AGENDA

May 04, 2020

Meetings of Standing Committees
Council Conference Room
6:45PM

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00PM

WebEx Telephone Number: 1-408-418-9388
WebEx Access Code:713 388 753
Livestream #1: https://www.facebook.com/cityofmishawaka/
Livestream #2: @MichianaAccessTV on Facebook
Livestreeam #3: Michiana Access TV
(Comcast and AT&T U-Verse Channel 99)

Members of the public will be asked to place their phone on mute during the Meeting, with the exception of the public hearing on Proposed Ordinance No. 2020 – 08. At the appropriate point in the public hearing, the Council President will invite the public to unmute their phones for purposes of submitting such comments, one person at a time. All persons wishing to make public comments will be asked to first state their name and address for the record. After completing his/her public comments, members of the public will once again be asked to place their phone on mute. Thank you for your cooperation.

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1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of the Minutes of the Regular Meeting of April 06, 2020

5. Petitions, Communications, Remonstrance and Memorials

Appeal No. 2020-10	Use Variance for 3-units in R-1 Single Family Residential - 201 Smith St.
Appeal No. 2020-11	Use Variance for 3-units in R-1 Single Family Residential - 1210 W. Sixth St.
Appeal No. 2020-16	Use Variance for relocating shipping containers and Developmental Variance for reduction of parking spaces – Bethel University Athletic Training Center

Petition No. 2020-05 Rezone from C-1 General Commercial, C-5 Neighborhood Commercial and I-2 Heavy Industrial to R-3 Multi-Family Residential – 1215 & 1225 E. Jefferson

Petition No. 2020-06 PUD Amendment to allow Quick Service Oil Changes as a use and Reduction of Parking Spaces, Setbacks and Landscaping – 317 W. Indian Ridge Blvd.

Petition No. 2020-08 Annex and Rezone to C-1 General Commercial – 52921, 52861, 52885, & 52841 Fir Rd.

Petition No. 2020-09 Rezone from I-1 Light Industrial to C-3 City Center Commercial – 407 W. Fourth St.

6. Report of Special Committee

7. Ordinances on First Reading

8. Resolutions

R2020-06 Tax Abatement Compliance Reports for 2019

9. Ordinances on Second Reading

P.O. NO. 2020-08 Rezone area South of Retention Area from R-1 Single Family to C-1 General Commercial 4019 & 4021 LWE

10. Privilege of the Floor – Non-Agenda Items

11. Unfinished Business

12. New Business

Mayor Wood COVID-19 Update

13. Adjournment – This meeting will be aired Wednesday at 9:00AM on the Public Access Channel

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 Susan Kile, ADA Coordinator, at (574) 258-1615.

Note: The Mishawaka Common Council has instituted changes in the way in which its meetings will be conducted during the current public health emergency. These changes are consistent with the terms of multiple Executive Orders issued by Governor Holcomb, as well as related legal guidance. It is anticipated that the Council's normal meeting procedures will be reinstituted at the conclusion of the public health emergency. In the meantime, physical attendance at Council meetings will continue to be restricted in accordance with relevant guidance related to limitations on public gatherings and social distancing. During the public health emergency, Council members, as well as members of the public and media, will continue to be afforded the opportunity to remotely access Council meetings telephonically. Recordings of Council meetings (if applicable) and the minutes of the meetings will also be made available to the public and the media as soon as is possible.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

April 6, 2020

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall and via telephone on Monday, April 6, 2020 at 7:00PM. The meeting was called to order by President Gregg Hixenbaugh all were asked to stand for the Pledge of Allegiance, followed by a moment of silence remembering those who have been lost to the COVID-19 virus.

Council President Gregg Hixenbaugh began the meeting with the following opening statement:

This evening, due to the ongoing public health crisis, we will be conducting the first Common Council meeting in the history of Mishawaka that allows for remote participation by Council members, the public, and the media. In order for meeting to be conducted in a business-like fashion:

Council members who are participating telephonically are reminded to keep their phones on mute until their name is called as part of the roll call or a Council member wishes to make a comment or ask a question during the meeting. After they have finished speaking, Council members are reminded to once again place their phone on mute.

Members of the public who are participating telephonically are asked to keep their phone on mute throughout the meeting, with the exception of the public hearing on Proposed Ordinance 2020-09. At the appropriate point in public hearing, I will invite the public to unmute their phones for purposes of submitting comments.

Roll Call.

Present: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh.

Others present; Mike Trippel, Council Attorney and Michael Hixenbaugh, Deputy Clerk.

Minutes for the Regular meeting of March 16, 2020 were approved as received from the Clerk's Office.

Clerk Block read the following proposed ordinances and were set for public hearings.

PROPOSED ORDINANCE NO. 2020-10

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA AMENDING ORDINANCE 5680 (2020 SALARY ORDINANCE FOR APPOINTED OFFICERS AND EMPLOYEES FOR ALL DEPARTMENTS OF THE CITY) (Second Reading requested)

Mr. Compton made the motion to suspend council rules to allow second reading on **PROPOSED ORDINANCE** 2020-10 with a second by Mrs. Voelker motion carried.

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2020-10**. He began stating this would make things compatible with the governor's executive order to not be in violation of ghost employment laws. Mayor Wood continued stating this ordinance would clean up language with State Board of Accounts to be audited every year and this ordinance was similar to ordinances being approved in many cities in the State of Indiana. He also noted there were very few employees working from home and it was the city's intent to keep our services essential for the public.

Mr. Hixenbaugh thanked City Attorney Mike Trippel for drafting the ordinance and expressed appreciation for the Mayor's comments followed by the administration's support with this ordinance. He continued stating this ordinance was beneficial not only to employees, but also to the community of Mishawaka.

Question was called for at 7:10 PM for **PROPOSED ORDINANCE NO. 2020-10** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**
Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh. Thus, it becomes **Ordinance No. 5689**

PROPOSED ORDINANCE NO. 2020-09

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2020
Additional Appropriation – Cumulative Capital Improvement Fund $55,000 – Public Safety LIT Fund $713,901 – CEDIT Fund $713,901 – Improvement Sidewalk/Curb 50/50 $20,000 – Ambulance Fund $198,000 – Total $1,228,794

Rebecca Miller, City Controller stated two items needed adjustment in the budget; the first being the payments for the new aerial ladder truck purchased last year, it had one payment and required two payments. Ms. Miller went on to state the second item was adding funds to continue to pay the PSAP out of Public Safety LIT and CEDIT by working it back into the budget.
She said there was also the matter of a change of dissolving the separate Sidewalk and Curb fund. Ms. Miller explained instead adding $20,000 to CEDIT, whatever the citizens pay towards the 50/50 program the City's portion would be paid out of these funds. She went on to say as for the ambulance fund, the Mishawaka Fire Department had the opportunity to purchase a refurbished ambulance to be used as a reserve.

Mr. Mammolenti asked how many citizens took advantage of the Sidewalk and Curb fund in terms of dollar amount in the year of 2019. Ms. Miller answered it usually ran between $10,000 and $16,000.

Mr. Compton questioned the condition of the refurbished ambulance. Mayor Wood stated the ambulance was used as a demo, it had 1,000 miles.

Mr. Hixenbaugh thanked Rebecca Miller for her work on this ordinance and stated how essential this ordinance was given the circumstances of the public health crisis. Mr. Hixenbaugh continued stay he has indicated to the Mayor that the council would be ready to work with the administration as additional funding becomes necessary throughout this process.

Question was called for at 7:19PM for **PROPOSED ORDINANCE NO. 2020-09** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**
Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh. Thus, it becomes **ORDINANCE NO. 5690**

NEW BUSINESS

Mayor Wood gave updates on where the city stood during this time. He said the Public Safety departments were delivering outstanding public service daily. Mayor Wood continued stay there have been up to 8 calls a day to the Fire Department regarding COVID-19 and explained the new ambulance purchased would surely come in handy. Mayor Wood continued staying the Public Safety departments were well equipped and has been in contact with state officials to make sure Mishawaka has what was needed. He said task force has continued to meet and the administration has instituted necessity spending in response to the crisis, such as authorization of spending for masks has been made for all city employees. Mayor Wood went on to say the Clinic has responded well and have administered about 25-30 tests to citizens in the area which were all negative. He also mentioned they were testing for the South Bend Fire and Police Departments out of the Mishawaka facility to ensure safety. Mayor Wood said as a whole they have been diligent and must continue to heed the guidelines of the CDC and the Governor's stay at home order. Mayor Wood went on to announce the Leaf Pickup program would began April 20th through the duration of the week. He thanked the IT department for making sure we have the equipment to continue to hold meetings throughout this period of time. Lastly, Mayor Wood stated HUD has donated $282,298 to the City of Mishawaka specifically for COVID-19 efforts.

Mr. Mammolenti thanked Mayor Wood for the helpful information and asked how many tests Mishawaka has available at this time. Mayor Wood said the city has as many tests that were needed at this time, but the results of the tests were more important at this time than the testing itself. Mr. Mammolenti also asked has the Mayor met with the CEO of St. Joseph Hospital yet and how the hospital was handling the outbreak. Mayor Wood informed he has had phone conversations with the CEO but has not personally met with him yet. He said they discussed capacity reached at both hospitals and an overflow facility locally has been discussed to aid those affected by COVID-19.

Mr. Mammolenti thanked all staff involved in making the council meeting possible in short notice and the task force for their efforts.

Mr. Compton asked has any Mishawaka citizens tested positive for COVID-19. Mayor Wood stated he was not aware of any positive cases at this time in Mishawaka despite the fact of multiple positive cases in St. Joseph County.

Mr. Hixenbaugh announced the Primary Election previously scheduled in May would be held in June, which impacts the council meeting dates. Mr. Hixenbaugh announced the council meeting dates of May 6th and June 1st would switch to May 4th and June 3rd.

Mr. Bellovich made a motion to change the date for the council meetings in May and June with a second by Mr. Hazen motion carried.

Mrs. Voelker asked would City Hall remain a polling place. Clerk Block stated the Election Board was currently working on what would transpire with vote centers in the area, but a definite decision has not been made at this time. She continued to say City Hall was likely to not be a polling place, but it could be change.

Question was called for at 7:42PM to Change the Dates previously discussed.

Mr. Mammolenti announced Twin Branch Neighborhood Watch meeting held with Mr. Hazen was canceled for the month of March.

Mr. Hazen thanked President Hixenbaugh, Clerk Block, the IT Department, and Mayor Wood for putting the meeting together. He further stated how important all the city workers were during these difficult times.

Mr. Hixenbaugh ended the meeting with a closing statement:

Acknowledge individuals & organizations who helped make tonight's meeting possible
o Council for being patient & flexible
o Administration & City Information Technology Department
- **Particularly Director Patrick Stokes & Brent Chupp**

o Michiana Access TV
o City Clerk Debbie Block
· Also want to take a moment & acknowledge the groups & individuals who are doing the vital work that needs to be done in order for Mishawaka to make it through this public health emergency
o Our police, fire, and EMS personnel
o All of our other City employees who are making sure that City services & utilities are available
o Our health care workers
o Our food service & grocery store workers
o Our school administrators, teachers, support staff & students

o Everyone else who has continued to get up & go to work every day either remotely or in person
o All of us who have followed social distancing guidelines & done everything else that we can to care for each other during this time of trial
· There are undoubtedly stormy seas ahead, but I am convinced that we will get through it as long as continue to stand together as we always have as a community
· Please let us know how we as a Council can help
· You can reach us by calling the Clerk's Office at 574-258-1616 & our individual contact information can be found on the City of Mishawaka website at mishawaka.in.gov
· With that, a motion to adjourn is in order
· We are adjourned. Thank you and please be safe.

ADJOURNMENT 7:50PM

Deborah S. Block /s/	Gregg A. Hixenbaugh /s/
Deborah S. Block, IAMC, MMC, City Clerk	Gregg A. Hixenbaugh, President

THIS IS NOT A FILL-IN FORM, BUT A SAMPLE APPEAL TO BE USED AS A GUIDE WHEN PREPARING YOUR APPEAL

RECEIVED
MAR 23 2020
ECONOMIC
COMMUNITY DEVELOPMENT
PLANNING

DATE:

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. I, Artisan Investment Group LLC , am the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

RECEIVED
DEBORAH S. BLOCK, MMC
APR 28 2020
CITY CLERK
MISHAWAKA, IN

201 Smith St Mishawaka Indiana
Lot 12 Adam S Bakers 1st Add
ParcelIdState 71-09-16-159-013.000-023

2. The above-described real estate presently has a zoning classification of District under the Zoning Ordinance of the City of Mishawaka.
Currently zoned R-1 single Family

3. Appellant presently occupies *(or proposes to occupy)* the above-described property in the following manner: **3 Unit apartment building**

4. Appellant desires to *(Explain what is proposed that violates the Ordinance.)*
We want to maintain 3 units and bring into zoning compliance for financing.

5. The Zoning Ordinance of the City of Mishawaka requires *(Explain ordinance requirements and note Section Number of the Ordinance.)*
Ordinance 137-165 Does not allow more than 1 unit per building

6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship.
Since at least 1979 the property has been used as a 3 unit

7. Answer the following necessary questions for a **USE VARIANCE**:

(1) Will approval be injurious to the public health, safety, morals or general welfare of the community? *YES OR NO and explain your reason why.*
Maintaining current use

(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? *YES OR NO and explain your reason why.*
Nothing is changing from the way it has been used in the last 40 years

(3) Does the need for the variance arise from some condition peculiar to the property involved? *YES OR NO and explain your reason why.*
History without proper Zoning

(4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought? *YES OR NO and explain your reason why.*
The property has been used this way for at least 40 years and It's been bought and sold numerous times but due to increasing regulations, the banks are implementing more strict guidelines and are requiring the proper zoning for financing.

