

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2019 – R – 002

**A RESOLUTION CLARIFYING AND AMENDING RESOLUTION NO. 2017-R-005  
APPROVING STATEMENT OF BENEFITS FOR REAL PROPERTY AND GRANTING  
OF TAX ABATEMENT FOR L5 LEASING, LLC.**

**WHEREAS**, this Town Council of Sellersburg, Indiana (“Council”) is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, on or about the 27<sup>th</sup> day of November, 2019, L5 Leasing LLC (“Owner”) petitioned this Council for a tax abatement in real property taxes to be assessed on property located at Sellersburg Industrial Park, Sellersburg, IN 47172; and,

**WHEREAS**, the Owner submitted a Statement of Benefits on the form (“SB-1 Form”) prescribed by the Department of Local Government Finance for such purpose, which includes sections for a description and estimate of cost for the real property improvements, a description of the total project, and an estimated start and completion date; and,

**WHEREAS**, this Council has previously determined that the area of the Sellersburg Industrial Park qualifies as an economic revitalization area pursuant to Ind. Code § 6-1.1-12.1-5 *et seq.*; and,

**WHEREAS**, on the 27<sup>th</sup> day of November, 2017, this Council, in a meeting held open to the public, passed *Resolution No. 2017 – R – 2017 A Resolution Approving Statement of Benefits For Real Property And Granting Of Tax Abatement*, which is attached hereto as Exhibit A; and,

**WHEREAS**, the SB-1 Form attached to Exhibit A, did not have an estimated start date or estimated completion date because, at the time of petitioning this Council, L5 Leasing LLC did not have a definitive construction date for their new building; and,

**WHEREAS**, L5 Leasing LLC has informed this Council that the building will be built in 2019 and requests the ten (10) year real property tax abatement previously granted in *Resolution 2017 – R – 005*, start in 2020.

**NOW, THEREFORE BE IT RESOLVED** by the Town Council as follows:

1. That *Resolution 2017 – R – 005* and the aforementioned SB-1 Form be clarified and amended to reflect an estimated start and completion date of sometime 2019, with the tax abatement starting in 2020.
2. That the President of the Town Council or his designee shall have the authority to execute an updated SB-1 Form should the Clark County Auditor's Office require a new form.
3. That all other terms and conditions of *Resolution 2017 – R – 005* and the aforementioned SB-1 Form are unaffected by this Resolution and remain in full force and effect.

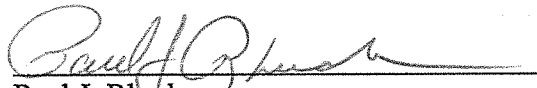
This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*


So Resolved this 10<sup>th</sup> day of June, 2019

“Aye”

“Nay”

  
Paul J. Rhodes  
Council President

\_\_\_\_\_  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President

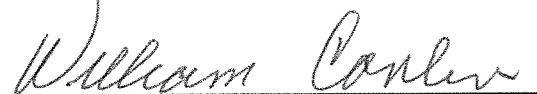
\_\_\_\_\_  
Brad Amos  
Council Vice President

Absent  
Martina Webster  
Council Member

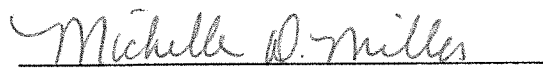
\_\_\_\_\_  
Martina Webster  
Council Member

Absent  
Jim LaMaster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

  
William Conlin  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2017 – R – 005

**A RESOLUTION APPROVING STATEMENT OF BENEFITS FOR REAL PROPERTY  
AND GRANTING OF TAX ABATEMENT**

WHEREAS, this Town Council of Sellersburg, Indiana ("Council") is the town legislative body of the town and the President of the town council is the town executive pursuant to Ind. Code § 36-5-2 *et seq.*; and,

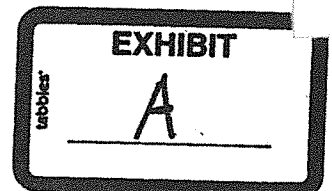
WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, L5 Leasing LLC ("Owner") has petitioned this Council for a tax abatement in real property taxes to be assessed on property located at Sellersburg Industrial Park, Sellersburg, IN 47172; and,

WHEREAS, the Owner has submitted a Statement of Benefits on the form prescribed by the Department of Local Government Finance for such purpose, which includes a description and estimate of cost for the real property improvements, a description of the total project, and an estimated start and completion date; and,

WHEREAS, this Council has previously determined that the area of the Sellersburg Industrial Park qualifies as an economic revitalization area pursuant to Ind. Code § 6-1.1-12.1-5 *et seq.*; and,

WHEREAS, this Council has previously reviewed the Statement of Benefits and incorporates it herein (*See Exhibit "A"*).



