

PLAINFIELD TOWN COUNCIL

RESOLUTION NO. 2016-33

**RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC
REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY AND
IMPROVEMENTS FOR TAX ABATEMENT – KOHL’S CORPORATION**

WHEREAS, the Town Council of the Town of Plainfield, Indiana (the “Town Council” and “Town,” respectively) adopted a Tax Abatement Procedures Ordinance on March 24, 1997 (the “Ordinance”); and

WHEREAS, pursuant to the Ordinance, Kohl’s Corporation (the “Applicant”) has filed with the Town Council on June 16, 2016, a Petition for Real Property Tax Abatement Consideration (the “Application”), pursuant to I.C. 6-1.1-12.1-1-1 et. seq.; and

WHEREAS, the Application has been reviewed by the staff, the Tax Abatement Committee and Town Council, and the Town has received from the Applicant the requisite filing fee.

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

1. Declaration of Economic Revitalization Area. The Town Council declares that the real estate described in Exhibit A, attached to and made part of this resolution, is, and shall hereinafter be, preliminarily deemed an “economic revitalization area” as that phrase is used and intended under the provisions of Indiana Code Sections 6-1.1-12.1-1 et. seq., subject to the following limitations:

- a. The designation of said real estate as an “economic revitalization area” shall last for a period of ten (10) years;
- b. Only the deduction under I.C. 6-1.1-12.1-3 is allowed within the economic revitalization area;
- c. The deduction will be allowed with respect to redevelopment or rehabilitation occurring in the economic revitalization area relates to \$25,000,000 of redevelopment or rehabilitation; and

2. Real Property and Improvements. The Town Council declares that any and all improvements (up to \$25,000,000) placed upon the real estate described in Exhibit A hereto after the date of the adoption of this resolution by the Town Council, along with the said real estate, shall be eligible for property tax abatement pursuant to the provisions of I.C. 6-1.1-12.1-1 et. seq.

3. Maps and Location of Economic Revitalization Area. Exhibit B, attached to and made part of this resolution, is a map showing the real estate declared to be an “economic revitalization area” as a result of the adoption of this resolution.

4. Compliance with Applicable Resolution and Statutes. The Town Council declares that the Application complies in all respects with the Ordinance and all governing Indiana statutes, and that the Application, in all respects, is preliminarily granted and approved.

5. Findings of Fact. The Town Council states that the property is now 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 that have impaired value or prevent normal development of property. The Town Council hereby finds the following:

- (a) The estimate of the value of the Applicant’s project described in the Application is reasonable;
- (b) The employment numbers described in the Application as a result of the Project, if any, are reasonably expected;
- (c) The salaries described in the Application related to such employment, if any, are reasonable; and
- (d) The benefits to be received from the Applicant’s project shown in the Application are sufficient to justify the deduction.

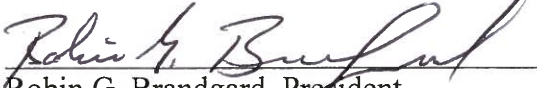
6. Abatement Duration. Based upon the provisions of the Ordinance, the Town Council declares that a ten (10) year abatement duration, as requested by Applicant, meets the requirements of the Ordinance.

7. Effective Date. This resolution shall be effective immediately upon its passage, subject to the notice and hearing provisions of I.C. 6-1.1-2.1-2.5. The hearing contemplated by said statute shall be held at the time and place of the meeting of the Town Council on July 25, 2016, to wit: Plainfield Town Hall, 206 W. Main Street, Plainfield, Indiana, at 7 p.m. local time. At such meeting the Town Council shall take final action determining whether the qualifications for an economic revitalization area (as to the real estate and improvements) have been met, and shall confirm, modify and confirm, or rescind this resolution. Such determination and final action by the Council shall be binding upon all affected parties; subject to the appeal procedures contemplated by I.C. 6-1.1-12.1-1 et. seq.

8. Filing With Hendricks County Authorities. Upon the adoption of this resolution, the Clerk-Treasurer of the Town shall cause a certified copy of this resolution, including the legal description of the previously described real estate and attached map, to be filed with the Hendricks County Assessor and/or such other Hendricks County Government officials as shall be necessary to make the Applicant eligible to file for property tax abatement as to the real property and improvements contemplated by the Application.

Adopted by the Town Council of the Town of Plainfield, Indiana this 11 day of July, 2016.

