RESOLUTION NO. 2019-22

A CONFIRMATORY RESOLUTION OF THE TOWN OF WHITESTOWN, INDIANA FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND APPROVAL OF PERSONAL PROPERTY TAX ABATEMENT APPLICATION

PUMA NORTH AMERICA, INC.

WHEREAS, the Town Council of the Town of Whitestown, Indiana (respectively, the "Town Council" and the "Town") has thoroughly studied and been advised by PUMA North America, Inc. ("PUMA") of a proposed revitalization program which includes redevelopment or rehabilitation in the Town consisting of the investment in new manufacturing and logistical distribution equipment including, but not limited to, AutoStore storage bins, VNA reserve storage, conveyor systems, carton erectors, lidder machines, autobagger equipment, sorters, print & apply machines and Manhatten WMOS (collectively, the "Project"); and

WHEREAS, on June 12, 2019, the Town Council adopted its Resolution No. 2019-18 attached hereto as Exhibit A and incorporated herein by reference (the "Declaratory Resolution") which (i) designated the location of the Project at 3519 Perry Boulevard in the Whitestown Business Park in the Town, as reflected in Exhibit A of the Declaratory Resolution (the "Area"), as an economic revitalization area pursuant to Indiana Code 6-1.1-12.1, as amended (the "Act") to be known as the "Whitestown ERA #3 Extended" (the "ERA #3") and (ii) approved a four (4) year personal property tax abatement for PUMA in connection with its proposed Project, all as more particularly described in the Application (as defined in and attached to the Declaratory Resolution); and

WHEREAS, on June 3, 2019, the Town of Whitestown Redevelopment Commission adopted a resolution approving the establishment of the ERA #3 and the Application; and

WHEREAS, the Town Council, following the adoption of the Declaratory Resolution, set a public hearing on the Declaratory Resolution for 7:00 p.m., on July 10, 2019, at the Whitestown Municipal Complex-Public Hall, Whitestown, Indiana; and

WHEREAS, notice of the adoption and substance of the Declaratory Resolution and public hearing thereon was published pursuant to the Act and Indiana Code 5-3-1, such publication being at least ten (10) days prior to the date set for the public hearing on such Declaratory Resolution; and

WHEREAS, notice of the public hearing and information required by the Act concerning the Application and the Declaratory Resolution was filed with the appropriate taxing units at least ten (10) days prior to the public hearing; and

WHEREAS, the application for designation, a description of the ERA #3, a map of the ERA #3, and all pertinent supporting data were available for public inspection in the offices of the Clerk-Treasurer of the Town and the Boone County Assessor; and

WHEREAS, at the public hearing, the Town Council afforded an opportunity to all persons and organizations, including representatives of organizations, to express their views with respect to the proposed designation of the ERA #3 as an economic revitalization area in accordance with the Act and the approval of the Application; and

WHEREAS, the Town Council, after conducting the public hearing, and giving careful consideration to all comments and views expressed and any evidence presented regarding the designation of such ERA #3 as an economic revitalization area and the approval of the Application, has determined that it is in the best interests of the Town to designate said ERA #3 an economic revitalization area for the purpose of real and personal property tax abatement pursuant to the Act and to confirm the approval of the Application for a four (4) year personal property tax abatement as herein provided;

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

1.   After legally required public notice, and after a public hearing pursuant to such notice, the Town Council has considered the evidence presented and hereby takes "final action," as that phrase is defined in the Act with regard to the adoption of the Declaratory Resolution and the establishment of the ERA #3 as an economic revitalization area, as defined in the Act.

2.   The approval of the Application pursuant to the Declaratory Resolution is ratified and confirmed in all respects. PUMA shall be entitled to a personal property tax deduction for the Project to be provided pursuant to Sections 4.5 of the Act for a period of four (4) years with respect to new manufacturing and logistical distribution equipment which is installed as contemplated by and reflected in the Application as filed with the Town Council, with such abatement to be in accordance with the following schedule:

Personal Property

Year	% of Assessed Value Exempt From Personal Property Taxes
1	100%
2	75%
3	50%
4	25%

3.   The Declaratory Resolution, adopted on June 12, 2019, is hereby ratified and confirmed as set forth herein, and it is hereby stated that the qualifications for an economic revitalization area have been met as to the ERA #3.

4.   PUMA shall (i) annually file the required Form CF-1/Personal Property demonstrating its substantial compliance with the investment, wage, and employment estimates set forth in the Form SB-1/Personal Property, as presented to and approved by the Town Council in the Declaratory Resolution, hereby ratified and confirmed, and (ii) provide the Town Council,

upon written request, with an update regarding the timing of the proposed Project as described in the Application.

5.   The provisions of Indiana Code 6-1.1-12.1-12 are expressly incorporated into this Resolution with respect to the ratification and confirmation of the Declaratory Resolution and the approval of the Application.

6.   This Resolution shall be effective immediately upon its adoption.
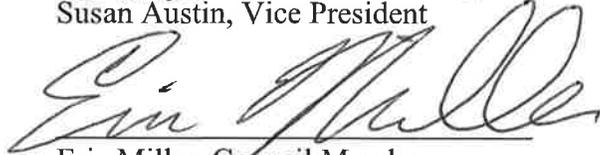
ADOPTED this 10th day of July, 2019.
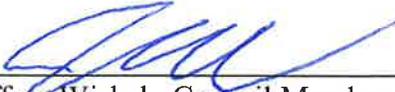
TOWN COUNCIL OF
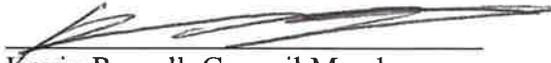TOWN OF WHITESTOWN, INDIANA

Clinton Bohm, President

Susan Austin, Vice President

Eric Miller, Council Member

Jeffrey Wishek, Council Member

Kevin Russell, Council Member

ATTEST:

Matt Sumner, Clerk-Treasurer

EXHIBIT A

Declaratory Resolution