

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
Resolution Number 2015-10

**A Resolution Waiving Non-Compliance with the Filing Deadline for
Compliance with Statements of Benefits Relating to Bailiwyck Properties, LLC
Real Property Deduction for Tax Abatement Purposes**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”), previously granted to Bailiwyck Properties, LLC, an Indiana Limited Liability Company (“Bailiwyck”), a real property tax abatement pursuant to I.C. §6-1.1-12.1-1, *et seq.* for a parcel of improved commercial real property located in the City of Hobart at 1310—1340 Wisconsin Street; and

WHEREAS, the subject property is currently in use as a 16,500 square foot medical office building; and

WHEREAS, said real property tax abatement was first implemented through the adoption by the Council of its Resolution No. 2007-29 on August 15, 2007 declaring said property an Economic Revitalization Area and its Resolution No. 2007-30 on September 5, 2007 confirming said declaration in the manner required by law, and said declaratory and confirmatory resolutions were amended by Resolution No. 2008-09 on May 27, 2008 which substituted a new Statement of Benefits for the Property Tax Abatement previously granted to Bailiwyck Properties LLC.; and

WHEREAS, the owner of said real property is under a statutory duty to file a Compliance with Statement of Benefits form (Department of Local Government Finance Form CF-1) with the Common Council of the City pursuant to I.C. §6-1.1-12.1-5.1(b) at the same time that the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located, or, if the property owner is not required to file a personal property tax return, on or before May 15 of each year in which said deduction from property taxes is allowed, and

WHEREAS, Bailiwyck, as property owner, was required to file a Statement of Benefits pursuant to I.C. §§6-1.1-12.1-5.1(b), and, pursuant thereto, a property owner who files a deduction application must provide the county auditor and the designating body with information showing the extent to which there has been compliance with the statement of benefits; and

WHEREAS, this information must be updated each year in which the deduction is applicable; and

WHEREAS, the property owner's Compliance with Statement of Benefits Forms for 2013 taxes payable in 2014 and 2014 taxes payable in 2015 were not filed by said deadline in 2014 for taxes payable for 2013, and also was not filed by the deadline in 2015 for taxes payable for 2014. However, said Compliance with Statement of Benefits forms (Form CF-1) were recently filed for said years with the Council as the designating body for the deduction on or about April 30 and May 27, 2015; and

WHEREAS, the Council, as said designating body, pursuant to the provisions of I.C. §6-1.1-12.1-9.5 (b), may by resolution waive noncompliance with a filing deadline applicable to a Statement of benefits, or another document that is required to be filed under I.C. §6-1.1-12.1; and

WHEREAS, the property owner has filed the required forms with the Council as stated above, and the Council desires to authorize the waiver of the filing deadline for said Statements of Compliance and to spread same upon the public record.

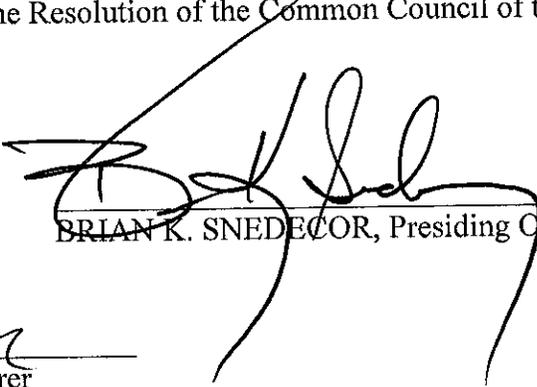
THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart as follows:

1. The Council finds that the forms for Compliance with Statement of Benefits for 2013 pay 2014 and for 2014 pay 2015 for the improvements to the real estate identified above have been filed by the property owner with the Council as of May 27, 2015.

2. The Council now waives the filing deadline for said forms showing compliance with Statements of Benefits. By this action, the Council intends that the property owner shall be treated as if the property owner had timely complied with the procedural requirements of I.C. §6-1.1-12.1-1, *et seq.*

3. The Clerk-Treasurer is directed to provide a certified copy of this Resolution each to the property owner and the Department of Local Government Finance of the State of Indiana, as required by I.C. §6-1.1-12.1-9.5 (c).

ALL OF WHICH is adopted as the Resolution of the Common Council of the City of Hobart on this First day of July, 2015.