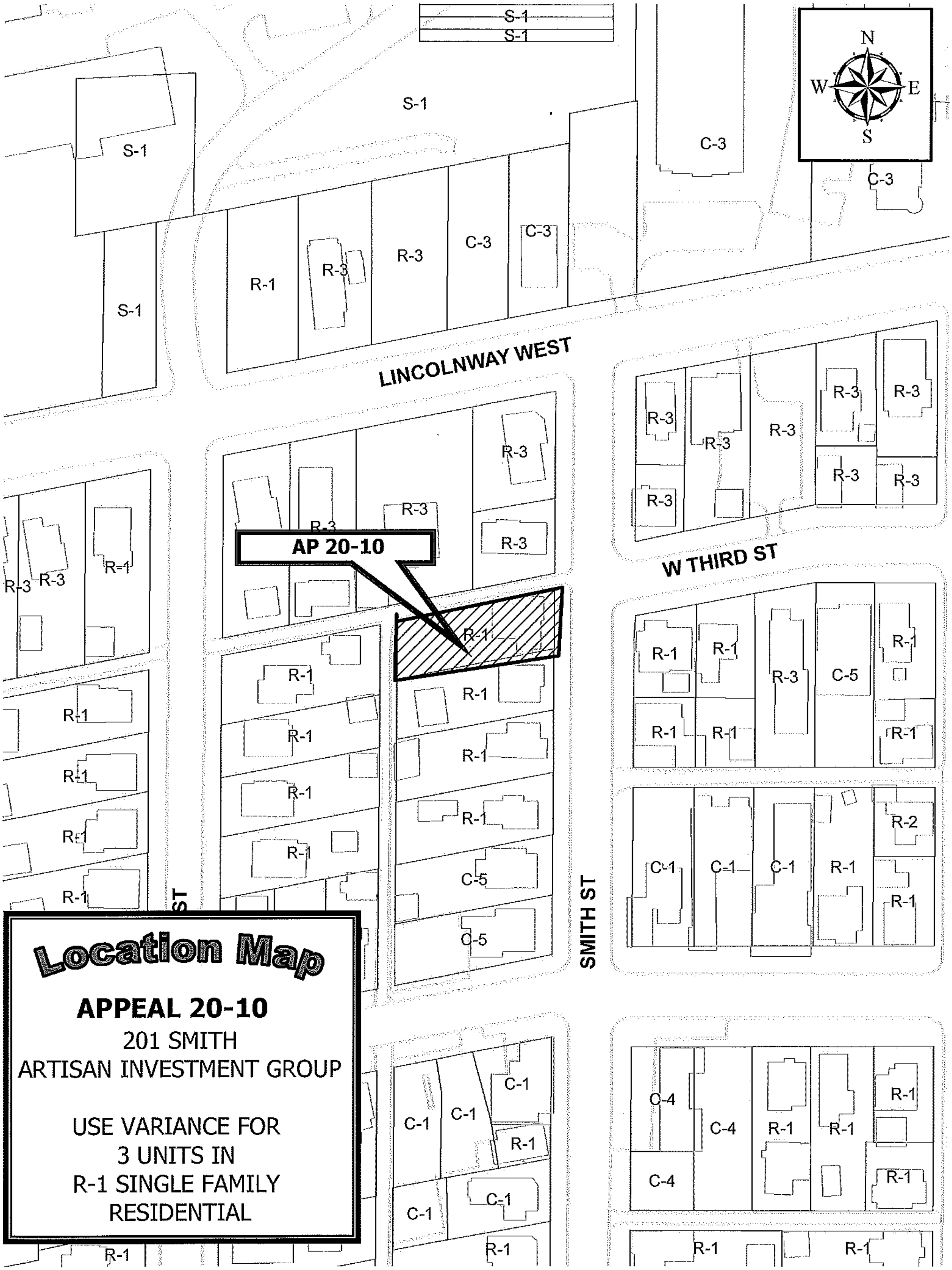
(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan? *YES OR NO and explain your reason why.*
Adjoining properties directly to the north are currently Zoned Multi-family

WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

AP 20-10

Artisan Investment Group LLC
Marlin Schwartz/ Member

CONTACT PERSON: Marlin Schwartz
Name: Artisan Investment Group LLC
Address: 420 N Main St Suite 1 Middlebury In 46540
Day Phone Number: 574-536-1210
Fax Number:
Email: abgmarlin@gmail.com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AP 20-10
Location Map
APPEAL 20-10
201 SMITH
ARTISAN INVESTMENT GROUP
USE VARIANCE FOR
3 UNITS IN
R-1 SINGLE FAMILY
RESIDENTIAL
S-1
C-3
R-1
R-3
R-2
C-1
C-4
C-5

RECEIVED
DEBORAH S. BLOCK, MMC

APR 28 2020

CITY CLERK
MISHAWAKA, IN

RECEIVED
MAR 23 2020
ECONOMIC
COMMUNITY DEVELOPMENT
PLANNING

THIS IS NOT A FILL-IN FORM, BUT A SAMPLE APPEAL TO BE USED AS A GUIDE WHEN PREPARING YOUR APPEAL

DATE:

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. I, Artisan Investment Group LLC , am the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

1210 W 6th St Mishawaka, Lot 6 Manoka Place, ParcelIdState 71-09-16-308-005.000-023

2. The above-described real estate presently has a zoning classification of District under the Zoning Ordinance of the City of Mishawaka.
Currently zoned R-1 single Family

3. Appellant presently occupies (*or proposes to occupy)* the above-described property in the following manner: **3 Unit apartment building**

4. Appellant desires to *(Explain what is proposed that violates the Ordinance.)*
I want to maintain 3 units and bring into zoning compliance for financing.

5. The Zoning Ordinance of the City of Mishawaka requires *(Explain ordinance requirements and note Section Number of the Ordinance.)*
Ordinance 137-165 Does not allow more than 1 unit per building

6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship.
Since at least 1979 the property has been used as a 3 unit

7. Answer the following necessary questions for a **USE VARIANCE**:

(1) Will approval be injurious to the public health, safety, morals or general welfare of the community? *YES OR NO and explain your reason why.*
Maintaining current use

(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? *YES OR NO and explain your reason why.*
Nothing is changing from the way it has been used in the last 40 years
Property is Currently Being taxed as a 3 family dwelling on a platted Lot

(3) Does the need for the variance arise from some condition peculiar to the property involved? *YES OR NO and explain your reason why.*
History without proper Zoning

(4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought? *YES OR NO and explain your reason why.*
Its been this way for at least 40 years and It's been bought and sold numerous times but due to increasing regulations, the banks are implementing more strict guidelines and are requiring the proper zoning for financing.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan? *YES OR NO and explain your reason why.*
There is multi-family directly across the street that was recently rezoned from a pub/ Bar to multi-family.

WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

AP 20-11

__Artisan Investment Group LLC__
Marlin Schwartz/ Member

Marlin /member

CONTACT PERSON: Marlin Schwartz
Name: Artisan Investment Group LLC
Address: 420 N Main St Suite 1 Middlebury In 46540
Day Phone Number: 574-536-1210
Fax Number:
Email: abgmarlin@gmail.com


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AP 20-11
W SIXTH ST
W SIXTH ST
W SEVENTH ST
Location Map
APPEAL 20-11
1210 W SIXTH
ARTISAN INVESTMENT GROUP
USE VARIANCE FOR
3 UNITS IN
R-1 SINGLE FAMILY
RESIDENTIAL

AP 2016

DATE: March 16, 2020
TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. Bethel College Inc. is the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit. See attached for legal descriptions.

2. The above described real estate presently has a zoning classification of R-1 Single Family Residential District, R-3 Multi-Family Residential District and C-1 General Commercial District under the Zoning Ordinance of the City of Mishawaka.

3. The proposed use for this site shall be an athletic training center. The plan violates two ordinances.

4. This project desires to relocate an existing shipping container on site as well as provide 16 parking spaces instead of the required 50.

5. The City does not permit shipping containers in any district. An existing storage container on site needs to be relocated. The site requires 50 total parking spaces while the proposed plan contains 16. Per Section 137-166 (7) / R-1 District and Section 137-217 (7) / R-3 District.

6. The shipping container that is being relocated will be used for the same purpose as originally. It will be moving roughly 82' to the north and slightly rotated to align with the proposed east drive. The site is within the campus of Bethel University and within walking distance to most of the individuals who will be using it. The site will not need 50 parking spaces.

7. Use and Developmental Variance Statements

    a. Approval will not be injurious to the public health, safety, morals, or general welfare of the community. The shipping container will be used for the same purposes as originally and the relocation of the container is roughly 82' away from its original location. The site will not need 50 parking spaces. The proposed 16 spaces will be enough for daily use.

    b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The proposed and relocated structures and hardscape will not affect the neighboring properties in any physical way. The neighboring properties will either not have a need to use the site, or they will be within walking distance and therefore will not need to use a parking space.

    c. The need for a variance does not arise from some condition peculiar to the property involved. An existing shipping container is relocated.

DATE: March 16, 2020
TO: Board of Zoning Appeals
City of Mishawaka, Indiana

d. Strict application of the terms of this chapter do not constitute an unnecessary hardship if applied to the property for which the variance is sought. The shipping container is used for the same purposes as originally and the relocation of the container is roughly 82' away from its original location. The site does not need 50 parking spaces. The proposed 16 spaces is enough for daily use.

e. Approval will not interfere substantially with the Mishawaka 2000 Comprehensive Plan. The shipping container will be used for the same purposes as originally and the relocation of the container is roughly 82' away from its original location.

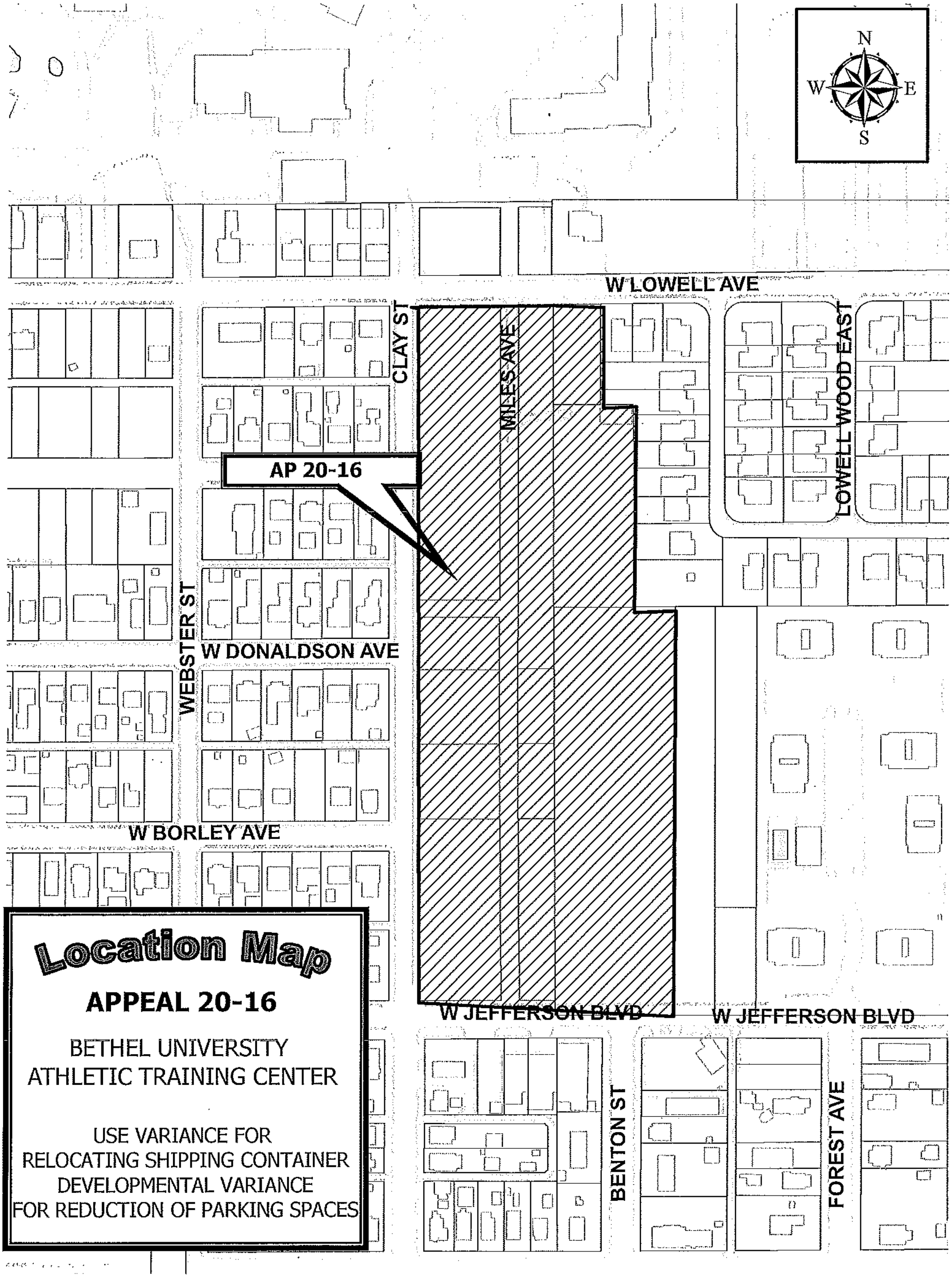
Appellant respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Joe Zappia / Physical Plant Director 4/20/2020

Signature of Property Owner/Title Holder
Joe Zappia
Bethel University
Physical Plant Director

Printed Name of Property Owner/Title Holder
Joe Zappia / Physical Plant Director

Contact Person:
Name: Allie Dillinger
Address: 11020 Diebold Rd., Fort Wayne, IN, 46845
Phone Number: (260)451-9718
Email: allie@eri.consulting



Location Map

APPEAL 20-16

BETHEL UNIVERSITY
ATHLETIC TRAINING CENTER

USE VARIANCE FOR
RELOCATING SHIPPING CONTAINER
DEVELOPMENTAL VARIANCE
FOR REDUCTION OF PARKING SPACES

PET 20-05

RECEIVED MAR 05 2020 COMMUNITY DEVELOPMENT PLANNING

Date: March 17, 2020

To The: Honorable Members of the Common Council of the
City of Mishawaka, Indiana

RE: Mark & Debra Kamm Petition for Rezoning for
1215 & 1225 East Jefferson Boulevard, Mishawaka, Indiana:

The undersigned, respectfully show that they are the owners of the following described real estate located in the City of Mishawaka, St. Joseph County, Indiana:

A PARCEL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 37 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING KNOWN AS LOTS # 12 THROUGH 17 AND THE NORTH HALF OF A VACATED ALLEY BEING ADJACENT TO AND SOUTH OF SAID LOTS # 16 AND 17 ALL PART OF THE PLAT OF "MILLEKEN'S SUBDIVISION (UNRECORDED)" AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON BOULEVARD WITH THE EAST LINE OF SAID LOT # 17; THENCE ALONG SAID EAST LINE, S. 00°00'00" EAST (ALL BEARINGS ASSUMED), A DISTANCE OF 125 FEET MORE OR LESS TO THE CENTERLINE OF SAID VACATED ALLEY; THENCE S. 90°00'00" WEST ALONG SAID CENTERLINE, A DISTANCE OF 82.50 FEET MORE OR LESS; THENCE N. 00°00'00" WEST, A DISTANCE OF 10 FEET MORE OR LESS TO THE NORTH LINE OF A PUBLIC ALLEY; THENCE S. 90°00'00" WEST, ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 165 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID LOT # 12; THENCE N. 00°00'00" WEST, ALONG THE WEST LINE OF SAID LOT # 12, A DISTANCE OF 115 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF SAID JEFFERSON BOULEVARD; THENCE N. 90°00'00" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 247.50 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 0.67 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

Also commonly known as 1215 & 1225 East Jefferson Boulevard, Mishawaka, Indiana 46545.
The above described parcel of land is presently zoned "C-1" and "C-5" Commercial and "I-2" Industrial Districts.

