

WHITELAND TOWN COUNCIL

RESOLUTION NO. 2021-15

A RESOLUTION CONFIRMING RESOLUTION 2021-13 DECLARING A CERTAIN AREA WITHIN THE TOWN OF WHITELAND AN ECONOMIC REVITALIZATION AREA, AND QUALIFYING CERTAIN REAL PROPERTY IMPROVEMENTS FOR TAX ABATEMENT

(Mohr Logistics Park Phase II)

WHEREAS, the Town of Whiteland, Indiana, recognizes the need to stimulate growth and maintain a sound economy within its corporate limits;

WHEREAS, the Whiteland Town Council (“Council”) further recognizes that it is in the best interest of the Town of Whiteland to provide incentives to stimulate investment within the community;

WHEREAS, Ind. Code § 6-1.1-12.1-1 *et. seq.* provides for a program of real property and personal property tax abatement within “economic revitalization areas” (“ERAs”) and provides for the adoption of such a program;

WHEREAS, Ind. Code § 6-1.1-12.1 empowers the Council to designate economic revitalizations areas by following a procedure involving adoption of a preliminary declaratory resolution (Whiteland Town Council Resolution No. 2021-13, hereafter “Resolution No. 2021-13”), providing public notice, conducting a public hearing and adopting a final resolution confirming the declaratory resolution or a modified version of the declaratory resolution or rescinding the declaratory resolution;

WHEREAS, on June 2, 2021, MLP Land 2, LLC (“MLP” or “Applicant”) filed its Statements of Benefits Real Property for two buildings within its Mohr Logistics Park development project (the “Project”) as required by the Council (the “Statements of Benefits”), which was included as part of the Application for Property Tax Abatement included as Exhibit B of Resolution No. 2021-13 (the “Application”);

WHEREAS, on June 8, 2021, the Council adopted a declaratory resolution, Resolution No. 2021-13, designating the area more particularly described and depicted on Exhibit A attached hereto and incorporated herein (the “Real Estate”) as an economic revitalization area and approving certain real property improvements for property tax abatement;

WHEREAS, proper legal notice was published indicating the adoption of Declaratory Resolution No. 2021-13, and stating when and where the public hearing would be held for the purpose of receiving any remonstrance or objections from any person in or affected by the Real Estate or its designation as an economic revitalization area; and

WHEREAS, the Council has held a public hearing as to whether the Real Estate should be

designated as an economic revitalization area, and at such public hearing, any and all additional evidence and testimony along with any and all remonstrances and objections presented were considered.

NOW, THEREFORE, BE IT RESOLVED BY THE WHITELAND TOWN COUNCIL THAT:

Section 1. The Whiteland Town Council hereby takes “final action” as that phrase is contemplated in Ind. Code § 6-1.1-12.1 *et seq.* with regard to the request for real property improvements tax abatement of Mohr, the designation of the Real Estate as an economic revitalization area, and the confirmation of the adoption of Whiteland Town Council Resolution No. 2021-13.

Section 2. The Whiteland Town Council hereby confirms certain findings made within Resolution No. 2021-13 and makes such additional findings and determinations as follows:

1. That the Real Estate is located within the jurisdiction of the Whiteland Town Council for purposes set forth in Ind. Code § 6-1.1-12.1-2;
2. That this Council has determined, based on the information provided by the applicant and other evidence before the Council, that the site has become undesirable for or impossible of normal development and occupancy inasmuch as normal development and growth has not occurred in the area during the past ten (10) years without additional financial incentives;
3. That the improvement of the Real Estate described herein would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of the Town of Whiteland;
4. That the designation of the Property as an “Economic Revitalization Area” and providing property tax abatements will assist in the inducement of projects that will provide employment opportunities to residents of the Town of Whiteland and Johnson County;
5. That the Statements of Benefits Real Property Improvements forms included within the Application, are in acceptable form;
6. The estimate of the value of the redevelopment is reasonable for projects of this nature and type;
7. 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;
8. The estimate of the annual salaries of the individuals who will be employed or whose employment will be retained can be reasonably expected to result from

the proposed described redevelopment;

9. The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the installation of the real property improvements, creates benefits of the type and quality anticipated by the Whiteland Town Council within the ERA and can reasonably be expected to result from the proposed described redevelopment; and
10. The totality of benefits is sufficient to justify the deductions.

Section 3. The area legally described and depicted on the attached Exhibit A is designated an Economic Revitalization Area in the Town of Whiteland.

Section 4. The deductions allowed within the said ERA shall be as allowed under Ind. Code § 6-1.1-12.1-3 with respect to the real property improvements developed in substantial compliance with the descriptions, projections, and plans set forth in the Application.

