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Deborah A Wright
Kosciusko County Recorder IN
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RESOLUTION NO. 23-03-09-002

**CONFIRMATORY RESOLUTION OF THE
COUNTY COUNCIL OF KOSCIUSKO COUNTY, INDIANA
APPROVING TAX ABATEMENT FOR
IGDB BIOGAS, LLC**

WHEREAS, Ind. Code § 6-1.1-12.1 allows an abatement of property taxes attributable to the installation of new 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 reviewed and informed itself about the status of the real estate and improvements located at 9194 N. Orn Road, Milford, IN, and specifically described in Exhibit A attached hereto and made a part hereof (the "Real Estate");

WHEREAS, the Real Estate is located within the jurisdiction of the County Council for purposes set forth in Ind. Code § 6-1.1-12.1-2;

WHEREAS, the County Council has determined that the Real Estate has become undesirable for, or impossible of, normal development and occupancy, and otherwise meets the definition of an economic revitalization area as that term is defined at Ind. Code § 6-1.1-12.1-1;

WHEREAS, the development and improvement of the Real Estate would benefit and would promote the welfare of all citizens and taxpayers of Kosciusko County;

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

WHEREAS, IGDB Biogas, LLC (the "Company") has filed with the County Council on February 3, 2023, a statement of benefits describing a certain new project (a copy of said statement of benefits is attached hereto), such project being within the Real Estate (sometimes hereinafter referred to as the "Statement of Benefits");

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

WHEREAS, on February 9, 2023, the County Council did adopt a Declaratory Resolution for the approval of the statement of benefits and establishment of the economic revitalization area pursuant to Resolution No. 23-02-09-001 of the County Council;

WHEREAS, notice of adoption and substance of said Declaratory Resolution and the scheduling of a public hearing on March 9, 2023, regarding said resolution was published pursuant to Ind. Code § 6-1.1-12.1-2.5;

WHEREAS, all requirements of Ind. Code § 6-1.1-12.1-2.5 have been fulfilled; and

WHEREAS, the County Council, after conducting a public hearing on this matter on March 9, 2023, has given careful consideration to all comments and views expressed regarding the Statement of Benefits and the establishment of the economic revitalization area.

NOW, THEREFORE, BE IT RESOLVED, the County Council hereby confirms its Declaratory Resolution No. 23-02-09-001 for approval of the statement of benefits and establishment of the economic revitalization area, and specifically confirms and finds as follows:

1. The Real Estate set forth in Exhibit A is declared and designated to be an “economic revitalization area” as that term is defined in Ind. Code § 6-1.1-12.1-1.

2. Deductions from the assessed value of new manufacturing equipment installed in the economic revitalization area between January 1, 2023 and December 31, 2023, shall be allowed over a five (5) year deduction period.

3. The attached statement of benefits submitted by the Company on February 3, 2023, should be and is hereby approved.

4. For the Statement of Benefits submitted by the Company for the installation of new manufacturing 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 manufacturing 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 new manufacturing 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 manufacturing equipment,

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

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

5. The County Council hereby finds and declares that:


a. The Real Estate should be and is declared an Economic Revitalization Area as described in Ind. Code § 6-1.1-12.1-2;

b. Deductions from the assessed value of new manufacturing equipment described in the Statement of Benefits and installed between January 1, 2023 and December 31, 2023, approved by this Resolution shall be allowed over a five (5) year deduction period;

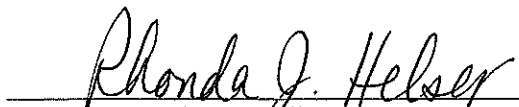
c. Deductions shall be allowed in the percentages described in the attached Abatement Schedule.

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 9th day of March, 2023, by the County Council of Kosciusko County, Indiana.


Mike Long, Presiding Officer
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.

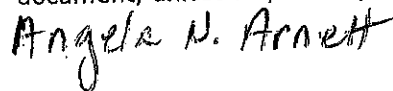


Exhibit A

The East Half of the Southeast Quarter of Section 25, Township 34 North, Range 5 East.

LESS AND EXCEPTING therefrom a tract of land described as follows:

Beginning at the Southwest corner of the East half of the Southeast Quarter of Section 25, Township 34 North, Range 5 East, which is the intersection of 900 North and Orn Road; thence North on Orn Road 850 feet to a point and the Principal Place of Beginning; thence East 250 feet to a point; thence 270 feet North to a point that is 250 feet East of Orn Road; thence 250 feet West to Orn Road; thence 270 feet South on Orn Road to the Principal Place of Beginning. Containing 1.55 acres, more or less.

Containing after said exception, 78.45 acres, more or less.