

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 2017-21

DECLARATORY RESOLUTION OF THE HENDRICKS COUNTY COUNCIL  
DESIGNATING ADDITIONAL ACREAGE IN 70 WEST COMMERCE BUSINESS  
PARK AS AN ECONOMIC REVITALIZATION AREA

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

WHEREAS, Indiana Code 6-1.1-12.1 allows an abatement of property taxes attributable to the redevelopment or rehabilitation of real property and the installation of new manufacturing equipment, new logistical distribution equipment, new research and development equipment, and new information technology equipment in economic revitalization areas; and

WHEREAS, Indiana Code 6.1.1-12.1-2 empowers the Hendricks County Council to designate revitalization areas;

WHEREAS, the Hendricks County Council has reviewed and informed itself about the status of the real estate described and depicted in Exhibit A attached hereto and made a part hereof by this reference (the "Real Estate");

WHEREAS, the Real Estate is located within the jurisdiction of the County Council for purposes set forth in Indiana Code 6-1.1-12.1-2;

WHEREAS, the County Council has determined that the Real Estate has become undesirable for, or impossible of, normal development and occupancy, and otherwise meets the definition of an economic revitalization area as that term is defined at Indiana Code 6-1.1-12.1-1;

WHEREAS, the declaration and designation of the Real Estate as an economic revitalization area and the allowance of deductions from the assessed value of new manufacturing equipment, new logistical distribution equipment, and new information technology equipment, new research and development equipment, and the redevelopment or rehabilitation of real property installed, constructed, or improved thereon, will encourage the development and improvement of the Real Estate:

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

1. Declaration of Economic Revitalization Area. It is hereby declared by the Hendricks County Council that the real estate described in Exhibit A, attached hereto and made a part hereof, is, and shall hereafter be, deemed an "Economic Revitalization Area" as that phrase is used and intended under the provision of Indiana Code Sections 6-1.1-12.1-1 et seq.

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2. New Manufacturing Equipment, New Logistical Distribution Equipment, New Information Technology Equipment, or New Research and Development Equipment. Deductions from the assessed value of new manufacturing equipment, new logistical distribution equipment, new information technology equipment, or new research and development equipment installed in the economic revitalization area established by this Resolution shall be allowed over a ten (10) year deduction period as finally determined by a confirmatory resolution of the County Council upon receipt from time to time of a Taxpayer's Statement of Benefits as contemplated by Indiana Code 6-1.1-12.1.

3. Real Property and Improvements. Deductions from the assessed value of development or rehabilitation of real property, be it speculative or otherwise, in the economic revitalization established by this Resolution shall be allowed over a ten (10) year deduction period as finally determined by a confirmatory resolution of the County Council upon receipt from time to time of a Taxpayer's Statement of Benefits, as contemplated by Indiana Code 6-1.1-12.1.

4. Compliance with Applicable Resolution and Statutes. It is hereby declared by the County Council of Hendricks County, Indiana that any application for abatement must comply in all respects with the Tax Abatement Procedure Resolution \_\_\_\_\_

Ordinance No. 97-37 adopted October 7, 1997 and all governing Indiana statutes.

BE IT ALSO RESOLVED by the County Council, that there shall be published notice of the adoption and substance of this Resolution in accordance with Ind. Code 5-3-1, which notice shall name a date for the public hearing on the designation of the Real Estate as an economic revitalization area and that at the conclusion of the public hearing the County Council may take final action on such matters.

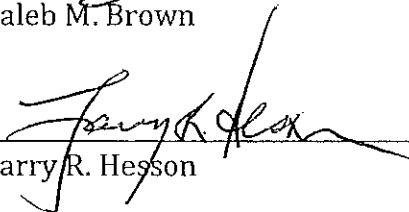
Adopted this 6<sup>th</sup> day of June 2017 by the following vote:

AYE

NAY

  
\_\_\_\_\_  
Caleb M. Brown

\_\_\_\_\_  
Caleb M. Brown

  
\_\_\_\_\_  
Larry R. Hesson

\_\_\_\_\_  
Larry R. Hesson

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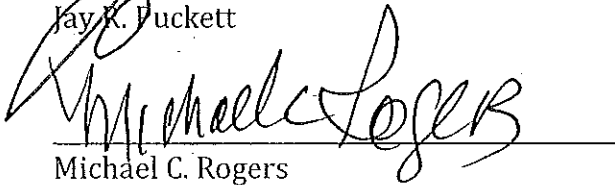
Date: 6-6-17

