOMIC REVITALIZATION AREA AND ECONOMIC DEVELOPMENT TARGET AREA FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR

JAMIL PACKAGING CORPORATION

WHEREAS, a petition for personal property tax abatement has been filed with the City Clerk of the City of Mishawaka, Indiana for consideration by the Common Council of the City of Mishawaka, Indiana requesting 1420 Industrial Drive, Mishawaka, Indiana 46544 to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

> TAX KEY #027-1027-043620 AND 027-1001-026008, AS LEGALLY DESCRIBED IN ATTACHMENT "A" TO THIS RESOLUTION AND HEREBY INCORPORATED HEREIN.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, the City, through its Redevelopment Commission has conducted an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area and Economic Development Target Area under Indiana Code § 6-1.1-12.1-1 et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Redevelopment Commission has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area and Economic Development Target Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby determines and finds that the Petition for Personal Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements under the Act for tax abatement;

2. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

3. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

4. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

5. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

6. That the other benefits are sufficient to justify the requested deduction, all of which satisfy the requirements of the Act;

7. The Common Council hereby accepts the report and recommendation of the Redevelopment Commission that the area herein described be designated as an Economic Revitalization Area and Economic Development Target Area, and hereby adopts a Resolution designating this area as an Economic Revitalization Area and Economic Development Target Area for purposes of personal property tax abatement;

8. The designation as an Economic Revitalization Area and Economic Development Target Area shall be limited to three (3) calendar years from the date of the adoption of this Resolution by the Common Council;

9. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for the Personal Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration; AND

10. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, this 5th day of July, 2017.

Ross Deal, Presiding Officer

ATTEST:

Deborah S. Block

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 6th day of July, 2017.

Deborah S. Block

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 6 day of July, 2017, at 10:08 o'clock A .M.

David A. Wood, Mayor

AS AMENDED

RESOLUTION NO. 2017-19

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544

AS AN ECONOMIC REVITALIZATION AREA AND ECONOMIC DEVELOPMENT TARGET AREA FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR

JAMIL PACKAGING CORPORATION

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 1420 Industrial Drive, Mishawaka, Indiana 46544, to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

TAX KEY #027-1027-043620 AND 027-1001-026008, AS LEGALLY DESCRIBED IN ATTACHMENT "A" TO THIS RESOLUTION AND HEREBY INCORPORATED HEREIN.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area and economic development target area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area and Economic

Development Target Area for the purposes of tax abatement. Such designations are for personal property tax abatement only and is limited to three (3) calendar years.

2. The Common Council hereby determines that the property owner is qualified for and is granted a personal property tax deduction; provided the same shall be limited to a period of three (3) years for personal property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	66%
Year 3	33%

3. That the petition for tax abatement, and the Statement of Benefits submitted by Jamil Packaging Corporation comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.

4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subjections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area and Economic Development Target Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 24th day of July, 2017.

Ross Deal, Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 24th day of July, 2017.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 24 day of July, 2017, at 6:10 o'clock P.M.

David A. Wood, Mayor