

**RESOLUTION NO. 2022- 23**

**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**

**Weaver Popcorn Manufacturing, Inc.  
Whitestown Weaver Popcorn ERA**

WHEREAS, the Town Council of the Town of Whitestown, Indiana (respectively, the “Town Council” and the “Town”) has thoroughly studied and been advised by Weaver Popcorn Manufacturing, Inc. (the “Applicant”), of a proposed revitalization program which includes the installation of new manufacturing equipment at the Applicant’s existing facility, including 17 electromagnetic kettles, several casepackers and baggers, all to add on to two new kitchens at the Applicant’s facility in the Town (the “Project”); and

WHEREAS, the Project will be located at 4485 South Perry Worth Road, as more particularly described in the map, parcel list and legal description included in the hereinafter defined Declaratory Resolution attached hereto (the “Area”); and

WHEREAS, on July 13 2022, the Town Council adopted its Resolution No. 2022-15 attached hereto as Exhibit A and incorporated herein by reference (the “Declaratory Resolution”) which (i) designated the Area, including the Project site, as reflected in Exhibit A of the Declaratory Resolution, as an economic revitalization area pursuant to Indiana Code 6-1.1-12.1, as amended (the “Act”) to be known as the “Whitestown Weaver Popcorn ERA” (the “Weaver Popcorn ERA”) and (ii) approved a four (4) year personal property tax abatement for the Applicant in connection with its proposed Project, all as more particularly described in the Weaver Popcorn Application (as defined in and attached to the Declaratory Resolution); and

WHEREAS, the Town of Whitestown Redevelopment Commission has approved the establishment of the Weaver Popcorn ERA and the Weaver Popcorn 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 September 14, 2022, 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 Weaver Popcorn 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 Weaver Popcorn ERA, a map of the Weaver Popcorn ERA, 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 Weaver Popcorn ERA as an economic revitalization area in accordance with the Act and the approval of the Weaver Popcorn 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 Weaver Popcorn ERA as an economic revitalization area and the approval of the Weaver Popcorn Application, has determined that it is in the best interests of the Town to designate said Weaver Popcorn ERA an economic revitalization area for the purpose of real property tax abatement pursuant to the Act and to confirm the approval of the Weaver Popcorn 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 Weaver Popcorn ERA as an economic revitalization area, as defined in the Act.

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

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

3. The Declaratory Resolution, adopted on July 13, 2022, 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 Weaver Popcorn ERA.

4. Applicant 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 Weaver Popcorn 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 Weaver Popcorn Application.

6. This Resolution shall be effective immediately upon its adoption.

Adopted this 14<sup>th</sup> day of September, 2022, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.

TOWN COUNCIL OF  
TOWN OF WHITESTOWN, INDIANA

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

ATTEST:

\_\_\_\_\_  
Matt Sumner, Clerk-Treasurer

EXHIBIT A

*Declaratory Resolution*

RESOLUTION NO. 2022- 15

**A RESOLUTION OF THE TOWN OF WHITESTOWN, INDIANA  
DECLARING AN ECONOMIC REVITALIZATION AREA  
FOR PERSONAL PROPERTY TAX ABATEMENT**

**Weaver Popcorn Manufacturing, Inc.**

WHEREAS, the Town Council of the Town of Whitestown, Indiana (the “Town Council” and “Town”, respectively) has thoroughly studied and been advised by Weaver Popcorn Manufacturing, Inc. (“Weaver Popcorn”) of a proposed revitalization program which includes installing new manufacturing equipment at the Weaver Popcorn’s existing facility located in the Town at 4485 South Perry Worth Road (the “Site”) including 17 electromagnetic kettles, several casepackers and baggers, all to add on to two new kitchens at the Site (collectively, the “Project”); and

WHEREAS, the Site is located in the Town and is more particularly described in Exhibit A attached hereto (such Site, hereinafter, the “Area”); and

