

Bill No. \_\_\_\_\_

RESOLUTION NO. 2014-3B

CONFIRMING RESOLUTION

A RESOLUTION OF THE LAPORTE COUNTY COUNCIL  
DETERMINING THAT THE QUALIFICATIONS FOR  
AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND  
CONFIRMING A DECLARATORY RESOLUTION ADOPTED BY THE COUNCIL  
FOR  
KINGSBURY ELEVATOR, INC.  
(PERSONAL PROPERTY)

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WHEREAS, the LaPorte County Council pursuant to "Deduction for Rehabilitation or Redevelopment of Real Property in Economic Revitalization Areas Act" (hereinafter referred to as the "Act" and a.k.a. Indiana Code § 6-1.1-12.1-1 *et. seq.*) has declared the area located in Washington Township, LaPorte County, Indiana, State Tax Parcel Identification No. 46-11-31-352.000-066, and more particularly described on attached **Exhibit "A"** and titled in the names of Edgar K. & Yvonne L. Lindborg, to be an economic revitalization area:

WHEREAS, under the provisions of said "Act" a copy of the foregoing mentioned Resolution was filed for public inspection at the office of the LaPorte County Assessor's office;

WHEREAS, public notice of the adoption and substance of such resolution has been published in accordance with I.C. 5-3-1; as well as setting forth that a public hearing would be held on the 24 day of March, 2014 to receive and hear all remonstrances and objections from interested persons; and,

WHEREAS, the LaPorte County Council received and heard all remonstrance and objections to its Declaratory Resolution (noted above) from interested persons and considered the evidence.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE LAPORTE COUNTY COUNCIL, THAT:

SECTION 1. The LaPorte County Council hereby determines that the area described hereinabove meets the qualifications for designation as an economic revitalization area.

SECTION 2. Resolution No. 2014-2B, the same being a resolution declaring a portion of LaPorte County an economic revitalization area, pursuant to I.C. § 6-1.1-12.1-1, *et. seq.*, is hereby confirmed and the following are adopted, to-wit:

- a. That the above described area shall be designated as an Economic Revitalization Area for a period of two (2) 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 new manufacturing, logistics, research and development, and information technology equipment, pursuant to I.C. 6-1.1-12.1-4.5 and I.C. 6-1.1-12.1-5.1; and
- c. That the deduction for new manufacturing, logistics, research and development, and information technology equipment shall apply to such machinery and equipment purchased and installed on or after the date of this Resolution at the property location described above; and
- d. That no cost limitation is placed upon the amount of deduction for the new manufacturing, logistics, research and development, and information technology equipment; and
- e. That this deduction applicable for new manufacturing, logistics, research and development, and information technology equipment is limited to ten (10) years; and
- f. That the estimate of cost for new development and machinery is reasonable for that type of facility to be built; and
- g. That the estimate of the additional employees that will be hired can reasonably be expected to result from the proposed development; and
- h. That the estimate of the annual salaries of the new employees can reasonably be expected result from the proposed development; and
- i. That the totality of the benefits is sufficient to justify the granting of this requested deduction; and
- j. That the "Statement of Benefits" submitted by the Petitioner is hereby approved and the President of the LaPorte County Council is hereby authorized to execute the same on behalf of said County Council; and
- k. That this determination is final except that an appeal may be taken and heard as provided under the "Act" (IC. 6-1.1-12.1-2.5 (d) and (e)).

SECTION 3. This Resolution shall be in full force and effect from and after its passage and approval, as required by law.

Passed and adopted this 24 day of March, 2014.

  
Member, LaPorte County Council

# LEGAL DESCRIPTION



A parcel of land lying South of the Grand Trunk and Western Railroad and East of U.S. Highway No. Thirty-five (35) situated in that portion of the Middle part (Gvmt. Lots No. four (4) and six (6)) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-one (31), Township Thirty-six (36) North, Range Two (2) West which lies East of U.S. Highway No. Thirty-five (35), being more particularly described as follows:

