

FILED

JUL 13 2018

RESOLUTION NO. 10-2018

A Resolution of the Terre Haute Indiana, Common Council
Designating an Area Within
the City of Terre Haute, Indiana as an Economic Revitalization Area
for the Purpose of a Personal Property Tax Abatement

CITY CLERK

WHEREAS, a Petition for 10 year personal property tax abatement has been filed with the Terre Haute Common Council (hereinafter "Council") requesting that the property described therein be designated as Economic Revitalization Area for purposes of personal property tax abatement; and

WHEREAS, JWS Machine, LLC (hereinafter the "petitioner,") has submitted a Statement of Benefits and provided all information and documentation necessary for the Council to make an informed decision, said information including a description of the real property on which the project will be located (the "subject property") and the personal property to be abated which are more particularly described in Exhibit A and the estimated tax to be abated is shown in Exhibit B.

WHEREAS, petitioner has represented and presented evidence that in connection with the Project, Petitioner retain approximately 75 employees with annual salaries of \$3,200,000 and will create approximately 8 new permanent full-time jobs with a total annual payroll of approximately \$400,000. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$5 million for acquisition of personal property.

WHEREAS, the Council 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 Council 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 Council has found the subject property to be located in 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;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Council 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. Based upon: (1) the Petitioner's total investment in real and personal property; (2) the number of new full-time equivalent jobs created or retained; (3) the average wage of the new employees compared to the State minimum wage; and (4) the infrastructure requirements for Petitioner's investment and the totality of the benefits of the proposed project and installation of the new manufacturing equipment are sufficient to justify personal property tax abatement over a 10 year deduction period, in accord with the attached Deduction Schedule and each such deduction should be, and they are hereby, allowed in accord with the attached Abatement Schedule.

6. That the Council has considered the Petitioner's total investment in real and personal property, the number of new full-time equivalent jobs created by the Project, the average wage of the new employees compared to the State minimum wage and the infrastructure requirements for Petitioner's investment and, based on such factors, has determined that the petition for designating the subject property as an economic revitalization area for the purposes of 10 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 the 10 year personal property tax abatement provided therein for the proposed project in accord with the schedule attached as Exhibit C.

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 resolutions.

PRESENTED BY COUNCILPERSON O. Earl Elliott
O. Earl Elliott, Councilperson

Passed in open Council this 2 day of August, 2018.


Curtis Debaun IV, President

ATTEST: Michelle L Edwards, City Clerk
Michelle L Edwards

Presented by me to the Mayor this 3 day of August, 2018.

Michelle L Edwards
Michelle L Edwards City Clerk

Approved by me, the Mayor, this 3rd day of August, 2018.

Duke Bennett
Duke Bennett, Mayor
City of Terre Haute

ATTEST: Michelle L Edwards
Michelle L Edwards City Clerk

This instrument prepared by Louis F. Britton
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

Exhibit A
Personal Property Tax Abatement Resolution
JWS Machine, LLC

Personal Property Description:

Equipment to be used in the manufacture of highly engineered aerospace engine component parts including CNC Mills, leads, grinders and materials handling equipment of the kind described as follows: Mazak high turn CNC machines, multistage washer/dryer, TEK5 EDM hole driller and leasehold improvements including floor preparation, loading dock office rearrangement and equipment reconfiguration

Real estate description

501 S. Airport Street, Terre Haute, IN 47804

Parcel Number: 84-07-28-100-003.000-009

E-1/2 NW EX 1A & 2A OFF W SIDE NE EXC PRT TO ROW (501 S AIRPORT ST) D-227/586 28-12-8 79.51 AC

Exhibit B
 Personal Property Tax Abatement Resolution
 JWS Machine, LLC

Anticipated Abatement

Calculations are based upon projected cost of \$\$5 million and the 2018 Tax rate for Lost Creek calculated using the website of the Economic Development Coalition of Southwest Indiana tax abatement calculator

