

COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA

Resolution No. 2012-6

REAL AND PERSONAL PROPERTY TAX ABATEMENT

**CONFIRMATORY RESOLUTION FOR THE DESIGNATION
OF AN ECONOMIC REVITALIZATION AREA**

WHEREAS, the City of Rockport, Indiana (the "City") has been requested by Hoople Country Kitchens, Inc. (the "Applicant") to find pursuant to IC 6-1.1-12.1-2 that an area (the "Area") is an Economic Revitalization Area, which Area will contain the Project (as hereinafter defined); and

WHEREAS, the Common Council of the City (the "Council") has prepared a simplified description of the Area or maps and plats that identify the Area, attached as Exhibit A; and

WHEREAS, the Area is located within the jurisdiction of the City for the purposes set forth in IC 6-1.1-12.1-2; and

WHEREAS, the Applicant intends to construct on certain land within the Area a new warehouse and to construct improvements to its existing facility in the Area, including significant investment in new manufacturing equipment, all as described in the Statements of Benefits (the "Statements of Benefits") submitted by the Applicant to the Council (the "Project"); and

WHEREAS, the Council has reviewed the Statements of Benefits; and

WHEREAS, pursuant to IC 6-1.1-12.1-2, on May 1, 2012, the Council adopted Resolution No. 2012-5 (the "Declaratory Resolution"), which designated the Area as an "economic revitalization area" pursuant the Act and approved real property tax deductions under IC 6-1.1-12.1-3 for redevelopment or rehabilitation in the Area for ten (10) years and personal property tax deductions under IC 6-1.1-12.1-4.5 for new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and new information technology equipment installed in the Area for ten (10) years; and

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, the Council published notice (the "Notice") describing the adoption and substance of the Declaratory Resolution and stating that, on the date hereof, the Council would hold a public hearing (the "Public Hearing") at which it will receive and hear all remonstrances and objections from interested persons, with respect to the Declaratory Resolution; and

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, the Council filed, with each taxing unit that has authority to levy property taxes in the Area, a copy of the Notice and the Statements of Benefits; and

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, on the date hereof, the Council held the Public Hearing at which it received, heard and considered evidence concerning the Declaratory Resolution and any remonstrances or objections with respect to the Declaratory Resolution; and

WHEREAS, pursuant to IC 6-1.1-12.1-2.5, the Council desires to take final action confirming the Declaratory Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Rockport, Indiana, as follows:

Section 1. The Council hereby finds that (i) the Area is within the City and (ii) the Area 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 a normal development of property and use of property.

Section 2. The Area is hereby declared to be an "economic revitalization area" pursuant to IC 6-1.1-12.1. The period for real property tax deductions under IC 6-1.1-12.1-3 for redevelopment or rehabilitation in the Area shall be ten (10) years and the period for personal property tax deductions under IC 6-1.1-12.1-4.5 for new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and new information technology equipment installed in the Area shall be ten (10) years.

Section 3. Based on the information in the Statements of Benefits describing the Project, the Council makes the following findings:

(a) That the estimate of the value of the redevelopment or rehabilitation of the Real Property is reasonable for projects of that nature and the estimate of the cost of the new manufacturing equipment to be installed in connection with the Project is reasonable for projects of that type.

(b) That the estimate of the number of individuals who will be employed or whose employment will be retained as a result of the proposed redevelopment or rehabilitation of the Real Property and the installation of the new manufacturing equipment can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Property and the proposed installation of new manufacturing equipment.

(c) That the estimate of annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Property and the proposed installation of new manufacturing equipment.

(d) That the number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements as a result of the Project, create benefits of the type and quality anticipated by the Council within the Area and can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Property and the proposed installation of new manufacturing equipment.

(e) That the benefits described in the Statements of Benefits can reasonably be expected to result from the proposed redevelopment or rehabilitation of the Real Property and the proposed installation of new manufacturing equipment.

(f) That the totality of benefits from the proposed redevelopment or rehabilitation of the Real Property and the proposed installation of new manufacturing equipment is sufficient to justify a ten-year real property tax deduction period and a ten-year personal property tax deduction schedule.

