

GREENWOOD COMMON COUNCIL

RESOLUTION NO. 21-05

A RESOLUTION CONFIRMING RESOLUTION 21-04 THE DECLARATION OF A CERTAIN AREA WITHIN THE CITY OF GREENWOOD AN ECONOMIC REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY IMPROVEMENTS FOR PROPERTY TAX ABATEMENT AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING (Shear GW5 LLC 703 N. Graham Rd.)

WHEREAS, the City of Greenwood, Indiana, recognizes the need to stimulate growth and maintain a sound economy within its corporate limits;

WHEREAS, the Greenwood Common Council ("Council") further recognizes that it is in the best interest of the City of Greenwood to provide incentives to stimulate investment within the community;

WHEREAS, Ind. Code § 6-1.1-12.1-1 *et. seq.* provides for a program of real property tax abatement within "economic revitalization areas" ("ERAs") and provides for the adoption of such a program;

WHEREAS, Ind. Code § 6-1.1-12.1 empowers the Council to designate economic revitalization areas by following a procedure involving adoption of a preliminary declaratory resolution (Greenwood Common Council Resolution No. 21-04, hereafter "Resolution No. 21-04"), providing public notice, conducting a public hearing and adopting a final resolution confirming the declaratory resolution or a modified version of the declaratory resolution or rescinding the declaratory resolution;

WHEREAS, on January 28, 2021 Shear GW5 703 N. Graham Road ("Applicant") filed its Statement of Benefits Real Property as required by the Common Council;

WHEREAS, at a previous council meeting, the Council received evidence about whether the Property should be designated as an economic revitalization area, and on March 1, 2021, the Council adopted a preliminary declaratory resolution, Resolution No. 21-04, designating the Property as an economic revitalization area and declaring certain real property improvements for property tax abatement and fixed 7:00 p.m. on Monday, March 15, 2021, via Zoom.us Video/Telephone Conference meeting, for a final public hearing for the purpose of receiving any remonstrance or objections from any person in or affected by the area legally described and shown on Exhibit A, attached hereto or its designation as an economic revitalization area;

WHEREAS, proper legal notice was published indicating the adoption of the declaratory resolution, Resolution No. 21-04, and stating when and where the public hearing would be held; and

WHEREAS, at such public hearing, any and all additional evidence and testimony along with any and all remonstrances and objections presented were considered, and such additional evidence and testimony either confirmed the Council's determination that the said real estate is an economic revitalization area qualified for property tax abatement or did not refute that determination.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENWOOD COMMON COUNCIL THAT:

Section 1. The Greenwood Common Council hereby takes "final action" as that phrase is contemplated in Ind. Code § 6-1.1-12.1 *et seq.* with regard to the request for real property improvements tax abatement of Applicant and the adoption of Greenwood Common Council Resolution No. 21-04 on March 1, 2021.

Section 2. The Greenwood Common Council hereby confirms certain findings made with Resolution No. 21-04 and makes such additional findings and determinations as follows:

1. That the Property is located within the jurisdiction of the Greenwood Common Council for purposes set forth in Ind. Code § 6-1.1-12.1-2;

2. That this Council has determined, based on the information provided by the applicant and other evidence before the Council, that the site has become undesirable for or impossible of normal development and occupancy inasmuch as normal development and growth did not occur in the area during the past ten (10) years without additional financial incentives;
3. That the improvement of the Property described herein would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of the City of Greenwood;
4. That the Property is zoned IL Industrial – Large Format use according to the City of Greenwood Zoning Map;
5. That the designation of the Property as an “Economic Revitalization Area” and providing property tax abatements will assist in the inducement of projects which will provide employment opportunities to residents of the City of Greenwood and Johnson County;
6. That the Statement of Benefits Real Property Improvements form, filed on January 28, 2021 by Applicant is in acceptable form and complies with the standards set forth in Resolution No. 21-04;
7. The estimate of the value of the redevelopment is reasonable for projects of this nature and type;
8. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment;
9. The estimate of the annual salaries of the individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment;
10. The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the construction/installation of the real property improvements, creates benefits of the type and quality anticipated by the Greenwood Common Council within the ERA and can reasonably be expected to result from the proposed described redevelopment.; and
11. The totality of benefits is sufficient to justify the deductions.

