RESOLUTION NO. R-CC-14-6

DECLARATORY RESOLUTION DESIGNATING A PORTION OF PERRY COUNTY, INDIANA AS AN ECONOMIC REVITALIZATION AREA AND APPROVING ABATEMENT FOR THE INDIANA MUNICIPAL POWER AGENCY

WHEREAS, the Perry County Council ("County Council") recognizes the need to stimulate growth and to maintain a sound economy within Perry County, Indiana ("County"); and

WHEREAS, County Council further recognizes that it would be beneficial to designate certain areas within the County that qualify as Economic Revitalization Areas for tax abatement purposes; and

WHEREAS, I.C. 6-1.1-12.1 provides for tax abatement for rehabilitation or redevelopment of real property and/or installation of new manufacturing equipment in Economic Revitalization Areas; and

WHEREAS, the County has been requested by the Indiana Municipal Power Agency ("Applicant") to find, pursuant to I.C. 6-1.1-12.1-2, that the real estate which is or will be owned by the Applicant, described in the attached Exhibit "A" ("the Real Estate") is an Economic Revitalization Area; and

WHEREAS, the Applicant is developing an electric generating facility consisting of solar photovoltaic panels, inverters and transformers, rack mounts, wiring, circuit breakers, relays and related equipment and facilities, which will be interconnected with the electric distribution system of the County and will provide a total generating capacity equal to approximately one (1) megawatt; and

WHEREAS, the Real Estate is located within the jurisdiction of the County Council for purposes of I.C. 6-1.1-12.1; and

WHEREAS, the County Council has determined, based upon the information provided by the Applicant, that said area has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values to prevent a normal development of property or use of property; and

WHEREAS, the Real Estate meets the general standards established by the County Council for determining an "Economic Revitalization Area" within the jurisdiction of the County Council, as evidenced by the information provided by the Applicant; and

WHEREAS, the Applicant plans to place new manufacturing equipment onto the Real Estate; and

WHEREAS, the improvement of the Real Estate and installation of new manufacturing equipment used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property would be to the benefit and welfare of all citizens and taxpayers of the County; and

NOW, THEREFORE, BE IT RESOLVED by the County Council of Perry County, Indiana finds that the Real Estate should be and is hereby declared to be an "Economic Revitalization Area" as defined and intended in I.C. 6-1.1-12.1-1 through 6-1.1-12.6-6.

1. The deduction allowed under I.C. 6-1.1-12.1-4.5 pertaining to new manufacturing equipment shall be for ten (10) years upon compliance with the provisions of I.C. 6-1.1-12.1-1 *et seq.*

2. There shall be published notice of the adoption and substance of this Resolution in accordance with I.C. 5-3-1, which notice shall name a date for the public hearing on this matter and that at the conclusion of said public hearing the County Council may take final action on the proposed designation and may affirm, modify and affirm, or rescind this Resolution.

3. The Applicant has filed a statement of benefits concerning the manufacturing equipment located on the Real Estate ("Statement of Benefits").

4. Upon the adoption of this Resolution, Applicant shall cause a copy of this Resolution to be filed with the Perry County Assessor and/or such other Perry County government officials as shall be necessary.

5. Upon the adoption of this Resolution, Applicant shall cause a copy of the Public Notice and statement of benefits to be filed with each taxing unit that has authority to levy property taxes in the geographic area where the Economic Revitalization Area is located at least ten days in advance of the public hearing.

6. If any part, parts, 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 part, clause or portion of this Resolution.

ADOPTED, this 20 day of November 2014, by the Perry County Council, Perry County, Indiana.

Stanley E. Wigent

Jody French

Ron Crawford Sr.

Chester Matthews

EXHIBIT A

DESCRIPTION OF ECONOMIC REVITALIZATION AREA

The following real estate located at 7383 Old State Road 237, in Perry County, Indiana:

Part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 6 South, Range 3 West, Troy Township, Perry County, Indiana being more particularly described as follows:

Beginning at 6" Hole in concrete w/4" concrete ring below 8" w/Perry County Surveyor's Carsonite Post located at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 33: Thence along the East line of the Northeast Quarter of the Southeast Quarter South 00 degrees 51 minutes 53 seconds West a distance of 401.87 feet to a 5/8" rebar with Yellow Cap stamped "O.K. Lynch LS#20100079" hereby referred to as "Lynch Cap" at Station 115+47.77, 40' Left on the West right of way of Old State Road 237; thence along said right of way with a curve turning to the left an arc length of 204.93 feet, a radius of 1472.39 feet, a chord bearing of South 08 degrees 03 minutes 23 seconds West with chord length of 204.76 feet to a "Lynch Cap"; thence North 85 degrees 29 minutes 13 seconds West a distance of 735.79 feet to a "Lynch Cap"; thence parallel with the East line of the Northeast Quarter of the Southeast Quarter North 00 degrees 51 minutes 53 seconds East a distance of 547.92 feet to a "Lynch Cap" on the North line of the Northeast Quarter of the Southeast Quarter; thence along the North line of the Northeast Quarter of the Southeast Quarter South 89 degrees 54 minutes 39 seconds East a distance of 760.00 feet to the point of beginning, containing 10.00 acres or 435587.08 square feet more or less.

(This is a part of the same real estate which was conveyed to Randall R. Aubrey and Leeta K. Aubrey by Warranty Deed dated September 26, 1987 and recorded in the office of the Recorder of Perry County, Indiana under Deed Record 90 at pages 251-252.)