

**WHITELAND TOWN COUNCIL
RESOLUTION NO. 2020-18**

**A RESOLUTION DECLARING CERTAIN AREA WITHIN THE TOWN OF
WHITELAND AN ECONOMIC REVITALIZATION AREA AND QUALIFYING
CERTAIN REAL PROPERTY IMPROVEMENTS FOR TAX ABATEMENT AND
SETTING THE TIME AND PLACE FOR A PUBLIC HEARING**

(Mohr Logistics Park)

WHEREAS, the Town of Whiteland, Indiana, (the “Town”), recognizes the need to stimulate growth and maintain a sound economy within its corporate limits;

WHEREAS, the Whiteland Town Council further recognizes that it is in the best interest of the Town of Whiteland to provide incentives to stimulate investment within the community;

WHEREAS, Ind. Code § 6-1.1-12.1 *et. seq.* provides for a program of real and personal property tax abatement within Economic Revitalization Areas (“ERA”) and provides for the adoption of such a program;

WHEREAS, the Whiteland Town Council desires to establish such an ERA within the Town of Whiteland;

WHEREAS, the approximately 184 acres of property located on the South side of Tracy Road/600 N., East of Graham Rd./225 E., and West of I-65, more particularly described and depicted on Exhibit A attached hereto and incorporated herein (the “Real Estate”) 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 or prevented a normal development of property or use of property;

WHEREAS, MLP Land I, LLC (“Mohr” or “Applicant”) proposes to redevelop the Real Estate as the term is contemplated by Ind. Code § 6-1.1-12.1-1(5), and requests an economic revitalization area designation of the Real Estate;

WHEREAS, Mohr intends to construct four (4) light industrial, warehouse, distribution, and/or logistics facilities with a total area of approximately 2,815,250 to 3,061,130 rentable square feet, as well as various supporting infrastructure including roadways, parking areas, ponds, and landscaping, (together, the “Project”);

WHEREAS, Mohr intends to invest approximately \$113,900,000 in real property improvements on the Real Estate, which building investments, once put to use by an end user, will create additional employment positions and additional payroll in the Town;

WHEREAS, Mohr has filed its Statements of Benefits Real Estate Improvements (SB-1 / Real Property) with the Town and submitted its Application for Property Tax Abatement, which are attached hereto as part of composite Exhibit B (the “Application”);

WHEREAS, the Whiteland Town Council has reviewed the Statements of Benefits Real Estate Improvements (SB-1 / Real Property) forms and been otherwise duly advised in the premise and has determined that it is in the best interests of the Town to allow the deductions for the Real Estate improvements described in the Application; and

WHEREAS, the Project contemplates the extension of public facilities/infrastructure to serve the Project, with the potential for the Applicant to recoup costs of such infrastructure, which the Council intends to further consider authorizing once more detailed information and cost estimates are provided to the Town, which recoupment may take the form of an agreement between the Applicant and the Town concerning such recoupment and an amendment of this Resolution to approve a deduction schedule with higher percentages to provide the recoupment being contemplated.

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

Section 1. The area legally described and depicted on the attached Exhibit A is found to be an area within Whiteland Town Council jurisdiction and meets the statutory criteria of an Economic Revitalization Area.

Section 2. The area legally described and depicted on the attached Exhibit A is hereby declared an Economic Revitalization Area to be known as the “Mohr Logistics Park Economic Revitalization Area.”

Section 3. The Whiteland Town Council hereby determines that it is in the best interest of the Town to allow the deduction under Ind. Code § 6-1.1-12.1-3 for the real estate improvements within the above-designated ERA, as requested in the Application, based upon the following findings:

- (1) The estimate of the value of the redevelopment of the Real Estate is reasonable for projects of that nature.
- (2) The estimate of the number of individuals who will be employed can be reasonably expected to result from the proposed described redevelopment.
- (3) The estimate of the annual salaries of the individuals who will be employed can be reasonably expected to result from the proposed described redevelopment.
- (4) The nature of the improvements and the projected property taxes to be paid, create benefits of the type and quality anticipated by the Whiteland Town Council within the above-designated ERA and can reasonably be expected to result from the proposed described redevelopment.
- (5) The totality of benefits is sufficient to justify the deductions.

Section 4. The Application for Real Property Tax Abatement and Statements of Benefits Real Estate Improvements (Form SB-1 / Real Property) as submitted are hereby approved.

Section 5. The owner of the real estate improvements constructed within the above-designated ERA shall be entitled to the deductions provided by Ind. Code § 6-1.1-12.1-3 for a period of ten (10) years with respect to real estate improvements constructed as contemplated by and reflected in the Application, according to the following schedule:

Year 1: 100%	Year 6: 40%
Year 2: 95%	Year 7: 30%
Year 3: 80%	Year 8: 20%
Year 4: 65%	Year 9: 10%
Year 5: 50%	Year 10: 5%

Section 6. In partial consideration of the value of the property tax deductions granted to Mohr by the Town, Mohr hereby agrees and commits, for itself and future owners of the Real Estate, to not file any real property tax assessment appeal, review, or other challenge (“Appeal”) of the real property tax assessments made for the Real Estate during the time periods for which real property tax deductions are authorized under this Resolution, unless the assessed value of the Real Estate exceeds the total actual investment in the Real Estate (including, but not limited to, the purchase price and the costs of any improvements). In the event Mohr or another owner of the Real Estate desires to file such an Appeal, Mohr or the owner of the Real Estate shall provide the Town with a copy of the Appeal no later than the date the Appeal is filed. Violation of the restrictions on and conditions applicable to an Appeal shall permit the Town to terminate the property tax deductions authorized under this Resolution. This paragraph shall run with the Real Estate and be binding on future owners of the Real Estate.

