

**RESOLUTION NO. 2022-04-CL**

**TIPPECANOE COUNTY COUNCIL  
FOR THE DESIGNATION  
OF AN ECONOMIC REVITALIZATION AREA**

**APPLICATION OF  
AMERICAN FIBERTECH CORPORATION  
DECLARATORY RESOLUTION**

**WHEREAS**, the Tippecanoe County Council has been advised by American Fibertech Corporation (Applicant) of a proposed revitalization program, including certain real property redevelopment and rehabilitation and the installation of new manufacturing equipment, on land currently owned by the Applicant commonly known as 11349 US Highway 52 S Clarks Hill, IN 47930 within Lauramie Township, Tippecanoe County, Indiana, the abbreviated legal description of which is 15.65 Acres -NE SEC 24 TWP 21 R3, and 12.625 Acres -PT NE SEC 24 TWP 21 R3, further identified as Real Estate Key Number(s) 79-16-24-200-006.000-007 and 79-16-24-200-003.000-007, and it has been requested by Applicant, to designate the area consisting of approximately 28.275 acres more fully described on Exhibit A, attached hereto and incorporated herein by reference as an economic revitalization area under and pursuant to Indiana Code 6-1.1-12.1; and

**WHEREAS**, the Tippecanoe County Council hereby finds based on the information provided by the applicant that the area described in Exhibit A is an area that has become undesirable for or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvement or character of occupancy, age, obsolescence, substandard buildings and other factors which have impaired values or prevented a normal development of property or use of property and that the designation of the area as an economic revitalization area would enhance the opportunity for the creation of new jobs and the protection of the current employment; and

**WHEREAS**, Applicant anticipates increases in the assessed value of such real property from the proposed redevelopment or rehabilitation of real property and anticipates the installation of new manufacturing equipment as such terms are defined in Indiana Code §6-1.1-12.1-1, and has submitted an application and other documents, including a statement of benefits, to the Tippecanoe County Council as incorporated herein by reference; and

**WHEREAS**, pursuant to Resolution 2019-16-CL, adopted by the Tippecanoe County Council on July 9, 2019, as a condition of receiving a tax abatement on personal property, the Council requires a taxpayer to enter into a memorandum of understanding concerning repayment of tax savings in the event the property is removed from the County and the Council determines that the recipient of the tax savings is not in substantial compliance with the commitments made in conjunction with the application for a tax abatement; and

**WHEREAS**, the Tippecanoe County Council has reviewed the statement of benefits and other information brought to its attention, and hereby determines that it is in the best interest of

Tippecanoe County, Indiana, to designate the area described in Exhibit A as an economic revitalization area and that the deductions under Indiana Code §6-1.1-12.1-3 should be allowed based on the following findings:

- (1) The estimate of the value of the redevelopment or rehabilitation and the cost of the new manufacturing equipment is reasonable for projects of that nature and equipment of that type.
- (2) 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 and rehabilitation and installation of new manufacturing equipment.
- (3) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation and installation of new manufacturing equipment.
- (4) The other benefits with respect to which applicant has provided information, including 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 acquisition and construction of improvements, are benefits of the type and quality anticipated by the County Council within the economic revitalization area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation and installation of new manufacturing equipment.
- (5) The totality of benefits is sufficient to justify the deductions.

**WHEREAS, the Tippecanoe Council hereby finds** that the purposes of Indiana Code chapter 6-1.1-12.1 are served by allowing the owner of said real estate the deductions provided by Indiana Code §6-1.1-12.1-3 with respect to improvements to **real estate for a period of ten (10) years** and the deductions provided by Indiana Code §6-1.1-12.1-4.5 with respect to **new manufacturing equipment for a period of seven (7) years**;

**NOW, THEREFORE, BE IT RESOLVED** by the Tippecanoe County Council, Tippecanoe County, Indiana, that:

1. The area described on Exhibit A attached hereto and made a part hereof is **designated as an economic revitalization area** within the meaning of Indiana Code chapter 6-1.1-12.1 from the date of adoption of this Declaratory Resolution **through and including December 31, 2031.**

2. The Applicant, as owner of property within the above-designated economic revitalization area shall be entitled to the **deductions** provided by Indiana Code §6-1.1-12.1-3 for a period of **ten (10) years with respect to real property** which is redeveloped or rehabilitated as

contemplated by and reflected in the Statement of Benefits heretofor filed with Tippecanoe County in accordance with the following schedule:

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

3. The Applicant, as owner of new manufacturing equipment located within the above-designated economic revitalization area shall be entitled to the **deduction** as provided by Indiana Code §6-1.1- 12.1-4.5 for a period of **seven (7) years for new manufacturing equipment** which is installed as contemplated by and reflected in the Statement of Benefits heretofor filed with Tippecanoe County in accordance with the following schedule

YEAR 1	100%
YEAR 2	85.7%
YEAR 3	71.4%
YEAR 4	57.1%
YEAR 5	42.8%
YEAR 6	28.5%
YEAR 7	14.2%

PROVIDED, however, that the deductions approved herein are contingent on the Applicant entering into a Memorandum of Understanding, as described in more detail in Resolution 2019-16-CL, providing for the repayment to the County of all or a portion of the tax savings realized through the deductions described herein in the event that the subject property is removed from the County and the Council determines that the deduction should be terminated because the recipient is not in substantial compliance with the recipient's stated commitments.

4. Notice of the adoption and substance of this resolution and all other disclosure required by Indiana Code §6-1.1-12.1-2.5 shall be duly published in accordance with Indiana Code chapter 5-3-1, which notice shall state a date for a public hearing on this resolution and that on that date, after hearing objections and remonstrances and considering evidence thereon, this Council will take final action determining whether the qualifications for an economic revitalization area have been met and confirming, modifying and confirming, or rescinding this resolution. Notice shall also be provided to each taxing unit that has authority to levy property taxes in the geographic area where the economic revitalization area is located as required under IC 6-1.1-12.1-2.5(c)(2).

5. If any part, clause, or portion of this resolution shall be adjudged invalid, such invalidity shall not affect the validity of this resolution as a whole or any part, clause, or portion of the resolution.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 11th day of January, 2022.

TIPPECANOE COUNTY COUNCIL

Absent  
Kevin Underwood

Absent  
John R. Basham, III

Absent  
Lisa Dullum

Jody Hamilton  
Jody Hamilton

Ben Murray  
Ben Murray

Barry Richard  
Barry Richard

Kathy Verron  
Kathy Verron

ATTEST:

Robert Plantenga  
Robert Plantenga, Tippecanoe County Auditor