

FILED

JUL 08 2016

CITY CLERK

RESOLUTION NO. 9, 2016

A RESOLUTION TO RESCIND THE TEN (10) YEAR PERSONAL PROPERTY TAX ABATEMENT FOR EBC, INC.

WHEREAS, by Resolution No. 2, 2005, the Common Council for the City of Terre Haute, Indiana, confirmed on February 10, 2005, a ten (10) year personal property tax abatement for EBC, Inc. (hereinafter "Petitioner"). Resolution No. 2, 2005, is attached hereto as Exhibit A; and

WHEREAS, at a special meeting of the Common Council held on June 9, 2016, to review compliance of approved tax abatements, it was determined that Petitioner was not in substantial compliance based on information contained in Section 3 for Employee and Salaries as listed on the submitted CF-1 form; and

WHEREAS, by written notice dated June 13, 2016, Petitioner was notified that a hearing was scheduled to occur on June 30, 2016 by the Common Council for the purpose of reviewing the compliance of previously granted tax abatements and advised Petitioner that attendance was required. A copy of said notice is attached hereto as Exhibit B; and

WHEREAS, at the public hearing held on June 30, 2016, the Common Council determined that Petitioner had not made a reasonable effort to comply with the Statement of Benefits and therefore such tax deductions should be terminated.

THEREFORE, BE IT RESOLVED by the Common Council for the City of Terre Haute, Indiana, that tax deductions authorized for Petitioner provided in Resolution No. 2, 2005, are hereby terminated.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to provide a copy of this Resolution No. 9, 2016 to the Petitioner, Vigo County Auditor, and the appropriate township assessor.

BE IT FURTHER RESOLVED, that the Common Council requests that the County Auditor follow the provisions set forth at I.C. §6-1.1-12.1-5.9(d).

Introduced by: Todd Nation Todd Nation, Councilman

Passed in open Council this 21st day of July, 2016.

Todd Nation Todd Nation, President

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

Presented by me to the Mayor this 25th day of July, 2016.

Charles P. Hanley Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 25th day of July, 2016.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

FILED

JAN 04 2005

CITY CLERK

RESOLUTION NO. 2, 2005

A Resolution of the Common Council of the City of Terre Haute, Indiana, Designating an Area Within the City Commonly Identified as *1075 Crawford Street*, Terre Haute, Indiana, as an Economic Revitalization Area for the Purpose of Ten Year Personal Property Tax Abatement

WHEREAS, A Petition for a ten year personal property tax abatement has been filed with the Common Council of the City of Terre Haute requesting that the real property described therein be designated an Economic Revitalization Area for purposes of personal property tax abatement; and

WHEREAS, *EBC, Inc.* (the "petitioner") has submitted a Statement of Benefits and provided all information and documentation necessary for the Common Council to make an informed decision, said information including a map of the property and description of the real property which is commonly known as *1075 Crawford Street*, Terre Haute, Indiana, and more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

WHEREAS, petitioner has represented and presented evidence that the projects will permit it to maintain 17 existing permanent full-time jobs with an annual payroll of \$505,000.00 (approximately) and \$240,000.00 for *equipment to manufacture steel building framing and trim components* (the "manufacturing equipment").

WHEREAS, the Common Council of the City of Terre Haute is authorized under the provisions of I.C. 6-1.1-12.1-1 et seq. to designate areas of the City as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Common Council of the City of Terre Haute has considered the petition and Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the Common Council has found the subject property to be an area where facilities that are technologically, economically or energy obsolete, are located and where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substandard buildings and other factors, which prevent normal development or use;

EXHIBIT A

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Common Council of the City of Terre Haute that:

1. The petitioner's estimate of the cost of new manufacturing equipment is reasonable for manufacturing equipment of that type in view of current technologies.
2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefits thereby, can reasonably be expected to result from the project and installation of new manufacturing equipment.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the installation of the new manufacturing equipment.
4. That the benefits about which information has been requested can reasonably be expected to result from the installation of the new manufacturing equipment.
5. The totality of the benefits of the proposed Project and installation of the new manufacturing equipment can reasonably be expected to result from the project and are sufficient to justify a ten (10) year personal property tax deduction from assessed valuation under Indiana statutes, and each such deduction should be, and they are hereby, allowed.
6. That the petition for designating the subject property as an economic revitalization area for the purposes of ten year personal property tax abatement and the Statement of Benefits, copies of which were submitted with the petitions, are hereby approved and the Real Estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 et seq and petitioner is entitled to a ten year personal property tax abatement as provided therein for the proposed acquisition of the new manufacturing equipment.
7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office and stating a date on which the Council will hear and receive remonstrances and objections and take final action, all as required by law.
8. That this Resolution is supplementary to and in addition to any prior resolution.

Presented by:



Rich Dunkin, Councilman

Passed in open Council this 13th day of January, 2005

RRR

Richard Dunkin, President
Common Council of Terre Haute, Indiana

ATTEST:

Charles P. Hanley
Charles P. Hanley, City Clerk

Presented by me to the Mayor this 13th day of January, 2005

Charles P. Hanley
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 13th day of January, 2005

Kevin Burke
Kevin Burke, Mayor
City of Terre Haute, Indiana

ATTEST:

Charles P. Hanley
Charles P. Hanley, City Clerk

This instrument prepared by _____
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN
P. O. Box 1625, Terre Haute, IN 47808; (812) 232-6003.

