

**WHITELAND TOWN COUNCIL
RESOLUTION NO. 2023-12**

**A RESOLUTION APPROVING AMENDED STATEMENT OF BENEFITS FOR TAX
ABATEMENT**

(Hines Acquisition LLC)

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, pursuant to Whiteland Council Resolution 2021-23, the Whiteland Town Council established the approximately 80.258 acres of property located at 3009 E. 500 N., Whiteland, Indiana, more particularly described and depicted on Exhibit A attached hereto and incorporated herein (the “Real Estate”) as an ERA within the Town of Whiteland and qualified certain real property improvements within the said ERA for tax abatement;

WHEREAS, the Real Estate is owned or to be owned by Hines Acquisition LLC, a subsidiary of Hines Interests Limited Partnership (“Hines”), which desires to construct one of two projects: (1) a single, approximately 670,000 square feet bulk distribution warehouse and/or manufacturing facility for lease or purchase by an end user (“Option One”); or (2) a two building development consisting of approximately 900,000 square feet across both buildings, with both buildings serving as distribution warehouses and/or manufacturing facilities for lease or purchase by an end user (“Option Two”), both Option One and Option Two requiring the construction of supporting infrastructure roadways, parking areas, retention ponds, and landscaping (together, the “Project”), which original Project was approved for tax abatement pursuant to Resolution 2021-23 and is further described in the Tax Abatement Application dated October 1, 2021 (the “Original Abatement Application”);

WHEREAS, Hines has filed its Amended Statement of Benefits Real Estate Improvements (SB-1 / Real Property) with the Town of Whiteland, requesting a modification of certain elements of the approved Original Abatement Application, which Amended Statement of Benefits is attached hereto as Exhibit B (the “Amended Statement of Benefits”);

WHEREAS, the assessed value of the Real Estate has decreased since the Original Abatement Application by approximately \$383,400 (for an assessed value in 2023 of \$9,400);

WHEREAS, Hines intends to invest approximately \$3,000,000 more than the projected investment stated in the Original Abatement Application for the construction of Option One (for a total of \$39,000,000), or approximately \$4,000,000 more than the projected investment stated in

the Original Abatement Application for the construction of Option Two (for a total of \$52,000,000), and which Project, once put to use by an end user, will create additional employment positions and additional payroll in the Town;

WHEREAS, Hines desires to amend the estimated start date for the Project from March 31, 2022 to June 30, 2024 and the estimated completion date for the Project from December 31, 2024 to December 31, 2026;

WHEREAS, Hines intends to redevelop the Real Estate as the term is contemplated by Ind. Code § 6-1.1-12.1-1(5) and requests approval of its Amended Statement of Benefits;

WHEREAS, the said Real Estate property is zoned for I-1 Industrial use according to the Official Zoning Map of the Town of Whiteland; and

WHEREAS, the Whiteland Town Council has reviewed Hines's Amended Statement of Benefits and been otherwise duly advised in the premise and has determined that it is in the best interest of the Town to approve the Amended Statement of Benefits;

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

Section 1. 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 within the said ERA, as requested in the Original Abatement Application, with the Amended Statement of Benefits, 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 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 2. The Amended Statement of Benefits Real Estate Improvements (Form SB-1 / Real Property) as submitted and attached hereto as Exhibit B is hereby approved.

Section 3. The owner of the real estate improvements comprising the construction within the Real Estate 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 and Amended Statement of Benefits, 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 4. The President of the Council is hereby authorized to complete and execute Hines's Amended Statement of Benefits Real Estate Improvements form consistent with this Resolution.

Section 5. A copy of this Resolution and any required supporting information shall be filed with the Johnson County Auditor.

Section 6. 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 sections 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.

Section 7. This Resolution shall be effective immediately upon its passage.

[Signatures appear on the following page.]

ADOPTED by the Town Council of the Town of Whiteland, Indiana, on the 11 day of July, 2023.


TOWN OF WHITELAND, INDIANA, TOWN COUNCIL



Joseph Sayler, President

Voting In Favor

Voting Opposed



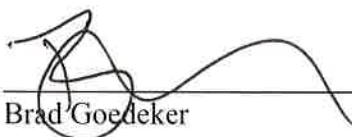
Joseph Sayler, President

Joseph Sayler, President



Richard Hill, Vice President

Richard Hill, Vice President



Brad Goedecker

Brad Goedecker



Laura Fleury

Laura Fleury



David Hawkins

David Hawkins

Attest:



Debra L. Hendrickson, Clerk-Treasurer

Exhibit A

Legal Description of Hines Second Economic Revitalization Area

Part of the Northwest Quarter of Section 25, Township 13 North, Range 4 East of the Second Principal Meridian, Clark Township, Johnson County, Indiana more particularly described as follows:

Commencing at the southwest corner of said Northwest Quarter of Section 25, Township 13 North, Range 4 East; thence (bearings based on the Indiana Geospatial Coordinate System "Johnson " Zone per NAD 83 (2011) epoch 2010.00) North 89 degrees 39 minutes 17 seconds East along the south line of said Northwest Quarter 70.00 feet to a point on the southerly extension of the east line of the land tract dedicated to the Town of Whiteland per Instrument number 2020-018225 as recorded in the Office of the Johnson County Recorder, being the Point of Beginning; thence North 00 degrees 18 minutes 24 seconds West parallel with the west line of the Northwest Quarter of Section 25, being along the said southerly extension, and then further along the actual east line of said dedicated land tract for a distance of 1808.47 feet; thence North 05 degrees 56 minutes 19 seconds West along an east line of said dedicated land tract 305.69 feet; thence North 00 degrees 18 minutes 24 seconds West along an east line of said dedicated land tract 458.47 feet to the right of way of State of Indiana for Interstate 65 (the following 7 courses being along said right of way; 1) thence South 86 degrees 03 minutes 00 seconds East 459.07 feet; 2) thence South 35 degrees 25 minutes 30 seconds East 131.98 feet to the beginning of a non-tangent curve; 3) thence to the right on said curve an arc distance of 619.26 feet, said curve having a radius of 587.46 feet and subtended by a chord bearing South 30 degrees 29 minutes 34 seconds East 590.98 feet; 4) thence South 65 degrees 23 minutes 40 seconds East 225.11 feet; 5) thence South 50 degrees 20 minutes 42 seconds East 470.10 feet; 6) thence South 31 degrees 37 minutes 10 seconds East 424.62 feet; 7) thence South 24 degrees 51 minutes 24 seconds East 1265.73 feet to the north line of the Northeast Quarter of the Southwest Quarter of Section 25; thence South 89 degrees 14 minutes 28 seconds West along said north line 834.56 feet to the northwest corner of said Quarter-Quarter; thence South 89 degrees 39 minutes 17 seconds West along the north line of the Northwest Quarter of said Southwest Quarter 1277.40 feet to the Point of Beginning. Containing 80.258 acres, more or less.

Depiction of Hines Second Economic Revitalization Area

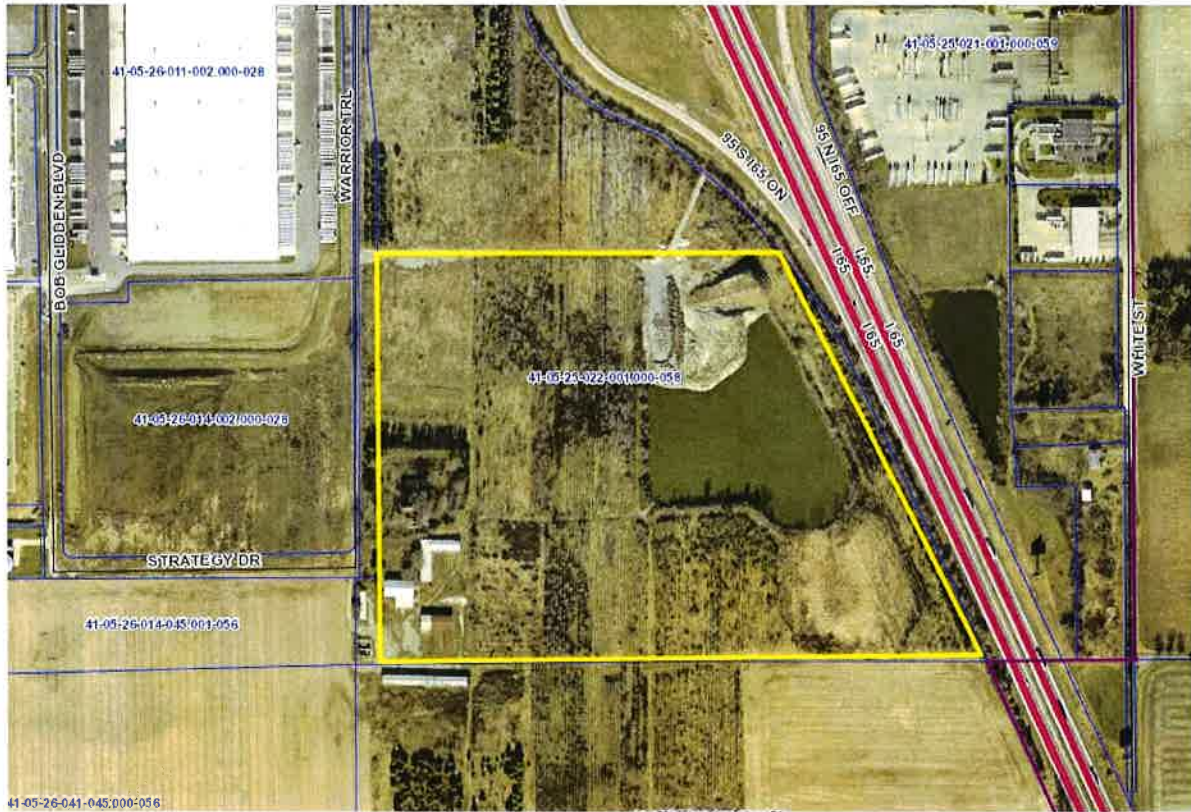


Exhibit B
Amended Statement of Benefits Real Estate Improvements (SB-1 / Real Property)

[See attached]