The Petitioners desire said real estate, to be Rezoned to the "R-3" Residential District classification. The purpose for the Rezoning is to allow for the real estate to be purchased by an interested party who desires to build seven (7) starter homes for rental to returning veterans.

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.

Mark W. Kamm
Mark Kamm
16316 Wild Cherry Drive
Granger, Indiana 46530

Debra Kamm
Debra Kamm
16316 Wild Cherry Drive
Granger, Indiana 46530

RECEIVED
DEBORAH S. BLOCK, MMC
APR 28 2020
CITY CLERK
MISHAWAKA, IN

Contact person: Michael Danch - Danch, Harner & Associates, Inc.
1643 Commerce Drive, South Bend, Indiana 46628
(574) 234-4003.

To The: Honorable Members of the
Common Council of the
City of Mishawaka, Indiana

March 17, 2020

To The: Honorable Members of the
Plan Commission of the City of Mishawaka, Indiana,

RE: Mark & Debra Kamm Petition for Rezoning for
1215 & 1225 East Jefferson Boulevard, Mishawaka, Indiana:

Dear Council & Plan Commission Members,

This letter is to inform the Board Members that we have granted authority to Danch, Harner & Associates to represent us at the Mishawaka Plan Commission and Mishawaka Common Council meetings at which our Rezoning Request will be heard.

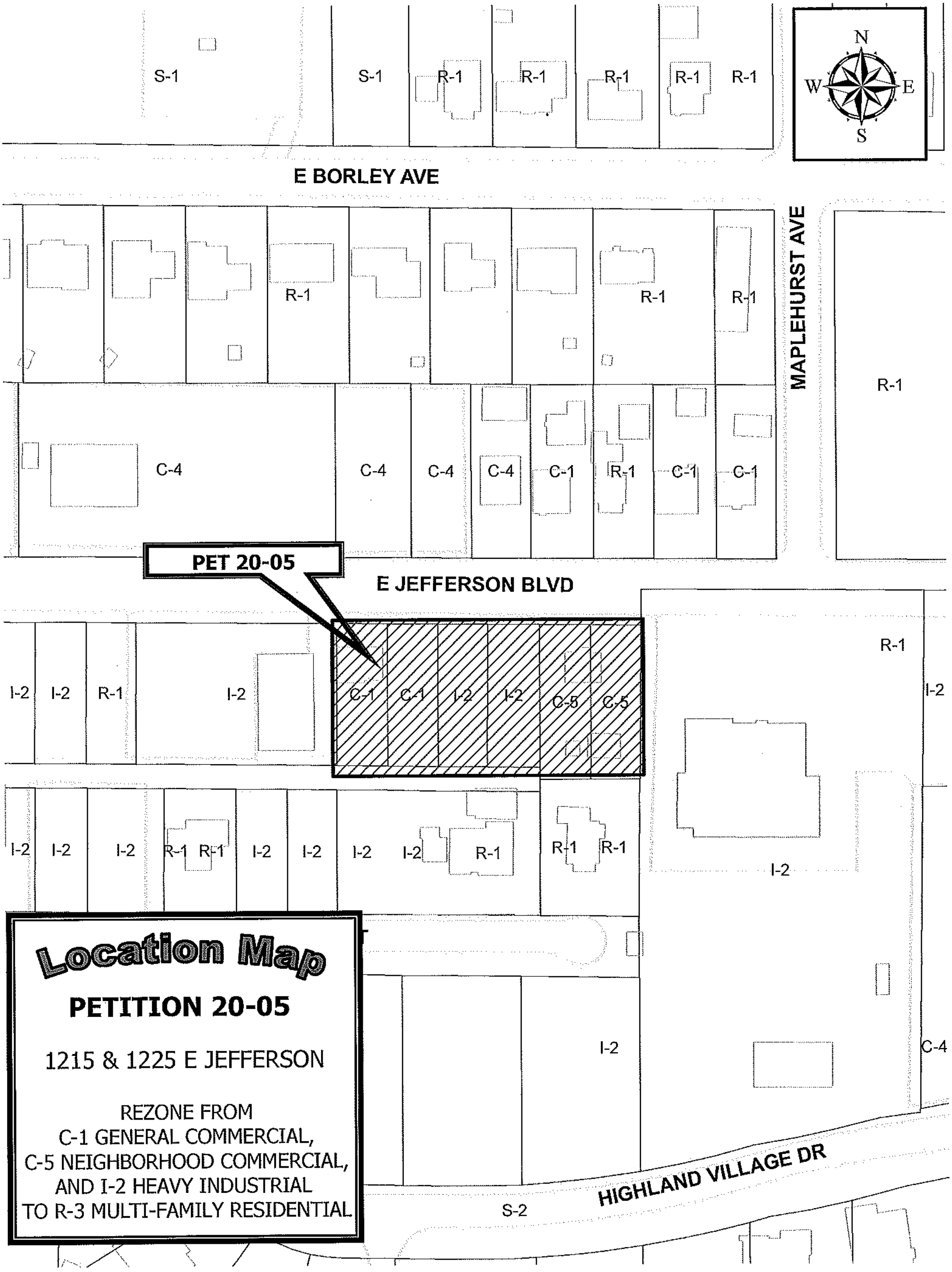
If you have any questions concerning this matter, please feel free to give me (us) a call at 574-271-4060.

Sincerely,

Mark Kamm
16316 Wild Cherry Drive
Granger, Indiana 46530

Debra Kamm
16316 Wild Cherry Drive
Granger, Indiana 46530

File No. 200123 "C" MD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MAPLEHURST AVE
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HIGHLAND VILLAGE DR
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I-2
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R-1
I-2
C-1
C-1
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C-5
C-5
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I-2
I-2
I-2
R-1
R-1
R-1
I-2
I-2
C-4
S-2
Location Map
PETITION 20-05
1215 & 1225 E JEFFERSON
REZONE FROM
C-1 GENERAL COMMERCIAL,
C-5 NEIGHBORHOOD COMMERCIAL,
AND I-2 HEAVY INDUSTRIAL
TO R-3 MULTI-FAMILY RESIDENTIAL

Pet 20-06

NEWBERRY
REAL ESTATE

Date: March 20, 2020

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

RE: PETITION FOR PUD AMENDMENT (ORD. 4699AA)

The undersigned Petitioner, Elm Street Capital, LLC ("Elm Street"), and HD Development of Maryland, Inc. ("Home Depot"), the current owner of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

> *Lot 1 Home Depot Minor Subdivision as recorded under Instrument #0335529 in the Office of the Recorder of St. Joseph County, Indiana. Property address: 317 Indian Ridge Blvd., Mishawaka, Indiana 46545.*

Newberry Real Estate LLC, on behalf of Elm Street, the contract purchaser of proposed Lot 8 (see attached Exhibit "A"), a part of the above described parcel of land to be subdivided, files this petition for PUD Amendment in conjunction with Home Depot. The above described parcel of land is presently zoned "S-2" Planned Unit Development and the real estate use is for retail. Proposed Lot 8 will have the same zoning classification as Lot 1.

Petitioner desires for the current Planned Unit Development to be amended to allow the following:

1. Proposed Lot 8 - Reduce required five (5) feet pavement setback to zero (0) feet along the west, east and south property lines, which is a direct result of splitting the parcel into separate ownerships
2. Proposed Lot 8 - No landscaping shall be provided for the west, east & south side yards, which is a direct result of splitting the lot into separate ownerships
3. Proposed Lot 8 - A quick service oil change business.
4. Lot 1 Home Depot Parcel – Reduction in the required number of parking spaces from 389 spaces to 362 spaces. Lot 1 currently has 431 parking spaces.

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MISHAWAKA, IN

[continue to signature pages]

Wherefore, the Petitioner prays and respectfully requests that the Common Council of the City of Mishawaka refers this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted amending the PUD of the above described parcel of land located in the City of Mishawaka.

Signature(s) of Property Owner(s)

HD Development of Maryland, Inc.,
a Maryland corporation

By:____________________
Name: Jessica Borgert
Title: Assistant General Counsel

Signature of Petitioner

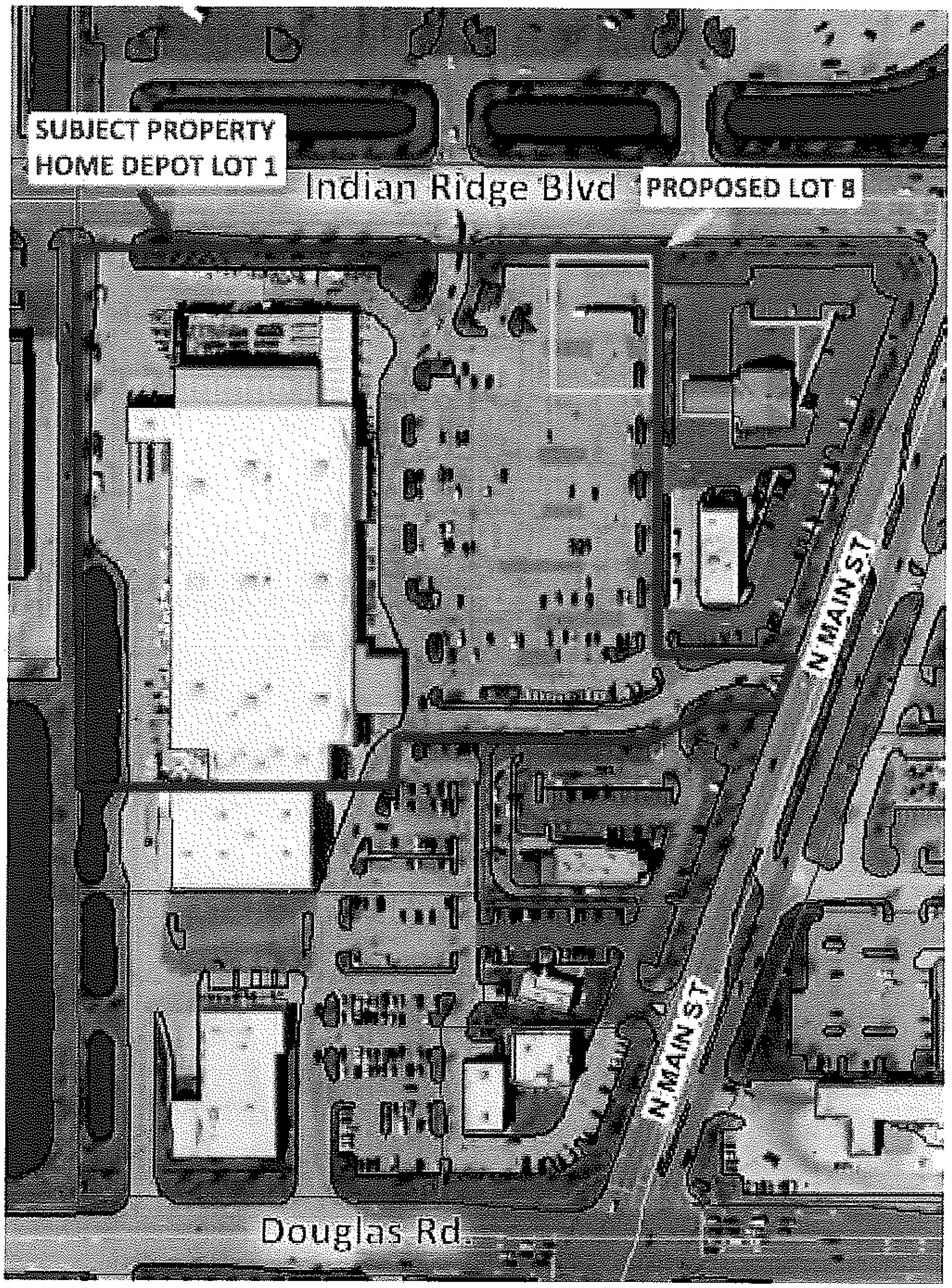
Elm Street Capital, LLC,
an Indiana limited liability company

