

**COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
Resolution Number 2016-19**

**A Resolution Waiving Any Non-Compliance with the Filing Deadlines for
Application for Deduction from Assessed Valuation of Structures in Economic
Revitalization Area and for Statements of Benefits Relating to Indiana Land
Becknell Investors, LLC for Tax Abatement Purposes**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”), by Resolution Nos. 2014-12 and 2014- 13, adopted and approved on June 18 and July 16, 2014 respectively, previously designated the subject property identified below as an Economic Revitalization Area (“ERA”) and granted to Indiana Land Becknell Investors, LLC, an Indiana Limited Liability Company (“Becknell” or “property owner”), a real property tax abatement pursuant to I.C. §6-1.1-12.1-1, *et seq.* for a parcel of real estate improved by a recently constructed industrial warehouse located in the City of Hobart at 1851 Northwind Parkway, and legally described as North Wind Crossings, Replat No. 6, Lot 1 (Property Number: 45-12-11-301-005.000-046) (“subject property”); and

WHEREAS, Becknell had filed a Petition for Real Property Tax Abatement together with a Statement of Benefits on Indiana Department of Local Government Finance (“DLGF”) Form SB-1 as required by law with the City of Hobart on June 9, 2014, pertaining to the improvements to be constructed on the subject property and said petition and form was considered and approved by action of the Common Council in Resolution Numbers 2016 -12 and 2016-13 referred to above; and

WHEREAS, the warehouse on the subject property was completed on or about January 15, 2015, and the Lake County Treasurer issued the real estate tax statement first reflecting the assessment on the completed improvement (which constitutes notice of assessment of the real

estate) , for 2015 taxes payable in 2016, on April 6, 2016. It is not known on what date the statement was mailed by Lake County; and

WHEREAS, said tax statement was received by Becknell not later than April 22, 2016, whereupon Becknell prepared and signed a DLGF Form CF-1 (Compliance with Statement of Benefits—Real Estate Improvements) on April 25, 2016, and

WHEREAS, the owner of real estate which has been designated an ERA and granted an abatement from real estate taxes by a designating body such as the Common Council, in order to receive such abatement, must file a DLGF Form 322/RE (Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas) with the County Auditor on or before May 10th in the year in which the addition to assessed valuation or new assessment is made or not later than 30 days after the notice of assessment was mailed to the property owner if the statement was mailed after April 10th; and

WHEREAS, Becknell mailed its Form 322/RE to the Lake County Auditor on May 6, 2016 (Friday). Although the instructions on the Form 322/RE required the form CF-1 to be attached, the CF-1 was not attached, but was mailed subsequently to the Form 322/RE on or about May 9, 2016. There is, therefore, some likelihood that the CF-1 did not reach the County Auditor prior to May 10th, the applicable deadline if the tax statement had been mailed prior to April 10th; and

WHEREAS, because it cannot now be determined on which date the tax statement was mailed, a filing deadline after May 10th cannot be established with certainty; 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

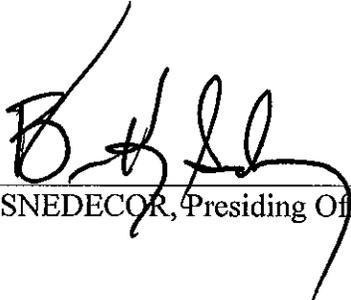
WHEREAS, it cannot be determined whether or not Becknell's filings of the 322/RE and CF-1 as detailed above were timely within the requirements of the law, and in view of the fact that Becknell made such filings near the time required in good faith, the Council desires to authorize the waiver of any filing deadline for said Forms 322/RE and CF-1 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 completed form for Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (DLGF Form 322/RE) was filed by mail with Lake County on or about May 9, 2016; and
2. The Council further finds that Compliance with Statement of Benefits (DLGF Form CF-1) for 2016 pay 2017 for the improvements to the real estate identified above was filed by the property owner with the County Auditor on or about May 9th, and was also filed with the Council.
2. The Council now waives the filing deadlines for said forms showing the Application for the Deduction and 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.* in view of the fact that the actual time of said compliance cannot be fixed with certainty.

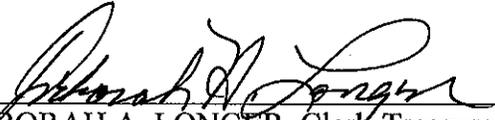
3. The Clerk-Treasurer is directed to provide a certified copy of this Resolution each to the property owner and the Department of Local Government Finance of the State of Indiana, as required by I.C. §6-1.1-12.1-9.5 (c).

ALL OF WHICH is adopted as the Resolution of the Common Council of the City of Hobart on this 2nd day of November, 2016.



BRIAN K. SNEDECOR, Presiding Officer

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana this 2nd day of November, 2016, at 6:45 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 2nd day of November, 2016.


BRIAN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

BECKNELL
INDUSTRIAL

September 6th, 2016

Denarie Kane
City of Hobart, IN
414 N. Main St.

Via email:

Re: Sunbelt

Dear Denarie,

As you are aware, we have recently transferred the Tax Abatement responsibilities from our Chicago office (Construction) to our Carmel, Indiana office (Accounting).

During this transfer, it appears we have missed the filing of the Sunbelt Tax Abatement with the County.

We are requesting a waiver of non-compliance to get this matter resolved with the County.

Please find the attached dates:

Date of Tax Bill:	4-6-16
Date of receipt of tax bill:	Between 4-6-16 and 4-22-16
Date of form 322:	5-6-16
Date of CF-1 filing:	5-11-16
Resolution #:	2014-13

Your assistance in this matter is greatly appreciated.

Regards,



Paul Thurston
Becknell Industrial Properties

Cell- 217-649-4450