Section 3. The area legally described and shown on the attached Exhibit A is designated an ERA in the City of Greenwood.

Section 4. The deductions allowed within the said ERA shall be as allowed under Ind. Code § 6-1.1-12.1-3 with respect to the real property improvements which are developed in substantial compliance with the descriptions, projection, and plans set forth in Exhibit A.

Section 5. The President of the Council is hereby authorized to complete and execute Shear GW5 LLC’s Statement of Benefits for Real Property Improvement form consistent with this Resolution.

Section 6. Two (2) copies of Exhibit A, which legally describes and shows the subject real estate, is on file in the office of the Clerk of Greenwood, Indiana, and the Common Council directs the Clerk to maintain for public inspection two (2) copies of said Exhibit A in the files of the Clerk.

Section 7. A certified copy of this Resolution shall be sent to the Johnson County Auditor.

Section 8. The Council hereby confirms Resolution No. 21-04 adopted March 1, 2021, and thus approves real property improvements tax abatement as provided herein for the real estate described and shown on Exhibit A.

Section 9. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 10. This Resolution shall be effective immediately upon its passage, subject to the appeal proceedings through court action contemplated by Ind. Code § 6-1.1-12.1-2.5.

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Passed by the Common Council of the City of Greenwood, Indiana, this 15th day of March, 2021.

Michael Campbell
Michael Campbell, President
Greenwood Common Council

FOR:

AGAINST:

Linda S. Gibson

Linda S. Gibson

Ezra J. Hill

Ezra J. Hill

Michael Williams

Michael Williams

Ronald Bates

Ronald Bates

J. David Hopper

J. David Hopper

David Lekse

David Lekse

Michael Campbell

Michael Campbell

Robert Dine

Robert Dine

Bradley Pendleton

Bradley Pendleton

ATTEST:

Jeannine Myers
Jeannine Myers, Clerk

The foregoing Resolution passed by the Common Council of the City of Greenwood, Indiana, on the 15th day of March, 2021, is presented by me this 31st day of March, 2021, at 10:15 o'clock A.m. to the Mayor of the City of Greenwood.