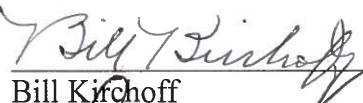
TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA



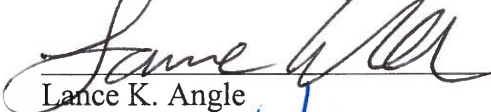
Robin G. Brandgard, President



Kent McPhail



Bill Kirchoff

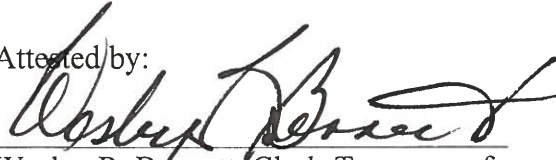


Lance K. Angle



Dan Bridget

Attested by:



Wesley R. Bennett, Clerk-Treasurer of
the Town of Plainfield, Indiana

EXHIBIT A [description of real estate]

Exhibit "A "

PARCEL 1- FEE

A part of the East half of Section 18, Township 15 North, Range 2 East of the Second Principal Meridian in Hendricks County, Indiana and being more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of Section 18, Township 15 North, Range 2 East; thence South 01 degree 01 minute 33 seconds East 2,680.80 feet along the East line of said Northeast Quarter to the Southeast corner of said Northeast Quarter; thence South 00 degrees 50 minutes 45 seconds East 109.42 feet along the East line of the Southeast Quarter to the Southeast corner of the Plat of Allpoints Midwest Business Park Section 2 - (Incremental) Lot 1 recorded as Instrument Number 200818455 (Plat Cabinet 7, Slide 58 - 2 A, B, C & D) in The Office of The Recorder of Hendricks County, Indiana and being the Point of Beginning; thence continuing South 00 degrees 50 minutes 45 seconds East 546.90 feet along said line to the North line of the proposed Secondary Plat of Allpoints Midwest Business Park Section 2 - Lot 6 and 6-A (unrecorded); thence South 87 degrees 55 minutes 54 seconds West 576.09 feet along said North line to the East line of Amended Plat of Allpoints Midwest Business Park Section 1 (Incremental) - Lot 1 recorded as Instrument Number 200809789 (Plat Cabinet 7, Slide 48 - 2 A & B) in said Recorders Office; thence North 01 degrees 54 minutes 01 seconds West 358.57 feet along said East line to a point of curvature to the left having a radius of 385.00 feet, the radius point of which bears South 88 degrees 05 minutes 59 seconds West; thence Northerly 198.66 feet along said East line and said curve to a point which bears North 58 degrees 32 minutes 06 seconds East from said radius point being a Southwesterly corner of said Allpoints Midwest Business Park Section 2 - (Incremental) Lot 1; thence North 88 degrees 06 minutes 11 seconds East 636.28 feet along the South line of said Allpoints Midwest Business Park Section 2 - (Incremental) Lot 1 to the POINT OF BEGINNING. Containing 321,342.03 square feet or 7.377 acres, more or less.

The below description is a revised version of Parcel 1 with updates to the now recorded plat of Allpoints Midwest Business Park Section 2 - Lots 6 and 6-A and also reflecting the bearing system of this survey.

Part of the Southeast Quarter of Section 18, Township 15 North, Range 2 East of the Second Principal Meridian in Hendricks County, Indiana and being more particularly described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence South 00 degrees 23 minutes 45 seconds East 109.42 feet along the East line of the Southeast Quarter to the Southeast corner of the Plat of Allpoints Midwest Business Park Section 2 - (Incremental) Lot 1 recorded as Instrument Number 200818455 (Plat Cabinet 7, Slide 58 - 2 A, B, C & D) in The Office of The Recorder of Hendricks County, Indiana and being the Point of Beginning; thence continuing South 00 degrees 23 minutes 45 seconds East 546.87 feet along said line to the North line of the Secondary Plat of Allpoints Midwest Business Park Section 2 - Lot 6 and 6-A recorded as Instrument number 201502224 and filed in Plat Cabinet 8, Slide 35, pages 1 A-B; thence South 88 degrees 23 minutes 05 seconds West 575.98 feet along said North line to the East line of Amended Plat of Allpoints Midwest Business Park Section 1 (Incremental) - Lot 1 recorded as Instrument Number 200809789 (Plat Cabinet 7, Slide 48 - 2 A & B); thence North 01 degrees 26 minutes 50 seconds West 358.57 feet along said East line to a point of curvature to the left having a radius of 385.00 feet; thence Northerly an arc distance of 198.66 feet along said East line and curve, said curve being subtended by a 196.40 feet long chord bearing North 16 degrees 13 minutes 28 seconds West, to a Southwesterly corner of said Allpoints Midwest Business Park Section 2 - (Incremental) Lot 1; thence North 88 degrees 33 minutes 11 seconds East 636.10 feet along the South line of said Allpoints Midwest Business Park Section 2 - (Incremental) Lot 1 to the POINT OF BEGINNING. Containing 7.375 acres, more or less.