WHEREAS, the Town Council has received from Weaver Popcorn for the Area (i) a Statement of Benefits Personal Property, attached hereto as Exhibit B, and other supporting documentation in connection therewith and incorporated herein by reference (collectively, the “Weaver Popcorn Application”) and (ii) a request that the Town designate the Area as an economic revitalization area pursuant to Indiana Code 6-1.1-12.1, as amended (the “Act”); and

WHEREAS, the Act has been enacted to permit the creation of “economic revitalization areas” and to provide all of the rights, powers, privileges and immunities that may be exercised by this Town Council in an economic revitalization area, subject to the conditions set forth in the Act; and

WHEREAS, Weaver Popcorn anticipates increases in the assessed value of such personal property in the Area from the proposed installation of new manufacturing equipment, as described in the Weaver Popcorn Application, and has submitted the Weaver Popcorn Application to the Town Council in connection therewith; and

WHEREAS, the Town Council finds, based upon the Weaver Popcorn Application, that the Area is an area that has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values and prevented normal development and use of the property and that the designation of the area as an economic revitalization area would enhance the opportunity for the creation of new jobs and the protection of the current employment; and

WHEREAS, the Town Council has reviewed the information brought to its attention, including the Weaver Popcorn Application, and hereby determines that it is in the best interest of the Town to designate the Area as an economic revitalization area pursuant to the Act; and

WHEREAS, the Town Council finds that the purposes of the Act are served by allowing Weaver Popcorn a personal property tax deduction for the Project for a period of four (4) years pursuant to the Act; and

WHEREAS, this resolution shall be subject in all respects to adoption by the Town Council of a confirming resolution, following a public hearing thereon, all in accordance with the Act (the "Confirmatory Resolution");

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA, as follows:

1. The Area is hereby declared an "economic revitalization area" under Section 2.5 of the Act and designated the "Whitestown Weaver Popcorn ERA", subject to a public hearing, the adoption of the Confirmatory Resolution by the Town Council and other requirements of the Act.

2. In accordance with Section 2.5(b) of the Act, the Town Council hereby determines that Weaver Popcorn shall be entitled to a personal property tax deduction for the Project, to be provided pursuant to Section 4.5 of the Act, for a period of four (4) years with respect to new manufacturing equipment which is installed as contemplated by and reflected in the Weaver Popcorn Application as filed with the Town Council, with such abatement to be in accordance with the following schedule:

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

3. The Clerk-Treasurer of the Town is hereby authorized and directed to make all filings necessary or desirable with the Boone County Assessor, to publish all notices required by the Act, and to take all other necessary actions to carry out the purposes and intent of this Resolution and the creation of the economic revitalization area.

4. The Clerk-Treasurer of the Town is further authorized and directed to file this Declaratory Resolution, together with any supporting data, to each of the officers of each taxing unit that has authority to levy property taxes in the geographic area where the Area is located, as provided in the Act.

5. This Declaratory Resolution shall be submitted to a public hearing to be convened by the Town Council, where the Town Council will receive and hear all remonstrances and objections as provided by the Act.

6. The Area shall cease to be designated an economic revitalization area on January 1, 2037.

7. The Town Council hereby makes the following affirmative findings pursuant to Section 4.5 of the Act in regards to the Weaver Popcorn Application:

- a. the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type;
- b. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment;
- c. the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed installation of the new manufacturing equipment; and
- d. the totality of benefits is sufficient to justify the deduction

8. As an inducement for Weaver Popcorn to invest in the Area, the Weaver Popcorn Application is hereby approved effective upon confirmation of this Declaratory Resolution as required by the Act.


9. The provisions of this Declaratory Resolution shall be subject in all respects to the Act and any amendments thereto.

10. This Declaratory Resolution shall take effect upon its adoption.

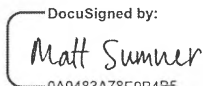


PASSED AND ADOPTED on the 13<sup>th</sup> day of July, 2022, by the Town Council of the Town of Whitestown, Indiana, by a vote of 4 in favor and 0 against.