Jeannine Myers
Jeannine Myers, Clerk

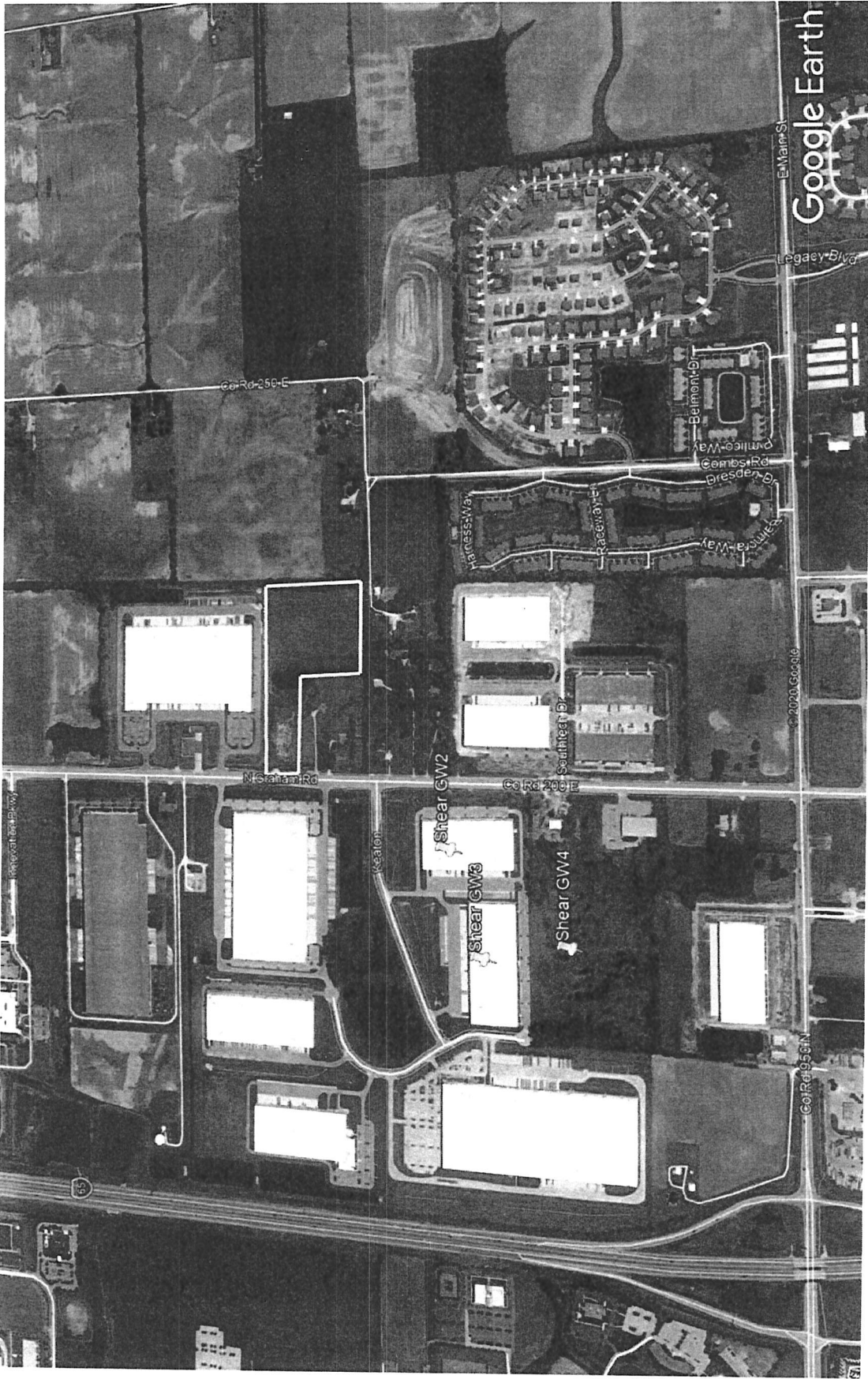
The foregoing Resolution passed by the Common Council of the City of Greenwood, Indiana, on the 15th day of March, 2021, is signed and approved by me this 1st day of April, 2021, at 8:00 o'clock A.m. to the Mayor of the City of Greenwood.