Personal Property: \$5,000,000.00

| | Abatement Percentage | With Abatement | | | Without Abatement | | | Estimated Tax Abatement Savings |
|---------------|----------------------|---------------------|----------------------------|---------------------|---------------------|----------------------------|---------------------|---------------------------------|
| | | Property Taxes | Circuit Breaker Tax Credit | Net Property Taxes | Property Taxes | Circuit Breaker Tax Credit | Net Property Taxes | |
| Year 1 | 100% | \$0.00 | \$0.00 | \$0.00 | \$39,290.00 | \$0.00 | \$39,290.00 | \$39,290.00 |
| Year 2 | 90% | \$6,501.00 | \$0.00 | \$6,501.00 | \$55,008.00 | \$0.00 | \$55,008.00 | \$48,507.00 |
| Year 3 | 80% | \$9,251.00 | \$0.00 | \$9,251.00 | \$41,268.00 | \$0.00 | \$41,268.00 | \$32,017.00 |
| Year 4 | 70% | \$9,430.00 | \$0.00 | \$9,430.00 | \$51,432.00 | \$0.00 | \$51,432.00 | \$22,002.00 |
| Year 5 | 60% | \$11,787.00 | \$0.00 | \$11,787.00 | \$29,468.00 | \$0.00 | \$29,468.00 | \$17,681.00 |
| Year 6 | 50% | \$14,734.00 | \$0.00 | \$14,734.00 | \$29,468.00 | \$0.00 | \$29,468.00 | \$14,734.00 |
| Year 7 | 40% | \$17,881.00 | \$0.00 | \$17,881.00 | \$29,468.00 | \$0.00 | \$29,468.00 | \$11,787.00 |
| Year 8 | 30% | \$20,827.00 | \$0.00 | \$20,827.00 | \$29,468.00 | \$0.00 | \$29,468.00 | \$8,841.00 |
| Year 9 | 20% | \$23,574.00 | \$0.00 | \$23,574.00 | \$29,468.00 | \$0.00 | \$29,468.00 | \$5,894.00 |
| Year 10 | 10% | \$26,521.00 | \$0.00 | \$26,521.00 | \$29,468.00 | \$0.00 | \$29,468.00 | \$2,947.00 |
| Totals | | \$138,108.00 | \$0.00 | \$138,108.00 | \$343,791.00 | \$0.00 | \$343,791.00 | \$205,686.00 |

Exhibit C
Personal Property Tax Abatement Resolution
JWS Machine, LLC
Abatement Schedule

YEAR OF DEDUCTION PERCENTAGE

| | |
|------|------|
| 1st | 100% |
| 2nd | 90% |
| 3rd | 80% |
| 4th | 70% |
| 5th | 60% |
| 6th | 50% |
| 7th | 40% |
| 8th | 30% |
| 9th | 20% |
| 10th | 10% |

**FINAL ACTION BY TERRE HAUTE, INDIANA COMMON COUNCIL
REGARDING RESOLUTION 10-2018
(Personal Property)**

WHEREAS, the Terre Haute Common Council (hereinafter "Council"), adopted Resolution 10-2018 on the 2nd day of August, 2018, 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 Council would receive and hear remonstrances and objections; and

WHEREAS, a copy of the Notice and Statement of Benefits was sent to all taxing units with authority to levy property taxes in the area where the Economic Revitalization Area is located and filed it with the County Assessor; and

WHEREAS, the 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 Council for final action pursuant to Indiana Law; and

WHEREAS, the Council has received and examined, prior to such hearing, a Statement of Benefits on the forms prescribed by the Department of Local Government Finance and proper application for designation and has heard all appropriate evidence concerning the proposed project and has found and does find:

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. Based upon: (1) the Petitioner's total investment in real and personal property; (2) the number of new full-time equivalent jobs created or retained; (3) the average wage of the new employees compared to the State minimum wage; and (4) the infrastructure requirements

for Petitioner's investment and the totality of the benefits of the proposed project and installation of the new manufacturing equipment are sufficient to justify personal property tax abatement over a 10 year deduction period, in accord with the attached Deduction Schedule and each such deduction should be, and they are hereby, allowed in accord with the attached Abatement Schedule.

6. That the Council has considered the Petitioner's total investment in real and personal property, the number of new full-time equivalent jobs created by the Project, the average wage of the new employees compared to the State minimum wage and the infrastructure requirements for Petitioner's investment and, based on such factors, has determined that the petition for designating the subject property as an economic revitalization area for the purposes of 10 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 the 10 year personal property tax abatement provided therein for the proposed project in accord with the schedule attached hereto.

7.. That the totality of benefits is sufficient to justify the deduction.

