

RESOLUTION NO. 2022-14-CL

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

**APPLICATION OF
TRICLINIC LABS, INC.**

CONFIRMATORY RESOLUTION

WHEREAS, the Tippecanoe County Council has been requested by Triclinic Labs, Inc. (Applicant), to find, pursuant to Indiana Code §6-1.1-12.1, that the following described real estate is an Economic Revitalization Area:

Attached as Exhibit A

WHEREAS, on April 12, 2022, the Tippecanoe County Council adopted Resolution 2022-11-CL as a Declaratory Resolution for the designation of the real estate described above as an Economic Revitalization Area; and

WHEREAS, notice of the adoption and substance of such Declaratory Resolution was published on April 21, 2022, in the Lafayette Journal & Courier and Lafayette Leader pursuant to Indiana Code §6-1.1-12.1 and Indiana Code chapter 5-3-1, such publication being at least ten (10) days before the date set for a public hearing on such resolution; and

WHEREAS, the application for designation, a description of the affected area, a map of the affected area, and all pertinent supporting data were available for public inspection in the office of the Tippecanoe County Assessor and the Tippecanoe County Auditor; and

WHEREAS, the Tippecanoe County Council, following the adoption of the Declaratory Resolution, set a public hearing on the Resolution for 8:30 a.m., on, May 10, 2022, in the Tippecanoe Room of the Tippecanoe County Office Building, 20 N 3rd Street, Lafayette, Indiana.

WHEREAS, notice of such public hearing was published in the Journal & Courier and Lafayette Leader on April 21, 2022, in accordance with Indiana Code chapter 5-3-1, such publication being at least ten (10) days before the date set for such public hearing; and

WHEREAS, at such meeting, the Tippecanoe County Council afforded an opportunity to all persons and organizations, including representatives of organizations, to express their views with respect to the proposed designation of the real estate as an Economic Revitalization Area; and

WHEREAS, the Tippecanoe County Council, after conducting such public hearing, has given careful consideration to all comments and views expressed and any evidence presented regarding the designation of such real estate as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED, that after conducting such public hearing, the Tippecanoe County Council confirms certain findings made in the Declaratory Resolution for designation of the real estate described above as an Economic Revitalization Area, and makes certain further findings concerning the period during which the owners of property within the designated area shall be entitled to certain deductions, as follows:

1. The property described in Exhibit A is located within the jurisdiction of Tippecanoe County for purposes of Indiana Code §6-1.1-12.1.
2. This County Council has determined, based on information provided by the Applicant, 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.
3. The Applicant, has under consideration the redevelopment and rehabilitation of the real property described in Exhibit A.
4. The proposed projects, through the generation of jobs, will promote normal development and occupancy.
5. The information set forth in the application filed by the Applicant establishes that the subject property complies with the general standards for designation of an Economic Revitalization Area pursuant to Indiana Code §6-1.1-12.1-2 within the jurisdiction of the Council.
6. The installation of new research and development equipment and new information technology equipment to be used therein, and the improvements to be constructed on the property, would benefit and enhance the welfare of all citizens and taxpayers of Tippecanoe County, and specifically:
 - (1) The estimate of the value of the redevelopment or rehabilitation is reasonable for projects of that nature.
 - (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.
 - (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.
 - (4) 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, create 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.
 - (5) The totality of benefits is sufficient to justify the deductions.
 - (6) The estimate of the cost of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment is reasonable for equipment of that 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 installation of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment.
- (8) 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 installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment.
- (9) The other benefits about which information was requested, including the number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, are benefits of the type and quality anticipated by the County Council within the economic revitalization area, and are benefits that can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment.

7. The designation of the subject property as an Economic Revitalization Area will assist in the inducement of a project which will provide employment opportunities to residents of Tippecanoe County and will provide long-term benefits to the tax base of Tippecanoe County.

8. No written remonstrance has been filed with the County Council either prior to or during the above-referenced public hearing on the subject application for designation.

9. Applicant should be entitled to the deductions provided by Indiana Code §6-1.1-12.1-4.5 with respect to personal property for a period of seven (7) years according to the schedule set forth below.