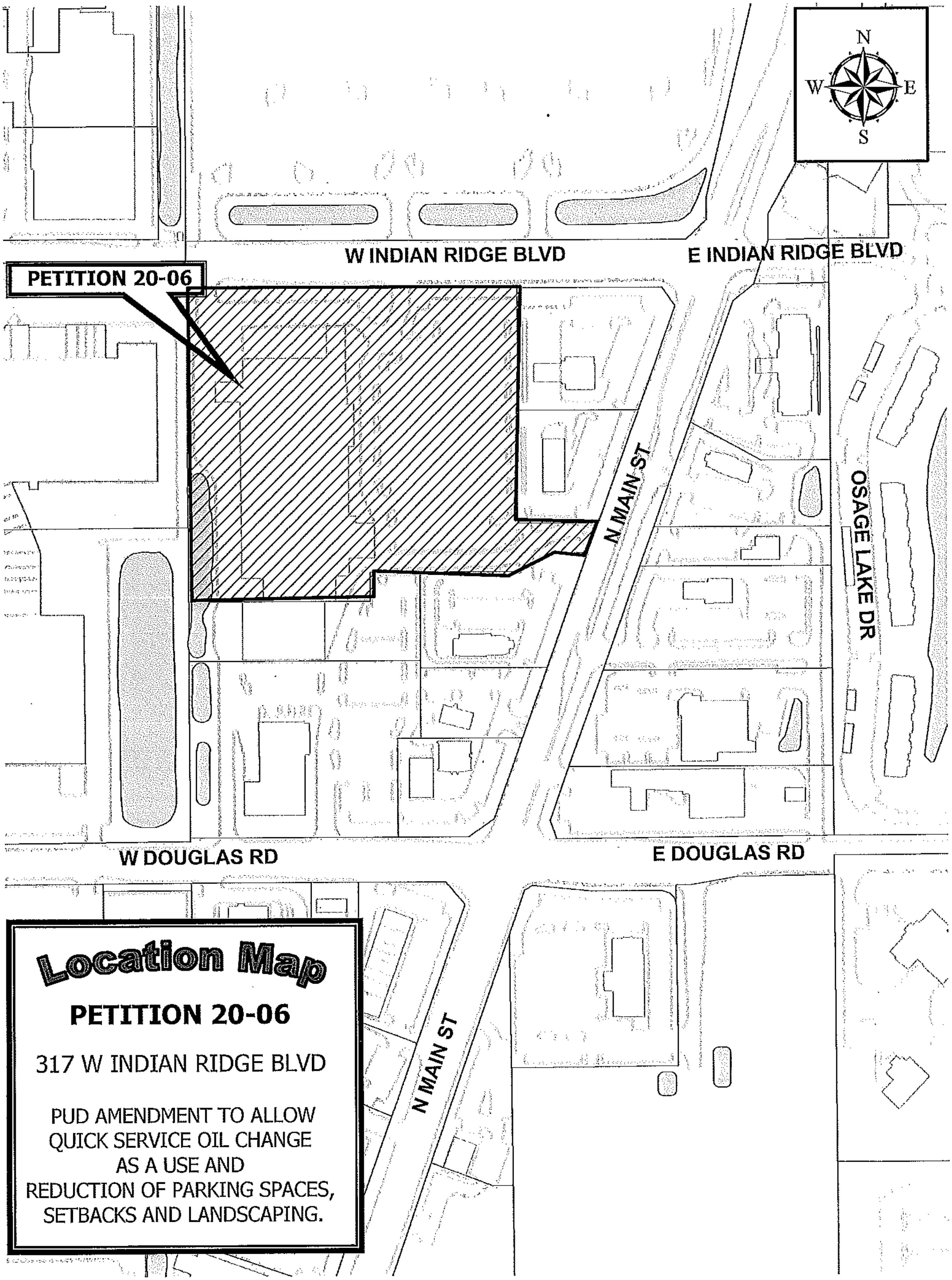
By:____________________
Name: Mark J. Rykovich
Title: Principal and Authorized Signatory

CONTACT PERSON:

Name:	Mark Rykovich
Company:	c/o Newberry Real Estate, LLC
Address:	7750 Cree Trail, Indianapolis, IN 46250
Phone #:	312-961-3021
Email:	mrykovich@nbrellc.com

EXHIBIT A


SUBJECT PROPERTY
HOME DEPOT LOT 1
Indian Ridge Blvd
PROPOSED LOT 8
N MAIN ST
N MAIN ST
Douglas Rd.


N
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W
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W INDIAN RIDGE BLVD
E INDIAN RIDGE BLVD
PETITION 20-06
N MAIN ST
OSAGE LAKE DR
W DOUGLAS RD
E DOUGLAS RD
N MAIN ST
Location Map
PETITION 20-06
317 W INDIAN RIDGE BLVD
PUD AMENDMENT TO ALLOW
QUICK SERVICE OIL CHANGE
AS A USE AND
REDUCTION OF PARKING SPACES,
SETBACKS AND LANDSCAPING.

Date: April 17, 2020

To: The Honorable Members of the Common Council
City of Mishawaka, Indiana

Re: Petition for Annexation & Rezoning for:

RH Line, LLC
509 West Washington Street
South Bend, Indiana 46601

The undersigned, respectfully show that they are the owners of the following described real estate located in the unincorporated portion of St. Joseph County, Indiana:

Annexation and Rezoning Legal Description:

A Parcel located in the Southeast Quarter of Section 22, Township 38 North, Range 3 East, Harris Township, St. Joseph County, Indiana: Being more particularly described as commencing at the Southeast corner of said Section 22; thence North 00°00'00" East along the East line of said Section, 430.00 feet more or less and South 90°00'00" West, a distance of 30.00 feet more or less to a point on the west right-of-way line of said Fir Road and the existing Mishawaka Corporation line and the Point of Beginning of this description; thence South 90°00'00" West, a distance of 288.00 feet more or less; thence North 00°00'00" East, a distance of 572.95 feet more or less; thence North 90°00'00" East, a distance of 288.00 feet more or less to the West right-of-way line of said Fir Road and the existing Mishawaka Corporation line; thence South 00°00'00" East along said West line and Corporation line, a distance of 572.95 feet more or less to the point of beginning.
Containing 3.76 acres more or less.
Subject to all legal rights-of-way, easements, and restrictions of record.

Also commonly known as 52921, 52861, 52885 & 52841 Fir Road, Granger, IN 46530.

The above described parcels of land are presently zoned "R" Single Family District in the unincorporated county.

Petitioners desire to annex and rezone the real estate described above to the "C-1" Commercial District classification. The purpose for the annexation and rezoning is to allow for a mixed land use development containing medical office uses, retail uses, and an existing residential use for a temporary time.

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 annexation and rezoning the above described parcel of real estate located in the City of Mishawaka.

For: RH Line, LLC
509 West Washington Street
South Bend, Indiana 46601
(574) 339-1793

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MISHAWAKA, IN

Pet 20-08

PET 20-08

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COMMUNITY DEVELOPMENT
PLANNING

Mishawaka Plan Commission
and the Mishawaka Common Council
600 East Third Street
Mishawaka, Indiana 46544

April 17, 2020

RE: Annexation and Rezoning request,
for RH Line, LLC for properties located at
52921, 52861, 52885 & 52841 Fir Road, Granger, IN;

Mishawaka Plan Commission Members and
Mishawaka Common Council Members:

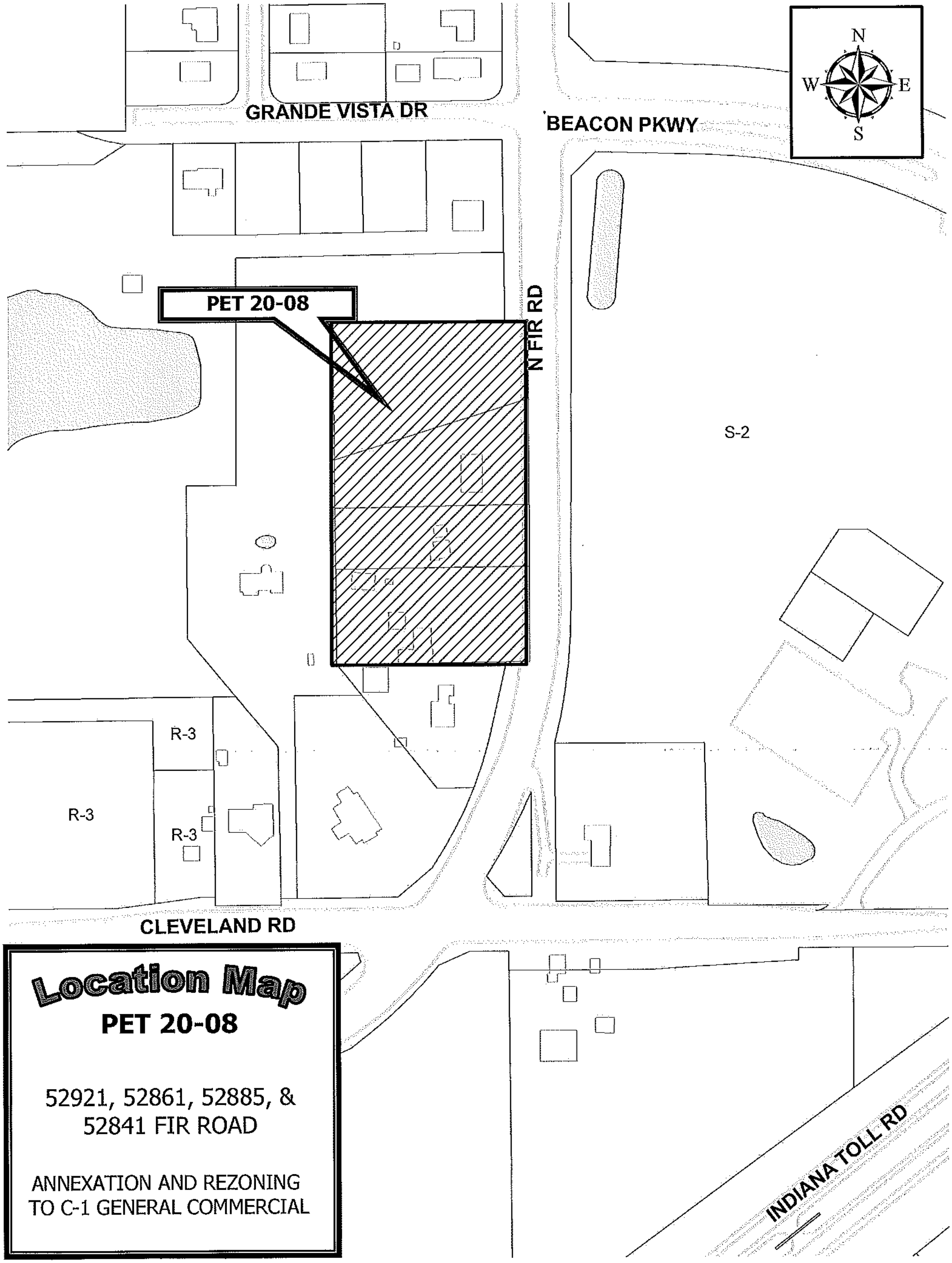
This letter is to inform the Board members that I (we) have granted authority to Danch, Harner & Associates to represent me (us) before the Mishawaka Plan Commission and the Mishawaka Common Council meeting(s) and at all public meetings at which my (our) petition will be heard.

If you have any questions concerning this matter, please feel free to give me (us) a call at 574-330-1793.

Sincerely,

For: RH Line, LLC

Printed Name: Daniel Klauer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W
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S
GRANDE VISTA DR
BEACON PKWY
PET 20-08
N FIR RD
S-2
R-3
R-3
R-3
CLEVELAND RD
INDIANA TOLL RD
Location Map
PET 20-08
52921, 52861, 52885, &
52841 FIR ROAD
ANNEXATION AND REZONING
TO C-1 GENERAL COMMERCIAL

Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

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APR 22 2020
COMMUNITY DEVELOPMENT
ECONOMIC
PLANNING

Pet 20-09

RE: PETITION TO REZONE

The undersigned The M Group LLC-S Series 407 W. 4th Street respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

> A part of Lot Numbered Thirty-four (34) on Fourth Street as shown on the Original Plat of the Town of St. Joseph Ironworks now the City of Mishawaka, described as beginning 3 ½ rods West of the Northeast corner of said lot Numbered 34, running thence West on the North line thereof 41 feet 3 inches; thence South 19 rods to the North line of the right-of-way of the Lakeshore and Michigan Southern Railroad; thence East 41 feet 3inches; thence North 19 rods to the place of beginning.
>
> More commonly known as 407 W. 4th Street, Mishawaka, Indiana.

Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification of **I-1 District**. Said property is a residential rental property.

Petitioner(s) desire said real estate to be rezoned to **C-3 District**. Petitioner(s) further state that they intend to utilize said land for a residential rental property. We are requesting the rezoning to more accurately reflect the actual use of the property and to conform with like properties in the surrounding area.

Wherefore, the petitioner(s) 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 land located in the City of Mishawaka.

Paul C. Mead

CONTACT PERSON:

NAME PAUL C MEAD, MEMBER AND MANAGER, THE M GROUP LLC-S
ADDRESS P.O. BOX 741, GRANGER, IN 46530
PHONE NUMBER 847-915-2165
FAX
EMAIL PCMEAD.89@GMAIL.COM

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APR 28 2020

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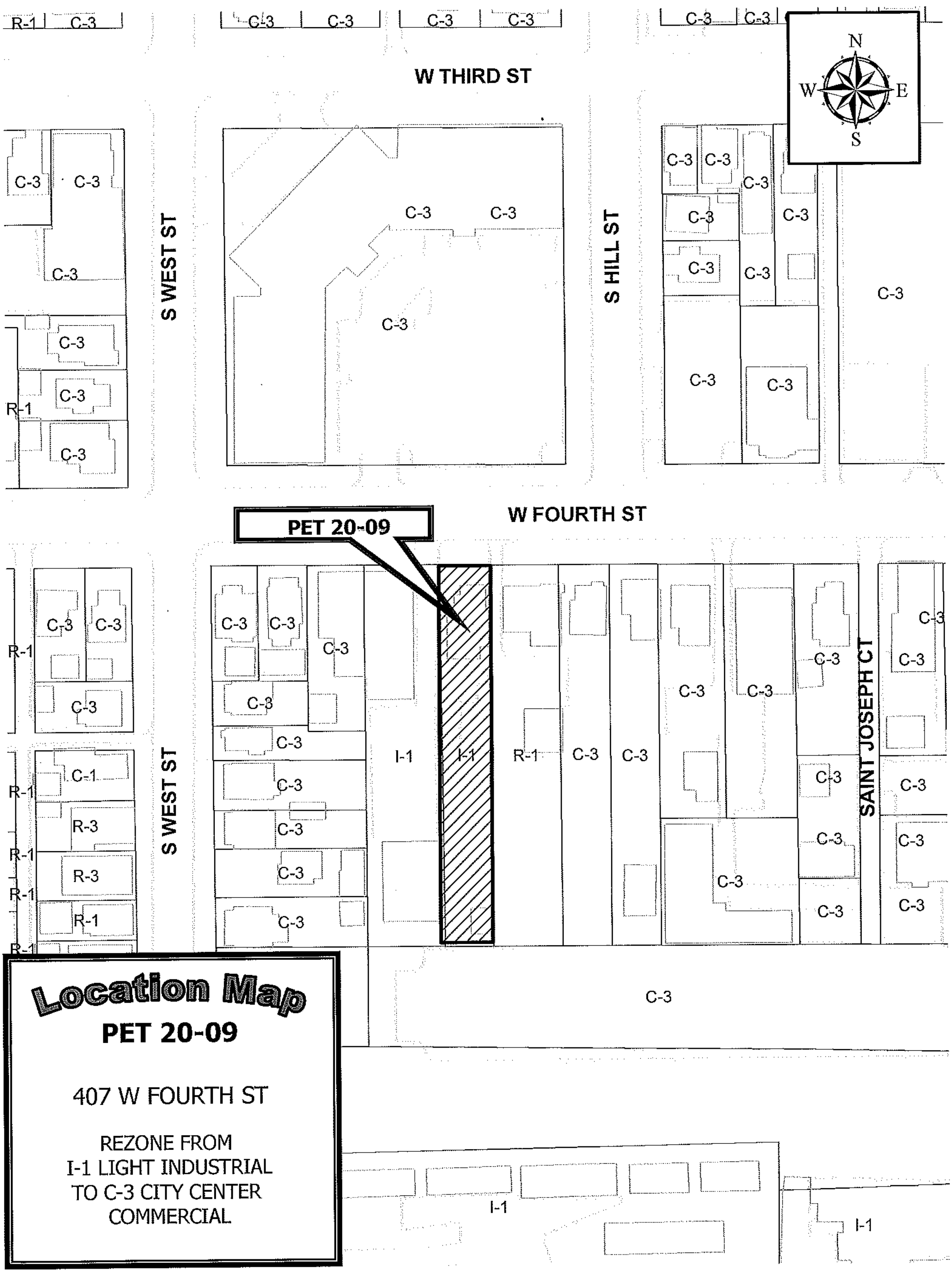
MISHAWAKA, IN


