

Resolution No. 06-9 (A)

**A RESOLUTION QUALIFYING
CERTAIN REAL AND PERSONAL PROPERTY
FOR TAX ABATEMENT**

WHEREAS, the Common Council of the City of Lebanon has received a written application filed on behalf of Hachette Book Group USA and Dugan Realty, LLC, for real and personal property tax abatement pursuant to IND. CODE §6-1.1-12.1-1, et seq.; and

WHEREAS, Dugan Realty, LLC, is the owner of the real estate to be improved by the project and Hachette Book Group USA is the owner of the business which will be installing new logistical equipment in the building; and

WHEREAS, said application is being reviewed by the Council at a duly held public meeting on October 9, 2006; and

WHEREAS, said application seeks both personal property tax abatement on the purchase and installation of new logistical equipment and real estate tax abatement for planned improvements to a certain tract of real estate containing approximately thirty-one and six-tenths (31.6) acres, commonly known as 121 North Enterprise Boulevard in the City of Lebanon, the legal description of which is attached as Exhibit A; and

WHEREAS, the Council previously designated the real estate as an Economic Revitalization Area by Resolution No. 95-1 3 thereby qualifying the Applicants request for maximum tax abatement; and

WHEREAS, a public hearing is being held on the application and the Common Council is entering its findings of fact and order in this matter.


NOW, THEREFORE, BE IT RESOLVED as follows:

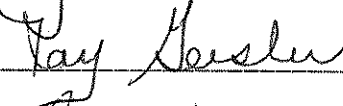
1. Dugan Realty, LLC, as the owner of improvements to be made to the real estate, shall be entitled to the real estate tax abatement for a period of ten (10) years per the deductions set

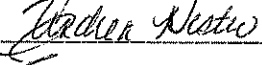
forth at IND. CODE § 6-1.1-12.1-4(d)(3); and Hachette Book Group USA as the lessee which will be installing new logistical equipment in the building, shall be entitled to the personal property tax abatement for a period of ten (10) years per the deductions set forth at IND. CODE § 6-1.1-12.1-4.5(e)(2).

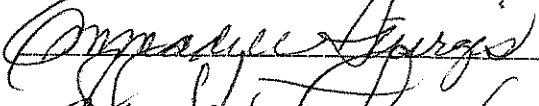
2. Upon the adoption of this resolution, the Clerk shall cause a copy of the same, along with the findings attached hereto, to be filed with such county or state authorities as shall be required to qualify Dugan Realty, LLC, and Hachette Book Group USA for property tax abatement as applied for herein.

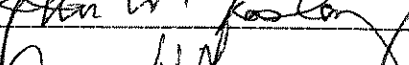
Adopted by the Common Council of the City of Lebanon, Indiana, this 9th day of October, 2006.

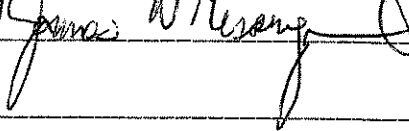


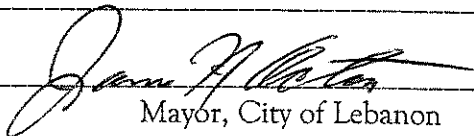






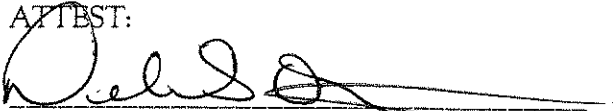






Mayor, City of Lebanon

ATTEST:



Clerk-Treasurer, City of Lebanon

EXHIBIT A

LEGAL DESCRIPTION
of a real estate parcel commonly known as
121 North Enterprise Boulevard
Lebanon, Indiana

A part of the Southwest Quarter and a part of the Southeast Quarter of Section 35, township 19 North, Range 1 West, and a part of the Northwest Quarter and a part of the Northeast Quarter of Section 2, Township 18 North, Range 1 West, Boone County, Indiana, described as follows: Commencing at the wood post at the southeast corner of the Southwest Quarter of Section 35, said corner being South 89 degrees 40 minutes 44 seconds East 2,657.63 feet from a railroad rail at the southwest corner of said quarter section and South 00 degrees 00 minutes 54 seconds East 2,649.47 feet from a PK nail at the northeast corner of said quarter section; then North 00 degrees 00 minutes 54 seconds West 81.90 feet along the eastern line of said quarter section to the southern line of that land described in a deed to Lebanon Redevelopment Authority in Deed Record 253, page 53, in the Office of the Recorder of Boone County, and the POINT OF BEGINNING of this description: thence South 83 degrees 08 minutes 53 seconds East 918.59 feet along said southern line to the beginning of a curve concave to the southwest having a radius of 420.00 feet; thence along the southwestern line of said Lebanon land Southeasterly 604.78 feet along said curve through a central angle of 82 degrees 30 minutes 12 seconds; thence South 00 degrees 38 minutes 42 seconds East 117.96 feet along the western line of said Lebanon land to the southwestern corner of said Lebanon land; thence South 88 degrees 54 minutes 11 seconds East 30.01 feet along the southern line of said Lebanon land to the eastern line of the West Half of the Northeast Quarter of said Section 2; thence South 01 degree 05 minutes 49 seconds West 323.55 feet along said eastern line to the northeastern corner of that land described in a deed to Daniel and Brenda Wilhoite in Deed Record 232, page 711, in said Recorder's office; thence North 88 degrees 54 minutes 11 seconds West 200.00 feet along the northern line of said Wilhoite land to the northwestern corner of said Wilhoite land; thence South 01 degree 05 minutes 49 seconds West 216.56 feet along the western line of said Wilhoite land and along the western line of that land described in a deed to Michael and Sandra Burns in Deed Record 228, page 91, in said Recorder's office; thence North 90 degrees 00 minutes 00 seconds West 1,129.30 feet; thence North 00 degrees 00 minutes 00 seconds East 1,179.74 feet to the southern line of said Lebanon land; thence South 83 degrees 08 minutes 53 seconds East 26.56 feet along said southern line to the POINT OF BEGINNING. The bearings in this description are based upon the bearing system for Lebanon Business Park. Subject to all easements, restrictions, and rights-of-way of legal record.