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

NOW, THEREFORE, for final action on Resolution 10-2018 the Council RESOLVES, FINDS AND DETERMINES:

1. That all of the requirements for designation of the real estate described in Resolution 10-2018 (the "Original Resolution") as an Economic Revitalization Area have been met, the foregoing findings and the findings in the Original Resolution are true and that all information required to be submitted has been submitted in proper form.

2. That the Original Resolution is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed project and the redevelopment and rehabilitation are sufficient to justify a 10 year personal property tax abatement under Indiana statutes for the proposed project and redevelopment and rehabilitation described in the petitioner's Statement of Benefits and the deduction for the proposed project and redevelopment and rehabilitation and the statements of benefits submitted are approved and the Council authorizes and directs the endorsement of said Statement of Benefits to show such approval and that the real estate described in the Original Resolution is declared an economic revitalization area for the purposes of a 10 year personal property tax abatement and the said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.0-1 et. seq. and petitioner is entitled to a 10 year personal property tax abatement as provided therein in accord with the attached Deduction Schedule in connection with the acquisition of the personal property described in the statement of benefits and the proposed redevelopment/rehabilitation and the project.

3. That this Resolution shall also serve as the Resolution required by I.C. 6-1.1-12.1-2.5 (k) approving a tax abatement in an area previously designated as an allocation area by the Vigo County Council.

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

5. That this Final Action, findings and confirmation of the Original Resolution shall be incorporated in and be a part of the Original Resolution.

PRESENTED BY COUNCIL PERSON *O. Earl Elliott*
O. Earl Elliott, Councilperson

Passed in open Council this 13 day of September, 2018.
Curtis Debaun IV
Curtis Debaun IV, President

ATTEST: *Michelle L Edwards*, City Clerk
Michelle L Edwards

Presented by me to the Mayor this 13 day of September, 2018.
Michelle L Edwards
Michelle L Edwards City Clerk

Approved by me, the Mayor, this 13th day of SEPTEMBER, 2018.
Duke Bennett
Duke Bennett, Mayor
City of Terre Haute

ATTEST: *Michelle L Edwards*
Michelle L Edwards City Clerk

This instrument prepared by

Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

Personal Property Tax Abatement Resolution
JWS Machine, LLC
Abatement Schedule

YEAR OF DEDUCTION PERCENTAGE

| | |
|------|------|
| 1st | 100% |
| 2nd | 90% |
| 3rd | 80% |
| 4th | 70% |
| 5th | 60% |
| 6th | 50% |
| 7th | 40% |
| 8th | 30% |
| 9th | 20% |
| 10th | 10% |

PETITION FOR PERSONAL PROPERTY TAX ABATEMENT

TO THE PRESIDENT AND MEMBERS
OF THE COMMON COUNCIL OF
THE CITY OF TERRE HAUTE,
VIGO COUNTY, INDIANA

Gentlemen:

JWS Machine, petitioner, is proposing to undertake a significant expansion at its current facilities located at 581 S. Airport St., Terre Haute, IN; Parcel Number 84-07-28-100-003.000-009

In support of this petition, petitioner would show the Common Council as follows:

Project Background: JWS specializes in the precision CNC machining of for the aerospace industry and works with companies such as GE aviation, Unison Engine Components and Avio. JWS is an operating company of altitude industries based in Kansas City Missouri and operates a 48,000 square-foot production area with 30,000 ft.² of office and lab areas in Terre Haute Indiana

Project: Projected cost: Personal Property-manufacturing equipment and leasehold improvements-\$5 million

Job creation: Petitioner projects that the project will permitted to retain 75 employees with annual salaries of \$3,200,000 and create 8 new permanent full-time jobs with an estimated annual salary of approximately \$400,000.

Abatement sought: Petitioners are requesting a 10 year personal property tax abatement based upon the scoring sheet utilized by the Council.

Special consideration:

Employees receive significant benefits including medical, dental and vision insurance and a 401(k) plan.

