

GREENWOOD COMMON COUNCIL

RESOLUTION NO. 24-06

**A RESOLUTION OF THE GREENWOOD COMMON COUNCIL WAIVING
NONCOMPLIANCE OF CPF GREENWOOD ASSOCIATES, LLC REGARDING ITS
FAILURE TO TIMELY FILE ITS APPLICATION FOR DEDUCTION FROM
ASSESSED VALUATION OF STRUCTURES IN ECONOMIC REVITALIZATION
AREAS (ERA)**

WHEREAS, GLA Properties, LLC submitted an Application for Real Property Tax Abatement ("Application") for certain real and personal property located within the City of Greenwood ("City") on August 29, 2019, that included a completed Statement of Benefits Real Estate Improvements form ("SB-1/RE") and Statement of Benefits Personal Property form ("SB-1/PP"), and the Greenwood Common Council approved the tax abatements by Resolution No. 19-19, adopted October 22, 2019.

WHEREAS, CPF Greenwood Associates LLC c/o Crown Realty & Development ("CPF Greenwood Associates, LLC") purchased the real property that is the subject of the tax abatement from GLA Properties, LLC on September 9, 2020, and subsequently entered into a lease of the real property with Quality Custom Distribution Services, Inc. in 2021;

WHEREAS, on December 4, 2017, the Greenwood Common Council adopted Common Council Resolution No. 17-34 creating an economic revitalization area and on October 21, 2019, adopted Resolution No. 19-19 declaring that the real estate described in the attached Exhibit A which is incorporated herein by reference, to be in that economic revitalization area, therefore qualifying the real property improvements for tax abatement for a ten-year period;

WHEREAS, to receive abatement of real estate tax Ind. Code § 6-1.1-12.1-5.3(a) requires the property owner who wishes to receive the tax abatement to file an Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (ERA) (State Form 322/RE) with the County Auditor prior to May 10 of the year the owner initially occupies the eligible property;

WHEREAS, CPF Greenwood Associates, LLC completed improvements to the real property in 2021 at a cost of \$10,586,000.00, and received an assessed valuation for the improvements of \$7,806,500.00 prior to the May 10, 2021, State Form 322/RE filing deadline, and CPF Greenwood Associates, LLC did not file a State Form 322/RE for the 2021 pay 2022 tax year;

WHEREAS, CPF Greenwood Associates, LLC would like to receive its real property tax abatement for the 2023 pay 2024 tax year and have the 2024 tax year considered year one of the tax abatement;

WHEREAS, pursuant to Ind. Code § 6-1.1-12.1-9.5(b)(1), the designating body may waive a property owner's failure to timely comply with the filing requirements of Ind. Code § 6-1.1-12.1-5.3 (State Form 322/RE, also known as a deduction application) provided the property owner files the required documents and the designating body adopts the waiver by resolution;

WHEREAS, it has been determined that the failure of CPF Greenwood Associates, LLC to timely file the State Form 322/RE was not intentional and that CPF Greenwood Associates, LLC has otherwise complied with the terms of the tax abatement by constructing real property improvements as contemplated on the Statement of Benefits and qualifies for the property tax deduction;

WHEREAS, it has been further determined that CPF Greenwood Associates, LLC filed the State Form 322/RE for the 2023 pay 2024 tax year with the Johnson County Auditor prior to the submittal of its request to the Greenwood Common Council to waive its noncompliance;

WHEREAS, it has been determined that it is in the best interest of the City to waive CPF Greenwood Associates, LLC's failure to timely comply with the filing requirements of Ind. Code § 6-1.1-12.1-5.3 and to permit the late filing of the State Form 322/RE for 2024;

WHEREAS, in accordance with Ind. Code § 6-1.1-12.1-9.5(b), after receiving information from CPF Greenwood Associates, LLC and other interested parties, it is hereby determined that the non-compliance of CPF Greenwood Associates, LLC regarding the timely filing of a State Form 322/RE as required by law be waived, and that CPF Greenwood Associates, LLC be permitted to file its 2023 CF-1 form 2023 Pay 2024 as year one (1) of said abatement with a 100% abatement schedule as follows:

DEDUCTION SCHEDULE

Year 1: 2023 Pay 2024 100%	Year 6: 2028 Pay 2029 40%
Year 2: 2024 Pay 2025 95%	Year 7: 2029 Pay 2030 30%
Year 3: 2025 Pay 2026 80%	Year 8: 2030 Pay 2031 20%
Year 4: 2026 Pay 2027 65%	Year 9: 2031 Pay 2032 10%
Year 5: 2027 Pay 2028 50%	Year 10: 2032 Pay 2033 5%

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

Section 1. The Common Council hereby finds that CPF Greenwood Associates, LLC did not timely file a State Form 322/RE through no fault of its own, although it did construct real property improvements contemplated by the Statement of Benefits Form ("SB-1") and qualifies for the property tax deductions set forth thereon, and that CPF Greenwood Associates, LLC subsequently filed the State Form 322/RE and 2023 Pay 2024 CF-1 form prior to the adoption of this Resolution.

Section 2. The Common Council hereby determines that compliance by CPF Greenwood Associates, LLC with the requirements of Ind. Code § 6-1.1-12.1-5.3 regarding the timely filing of State Form 322/RE providing information showing the extent to which there has been compliance with the Statement of Benefits approved for 2024 should be, and is hereby, waived.

Section 3. The Common Council hereby finds that on February 15, 2024, CPF Greenwood Associates, LLC filed State Form 322/RE with the Johnson County Auditor. CPF Greenwood Associates, LLC corrected the noncompliance before the adoption of this Resolution.

Section 4. The Clerk is directed to mail a certified copy of this Resolution to CPF Greenwood Associates, LLC, the Auditor of Johnson County, and the Indiana Department of Local Government Finance.

Section 5. This resolution shall be effective from and after its passage and approval by the Mayor.

Remainder of this page intentionally left blank

Passed by the Common Council of the City of Greenwood, Indiana, this 8th day of May, 2024.

Michael Campbell
Michael Campbell, President
Greenwood Common Council

ATTEST:

I hereby certify that the foregoing within and attached resolution was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on May 8, 2024 by the following vote:

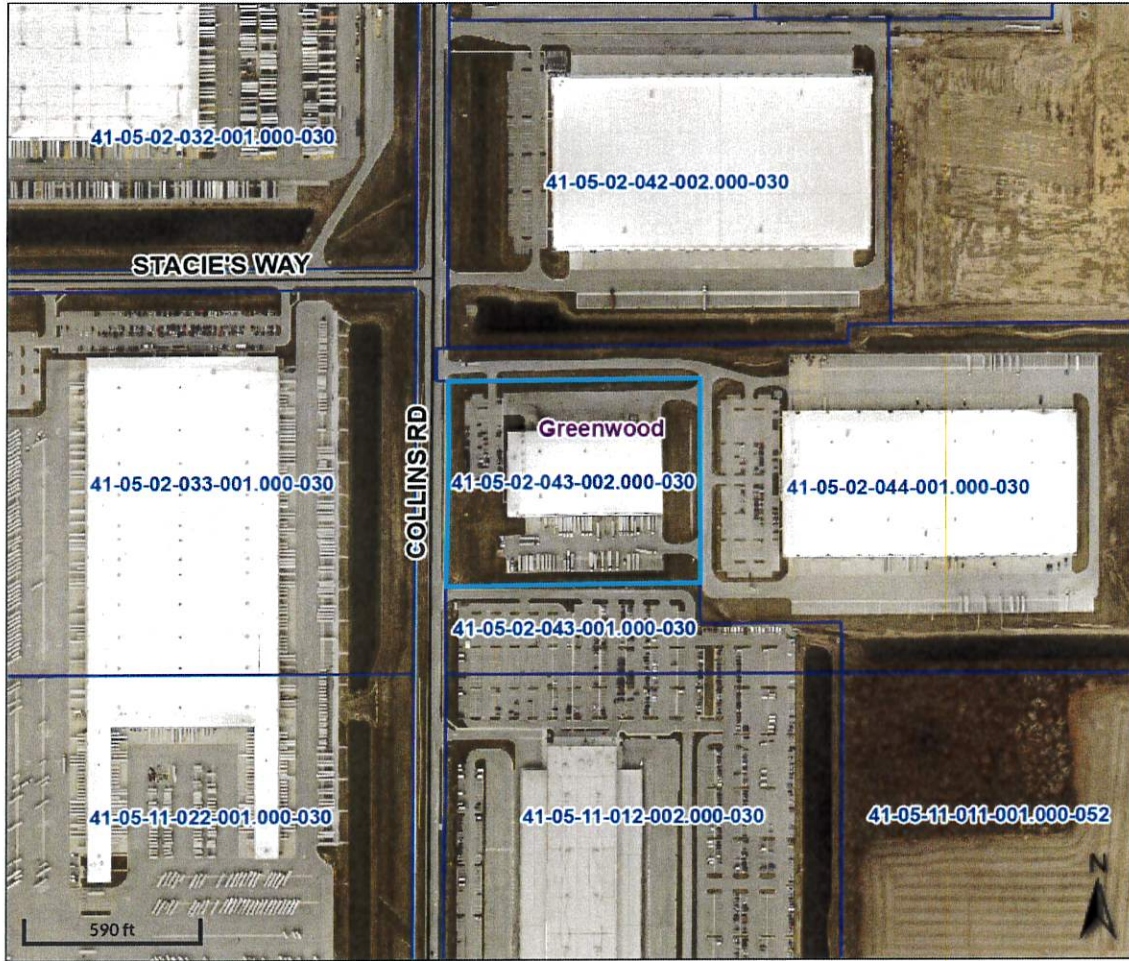
	AYE:	NAY:
Erin Betron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input type="checkbox"/>	<input checked="" type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Teri Manship	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Moan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The foregoing and attached resolution passed by the Common Council of the City of Greenwood, Indiana, on the 8th day of May, 2024, is presented by me this 9th day of May, 2024, at 8:00 o'clock 8:00A.m., to the Mayor of the City of Greenwood, Indiana.

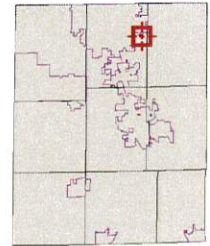
Jeannine Myers
Jeannine Myers, Clerk

The foregoing and attached resolution passed by the Common Council of the City of Greenwood, Indiana, on the 8th day of May, 2024, is approved by me this 9th day of May, 2024, at 11:10 o'clock A.m.

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



Overview



Legend

-  Cities
-  Parcels
- Roads**
 -  ACCESS RAMP
 -  HIGHWAY
 -  INTERSTATE
 -  LOCAL
 -  MAJOR ARTERIAL
 -  MAJOR COLLECTOR
 -  MINOR ARTERIAL
 -  MINOR COLLECTOR
 -  PRIVATE ROAD

Parcel ID	41-05-02-043-002.000-030	Alternate ID	41-05-02-043-002.000-030	Owner Address	CPF GREENWOOD ASSOCIATES LLC C/O CROWN REALTY & DEVELOPMENT 3000 AIRWAY AVE STE 200 COSTA MESA, CA 92626
Sec/Twp/Rng	02	Class	Industrial Warehouse		
Property Address	1379 COLLINS RD GREENWOOD	Acreage	13.24		
District	030 COUNTYWIDE				
Brief Tax Description	WORTHVILLE COMMERCE CENTER SUBPLAT OF BLK A LOTS 2 & 3 LOT 2 <i>(Note: Not to be used on legal documents)</i>				

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