BRIAN K. SNEDECOR, Presiding Officer

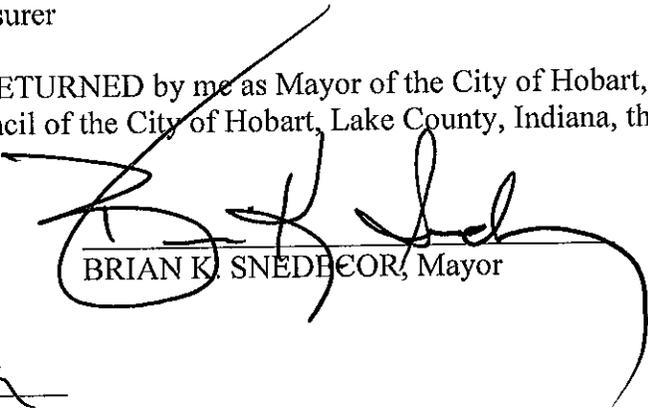
ATTEST:

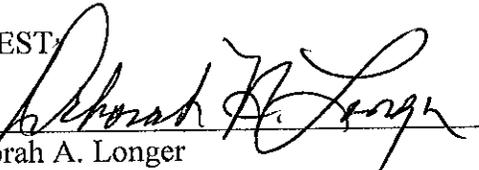
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana this 1st day of July, 2015, at 6:56 pm o'clock.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, SIGNED, and RETURNED by me as Mayor of the City of Hobart, Lake County, Indiana, to the Common Council of the City of Hobart, Lake County, Indiana, this 1st day of July, 2015.


BRIAN K. SNEDECOR, Mayor

ATTEST:

Deborah A. Longer
Clerk-Treasurer



**COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20 13 PAY 20 14
FORM CF-1 / Real Property

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the Initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1 TAXPAYER INFORMATION		
Name of taxpayer Bailliwuck Properties LLC	County Lake	
Address of taxpayer (number and street, city, state, and ZIP code) 250 S. Diversateek Drive, Manteno, IL 60950	DLGF taxing district number 27	
Name of contact person Doug Babcock	Telephone number (219) 510-4094	
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body Hobart Common Council	Resolution number 2007-29	
Location of property 1310-1340 Wisconsin St., Hobart, IN	Estimated start date (month, day, year) 8/1/2007	
Description of real property improvements 16,500 SF Medical Bldg.	Actual start date (month, day, year)	
	Estimated completion date (month, day, year) 8/12/30/2007	
	Actual completion date (month, day, year)	
SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	36	36
Salaries	970,000.00	970,000.00
Number of employees retained	36	36
Salaries	970,000.00	970,000.00
Number of additional employees	25	14
Salaries	2,000,000.00	1,130,000.00
SECTION 4 COST AND VALUES		
COST AND VALUES		REAL ESTATE IMPROVEMENTS
	COST	ASSESSED VALUE
AS ESTIMATED ON SB-1		
Values before project	-0-	-0-
Plus: Values of proposed project	2,434,461.00	2,434,461.00
Less: Values of any property being replaced	-0-	-0-
Net values upon completion of project	2,434,461.00	2,434,461.00
ACTUAL	COST	ASSESSED VALUE
Values before project	-0-	-0-
Plus: Values of proposed project	2,114,461.00	745,250.00
Less: Values of any property being replaced	-0-	-0-
Net values upon completion of project	2,114,461.00	745,250.00
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted	-0-	-0-
Amount of hazardous waste converted	-0-	-0-
Other benefits:	-0-	-0-
SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative [Signature]	Title Member	Date signed (month, day, year) 5-27-15

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

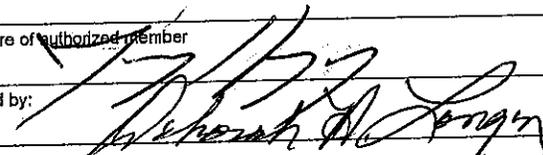
INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- the property owner **IS** in substantial compliance
- the property owner **IS NOT** in substantial compliance
- other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member		Date signed (month, day, year)
Attested by: 		Designating body: <u>Common Council</u>
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)		
Time of hearing	Date of hearing (month, day, year)	Location of hearing
<input type="checkbox"/> AM <input type="checkbox"/> PM		

HEARING RESULTS (to be completed after the hearing)

- Approved Denied (see instruction 4 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member		Date signed (month, day, year)
Attested by:		Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

Real Property Maintenance Report
(INFORMATION NOT INTENDED FOR LEGAL PURPOSES)

Lake
2013 Pay 2014

Owner: Bailinyck Properties LLC
Owner Party: Bailinyck Properties LLC
Address: 250 S Diversatech DR Manteno, IL 60950 USA

Location Address: 1310 S WISCONSIN ST HOBART, IN 46342

QQSec: 7 **QSec:** **Sec:** 6 **Township:** 35
Range: **Acres:** 2.31 **Block:** **Plat:**
Sub Sec: **Lot:** **Sub Lot:** **Sub Division:** Csokasy Medical