U:\USER\Leedy\CLIBNTS\tax abatement\BEC\2005 personal property tax abatement
resolution personal property
12/20/2004

AREA 1 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West of the Second Principal Meridian in Harrison Township, Vigo County, Indiana, being all of Lots 67 through 71 in the Administrative Subdivision of the Estate of Charles Cruft, as recorded in Plat Book 3, page 133 in the Office of the Recorder of said county, and the North part of vacated Farrington Street coincident with said Lot 71 and vacated Tenth and One-Half Street coincident with said Lots 67 through 71, as well as all of Lots 1 through 11 in Bement's Subdivision as recorded in Plat Book 4, Page 15, of Raymond's Subdivision as recorded in Deed Record 64, Page 471, of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, Vigo County, Indiana, and all of Tenth and One-Half Street coincident with said Lots 1 through 11 and bounded on the North by a prolongation Eastward of the North line of said Lot 1 and bounded on the South by a prolongation Eastward of the South line of said Lot 11, and all of Park Avenue bounded by the East line of Tenth Street on the West, the South line and prolongation Eastward thereof of Lot 11 in said Bement's Subdivision on the North, by a prolongation Southward of the East line of Tenth and One-Half Street on the East, and by a prolongation Eastward of and of the North line of Lot 67 in said Administrative Subdivision of the Estate of Charles Cruft on the South, all of which may be more particularly described as follows:

Commencing at the Southwest corner of Lot 77 in said Administrative Subdivision of the Estate of Charles Cruft, as recorded in Plat Book 3, page 133, being also the intersection of the North right-of-way line of College Avenue and the East right-of-way line of Tenth Street in the City of Terre Haute; thence North $00^{\circ}02'11''$ West (bearing based on the North right-of-way line of College Avenue assumed to be North $90^{\circ}00'00''$ East) along the West line of said subdivision, being also the East right-of-way line of Tenth Street, 312.02 feet to the point of beginning of the herein described parcel; thence continuing North $00^{\circ}02'11''$ West along said subdivision and right-of-way line, and along the West line of Lots 1 through 11 in said Bement's Subdivision as recorded in Plat Book 4, Page 15, of Raymond's Subdivision as recorded in Deed Record 64, Page 471, 788.13 feet to the Northwest corner of Lot 1 in Bement's Subdivision, being also the intersection of the East right-of-way line of Tenth Street and the South right-of-way line of the first alley South of Crawford Street; thence South $89^{\circ}26'39''$ East along the North line and prolongation thereof of said Lot 1, 192.28 feet to the East line of Tenth and One-Half Street; thence South $00^{\circ}01'39''$ East along said East line 786.17, in part along the western line of the land of EBC, Inc. as recorded in Deed Record 417, page 802; thence South $89^{\circ}58'21''$ West along a northern line of EBC, Inc. 192.14 feet to the point of beginning; containing 3.473 acres or 151,295 square feet, more or less; subject to rights-of-way, easements, and restrictions.

ALSO

AREA 2 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West of the Second Principal Meridian in Harrison Township, Vigo County, Indiana, more particularly described as follows:

Commencing at the intersection of the North right-of-way line of College Avenue and the East right-of-way line of Tenth Street in the City of Terre Haute, and being also the Southwest corner of land conveyed to EBC, Inc. by Corporate Warranty Deed, recorded in Deed Record 417, page 802 in the Office of the Recorder of said County; thence South $90^{\circ}00'00''$ East (assumed bearing) along the North right-of-way line of College Avenue, and being also the South line of said conveyed land 344.42 feet; thence along the East and North boundaries of said conveyed land for the following seven courses: (1) North $00^{\circ}13'43''$ West 448.80 feet to the point of beginning of the herein described parcel; (2) continuing North $00^{\circ}13'43''$ West 330.89 feet; (3) South $89^{\circ}46'17''$ West 4.56 feet; (4) North $00^{\circ}09'07''$ West 52.08 feet; (5) South $89^{\circ}52'51''$ West 63.63 feet; (6) South $00^{\circ}13'52''$ East 52.07 feet; (7) South $89^{\circ}39'04''$ West 15.10 feet to the Southeast corner of a 0.34 acre parcel of land conveyed to John E. and Barbara J. Fields by Corporate Warranty Deed, recorded in Deed Record 417, page 658 in the Office of the Recorder of said County; thence North $00^{\circ}20'56''$ West along the East line of Fields land 223.19 feet to the Northeast corner of said land, being also a point on the South line of a 0.766 acre parcel of land conveyed to Lakeview of Indiana, Inc. by Corporate Warranty Deed, recorded in Deed Record 424, page 973 in the Office of the Recorder of said County; thence North $89^{\circ}39'04''$ East along the South line of the land of Lakeview 67.38 feet to the Southeast corner thereof; thence North $00^{\circ}01'39''$ West along the East line of Lakeview 250.95 feet to the South right-of-way line of Crawford Street; thence South $89^{\circ}26'39''$ East along said South right-of-way line 301.75 feet; thence South $02^{\circ}58'00''$ West 278.87 feet to a point 4.2 feet West of the Northwest corner of an existing one-story building; thence South $00^{\circ}12'30''$ East parallel with the West line of said building and passing through an attached building to the West 154.31 feet to a point 1.0 foot East and 1.5 feet South of the Southeast corner of said attached building; thence North $89^{\circ}12'38''$ West parallel with the south line of said attached building 36.54 feet; thence South $00^{\circ}10'26''$ East 169.76 feet; thence South $89^{\circ}56'50''$ West 233.93 feet to the point of beginning; containing 5.344 acres or 232,801 square feet, more or less; subject to rights-of-way, easements, and restrictions.