Section 7. Two (2) copies of the Mohr Logistics Park Economic Revitalization Area map, shall be on file in the Office of the Clerk-Treasurer of Whiteland, Indiana, and the Town Council directs the Clerk-Treasurer to maintain for public inspection the two (2) copies in the files of the Clerk-Treasurer.

Section 8. Notice of the adoption and the substance of this Resolution as required by Ind. Code § 6-1.1-12.1-2.5 shall be published in accordance with Ind. Code § 5-3-1, which notice shall advise that at the Whiteland Town Council’s meeting on January 12, 2021 at 7:00 p.m., the Council will receive and hear all remonstrance and objections from interested persons, and, having heard and considered same, will act to rescind, modify and confirm, or confirm this Resolution. All other disclosures and filings required by Ind. Code § 6-1.1-12.1-2.5 shall also be timely accomplished.

Section 9. A copy of the above-referenced notice of adoption and a statement containing substantially the same information as the Statements of Benefits Real Estate Improvements and/or Statement of Benefits Personal Property included in composite Exhibit B shall be filed with the officers of each taxing unit that has authority to levy property taxes in the geographic area which is hereby allowed deductions, at least ten (10) days prior to the public hearing on this Resolution.

Section 10. A copy of this Resolution shall be filed with the Johnson County Assessor’s Office and made available at that office for public inspection.

Section 11. The sections, paragraphs, sentences, clauses, and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and section of this Resolution, and a suitable and equitable provision shall be substituted for such provision in order to carry out, so far as may be valid and enforceable, the intent and purpose of the provision and this Resolution.

ADOPTED by the Town Council of the Town of Whiteland, Indiana, on the 8th day of December, 2020.

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL

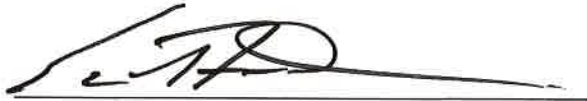
Voting In Favor

Voting Opposed



David Hawkins, President

David Hawkins, President



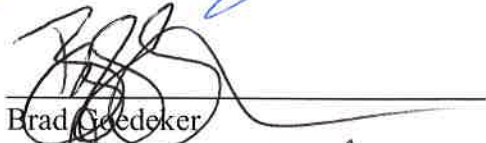
Scot Ford

Scot Ford



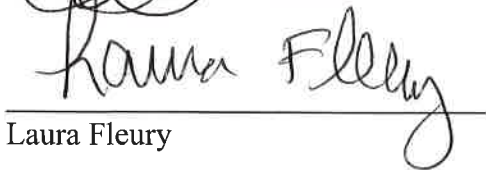
Joseph Sayler

Joseph Sayler



Brad Goedeker

Brad Goedeker



Laura Fleury

Laura Fleury

Attest:



Debra L. Hendrickson, Clerk-Treasurer

Exhibit A

Legal Description of Mohr Logistics Park Economic Revitalization Area

Part of Section 23, Township 13 North, Range 4 East of the Second Principal Meridian, in Johnson County, Indiana more particularly described as follows:

Beginning at the southwest corner of the East Half of the Northwest Quarter of said Section 23; thence North 89 degrees 10 minutes 31 seconds East (bearings based on the Indiana Geospatial Coordinate System) along the south line of said East Half 663.34 feet to the southwest corner of the East Half of the East Half of said Northwest Quarter; thence North 00 degrees 21 minutes 32 seconds East along the west line thereof 2719.23 feet to the northwest corner of said Half Half Quarter Section; thence North 88 degrees 52 minutes 45 seconds East along the north line of said Half Half Quarter Section 402.47 feet; thence South 01 degrees 07 minutes 15 seconds East 13.50 feet to the Limited Access right-of-way line of Line "S-12-A" on Project I-65-3 (77) 95; thence South 83 degrees 24 minutes 09 seconds East with last said right-of-way 352.74 feet; thence South 88 degrees 28 minutes 06 seconds East with last said right-of-way 698.85 feet; thence South 28 degrees 14 minutes 08 seconds East along the west right-of-way line of Interstate Highway 65 a distance of 2964.58 feet to the south line of the Northeast Quarter of said Section 23; thence South 89 degrees 08 minutes 40 seconds West along said south line 56.31 feet to the westerly line of a 50 foot right-of-way frontage road along the west side of Interstate Highway 65; thence South 28 degrees 14 minutes 08 seconds East along said westerly right-of-way 997.46 feet to the north line of a tract described in Instrument number 96023802 in the Recorder's Office of Johnson County, Indiana; thence South 89 degrees 08 minutes 24 seconds West 38.03 feet to the northwest corner of said tract; thence South 88 degrees 46 minutes 52 seconds West 1247.92 feet to the east line of the West Half of the Southeast Quarter of said Section 23; thence North 00 degrees 55 minutes 57 seconds West along said east line 397.04 feet to a point distant 496.60 feet south of the northeast corner of said West Half; thence South 89 degrees 08 minutes 40 seconds West parallel with the north line of said West Half 1277.42 feet; thence South 00 degrees 55 minutes 57 seconds East 1.40 feet; thence South 89 degrees 17 minutes 57 seconds West parallel with the north line of the East Half of the Southwest Quarter of said Section 23 a distance of 1375.50 feet to the west line of said East Half; thence North 00 degrees 36 minutes 53 seconds West along said west line 495.00 feet to the Point of Beginning. Containing 183.95 acres, more or less.

Exhibit B
Application for Property Tax Abatement

[See attached]