Section 4. Based on the information in the Statements of Benefits and the foregoing findings, the Council, pursuant to IC 6-1.1-12.1, hereby approves and allows the Applicant real property and personal property tax deductions for ten (10) years as set for in Section 2 for the redevelopment located in the Area.

Section 5. The Council hereby confirms the Declaratory Resolution, and the actions set forth in this Resolution are final, except for the limited rights of appeal provided under IC 6-1.1-12.1-2.5.

Section 6. The Clerk-Treasurer is hereby authorized to make all filings necessary or desirable and to take all other necessary actions to carry out the purposes and intent of this Resolution and the deductions approved hereunder.

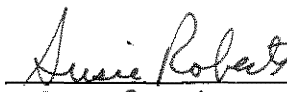
Section 7. This Resolution shall be in full force and effect from and after its adoption.

Passed and adopted by the Common Council of the City of Rockport, Spencer County, Indiana, this 5th day of June, 2012.



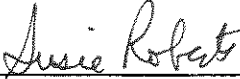
Presiding Officer

ATTEST:




Susie Roberts, Clerk-Treasurer

This resolution presented by me, the Clerk-Treasurer of the City of Rockport, Indiana to the Mayor for his approval this 5th day of June, 2012.



Susie Roberts, Clerk-Treasurer

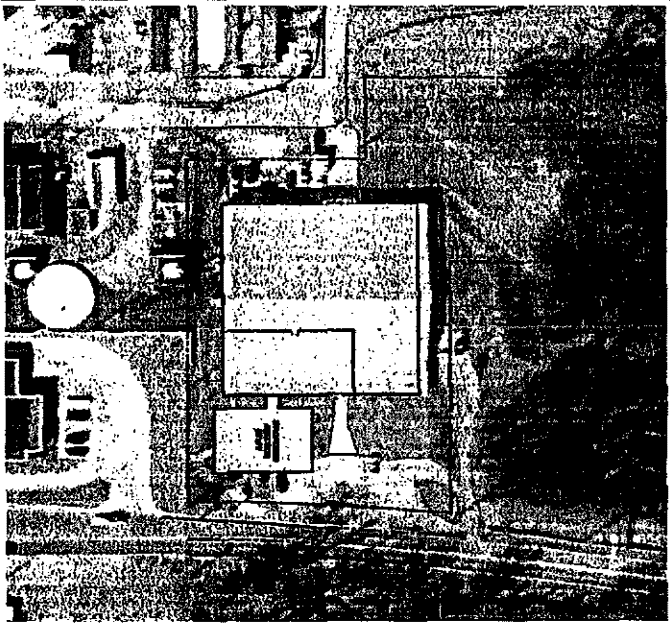
This resolution signed and approved by me, the Mayor of the City of Rockport, Indiana, this 5th day of June, 2012.