ALSO

AREA 3 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana more particularly described as follows:

Beginning at an iron pin at the intersection of the East Right-of-Way of 10th Street with the North Right-of-Way of College Avenue in said Northwest Quarter; thence North 00 degrees 02 minutes 11 seconds West along the East Right-of-Way of said 10th Street 312.02 feet to an iron pin set; thence North 89 degrees 58 minutes 21 seconds East 192.14 feet to an iron pin set in the East Right-of-Way of 10-1/2 Street; thence along said East Right-of-Way North 00 degrees 01 minutes 39 seconds West 466.94 feet to an iron pin found; thence North 89 degrees 39 minutes 04 seconds East 81.47 feet to an iron pin set; thence North 00 degrees 13 minutes 52 seconds West 52.07 feet to an iron pin set (said pin being 1 foot West and 1 foot North of an existing building corner); thence North 89 degrees 52 minutes 51 seconds East 63.63 feet to an iron pin set (said pin being 1 foot North of the face of an existing building); thence South 00 degrees 09 minutes 07 seconds East 52.08 feet to a cross cut in a concrete floor; thence North 89 degrees 46 minutes 17 seconds East 4.56 feet; thence South 00 degrees 13 minutes 43 seconds East 779.69 feet (said line being 1 foot East and parallel with an existing steel column line) to a cross cut in a concrete drive on the North Right-of-Way of College Avenue; thence North 90 degrees 00 minutes 00 seconds West along said North Right-of-Way 344.42 feet to the Point of Beginning.

ALSO

The real estate described in the deeds appearing at the following record and page in the Office of the Vigo County Recorder:

Deed Record 417, Page 802

Deed Record 417, Page 658

Deed Record 424, Page 973

Deed Record 440, Page 4632

Deed Record 442, Page 1411

**FINAL ACTION BY COMMON COUNCIL OF
THE CITY OF TERRE HAUTE, INDIANA
REGARDING RESOLUTION 2, 2005**

WHEREAS, the Common Council of the City of Terre Haute adopted Resolution 2, 2005, on the 13th day of January, 2005, and pursuant to Indiana Law has published notice of the adoption and substance of said Resolution including a description of the affected area and notice that a description of the affected area is available for inspection in the office of the county assessor and further stating a date on which the Common Council would receive and hear remonstrances and objections; and

WHEREAS, the Common Council has conducted the hearing as required by law and has received no remonstrances or objections to designation of the affected area as a revitalization area or to approval of the Statement of Benefits; and

WHEREAS, said matter is before the Common Council for final action pursuant to Indiana Law; and

WHEREAS, the Common Council has received and examined, prior to such hearing, a Statement of Benefits on the form prescribed by the State Board of Tax Commissioners and proper application for designation and has heard all appropriate evidence concerning the proposed project and has found and does find:

1. That the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type.
2. That the estimate of individuals who will be employed or whose employment will be retained as a result of the installation of the new manufacturing equipment and the proposed project can reasonably be expected from the proposed project.
3. 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 installation of the new manufacturing equipment and the proposed project. That the benefits about which information has been requested can be expected to result from the proposed project and the installation of the equipment.
4. That the benefits can reasonably be expected to result from the proposed installation of new manufacturing equipment and the proposed project.
5. That the totality of benefits is sufficient to justify the deduction.

6. That all qualifications for establishing an economic revitalization area have been met.

NOW, THEREFORE, for final action on Resolution 2, 2005, the Common Council of the City of Terre Haute, RESOLVES, FINDS AND DETERMINES:

1. That all of the requirements for designation of the real estate described in Resolution 2, 2005, as an Economic Revitalization Area have been met, the foregoing findings are true and that all information required to be submitted has been submitted in proper form.

2. That Resolution 2, 2005, is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed redevelopment are sufficient to justify ten year personal property tax abatement under Indiana statutes for the proposed acquisition of the equipment described in the Statement of Benefits of petitioner and the deduction for the proposed project and acquisition of the equipment and the Statement of Benefits submitted are approved and the Council authorizes and directs endorsement of said Statement to show such approval and that the real estate described in Resolution 2, 2005, is declared an economic revitalization area for the purposes of ten year personal property tax abatement and the said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 61.1-12.0-1 et. seq. and petitioner is entitled to the ten year personal property tax deduction provided for therein in connection with the proposed acquisition of the new manufacturing equipment.