Petitioner, JWS Machine, LLC

By: 

Louis F Britton, Attorney for petitioner

Exhibit A
Personal Property Tax Abatement
JWS Machine, LLC

Personal Property Description:

Equipment to be used in the manufacture of highly engineered aerospace engine component parts including CNC Mills, leads, grinders and materials handling equipment of the kind described as follows: Mazak high turn CNC machines, multistage washer/dryer, TEK5 EDM hole driller and leasehold improvements including floor preparation, loading dock office rearrangement and equipment reconfiguration

Real estate description

501 S. Airport Street, Terre Haute, IN 47804

Parcel Number: 84-07-28-100-003.000-009

E-1/2 NW EX 1A & 2A OFF W SIDE NE EXC PRT TO ROW (501 S AIRPORT ST) D-227/586 28-12-8 79.51 AC

Personal Property Tax Abatement JWS Machine, LLC
Abatement Schedule

YEAR OF DEDUCTION PERCENTAGE

| | |
|------|------|
| 1st | 100% |
| 2nd | 90% |
| 3rd | 80% |
| 4th | 70% |
| 5th | 60% |
| 6th | 50% |
| 7th | 40% |
| 8th | 30% |
| 9th | 20% |
| 10th | 10% |

Exhibit A

CITY OF TERRE HAUTE

PROPERTY TAX ABATEMENT PROGRAM APPLICATION

Ownership Information

| Name | Address | Phone | Percentage Interest (if applicable) |
|------------------|-----------------------|--------------|--|
| JWS MACHINE, LLC | | | |
| JEREMY WARNE | 501 S. AIRPORT STREET | 812-917-5571 | |
| ERIC STARK | | | |

Note: If the owner is a corporation, list the name, address and telephone number for the contact person representing the corporation.

If the owner is a partnership, list the name, address and telephone number of each general and/or limited partner and the percentage of interest in the property held by each general and/or limited partner.

If the owner is a sole proprietor, list the name, address and telephone number of the proprietor.

Property Description

A. Street Address: 501 S. AIRPORT STREET TERRE HAUTE, IN 47803
B. Parcel ID Number(s): 84-08-00-010-180.000-009

Current Status of Property

A. Current zoning designation of property: ALL OTHER SPECIALTY TRADE CONTRACTORS

B. Describe current improvements to the property, including estimated age of existing buildings:

APPLICANT DEVELOPING PLANS TO EXPAND OPERATIONS
AND WORKFORCE WITH SIGNIFICANT MACHINERY INVESTMENT

C. Describe the current use of the property, including the names of businesses currently operating (if applicable) and the current number of jobs (if applicable):

JWS MACHINE, LLC IS TENANT AND
TERRE HAUTE INTL. AIRPORT IS OWNER

D. Current total assessed valuation of land and all improvements:

SEE ATTACHED VIGO COUNTY TAX STATEMENT
\$1,513,190

Exhibit A

E. Describe any unique historical structure or aesthetic improvements: _____

Proposed Improvements

A. Describe proposed real property improvements and projected costs: _____

CAPITAL MACHINERY PURCHASES (CNC EQUIP)

LEASEHOLD + SHOP FROM RECONSTRUCTION

B. Describe proposed depreciable personal property improvements and projected costs: _____

SEE ABOVE

C. List any public infrastructure improvements, with estimated costs, that will be necessary for the project: N/A

D. Project Start Date: UPON APPROVAL

E. Project Completion Date: DECEMBER 2019

Eligibility

A. State reasons why the project site qualifies as an Economic Revitalization Area as defined under State Law, i.e., lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors that have impaired values or prevent a normal development of property or use of property. In the case of manufacturing equipment, also indicate whether or not the area contains a facility or group of facilities that are technologically, economically, or energy obsolete and if the obsolescence may lead to a decline in employment and tax revenues:

B. State the estimated number of new full-time employees (if applicable) and new employees retained (if applicable). Also include salaries and a description of employee benefits:

Exhibit A

Number of new employees: 8; Average Annual Salary: \$50,000

Number of retained employees: 75; Average Annual Salary: \$51,200

Description of employee benefits for new and/or retained employees: MEDICAL, VISION,
DENTAL PLANS, HOLIDAY + VACATION PAY, SAFE
PLAN, 401(K) PLAN.

C. Please attach completed State of Indiana Statement of Benefits form for real property improvements (Form SB - 1/RE) and/or State of Indiana Statement of Benefits form for personal property improvements (Form SB - 1/PP) to this application material.

Ineligible Projects

Projects will not be considered if a building permit has already been obtained or construction has been initiated. This is because the decision of the Council to designate the Economic Revitalization Area must be passed on the finding that the area is "undesirable for normal development".

The City Council has the right to void the tax abatement designation awarded to a project if the project has not been initiated within twelve (12) months of the reconfirmation date of the tax abatement resolution, or if the actual use is different than that approved.