TOWN COUNCIL OF THE  
TOWN OF WHITESTOWN, INDIANA

DocuSigned by:  
  
0B754571B1F34FA...  
Clinton Bohm, President

ATTEST:

DocuSigned by:  
  
0A9483A78E9B4B6...  
Matt Sumner, Clerk-Treasurer  
Town of Whitestown, Indiana

## EXHIBIT A

### Description of the Area and Map

Address:

4485 South Perry Worth Road, Whitestown, Indiana 46075

Tax Parcel Numbers:

06-07-26-000-001.037-019

Map of Area:

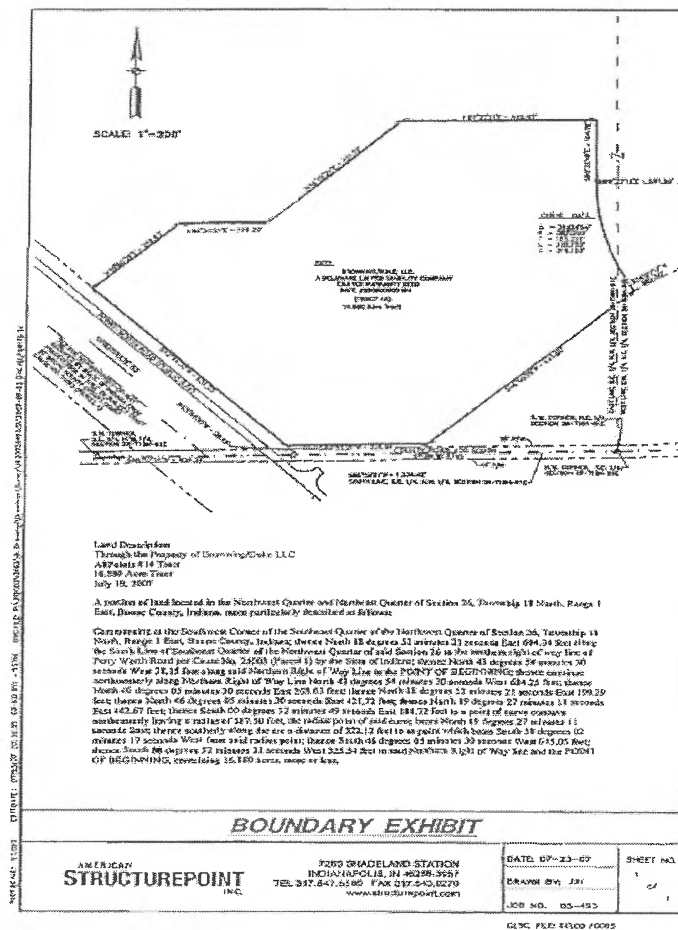


Exhibit B

*Weaver Popcorn Application  
(including Statement of Benefits)*



# STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R5 / 1-21)

Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

## PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

## INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION											
Name of taxpayer Weaver Popcorn Manufacturing, Inc.					Name of contact person Tim Ingle						
Address of taxpayer (number and street, city, state, and ZIP code) 4485 S. Perry Worth Rd, Whitestown, IN 46075					Telephone number ( 317 ) 379-1288						
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT											
Name of designating body Whitestown Redevelopment Commission					Resolution number (s) N/A						
Location of property 4485 S. Perry Worth Rd, Whitestown, IN 46075					County Boone		DLGF taxing district number 020				
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) See attached.					ESTIMATED						
					START DATE		COMPLETION DATE				
					Manufacturing Equipment		06/20/2002		10/01/2022		
					R & D Equipment						
					Logist Dist Equipment						
IT Equipment											
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT											
Current Number 538		Salaries 66		Number Retained 538		Salaries 66		Number Additional 0		Salaries 0	
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT											
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT			
		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE		
Current values		18,000,000	819,190								
Plus estimated values of proposed project		25,000,000									
Less values of any property being replaced											
Net estimated values upon completion of project		43,000,000	819,190								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER											
Estimated solid waste converted (pounds) 0.00					Estimated hazardous waste converted (pounds) 0.00						
Other benefits: N/A											
SECTION 6 TAXPAYER CERTIFICATION											
I hereby certify that the representations in this statement are true.											
Signature of authorized representative							Date signed (month, day, year) 5/13/22.				
Printed name of authorized representative Tim Ingle.							Title COO				

## FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ calendar years \* (see below). The date this designation expires is \_\_\_\_\_. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area*
- B. The type of deduction that is allowed in the designated area is limited to:
- |  |  |   |
|--|--|---|
| 1. Installation of new manufacturing equipment;            | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18<br>Check box if an enhanced abatement was approved for one or more of these types. |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No |   |
| 3. Installation of new logistical distribution equipment.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |   |
| 4. Installation of new information technology equipment;   | <input type="checkbox"/> Yes <input type="checkbox"/> No |   |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. (One or both lines may be filled out to establish a limit, if desired.)
- D. The amount of deduction applicable to new research and development equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. (One or both lines may be filled out to establish a limit, if desired.)
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. (One or both lines may be filled out to establish a limit, if desired.)
- F. The amount of deduction applicable to new information technology equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. (One or both lines may be filled out to establish a limit, if desired.)
- G. Other limitations or conditions (specify) \_\_\_\_\_
- H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:
- |                                 |                                 |                                 |                                 |                                  |   |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|---|
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input type="checkbox"/> Year 5  | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18<br>Number of years approved: _____<br>(Enter one to twenty (1-20) years; may not exceed twenty (20) years) |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 |   |
- I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No  
If yes, attach a copy of the abatement schedule to this form.  
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body)	Telephone number ( )	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by: (signature and title of attester)	Printed name of attester	

\* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

## IC 6-1.1-12.1-17

## Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

## Supplemental Responses

10. Weaver is a fourth-generation family owned and operated, 86-year-old, Indiana company, that supplies 30% of the world's popcorn to over 60 countries and operates the world's largest microwave popcorn plant in Van Buren, Indiana. In addition to microwave popcorn, Weaver offers bulk popcorn and produces ready-to-eat popcorn products and flavors, all of which require research and development.

11. Approximately \$25 million worth of equipment will be purchased to add on two new kitchens to our current plant. We will purchase 17 electromagnetic kettles and add several casepackers and baggers. This new equipment will add more automation to the manufacturing process, which will create higher skilled workers.

17. If Weaver does not move forward with the new equipment, 300+ jobs would be in jeopardy of moving to another state/country. The automation of the new equipment will help produce a lot more product with a lot less people. Our current jobs will be protected through the new technology, automation, and global competitiveness.

**TOWN OF WHITESTOWN**  
**MEMORANDUM OF UNDERSTANDING FOR TAX ABATEMENT**

This Memorandum of Understanding for Tax Abatement ("Memorandum") is dated as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and serves as the confirmation of the commitment by the TOWN OF WHITESTOWN, INDIANA ("Whitestown"), in exchange for the fees paid hereunder by \_\_\_\_\_ ("Applicant")

to perform the steps necessary for the appropriate consideration of Applicant's request for tax abatement.

**RECITALS**

A. The Applicant owns, controls, and/or has an interest in certain property as more particularly described in the property tax abatement application of the Applicant attached hereto as Exhibit A (the "Application"), for which the Applicant desires tax abatement (the "Property").

B. The Applicant hereby makes submits its Application requesting that the Town consider, and the Town is willing to consider, the Property for real and/or personal property tax abatement.

NOW, THEREFORE, in consideration of the mutual agreements and covenants set forth below, and other good and valuable consideration, the receipt and sufficiency of which are mutually acknowledged, the parties agree as follows:

**AGREEMENT**

Section 1. Tax Abatement. The Applicant hereby submits the Property for tax abatement. The Applicant's completed Application, including the Statement of Benefits (i.e. Form(s) SB-1), are submitted contemporaneously herewith and attached hereto as Exhibit A. This Memorandum constitutes a part of the Application.