3. That said Resolution supplements any other designation of the real estate as a Revitalization Area or other similar designation.

4. That this Final Action, findings and confirmation of Resolution 2, 2005, shall be incorporated in and be a part of Resolution 2, 2005.

Presented by:



Rich Dunkin, Councilman

Passed in open Council this 10th day of February, 2005.



Richard Dunkin, President
Common Council of Terre Haute, Indiana

ATTEST:

Charles P. Hanley
Charles P. Hanley, City Clerk

Presented by me to the Mayor this 10th day of February,
2005.

Charles P. Hanley
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 10th day of February, 2005.

Kevin Burke
Kevin Burke, Mayor
City of Terre Haute, Indiana

ATTEST:

Charles P. Hanley
Charles P. Hanley, City Clerk

This instrument prepared by _____
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN
P. O. Box 1625, Terre Haute, IN 47808-1625; (812) 232-6003.

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final action personal property tax abatement
12/20/2004

**CITY OF TERRE HAUTE
PETITION FOR PERSONAL PROPERTY
TAX ABATEMENT CONSIDERATION**

The undersigned owner(s) of new manufacturing equipment personal property located within the City of Terre Haute hereby petitions the Common Council of the City of Terre Haute for personal property (new manufacturing equipment) tax abatement consideration pursuant to I.C. 6-1.1-12.1-1, et seq. and for this petition states the following:

1. Describe the proposed project, including information about the new manufacturing equipment personal property ("Equipment") to be installed, the amount of land to be used, if any, the proposed use of the equipment and a general statement as to the value of the project to your business:

Petitioner has acquired property at the former Stran Steel plant and renovated the existing building which is in poor repair. Approximately 90,000 square feet.

Petitioner will add equipment to the facility to manufacture trim, gutters, purloins, and C-sections for pre-engineered steel buildings.

2. The project will maintain 17 jobs representing an annual payroll of \$505,000.00.

3. Estimate the cost of the Equipment: \$240,000.00.

4. (a) The Equipment for which tax abatement consideration is petitioned is owned or to be owned by the following individuals or corporations (if the business organization is publicly held, indicate also the name of the corporate parent, if any, and the name under which the corporation has filed with the Securities and Exchange Commission):

<u>NAME</u>	<u>ADDRESS</u>	<u>INTEREST</u>
EBC, Inc.	1075 Crawford Street Terre Haute, Indiana 47807	Owner

(b) The following other persons lease, intend to lease or have an option to buy the Property (including corporate information as required in 4(a) above, if applicable:

<u>NAME</u>	<u>ADDRESS</u>	<u>INTEREST</u>
N/A		

(c) A brief description of the overall nature of the business and of the operations occurring at the location for which tax abatement is required:

Petitioner manufactures framing wall and roof components for pre-engineered buildings, warehousing, shipping, and loading, and residential metal roof panels.

5. The commonly known address of the real property where the Equipment is located is: 1075 Crawford Street, Terre Haute, Indiana.

6. The legal description of the real property is attached hereto, marked Exhibit A and incorporated herein.

7. The last assessment of the value of the manufacturing equipment which the Equipment will replace occurred on N/A in the amount of \$_____.

8. The current use of the real property where the Equipment will be installed is Vacant, and the current zoning is M-1 (use) and _____ (height and area).

9. The best estimate of the market value of the new equipment after installation is: \$240,000.00.

10. The Equipment has not been installed as of the date of filing of this petition. The signature below is verification of this statement.

11. The real property where the Equipment will be installed is located in the following Allocation Area, if any, declared and confirmed by the Terre Haute Redevelopment Commission: N/A

12. Other anticipated public financing for the project (including, if any, industrial revenue bonding to be sought or already authorized, assistance through the United States Department of Housing and Urban Development Funds from the City of Terre Haute or other public financial assistance: N/A

13. Describe how and why the manufacturing equipment to be replaced or the facility in which the Equipment will be added is currently technologically, economically or energy obsolete and how and why that obsolescence may lead to a decline in employment and tax revenues:
Building had been vacant for some time and was in very poor repair.

16. The Equipment will be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining or finishing of other tangible personal property and that the Equipment was never before used by its owner for any purpose in Indiana. The signature below is verification of this statement.

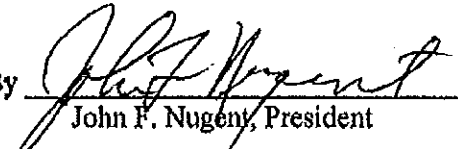
17. The following person(s) should be contacted as the petitioner's agent regarding additional information and public hearing notifications:

Name: Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN
Address: 511 Wabash Avenue, P. O. Box 1625
City, State, Zip: Terre Haute, Indiana 47808-1625
Telephone: (812) 232-6003

WHEREFORE, petitioner requests that the Common Council of the City of Terre Haute, Indiana, adopt a declaratory resolution designating the area described herein to be an economic revitalization area for purposes of personal property tax abatement consideration and, after publication of notice and public hearing, determine qualifications for an economic revitalization area have been met and confirm such resolution.