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Jay R. Puckett

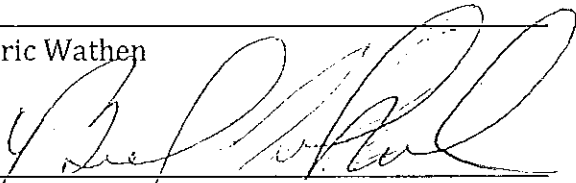
Jay R. Puckett



Michael C. Rogers

Michael C. Rogers

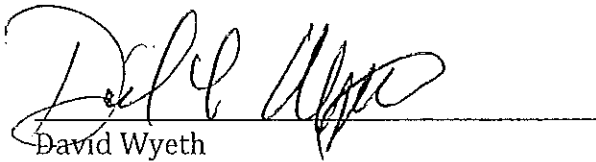
Eric Wathen



Brad Whicker

Eric Wathen

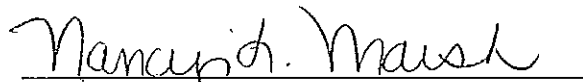
Brad Whicker



David Wyeth

David Wyeth

ATTEST:



Nancy L. Marsh, Auditor



## Nancy Marsh

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**From:** Jeff Pipkin <jeff@hcedp.org>  
**Sent:** Tuesday, May 16, 2017 3:06 PM  
**To:** Nancy Marsh  
**Subject:** Sunbeam ERA  
**Attachments:** Declaration for ERA.docx; Kilgard PLAT OF SURVEY.pdf; Recent Acquisitions at I70 West.jpg

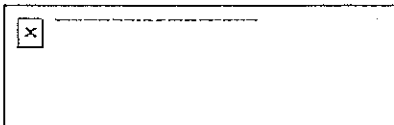
Nancy,

I hope you are doing well.

Attached is a declaratory resolution for the upcoming ERA that Sunbeam would like to establish. Please let me know if there needs to be any changes. Also attached is a map of the areas in question and a ALTA survey for the Kilgard property. I am working on getting a legal description for all of this. Do you know if the ALTA Survey would serve as a legal description for that piece of the ERA?

Best regards,

Jeff



Jeff Pipkin  
Executive Director  
Hendricks County Economic Development Partnership  
5250 E. U.S. Hwy 36, Suite 1101  
Avon, Indiana 46123  
317-745-2400  
317-268-2024 cell  
[jeff@hcedp.org](mailto:jeff@hcedp.org)  
[www.hcedp.org](http://www.hcedp.org)  
[LinkedIn](#)

Exhibit A

1. Erwin Legal Description
2. Archer Legal Description
3. McCain Legal Description
4. Kilgard Legal Description within Deed and ALTA Survey.

## Erwin Parcel Legal Description

### Land Description

A part of the Northwest Quarter and Northeast Quarter of Section 26, Township 14 North, Range 1 West, Hendricks County, Indiana, more particularly described as follows: Beginning at a stone marking the Southeast corner of said Northwest Quarter Section; thence North 89 degrees 43 minutes 55 seconds (basis of bearings being the South line of said Northwest Quarter Section, bearing North 89 degrees 43 minutes 19 seconds East) along the South line of said Northeast Quarter Section a distance of 33.00 feet; thence North 00 degrees 39 minutes 04 seconds West, parallel with the East line of said Northwest Quarter Section a distance of 660.00 feet; thence South 89 degrees 43 minutes 55 seconds West a distance of 33.00 feet to said East line; thence North 00 degrees 39 minutes 04 seconds West along the East line thereof a distance of 675.35 feet to the Northeast corner of the Southeast Quarter of said Northwest Quarter Section; thence South 89 degrees 36 minutes 47 seconds West along the North line thereof a distance of 1329.56 feet to the Northwest corner thereof; thence South 00 degrees 03 seconds East along the West line thereof a distance of 676.50 feet to the South line of property as described to Archer in Instrument Number 200923375 and recorded in the Office of the Recorder of Hendricks County, Indiana; thence South 89 degrees 41 minutes 52 seconds West along the South line thereof a distance of 1323.00 feet to the West line of said Northwest Quarter Section; thence South 00 degrees 47 minutes 01 seconds East along the West line thereof a distance of 50.00 feet to the North line of Minor Plat No. 0044-1/08 and recorded as Instrument 200905762; thence North 89 degrees 44 minutes 26 seconds East along the North line thereof a distance of 350.00 feet; thence South 12 degrees 22 minutes 41 seconds West along the East line thereof a distance of 219.20 feet to the Northeast corner of Minor Plat No. 93 and recorded in Plat Book 10, Page 91; thence South 00 degrees 55 minutes 13 seconds East along the East line thereof a distance of 391.81 feet to the South line of said Northwest Quarter Section; thence North 89 degrees 43 minutes 19 seconds East along the South line thereof a distance of 2347.28 feet to the Point of Beginning. Containing 56.77 acres, more or less.

