

Resolution Number: 22-10-13-001

RESOLUTION OF THE KOSCIUSKO COUNTY COUNCIL DECLARING OR DESIGNATING A PORTION OF THE COUNTY OF KOSCIUSKO AN ECONOMIC REVITALIZATION AREA FOR PERSONAL PROPERTY, PURSUANT TO INDIANA LAW, INCLUDING WITHOUT LIMITATION IC. 6-1.1-12.1-1, ET SEQ.

iDNA Series, LLC

DECLARATORY RESOLUTION

WHEREAS, the COUNTY COUNCIL of the COUNTY OF KOSCIUSKO, Indiana is the statutory body with the authority to designate an area within its jurisdiction as an Economic Revitalization Area as defined in Indiana law, including without limitation, IC.6-1.1-12.1-1, et seq.; and, as applicable, IC 6-1.1-12.1-4.5(c) and

WHEREAS, the owners of an area (commonly known as 2666 S. Country Club Rd.) described as follows have requested that it be designated an economic revitalization area:

SEE ATTACHMENT

WHEREAS, the Council has reviewed the information contained in the statement of benefits filed by the owners with their request, including the impact on the tax rate incorporated therein;

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

SECTION 1. The Council finds that the benefits, including the estimate of the cost of the real property improvements and personal property, and the estimated number of individuals who will be employed or whose employment will be retained, as well as the related salaries, as described in the statement of benefits filed in regard to this area, can be reasonably expected to result from the project and are sufficient to justify the applicable deduction.

SECTION 2. The area described hereinabove and located within COUNTY OF KOSCIUSKO is hereby declared to be an economic revitalization area, pursuant to Indiana Law, including without limitation I.C. 6-1.1-12.1-1, et seq. and, as applicable, I.C. 6-1.1-12.1-4.5(c).

SECTION 3. The designation of this area is put in effect for a period of _____ years from the passage of the confirmation of this Resolution.

SECTION 4. The owner(s) of all property located within such economic revitalization area shall, upon the rehabilitation or redevelopment of such property, and upon proper allocation, be entitled to a deduction from the assessed value of that

property, as prescribed by Indiana Law, including without limitation I.C. 6-1.1-12.1-1, et seq., for up to a period of 3 years on personal property taxes. Further, the Council hereby waives any and all clerical errors, technical errors and nonconformities that are waivable under State and Local law, including without limitation those described in I.C. 6-1.1-12.9-5, subsections (b)(1) and (b)(2), and I.C. 6-1.1-12.1-11.3, subsections (a)(1) through (a)(5), inclusive, including without limitation nonconformities relating to requirements that the ERA be designated and the completed statement of benefits be filed with the Council before any steps toward the implementation equipment for personal property, for which tax abatement is sought.

SECTION 5. This resolution shall be in full force and effect from and after its passage and approval and confirmation, as required by law.

ATTACHMENT TO DNA SERIES
LEGAL DESCRIPTION

Tract 1:

A part of the Plat of Southgate Park, as recorded in Document Number 95-12-1122 in the records of Kosciusko County, Indiana, being part of Sections 27 and 28, all in Township 32 North, Range 6 East, Kosciusko County, Indiana, being more particularly described as follows:

Commencing at a P.K. nail found at the point of intersection of the North line of the Southeast Quarter of said Section 28, with the centerline of County Road 75 East, said point of intersection being situated 59.4 (60.72 feet (92 links)) East of a rail iron post marking the Northwest corner of the East half of said Southeast Quarter; thence North 89 degrees 04 minutes 08 seconds (basis of bearings