**NOW, THEREFORE BE IT RESOLVED** by the Town Council as follows:


1. That all information and all required forms have been filed by L5 Leasing LLC and the benefits described in such information can be reasonably expected to result.
2. That the totality of benefits for said expansion is sufficient to justify the deduction.
3. That the Town Council hereby approves the application for deduction presented in the Statement of Benefits filed by L5 Leasing LLC and said company shall be entitled to deductions for a period of ten (10) years for improvements to real property as set forth in Exhibit "B" and pursuant to Ind. Code § 6-1.1-12.1 *et seq.*, with the timely filing and perfection thereof with the Clark County Auditor's Office.


This Resolution shall be in full force and effect after its adoption by the Town Council of Sellersburg, Indiana.

*[Signature page to follow]*

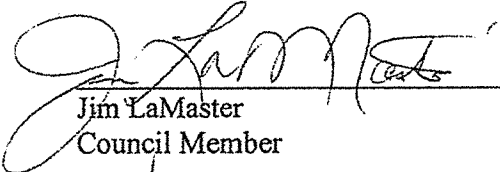
So Resolved this 27<sup>th</sup> day of November, 2017

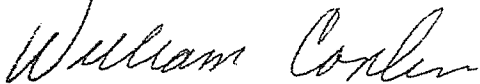
“Aye”

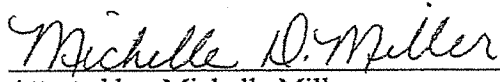
  
Paul J. Rhodes  
Council President

  
Brad Amos  
Council Vice President

\_\_\_\_\_  
Martina Webster  
Council Member

  
Jim LaMaster  
Council Member

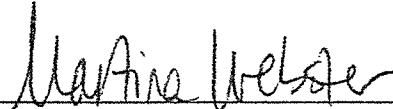
  
William Conlin  
Council Member

  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

“Nay”

\_\_\_\_\_  
Paul J. Rhodes  
Council President

\_\_\_\_\_  
Brad Amos  
Council Vice President

  
Martina Webster  
Council Member

\_\_\_\_\_  
Jim LaMaster  
Council Member

\_\_\_\_\_  
William Conlin  
Council Member



# STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)  
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

## 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 the redevelopment or rehabilitation of real property 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 initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property 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/Real Property 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

20 ____ PAY 20 ____
FORM SB-1 / Real Property
<b>PRIVACY NOTICE</b> 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.

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer <b>L5 LEASING LLC</b>					
Address of taxpayer (number and street, city, state, and ZIP code) <b>3424 LAFITTES COVE, FLOYDS KNOBS, IN 47119</b>					
Name of contact person <b>MIKE LIBS</b>		Telephone number <b>( 502 ) 376-4259</b>		E-mail address	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body <b>TOWN OF SELLERSBURG</b>					
Location of property <b>SELLERSBURG INDUSTRIAL PARK</b>		County <b>CLARK</b>		Resolution number <b>95-28</b>	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <b>20,000 SF PRE ENGINEERED STEEL FRAME BUILDING WITH TILT WALL CONSTRUCTED WALLS &amp; 24'-26' CLEAR HEIGHT. APPROX 4,000 SF OFFICE, 16,000 SF WAREHOUSE AND A 4,000 SF MEZZANINE.</b>					
Estimated start date (month, day, year)					
Estimated completion date (month, day, year)					
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number	Salaries	Number retained	Salaries	Number additional	Salaries
<b>40.00</b>	<b>\$1,800,000.00</b>	<b>40.00</b>	<b>\$1,800,000.00</b>		
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values					<b>127,500.00</b>
Plus estimated values of proposed project			<b>1,250,000.00</b>		
Less values of any property being replaced			<b>1,250,000.00</b>		<b>1,250,000.00</b>
Net estimated values upon completion of project					
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds)			Estimated hazardous waste converted (pounds)		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative <b>Michael R. Libs</b>				Date signed (month, day, year) <b>11/02/2017</b>	
Printed name of authorized representative <b>MICHAEL R. LIBS</b>				Title <b>MEMBER/REGISTERED AGENT</b>	

Exhibit "A"

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed 10 calendar years\* (see below). The date this designation expires is 11/27/21

B. The type of deduction that is allowed in the designated area is limited to:  
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No  
2. Residentially distressed areas ☐ Yes ☐ No

C. The amount of the deduction applicable is limited to \$ \_\_\_\_\_

D. Other limitations or conditions (specify) \_\_\_\_\_

E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (\* see below)  
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☒ Year 10

F. 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.

We have also 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 (signature and title of authorized member of designating body)

Telephone number \_\_\_\_\_

Date signed (month, day, year)

Paul J. Rhodes

( )

11/27/17

Print name of authorized member of designating body

Name of designating body

Paul J. Rhodes

Town Council Town of Sellersburg, IN

Accepted by (signature and title of attester)

Printed name of attester

Nichelle D. Dyer

NICHELLE D. DYER

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.

A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)

B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

#### 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. 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.



**Town of Sellersburg, Indiana**

**Tax Abatement Schedule for Real Property**

Year	Percent Deduction
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

*Exhibit "B"*