Section 2. Application Fee. The parties recognize that Whitestown (including its Redevelopment Commission) will incur expenses, including financial advisory, legal and other fees, as a result of the Applicant's submission of its Application for tax abatement. In light of the expenses Whitestown will incur through the tax abatement process, the Applicant agrees to a non-refundable application fee in the amount of Two Thousand Dollars (\$2,000.00) (the "Application Fee"). The Applicant will pay the Two Thousand Dollars (\$2,000.00) Application Fee within 7 days following the approval of its Application, including this Memorandum.

Section 3. Final Application Fee. The parties recognize that Whitestown is required to provide governmental services to its inhabitants and properties located in Whitestown, including the Property, and has and will continue to incur expenses in connection with the provision of such services. In light of such expenses, the Applicant agrees that in the event its Application for tax abatement is approved by Whitestown, it will pay an application fee of Two Thousand Dollars (\$2,000) The Applicant will pay the Application Fee to Whitestown within seven (7) days of the resolution of Whitestown finally approving the Application.

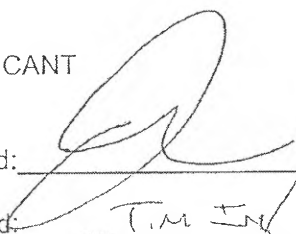
Section 4. Failure to Pay Application Fee. In the event the Application is approved by Whitestown and Applicant fails to make timely payment of the Application Fee to Whitestown, Applicant shall be deemed to be in noncompliance with its Application and Whitestown may take immediate action by resolution to rescind its approval of the Application. If Whitestown adopts such a resolution, any deductions approved by Whitestown for the Applicant shall not apply to the next installment of property taxes owed by Applicant or to any subsequent installment of property taxes.

Section 5. Payment of Application Fee. The Application Fee shall be payable by cash or check (payable to the Town of Whitestown, Indiana) delivered to the Clerk-Treasurer of Whitestown.

Section 6. Disclaimer of Liability. The parties recognize that Whitestown's authority is limited by and subject to certain statutory criteria, including but not limited to certain compliance and conditions precedent by Applicant, and that Whitestown provides no promises, covenants, guarantees, or warranties that the Applicant will receive the tax abatement designation or other property interests it seeks.



APPLICANT

Signed: 

Printed: Tim Engle

Its: Chief Operating Officer

Address: \_\_\_\_\_

TOWN OF WHITESTOWN

\_\_\_\_\_  
Clinton Bohm, Town Council President

Exhibit A

*Tax Abatement Application*



## **TOWN OF WHITESTOWN, INDIANA**

### **APPLICATION FOR PERSONAL PROPERTY TAX ABATEMENT**

#### *Instructions and Procedures*

Indiana state law requires that this application for personal property tax abatement and statement of benefits form (SB-1/PP) be submitted to the Town of Whitestown, Indiana (the "Town") prior to the initiation of the project. Additionally, final approval of the application must be obtained from the Town before starting the installation of the new manufacturing equipment, research and development equipment, logistical distribution equipment and/or information technology equipment, for which tax abatement is being requested.

The completed application, including all attachments and forms, and fees should be submitted to:

**Town of Whitestown**  
**Attn: Mr. Jason Lawson, Town Manager**  
**6210 Veterans Drive**  
**Room 500**  
**Whitestown, Indiana 46075**  
**Office: (317) 732-4530**  
**Mobile: (317) 450-5113**  
**E-Mail: [jlawson@whitestown.in.gov](mailto:jlawson@whitestown.in.gov)**

Prior to submitting the attached application to the Town, all questions must be answered as completely as possible and must be signed on the Statement of Benefits Form (SB-1/PP) and the last page of the application. Incomplete or unsigned applications will not be accepted as official filings. All applicants are encouraged to discuss the proposed project and tax abatement request with the Town Manager and/or the Presidents of the Whitestown Redevelopment Commission and Whitestown Town Council prior to filing their application.