Location Description:

Brief legal Description: Csokasy Medical Campus Lot C
Not intended for legal purposes

Assessments:				
Homestead Land	0	Homestead Improv	0	
NonHomestead Land	0	NonHomestead Improv	0	
Commercial Apt Land	0	Commercial Apt Improv	0	
Long Term Care Land	0	Long Term Care Improv	0	
Agricultural Land	0	Mobile Home Land	0	
Non-res Land	375,900	Non-res Improv	738,700	
		Total Assessed:	1,114,600	
		Net Assessed:	745,250	

Surplus Payment: 0.00 **Over Payment:** 0.00
Advance Payment: 0.00

Charges:

Tax Set/Unit	Charge Type	Total Charge	Balance Due
Hobart Corp	1st Installment Tax	11,643.06	0.00
	2nd Installment Tax	11,643.06	0.00
Hobart Storm Water	1st Installment Tax	678.25	0.00
	2nd Installment Tax	678.25	0.00
Little Cal River Basin	1st Installment Tax	180.00	0.00
	2nd Installment Tax	0.00	0.00
		24,822.62	0.00

Deductions:

Deduction Type	Deduction Amount	Over Written Flag
Abatement	369350	Yes

Property Number: 45-13-06-181-027-000-018
Property Type: Real
Map Number: 27-17-0406-0003
Tax Set: 018-Hobart Corp
Property Class: 442 Medical clinic or offices
Zoning Type:
Use Type:
Bankruptcy Code:
Tax Sale:
Neighborhood:
No. Of Households: 0
TIF District: 0202-01-018-018 Hobart 61 St Ave EDA
Base AV: 502,426
Base Res AV: 0 **Under Appeal Value:**
Incremental AV: 242,824
Tax Rate: 03.5630
OldCEDT: 00.0000 **LOIT Homestead:** 00.0000
OldCOIT: 00.0000 **CB Homestead:** 01.0000
LOIT Repl All Prop: 12.3041 **CB Res LTC Ag:** 02.0000
LOIT Qual Res RC: 00.0000 **CB Non HS and Pers:** 03.0000
CB Over65: **102.0000**



**COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51766 (R3 / 2-13)

Prescribed by the Department of Local Government Finance

20 14 PAY 20 15

FORM CF-1 / Real Property

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SECTION 1		TAXPAYER INFORMATION	
Name of taxpayer	Bailiwyck Properties LLC	County	Lake
Address of taxpayer (number and street, city, state, and ZIP code)	250 S. Diversatech Dr. Manteo NC 28550	DLGF taxing district number	27
Name of contact person	Doug Babcock	Telephone number	(252) 570-4094
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY	
Name of designating body	Hobart Common Council	Resolution number	2007-29
Location of property	1310 -1340 Wisconsin St, Hobart, IN	Estimated start date (month, day, year)	8/1/2007
Description of real property improvements	16,500 SF Medical Bldg	Actual start date (month, day, year)	
		Estimated completion date (month, day, year)	12/30/2007
		Actual completion date (month, day, year)	
SECTION 3		EMPLOYEES AND SALARIES	
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		36	36
Salaries		970,000.00	970,000.00
Number of employees retained		36	
Salaries		970,000.00	970,000.00
Number of additional employees		25	14
Salaries		2,000,000.00	1,130,000.00
SECTION 4		COST AND VALUES	
COST AND VALUES		REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	
Values before project	0	0	
Plus: Values of proposed project	2,434,461.00	2,434,461.00	
Less: Values of any property being replaced	0	0	
Net values upon completion of project	2,434,461.00	2,434,461.00	
ACTUAL	COST	ASSESSED VALUE	
Values before project	0	0	
Plus: Values of proposed project	2,114,461.00	688,400	
Less: Values of any property being replaced	0	0	
Net values upon completion of project	2,114,461.00	688,400	
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER	
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted			
Amount of hazardous waste converted			
Other benefits:			
SECTION 6		TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.			
Signature of authorized representative	Title	Date signed (month, day, year)	
Douglas Babcock	President	4-30-2015	

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991**

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3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
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We have reviewed the CF-1 and find that:

- the property owner **IS** in substantial compliance
- the property owner **IS NOT** in substantial compliance
- other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

07/01/2015

Attested by:

Designating body

Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing

AM
 PM

Date of hearing (month, day, year)

Location of hearing

HEARING RESULTS (to be completed after the hearing)

Approved

Denied (see instruction 4 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.