

RESOLUTION NO. 24-01-11-001

**DECLARATORY RESOLUTION OF THE  
COUNTY COUNCIL OF KOSCIUSKO COUNTY, INDIANA  
CONFIRMING AN ECONOMIC REVITALIZATION AREA AND APPROVING  
SB-1/PP AND SB-1/RE STATEMENTS OF BENEFITS**

WHEREAS, Ind. Code § 6-1.1-12.1 allows an abatement of property taxes attributable to the redevelopment or rehabilitation of real property and the installation of real estate improvements, new manufacturing equipment, new logistical distribution equipment, and new information technology equipment in economic revitalization areas;

WHEREAS, Ind. Code § 6-1.1-12.1-2 empowers the County Council of Kosciusko County, Indiana ("County Council") to designate economic revitalization areas;

WHEREAS, the County Council has determined in Resolution 06-05-01 Dreyfus that real estate commonly known as 7344 SR 15 South, Claypool, Indiana and more particularly described on Exhibit A (the "Real Estate") is an Economic Revitalization Area;

WHEREAS, Ind. Code § 6-1.1-12.1-3 and Ind. Code § 6-1.1-12.1-4.5 require that a taxpayer file statements of benefits with the County Council in order to obtain property tax abatement on the redevelopment or rehabilitation of real property or the installation of new manufacturing equipment, new logistical distribution equipment, and new information technology equipment in an economic revitalization area;

WHEREAS, Louis Dreyfus Agricultural Industries, LLC (the "Company") has filed with the County Council on January 11, 2024, statements of benefits describing a certain new project (a copy of said statements of benefits is attached hereto), such project being within the Real Estate (sometimes hereinafter referred to as the "Statements of Benefits");

WHEREAS, the County Council has reviewed and considered the Company's Statements of Benefits;

WHEREAS, the Company has initiated or may initiate the project set forth in the Statements of Benefits before the Statements of Benefits have been approved by the County Council and requested a waiver of the requirement that the project not be initiated prior to such approval;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL THAT:

1. The Real Estate has been declared and designated to be an "economic revitalization area" as that term is defined in Ind. Code § 6-1.1-12.1-1, pursuant to Resolution 06-05-01 Dreyfus.
2. Deductions from the assessed value of new equipment installed in the economic revitalization area established by this Resolution shall be allowed over a five (5) year deduction period.
3. Deductions from the assessed value of real estate improvements installed in the economic revitalization area established by this Resolution shall be allowed over a ten (10) year deduction period.
4. The Statements of Benefits submitted by the Company on January 11, 2024, and attached hereto should be and are hereby approved.
5. For the statement of benefits submitted by the Company on January 11, 2024, for the construction of new real estate improvements, the County Council makes the following findings of fact pursuant to Ind. Code § 6-1.1-12.1-4.5(c):
  - a. The estimate of the cost of the real estate improvements is reasonable for improvements of that type;

b. 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 construction of the new real estate improvements;

c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed construction of the new real estate improvements;

d. Other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed construction of new real estate improvements; and

6. The totality of benefits is sufficient to justify the deduction.

7. For the statement of benefits submitted by the Company on January 11, 2024, for the installation of new manufacturing equipment, logistics equipment and information technology equipment, the County Council makes the following findings of fact pursuant to Ind. Code § 6-1.1-12.1-4.5(c):

a. The estimate of the cost of the new equipment is reasonable for equipment of that type;

b. 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 installation of the new equipment;

c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed installation of new equipment;

d. Other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of new equipment; and

e. The totality of benefits is sufficient to justify the deduction.

BE IT ALSO RESOLVED by the County Council, that there shall be published notice of the adoption and substance of this Resolution in accordance with Ind. Code § 5-3-1, which notice shall name a date for the public hearing on the approval of the Statements of Benefits and Request for Waiver and that at the conclusion of said public hearing the County Council may take final action on said matters.

BE IT FINALLY RESOLVED by the County Council, that if any part, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause or portion of this Resolution.


Adopted this 11<sup>th</sup> day of January, 2024, by the County Council of Kosciusko County, Indiana.