Tax abatement for the rehabilitation or development of real property is not eligible for the following types of facilities:

1. Private or commercial golf courses.
2. Country club.
3. Massage parlor.
4. Tennis club.
5. Skating facility (including roller skating, skateboarding or ice skating).
6. Racquet sport facility (including any handball or racquetball court).
7. Hot tub facility.
8. Suntan facility.
9. Racetrack.
10. Any facility the primary purpose of which is:
 - a. retail food and beverage service;
 - b. automobile sales or service; or
 - c. other retail
11. Residential.
12. A package liquor store that holds a liquor dealer's permit under IC 7.1-3-10 or any other entity that is required to operate under a license issued under IC 7.1. This subdivision does not apply to an applicant that:
 - (A) was eligible for tax abatement under this chapter before July 1, 1995;
 - (B) is described in IC 7.1-5-7-11; or
 - (C) operates a facility under:
 - (i) a beer wholesaler's permit under IC 7.1-3-3;
 - (ii) a liquor wholesaler's permit under IC 7.1-3-8; or
 - (iii) a wine wholesaler's permit under IC 7.1-3-13;

Exhibit A

Certification

I hereby certify that the representations made in this application are true and I understand that if above improvements are not commenced (defined as obtaining a building permit and actual start of construction) within 12 months of the date of the designation of the above area as an Economic Revitalization Area, the Terre Haute Common Council shall have the right to void such designation.

OWNER(S)*
Ew Head

DATE
July 9, 2018

* If the entity seeking tax abatement is a corporation, an authorized representative must sign. If the entity is a partnership, all partners must sign. If the entity is a sole proprietorship, the proprietor must sign.

Exhibit A

CITY OF TERRE HAUTE

PROPERTY TAX ABATEMENT PROGRAM OVERVIEW AND GUIDELINE SCORING SYSTEM

Program Description

Property tax abatement in Indiana is authorized under Indiana Code 6-1.1-12.1 in the form of deductions from assessed valuation. Any property owner in a locally-designated Economic Revitalization Area (ERA) who makes improvements to the real property or installs eligible new or used personal property (such as manufacturing equipment and certain research and development equipment) is eligible for property tax abatement. Land does not qualify for abatement.

Scoring System

The City of Terre Haute utilizes a scoring system as a guide for determining the appropriate length of time (one of ten time periods can be used) of the property tax abatement(s) being sought for a proposed project. Additional information on the scoring system can be found elsewhere in this document.

Indiana Real Property Assessment Standard

A property's assessed value is the basis for property taxes. Annually, local assessing officials assess the value of real property on March 1 based on market value in use of the property. Property owners can estimate the property taxes for new construction by adding the cost of the land and improvements together and multiplying by the tax rate. For real property tax abatement calculation purposes, the cost of the improvements (the land itself cannot be abated) would be utilized as the real property assessed value. This real property assessment value would then be phased-in over one of ten time periods.

Indiana Personal Property Assessment Standard

Personal property values are assessed March 1 of every year and are self reported by property owners to township assessors using prescribed state forms. Generally speaking, personal property taxes are levied against all tangible property other than real property. Numerous deductions can be applied to personal property. Of course, the value of personal property over time will be subject to depreciation, therefore, applicants are advised to seek the counsel of a financial advisor to determine which asset pool(s) (see following table) would be applicable to their particular project.

Additional information on the State of Indiana's property tax assessment system can be found at the Indiana Department of Local Government Finance website at www.in.gov/dlgf.

Exhibit A

Indiana Pools of Assets by Lives Utilized on Federal Tax Return

| Year of Acquisition | Pool #1 (1-4 Yrs) | Pool #2 (5-8 Yrs) | Pool #3 (9-12 yrs) | Pool #4 (13+ Yrs) |
|---------------------|-------------------|-------------------|--------------------|-------------------|
| 1 | 65% | 40% | 40% | 40% |
| 2 | 50% | 56% | 60% | 60% |
| 3 | 35% | 42% | 55% | 63% |
| 4 | 20% | 32% | 45% | 54% |
| 5 | | 24% | 37% | 46% |
| 6 | | 18% | 30% | 40% |
| 7 | | 15% | 25% | 34% |
| 8 | | | 20% | 29% |
| 9 | | | 16% | 25% |
| 10 | | | 12% | 21% |
| 11 | | | | 15% |
| 12 | | | | 10% |
| 13 | | | | 5% |

Note: The total valuation of a taxpayer's assessable depreciable personal property in a single taxing district cannot be less than 30% of the adjusted cost of all such property of the taxpayer.

