

**ORIGINAL**

RESOLUTION NO. 01-05

**A RESOLUTION PRELIMINARILY DESIGNATING ECONOMIC  
REVITALIZATION AREA AND QUALIFYING CERTAIN PROPOSED  
IMPROVEMENTS ELIGIBLE FOR TAX ABATEMENT**

WHEREAS, the Common Council of the City of Lebanon has received a written application filed on behalf of Opus North Corporation for property tax abatement pursuant to I.C. 6-1.1-12.1-1 et seq.; and

WHEREAS, said application has been reviewed by the Common Council of the City of Lebanon, Indiana, at a duly held public meeting of said Council on August 13, 2001, and should be tentatively approved.

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

1. Declaration of Economic Revitalization Area. It is hereby declared by the Common Council of the City of Lebanon, Indiana, that the following described real estate, containing approximately 44 acres, located at the intersection of Interstate 65 and State Road 39 South, more particularly described hereinbelow, is primarily designated as an Economic Revitalization Area:

(See attached legal description)

2. Improved Real Estate Tax Deduction. One of the Common Council's purposes is to encourage growth, revitalization and rehabilitation of the community, and the granting of the application is expected to accomplish that result. The applicant, as owner of the real estate located in the Economic Revitalization Area, is tentatively entitled to a reduction from assessed value of the improvements to the property for a period of ten years as follows:

<u>Year of Deduction</u>	<u>Percentage</u>
1st	100%
2nd	95%
3rd	80%
4th	65%
5th	50%
6th	40%
7th	30%
8th	20%
9th	10%
10th	5%
11th and thereafter	0%

3. Commencement of Redevelopment. Upon filing of the Substantial Statement of Benefits (Form SB-1) by applicant, and subject to the Council's right to affirm, modify or rescind this resolution following a public hearing on the application, the applicant is permitted to commence work on the project once all approvals required of local zoning authorities have been obtained.

4. Filing with the Boone County Authorities. Upon adoption of this resolution; the applicant shall cause a certified copy of this resolution to be filed with the Boone County Assessor and/or other Boone County governmental official as shall be necessary. Further, a public hearing shall be held on the application at the next regular meeting of the Common Council, and notice of such hearing shall be published as provided by law.

Adopted by the Common Council of the City of Lebanon, Indiana, this 13th day of August, 2001.

James Wilcox

Harold "Hub" Lewis

Ray Gensler

Andrea Kister

Paul Keady

Emmanuel Scurry

James H. Acton  
James H. Acton, Mayor

ATTEST:

J. Elaine Kinsler  
J. Elaine Kinsler  
Clerk-Treasurer

LEGAL DESCRIPTION:  
Opus North Corporation

A part of the South half of Section 1, Township 18 North, Range 1 West, Boone County, Indiana, being a portion of the land described in the deed to Donald L. Kenyon and Lynn N. Kenyon recorded as deed record 230, page 266 and deed record 230, page 267, and deed record 244, page 398-399 Weiland (1/2 interest), in the office of the Recorder of Boone County, described as follows:

Beginning at a rebar with cap on the North line of said half Section, North 89 degrees 13 minutes 15 seconds East 1,076.96 feet, measured along said North line, from the Northwest corner of the East half of said half Section; said rebar also being South 89 degrees 13 minutes 15 seconds West 1,597.06 feet, measured along the North line of said quarter Section, from the Northeast corner of said half Section; thence South 38 degrees 01 minutes 39 seconds East 419.51 feet to a point on the East line of said Kenyon tract (the remaining courses being along the boundary of said Kenyon tract); thence South 00 degrees 17 minutes 02 seconds West 159.92 feet; thence North 89 degrees 01 minutes 34 seconds East 39.54 feet; thence South 01 degrees 04 minutes 05 seconds East 183.00 feet; thence South 65 degrees 36 minutes 02 seconds East 134.96 feet to a point on the centerline of State Road 39 said point being on a curve the radius point of which bears North 59 degrees 00 minutes 15 seconds West 2291.83 feet; thence Southwesterly along said curve, 201.56 feet to a point which bears South 53 degrees 51 minutes 24 seconds East from said radius point; thence South 36 degrees 08 minutes 36 seconds West, along said centerline 240.34 feet; thence South 89 degrees 08 minutes 54 seconds West 1674.00 feet to the East line of the Conrail Railroad; thence North 00 degrees 07 minutes 34 seconds East, along said East line, 1098.45 feet to the North line of said half Section; thence North 89 degrees 13 minutes 15 seconds East 1503.62 feet to the point of beginning, and containing 44.071 acres, more or less.

**NOTICE OF PUBLIC HEARING**  
**ON TAX ABATEMENT RESOLUTION**

Notice is hereby given that a public hearing will be conducted by the Common Council in the City of Lebanon at 7:30 o'clock p.m. on Monday, August 27, 2001, on an application filed by Opus North Corporation seeking the designation of a parcel of unimproved real estate containing approximately 44 acres, at the intersection of Interstate 65 and State Road 39 South (640 South SR 39), as an economic revitalization area and eligible for benefits of tax abatement for improvements which are proposed to be made to the real estate.

The legal description of the real estate, a diagram depicting its location and other information contained in the application are on file and available for inspection in the offices of the Clerk-Treasurer of the City of Lebanon and the Assessor of Boone County.

Applicant proposes to build a 476,200 square foot office and dry goods distribution center as well as a vehicle storage building at the total cost of approximately \$12,456,000.00, not including land. The building will be leased to ConAgra which will operate an office, dry goods distribution center and vehicle storage facility on the site. Approximately 135 new jobs are anticipated to be created by this new business, with a total annual payroll of approximately \$3.8 million. Construction would commence in August 2001 and be completed by March 2002.

At a regular meeting held on August 13, 2001, the Common Council adopted a resolution preliminarily designating the real estate as an Economic Revitalization Area and tentatively qualifying the improvements to be made thereto as eligible for deductions in property taxes over a ten year period in accordance with the declining percentages set forth in I.C. 6-1.1-12.1-1, et seq.

After considering any evidence to be presented at the hearing, the Common Council shall take final action determining whether the qualifications for designation of this real estate as an Economic Revitalization Area have been met and either confirming, modifying or rescinding the previous resolution. All interested persons wishing to remonstrate against or otherwise object to the application must present their objections and comments either in writing to the Clerk-Treasurer prior to the hearing or in person at the meeting of the Common Council to be held in the Council Chambers of the Municipal Building, 201 East Main Street, Lebanon, Boone County, Indiana.

J. Elaine Kinsler  
Clerk-Treasurer  
City of Lebanon

PROJECT SUMMARY SHEET\*  
Enterprise Warehouse, LLC  
(ConAgra Foods)

Company Headquarters:	Omaha, Nebraska
Site of potential project:	Lebanon Business Centre 640 S. SR 39 (next to the Flying J Travel Center)
Brief project description:	44 acre parcel with rail to construct a 476,200 SF distribution facility (expandable to 705,500 SF)
Request:	10 year real property tax abatement
Jobs created:	135
Average wages for created jobs, without benefits:	\$29,432.00 (\$14.15/hr.)
Average wages for new jobs with benefits:	\$37,502 (\$18.03/hr.)
Capital investment:	Building: \$12,456,000 Equipment: \$3,242,000

\*All numbers are estimates based on current tax rates and project estimates.

\*\*If abatement is approved by City Council