Harold Goffinet, Mayor

EXHIBIT A

Description and Map of the Area



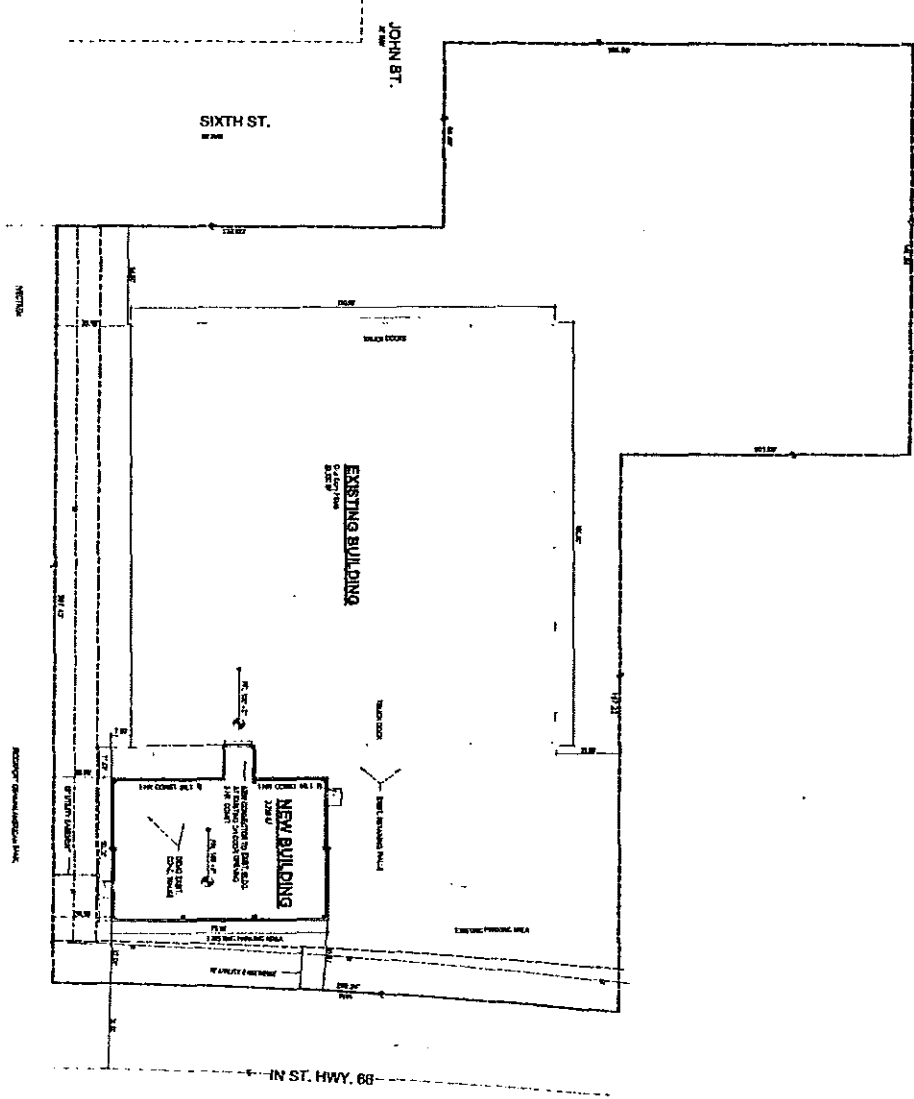
As-built View
of Road

Site Plan Notes

1. THE INFORMATION CONTAINED HEREIN IS FOR GENERAL INFORMATION ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY FINANCIAL PRODUCT OR SERVICE. THE INFORMATION IS NOT INTENDED TO BE USED AS A BASIS FOR ANY INVESTMENT DECISION. THE INFORMATION IS NOT INTENDED TO BE USED AS A BASIS FOR ANY INVESTMENT DECISION. THE INFORMATION IS NOT INTENDED TO BE USED AS A BASIS FOR ANY INVESTMENT DECISION.

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Site Plan
1/1/2009

Project Name	Hoople Country Kitchens New Warehouse
Client	Hoople Country Kitchens
Site & Utility Plan	C1
Scale	1" = 20' - 0"
Author	[Name]
Check	[Name]
Approved	[Name]
Date	1/1/2009