  
\_\_\_\_\_, President  
County Council of Kosciusko County, Indiana

ATTEST:

  
\_\_\_\_\_  
Rhonda J. Helser, Auditor,  
Kosciusko County, Indiana

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



### DESCRIPTION

A tract of land in the Southwest, Northwest, Northeast and Southeast Quarters of Section 20, Township 31 North, Range 6 East, Clay Township, Kosciusko County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20 marked by a PK nail in the surface of State Road #15; thence North  $00^{\circ}51'10''$  West along the West line of said Southwest Quarter and within the right-of-way of said State Road #15, 437.43 feet to a Mag nail and the Point of Beginning; thence North  $00^{\circ}51'10''$  West along said West line and within said right-of-way, 2184.88 feet to a Mag nail and the Northwest corner of said Southwest Quarter of said Section 20, also being the Southwest corner of the Northwest Quarter of said Section 20; thence North  $00^{\circ}51'30''$  West, along the West line of said Northwest Quarter and within said right-of-way, 2603.49 feet to a Mag nail at the intersection of said West line with the South right-of-way of the Norfolk & Western Railroad (formerly the New York and St. Louis Railroad); thence South  $62^{\circ}22'13''$  East, along said South right-of-way, 837.56 feet (recorded South  $62^{\circ}05'34''$  East, 689.33) to an iron pin; thence Southeasterly, along said South right-of-way, 926.43 feet (recorded 1226.34 feet) along a curve to the left to an iron pin, said curve having Radius of 1908.50 (recorded 2536.32 feet), with a Chord length of 917.36 feet (recorded 1214.50 feet), and Chord Bearing of South  $76^{\circ}16'36''$  East (recorded South  $75^{\circ}56'43''$  East); thence North  $89^{\circ}49'00''$  East, along said South right-of-way, 978.67 feet (recorded South  $89^{\circ}47'52''$  East, 818.21 feet) to an iron pin on the East line of said Northwest Quarter; thence South  $01^{\circ}10'26''$  East, along said East line, 346.00 feet to an iron pin; thence North  $89^{\circ}49'00''$  East, 422.55 feet to an iron pin; thence North  $01^{\circ}14'42''$  West, 65.45 feet to an iron pin on the South line of a 16.5 foot wide alley; thence North  $89^{\circ}59'13''$  East, along said South line, 164.80 feet (recorded 165 feet) to an iron pin on the West right-of-way of the Conrail railroad (formerly the C.C.C. & St. Louis Railroad); thence South  $01^{\circ}14'42''$  East, along said right-of-way, 9.92 feet to an iron pin; thence South  $89^{\circ}59'13''$  West, 90.00 feet to an iron pin; thence South  $01^{\circ}07'17''$  East, 150.08 feet (recorded 150 feet) to an iron pin; thence South  $89^{\circ}58'50''$  East, 90.34 feet (recorded 90 feet) to an iron pin on the West right-of-way of said Conrail railroad; thence South  $01^{\circ}14'42''$  East, along said right-of-way, 103.95 feet to an iron pin; thence North  $89^{\circ}59'13''$  East, 27.48 feet to an iron pin on the West right-of-way of said Conrail railroad; thence South  $01^{\circ}14'42''$  East, along said right-of-way, 1394.03 feet to a concrete post on the South line of the Northeast Quarter of said Section 20; thence South  $89^{\circ}31'07''$  West, along said South line, 616.75 feet to a Railroad Iron Post marking the center of said Section 20; thence South  $88^{\circ}43'10''$  West, along the South line of said Northwest Quarter, 619.48 feet to an iron pin; thence South  $01^{\circ}09'55''$  East, 1495.10 feet to an iron pin; thence North  $88^{\circ}28'28''$  East, 582.16 feet to an iron pin; thence North  $48^{\circ}36'06''$  East, 780.00 feet to an iron pin; thence South  $01^{\circ}13'03''$  East, 51.48 feet to an iron pin; thence Southeasterly, along a curve to the left, 866.90 feet to an iron pin, said curve having a radius of 12640.00 feet, a chord length of 866.73 feet, and chord bearing of South  $03^{\circ}10'56''$  East; thence South  $05^{\circ}08'49''$  East, 722.37 feet to a Mag nail on the South line of the Southeast Quarter of said Section 20 and on the centerline of County Road 800 South; thence South  $89^{\circ}38'41''$  West along said South line and said centerline, 638.71 feet to a Mag nail at the Southwest corner of said Southeast Quarter, also being the Southeast corner of said Southwest Quarter; thence South  $88^{\circ}37'49''$  West along the South line of said Southwest Quarter of said Section 20 and said centerline, 197.28 feet to a Mag nail; thence North  $01^{\circ}04'16''$  West, 440.08 feet to an iron pin; thence South  $88^{\circ}34'04''$  West, 2428.92 feet to the Point of Beginning, containing 279.56 Acres more or less.

Subject to the right-of-way of State Road #15, the right-of-way of County Road 800 South and all covenants, easements, or restrictions of record and all applicable building and zoning laws and ordinances and possible rights of tile and drainage ditches.