Mark W. Myers
MARK W. MYERS, Mayor of the City of
Greenwood, Indiana

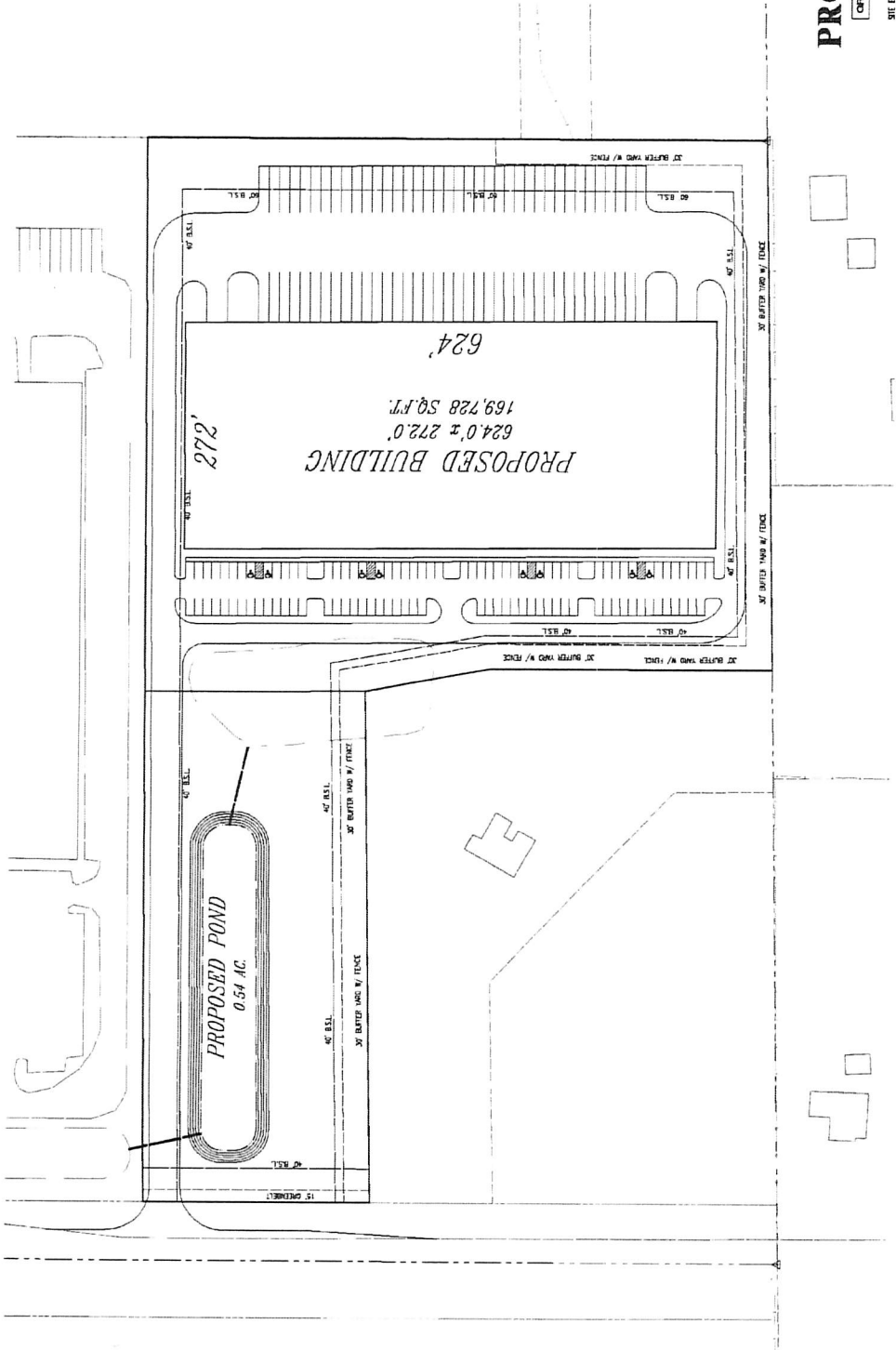
14.494 Acre Tract

Part of the West Half of the Southwest Quarter of Section 26, Township 14 North, Range 4 East of the Second Principal Meridian, Pleasant Township, Johnson County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 06 minutes 55 seconds East (assumed bearing) 478.95 feet along the west line of said Southwest Quarter; thence North 88 degrees 56 minutes 50 seconds East 70.01 feet to a 5/8 inch diameter rebar with cap stamped "Structurepoint 0094" (hereafter referenced as "rebar set") on the east right-of-way line of Graham Road as described in Instrument Number 2007-019453 and 2007-019454, on file in the Office of the Recorder of Johnson County, Indiana, also being the southwest corner of the parcel conveyed to Shuel Properties, LLC in Instrument Number 2008-003881, on file in the Office of said Recorder; being the POINT OF BEGINNING; thence North 00 degrees 06 minutes 55 seconds East 265.03 feet along the east line of said Graham Road to a rebar set; thence South 89 degrees 53 minutes 05 seconds East 1,273.65 feet to a rebar set on the east line of said West Half and the east line of said Shuel parcel, then following five (5) courses are along the west, south and east lines thereof; 1) thence South 00 degrees 04 minutes 02 seconds West 726.73 feet to a rebar found at the southeast corner of said West half; 2) thence South 89 degrees 19 minutes 09 seconds West 635.43 feet along the south line of said Southwest Quarter to a rebar set; 3) thence North 00 degrees 10 minutes 12 seconds East 328.04 feet to a rebar set; 4) thence North 09 degrees 10 minutes 10 seconds West 157.06 feet, passing through a rebar set at 52.06 feet; 5) thence South 88 degrees 56 minutes 50 seconds West 613.99 feet passing through a rebar set at 85.00 feet to the POINT OF BEGINNING. Containing 14.494 acres, more or less.



LAND USE CONCEPTUAL PLAN
CITY OF GREENWOOD,
JOHNSON COUNTY, INDIANA



PROJECTS plus
GREENWOOD SURVEYING COMPANY
SITE ENGINEERING - LAND SURVEYING - CONSTRUCTION ADMINISTRATION
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(317) 882-5083