#### *Fees*

A \$2,000 non-refundable application fee is required when making an application for real property tax abatement and is payable to the "Town of Whitestown" 30 days following the approval of the abatement (the "Application Fee"). In addition, if the applicant is submitting an application for a personal property tax abatement that does not conform with the traditional tax abatement schedule (a "Modified Abatement Schedule"), the applicant may be required to pay an additional fee (the "Modified Abatement Application Fee"). The amount of the Modified Abatement Application Fee will be determined by the Town in its sole discretion based upon all of the facts and circumstances (including the proposed Modified Abatement Schedule). Payment of the Modified Abatement Application Fee shall be made within 30 days of notification in

writing by Whitestown to the Applicant of the amount of such Modified Abatement Application Fee.

All companies requesting personal property tax abatement will be required to execute a Memorandum of Understanding with the Town prior to consideration of the tax abatement request, the form of which memorandum is included with this application.

Any requests for additional information or questions should be directed to the following:

**Town of Whitestown**  
**Attn: Mr. Jason Lawson, Town Manager**  
**6210 Veterans Drive**  
**Room 500**  
**Whitestown, Indiana 46075**  
**Office: (317) 732-4530**  
**Mobile: (317) 450-5113**  
**E-Mail: [jlawson@whitestown.in.gov](mailto:jlawson@whitestown.in.gov)**

Town of Whitestown, Indiana  
Personal Property Tax Abatement Application  
Project Questionnaire

1. Name of the company for which personal property tax abatement is being requested: Weaver Popcorn Manufacturing

2. State the name, title, address, telephone number and e-mail address of a company representative who may be contacted concerning this application:

Name and Title: Brittany Merz - HR Generalist

Address: 4485 S. Perry Worth Rd, Whitestown, IN 46075

Telephone: (260) 341-3425

E-Mail Address: brittany.merz@weaverpopcornmfg.com

3. State the name, title, address, telephone number and e-mail address of a company representative responsible for filing the required annual compliance forms (Form CF-1) which will be used by the Town to determine if your company is compliant with the terms of the abatement application, including Form SB-1, and whether the abatement will continue or be terminated (the contact should be made aware of the compliance form's importance).

Name and Title: Tim Ingle - Chief Operating Officer

Address: 4485 S. Perry Worth Rd, Whitestown, IN 46075

Telephone: (317) 379-1288

E-Mail Address: tim.ingle@weaverpopcornmfg.com

4. Location of property for which personal property tax abatement is being sought:

a) Street Address: 4485 S. Perry Worth Rd, Whitestown, IN 46075

b) Tax Parcel Number(s): 06-07-26-000-001.037-019

Attach a legal description and area map of the proposed project location.

5. What is the amount of the most recent assessment attributable to (this information is available on the most recent property tax form) the equipment at the project location:

\$819,190.00

6. Has this project or tax abatement request been discussed with the President of the Whitestown Redevelopment Commission and/or President of the Whitestown Town Council? \_\_\_\_\_ Yes ☒ No

7. Does your company currently conduct manufacturing operations, research and development, distribution and/or information technology research at this location? If so, how long has your company been at this location?  
Yes. 2014.

8. Does your business have other operations in Indiana? If so, please list the location of the other operations. 408 W Landess St., Van Buren, IN 46991

9. What is the size of the facility in which the equipment will be installed?  
220,000

10. On a separate page, briefly describe the (i) product(s) manufactured, (ii) research and development conducted, (iii) the product distribution and/or (iv) the information technology conducted, by your company.

11. On a separate page, briefly describe the equipment to be installed by your company at the project location.

12. Has the new equipment been installed (Please note that State statute requires applicants to delay installation until after abatement has been granted)?