Location Map
PET 20-09
407 W FOURTH ST
REZONE FROM
I-1 LIGHT INDUSTRIAL
TO C-3 CITY CENTER
COMMERCIAL
PET 20-09
W THIRD ST
W FOURTH ST
S WEST ST
S HILL ST
SAINT JOSEPH CT
N
S
E
W
R-1
R-3
C-1
C-3
I-1

CITY OF MISHAWAKA

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

March 31, 2020

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APR 02 2020
CITY CLERK
MISHAWAKA, IN

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Anthony Hazen, 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. Maggie DeMaegd, At-Large City Council
Mrs. Deborah Block, City Clerk

RE: Resolution 2020-06
2019 Tax Abatement Compliance Reports

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).

There are currently ten active tax abatements in the City of Mishawaka of which all ten require reporting for calendar year 2019. 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 active tax abatement recipients that require reporting.

In summary, all ten of the 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.

Since the prior reporting period for calendar year 2018, two of the previously approved tax abatements have expired, and therefore, no longer require annual compliance reports. These abatements included a personal property abatement for logistics distribution and IT equipment for North American Composites and a real property abatement for a building addition and site improvements for Dearborn Crane and Engineering Company, Inc.

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.

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

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. According to the County Auditor, annual compliance reporting will be required through reporting year 2020. 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, 439 employees were occupying the building as of December 31, 2019, exceeding the total employment projections set in 2007 by 69. Annual salaries in 2019 were reported as $25,107,004, which is over two-and-half 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.

- **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. According to the County Auditor, 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 74 full time equivalent employees, which is an increase from 64 employees in 2018 and 42 employees during its first year in operation. Current combined annualized salaries were reported at $3,145,769. 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 $6,724,700 including an improvement value of $5,433,200 and land value of $1,291,500. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.

- **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. According to the County Auditor, 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 10 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 7 people including a managing partner, chief finance operator, senior property manager, design and development assistant, and 3 senior maintenance supervisor. All of these employees are based in Mishawaka and are tenants at the River Rock apartment building. Three additional employees are based at Tule Spa, and the Bar Method, an exercise studio, has a few employees. Both of these businesses are located in the first-floor retail/commercial portion of the building. Total payroll was listed as $585,699 which is substantially higher than the approximate $200,000 listed on the SB-1. 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 $9,658,100. 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.

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

- **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 $16,705,633 on the SB-1 when the abatement was filed. The actual net values upon completion of the project is $24,988,362, exceeding the estimated values by $8,282,729. 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 124. This is an increase of 33 positions, 27 greater than the 6 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $5,349,915 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.

- **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 began in 2016 and is in operation. This abatement was limited to 5 years for personal property. According to the County Assessor, annual reporting is required though year 2023. 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 $24,988,362, exceeding the estimated values by $7,617,974. 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 115 with an additional 4 jobs to be added. The total employment reported was 124. This is an increase of 9 positions, 5 greater than the 4 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $5,349,915 which is 37% higher than the $3,898,000 listed on the SB-1. Given that the investment, employment, and payroll is higher than the projected amounts, 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. This abatement was limited to 3 years for personal property. According to the County Assessor, annual reporting is required through 2020. 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 178 more than double the initial projection. Total payroll was listed at $8,225,662 which is nearly three 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 last year's 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 original intent was to start construction during the second quarter of 2020, but is now anticipated to be by the end of the year as indicated on the CF-1. In March 2018, an amended

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development agreement between the City and the developer was approved which extended the project completion and occupancy date to March 2021. The CF-1 indicates a completion date by the end of 2021. Recent discussions with the developer revealed that the project may become a condominium with owner-occupied units. If the project scope changes, the development agreement will once again have to be amended and a new real property tax abatement requested. 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, 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. These improvements included 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 other site improvements such as access drives, drainage, and additional employee and semi-truck parking areas. Actual real estate investment per the CF-1 is $13,324,225. 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 $9,795,957. 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 266 employees, which is a substantial increase from 21 employees in 2017 and an increase from the 221 employees reported last year. Additional jobs are anticipated over the next 10 years based on the company's growth projections. Total payroll was listed at $13,207,833 which is more than the $10,354,808 listed on the SB-1. Given that the total investment and payroll exceeds the projected amounts, the employment levels are increasing, and employment is expected to increase, this abatement should be considered in substantial compliance.

- **Jamil Packaging Corporation (Digital Printer 2017)** - 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. The abatement was limited to 3 years for personal property. According to the County Assessor, 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 127. This is an increase of 15 positions, 7 greater than the 8 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $5,194,905, 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.

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

- **Jamil Packaging Corporation (Flexo Folder-Gluer 2019) -** The CF-1 attached is for the abatement approved in 2019 for a new folder-gluer for converting corrugated board to be located at Jamil's facility at 1420 Industrial Drive. The proposed equipment, originally estimated at $1,546,591 on the SB-1, was installed and in operation by July 2019. Since the abatement was limited to 3 years for personal property, annual reporting is anticipated to be required through 2022. When the abatement was filed, the total existing employment was listed at 139 with an additional 12 jobs to be added. The total employment reported was 127 which is a decrease of 12 positions and 24 positions less than projected. Per the attached correspondence as submitted with the CF-1, the primary customer which drove the equipment purchase pulled all business in the 3rd quarter of 2019. When that contract was lost, attrition reduced employments levels. Earlier this year, the company purchased another digital printer, cutting table, and associated infrastructure improvements which totaled $1.5 million in investment. A tax abatement was not sought for this equipment due to timeline constraints. Business operations are continuing during the current COVID-19 pandemic with hiring anticipated to increase once the pandemic passes. It should be noted that even with the drop in employment at the end of 2019, total payroll was listed at $5,194,905 which is 6% higher than the $4,893,554 listed on the SB-1. Given that total payroll is higher than the project amount and employment levels, while decreasing at the end of last year, remain relatively steady and are anticipated to increase, 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

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RESOLUTION NO. 2020-06

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS

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, eight (8) recipients of the ten (10) 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.

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**
   - **Long Term Care Investments V, LLC**
   - **Barak River Rock, LLC**
   - **WellPet, LLC (Regrind System 2014 & High Speed Packaging Line 2015)**
   - **Patrick Industries Inc.**
   - **River Walk Development Group LLC**
   - **Lippert Components Manufacturing Inc.**
   - **Jamil Packaging Corporation (Digital Printer 2017 & Flexo Folder-Gluer 2019)**

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

3. That the President of the Mishawaka Common Council is hereby authorized to approve the aforementioned reports.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, on this ________ day of ____________, 2020.

____
Gregg Hixenbaugh, President

ATTEST:

____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this ______ day of __________________, 2020.

____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me on this _______day of _____________, 2020 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	439	Mar-20	$ 44,000,000.00	2020	2021	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	YES
50	Long Term Care Investments, LLC (Fir)	October 7, 2013	4 Years		0	61	0	74	Mar-20	$ 14,490,000.00	2020	2021	NO
51	Barak River Rock LLC	November 6, 2013	5 Years		0	5 to 8	0	10	Mar-20	$ 14,565,000.00	2021	2022	NO
52	WellPet LLC	January 8, 2014		5 Years	91	6	91	33	Mar-20	$ 1,470,500.00	2019	2020	NO
53	Dearborn Crane	May 19, 2014	3 years		24	3	24	8	Mar-19	$ 859,100.00	2018	2019	YES
54	WellPet LLC	April 20, 2015		5 Years	115	4	115	9	Mar-20	$ 1,800,000.00	2023	2024	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~~	~~$ 12,500,000.00~~	~~2025/TBD~~	~~2026~~	~~NO~~
58	Patrick Industries	February 15, 2016		3 Years	0	84	0	178	Feb-20	$ 2,048,000.00	2020	2021	NO
59	River Walk Development Group LLC (Mult-Family Residential)	June 5, 2017	5 Years		0	2	0	2	Mar-20	$ 12,500,000.00	2025 or 2026/TBD	2024	NO
60	Lippert Components	July 5, 2017	10 Years	10 Years	247 (relocated)	200	0	266	Mar-20	$ 23,120,182.00	2028	2029	NO
61	Jamil Packaging Corporation	July 24, 2017		3 Years	112	8	112	28	Mar-20	$ 976,000.00	2020	2021	NO
62	Jamil Packaging Corporation	February 18, 2019		3 Years	139	12	TBD	TBD	Mar-20	$ 1,088,000.00	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.

*** The abated through date was determined by the St. Joseph County Auditor's and/or Assessor's Office on March 30, 2020.

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

March 6, 2020

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 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

Field	Value	Field	Value
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

Field	Value
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		439
Salaries		25,107,003.88
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	3/6/2020

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.

2019 Tax Info

Tenant	Employees		Salaries
Martin's Pharmacy	10		255,887.00
Alick's Home Medical	3		116,375.00
SJRMC	329		19,873,913.21
Cataract and Laser	32		1,253,897.67
Allied Physicians	9		446,052.00
MRI	8		712,367.00
Centre PC	48		2,448,512.00
	439	**$**	**25,107,003.88**

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. Dunn

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 ~~See attached~~	$2,399,730	615	$2,399,730	308	$12,047,425

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*)
[illegible 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

RESOLUTION NO. R 2008-_02_

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

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.

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
CHRISTINA M. SHAKOUR
BENJAMIN M. REDGRAVE

*ALSO ADMITTED IN MICHIGAN
**ALSO ADMITTED IN ILLINOIS

OF COUNSEL
THOMAS C. SOPKO

RECEIVED
MAR 10 2020
ECONOMIC
COMMUNITY DEVELOPMENT
PLANNING

March 5, 2020
(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)

C:\Users\AprilM\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\T35LN2AH\2020 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 20 PAY 20 21
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

Field	Value	Field	Value
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

Field	Value
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)*	7/31/2016

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	0	74 Full Time Equiv.
Salaries	0	$3,145,769.00
Number of employees retained	0	0
Salaries	0	0
Number of additional employees	61 Full Time	6
Salaries	$2,161,524.00	$350,000.00

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	$5,433,200.00
Less: Values of any property being replaced	10,000.00	$10,000.00
Net values upon completion of project	14,490,000.00	$5,423,200.00

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)*
	Attorney	3/5/2020

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: Thursday, March 26, 2020 5:27 PM
To: Derek Spier
Cc: Andrew Kolomiets
Subject: Re: Barak River Rock - Annual Tax Abatement Compliance Reporting

Follow Up Flag: Flag for follow up
Flag Status: Flagged

>>> FROM EXTERNAL SENDER <<<

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sure,

Andrew, our CFO, copied herein will provide it.

S

On Thu, Mar 26, 2020 at 3:53 PM Derek Spier <dspier@mishawaka.in.gov> wrote:

> Good afternoon again-
>
> Thanks for the quick reply and update.
>
> Attached is a letter provided for last year's compliance reporting.
>
> Can you please provide a similar update on this project?
>
> Thanks.
>
> Derek

From: Scott Sivan <sivan@insite-dev.com>
Sent: Thursday, March 26, 2020 2:35 PM
To: Derek Spier <dspier@mishawaka.in.gov>
Subject: Re: Barak River Rock - Annual Tax Abatement Compliance Reporting

>>> FROM EXTERNAL SENDER <<<

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

hi Derek,

Please see below:

On Thu, Mar 26, 2020 at 2:16 PM Derek Spier <dspier@mishawaka.in.gov> wrote:

> **Good afternoon Scott-**
>
> **For last year's tax abatement compliance reporting, you had provided the below information which was included on our report.**
>
> **This year's CF-1, as provided, indicated that you have 10 employees with a combined total salary of $585,699.** Everyone got a raise and we let one employee go, Tule' added on person and the Bar Method opened so I will check and get you the update payroll - see below.
>
> **Can you please update the below information provided last year to reflect the current 10 employees?**
>
> 7 PER BELOW
>
> Today there are still ~~8~~ people in our Insite Office located at 112 W Mishawaka Ave:
>
> - Managing Partner Still employed
>
> - Senior Project Manager No longer employed
>
> - Chief Finance Officer Still employed

- Senior Property Manager Still employed

- Design and Development Assistant Still employed

- Senior Maintenance Supervisor We added two maintenance supervisors.
3 TOTAL

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, Tule is still functioning with 3 employees. The Bar Method has started to function with a few employees.

Thanks, and let me know if you have any questions.

Stay safe!