NOW, THEREFORE, BE IT ALSO RESOLVED by the County Council of Tippecanoe County, Indiana, that the property herein above described should be and is hereby declared to be an Economic Revitalization Area as that term is defined in Indiana Code sections 6-1.1-12.1-1 through 6-1.1-12.1-6 from the date that an application is filed by the owner of real estate or new manufacturing equipment located within such area requesting a deduction for assessed value pursuant to either Indiana Code §6-1.1-12.1-5 or 6-1.1-12.1-5.5 **through and including December 31, 2031.**

BE IT ALSO RESOLVED, that pursuant to Indiana Code §6-1.1-12.1-4.5, Applicant shall be entitled to the deductions provided by Indiana Code §6-1.1-12.1-4.5 with respect to personal property 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%


BE IT ALSO RESOLVED that 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 tax abatement.

BE IT ALSO RESOLVED, that if any part, parts, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the validity or unconstitutionality of this Resolution as a whole or any other part, clause or portion of the Resolution.


BE IT FINALLY RESOLVED, that by adoption of this Resolution, the Tippecanoe County Council does confirm its Declaratory Resolution approved on April 12, 2022, which designates the real estate described above as an Economic Revitalization Area.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 10th day of May, 2022.

TIPPECANOE COUNTY COUNCIL



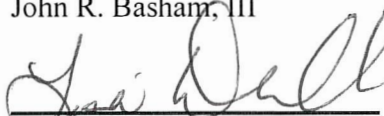
Kevin Underwood



Kathy Vernon

Absent

John R. Basham, III




Lisa Dullum



Jody Hamilton

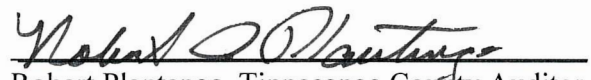


Ben Murray



Barry Richard

ATTEST:



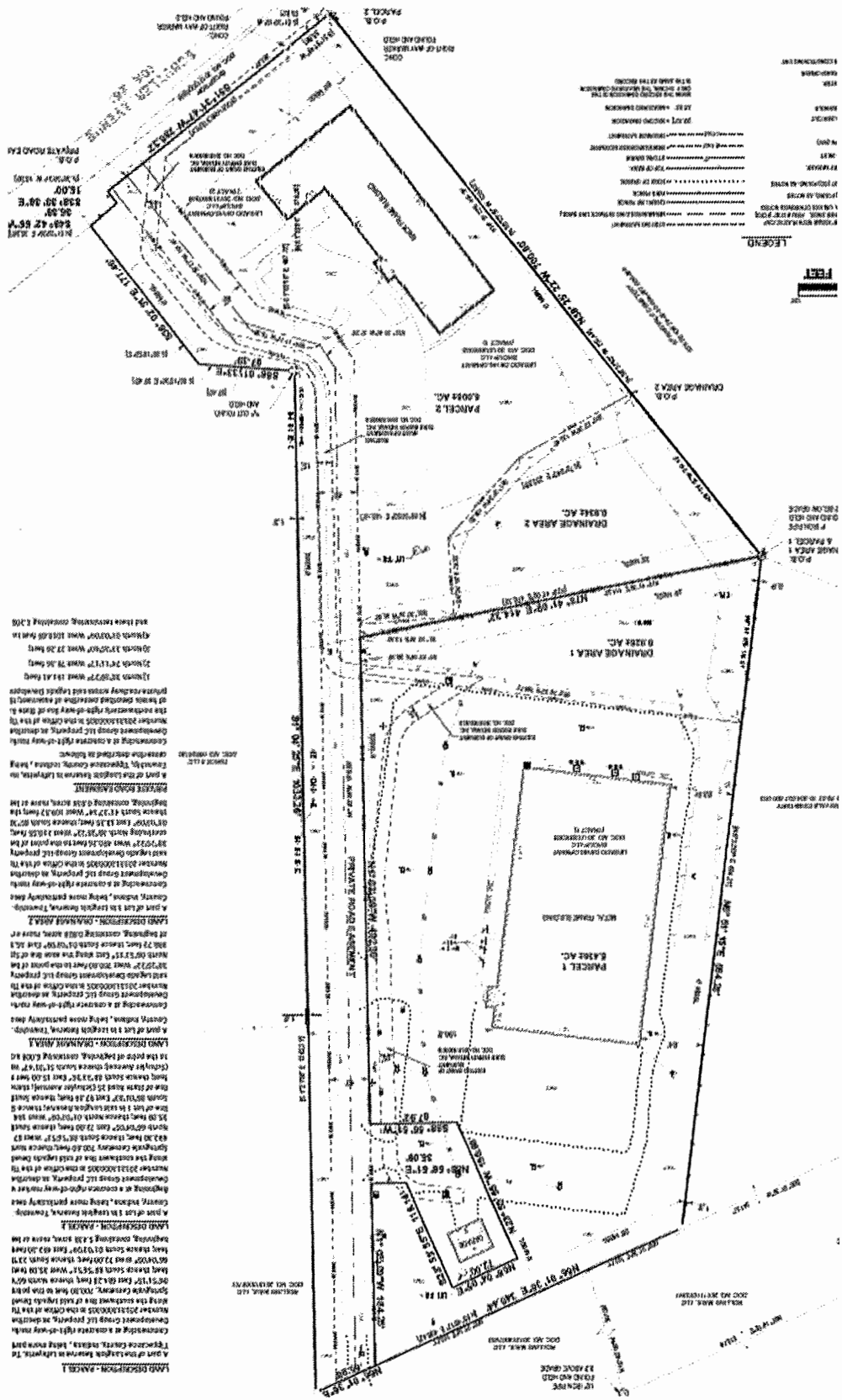
Robert Plantenga, Tippecanoe County Auditor