PARCEL 2- FEE

That portion of the Southwest Quarter of Section 17 and East Half of the Southeast Quarter of Section 18, all in Township 15 North, Range 2 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, described as follows:

BEGINNING at an iron pin in concrete marking the southwest corner of said Southwest Quarter; thence South 88 degrees 06 minutes 13 seconds West along the south line of said East Half 489.30 feet to the southeast corner of the Amended Plat of Allpoints Midwest Business Park, Section One, Incremental Lot 1, platted in Instrument Number 200809789 in the Office of the Recorder of Hendricks County, Indiana (the following four (4) lines are along the easterly lines of said plat); 1) thence North 01 degrees 53 minutes 47 seconds West 50.00 feet to a 5/8 inch rebar with cap stamped "Banning Eng Firm #0060" (herein referred to as "capped rebar") set; 2) thence North 49 degrees 39 minutes 57 seconds West 44.43 feet to a capped rebar set; 3) thence North 07 degrees 26 minutes 06 seconds West 171.84 feet to a rebar with cap stamped "Cripe Firm #0055"; 4) thence North 01 degrees 53 minutes 47 seconds West 1,771.60 feet to a capped rebar set; thence North 87 degrees 56 minutes 08 seconds East 599.28 feet to a capped rebar set; thence North 89 degrees 29 minutes 51 seconds East 1309.18 feet to a capped rebar found on the east line of the West Half of said Southwest Quarter; thence South 00 degrees 57 minutes 28 seconds East along said east line 1064.50 feet to a capped rebar found; thence South 88 degrees 57 minutes 12 seconds West parallel with the south line of said West Half 735.66 feet to a capped rebar found; thence South 00 degrees 57 minutes 28 seconds East parallel with said east line 948.00 feet to the south line of the West Half of said Southwest Quarter; thence South 88 degrees 57 minutes 12 seconds West along said south line 600.76 feet to the POINT OF BEGINNING, containing 71.614 acres, more or less.

Now known as Secondary Plat of Allpoints Midwest Business Park Section 2 Lots 6 and 6-A recorded January 30 2015 as Instrument No. 201502224.

PARCEL 3- FEE

Part of the Southwest Quarter of Section 17 in Township 15 North, Range 2 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 23 minutes 45 seconds East along the west line of said Southwest Quarter a distance of 109.42 feet to the Southeast corner of Lot 1 of "Allpoints Midwest Business Park Section Two-(Incremental) Lot 1", per plat thereof recorded as Instrument Number 200818455 and filed in Plat Cabinet 7, Slide 58, pages 2 A-D, being the POINT OF BEGINNING; thence North 89 degrees 42 minutes 49 seconds East parallel with the North line of said Southwest Quarter a distance of 550.42 feet to the Northerly extension of the longest common line separating Lots 6 and 6-A of "Allpoints Midwest Business Park Section 2-Lots 6 and 6A" recorded as Instrument Number 201502224 and filed in Plat Cabinet 8, Slide 35, pages 1 A-B in the Office of the Recorder of Hendricks County, Indiana; thence South 01 degrees 26 minutes 50 seconds East along said extension line a distance of 548.63 feet to the north line of said Lot 6-A; thence South 89 degrees 56 minutes 48 seconds West along the north line of said Lot 6-A and along the north line of said Lot 6 a distance of 537.20 feet to a northerly corner of Lot 6; thence South 88 degrees 23 minutes 05 seconds West along a north line of said Lot 6 a distance of 23.30 feet to the West line of said Southwest quarter; thence North 00 degrees 23 minutes 45 seconds West along said West line a distance of 546.87 feet to the POINT OF BEGINNING. Containing 6.980 acres, more or less.