Real Property Abatement Calculation

Real property abatement is a declining percentage of the increase in assessed value of the improvement based on one of the ten following time periods and percentages as determined by the City Council:

| Year | 10 Year | 9 Year | 8 Year | 7 Year | 6 Year | 5 Year | 4 Year | 3 Year | 2 Year | 1 Year |
|------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 1 | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |
| 2 | 95% | 88% | 88% | 85% | 85% | 80% | 75% | 66% | 50% | |
| 3 | 80% | 77% | 75% | 71% | 66% | 60% | 50% | 33% | | |
| 4 | 65% | 66% | 63% | 57% | 50% | 40% | 25% | | | |
| 5 | 50% | 55% | 50% | 43% | 34% | 20% | | | | |
| 6 | 40% | 44% | 38% | 29% | 17% | | | | | |
| 7 | 30% | 33% | 25% | 14% | | | | | | |
| 8 | 20% | 22% | 13% | | | | | | | |
| 9 | 10% | 11% | | | | | | | | |
| 10 | 5% | | | | | | | | | |

Depreciable Personal Property Abatement Calculation

Depreciable personal property tax abatement is a declining percentage of the assessed value of the newly installed manufacturing (and certain research/development and warehousing/distribution equipment), based upon one of the ten time periods and percentages as determined by the City Council:

| Year | 10 Year | 9 Year | 8 Year | 7 Year | 6 Year | 5 Year | 4 Year | 3 Year | 2 Year | 1 Year |
|------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 1 | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |
| 2 | 90% | 88% | 88% | 85% | 85% | 80% | 75% | 66% | 50% | |
| 3 | 80% | 77% | 75% | 71% | 66% | 60% | 50% | 33% | | |
| 4 | 70% | 66% | 63% | 57% | 50% | 40% | 25% | | | |
| 5 | 60% | 55% | 50% | 43% | 34% | 20% | | | | |
| 6 | 50% | 44% | 38% | 29% | 17% | | | | | |
| 7 | 40% | 33% | 25% | 14% | | | | | | |
| 8 | 30% | 22% | 13% | | | | | | | |
| 9 | 20% | 11% | | | | | | | | |
| 10 | 10% | | | | | | | | | |

Exhibit A

Project Eligibility Criteria

Decisions to designate areas as Economic Revitalization Areas are determined by the City Council. The City Council utilizes a numerical scoring system as a guide for designating areas as Economic Revitalization Areas within the corporate limits of the City of Terre Haute. Each project is scored on its individual merits. The points system that is utilized to evaluate projects considers the degree of revitalization that the project will have on the surrounding area as well as other facts such as employment (created and/or retained), investment, utilization of local construction firms and labor and so forth.

The following projects will be considered by the Terre Haute City Council for property tax abatement. The real property guideline project scoring criteria can be found in the section entitled "City of Terre Haute Real Property Tax Abatement Guideline Scoring Criteria" on page 8. For projects seeking personal property tax abatement, the "City of Terre Haute Personal Property Tax Abatement Guideline Scoring Criteria" can be found on page 10.

(A.) Manufacturing Project -- Local manufacturing projects, local manufacturing-related office structures and local manufacturing-related warehouses that create or preserve employment within the city limits are eligible for property tax abatement. In the case of manufacturing facilities that directly produce product (as well as manufacturing related-warehouses), both real and depreciable personal property are eligible. In the case of manufacturing-related office structures, only real property is eligible for abatement. Also, certain research and development equipment may qualify for depreciable personal property tax abatement.

(B.) Non-Manufacturing Warehouse and Distribution Center Projects -- Warehouses and distribution centers not related to a local manufacturing facility may be eligible for both real and depreciable personal property tax abatement. To be eligible for property tax abatement, the facility must substantially serve markets beyond the Terre Haute metropolitan area.

(C.) Office Space Development -- Office space developments within the city limits are eligible for real property abatement provided the project substantially serves markets beyond the Terre Haute metropolitan area.

(D.) Historic Preservation -- Projects within the city limits that assist in the preservation of buildings of significant historical nature will be considered for real property abatement.