Name of Property Owner(s):

EBC, Inc.

By 
John F. Nugent, President

DO NOT USE THIS SPACE

Resolution # Target Area Required _____
 Yes _____ No _____

Confirming Ordinance # _____
Date of Notice _____

Final Action _____
Target Area Ord. Effective _____

AREA 1 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West of the Second Principal Meridian in Harrison Township, Vigo County, Indiana, being all of Lots 67 through 71 in the Administrative Subdivision of the Estate of Charles Cruft, as recorded in Plat Book 3, page 133 in the Office of the Recorder of said county, and the North part of vacated Farrington Street coincident with said Lot 71 and vacated Tenth and One-Half Street coincident with said Lots 67 through 71, as well as all of Lots 1 through 11 in Bement's Subdivision as recorded in Plat Book 4, Page 15, of Raymond's Subdivision as recorded in Deed Record 64, Page 471, of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, Vigo County, Indiana, and all of Tenth and One-Half Street coincident with said Lots 1 through 11 and bounded on the North by a prolongation Eastward of the North line of said Lot 1 and bounded on the South by a prolongation Eastward of the South line of said Lot 11, and all of Park Avenue bounded by the East line of Tenth Street on the West, the South line and prolongation Eastward thereof of Lot 11 in said Bement's Subdivision on the North, by a prolongation Southward of the East line of Tenth and One-Half Street on the East, and by a prolongation Eastward of and of the North line of Lot 67 in said Administrative Subdivision of the Estate of Charles Cruft on the South, all of which may be more particularly described as follows:

Commencing at the Southwest corner of Lot 77 in said Administrative Subdivision of the Estate of Charles Cruft, as recorded in Plat Book 3, page 133, being also the intersection of the North right-of-way line of College Avenue and the East right-of-way line of Tenth Street in the City of Terre Haute; thence North $00^{\circ}02'11''$ West (bearing based on the North right-of-way line of College Avenue assumed to be North $90^{\circ}00'00''$ East) along the West line of said subdivision, being also the East right-of-way line of Tenth Street, 312.02 feet to the point of beginning of the herein described parcel; thence continuing North $00^{\circ}02'11''$ West along said subdivision and right-of-way line, and along the West line of Lots 1 through 11 in said Bement's Subdivision as recorded in Plat Book 4, Page 15, of Raymond's Subdivision as recorded in Deed Record 64, Page 471, 788.13 feet to the Northwest corner of Lot 1 in Bement's Subdivision, being also the intersection of the East right-of-way line of Tenth Street and the South right-of-way line of the first alley South of Crawford Street; thence South $89^{\circ}26'39''$ East along the North line and prolongation thereof of said Lot 1, 192.28 feet to the East line of Tenth and One-Half Street; thence South $00^{\circ}01'39''$ East along said East line 786.17, in part along the western line of the land of EBC, Inc. as recorded in Deed Record 417, page 802; thence South $89^{\circ}58'21''$ West along a northern line of EBC, Inc. 192.14 feet to the point of beginning; containing 3.473 acres or 151,295 square feet, more or less; subject to rights-of-way, easements, and restrictions.

ALSO

AREA 2 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West of the Second Principal Meridian in Harrison Township, Vigo County, Indiana, more particularly described as follows:

Commencing at the intersection of the North right-of-way line of College Avenue and the East right-of-way line of Tenth Street in the City of Terre Haute, and being also the Southwest corner of land conveyed to EBC, Inc. by Corporate Warranty Deed, recorded in Deed Record 417, page 802 in the Office of the Recorder of said County; thence South $90^{\circ}00'00''$ East (assumed bearing) along the North right-of-way line of College Avenue, and being also the South line of said conveyed land 344.42 feet; thence along the East and North boundaries of said conveyed land for the following seven courses: (1) North $00^{\circ}13'43''$ West 448.80 feet to the point of beginning of the herein described parcel; (2) continuing North $00^{\circ}13'43''$ West 330.89 feet; (3) South $89^{\circ}46'17''$ West 4.56 feet; (4) North $00^{\circ}09'07''$ West 52.08 feet; (5) South $89^{\circ}52'51''$ West 63.63 feet; (6) South $00^{\circ}13'52''$ East 52.07 feet; (7) South $89^{\circ}39'04''$ West 15.10 feet to the Southeast corner of a 0.34 acre parcel of land conveyed to John E. and Barbara J. Fields by Corporate Warranty Deed, recorded in Deed Record 417, page 658 in the Office of the Recorder of said County; thence North $00^{\circ}20'56''$ West along the East line of Fields land 223.19 feet to the Northeast corner of said land, being also a point on the South line of a 0.766 acre parcel of land conveyed to Lakeview of Indiana, Inc. by Corporate Warranty Deed, recorded in Deed Record 424, page 973 in the Office of the Recorder of said County; thence North $89^{\circ}39'04''$ East along the South line of the land of Lakeview 67.38 feet to the Southeast corner thereof; thence North $00^{\circ}01'39''$ West along the East line of Lakeview 250.95 feet to the South right-of-way line of Crawford Street; thence South $89^{\circ}26'39''$ East along said South right-of-way line 301.75 feet; thence South $02^{\circ}58'00''$ West 278.87 feet to a point 4.2 feet West of the Northwest corner of an existing one-story building; thence South $00^{\circ}12'30''$ East parallel with the West line of said building and passing through an attached building to the West 354.31 feet to a point 1.0 foot East and 1.5 feet South of the Southeast corner of said attached building; thence North $89^{\circ}12'38''$ West parallel with the south line of said attached building 36.54 feet; thence South $00^{\circ}10'26''$ East 169.76 feet; thence South $89^{\circ}56'50''$ West 233.93 feet to the point of beginning; containing 5.344 acres or 232,801 square feet, more or less; subject to rights-of-way, easements, and restrictions.

