

GREENWOOD COMMON COUNCIL

RESOLUTION NO. 24-09

**A RESOLUTION OF THE GREENWOOD COMMON COUNCIL WAIVING
NONCOMPLIANCE OF TLP 1175 COLLINS, LLC REGARDING ITS FAILURE TO
TIMELY FILE ITS APPLICATION FOR DEDUCTION FROM ASSESSED
VALUATION OF STRUCTURES IN ECONOMIC REVITALIZATION AREAS (ERA)
AND 2024 PAY 2025 COMPLIANCE WITH STATEMENT OF BENEFITS (CF-1)**

WHEREAS, Scannell Properties #529, LLC submitted an Application for Real Property Tax Abatement (“Application”) for certain real property located within the City of Greenwood (“City”) on February 15, 2021, that included a completed Statement of Benefits Real Estate Improvements form (“SB-1/RE”);

WHEREAS, on May 3, 2021 the City of Greenwood adopted Common Council Resolution No. 21-07 creating an economic revitalization area and declaring the real estate that is described in the attached Exhibit A, incorporated herein by reference, to be in that economic revitalization area, therefore qualifying the real property improvements that is the subject of the SB-1/ RE for tax abatement for a ten-year period;

WHEREAS, to receive abatement of real estate tax Ind. Code § 6-1.1-12.1-5(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 in which the addition to assessed valuation is made, or no later than thirty (30) days after the assessment notice is mailed if after April 10;

WHEREAS, TLP 1175 Collins, LLC, successor in interest to Scannell Properties #529, completed improvements to the real property in 2023 at a cost of \$28,547,280.85; received a Notice of Assessment of Land and Structures for the improvements of \$40,401,300.00 from the Johnson County Assessor’s Office on or about April 30, 2024, and TLP 1175 Collins, LLC did not timely file a State Form 322/RE and Compliance with Statement of Benefits Real Estate Improvements (CF-1) for the 2024 pay 2025 tax year;

WHEREAS, TLP 1175 Collins, LLC would like to receive its real property tax abatement for the 2024 pay 2025 tax year;

WHEREAS, pursuant to Ind. Code §§ 6-1.1-12.1-11.3(a)(5)(A) and (c), 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 by adopting a resolution waiving the noncompliance after conducting a public hearing on the waiver request;

WHEREAS, it has been determined that the failure of TLP 1175 Collins, LLC to timely file the State Form 322/RE and CF-1 / Real Property was not intentional and that TLP 1175 Collins, 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 TLP 1175 Collins, LLC filed the State Form 322/RE and CF-1 / Real Property for the 2024 pay 2025 tax year with the Johnson County Auditor on August 21, 2024, a copy of which is attached hereto as Exhibit B, 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 TLP 1175 Collins, LLC’s failure to timely comply with the filing requirements of Ind. Code § 6-1.1-12.1-5 and to permit the late filing of the State Form 322/RE and CF-1 / Real Property for 2024;

WHEREAS, in accordance with Ind. Code § 6-1.1-12.1-11.3(c), after receiving information from TLP 1175 Collins, LLC and other interested parties, it is hereby determined that the non-compliance of TLP 1175 Collins, LLC regarding the timely filing of a State Form 322/RE and CF-1 / Real Property as required by law be waived,

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

Section 1. The Common Council hereby finds that TLP 1175 Collins, LLC did not timely file a State Form 322/RE and CF-1 / Real Property 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 TLP 1175 Collins, LLC subsequently filed the State Form 322/RE and CF-1 / Real Property. The Common Council further finds that TLP 1175 Collins, LLC timely submitted its Compliance with Statement of Benefits Real Estate Improvements Form (CF-1) for 2024 pay 2025 regarding the real estate improvements prior to the adoption of this Resolution, and the real estate improvements are in compliance with the SB-1.

Section 2. The Common Council hereby determines that noncompliance by TLP 1175 Collins, LLC with the requirements of Ind. Code § 6-1.1-12.1-5 regarding the timely filing of State Form 322/RE and CF-1 / Real Property applying for deduction from assessed valuation after its receipt of notice of assessment of the real estate improvements should be, and is hereby, waived.

Section 3. The Common Council hereby finds that on August 21, 2024, TLP 1175 Collins, LLC filed State Form 322/RE and CF-1 / Real Property with the Johnson County Auditor. TLP 1175 Collins, 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 TLP 1175 Collins, 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 _____ day of _____, 2024.