Best regards,

Derek Spier, AICP

Senior Planner / Economic Development Specialist

City of Mishawaka

600 East Third Street

Mishawaka, IN 46544

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 St, Mishawaka, IN 46545		DLGF taxing district number 71-023
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 R2013-21	Estimated start date *(month, day, year)* 09/01/2015
Location of property 126 W Mishawaka Ave, Mishawaka, IN 46545		Actual start date *(month, day, year)* 01/04/2016
Description of real property improvements River Rock Apartments multifamily rental complex		Estimated completion date *(month, day, year)* 08/31/2016
		Actual completion date *(month, day, year)* 01/11/2017

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	5-8	10
Salaries	200,000.00	585,699.00
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	155,000.00	177,300.00
Plus: Values of proposed project	14,565,233.00	9,380,600.00
Less: Values of any property being replaced	155,000.00	177,300.00
Net values upon completion of project	14,565,233.00	9,388,060.00

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)*
	Managing Partner	03/10/2020

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 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: Wellpet	County: St. Joseph
Address of taxpayer *(number and street, 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 Overview - 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	124
Salaries	3,404,000.00	5,349,915.00
Number of employees retained	91	91
Salaries	3,404,000.00	3,404,000.00
Number of additional employees	6	33
Salaries	197,000.00	1,945,915.00

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	14,705,633.00							
Plus: Values of proposed project	2,000,000.00							
Less: Values of any property being replaced								
Net values upon completion of project	16,705,633.00							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	23,517,848.00	7,027,273.00						
Plus: Values of proposed project	1,470,514.00	441,154.00						
Less: Values of any property being replaced								
Net values upon completion of project	24,988,362.00	7,468,427.00						

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)*
Terry Peterson	CONTROLLER	3/17/2020

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 (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	10/28/2014
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
91	$3,404,000	91	$3,404,000	6	$167,000

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 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	14,705,833.0							
Plus estimated values of proposed project	2,000,000.00							
Less values of any property being replaced								
Net estimated values upon completion of project	16,705,833.0							

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): 12/16/2013
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: Matt Mammolenti	Name of designating body: Mishawaka Common Council	
Attested by: (signature and title of attester)	Printed name of attester: 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 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	124
Salaries	3,898,000	5,349,915
Number of employees retained	115	115
Salaries	3,898,000	3,898,000
Number of additional employees	4	9
Salaries	200,000	1,451,915

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	23,187,291	6,928,106						
Plus: Values of proposed project	1,801,071	540,321						
Less: Values of any property being replaced								
Net values upon completion of project	24,988,362	7,468,427						

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	3/06/2020

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 Tatgenhorst
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 71-028

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 2015"	Manufacturing Equipment	07/01/2015	11/01/2015
	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
115	$8,888,000	115	$8,888,000	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	15,570,388.0							
Plus estimated values of proposed project	1,600,000.00							
Less values of any property being replaced								
Net estimated values upon completion of project	16,703,888.0							

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 Michelle Tatgenhorst	Date signed (month, day, year) 03/17/2015
Printed name of authorized representative Michelle Tatgenhorst	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 (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.

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)* Unknown

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		
Salaries		
Number of employees retained		
Salaries		
Number of additional employees	84	178
Salaries	2,953,900.00	8,225,662.00

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						19,487.00	
Less: Values of any property being replaced								
Net values upon completion of project	2,047,588.00						19,487.00	

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 Mathew L Davis	Title TAX MANAGER	Date signed *(month, day, year)* 2/27/2020

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: St Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 117 W Grove St, Ste #103, Mishawaka, IN 46545	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)*: Dec 2020
Location of property: Vacant land at 100 Block of East Mishawaka Ave		Actual start date *(month, day, year)*:
Description of real property improvements: Multi-family housing project		Estimated completion date *(month, day, year)*: Dec 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	2	2
Salaries	75,000.00	28,166.00
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	0.00	
Plus: Values of proposed project	12,500,000.00	
Less: Values of any property being replaced	0.00	
Net values upon completion of project	12,500,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	0.00	
Plus: Values of proposed project	0.00	
Less: Values of any property being replaced	0.00	
Net values upon completion of project	0.00	

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)*
	Managing Partner	03/10/2020

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.

LIPPERT
COMPONENTS

March 12, 2020

Derek J. Spier, Senior Planner & Economic Development Specialist
City of Mishawaka
600 East Third St
Mishawaka, IN 46544

RE: Tax Abatement Compliance
Lippert Components Manufacturing, Inc.
400 S. Byrkit Avenue, Mishawaka, IN

Dear Mr. Spier:

Enclosed are the completed Real Property and Personal Property CF-1s for compliance with the existing tax abatements with the City of Mishawaka. Included on the CF-1s, you will see a total headcount of 266 employees earning total salaries of $13,207,833. This is an increase over the 221 employees and $9,124,640 that we reported in the previous year. In addition to these full-time employees, we also maintain a level of approximately 15-30 temporary employees working in our facility during the year. We continue to explore opportunities to expand headcount at this facility, including but not limited to expanding our 2nd shift operation and increasing the number of call center employees at this facility.

Lippert's total fixed asset investment at the facility has greatly exceeded the commitments. To date, we have invested $23,120,182 in real and personal property improvements compared to our commitment of $9,025,000. We expect to continue to make these investments as needed to grow the facility and make it a great place to work.

While we understand that we are still short on our employment commitments, we remain fully committed to our investment in Mishawaka and look forward to our continued partnership with the city as we continue to grow.

If you would like to have a further in-depth discussion regarding our compliance numbers and plan for the future, I would be happy to meet in your office to discuss.

Sincerely,

TJ Bauters

Thomas J. Bauters, CPA
Assistant Treasurer and Tax Director

Enclosures

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

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

20 20 PAY 20 21

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: St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 3501 County Road 6 E, 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: 2017-17	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	266
Salaries	10,354,808.00	13,207,833.00
Number of employees retained	247	247
Salaries	10,354,808.00	10,354,808.00
Number of additional employees	200	19
Salaries	7,800,000.00	2,853,025.00

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	1,760,341.00	
Plus: Values of proposed project	7,400,000.00	
Less: Values of any property being replaced		
Net values upon completion of project	9,160,341.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	1,760,341.00	
Plus: Values of proposed project	13,324,225.00	
Less: Values of any property being replaced		
Net values upon completion of project	15,084,566.00	

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)*
TJ Bauters, CPA	Assistant Treasurer and Tax Director	03.12.2020

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	Telephone number	E-mail address
Tom Bauters	(574) 312-6159	tbauters@lci1.com

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body		Resolution number
City of Mishawaka		
Location of property	**County**	**DLGF taxing district number**
400 South Byrkit Avenue, Mishawaka, IN 46544	St. Joseph	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	Date signed (*month, day, year*)
T S Bauters, CPA	06/12/2017
Printed name of authorized representative	**Title**
Tom Bauters	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 1 calendar years* *(see below)*. The date this designation expires is July 5, 2018.

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 $7,400,000

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)
[signature]	(574) 258-1616	7-05-2017
Printed name of authorized member of designating body	Name of designating body	
Ross Deal, President	Mishawaka Common Council	
Attested by (signature and title of attester)	Printed name of attester	
[signature]	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.

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.

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: Lippert Components Manufacturing, Inc.	County: St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 3501 County Road 6 E, 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 Ave, 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	266
Salaries	10,354,808.00	13,207,833.00
Number of employees retained	247	247
Salaries	10,354,808.00	10,354,808.00
Number of additional employees	200	19
Salaries	7,800,000.00	2,853,025.00

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					109,605.00			
Plus: Values of proposed project					1,625,000.00			
Less: Values of any property being replaced								
Net values upon completion of project					1,734,605.00			
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project					109,605.00			
Plus: Values of proposed project					9,795,957.00			
Less: Values of any property being replaced								
Net values upon completion of project					9,905,562.00			

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)*
TJ Bauters, CPA	Assistant Treasurer and Tax Director	03-12-2020

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

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: City of Mishawaka		Resolution number (s):
Location of property: 400 South Byrkit, Mishawaka, IN 46544	County: St. Joseph	DLGF taxing district number: 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: T. Bauters, CTA	Date signed *(month, day, year)*: 6/12/2017
Printed name of authorized representative: Tom Bauters	Title: 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 1 calendar years * *(see below)*. The date this designation expires is July 5, 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 $ 1,800,000 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 $1,800,000 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 $ 1,800,000 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 $ 1,800,000 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)* The total abatement not to exceed $1,800,000

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)*
Ross Deal	(574)258-1616	7-05-2017
Printed name of authorized member of designating body: Ross Deal, President	Name of designating body: Mishawaka Common 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.

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-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. Herschberger	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	127
Salaries	3,647,509	5,194,905
Number of employees retained	112	112
Salaries	3,647,509	3,647,509
Number of additional employees	8	12
Salaries	249,600	317,012

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	9,600,442	2,709,109						
Plus: Values of proposed project	976,160	463,872						
Less: Values of any property being replaced								
Net values upon completion of project	10,576,602	3,172,981						

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)*
[signature]	President	3-17-20

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 (R17 / 11-19)
Prescribed by the Department of Local Government Finance

JANUARY 1, 2020

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. Herschberger	
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)
	3,172,981	2,804,400	1.13143

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	1-2-19 to 1-1-20	$	65%	$	1.13143	1		%	$
14	1-2-18 to 1-1-19		50%		1.13143	2			
15	1-2-17 to 1-1-18		35%		1.13143	3			
16A	1-2-16 to 1-1-17		20%		1.13143	4			
16B	3-2-15 to 1-1-16		20%		1.13143	5			
16C	3-2-14 to 3-1-15		20%		1.13143	6			
16D	3-2-13 to 3-1-14		20%		1.13143	7			
16E	3-2-12 to 3-1-13		20%		1.13143	8			
16F	3-2-11 to 3-1-12		20%		1.13143	9			
16G	3-2-10 to 3-1-11		20%		1.13143	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	1-2-19 to 1-1-20	$	40%	$	1.13143	1		100 %	$
19	1-2-18 to 1-1-19		56%		1.13143	2		66	
20	1-2-17 to 1-1-18	976,160	42%	409,987	1.13143	3		33	153,078
21	1-2-16 to 1-1-17		32%		1.13143	4			
22	3-2-15 to 1-1-16		24%		1.13143	5			
23	3-2-14 to 3-1-15		18%		1.13143	6			
24A	3-2-13 to 3-1-14		15%		1.13143	7			
24B	3-2-12 to 3-1-13		15%		1.13143	8			
24C	3-2-11 to 3-1-12		15%		1.13143	9			
24D	3-2-10 to 3-1-11		15%		1.13143	10			
25	TOTAL POOL NUMBER 2	$ 976,160	--	$ 409,987	--	--	--	--	$ 153,078

SUB-TOTAL- POOLS 1 and 2 *(Total lines 17 and 25. Enter to the right and on Page 2)*	$ 153,078

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	1-2-19 to 1-1-20	$	40%	$	1.13143	1		%	$
27	1-2-18 to 1-1-19		60%		1.13143	2			
28	1-2-17 to 1-1-18		55%		1.13143	3			
29	1-2-16 to 1-1-17		45%		1.13143	4			
30	3-2-15 to 1-1-16		37%		1.13143	5			
31	3-2-14 to 3-1-15		30%		1.13143	6			
32	3-2-13 to 3-1-14		25%		1.13143	7			
33	3-2-12 to 3-1-13		20%		1.13143	8			
34	3-2-11 to 3-1-12		16%		1.13143	9			
35	3-2-10 to 3-1-11		12%		1.13143	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	1-2-19 to 1-1-20	$	40%	$	1.13143	1		%	$
39	1-2-18 to 1-1-19		60%		1.13143	2			
40	1-2-17 to 1-1-18		63%		1.13143	3			
41	1-2-16 to 1-1-17		54%		1.13143	4			
42	3-2-15 to 1-1-16		46%		1.13143	5			
43	3-2-14 to 3-1-15		40%		1.13143	6			
44	3-2-13 to 3-1-14		34%		1.13143	7			
45	3-2-12 to 3-1-13		29%		1.13143	8			
46	3-2-11 to 3-1-12		25%		1.13143	9			
47	3-2-10 to 3-1-11		21%		1.13143	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			Deduction Claimed
						Year	Year*	Percent	
S1	1-2-19 to 1-1-20	$	30%		The Minimum Value Ratio Is Not Applicable To Special Tooling	1		%	$
S2	1-2-18 to 1-1-19		3%			2			
S3	1-2-17 to 1-1-18		3%			3			
S4	1-2-16 to 1-1-17		3%			4			
S5	3-2-15 to 1-1-16		3%			5			
S6	3-2-14 to 3-1-15		3%			6			
S7	3-2-13 to 3-1-14		3%			7			
S8	3-2-12 to 3-1-13		3%			8			
S9	3-2-11 to 3-1-12		3%			9			
S10	3-2-10 to 3-1-11		3%			10			
S11	**TOTAL SPECIAL TOOLS**	$	--		--	--	--	--	$

SUB-TOTAL POOLS 1 and 2 (from Page 1)		$ 153,078
SUB-TOTAL POOLS 3 and 4 (from above)		
SUB-TOTAL SPECIAL TOOLING (from above - line S11)		
TOTAL ALL POOLS AND SPECIAL TOOLING		$ 153,078
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.)		$ 153,078

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.

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		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	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: [signature]	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	Date signed *(month, day, year)*
[signature]	(574)258 1616	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, 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, 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

Derek Spier

From: Dave Herschberger <DHerschberger@jamilpkg.com>
Sent: Friday, March 27, 2020 12:23 PM
To: Derek Spier
Subject: RE: Jamil Packaging Corporation - Tax Abatement Compliance Reporting

>>> FROM EXTERNAL SENDER <<<

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Derek,

The primary customer that drive the purchase of the Flexo folder-gluer pulled all the business in the 3rd quarter of 2019 over pricing. When that volume went away we let attrition drive our total headcount down. That said, the loss of that business did allow Jamil to move forward with our next capital project. In 2020 we have purchased another Digital printer for our facility. Based on the timeline constraints of the purchase, we did not seek an abatement. The investment in the printer, additional cutting table, and some internal infrastructure will total $1,500,000 in new investment.

As we navigate the Covid-19 pandemic, Jamil is deemed an essential business and continues to operate and ship. However, many day to day aspects of the business are impacted including hiring and delivery of the cutting table. It would be our hope that once we come out of the other side of the pandemic and complete the installation of the additional printer, that our headcount will go back up. Trying to predict timing of that is difficult at best.

Let me know if you have any other questions.