EXHIBIT A

LEGAL DESCRIPTION

Beginning at a concrete right-of-way marker which marks the southernmost corner of the Legado Development Group LLC property, as described in a Corporate Warranty Deed recorded as Document Number 201313000305 in the Office of the Tippecanoe County Recorder; thence North 38°25'22" West along the southwest line of said Legado Development Group LLC property, being also the northeast line of Springvale Cemetery 700.80 feet; thence North 78°41'09" East 414.32 feet; thence North 01°03'09" West 492.30 feet; thence South 88°56'51" West 87.92 feet; thence North 23°55'55" West 150.88 feet; thence North 66°04'05" East 72.00 feet; thence South 23°55'55" East 116.14 feet; thence North 88°56'51" East 35.09 feet; thence North 01°03'09" West 184.25 feet; thence North 66°01'36" East 65.98 feet to the west line of Lot 1 in said Longlois Reserve; thence South 01°04'25" East along said west line 1033.26 feet; thence South 86°01'33" East 97.39 feet; thence South 38°02'31" East 177.46 feet to the northwesterly right-of-way line of State Road 25 (Schuyler Avenue); thence South 49°42'55" West along said right-of-way line 35.39 feet; thence South 38°33'36" East 15.00 feet to the old northwesterly right-of-way line of State Road 25 (Schuyler Avenue); thence South 51°31'47" West along said old northwesterly right-of-way line 288.32 feet to the point of beginning, containing 6.008 acres, more or less.

Depicted as "Parcel 2" on the attached diagram from the Fisher's and Associates Parcelization Survey dated March 19, 2021.



LEGEND

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LAND DESCRIPTION - PARCEL 1
 A part of the larger Parcel 1, Township 1 North, Range 1 East, Section 16, containing 1.20 acres, more or less, as shown on the plat of the larger Parcel 1, Township 1 North, Range 1 East, Section 16, recorded in the public records of the County of Lincoln, Nebraska, and thereunto more particularly described as follows:
 Beginning at a corner right-of-way north corner Parcel 1, Township 1 North, Range 1 East, Section 16, and thence south 89° 07' 30\"/>

LAND DESCRIPTION - PARCEL 2
 A part of the larger Parcel 2, Township 1 North, Range 1 East, Section 16, containing 1.20 acres, more or less, as shown on the plat of the larger Parcel 2, Township 1 North, Range 1 East, Section 16, recorded in the public records of the County of Lincoln, Nebraska, and thereunto more particularly described as follows:
 Beginning at a corner right-of-way north corner Parcel 2, Township 1 North, Range 1 East, Section 16, and thence south 89° 07' 30\"/>

LAND DESCRIPTION - DRAINAGE AREA 1
 A part of the larger Parcel 1, Township 1 North, Range 1 East, Section 16, containing 1.20 acres, more or less, as shown on the plat of the larger Parcel 1, Township 1 North, Range 1 East, Section 16, recorded in the public records of the County of Lincoln, Nebraska, and thereunto more particularly described as follows:
 Beginning at a corner right-of-way north corner Parcel 1, Township 1 North, Range 1 East, Section 16, and thence south 89° 07' 30\"/>

LAND DESCRIPTION - DRAINAGE AREA 2
 A part of the larger Parcel 2, Township 1 North, Range 1 East, Section 16, containing 1.20 acres, more or less, as shown on the plat of the larger Parcel 2, Township 1 North, Range 1 East, Section 16, recorded in the public records of the County of Lincoln, Nebraska, and thereunto more particularly described as follows:
 Beginning at a corner right-of-way north corner Parcel 2, Township 1 North, Range 1 East, Section 16, and thence south 89° 07' 30\"/>