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 _____, 2024 by the following vote:

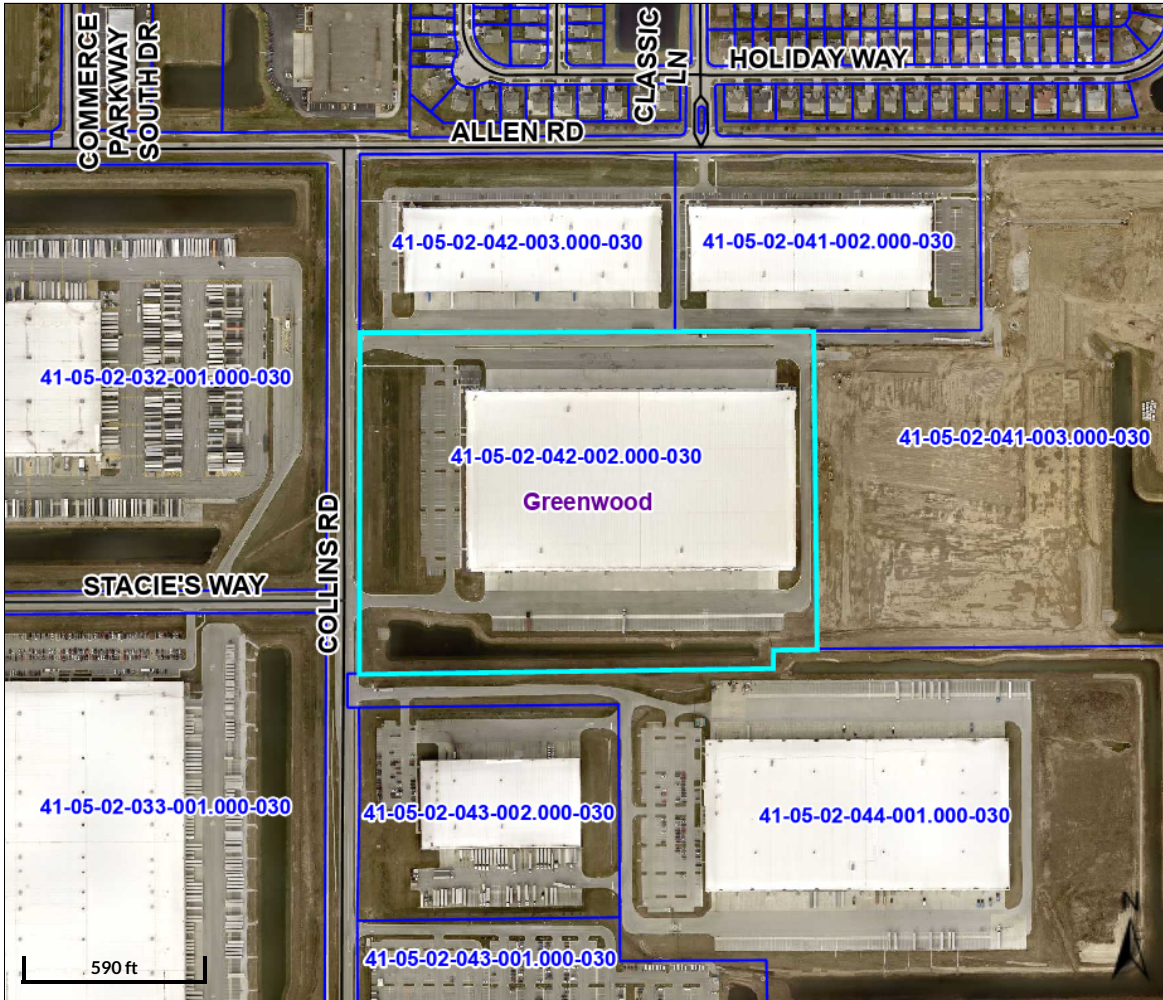
	AYE:	NAY:
Erin Betron	<input type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input type="checkbox"/>	<input type="checkbox"/>
Ezra Hill	<input type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input type="checkbox"/>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

The foregoing and attached resolution passed by the Common Council of the City of Greenwood, Indiana, on the _____ day of _____, 2024, is presented by me this _____ day of _____, 2024, at _____ o'clock _____.m., to the Mayor of the City of Greenwood, Indiana.