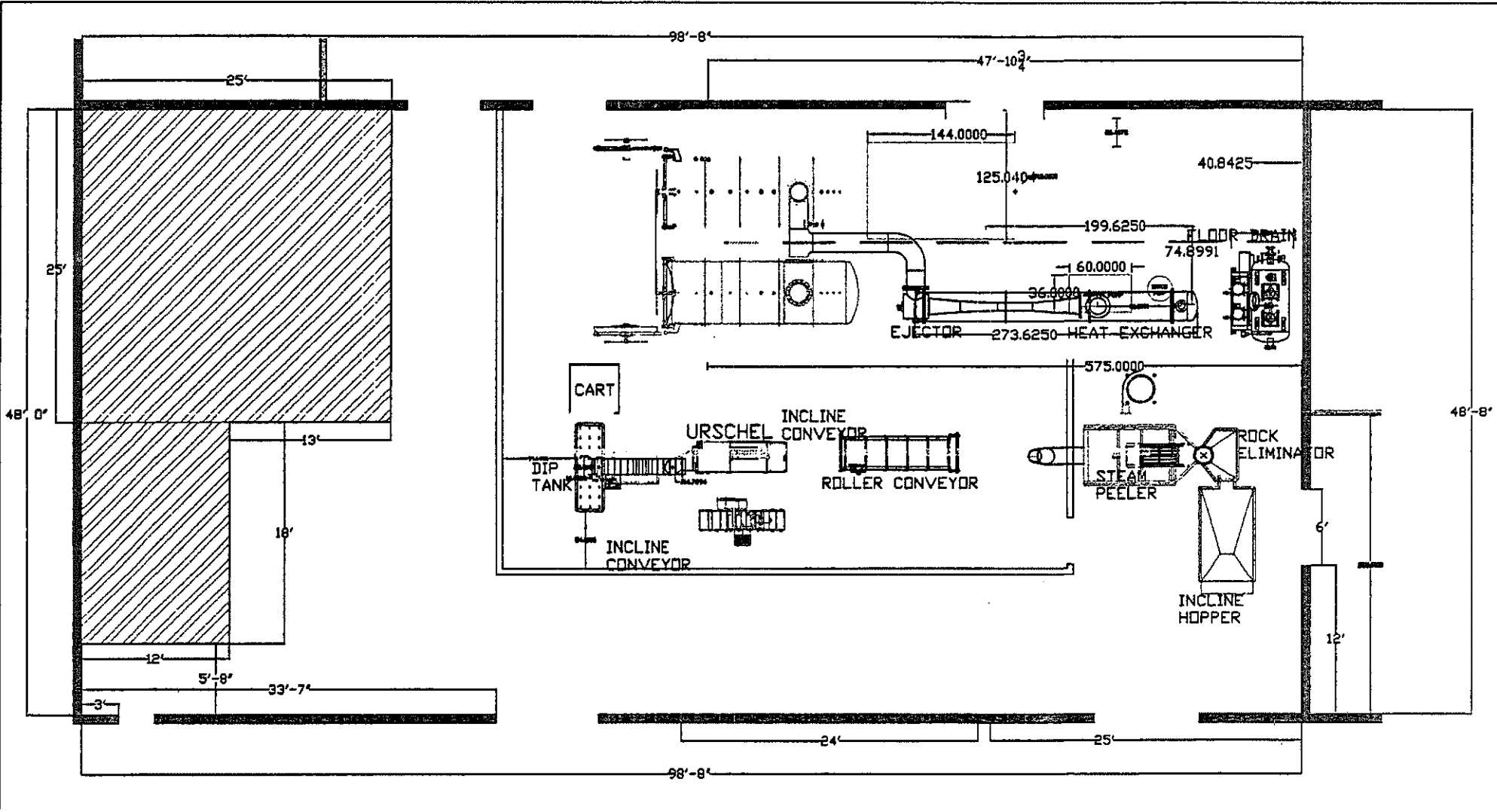
NOTICE

This plan was prepared by the undersigned professional engineer in accordance with the provisions of the Rhode Island Professional Engineers Act, Chapter 23-17, R.I. Code. The undersigned hereby certifies that he is a duly licensed professional engineer in the State of Rhode Island and that he is the author of this plan. The undersigned further certifies that he is not providing engineering services to any other party in connection with this project.

Hoople Country Kitchens
New Warehouse
 1111 Main St., Pawtucket, RI 02860

Site & Utility Plan

MURBERT CONSTRUCTION
 1250 Main Street, Pawtucket, RI 02860
 Phone: (401) 367-1340 Fax: (401) 367-1147
 WWW.MURBERTCONSTRUCTION.COM



AND DESCRIPTION

Part of section 23, township 7 south, range 6 west in the Town of Rockport, Indiana and more particularly described as follows:

Beginning at a 1-1/4" pipe found marking the northwest corner of lot 53 in "Wright and Griffith's Donation" to the Town of Rockport as shown in Plat Book 1, page 3 in the office of the Recorder of Spencer County, Indiana; thence north 06 degrees 00 minutes 00 seconds west along the east right-of-way of Sixth Street 136.00 feet to an iron pin found; thence south 84 degrees 00 minutes 00 seconds west along the north right-of-way of John Street 66.00 feet to an iron pin found; thence north 06 degrees 00 minutes 00 seconds west along the east line of the Coal-Inland Tract 165.96 feet to an iron pin found; thence north 84 degrees 00 minutes 00 seconds east along the south line of a tract owned by the City of Rockport 145.96 feet to an iron pin set; thence south 06 degrees 00 minutes 00 seconds east 101.00 feet to an iron pin set; thence north 84 degrees 00 minutes 00 seconds east along the south line of Rockport 197.22 feet to an iron pin set on the west right-of-way of State Road 66; thence along a curve to the left having a radius of 2355.90 an arc length of 200.30 feet and begin subtended by a chord bearing south 03 degrees 12 minutes 34 seconds east 200.24 feet to a 1" square pin found; thence south 84 degrees 00 minutes 00 seconds west along the north line of lots 53 and 34 in Wright and Griffith's Donation 267.43 feet to the point of beginning and containing 1.679 acres.

Subject to all easements, rights-of-way, and restrictions of record.