\_\_\_\_\_ Yes ☒ No

13. What is the anticipated date for installation to begin? June 2022

14. What is the anticipated date for project completion? On or around October 1, 2022

15. Does the equipment being installed serve the same function as the equipment currently in place at the facility?

☒ Yes \_\_\_\_\_ No

a) If no, please describe the new functions to be performed by the new equipment:

---

---

---

---

- b) What is the estimated value of the equipment to be purchased for which personal property tax abatement is being requested? \$25,000,000.00

16. Complete the following profile of the Company that will occupy the property for which tax abatement is being requested:

- a) Number of current full time permanent hourly employees by skill level (include average hourly wage rate excluding benefits and overtime)

Skilled 472 Average hourly wage rate for skilled positions \$21.73  
 Semi-skilled \_\_\_\_\_ Average hourly wage rate for semi-skilled positions \_\_\_\_\_  
 Clerical \_\_\_\_\_ Average hourly wage rate for clerical positions \_\_\_\_\_  
 Salaried 66 Average salary (per hour) for salaried positions \$49.58/hr  
 TOTAL NUMBER OF EXISTING EMPLOYEES (permanent and full-time)  
538

- b) Number of current part-time hourly employees by skill level (include average hourly wage rate excluding benefits and overtime)

Skilled \_\_\_\_\_ Average hourly wage rate for skilled positions \_\_\_\_\_  
 Semi-skilled \_\_\_\_\_ Average hourly wage rate for semi-skilled positions \_\_\_\_\_  
 Clerical \_\_\_\_\_ Average hourly wage rate for clerical positions \_\_\_\_\_  
 TOTAL NUMBER OF EXISTING EMPLOYEES (part-time)  
0

- c) Approximate value of benefits for existing and new employees on a per hour basis (e.g. benefits are valued at an additional \$3.00 per hour, etc.) \_\_\_\_\_

- d) Summary of benefits for existing and new employees.  
Medical, dental, vision, and life insurance. Short-term and Long-term  
disability. 401k - Weaver matches 100% up to the first 10% employee  
contribution. Education Assistance.

- e) Number of created full-time permanent hourly employees by skill level (include average hourly wage rate excluding benefits and overtime)

Skilled \_\_\_\_\_ Average hourly wage rate for skilled positions \_\_\_\_\_  
 Semi-skilled \_\_\_\_\_ Average hourly wage rate for semi-skilled positions \_\_\_\_\_



Clerical \_\_\_\_\_ Average hourly wage rate for clerical positions \_\_\_\_\_

Salaried \_\_\_\_\_ Average salary (per hour) for salaried positions \_\_\_\_\_

TOTAL NUMBER OF NEW EMPLOYEES (permanent and full-time)

\_\_\_\_\_

- f) Number of created part-time hourly employees by skill level (include average hourly wage rate excluding benefits and overtime)

Skilled \_\_\_\_\_ Average hourly wage rate for skilled positions \_\_\_\_\_

Semi-skilled \_\_\_\_\_ Average hourly wage rate for semi-skilled positions \_\_\_\_\_

Clerical \_\_\_\_\_ Average hourly wage rate for clerical positions \_\_\_\_\_

Salaried \_\_\_\_\_ Average salary (per hour) for salaried positions \_\_\_\_\_

TOTAL NUMBER OF NEW EMPLOYEES (part-time)

\_\_\_\_\_

- g) What is the total dollar amount to be spent on new salaries? \_\_\_\_\_

- h) Provide schedule for when new employee positions are expected to be filled.

\_\_\_\_\_  
\_\_\_\_\_

17. On a separate page, please give a detailed description of what the impact on your business will be if the new equipment is not installed (e.g. loss of jobs, contract cancellations, loss of production, change in location, etc.).

18. What is the term of the tax abatement requested (maximum 10 years). 10 years

19. Attach a schedule of the proposed tax abatement percentages in each year (note, if the proposed tax abatement schedule is other than a traditional tax abatement schedule the Town may impose additional fees for consideration). See attached Form 103-Long

Example (note this is a traditional 10 year abatement schedule)

Year	% of Assessed Value Exempt From Personal Property Taxes
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%

7	30%
8	20%
9	10%
10	5%

20. Complete the following schedule concerning the proposed personal property taxes to be abated and include on a separate page the worksheets for calculating the figures provided below:

See attached Form 103-Long

I. Projected Current Conditions Without Abatement

- A. Current Annual Personal Property Taxes: \_\_\_\_\_  
 B. Projected 10-Year Total: \_\_\_\_\_