Commencing at a cast iron monument marking the Southwest corner of Section Thirty-one (31), Township Thirty-six (36) North, Range two (2) West, LaPorte County, Indiana; thence North eighty-eight degrees fifty-six minutes twenty-one seconds East (N88°56'21"E), along the South Line of said Section Thirty-one (31) a distance of two thousand four hundred sixty-six and fifty-six hundredths (2466.56) feet to a masonry nail marking the approximate Southeast corner of the Middle part (Gvmt. Lots No. four (4) and six (6)) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section; thence North zero degrees thirty-nine minutes thirty seconds West (N00°39'30"W), along the approximate East Line of said Middle part a distance of seven hundred fifty (750.00) feet to an iron pipe, for the point of beginning; thence South eighty-eight degrees fifty-six minutes twenty-one seconds West (S88°56'21"W), a distance of one thousand ninety-six and forty-eight hundredths (1096.48) feet to an iron pipe on the East right of way line of U.S. Highway No. Thirty-five (35); thence North eleven degrees thirty minutes eleven seconds West (N11°30'11"W), along said East right of way line, a distance of four hundred thirty-six and fifty-five hundredths (436.55) feet to a concrete highway right of way marker; thence North eight degrees fifty-six minutes twenty-four seconds West (N08°56'24"W), continuing along said East right of way line, a distance of two hundred fifty (250.00) feet to a concrete highway marker; thence North eight degrees forty-seven minutes seventeen seconds West (N08°47'17"W), continuing along said East right of way line, a distance of five hundred eighty-seven and fifty-nine hundredths (587.59) feet to a railroad spike on the Southerly right of way line of the Grand Trunk and Western Railroad; thence North sixty-three degrees forty-three minutes twenty-two seconds East (N63°43'22"E), along said Southerly right of way line, a distance of twenty-two and fifty hundredths (22.50) feet to a railroad spike; thence South eleven degrees twenty minutes thirty-one seconds East (S11°20'31"E), along the Westerly right of way line of said Railroad, a distance of fifty-one and eighty-five hundredths (51.85) feet to an iron pipe marking the intersection of said Westerly right of way line with the Southerly right of way line and marking the Northwest corner of a parcel of land as recorded in Micro-film Record No. 79-04062; thence South fifteen degrees fifty-two minutes twenty-two seconds East (S15°52'22"E), along the Westerly side of said parcel a distance of sixty-one and twenty-eight hundredths (61.28) feet to an iron pipe; thence South twenty-six degrees thirty-

one minutes eighteen seconds East ( $S26^{\circ}31'18''E$ ), continuing along said Westerly side a distance of sixty-one and seventy hundredths (61.70) feet to an iron pipe marking the Southwest corner thereof; thence North seventy-five degrees twenty-five minutes fifty-two seconds East ( $N75^{\circ}25'52''E$ ), along the Southerly side thereof, a distance of two hundred thirty-six and twenty-seven hundredths (236.27) feet to an iron pipe; thence North one degree twenty-four minutes eight seconds West ( $NO1^{\circ}24'08''W$ ), along the Easterly side thereof a distance of one hundred thirty-three and sixty-seven hundredths (133.67) feet to an iron pipe; thence North sixty-four degrees four minutes fifty-two seconds East ( $N64^{\circ}04'52''E$ ), along the Southerly side of said parcel and the Southerly side of a parcel of land as recorded in Micro-film Record No. 78-13310, a distance of six hundred twenty-two and eighty-three hundredths (622.83) feet to an iron pipe marking the Southeasterly corner thereof; thence North two degrees thirty-six minutes eight seconds West ( $NO2^{\circ}36'08''W$ ), (South two degrees fifty-seven minutes thirty-eight seconds East ( $SO2^{\circ}57'38''E$ )) record along the Easterly side of said parcel, a distance of one hundred eleven and ninety hundredths (111.90) feet (one hundred thirteen and sixty-nine hundredths (113.69) feet record) to an iron pipe on the Southerly right of way line of the Grand Trunk and Western Railroad and the Northeasterly corner thereof; thence North sixty-three degrees forty-three minutes twenty-two seconds East ( $N63^{\circ}43'22''E$ ), along the Southerly right of way line of said Railroad, a distance of four hundred eighty-six and sixty-three hundredths (486.63) feet to an iron pipe on the approximate East Line of the Middle part (Gvmt. Lots No. four (4) and Six (6)) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of said Section thirty-one (31); thence South zero degrees thirty-nine minutes thirty seconds East ( $SO0^{\circ}39'30''E$ ), along said approximate East Line, a distance of one thousand eight hundred seventy-three and eight hundredths (1873.08) feet to point of beginning, containing forty-one and two hundred seventy-nine thousandths (41.279) acres, more or less.