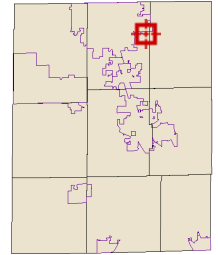
Jeannine Myers, Clerk

The foregoing and attached resolution passed by the Common Council of the City of Greenwood, Indiana, on the _____ day of _____, 2024, is approved by me this _____ day of _____, 2024, at _____ o'clock _____.m.

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	41-05-02-042-002.000-030	Alternate ID	41-05-02-042-002.000-030	Owner Address	TLP 1175 COLLINS LLC
Sec/Twp/Rng	n/a	Class	Industrial Warehouse		17 W 635 BUTTERFIELD RD
Property Address	1175 COLLINS RD	Acreage	33.532		SUITE 100
	GREENWOOD				VILLA PARK, IL 60181

District 030 COUNTYWIDE

Brief Tax Description WORTHSVILLE COMMERCE CENTER PHASE II REPLAT OF LOT 1, LOT 2 & BLK A - LOT 1

(Note: Not to be used on legal documents)

DISCLAIMER: Johnson County maintains this World Wide Web site to enhance public access to information. This site is continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. Johnson County makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user. The material on this site comes from a variety of sources. We do not control or guarantee the accuracy, relevance, timeliness or completeness of any outside information. Further, the inclusion of pointers to particular items is not intended to reflect their importance nor is it an endorsement of any of the views expressed or products or services offered. Maps and data are provided for informational purposes only.

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GEOSPATIAL



APPLICATION FOR DEDUCTION FROM ASSESSED VALUATION OF STRUCTURES IN ECONOMIC REVITALIZATION AREAS (ERA)

State Form 18379 (R14 / 6-16)

Prescribed by the Department of Local Government Finance

20 24 PAY 20 25

FORM 322 / RE

AUG 21 2024

INSTRUCTIONS:

- This form is to be filed in person or by mail with the County Auditor of the county in which the property is located.
- To obtain this deduction, a Form 322 / RE must be filed with the County Auditor before May 16 in the year in which the addition to assessed valuation (or new assessment) is made, or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. If the property owner misses the May 10 deadline in the initial year of assessment, he can apply between January 1 and May 10 of a subsequent year for the remainder of the abatement term. (See also IC 6-1.1-12.1-11.3 concerning the failure to file a timely application.)
- A copy of the Form 11, the approved Form SB-1 / Real Property, the resolution adopted by the designating body, and the Form CF-1 / Real Property must be attached to this application.
- The Form CF-1 / Real Property must be updated annually and provided to the County Auditor and the designating body for each assessment year in which the deduction is applicable.
- Please see IC 6-1.1-12.1 for further instructions.
- Taxpayer completes Sections I, II and III below.
- If property located in an economic revitalization area is also located in an allocation area as defined in IC 36-7-14-39 or IC 36-7-15.1-26, an application for the property tax deduction may not be approved unless the Commission that designated the allocation area adopts a resolution approving the application (IC 6-1.1-12.1-2(k)).
- Except for deductions related to redevelopment or rehabilitation of real property in a county containing a consolidated city, a deduction for the redevelopment or rehabilitation of real property may not be approved for the following facilities (IC 6-1.1-12.1-3):
 - Private or commercial golf course
 - Country club
 - Massage parlor
 - Tennis club
 - Skating facility, including roller skating, skateboarding or ice skating
 - Racquet sport facility (including handball or racquet ball court)
 - Hot tub facility
 - Suntan facility
 - Racetrack
 - Any facility, the primary purpose of which is (a) retail food and beverage service; (b) automobile sales or service; or (c) other retail; (unless the facility is located in an economic development-target area established under IC 6-1.1-12.1-7).
 - Residential, unless the facility is a multi-family facility that contains at least 20% of the units available for use by low and moderate income individuals, or unless the facility is located in an economic development target area established under IC 6-1.1-12.1-7, or the area is designated as a residentially distressed area which is required to meet conditions as cited in IC 6-1.1-12.1-2(c)(1 & 2).
 - Package liquor store [see IC 6-1.1-12.1-3(e)(12)]

SECTION I - DESCRIPTION OF PROPERTYThe owner hereby applies to the County Auditor for a deduction pursuant to IC 6-1.1-12.1-5 beginning with the assessment date January 1, 20 24.