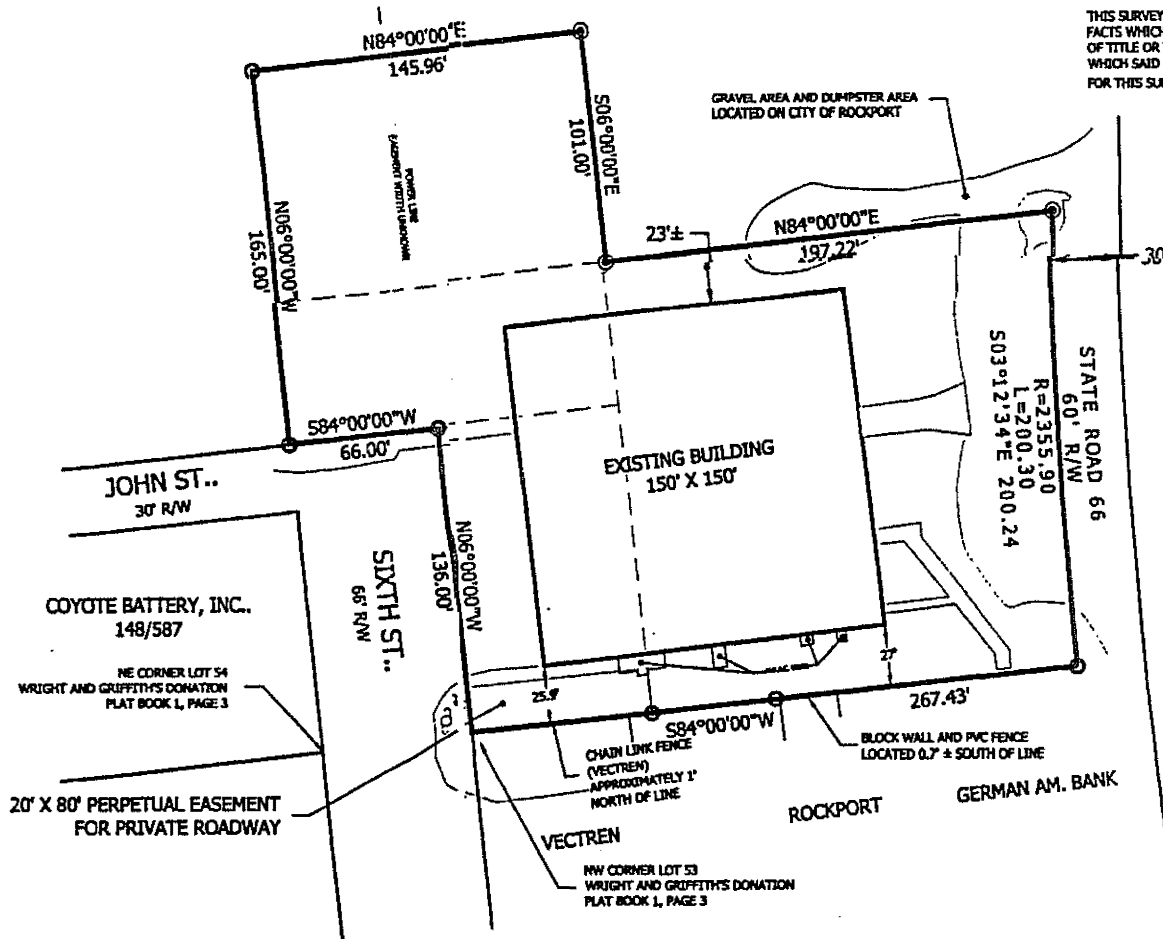
SURVEYORS REPORT

In accordance with Title 865 of the Indiana Administrative Code (IAC 1-12-1 thru 29) the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of the following:

- A) Availability and Conditions of Reference Monuments
- B) Occupation or Possession Lines
- C) Clarity or Ambiguity of the Record Descriptions used and/or Adjoiners Descriptions
- D) The Relative Positional Accuracy of the Measurements

- a) Monuments were found as shown hereon and further described as follows: the northwest corner of lot 53 in Wright and Griffith's Donation is marked by a 1-1/4" pipe. The southeast corner of an 80' x 135' tract (D.R. 148, Pg. 714) is a found 1/2" pin buried 12" below grade. The northwest corner of said tract is also a 1/2" pin recovered 8" below grade and being bent. This pin was straightend and reset. The southwest and northwest corner of a tract being 146' x 165' (D.R. 148, Pg. 714) were found iron pins both being bent. I straightend out both pins and re drove. The southeast corner of the tract described in D.R. 153, Pf 240 is a 1" square pin. The remaining corners were set parallel with and perpendicular to the south line of the established line from the found monuments at record distances.
- b) Possession lines are in general agreement with the lines established per this survey.
- c) The distance from the NW corner of lot 53 to the N to-w of John Street and the pins found measures 136 feet and the record distance is 135 feet. I held the found pins.
- d) The survey shown on the hereon plat is classified as an urban survey as defined by 865 IAC 1-12-7, Section 7d, Subsection 1 of the Indiana Administrative Code. The relative positional accuracy for this survey meets the minimum standard requirement for said survey of 0.07 feet plus 50 parts per million.

PLAT OF SURVEY
 PART OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 6 WEST IN THE TOWN OF ROCKPORT AND BEING THE SAME PROPERTY DESCRIBED IN DEED RECORD 148, PAGE 714 AND DEED RECORD 153, PAGE 240 IN THE OFFICE OF THE RECORDER OF SPENCER COUNTY, INDIANA.

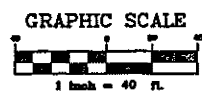
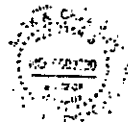


THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD NOT LIMITED TO ANY SHOWN ON THIS PLAT...
 THE BASIS OF BEARINGS SHOWN HEREON ARE REFERENCED TO RECORD DESCRIPTIONS
 ALL DIMENSIONS SHOWN HEREON ARE AS MEASURED IN THE FIELD UNLESS NOTED AS RECORD MEASUREMENT, I.E. (100' REC.)
 THIS SURVEY IS SUBJECT TO A STATEMENT OF FACTS WHICH MAY BE DISCLOSED BY AN ABSTRACT OF TITLE OR TITLE COMMITMENT POLICY, OF WHICH SAID DOCUMENTATION WAS NOT PROVIDED FOR THIS SURVEY.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECTION TO THE BEST OF MY KNOWLEDGE AND BELIEF AND WAS EXECUTED ACCORDING TO THE SURVEY REQUIREMENTS CONTAINED IN THE INDIANA ADMINISTRATIVE CODE 865 SECTION 1-12-1 THRU 1-12-28.

Mark A. Chamness
 MARK A. CHAMNESS, PLS. NO. 9600020 DATE



HOOPLE COUNTRY KITCHENS.
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 ROCKPORT, INDIANA 4
 www.globalsurveyor.net
 PHONE: 812-359-5729