

**Passed 7/23/07 by a 7-0 vote
Resolution #16, 2007**

**A RESOLUTION GRANTING
TAX ABATEMENT FOR REAL ESTATE IMPROVEMENTS AND PERSONAL
PROPERTY**

WHEREAS, the Common Council of the City of Valparaiso, Indiana has designated certain real estate within the City of Valparaiso, Indiana as an Economic Revitalization Area by the adoption of the Resolution No. 9, 1992 on June 22, 1992; and

WHEREAS, said Resolution No. 9, 1992, was confirmed by Resolution No. 10, 1992 on July 13, 1992 pursuant to Indiana Code 6-1.1-12.1 et. seq.; and

WHEREAS, Resolution No. 10, 1992 remains in full force and effect; and

WHEREAS, Resolution No. 12, 1995 extended the time period for use of tax abatement from December 31, 1995 to December 31, 2006;

WHEREAS, Resolution No. 3, 2007 extended the time period for use of tax abatement from January 1, 2007 to January 1, 2017.

WHEREAS, Elite Crete Systems, Inc. has petitioned the City of Valparaiso, Indiana for real and personal property tax deductions pursuant to Indiana Code 6-1.1-12.1 et. seq. for the purpose of improving real estate and purchasing production equipment. These improvements have a proposed value of \$1,364,000 (One Million Three Hundred and Sixty-Four Thousand Dollars) and will be made in the Eastport Center for Commerce.

NOW, THEREFORE BE IT RESOLVED, The Common Council of the City of Valparaiso hereby grants a real and personal property tax deduction for a period of **Six (6) years** to **Elite Crete Systems, INC.** This action by the by the Common Council is based upon the following findings which were made by this Council after reviewing a statement of benefits as presented by the applicants. Council finds that:

1. That the application of **Elite Crete Systems, INC.** meets the requirements for filing of tax abatement.
2. That **Elite Crete Systems, INC.** is hereby granted deduction for **Real Estate Improvements** costing \$1,200,000 and **New Equipment** costing \$164,000.
3. That said deductions for real estate improvements and the purchase of production equipment shall be for a period of **Six (6) years**.
4. That the final determination of the amount of deduction shall be made by the appropriate County and State agencies.

BE IT ALSO RESOLVED, that pursuant to Indiana Code 6-1.1-12.1-14, each year the Company's personal property tax liability is reduced by a deduction under Indiana Code 6-1.1-12.1 that is approved by the City Council in the resolution, the Company shall pay to the Porter County Treasurer a fee in the amount computed and determined by the Porter County Auditor pursuant to the provisions of subsection (c) of Indiana Code 6-1.1-12.1-14 (the "fee"). Fifteen percent (15%) shall be the percentage to be applied by the Porter County Auditor for purposes of STEP TWO of subsection © of Indiana Code 6-1.1-12.1-14. Accordingly, for each year the Fee is payable by the Company, the Fee shall be the lesser of One Hundred Thousand Dollars (\$100,000) or Fifteen Percent (15%) of the additional amount of personal property taxes that would have been paid by the Company during the year if the deductions approved in the Resolution had not been in effect (*i.e.* 15% of the Company's personal property tax savings attributable to a deduction from the assessed value of any of the New Equipment for that year).

The Fee will be distributed to the City of Valparaiso Redevelopment Commission (the "Redevelopment Commission") pursuant to the Resolution. The Company hereby expressly consents to the Fee, the incorporation of Indiana Code 6-1.1-12.1-14 into the Resolution, and the

percentage (*i.e.* 15%) to be applied by the Porter County Auditor for purposes of STEP TWO of subsection (c) of Indiana Code 6-1.1-12.1-14.

ADOPTED this 23 day of July, 2007 by a ___ vote in favor and ___ vote opposed of all members present and voting.

Joe Larr

Al Eisenmenger

Ed Howe

Robert McCasland

John Bowker

Jan M. Dick

Chuck Williams

Jon Costas, Mayor

ATTEST:

Sharon Swihart, Clerk-Treasurer