

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 2015-38

**RESOLUTION SETTING FORTH FINAL ACTION IN GRANTING A
PERSONAL PROPERTY TAX ABATEMENT FOR CHEWY.COM**

WHEREAS, the Hendricks County Council of Hendricks County, Indiana adopted a Tax Abatement Procedures Ordinance on October 7, 1997; and

WHEREAS, pursuant to said Tax Abatement Procedures Ordinance, **Chewy.com, LLC** has filed with the Hendricks County Auditor an "Application for Designation of Economic Revitalization" on September 21, 2015; and

WHEREAS, at a duly constituted meeting of the Hendricks County Council held on May 9, 2013 said County Council declared certain real estate within Hendricks County, Indiana, to be an "Economic Revitalization Area" pursuant to the specifications of Resolution No. 97-37 adopted and approved that date; and

WHEREAS, said application has been reviewed by the Tax Abatement Committee and the Hendricks County Council, and has received from the applicant the requisite filing fee; and

WHEREAS, pursuant to I.C.6-1,1-12,1-1 et seq. the County Council of Hendricks County, Indiana has properly published "Notice of Public Hearing Regarding Personal Property Tax Abatement" and the application has been considered at a duly held public meeting of said County Council; and

WHEREAS, no remonstrances, written or oral, have been filed with regard to the proposed tax abatement stating opposition, of any type or character, to said Resolution, or the designation of the real estate described therein as an "Economic Revitalization Area"; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

1. Personal Property. The County Council of Hendricks County, Indiana hereby declares that any and all eligible personal property placed upon the real estate


described in Exhibit A attached hereto, after the date of the adoption of the Resolution by the County Council, shall, be eligible for the property tax abatement pursuant to the provisions of I.C.6-1.1-12.1-1 et seq.

2. Compliance with Applicable Resolution and Statutes. It is hereby declared by the County Council of Hendricks County, Indiana that the Application of Chewy.com, LLC heretofore filed complies in all respects with the Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997 and all governing Indiana statutes, and that said Application, in all respects, is hereby granted and approved.
3. No Limitation or Restrictions. It is hereby declared by the County Council of Hendricks County, Indiana that based on Hendricks County's Tax Abatement Procedure Ordinance No. 97-37 adopted October 7, 1997, an allowance for a five (5) year Abatement Duration as requested by the applicant meets the requirements of the Tax Abatement Procedures Ordinance.
4. Final Action. After legally required public notice, and after public hearing pursuant to such notice the County Council of Hendricks County, Indiana hereby takes "final action" as that phrase is defined in I.C. 6-1,1-12,1-1 et.seq. with regard to the aforestated Application of Chewy.com, LLC.
5. Confirmation of Resolution No. 13-5 It is hereby declared by County Council of Hendricks County, Indiana that Resolution No. 13-5, adopted on May 9, 2013 is in all respects hereby confirmed, and it is hereby stated that the qualifications for an economic revitalization area have been met by Chewy.com, LLC as to the personal property described in Exhibit A of Resolution No. 13-5.
6. Effective Date. This Resolution shall be effective immediately upon its passage, subject to any right of appeal as provided by State Law.


Adopted by the County Council of Hendricks County, Indiana this 12th day of November, 2015.

AYE

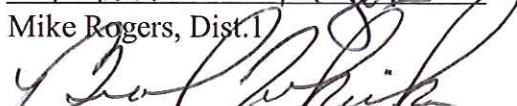
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Jay R. Puckett, Council President, Dist. 2

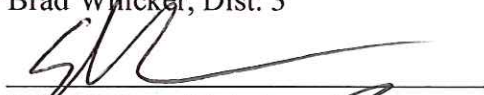
Jay R. Puckett, Council President, Dist. 2


Mike Rogers, Dist. 1

Mike Rogers, Dist. 1


Brad Whicker, Dist. 3

Brad Whicker, Dist. 3


Eric Wathen, Dist. 4

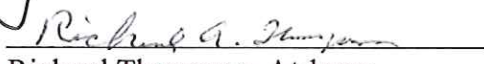
Eric Wathen, Dist. 4


Caleb Brown, At-large

Caleb Brown, At-large


Larry Hesson, At-large

Larry Hesson, At-large


Richard Thompson, At-large

Richard Thompson, At-large

Attest:

Cinda Kattau, Auditor



**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)

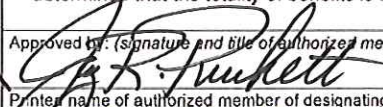
SECTION 1		TAXPAYER INFORMATION						
Name of taxpayer Chewy.com, LLC		Name of contact person Jennifer Hoberman						
Address of taxpayer (number and street, city, state, and ZIP code) 1855 Girffin Road, Suite B-428, Dania Beach, FL 33004		Telephone number (954) 334-3395						
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT						
Name of designating body Hendricks County Council		Resolution number (s)						
Location of property 1974 Innovation Boulevard, Clayton, IN 46118		County Hendricks	DLGF taxing district number Liberty Township 013					
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	COMPLETION DATE				
		Manufacturing Equipment						
		R & D Equipment						
		Logist Dist Equipment	11/15/2015	01/15/2016				
IT Equipment	11/15/2015	12/15/2015						
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT						
Current number 0	Salaries	Number retained n/a	Salaries	Number additional 392	Salaries 11,854,720			
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								
Plus estimated values of proposed project					5,650,000		640,000	
Less values of any property being replaced								
Net estimated values upon completion of project					5,650,000		640,000	
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER						
Estimated solid waste converted (pounds) 0		Estimated hazardous waste converted (pounds) 0						
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) 08.28.2015				
Printed name of authorized representative Ryan Cohen				Title CEO				

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 _____ calendar years * (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
- | | | |
|--|---|--|
| 1. Installation of new manufacturing equipment; | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Installation of new logistical distribution equipment. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Installation of new information technology equipment; | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ —0— cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to new research and development equipment is limited to \$ —0— cost with an assessed value of \$ _____.
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ 5,650,000 cost with an assessed value of \$ 5,650,000.
- F. The amount of deduction applicable to new information technology equipment is limited to \$ 640,000 cost with an assessed value of \$ 640,000.
- G. Other limitations or conditions (specify) _____
- 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:
- | | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|--|---------------|
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input checked="" type="checkbox"/> Year 5 | (see below *) |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> 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)
 President	317 745-9315	11/12/15
Printed name of authorized member of designating body	Name of designating body	
Jay R. Puckett	Hendricks County Council	
Attested by: (signature and title of attester)	Printed name of attester	
	CINDA KATTAU	

* 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.

ABATEMENT SCHEDULE FOR CHEWY.COM, LLC

5 YEARS

YEAR 1	100%
YEAR 2	80%
YEAR 3	60%
YEAR 4	40%
YEAR 5	20%

11/12/15
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