121 North Enterprise Expansion

Rack

Materials	\$	734,117.00	
Installation	\$	64,363.00	
Wire Guidance	\$	31,742.00	
Sub Total	\$	830,222.00	

Rack Labels	\$	5,000.00	
Install	\$	2,500.00	

Misc.

Battery Room	\$	90,000.00	
2 Turret trucks	\$	150,000.00	
2 Spare Batteries	\$	7,600.00	
3 Order pickers	\$	105,000.00	
3 Spare Batteries	\$	7,500.00	
2 walkie riders	\$	18,000.00	
2 Counter balanced trucks	\$	50,000.00	
Spare battery	\$	2,800.00	
RF, Truck Mounts	\$	50,000.00	
RF, Handheld for walkie's	\$	5,000.00	
RF Scanners	\$	5,600.00	
RF Base units	\$	30,000.00	
Comm. Wiring/paging	\$	30,000.00	
Floor Sealing			
Empty 300,000 sf	\$	240,000.00	
If rack is installed first			\$ 265,000.00
2 Pallet wrappers	\$	40,000.00	
Extend alarm system	\$	3,500.00	

TOTALS \$ 1,672,722.00

BEFORE THE COMMON COUNCIL OF
THE CITY OF LEBANON, INDIANA

IN THE MATTER OF THE APPLICATION)
OF HACHETTE BOOK GROUP USA)
AND DUGAN REALTY, LLC)
FOR PROPERTY TAX ABATEMENT)

FINDINGS OF FACT AND ORDER

This matter came before the Common Council of the City of Lebanon, Indiana, on the application filed by Hachette Book Group USA and Dugan Realty, LLC, (hereafter "Applicants"), seeking approval for real and personal property tax abatement in connection with proposed improvement of a certain tract of real estate commonly known as 121 North Enterprise Boulevard in the City of Lebanon, the legal description of which is attached as Exhibit A, and use of such real estate pursuant to IND. CODE § 6-1.1-12.1-1, et seq.

The Common Council previously designated subject real estate as an Economic Revitalization Area by Resolution No. 95-13. The City of Lebanon Redevelopment Commission acquired jurisdiction over the allocation area which includes this parcel of real estate.

This Council has determined and hereby finds that the estimated value of the proposed improvements to the real estate is reasonable for projects of this nature; that the estimate of the number of individuals who will be employed by Hachette Book Group USA is reasonable; that the estimate of the annual salaries of those individuals who will be employed from the proposed expansion is reasonable; and that the totality of benefits flowing to this community from the proposed redevelopment is sufficient to justify the deductions requested.

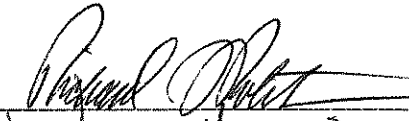
The proposed expansion identified in the application satisfies the general standards used by the Council, and as situated within an Economic Revitalization Area, is eligible for the

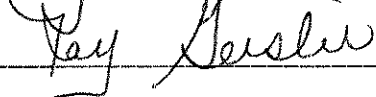
maximum tax abatement permitted by law. The proposed expansion is of public benefit and would be consistent with the general welfare of the citizens and taxpayers of the City of Lebanon.

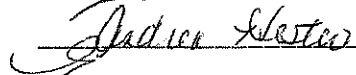
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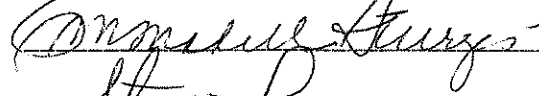
IT IS, THEREFORE, ORDERED by the Common Council of the City of Lebanon, Indiana, that since the described real estate is confirmed to be situated in an Economic Revitalization Area pursuant to IND. CODE § 6-1.1-12.1-1, et seq., applicants are eligible and entitled to claim, for a period of ten (10) years, the benefits of the tax deductions for personal property as allowed pursuant to IND. CODE § 6-1.1-12.1-4.5(e)(2) and for real estate pursuant to IND. CODE § 6-1.1-12.1-4(d)(3).

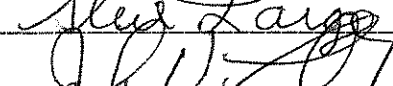
Entered this 9th day of October, 2006.




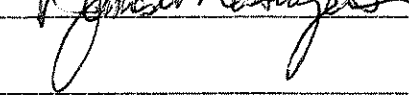


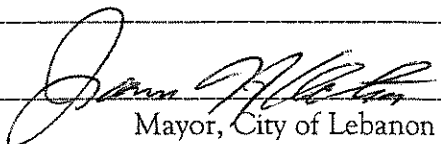













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