ALSO

AREA 3 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana more particularly described as follows:

Beginning at an iron pin at the intersection of the East Right-of-Way of 10th Street with the North Right-of-Way of College Avenue in said Northwest Quarter; thence North 00 degrees 02 minutes 11 seconds West along the East Right-of-Way of said 10th Street 312.02 feet to an iron pin set; thence North 89 degrees 58 minutes 21 seconds East 192.14 feet to an iron pin set in the East Right-of-Way of 10-1/2 Street; thence along said East Right-of-Way North 00 degrees 01 minutes 39 seconds West 466.94 feet to an iron pin found; thence North 89 degrees 39 minutes 04 seconds East 81.47 feet to an iron pin set; thence North 00 degrees 13 minutes 52 seconds West 52.07 feet to an iron pin set (said pin being 1 foot West and 1 foot North of an existing building corner); thence North 89 degrees 52 minutes 51 seconds East 63.63 feet to an iron pin set (said pin being 1 foot North of the face of an existing building); thence South 00 degrees 09 minutes 07 seconds East 52.08 feet to a cross cut in a concrete floor; thence North 89 degrees 46 minutes 17 seconds East 4.56 feet; thence South 00 degrees 13 minutes 43 seconds East 779.69 feet (said line being 1 foot East and parallel with an existing steel column line) to a cross cut in a concrete drive on the North Right-of-Way of College Avenue; thence North 90 degrees 00 minutes 00 seconds West along said North Right-of-Way 344.42 feet to the Point of Beginning.

ALSO

The real estate described in the deeds appearing at the following record and page in the Office of the Vigo County Recorder:

- Deed Record 417, Page 802
- Deed Record 417, Page 658
- Deed Record 424, Page 973
- Deed Record 440, Page 4632
- Deed Record 442, Page 1411



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 61784 (6-04)
Prescribed by the Department of Local Government Finance

CONFIDENTIAL

**FORM
SB - 1 / PP**

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 a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction. *Projects* planned or committed to after July 1, 1997 and areas designated after July 1, 1997 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to installation of the new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment, BEFORE a deduction may be approved
3. To obtain a deduction, Form 322 ERA/PPME and/or Form 322 ERA/PP Other, must be filed with the county auditor. Form 322 ERA/PPME and/or Form 322 ERA/PP Other must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved after June 30, 1991 must submit Form CF-1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. The schedules established under IC 6-1.1-12.1-4(d) and IC 6-1.1-12.1-4.6(e) effective July 1, 2000 apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000 shall continue to apply to those statement of benefits filed before July 1, 2000.

SECTION 1 TAXPAYER INFORMATION								
Name of taxpayer EBC, Inc.								
Address of taxpayer (street and number, city, state and ZIP code) 1075 Crawford Street, Terre Haute, IN 47807								
Name of contact person Louis F. Britton				Telephone number (812) 232-6003				
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT								
Name of designating body Common Council of the City of Terre Haute				Resolution number 2, 2005				
Location of property 1075 Crawford Street, Terre Haute, Indiana			County Wigo	Taxing district Harrison				
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment (use additional sheets if necessary) Folding machine for producing trim, gutters, purlins and C-sections for engineered steel buildings. Real estate description attached.				ESTIMATED				
				Start Date		Completion Date		
				Manufacturing Equipment		March 2005	May 2005	
				R & D Equipment				
				Logist Dist Equipment *				
IT Equipment *								
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT								
Current number 17	Salaries \$505,000.00	Number retained 17	Salaries \$505,000.00	Number additional -----	Salaries -----			
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT								
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	Manufacturing Equipment		R & D Equipment		Logist Dist Equipment *		IT Equipment *	
	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value
	Current values	0.00						
	Plus estimated values of proposed project	240,000.00						
	Less values of any property being replaced	0.00						
Net estimated values upon completion of project	240,000.00							
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 <i>[Signature]</i>				Date signed (month, day, year) 12-23-04				

* See IC 6-1.1-12.1-2.3.

CONFIDENTIAL

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.

- B. The type of deduction that is allowed in the designated area is limited to:
- | | |
|--|---|
| 1. Installation of new manufacturing equipment; | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ 240,000.00.

D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____.

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____.

F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____.

