

**WHITELAND TOWN COUNCIL
RESOLUTION NO. 2022-14**

**DETERMINATION OF SUBSTANTIAL COMPLIANCE WITH
STATEMENT OF BENEFITS AND TAX ABATEMENT AGREEMENT
REQUIREMENT FOR TAX ABATEMENT
(Cooper Tire & Rubber Company)**

WHEREAS, on or about May 18, 2022, Cooper Tire & Auto Company (“Cooper Tire”) filed its tax abatement Compliance with the Statement of Benefits – Personal Property (the “Statement of Compliance”) with the Town Council (the “Town Council”) of the Town of Whiteland (the “Town”).

WHEREAS, the original Tax Abatement was granted subject to the Developer and/or Cooper Tire entering into a Tax Abatement Agreement with the Town.

WHEREAS, after initial review of Cooper Tire’s Statement of Compliance, the Town Council determined that Cooper Tire was not in substantial compliance for the 2022 Pay 2023 tax year due to failing to enter into a Tax Abatement Agreement with the Town.

WHEREAS, the Town Council issued a “Notice of Noncompliance and Hearing” to discuss, determine, and resolve Cooper Tire’s compliance with the Statement of Benefits and requirement for a Tax Abatement Agreement with the Town. And,

WHEREAS, Cooper Tire and other interested parties have been given the opportunity to present information at the Hearing as to its reasonable efforts to substantially comply with the Statement of Benefits, the requirement for a Tax Abatement Agreement with the Town, and whether any failure to substantially comply was caused by factors beyond its control.

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

Section 1. The Town Council has heard and received information regarding Cooper Tire’s substantial compliance with the Statement of Benefits.

Section 2. After further consideration, the Council has determined that Cooper Tire is not in substantial compliance with the Statement of Benefits. However, in the event Cooper Tire delivers to the Town a Tax Abatement Agreement signed by Cooper Tire and the Developer, in a form acceptable to the Town Attorney, no later than July 27, 2022, Cooper Tire shall instead be deemed to be in substantial compliance with the Statement of Benefits.

Section 3. Cooper Tire has not made reasonable efforts to comply with the Statement of Benefits and the condition of the Tax Abatement approval that Developer and/or Cooper Tire enter into a Tax Abatement Agreement with the Town. However, in the event Cooper Tire delivers to the Town a Tax Abatement Agreement signed by Cooper Tire and the Developer, in a form acceptable to the Town Attorney, no later than July 27, 2022, Cooper Tire shall instead be deemed to have

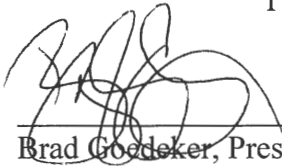
made reasonable efforts to comply with the Statement of Benefits and the condition of the Tax Abatement approval.

Section 4. Cooper Tire's tax abatement deduction is terminated. However, in the event Cooper Tire delivers to the Town a Tax Abatement Agreement signed by Cooper Tire and the Developer, in a form acceptable to the Town Attorney, no later than July 27, 2022, Cooper Tire's tax abatement deduction shall be deemed not terminated.

Section 5. This resolution shall be effective from and after its adoption.

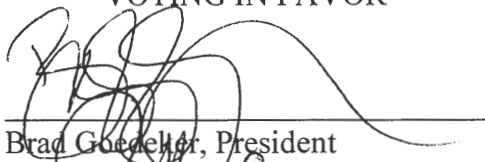
DULY PASSED AND ADOPTED on the 12th day of July, 2022, by a vote of 5 in favor and 0 against.

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL



Brad Goedeker, President

VOTING IN FAVOR



Brad Goedeker, President



Richard Hill, Vice-President



Joseph Sayler, Member



Laura Fleury, Member



David Hawkins, Member

VOTING OPPOSED

Brad Goedeker, President

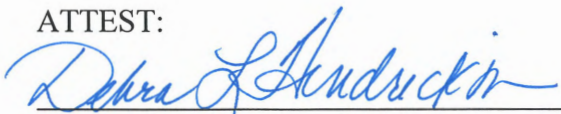
Richard Hill, Vice-President

Joseph Sayler, Member

Laura Fleury, Member

David Hawkins, Member

ATTEST:



Debra L. Hendrickson, Clerk-Treasurer