

**RESOLUTION NO. 2020-08**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
WHITESTOWN, INDIANA WAIVING CERTAIN REQUIREMENTS WITH  
RESPECT TO AN APPLICATION FOR DEDUCTION FROM ASSESSED  
VALUATION FOR WALTER PAYTON POWER EQUIPMENT, LLC**

WHEREAS, the Town Council of the Town of Whitestown, Indiana (respectively, the “Council” and the “Town”) has, pursuant to Indiana Code 6-1.1-12.1, as amended (the “Act”), previously established an economic revitalization area on certain real property located within the Town generally located at 3847 Heritage Drive, designated as the “Whitestown WP Equipment ERA # 1” (the “Area”); and

WHEREAS, Walter Payton Power Equipment, LLC (“WP Equipment”) has constructed an approximately 18,000 square foot office/facility shop at the site to allow for the sale and service of crane and heavy equipment by WP Equipment and installed new related manufacturing equipment in the Area (collectively, the “Project”); and

WHEREAS, the Town has been advised that WP Equipment has filed an Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) pursuant to the Act, a copy of which is attached hereto as Exhibit A (“WP Deduction Application”); and

WHEREAS, the Town has been advised that the WP Deduction Application was not timely filed; and

WHEREAS, the Town has held a public hearing on the terms and provisions of this Resolution, notice of which hearing was duly advertised and posted in accordance with the provisions of Indiana Code 5-3-1, and has considered whether a waiver should be granted to WP Equipment pursuant to the provisions of Indiana Code 6-1.1-12.1-11.3; and

WHEREAS, the Council having reviewed the information brought to its attention, including the information received at the public hearing, hereby determines that it is in the best interest of the Town to grant the waiver to WP Equipment pursuant to Indiana Code 6-1.1-12.1-11.3 for the WP Deduction Application.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA, AS FOLLOWS:

Section 1. WP Equipment is hereby granted a waiver pursuant to Indiana Code 6-1.1-12.1-11.3(a)(5) and (c) with respect to the WP Deduction Application and the Project. Specifically, WP Equipment is granted a waiver as to the deadline for filing the WP Deduction Application attached hereto as Exhibit A. As a result, pursuant to Indiana Code § 6-1.1-12.1-5(e), the WP Deduction Application shall be applicable for the year filed and for the subsequent years for the amounts of the deduction which would be applicable to such years pursuant to section 4 of the Act if such WP Deduction Application has been timely filed.

Section 2. This Resolution shall be in full force and effect upon its adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of June, 2020, by a vote of \_\_\_\_\_ in favor  
and \_\_\_\_\_ against.

THE TOWN COUNCIL OF THE TOWN  
OF WHITESTOWN, INDIANA

\_\_\_\_\_  
Clinton Bohm, President

**ATTEST:**

\_\_\_\_\_  
Matthew Sumner, Clerk-Treasurer  
Town of Whitestown, Indiana

3860967

**Exhibit A**

**WP Deduction Application**