G. Other limitations or conditions (specify) _____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction after July 1, 2000 is allowed for:

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> 1 year | <input type="checkbox"/> 6 years |
| <input type="checkbox"/> 2 years | <input type="checkbox"/> 7 years |
| <input type="checkbox"/> 3 years | <input type="checkbox"/> 8 years |
| <input type="checkbox"/> 4 years | <input type="checkbox"/> 9 years |
| <input type="checkbox"/> 5 years ** | <input checked="" type="checkbox"/> 10 years ** |

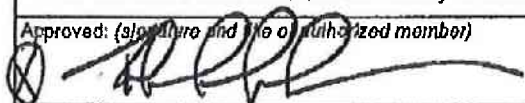
** For ERA's established prior to July 1, 2000 only a 5 or 10 year schedule may be deducted.

Also we have 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)

Telephone number

Date signed (month, day, year)

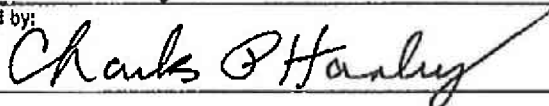


812-232-3375

2-10-2005

Attested by:

Designated body



Terre Haute City Clerk

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.5

AREA 1 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West of the Second Principal Meridian in Harrison Township, Vigo County, Indiana, being all of Lots 67 through 71 in the Administrative Subdivision of the Estate of Charles Cruft, as recorded in Plat Book 3, page 133 in the Office of the Recorder of said county, and the North part of vacated Farrington Street coincident with said Lot 71 and vacated Tenth and One-Half Street coincident with said Lots 67 through 71, as well as all of Lots 1 through 11 in Bement's Subdivision as recorded in Plat Book 4, Page 15, of Raymond's Subdivision as recorded in Deed Record 64, Page 471, of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, Vigo County, Indiana, and all of Tenth and One-Half Street coincident with said Lots 1 through 11 and bounded on the North by a prolongation Eastward of the North line of said Lot 1 and bounded on the South by a prolongation Eastward of the South line of said Lot 11, and all of Park Avenue bounded by the East line of Tenth Street on the West, the South line and prolongation Eastward thereof of Lot 11 in said Bement's Subdivision on the North, by a prolongation Southward of the East line of Tenth and One-Half Street on the East, and by a prolongation Eastward of and of the North line of Lot 67 in said Administrative Subdivision of the Estate of Charles Cruft on the South, all of which may be more particularly described as follows:

Commencing at the Southwest corner of Lot 77 in said Administrative Subdivision of the Estate of Charles Cruft, as recorded in Plat Book 3, page 133, being also the intersection of the North right-of-way line of College Avenue and the East right-of-way line of Tenth Street in the City of Terre Haute; thence North $00^{\circ}02'11''$ West (bearing based on the North right-of-way line of College Avenue assumed to be North $90^{\circ}00'00''$ East) along the West line of said subdivision, being also the East right-of-way line of Tenth Street, 312.02 feet to the point of beginning of the herein described parcel; thence continuing North $00^{\circ}02'11''$ West along said subdivision and right-of-way line, and along the West line of Lots 1 through 11 in said Bement's Subdivision as recorded in Plat Book 4, Page 15, of Raymond's Subdivision as recorded in Deed Record 64, Page 471, 788.13 feet to the Northwest corner of Lot 1 in Bement's Subdivision, being also the intersection of the East right-of-way line of Tenth Street and the South right-of-way line of the first alley South of Crawford Street; thence South $89^{\circ}26'39''$ East along the North line and prolongation thereof of said Lot 1, 192.28 feet to the East line of Tenth and One-Half Street; thence South $00^{\circ}01'39''$ East along said East line 786.17, in part along the western line of the land of EBC, Inc. as recorded in Deed Record 417, page 802; thence South $89^{\circ}58'21''$ West along a northern line of EBC, Inc. 192.14 feet to the point of beginning; containing 3.473 acres or 151,295 square feet, more or less; subject to rights-of-way, easements, and restrictions.

ALSO

AREA 2 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West of the Second Principal Meridian in Harrison Township, Vigo County, Indiana, more particularly described as follows:

Commencing at the intersection of the North right-of-way line of College Avenue and the East right-of-way line of Tenth Street in the City of Terre Haute, and being also the Southwest corner of land conveyed to EBC, Inc. by Corporate Warranty Deed, recorded in Deed Record 417, page 802 in the Office of the Recorder of said County; thence South $90^{\circ}00'00''$ East (assumed bearing) along the North right-of-way line of College Avenue, and being also the South line of said conveyed land 344.42 feet; thence along the East and North boundaries of said conveyed land for the following seven courses: (1) North $00^{\circ}13'43''$ West 448.80 feet to the point of beginning of the herein described parcel; (2) continuing North $00^{\circ}13'43''$ West 330.89 feet; (3) South $89^{\circ}46'17''$ West 4.56 feet; (4) North $00^{\circ}09'07''$ West 52.08 feet; (5) South $89^{\circ}52'51''$ West 63.63 feet; (6) South $00^{\circ}13'52''$ East 52.07 feet; (7) South $89^{\circ}39'04''$ West 15.10 feet to the Southeast corner of a 0.34 acre parcel of land conveyed to John E. and Barbara J. Fields by Corporate Warranty Deed, recorded in Deed Record 417, page 658 in the Office of the Recorder of said County; thence North $00^{\circ}20'56''$ West along the East line of Fields land 223.19 feet to the Northeast corner of said land, being also a point on the South line of a 0.766 acre parcel of land conveyed to Lakeview of Indiana, Inc. by Corporate Warranty Deed, recorded in Deed Record 424, page 973 in the Office of the Recorder of said County; thence North $89^{\circ}39'04''$ East along the South line of the land of Lakeview 67.38 feet to the Southeast corner thereof; thence North $00^{\circ}01'39''$ West along the East line of Lakeview 250.95 feet to the South right-of-way line of Crawford Street; thence South $89^{\circ}26'39''$ East along said South right-of-way line 301.75 feet; thence South $02^{\circ}58'00''$ West 278.87 feet to a point 4.2 feet West of the Northwest corner of an existing one-story building; thence South $00^{\circ}12'30''$ East parallel with the West line of said building and passing through an attached building to the West 394.31 feet to a point 1.0 foot East and 1.5 feet South of the Southeast corner of said attached building; thence North $89^{\circ}12'38''$ West parallel with the south line of said attached building 36.54 feet; thence South $00^{\circ}10'26''$ East 169.76 feet; thence South $89^{\circ}56'50''$ West 233.93 feet to the point of beginning; containing 5.344 acres or 232,801 square feet, more or less; subject to rights-of-way, easements, and restrictions.

ALSO

AREA 3 PARCEL

Part of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana more particularly described as follows:

Beginning at an iron pin at the intersection of the East Right-of-Way of 10th Street with the North Right-of-Way of College Avenue in said Northwest Quarter; thence North 00 degrees 02 minutes 11 seconds West along the East Right-of-Way of said 10th Street 312.02 feet to an iron pin set; thence North 89 degrees 58 minutes 21 seconds East 192.14 feet to an iron pin set in the East Right-of-Way of 10-1/2 Street; thence along said East Right-of-Way North 00 degrees 01 minutes 39 seconds West 466.94 feet to an iron pin found; thence North 89 degrees 39 minutes 04 seconds East 81.47 feet to an iron pin set; thence North 00 degrees 13 minutes 52 seconds West 52.07 feet to an iron pin set (said pin being 1 foot West and 1 foot North of an existing building corner) thence North 89 degrees 52 minutes 51 seconds East 63.63 feet to an iron pin set (said pin being 1 foot North of the face of an existing building); thence South 00 degrees 09 minutes 07 seconds East 52.08 feet to a cross cut in a concrete floor; thence North 89 degrees 46 minutes 17 seconds East 4.56 feet; thence South 00 degrees 13 minutes 43 seconds East 779.69 feet (said line being 1 foot East and parallel with an existing steel column line) to a cross cut in a concrete drive on the North Right-of-Way of College Avenue; thence North 90 degrees 00 minutes 00 seconds West along said North Right-of-Way 344.42 feet to the Point of Beginning.

ALSO

The real estate described in the deeds appearing at the following record and page in the Office of the Vigo County Recorder:

Deed Record 417, Page 802

Deed Record 417, Page 658

Deed Record 424, Page 973

Deed Record 440, Page 4632

Deed Record 442, Page 1411

OFFICE OF THE CLERK
City Hall, Room 102
17 Harding Avenue
Terre Haute, Indiana 47807
812-232-3375

Charles P. Hanley, City Clerk

city of terre haute

June 13, 2016

EBC
ATTN: Tax Abatement Dept
1075 Crawford Street
Terre Haute, IN 47807

RE: RS 2, 2005 Personal Tax Abatement

To Whom It May Concern:

This letter is in reference to the status of your company's tax abatement compliance with the Terre Haute City Common Council. At a June 2016 Special Terre Haute Common Council Meeting, held on June 9, 2016, your company's submitted Compliance of Benefits Form (CF-1) or letter was reviewed. During this meeting it was determined your company was not in substantial compliance. This determination was based on a review of the information contained in Section 3 for Employee and Salaries as listed on the submitted CF-1 form.

A hearing has been scheduled for June 30, 2016 at 5:00pm (EST) in the City Hall Courtroom. The Courtroom is located at 17 Harding Avenue, City Hall, Terre Haute, Indiana 47807. A representative of your company must appear to answer questions concerning the data provided on the CF-1 form or in your submitted letter.

If a representative fails to attend the hearing scheduled for June 5, 2014, the Council may consider such as the property owner's failure to make reasonable efforts to comply with the statement of benefits and may vote to terminate the abatement thereby eliminating the deduction, pursuant to I.C. 6-1.1-12.1-5.9(c). Please make sure a representative is available for questions at the hearing.

If you have any questions, please feel free to contact me at 812-244-2131 or Michelle.Edwards@Terrehaute.IN.Gov

Sincerely,



Michelle Edwards
Chief Deputy City Clerk

EXHIBIT B