Thanks,

Dave Herschberger
Controller
Jamil Packaging
574-256-2600

If you can't measure it, you can't improve it. – Drucker

From: Derek Spier <dspier@mishawaka.in.gov>
Sent: Friday, March 27, 2020 9:48 AM
To: Dave Herschberger <DHerschberger@jamilpkg.com>
Subject: RE: Jamil Packaging Corporation - Tax Abatement Compliance Reporting

Good morning Dave-

I'm reviewing the CF-1 tax compliance forms for the two active abatements for Jamil.

The compliance report for the abatement received last year for the purchase of the Flexo folder-gluer indicates that you employed 127 at the end of 2019 which is a decrease of 12 positions and 24 positions less than the 151 positions envisioned when the tax abatement was filed.

Could you please give some background as to the reason for this employment decline and how you are working to employ up to 151 people? Do you currently have a lot of unfulfilled positions for which you are having difficulty finding qualified employees.

On a positive note, I did notice though that even with the employment decline, total payroll increased from $4.8 million to nearly $5.2 million.

Thanks for the input, and let me know if you have any questions.

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

From: Dave Herschberger <DHerschberger@jamilpkg.com>
Sent: Tuesday, March 17, 2020 2:08 PM
To: Derek Spier <dspier@mishawaka.in.gov>
Subject: RE: Jamil Packaging Corporation - Tax Abatement Compliance Reporting

Everything mailed today.

Thanks,
Dave Herschberger
Controller
Jamil Packaging

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: 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. Herschberger	Telephone number: 574-256-2600

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: City of Mishawaka Common Council	Resolution number: R2019-03	Estimated start date *(month, day, year)*: 05/01/2019
Location of property: 1420 Industrial Drive, Mishawaka IN 46544		Actual start date *(month, day, year)*: 06/10/2019
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Gluer and related Strapper		Estimated completion date *(month, day, year)*: 06/01/2019 Actual completion date *(month, day, year)*: 07/10/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	139	127
Salaries	4,893,554	5,194,905
Number of employees retained	139	112
Salaries	4,893,554	3,647,509
Number of additional employees	12	12
Salaries	336,336	317,012

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	9,719,793							
Plus: Values of proposed project	1,546,591							
Less: Values of any property being replaced								
Net values upon completion of project	11,266,384							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	9,487,642	2,680,148						
Plus: Values of proposed project	1,088,960	492,833						
Less: Values of any property being replaced								
Net values upon completion of project	10,576,602	3,172,981						

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)*
[signature]	President	3-17-20

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 (R17 / 11-19)
Prescribed by the Department of Local Government Finance

JANUARY 1, 2020

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. Herschberger	
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 City of Mishawaka Common Council	Resolution number R2019-03	Length of abatement (years) 3
Date designation approved *(month, day, year)* 02/18/2019	Date designation will terminate *(month, day, year)* 02/18/0201	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)
	3,172,981	2,804,400	1.13143

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	1-2-19 to 1-1-20	$	65%	$	1.13143	1		%	$
14	1-2-18 to 1-1-19		50%		1.13143	2			
15	1-2-17 to 1-1-18		35%		1.13143	3			
16A	1-2-16 to 1-1-17		20%		1.13143	4			
16B	3-2-15 to 1-1-16		20%		1.13143	5			
16C	3-2-14 to 3-1-15		20%		1.13143	6			
16D	3-2-13 to 3-1-14		20%		1.13143	7			
16E	3-2-12 to 3-1-13		20%		1.13143	8			
16F	3-2-11 to 3-1-12		20%		1.13143	9			
16G	3-2-10 to 3-1-11		20%		1.13143	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	1-2-19 to 1-1-20	$ 1,088,960	40%	$ 435,584	1.13143	1		100 %	$ 492,833
19	1-2-18 to 1-1-19		56%		1.13143	2		66	
20	1-2-17 to 1-1-18		42%		1.13143	3		33	
21	1-2-16 to 1-1-17		32%		1.13143	4			
22	3-2-15 to 1-1-16		24%		1.13143	5			
23	3-2-14 to 3-1-15		18%		1.13143	6			
24A	3-2-13 to 3-1-14		15%		1.13143	7			
24B	3-2-12 to 3-1-13		15%		1.13143	8			
24C	3-2-11 to 3-1-12		15%		1.13143	9			
24D	3-2-10 to 3-1-11		15%		1.13143	10			
25	TOTAL POOL NUMBER 2	$ 1,088,960	--	$ 435,584	--	--	--	--	$ 492,833

SUB-TOTAL- POOLS 1 and 2 *(Total lines 17 and 25. Enter to the right and on Page 2)*	$ 492,833

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	1-2-19 to 1-1-20	$	40%	$	1.13143	1		%	$
27	1-2-18 to 1-1-19		60%		1.13143	2			
28	1-2-17 to 1-1-18		55%		1.13143	3			
29	1-2-16 to 1-1-17		45%		1.13143	4			
30	3-2-15 to 1-1-16		37%		1.13143	5			
31	3-2-14 to 3-1-15		30%		1.13143	6			
32	3-2-13 to 3-1-14		25%		1.13143	7			
33	3-2-12 to 3-1-13		20%		1.13143	8			
34	3-2-11 to 3-1-12		16%		1.13143	9			
35	3-2-10 to 3-1-11		12%		1.13143	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	1-2-19 to 1-1-20	$	40%	$	1.13143	1		%	$
39	1-2-18 to 1-1-19		60%		1.13143	2			
40	1-2-17 to 1-1-18		63%		1.13143	3			
41	1-2-16 to 1-1-17		54%		1.13143	4			
42	3-2-15 to 1-1-16		46%		1.13143	5			
43	3-2-14 to 3-1-15		40%		1.13143	6			
44	3-2-13 to 3-1-14		34%		1.13143	7			
45	3-2-12 to 3-1-13		29%		1.13143	8			
46	3-2-11 to 3-1-12		25%		1.13143	9			
47	3-2-10 to 3-1-11		21%		1.13143	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			Deduction Claimed
						Year	Year*	Percent	
S1	1-2-19 to 1-1-20	$	30%		The Minimum Value Ratio Is Not Applicable To Special Tooling	1		%	$
S2	1-2-18 to 1-1-19		3%			2			
S3	1-2-17 to 1-1-18		3%			3			
S4	1-2-16 to 1-1-17		3%			4			
S5	3-2-15 to 1-1-16		3%			5			
S6	3-2-14 to 3-1-15		3%			6			
S7	3-2-13 to 3-1-14		3%			7			
S8	3-2-12 to 3-1-13		3%			8			
S9	3-2-11 to 3-1-12		3%			9			
S10	3-2-10 to 3-1-11		3%			10			
S11	TOTAL SPECIAL TOOLS	$	--		--	--	--	--	$

SUB-TOTAL POOLS 1 and 2 (from Page 1)		$ 492,833
SUB-TOTAL POOLS 3 and 4 (from above)		
SUB-TOTAL SPECIAL TOOLING (from above - line S11)		
TOTAL ALL POOLS AND SPECIAL TOOLING		$ 492,833
LIMIT ON AMOUNT OF ABATEMENT STATED IN RESOLUTION	Cost $ 1,546,591	AV $ 1,546,591
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.)		$ 492,833

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.

EQUIPMENT LIST FOR NEW ADDITIONS TO ERA DEDUCTION PERSONAL PROPERTY IN ECONOMIC REVITALIZATION AREA

State Form 52515 (R2 / 11-15)
Prescribed by the Department of Local Government Finance

JANUARY 1, 2020

FORM 103-EL

PRIVACY NOTICE
The records in this series are confidential according to IC 6-1.1-35-9.

INSTRUCTIONS:

1. *This schedule must be filed when any new manufacturing, research and development, logistical distribution and/or information technology equipment that is claimed on the schedule of deduction from assessed valuation (Form 103-ERA) has been installed after the prior year assessment date.*
2. *A separate list must be completed for EACH APPROVED abatement (Form SB-1 / PP). The equipment list is attached to the corresponding Form 103-ERA and made part of the Business Personal Property Return (103 Long) filed with Assessor not later than May 15 of each year unless an extension of up to thirty (30) days is granted in writing.*
3. *A taxpayer's internal list maybe attached to this form. Any data omitted from that taxpayer format must be added here, using the Reference Number Column to cross reference to the taxpayer formatted list.*
4. *The purpose column is to describe the item in sufficient detail to assist the Assessing Official to determine that the item is eligible for abatement as equipment as defined in IC 6-1.1-12.1-1. An entry may be left blank if the item name is self-describing.*

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 Drive Mishawaka IN 46544	Telephone number: 574-256-2600
County: St. Joseph	Township: Penn
DLGF taxing district number: 71-022	

SECTION 2 — ECONOMIC REVITALIZATION AREA INFORMATION

Name of body designating the Economic Revitalization Area	Resolution number	Length of abatement (*years*)
City of Mishawaka Common Council	R2019-03	3

SECTION 3 — ABATED EQUIPMENT LIST

REFERENCE NUMBER [3]	INSTALLATION DATE	ITEM	PURPOSE [4]	COST PER 50 IAC 4.2	POOL LINE NUMBER	ASSESSOR USE ONLY
296	6/10/2019	300 Gluer	Glue boxes	$998,887.20	18	
295	7/10/2019	Strapper for gluer	Bundle boxes	$90,073.45	18	

☐ Check if additional Form 103-EL are attached for this abatement (103-ERA). This is Equipment List 1 of 1.

☐ Check if taxpayer's internal list is attached.

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., Mishwaka, 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.)*		ESTIMATED START DATE	ESTIMATED COMPLETION DATE
	Manufacturing Equipment	05/01/2019	06/01/2019
	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
139	4893554	139	4893554	12	336,336

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	9,719,793							
Plus estimated values of proposed project	1,546,591							
Less values of any property being replaced	0							
Net estimated values upon completion of project	11,266,384							

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)*: 1/24/2019
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 2 calendar years * *(see below)*. The date this designation expires is 2-18-2021. *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 $ 1,546,591 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 $ 1,546,591 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 $ 1,546,591 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 $ 1,546,591 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)* $1,546,591 is the total project cost

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. see council resolution R2019-05

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	2-18-2019
Printed name of authorized member of designating body	Name of designating body	
Dale "Woody" Emmons	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.

RESOLUTION NO. 2019-03

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 4th day of February, 2019.

Dale "Woody" Emmons

Dale 'Woody' Emmons, 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 5th day of February, 2019.

Deborah S. Block

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 5 day of February, 2019, at 11:49 o'clock A.M.

David A. Wood, Mayor

Exhibit A
Legal Description

A part of the West Half (1/2) of the Northeast Quarter (1/4) of Section Twenty-two (22), Township Thirty seven (37) North, Range Three (3) East, Penn Township, City of Mishawaka, St. Joseph County, Indiana more particularly described as follows:

Beginning at a set pk nail at the East Right-of-Way line of Penz Industrial Drive and the Northwest corner of Parcel III. As Parcel III is recorded in the records of the St. Joseph County, Indiana Recorder's Office as Document Number 9341109, which is South 00°01'18" West (South 00°01'35" East Record) a distance of 834.44 feet and North 90°00'00" East (North 89°57'07" East Record) a distance of 670.45 feet from a found 1" rod at the northwest corner of the Northeast Quarter of said Section Twenty Two (22); thence South 89°51'49" East (South 89°53'09" East Record) Along the north line of saidParcel III a distance of 786.46 feet to a set five eighths (5/8) inch rebar with cap at the Northeast corner of Parcel V as Parcel V is recorded in the records of the St. Joseph County, Indiana Recorder's Offices as Document Number 9341109; thence South 00'01'01" West (South 00°00'09" East Record) Along the East line of said Parcel V a distance of 487.26 feet (487.37 feet Record) to a set five-eighths (5/8) rebar with cap at the Southeast corner of Parcel V and South Line of the North Half (1/2) of the Northeast Quarter (1/4) of said section Twenty-Two (22) thence North 89°52'39" West (North 89°55'32" West Record) along the South line of said Parcel V and the South line of the North Half (1/2 of the Northeast Quarter (1/4) of said Section Twenty-Two (22) a distance of 1126.50 Feet to a set five-eighths (5/8) inch rebar with cap at the Southwest Corner of Parcel II as Parcel II is recorded in the records of the St. Joseph County, Indiana Recorder's Office as Document Number 9341109; thence North 00°01'18" East(North 00°01'35" West Record) along the West line of said Parcel II a distance of 331.10 feet to a set five-eighths (5/8) inch rebar with cap at the Northwest corner of said Parcel II; thence North 90°00'00" East (North 89°57'07" East Record) along the North line of said Parcel II a distance of 300.00 feet to a set pk nail at the West right-of-way line of Penz Industrial Drive; thence South 00°01'18" West (South 00°01'35" East Record) along said Right-of-way line and the East line of said Parcel II a distance of 3.69 Feet to a set pk nail at a point on a curve having a radius of 71.00 Feet; thence bearing left along said curve and rightof-way line an arc distance of 77.91 feet (chord bearing and distance = South 31°27'28" West 74.06 Feet) to a set five-eighths (5/8) inch rebar with cap at a point on a curve having a radius of 54.00 feet; thence bearing right along said curve and rightof-way line an arc distance of 144.08 feet (chord bearing and distance= South 13°32'36" East, 104.99 Feet) to a set five-eighths inch rebar with cap at a point on a curve having a radius of 14.00 feet; Thence bearing left along said curve and rightof-way line an arc distance of 21.99 feet (chord bearing and distance= South 04°58'45" East 19.80 Feet) to a set pk nail; thence South 89°52'39" East a distance of 40.00 feet to a set five-eighths inch rebar with cap at the East Rightof-way line of Penz Industrial Drive; thence North 00°01'18" East (North00°01'35" West Record) a distance of 338.65 feet to the point of beginning, containing 11.07 acres, more or less, subject to public highway sand any easements of record, if any.

RESOLUTION NO. 2019-05

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. (on file in the Clerk's Office)

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 two (2) 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:	100.00%
Year 2	66.67%
Year 3	33.33%

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 and the President of the Mishawaka Common Council is hereby authorized to execute said "Statement" on behalf of the Common Council; and

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 18th day of February, 2019.

Dale "Woody" Emmons

Dale "Woody" Emmons, 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 18th day of February, 2019.

Deborah S. Block

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 18 day of February, 2019, at 8:09 o'clock P.M.