established by Survey-grade GPS using the GNSS) (recorded North 89 degrees 11 minutes East), on and along said North line, a distance of 691.20 feet to an iron pin found at the Northwest corner of the Plat of said Southgate Park, also being the true point of beginning; thence South 01 degree 43 minutes 43 seconds East, (recorded South 01 degree 33 minutes East), on and along the Westerly line of said Plat and the Southerly projection of said Westerly line, a distance of 184.08 (recorded 184.16 feet) to an iron pin on the North right-of-way line of Enterprise Drive; thence North 89 degrees 18 minutes 30 seconds East, (recorded North 89 degrees 26 minutes 30 seconds East), on and along said North right-of-way line, a distance of 288.07 feet (recorded 288.17 feet) to the point of curvature of a regular curve to the right having a radius of 280.00 feet; thence Easterly, on and along said North right-of-way line, as defined by said curve, an arc distance of 90.76 feet (the chord of which bears South 80 degrees 41 minutes 29 seconds East (recorded South 80 degrees 33 minutes 30 seconds East) for a length of 90.30 feet) to the point of tangency, thence South 70 degrees 41 minutes 30 seconds East (recorded South 70 degrees 33 minutes 30 seconds East) and tangent to said curve, on and along said North right-of-way line, a distance of 76.00 feet to the point of curvature of a regular curve to the left, having a radius of 200.00 feet; thence Easterly, on and along said North right-of-way line as defined by said curve, an arc distance of 89.81 feet (the chord of which bears South 80 degrees 41 minutes 28 seconds East (recorded South 80 degrees 33 minutes 30 seconds East) for a length of 89.48 feet) to the point of tangency; thence North 89 degrees 16 minutes 30 seconds East (recorded North 89 degrees 28 minutes 30 seconds East) and tangent to said curve on and along said North right-of-way line, a distance of 300.00 feet to the point of curvature of a regular curve to the right having a radius of 280.00 feet; thence Easterly, on and along said North right-of-way line as defined by said curve, an arc distance of 88.07 feet (the chord of which bears South 83 degrees 11 minutes 29 seconds East (recorded South 83 degrees 03 minutes 30 seconds East) for a length of 87.87 feet) to the point of tangency; thence South 76 degrees 41 minutes 30 seconds East (recorded South 76 degrees 33 minutes 30 seconds East), and tangent to said curve, a distance of 100.00 feet to the point of curvature of a regular curve to the left, having a radius of 75.00 feet; thence Easterly, on and along said North right-of-way line as defined by said curve, an arc distance of 67.08 feet (the chord of which bears North 82 degrees 30 minutes 19 seconds East (recorded North 82 degrees 38 minutes

25 second East) for a length of 66.71 feet) to the point of reverse curvature of a regular curve to the right, having a radius of 70.00 feet; thence Easterly, Southerly and Westerly, on and along said right-of-way line as defined by said curve, an arc distance of 326.46 feet (the chord of which bears South 14 degrees 18 minutes 14 seconds West (recorded South 14 degrees 28 minutes 30 seconds West) for a length of 101.38 feet) to the point of reverse curvature of a regular curve to the left, having a radius of 75.00 feet; thence Westerly, on and along the South right-of-way line of said Enterprise Drive as defined by said curve, an arc distance of 57.08 feet (the chord of which bears North 53 degrees 53 minutes 51 seconds West (recorded North 53 degrees 45 minutes 25 seconds West) for a length of 66.71 feet) to the point of tangency; thence North 76 degrees 41 minutes 30 seconds West (recorded North 75 degrees 33 minutes 30 seconds West), on and along said South right-of-way line and tangent to said curve, a distance of 100.00 feet to the point of curvature of a regular curve to the left having a radius of 200.00 feet; thence Westerly, on and along said South right-of-way line, as defined by said curve, an arc distance of 62.36 feet (the chord of which bears North 83 degrees 11 minutes 30 seconds West (recorded North 83 degrees 03 minutes 30 seconds West) for a length of 62.21 feet) to the point of tangency; thence South 89 degrees 18 minutes 30 seconds West (recorded South 89 degrees 28 minutes 30 seconds West), on and along said South right-of-way line and tangent to said curve, a distance of 300.00 feet to the point of curvature of a regular curve to the right, having a radius of 280.00 feet; thence Westerly, on and along said South right-of-way line as defined by said curve, an arc distance of 60.76 feet (the chord of which bears North 80 degrees 41 minutes 29 seconds West (recorded North 80 degrees 33 minutes 30 seconds West) for a length of 60.30 feet) to the point of tangency; thence North 70 degrees 41 minutes 30 seconds West (recorded North 70 degrees 33 minutes 30 seconds West), on and along said South right-of-way line and tangent to said curve, a distance of 75.00 feet to the point of curvature of a regular curve to the left, having a radius of 200.00 feet; thence Westerly, on and along said South right-of-way line as defined by said curve, an arc distance of 69.84 feet (the chord of which bears North 80 degrees 41 minutes 28 seconds West (recorded North 80 degrees 33 minutes 30 seconds West) for a length of 69.48 feet) to the point of tangency; thence South 89 degrees 18 minutes 30 seconds West (recorded South 89 degrees 28 minutes 30 seconds West) and tangent to said curve, a distance of 225.00 feet to a