#### Archer East 10 Acre Parcel Legal Description

A part of the Southwest Quarter of the Northwest Quarter of Section 26, Township 14 North, Range 1 West of the Second Principal Meridian, Hendricks County, Indiana and being part of the property as described in a deed to Archer and recorded as Instrument No. 200923375 in the Office of the Recorder of Hendricks County, Indiana, being more particularly described as follows:

Beginning at the Northeast corner of said Quarter Section; thence South along the East line of said Quarter Section a distance of 676.5 feet to the South line of said Archer parcel; thence West along the South line thereof a distance of 662.45 feet; thence North a distance of 676.5 feet to the North line thereof; thence East along the North line thereof a distance of 662.84 feet to the Point of Beginning, containing 10.3 acres, more or less.



Proposed parcel being a portion of McCain (M.R. 201, Pg. 166)

Part of the Northeast Quarter of Section 26, Township 14 North, Range 1 West, Hendricks County, Indiana, being described as follows:

Commencing at a Stone marking the Southwest Corner of said Northeast Quarter; thence North 89 degrees 43 minutes 55 seconds East along the South line thereof a distance of 33.00 feet to the Point of Beginning; thence North 00 degrees 39 minutes 04 seconds West parallel with the West line thereof a distance of 660.00 feet; thence South 89 degrees 43 minutes 55 seconds West a distance of 33.00 feet to the West line thereof; thence North 00 degrees 39 minutes 04 seconds West along the West line thereof a distance of 675.35 feet to the Northwest Corner of the Southwest Quarter of said Northeast Quarter Section; thence North 89 degrees 36 minutes 47 seconds East a distance of 824.97 feet to the East line of a parcel as described in a Warranty Deed to McCain and recorded in M.R. 201, Page 166 in the Office of the Recorder of Hendricks County, Indiana; thence South 00 degrees 39 minutes 04 seconds East along the East line thereof a distance of 1337.06 feet to the South line of said Northeast Quarter Section; thence South 89 degrees 43 minutes 55 seconds West along the South line thereof a distance of 791.98 feet to the Point of Beginning, containing 24.81 acres, more or less.

DULY ENTERED  
FOR TAXATION

SEP 17 2012

*Cinda Kattan*  
AUDITOR HENDRICKS COUNTY



201223829

THERESA D LYNCH  
HENDRICKS COUNTY RECORDER  
09/17/2012 09:16:33AM

 ORIGINAL

State of Indiana

FHA Case No.: 151-799606

007-335412-100011  
SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH: Secretary of Housing and Urban Development, or his successors, party of the first part, and his/her/their heirs and assigns, party(ies) of the second part (hereinafter called "Grantor"), conveys and specially warrants against all persons claiming by, through, or under him to Dale Kilgard and Todd Kilgard, (hereinafter called "Grantee") for and in consideration of Ten Dollars (\$10.00) and other valuable considerations, the receipt thereof is hereby acknowledged, the following described real estate in the State of Indiana, County of Hendricks, to-wit:

A part of the Northeast Quarter of the Northwest Quarter of Section 35, Township 14 North, Range 1 West of the Second Principal Meridian in Liberty Township, Hendricks County, Indiana, and being more particularly described as follows, to-wit:

Commencing at a stone found marking the Northwest corner of said Quarter Section; thence East 1086 feet on and along the North line of said Quarter Section to the point of beginning of this description; thence South 210 feet parallel to the West line of said Quarter Section; thence East 160 feet; thence North 210 feet to a point on the North line of said Quarter Section; thence West 160 feet on and along the North line of said Quarter Section to the point of beginning. Hendricks County Records. Subject to all liens, encumbrances and easements of record.

Parcel Number: 32-14-35-100-011.000-013

Property Address: 1217 E County Rd 1000 S, Clayton, IN 46118

✶ Tax Mailing Address: 1217 E County Rd 1000 S, Clayton, IN 46118

Grantee Address: 1217 E County Rd 1000 S, Clayton, IN 46118

THIS DEED IS NOT TO BE EFFECTIVE UNTIL 09/12/12.

BEING the same property acquired by the Grantor pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et seq.) and the Department of Housing and Urban Development Act (79 Stat. 667).

SUBJECT to all covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

GRANTOR certifies that he acts in his capacity as agent for the United States of America and that no Gross Income Tax is due or payable in respect to any transfer made by this deed.

The undersigned has set his hand and seal as the authorized agent for and on behalf of the said Secretary of Housing and Urban Development under authority and by virtue of the delegation of authority published at 70 FR 43, 171 (July 26, 2005).

Buyer(s) Acknowledgement

*Dale Kilgard*  
Dale Kilgard

*Todd Kilgard*  
Todd Kilgard