David A. Wood, Mayor

1st Reading 3-16-20
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC

MAR 12 2020

CITY CLERK
MISHAWAKA, IN

PETITION 20-04

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2020-08

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:

PARCEL I (4019 Lincolnway East):
A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 1035 FEET 6 1/2 INCHES EAST OF A POINT IN THE CENTER OF THE OLD FORT WAYNE ROAD, NOW LINCOLN HIGHWAY EAST, WHERE THE SAME IS CROSSED BY THE WEST LINE OF SAID SECTION 18; THENCE RUNNING EAST 66 FEET 5 INCHES; THENCE SOUTH 656 FEET TO THE NORTH LINE OF THE CHICAGO, SOUTH BEND, AND NORTH INDIANA RAILWAY COMPANY'S LAND; THENCE WESTERLY, ALONG THE NORTH LINE OF SAID RAILWAY COMPANY'S LAND TO A POINT DIRECTLY SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH TO THE PLACE OF BEGINNING AND BEING KNOWN AS ACRE NUMBER 17 OF DANIEL WARD'S PROPOSED PLAT; EXCEPTING THAT PART OF SAID TRACT TAKEN FOR THE WIDENING OF LINCOLN HIGHWAY EAST; ALSO EXCEPTING THAT PART TAKEN FOR THE OPENING OF NORTON COURT; ALSO EXCEPTING THEREFROM THE FOLLOWING. DESCRIBED PARCEL OF LAND; BEGINNING AT A POINT 510 FEET SOUTH AND 1035 FEET 6 1/2 INCHES EAST; AS MEASURED ALONG THE CENTER LINE OF THE OLD FORT WAYNE ROAD, NOW LINCOLN HIGHWAY EAST, OF THE POINT OF INTERSECTION OF THE CENTER LINE OF SAID LINCOLN HIGHWAY EAST AND THE WEST LINE OF SAID SECTION 18, WHICH BEGINNING POINT IS THE NORTHWEST CORNER OF THAT PART OF ACRE NUMBER 17 OF DANIEL WARD'S PROPOSED PLAT LYING SOUTH OF NORTON COURT; AS NOW ESTABLISHED; RUNNING THENCE SOUTH 148.2 FEET TO THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, SOUTH BEND AND NORTHERN INDIANA RAILWAY COMPANY, NOW THE PROPERTY OF THE INDIANA & MICHIGAN ELECTRIC COMPANY, THENCE EASTERLY, ALONG SAID NORTHERLY LINE, 66.85 FEET; THENCE

NORTH 146.I FEET TO THE SOUTH LINE OF SAID NORTON COURT; THENCE WEST, ALONG THE SOUTH LINE OF SAID NORTON COURT, 66.85 FEET TO THE PLACE OF BEGINNING.

PARCEL II (4021 Lincolnway East):
A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 4 EAST, DESCRIBED AS BEGINNING AT A POINT 1101 FEET AND 11 1/2 INCHES EAST OF A POINT ON THE SOUTH LINE OF LINCOLN HIGHWAY (FORMERLY THE OLD FORT WAYNE ROAD) AS EXISTED ON DECEMBER 18, 1944, WHERE THE SAME IS CROSSED BY THE WEST LINE OF SAID SECTION 18; THENCE EAST AND ALONG THE SOUTH LINE OF SAID LINCOLN HIGHWAY 66 FEET 7 INCHES; THENCE SOUTH 430 FEET, MORE OR LESS, TO THE NORTH LINE OF NORTON COURT; THENCE WEST AND ALONG THE SAID NORTH LINE OF NORTON COURT 66.95 FEET; THENCE NORTH 430 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, AND BEING KNOWN AS LOT NUMBERED 18 IN DANIEL WARD'S PROPOSED PLAT IN THE CITY OF MISHAWAKA.

COMMON ADDRESSES: 4019 and 4021 Lincolnway East

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 C-1 General Commercial 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. Many of the properties in the immediate vicinity are commercial in use and would be compatible to the area;

2. The use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because given the context of its location, its relationship to surrounding properties, staff feels that the most desirable use for this property is its historical commercial use;

3. Because the parcel is located in an area with commercial uses, the rezoning to C-1 General Commercial District is a desirable use for this property;

4. Rezoning to C-1 General Commercial will have a favorable and stabilizing impact on the neighborhood as the current owner (Lincolnway Veterinary Clinic) is proposing improvements to the property and will continue to upkeep and maintain the property; and,

5. The City's Comprehensive Plan identifies the area as General Commercial and this parcel's historical use as commercial is consistent with the Plan.

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

Proposed Ordinance No: 2020-08

Ordinance No: ______________________________

PASSED by the Common Council of the City of Mishawaka, Indiana, this __________day of ______________________, 2020, at ________ o'clock ___.M.

____
Presiding Officer

ATTEST:

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

PRESENTED by me to the Mayor this ________ day of ____________________, 2020, at _________ o'clock ____.M.

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

APPROVED by me this ________ day of ___________________, 2020, at _________o'clock ____.M.

____
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

FEB 26 2020

CITY CLERK
MISHAWAKA, IN

PET 20-04

RECEIVED
FEB 18 2020
ECONOMIC
COMMUNITY DEVELOPMENT
PLANNING

February 18, 2020

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

RE: **Petition to Rezone**
4019 Lincolnway East and 4021 Lincolnway East

The undersigned, as attorney for the property owner, respectfully shows that A and J Properties, LLC, an Indiana limited liability company, is the owner of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

See attached **Exhibit A.**

Petitioner owns one hundred (100%) percent of the above-described parcels of land, which carry a zoning classification of R-1 Single Family District for the approximately 134 feet of lot length running northerly from Norton Court. The above-described parcels also carry a zoning classification of C-1 General Commercial District for the approximately 296 feet of remaining lot length that fronts on Lincolnway East. Said property is the site of the Lincolnway Veterinary Clinic, LLC. The clinic building is located on the Lincolnway East frontage of the above-described parcels, with its parking area extending across an adjacent parcel also owned by A and J Properties, LLC.

Petitioner desires the portion of said real estate that is zoned R-1 Single Family District to be rezoned to C-1 Commercial District. Petitioner further states that the veterinary clinic intends to utilize said land to create an additional parking area behind the clinic building and relocate the existing retention pond. A conceptual site plan showing the existing and proposed parking is attached to this petition as **Exhibit B.**

Wherefore, the petitioner prays and respectfully requests that the Common Council of the City of Mishawka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcels of land located in the City of Mishawaka.

Wendy K. Walker

Wendy K. Walker, Attorney for Property Owner

Contact Person:
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EXHIBIT A
Legal Description

PARCEL I:

A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS:

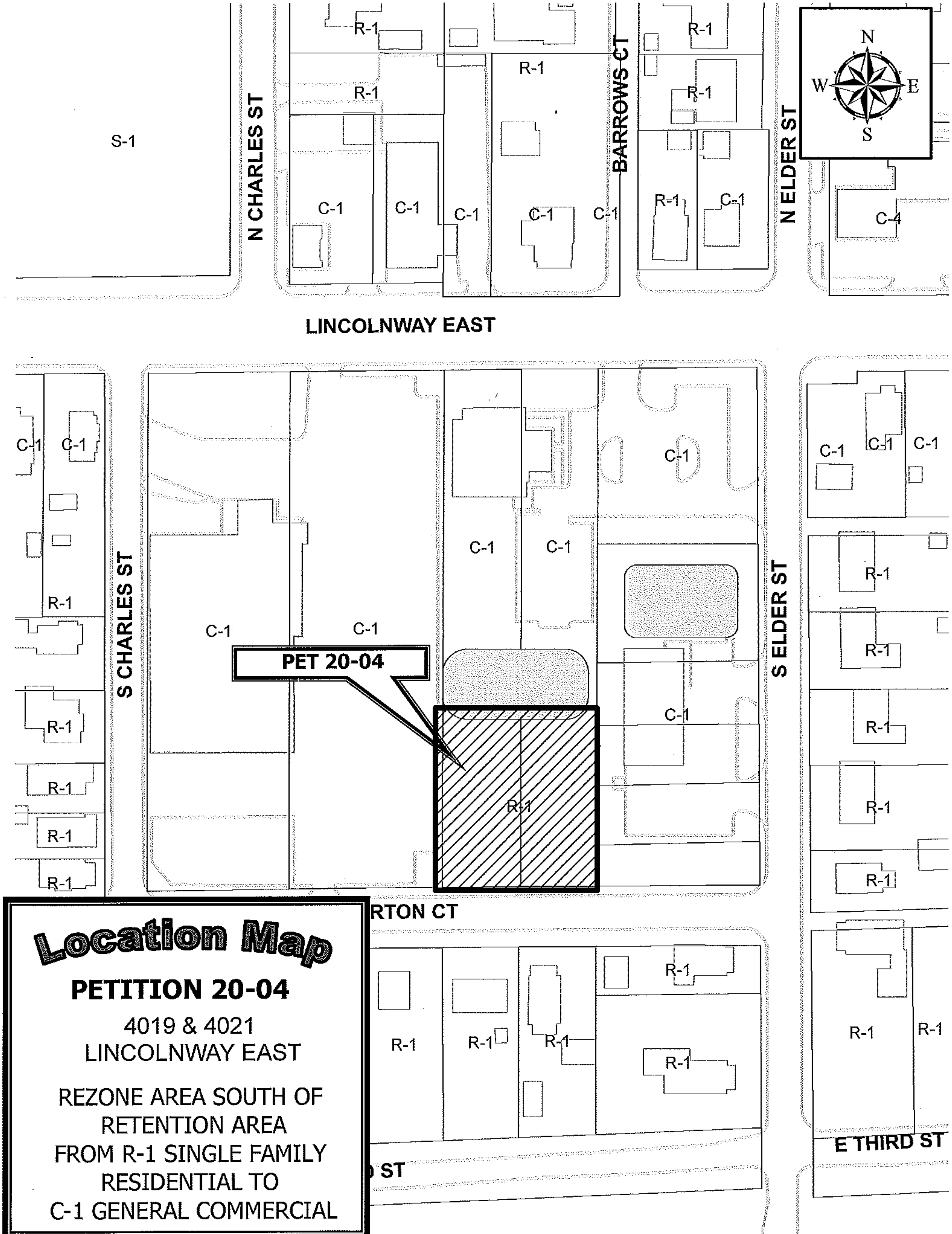
COMMENCING AT A POINT 1035 FEET 6 1/2 INCHES EAST OF A POINT IN THE CENTER OF THE OLD FORT WAYNE ROAD, NOW LINCOLN HIGHWAY EAST, WHERE THE SAME IS CROSSED BY THE WEST LINE OF SAID SECTION 18; THENCE RUNNING EAST 66 FEET 5 INCHES; THENCE SOUTH 656 FEET TO THE NORTH LINE OF THE CHICAGO, SOUTH BEND, AND NORTH INDIANA RAILWAY COMPANY'S LAND; THENCE WESTERLY, ALONG THE NORTH LINE OF SAID RAILWAY COMPANY'S LAND TO A POINT DIRECTLY SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH TO THE PLACE OF BEGINNING AND BEING KNOWN AS ACRE NUMBER 17 OF DANIEL WARD'S PROPOSED PLAT; EXCEPTING THAT PART OF SAID TRACT TAKEN FOR THE WIDENING OF LINCOLN HIGHWAY EAST; ALSO EXCEPTING THAT PART TAKEN FOR THE OPENING OF NORTON COURT; ALSO EXCEPTING THEREFROM THE FOLLOWING. DESCRIBED PARCEL OF LAND; BEGINNING AT A POINT 510 FEET SOUTH AND 1035 FEET 6 1/2 INCHES EAST; AS MEASURED ALONG THE CENTER LINE OF THE OLD FORT WAYNE ROAD, NOW LINCOLN HIGHWAY EAST, OF THE POINT OF INTERSECTION OF THE CENTER LINE OF SAID LINCOLN HIGHWAY EAST AND THE WEST LINE OF SAID SECTION 18, WHICH BEGINNING POINT IS THE NORTHWEST CORNER OF THAT PART OF ACRE NUMBER 17 OF DANIEL WARD'S PROPOSED PLAT LYING SOUTH OF NORTON COURT; AS NOW ESTABLISHED; RUNNING THENCE SOUTH 148.2 FEET TO THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, SOUTH BEND AND NORTHERN INDIANA RAILWAY COMPANY, NOW THE PROPERTY OF THE INDIANA & MICHIGAN ELECTRIC COMPANY, THENCE EASTERLY, ALONG SAID NORTHERLY LINE, 66.85 FEET; THENCE NORTH 146.1 FEET TO THE SOUTH LINE OF SAID NORTON COURT; THENCE WEST, ALONG THE SOUTH LINE OF SAID NORTON COURT, 66.85 FEET TO THE PLACE OF BEGINNING.

Parcel ID: 016-1104-4058 / Parcel State ID: 71-10-18-152-003.000-023
Address: 4019 Lincolnway East

PARCEL II:

A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 4 EAST, DESCRIBED AS BEGINNING AT A POINT 1101 FEET AND 11 1/2 INCHES EAST OF A POINT ON THE SOUTH LINE OF LINCOLN HIGHWAY (FORMERLY THE OLD FORT WAYNE ROAD) AS EXISTED ON DECEMBER 18, 1944, WHERE THE SAME IS CROSSED BY THE WEST LINE OF SAID SECTION 18; THENCE EAST AND ALONG THE SOUTH LINE OF SAID LINCOLN HIGHWAY 66 FEET 7 INCHES; THENCE SOUTH 430 FEET, MORE OR LESS, TO THE NORTH LINE OF NORTON COURT; THENCE WEST AND ALONG THE SAID NORTH LINE OF NORTON COURT 66.95 FEET; THENCE NORTH 430 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, AND BEING KNOWN AS LOT NUMBERED 18 IN DANIEL WARD'S PROPOSED PLAT IN THE CITY OF MISHAWAKA.

Parcel ID: 016-1104-4059 / State ID: 71-10-18-152-004.000-023
Address: 4021 Lincolnway East


Location Map
PETITION 20-04
4019 & 4021
LINCOLNWAY EAST
REZONE AREA SOUTH OF
RETENTION AREA
FROM R-1 SINGLE FAMILY
RESIDENTIAL TO
C-1 GENERAL COMMERCIAL
PET 20-04
N
W
E
S
S-1
N CHARLES ST
BARROWS CT
N ELDER ST
LINCOLNWAY EAST
S CHARLES ST
S ELDER ST
RTON CT
E THIRD ST
D ST
R-1
C-1
C-4