Exhibit C
 City of Terre Haute
 Personal Property Tax Abatement Guideline Scoring Criteria

Company Name: JWS MACHINE, LLC

Application Date: JULY, 2018

| | | |
|--|---|-------------------|
| 1. New Personal Property Investment | 5 points maximum | <u>5</u> |
| < \$500,000 | 1 | |
| \$501,000 to \$1,000,000 | 2 | |
| \$1,000,001 to \$2,000,000 | 3 | |
| \$2,000,001 to \$3,000,000 | 4 | |
| \$3,000,001 and up | 5 | |
| 2. Anticipated New Full-Time Jobs Created Within <u>2</u> Years | 5 points maximum | <u>1</u> |
| 1 to 10 employees | 1 | |
| 11 to 20 employees | 2 | |
| 21 to 30 employees | 3 | |
| 31 to 40 employees | 4 | |
| 41 employees and up | 5 | |
| 3. Anticipated Jobs To Be Retained | 5 points maximum | <u>5</u> |
| 1 to 10 employees | 1 | |
| 11 to 20 employees | 2 | |
| 21 to 30 employees | 3 | |
| 31 to 40 employees | 4 | |
| 41 employees and up | 5 | |
| 4. Wage Rates | 3 points maximum | <u>3</u> |
| \$7.50 to \$10.00 per hour | 0 | |
| \$10.01 to \$12.00 per hour | 1 | |
| \$12.01 to \$14.00 per hour | 2 | |
| \$14.01 per hour and up | 3 | |
| 5. Benefits Package | 1 point if offered | <u>1</u> |
| 6. Targeted Business | 1 point if project is good fit for community | <u>1</u> |
| 7. Community Involvement | 1 point if company plans or is already involved in community activities | <u>1</u> |
| 8. Is this project a headquarters or a new project to the community? | 1 point if "Yes" | <u>1</u> |
| 9. Diverse Workforce | 1 point if applicant maintains an affirmative action plan or other statement of specific goals with respect to employee diversity | <u> </u> |

Exhibit C

18

Total Points

Scoring

Length of Personal Property Abatement

| | |
|------------------|----------|
| 20 points and up | 10 years |
| 18 to 19 points | 9 years |
| 16 to 17 points | 8 years |
| 14 to 15 points | 7 years |
| 12 to 13 points | 6 years |
| 10 to 11 points | 5 years |
| 8 to 9 points | 4 years |
| 6 to 7 points | 3 years |
| 4 to 5 points | 2 years |
| 2 to 3 points | 1 year |

Bonus Points

1. American Made

Council may award one bonus point if equipment to be installed is manufactured or engineered in the United States

1 (some are)

2. Installation By Local Contractor(s)

Council may award one bonus point if a substantial portion of the equipment to be installed is installed by a contractor, company or individuals maintaining a place of business in Vigo County

1

3. Materials and Supplies From Vigo County Vendors

Council may award one bonus point if the applicant commits to purchase a substantial amount of materials and supplies for the construction work associated with the project from Vigo County-based vendors

1

4. Rehabilitation Of Existing Facilities

Council may award one bonus point if the project involves the rehabilitation of existing facilities

5. Mentoring/Intern Program

Council may award one bonus point if applicant pledges to participate in a mentoring or intern program associated with a Vigo County educational institution

Total Bonus Points

3

Grand Total Points

21

Recommended Length of Personal Property Abatement Per Guideline Scoring Criteria

10 Years

Receipt

The following was paid to the City of Terre Haute, Controller's Office.

Date: 7/16/18

Name: Louis Britton

Reason: Tax Abatement

Cash: _____

Check: # 35503 \$500⁰⁰

Credit: _____

Total: 500.00

Received By: L. Ellington

TERRE HAUTE, IN
PAID
JUL 17 2018
CONTROLLER

AGREEMENT
Personal Property

This Agreement (the "Agreement") dated as of, July 9th, 2018 serves as confirmation of the commitment of JWS Machine, LLC ("Applicant") to comply with the project description, job creation and retention (and associated wage rates and salaries) figures contained in its designation application, Statement of Benefits, the Preliminary Economic Revitalization Area Resolution 3-2018 and attachments thereto adopted by the Common Council of the City of Terre Haute, Indiana (the "Council") on the _____ day of _____, 2018, all of which are attached hereto and incorporated herein, and this Agreement (the "Commitments").

