

RESOLUTION NO. 18-225

WOODBURN CITY COUNCIL  
CONFIRMATORY RESOLUTION  
APPLICATION OF B&P REAL ESTATE HOLDINGS, LLC/P&B COLD STORAGE, INC.  
FOR THE DESIGNATION OF  
ECONOMIC REVITALIZATION AREA NO. W-6

**WHEREAS**, the City of Woodburn has been requested by the owners of record to find pursuant to I.C. 6-1.1-12.1 that the following described real estate is an Economic Revitalization Area:

“Exhibit A”

**WHEREAS**, on April 16 , 2018, the City Council of Woodburn, Indiana, did adopt a Declaratory Resolution for the designation of the real estate described above as an Economic Revitalization Area pursuant to Woodburn City Council Ordinance No. G-98-1103; and,

**WHEREAS**, notice of the adoption of substance of said Declaratory Resolution was published in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel on April 26, 2018, pursuant to I.C. 6-1.1-1-2.5 and I.C. 5-3-1; and,

**WHEREAS**, the Application for Designation, description of the affected area, a map of the affected area and all pertinent supporting data were available for public inspection in the offices of the Allen County Assessor, the Woodburn City Hall, and the Department of Planning Services; and,

**WHEREAS**, the Woodburn City Council, after conducting a public hearing on this matter, has given careful consideration to all comments and views expressed and written evidence presented regarding the designation of the subject real estate as an "Economic Revitalization Area".

**NOW, THEREFORE, BE IT RESOLVED**, the Council confirms certain findings made in the subject Declaratory Resolution for designation of the real estate described above as an "Economic Revitalization Area", those findings being to wit:

1. That said-described property is located within the jurisdiction of the Woodburn City Council for purposes set forth in I.C. 6-1.1-12.1-2; and,

2. That this Council has determined, based on the information provided by the applicant, that the real estate has become undesirable for, or impossible of, normal development and occupancy inasmuch as the proposed structural improvements and new equipment will permit B&P Real Estate Holdings, LLC/P&B Cold Storage, Inc. to provide new employment opportunities for Woodburn and the surrounding area as well as provide long-term benefits to the tax base of Allen County; and,

3. That the subject real estate complies with the general standards established by the Woodburn City Council as set forth in I.C. 6-1.1-12.1-2 for determining "Economic Revitalization Areas" within the jurisdiction of said Council, as evidenced by the information provided in the applicant's application; and,

4. That the capital investment at the real estate described herein and as further detailed in the applicant's application would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of Woodburn and Allen County; and,

5. That the subject real estate is zoned I2 General Industrial according to the Woodburn Zoning Map and that the Economic Revitalization Area designation is contingent on B&P Real Estate Holdings, LLC/P&B Cold Storage Inc. conforming to the restrictions of the I2 General Industrial zoning district; and,

6. That designation of the subject property as an "Economic Revitalization Area" will assist in the inducement of a project which will provide 30 employment opportunities to residents of Woodburn and Allen County and will provide long-term benefits to the tax base of Woodburn and Allen County according to the application; and,

**BE IT ALSO RESOLVED**, that based on the information provided in the application for Economic Revitalization Area designation, the Council authorizes a ten (10) year tax phase in of real and and seven (7) year tax phase in of personal property taxes in accordance with I.C. 6-1.1-12.1-3 and I.C. 6-1.1-12.1-4.5, respectively.

**Schedule is as follows:**

Real Property	Personal Property
Year 1 100%	Year 1 100%
Year 2 95%	Year 2 85%
Year 3 80%	Year 3 71%
Year 4 65%	Year 4 57%
Year 5 50%	Year 5 43%
Year 6 40%	Year 6 29%
Year 7 30%	Year 7 14%
Year 8 20%	
Year 9 10%	
Year 10 5%	

**BE IT ALSO RESOLVED**, that the designation of the property described above as an "Economic Revitalization Area" shall be limited to a time period of two (2) years as the designation applies to a deduction from the increased assessed value of personal property for equipment and the increased assessed value of real estate. This limitation is established pursuant to I.C. 6-1.1-12.1-2(i)(1) and 6-1.1-12.1-2(i)(2), and 6-1.1-12.1-2(i)(5).

**BE IT ALSO RESOLVED**, that the real estate described above should be known as "Allen County Economic Revitalization Area No. W-6".

**BE IT ALSO RESOLVED**, that B&P Real Estate Holdings, LLC/P&B Cold Storage, Inc. is responsible for filing the actual abatement forms with the Allen County Auditor, Room 102 of the Rousseau Center, each year in order to receive its deduction on real property and personal property.

**BE IT ALSO RESOLVED**, that B&P Real Estate Holdings, LLC/P&B Cold Storage, Inc. must provide the Allen County Auditor and the Woodburn City Council, at the time of filing the deduction, information showing the extent to which the company has been in compliance with the signed Statement of Benefits in accordance with I.C. 6-1.1-12.1-5.1.

**BE IT ALSO RESOLVED**, that B&P Real Estate Holdings, LLC/P&B Cold Storage, Inc. is not willing to voluntarily contribute any of its savings received from the abatement to assist in funding future economic development projects.

**BE IT ALSO RESOLVED**, that 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 other part, clause or portion of this Resolution.

**BE IT FINALLY RESOLVED**, that by adoption of this Resolution, the Woodburn City Council does confirm its Declaratory Resolution approved on April 16, 2018, which designated the real estate described above as an "Economic Revitalization Area".

**ADOPTED**, this 7th day of May, 2018, by the City Council of Woodburn, Indiana.

COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA

By: Daniel Watts YEA  NAY  ABS   
Daniel Watts, Councilman

By: Mike Voirol YEA  NAY  ABS   
Mike Voirol, Councilman

By: Dean Gerig YEA  NAY  ABS   
Dean Gerig, Councilman

By: NOT PRESENT YEA  NAY  ABS   
John Renner, Councilman

By: Michael Martin YEA  NAY  ABS   
Michael Martin, Councilman

ATTEST:

By: [Signature]  
Timothy Cummins, Clerk-Treasurer

The foregoing resolution passed by the Council is signed and approved  not approved ( ) by me on the same date.

By: [Signature]  
Joseph Kelsey, Mayor of the City of Woodburn