"Walker" capped pin at a corner of said Plat, also being the Northeast corner of a certain 2.45 acre tract of land as recorded in Deed Record 314, page 86 in said records; thence South 00 degrees 26 minutes 13 seconds East (recorded South 00 degrees 16 minutes 30 seconds East), on and along a Westerly line of said Plat and on and along the East line of said 2.45 acre tract and on and along the East line of a certain 1.88 acre tract of land as recorded in Deed Record 321, page 256, in said records, a distance of 421.66 feet (recorded 421.65 feet) to a 1/2 inch pin at the Southeast corner of said 1.88 acre tract of land, being a point situated North 88 degrees 53 minutes 04 seconds East (recorded North 89 degrees 01 minute 40 seconds East), a distance of 365.34 feet (recorded 365.2 feet) from a railroad spike found on the centerline of said County Road 75 East, also being a Southwesterly corner of said Plat; thence North 88 degrees 53 minutes 04 seconds East (recorded North 89 degrees 01 minute 40 seconds East), and on and along a Southerly line of said Plat, a distance of 629.70 feet (recorded 637.3 feet) to a point on the East line of the Southeast Quarter of said Section 28; thence North 88 degrees 50 minutes 07 seconds East (recorded North 88 degrees 58 minutes East), on and along a Southerly line of said Plat, a distance of 887.75 feet (recorded 879.9 feet) to a rail post found at the Southeast corner of said Plat; thence North 00 degrees 18 minutes 51 seconds West (recorded North 00 degrees 09 minutes West), on and along the East line of said Plat, a distance of 684.47 feet (recorded 684.7 feet) to a rail post found on the North line of the Southwest Quarter of said Section 27, also being the Northeast corner of said Plat; thence South 88 degrees 58 minutes 29 seconds West (recorded South 89 degrees 05 minutes 40 seconds West), on and along said North line, also being a North line of said Plat, a distance of 992.40 feet to an iron post found at the Northwest corner of said Southwest Quarter, also being the Northeast corner of the Southeast Quarter of said Section 28; thence South 88 degrees 48 minutes 26 seconds West (recorded South 88 degrees 57 minutes 50 seconds West), on and along the recorded North line of said Southeast Quarter, also being a North line of said Plat, a distance of 673.93 feet (recorded 673.8 feet) to the true point of beginning, containing 23.26 acres, more or less.

Tract II:

A part of the Southwest Quarter of Section 27, together with part of the

Southeast Quarter of Section 28, all being in Township 32 North, Range 6 East, Kosciusko County, Indiana, and all together being more particularly described as follows:

Commencing at an iron post found at the Northwest corner of the Southwest Quarter of said Section 27; thence North 88 degrees 58 minutes 29 seconds East (recorded North 89 degrees 05 minutes 40 second East), a distance of 992.40 feet (recorded 80 rods which equals 990 feet) to a rail post found; thence South 00 degrees 18 minutes 51 seconds East (recorded South 00 degrees 09 minutes East), a distance of 884.47 feet (recorded 884.7 feet) to a rail post found at the true point of beginning; thence South 00 degrees 20 minutes 00 seconds East (recorded South 00 degrees 12 minutes East) a distance of 828.82 feet (recorded 827.2 feet) to a rail post found; thence South 88 degrees 49 minutes 56 seconds West (recorded South 88 degrees 59 minutes West), a distance of 1651.16 feet (recorded 1651.1 feet) to a railroad spike found on the centerline of Country Club Road (County Road 78 East); thence North 22 degrees 16 minutes 52 seconds West (recorded North 22 degrees 07 minutes 40 seconds West) on and along said centerline, a distance of 887.25 feet (recorded 887.2 feet) to a railroad spike found; thence North 88 degrees 53 minutes 04 seconds East (recorded North 89 degrees 01 minute 40 seconds East), a distance of 985.04 feet (recorded 1002.5 feet) to a point on the East line of the Southeast Quarter of said Section 28; thence North 88 degrees 50 minutes 07 seconds East (recorded North 88 degrees 53 minutes East), a distance of 987.75 feet (recorded 978.9 feet) to the true point of beginning, containing 34.49 acres, more or less.

Together with the vacated roadway known as Enterprise Drive lying North and South of Tract I, containing 1.70 acres, more or less.

AYE

Kimberly Cates
Kimberly Cates

absent
Mike Long

Ernie Wiggins
Ernie Wiggins

Jon Garber
Jon Garber

Joni Truex
Joni Truex

Sue Ann Mitchell
Sue Ann Mitchell

Kathleen Groninger
Kathleen Groninger

NAY

Kimberly Cates

Mike Long

Ernie Wiggins

Jon Garber

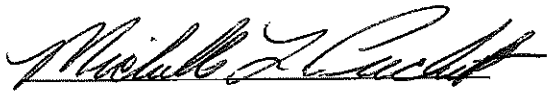
Joni Truex

Sue Ann Mitchell

Kathleen Groninger

PRESENTED TO AND APPROVED by me on this 13th day of OCTOBER, 2022.

ATTEST:



AUDITOR, Clerk-Treasurer



PRESIDENT, Presiding Officer

Kosciusko County Council

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.

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that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.

ANGELA N. ARNETT