County Johnson	Township GWD CITY-CP SCH-CO LIB-PL	DLGF taxing district number 41-030	Key number 41-05-02-042-002.000-030
Name of owner TLP 1175 Collins LLC Formerly Scannell Properties #529 LLC		Legal description from Form 11 WORTHVILLE COMMERCE CENTER PHASE II REPLAT OF LOT 1, LOT 2 & BLK A - LOT 1	
Property address (number and street, city, state, and ZIP code) 1175 COLLINS RD, GREENWOOD, IN 46143			Date of Form 11 (month, day, year) 04/30/2024
Type of structure Industrial Warehouse			Use of structure Commercial
Governing body that approved ERA designation City of Greenwood Common Council		Date ERA designation approved (month, day, year) 05/03/2021	Resolution number 21-13

SECTION II - VERIFICATION OF OWNER OR REPRESENTATIVE

Signature of owner or representative (I hereby certify that the representations on this application are true.) <i>Elena Salazar</i>		Date signed (month, day, year) 8/15/24
Printed name of owner or representative Elena Salazar	Address (number and street, city, state, and ZIP code) 17 W 635 Butterfield Rd., Suite 100, Oakbrook Terrace, IL 60181	

SECTION III - STRUCTURES**AUDITOR'S USE**

A. Rehabilitation structure	1. Assessed valuation AFTER rehabilitation	\$	
	2. Assessed valuation BEFORE rehabilitation	\$	
	3. Difference in assessed valuation (Line 1 minus Line 2)	\$	
	4. Assessed valuation eligible for deduction (for the increase in A/V from the rehabilitation, not including the increase in A/V from the reassessment of the entire structure)	\$	
B. New structure	1. Assessed valuation	\$	40,401,300.00
	2. Assessed valuation eligible for deduction	\$	40,401,300.00

SECTION IV - VERIFICATION OF ASSESSING OFFICIALI verify that the above described structure was assessed and the owner was notified on 4/30/24, with the effective date of the assessment being January 1, 20 24, and that the assessed valuations in Section III are correct.

Signature of assessing official <i>Mike Watkins</i>	Printed name of assessing official Mike Watkins	Date (month, day, year) 8/21/24
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THIS IS NOT A TAX BILL

APPEAL DEADLINE IS:

June 17, 2024

MWPSAUTOSEQ***1 of 1***11236
TLP 1175 COLLINS LLC
17 W 635 BUTTERFIELD RD
SUITE 100
VILLA PARK IL 60181

Legal Description WORTHVILLE COMMERCE CENTER PHASE II REPLAT OF LOT 1, LOT 2 & BLK A - LOT 1	Parcel or Identification Number 41-05-02-042-002.000-030
Property Address (number and street, city, state, and ZIP code) 1175 COLLINS RD, GREENWOOD, IN 46143	

This notice indicates the assessed value of your property. Information on the valuation of your property and a copy of the property record card can be obtained from the assessing official at the telephone number and address below.

Notice to the taxpayer of the opportunity to appeal (IC 6-1.1-15-1.1, 1.2):

If the taxpayer does not agree with the action of the assessing official giving this notice, an appeal can be initiated to challenge that action. To file an appeal, the taxpayer must file a Form 130, Taxpayer's Notice to Initiate an Appeal, with the township assessor or county assessor in a timely manner. The time-frame to file an appeal on the assessment contained in this notice may have two different filing deadlines. These deadlines are based on the date that this notice is mailed. If this notice is mailed before May 1 of the assessment year, the filing deadline is June 17 of that year. If this notice is mailed on or after May 1 of the assessment year, the filing deadline is June 17 in the year that the tax statements are mailed. (IC 6-1.1-15-1.1) This form is available from the assessing official or at: <https://forms.in.gov/Download.aspx?id=6979>. An assessing official who receives a Form 130 must schedule a preliminary informal meeting with the taxpayer in order to resolve the appeal. The assessing official and taxpayer must exchange the information each party is relying on at the time of the preliminary informal meeting to support the party's respective position on each disputed issue concerning the appeal. If the taxpayer has reason to believe that the township assessor, county assessor, an employee of the township assessor or county assessor, or an appraiser has violated IC 6-1.1-35.7-3 or IC 6-1.1-35.7-4(a), the taxpayer may submit a written complaint to the Department of Local Government Finance under IC 6-1.1-35.7-4(b).

NOTE: Failure to file a timely Form 130 can be grounds for dismissal of this appeal.