Section 5. The Council hereby confirms Resolution No. 2021-13 adopted June 8, 2021 and hereby finally approves the Application for Property Tax Abatement included as Exhibit B of Resolution No. 2021-13.

Section 6. The President of the Council is hereby authorized to complete and execute Mohr's Statements of Benefits forms consistent with this Resolution.

Section 7. Two (2) copies of Exhibit A, which legally describes and depicts the subject real estate, is on file in the office of the Clerk-Treasurer of Whiteland, Indiana, and the Council directs the Clerk-Treasurer to maintain for public inspection two (2) copies of said Exhibit A in the files of the Clerk-Treasurer.

Section 8. A certified copy of this Resolution shall be sent to the Johnson County Auditor.

Section 9. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 10. This Resolution shall be effective immediately upon its passage, subject to the appeal proceedings through court action contemplated by Ind. Code § 6-1.1-12.1-2.5.

ADOPTED by the Town Council of the Town of Whiteland, Indiana, on the 21 day of July, 2021.

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL



Joseph Sayler, President

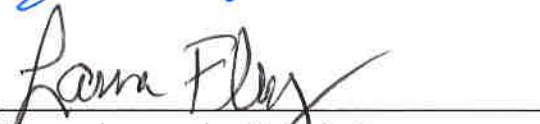
Voting In Favor

Voting Opposed



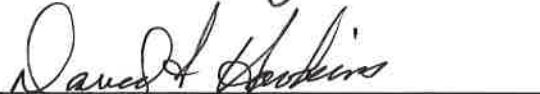
Joseph Sayler, President

Joseph Sayler, President



Laura Fleury, Vice President

Laura Fleury, Vice President




David Hawkins

David Hawkins



Brad Goedeker

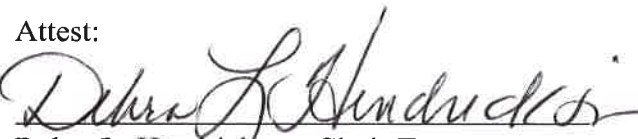
Brad Goedeker



Richard Hill

Richard Hill

Attest:



Debra L. Hendrickson, Clerk-Treasurer

Exhibit A

Legal Description of Mohr Logistics Park Phase II Economic Revitalization Area

A part of the north half of the northwest quarter of section 23; and a part of the northeast quarter of the northeast quarter of section 22, all in township 13 north of range 4 east of the second principal meridian in Johnson County, Indiana, bounded and described as follows: to wit: Beginning at the northwest corner of the northwest corner of section 23, running thence east on the north line thereof 2012.34 feet to the northeast corner of the west half of the northeast quarter of the northwest quarter of said section; thence south on the east line of said half quarter quarter section, 1360.92 feet; to the southeast corner thereof; thence west on the south line of the north half of the northwest quarter of section 23, and the South line of the northeast quarter of the northeast quarter of section 22, 2661.12 feet to appoint 657.36 feet; west of the east line of section 22; thence north and parallel with the said east line 1351.02 feet to the north line, of the northeast quarter of section 22; thence east on said north line, 657.36 feet; to the place of beginning.

ALSO, a part of the south half of the northeast quarter of section 22, and a part of the south half of the northwest quarter of section 23, all in township 13 north, range 4 east; Beginning at the southeast corner of the west half of the southeast quarter of the northwest quarter of section 23; thence north on the east line thereof; 1361.25 feet; thence west and parallel with the south line of the said northwest quarter and the south line of the northeast quarter of section 22, 2661.45 feet; to the west line of the east half of said northeast quarter section, thence south on said line 1351.02 feet; to the south line of said northeast quarter; thence east on said line and the south line of the northwest quarter of section 23, 2653.20 feet; to the place of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

A part of the Northeast quarter of section 22, township 13 north, range 4 east, of the second principal meridian, Pleasant Township, Johnson County, Indiana, more particularly described as follows:

Beginning at a point on the north line of said quarter section south 87 degrees 50 minutes 21 seconds West at a distance of 104.47 feet from the Northeast corner thereof; thence continuing south 87 degrees 50 minutes 21 seconds West on and along the north line of said quarter section a distance of 555.01 feet; thence south 00 degrees 26 minutes 35 seconds West a distance of 699.57 feet; thence north 89 degrees 49 minutes 43 seconds east a distance of 580.38 feet; thence north 01 degrees 37 minutes 18 seconds West a distance of 719.03 feet to the point of beginning containing 9.241 acres, more or less.

Depiction of Mohr Logistics Park Phase II Economic Revitalization Area