II. Projected Conditions With Abatement

- A. Projected 10-Year Personal Property Taxes: \_\_\_\_\_  
 B. Projected 10-Year Abatement: \_\_\_\_\_

III. Projected Total (Assumes Abatement  
Granted)

- A. Total Amount Abated: \_\_\_\_\_  
 B. Total Taxes to be Paid: \_\_\_\_\_

**Note:** Attach Worksheets

21. Which approvals or permits will be required for the project?

- |                      |                       |
|----------------------|-----------------------|
| (a) zoning change    | (e) variance          |
| (b) annexation       | (f) special exception |
| (c) plat approval    | (g) building permit   |
| (d) development plan | (h) other air permit  |

22. Will additional public infrastructure/facilities be required? If so, please explain in detail costs/funding source and schedule for construction.

No.

23. For the proposed project, is the applicant requesting other incentives from the Town (e.g., tax increment financing, economic development revenue bond financing)? If so, please explain. No.

24. Please describe any community involvement/contributions the applicant has provided in the past and/or expects to provide in the future.

Weaver has made various donations throughout the state of Indiana, totaling more than \$4 million.

25. Will local suppliers and contractors be used in the construction/operation of the proposed project? If so, please explain. We prefers to purchase locally if economically feasible.

26. Has the applicant previously been approved for economic development incentives from the Town (e.g., tax abatement, tax increment financing, economic development revenue bond financing)? If so, please explain and include information with respect to applicant's compliance with project representations made to the Town at the time the incentives were approved.

Yes. Applied in January 2014.

27. Is the applicant current on all of its payment obligations to the Town and the County (e.g., property taxes, utility (gas, water, sewer, electric) fees (such as capacity fees, monthly services charges), guaranties on any debt obligations, etc.)?

Yes.

28. Does the proposed project take advantage of any "green" technology to reduce adverse environmental impact? If so, please explain.

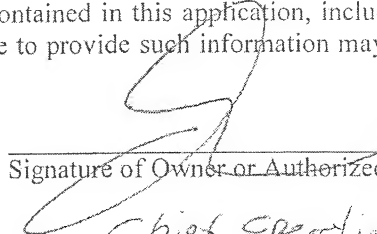
Yes. The equipment will be environmentally friendly.

#### CHECKLIST OF ATTACHMENTS:

<u>          </u>	Application Fee (\$2,000)
<u>          </u>	Completed Memorandum of Understanding
<u>          </u>	Completed Form SB-1/PP
<u>          </u>	Legal Description of Project Site
<u>          </u>	Area Map of Project Site
<u>          </u>	Description of (i) Product(s) Manufactured, (ii) Research and
<u>          </u>	Development, (iii) Product Distribution and/or (iv) Information
<u>          </u>	Technology Conducted, at Site
<u>          </u>	Description of Equipment to be Installed at Site
<u>          </u>	Description of Impact on Business if Equipment not Installed
<u>          </u>	Worksheets for Abatement Calculation

I hereby certify that the information and representations on and included with this application for Personal Property Tax Abatement are true and complete.

I understand that if this request for property tax abatement is granted that I will be required to annually provide information to the Town with respect to compliance with the project description, job creation and retention figures (and associated salaries), investment, and other information contained in this application, including the Form SB-1/PP. I also acknowledge that failure to provide such information may result in a loss of tax abatement deductions.

  
Signature of Owner or Authorized Representative

Title

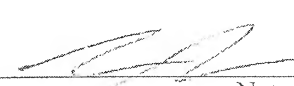
Chief Operating Officer

Date

STATE OF Indiana )  
 )  
COUNTY OF Wells )

SS:

Before me, the undersigned Notary Public, this 16th day of June, 2022, personally appeared Tim Tangle and acknowledged the execution of the foregoing application for personal property tax abatement for the Town of Whitestown, Indiana. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

  
\_\_\_\_\_, Notary Public

Residing in Wells County, IN

My commission expires:

1/8/2025