PREVIOUS ASSESSMENT		NEW ASSESSMENT EFFECTIVE JANUARY 1, 2024	
LAND	3,289,400	LAND	2,750,400
STRUCTURES	20,425,100	STRUCTURES	40,401,300
TOTAL	23,714,500	TOTAL	43,151,700

Reason for Revision of Assessment: *Annual Adjustment*

- As required by law, your assessment is evaluated and adjusted each year to reflect market value. The 2024 assessed value is based on sales that occurred in 2023.

If the change in assessment is due to a new home, a taxpayer should be aware that there are many property tax benefits or deductions available. Please see INDIANA PROPERTY TAX BENEFITS (State Form 51781) available on the DLGF website: www.IN.gov/dlgef. Other non-residential construction may be eligible for deductions - see Forms 322/RE and Form 322/VBD.

County JOHNSON	Township PLEASANT	Date of Notice (month, day, year) 04/30/2024
Assessing Official MIKE WATKINS		Telephone Number (317) 346-4701
Address (number and street, city, state, and ZIP code) 86 W. COURT ST., FRANKLIN, IN 46131		


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

State Form 51766 (R6 / 4-23)

Prescribed by the Department of Local Government Finance

FILED
AUG 21 2024
20 24 PAY 20 25

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 6-1.1-12.1-5.3 (k) and (l).

INSTRUCTIONS:

1. 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).
2. This form must accompany the initial deduction application (Form 322/RE) and be filed with the county auditor.
3. 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 6-1.1-12.1-5.3(j))
4. 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 TLP 1175 Collins LLC formerly Scannell Properties #529 LLC		County Johnson
Address of Taxpayer (number and street, city, state, and ZIP code) 17 W 635 Butterfield Rd., Suite 100, Oakbrook Terrace, IL 60181		DLGF Taxing District Number 41-030
Name of Contact Person Elena Salazar	Telephone Number (248) 830-0979	Email Address esalazar@tradelaneproperties.com
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of Designating Body Greenwood Common Council	Resolution Number 21-13	Estimated Start Date (month, day, year) 04/01/2021
Location of Property 1175 Collins Road, Greenwood, IN 46143 Parcel: 41-05-02-042-002.000-030		Actual Start Date (month, day, year) 2021
Description of Real Property Improvements Development of an approx. 584,820 SF (expandable by 470,000 SF) - BLDG #2 - warehouse/distribution or light manufacturing facility. Facility will be constructed on multiple parcels - see application's exhibit A. The company is unable to project employment and salaries due to the building being constructed on a speculative basis.		Estimated Completion Date (month, day, year) 03/31/2022
		Actual Completion Date (month, day, year) 2023
SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees	0	*0
Salaries	0.00	0.00
Number of Employees Retained	0	0
Salaries	0.00	0.00
Number of Additional Employees	0	0
Salaries	0.00	0.00
SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values Before Project	\$	\$
Plus: Values of Proposed Project	\$ 26,000,000.00	\$
Less: Values of Any Property Being Replaced	\$	\$
Net Values Upon Completion of Project	\$ 26,000,000.00	\$
ACTUAL	COST	ASSESSED VALUE
Values Before Project	\$	\$
Plus: Values of Proposed Project	\$ 28,547,280.85	\$ 40,401,300
Less: Values of Any Property Being Replaced	\$	\$
Net Values Upon Completion of Project	\$ 28,547,280.85	\$
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 <i>Elena Salazar</i>	Title Director of Property Management	Date Signed (month, day, year) 8/15/24

*Building is complete and ready for a tenant. Building is being marketed looking for a tenant to occupy.

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)

INSTRUCTIONS: (IC 6-1.1-12.1-5.3 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, including 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, 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:			
<input type="checkbox"/>	The Property Owner IS in Substantial Compliance		
<input type="checkbox"/>	The Property Owner IS NOT in Substantial Compliance		
<input type="checkbox"/>	Other (specify) _____		
Reasons for the Determination (attach additional sheets if necessary)			
Signature of Authorized Member			Date Signed (month, day, year)
Attested By		Designating Body Greenwood 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	<input type="checkbox"/> AM <input type="checkbox"/> PM	Date of Hearing (month, day, year)	Location of Hearing

HEARING RESULTS (to be completed after the hearing)

<input type="checkbox"/> Approved	<input type="checkbox"/> 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 Greenwood Common Council
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 clerk 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.	