Subject to the adoption of a Final Economic Revitalization Area Resolution by the Council, the City of Terre Haute, Indiana (the "City") commits to providing a ten (10) year personal property tax abatement for the Applicant's anticipated capital expenditure for equipment estimated to be \$5,000,000 (the "Project") described and approved as a part of the Commitments. It is estimated in the Statement of Benefits the Project will maintain the following positions at the rate of compensation shown: 75 employees with annual salaries of approximately \$3,200,000.

The Project is also expected to add 8 employees at the following rate of compensation: \$50,000 (approximately) per year.

The capital expenditure for the Project and the retention and/or addition of positions as stated in the Statement of Benefits shall occur within two (2) years of the estimated completion date of December 2019 all as contained in the approved Statement of Benefits Form SB-I (the "Commitment Date").

During the term of the abatement, the City may annually request information from the Applicant concerning the status of the Project, including but not limited to, the capital expenditure for the Project, the number of full-time permanent positions retained and/or newly created by the Project, and the average wage rates and salaries (excluding benefits and overtime) associated with the position. The Applicant shall provide the City with adequate written evidence thereof within 15 days of such request (the "Annual Survey"). The Applicant shall provide a copy of the annual CF1 to the Board of Public Works and Safety at the same time the CF1 is filed with the County. The City shall utilize this information to verify that the Applicant has complied with the Commitments at all times after the Commitment Date and during the duration of the abatement. The Applicant further agrees to provide, upon request by the City, any additional information provided in the Annual Survey and the CF1 form, and shall provide the information within a reasonable time following any such additional request.

The benefit of the tax abatement is conditioned on the Applicant achieving substantial compliance with the Commitment in the Statement of Benefits. The City, by and through the Council, reserves the right to terminate the Economic Revitalization Area designation and associated property tax abatement deductions if it determines that the Applicant has not made reasonable efforts to substantially comply with all the Commitments, and the Applicant's failure to substantially comply with the Commitments was not due to factors beyond its control. As used in the Agreement, "substantial compliance" shall mean the Applicant has effectuated at least eighty percent (80%) of each if the Commitments set forth in the Statement of Benefits.

substantially comply with the Commitments was not due to factors beyond its control. As used in the Agreement, "substantial compliance" shall mean the Applicant has effectuated at least eighty percent (80%) of each of the Commitments set forth in the Statement of Benefits.

As used in this Agreement, factors beyond the control of the Applicant shall only include factors not reasonably foreseeable at the time of the designation application and submission of Statement of Benefits which are not caused by any act or omission of the Applicant and which materially and adversely affect the ability of the Applicant to substantially comply with the Commitments. Factors beyond the control of the Applicant could include but would not be limited to: a substantial change in economic conditions for the Applicant which would prevent the expenditure of monies or eliminate the need for the Project at this time; or a delay in construction occasioned by third parties or circumstances beyond the control of the Applicant which prevents compliance with the time periods set out in the Statement of Benefits; or a change in ownership or plans of a parent company not controlled by the Applicant which adversely affects the needs or resources of the Applicant.

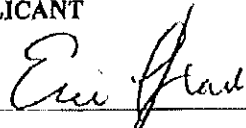
If the City terminates the Economic Revitalization Area designation and associated tax abatement deductions, it may require the Applicant to repay the City all or a portion of the tax abatement savings received through the date of such termination. The amount of tax abatement required to be repaid for each year of noncompliance shall not exceed an amount equal to the percentage by which the Applicant has failed to attain substantial compliance with the Commitments. If the Applicant fails to substantially comply with more than one of the Commitments, repayment shall be based on the highest level of noncompliance.

If at any time during the term of this Agreement, whether before or after the Commitment Date, the Applicant shall: (i) cease operations at the facility for which the tax abatement was granted; or (ii) announce the cessation of operations at such facility, then the City may immediately terminate the Economic Revitalization Area designation and associated future tax abatement deductions.

In the event the City requires repayment of the tax abatement savings as provided hereunder, it shall provide Applicant with a written statement calculating the amount due (the "Statement"), and Applicant shall make such repayment to the City within 30 days of the date of the Statement. If the Applicant does not make timely repayment, the City shall be entitled to all reasonable costs and attorneys fees incurred in the enforcement and collection of the tax abatement savings required to be repaid hereunder.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first above written.

APPLICANT

By 
ERIC STARK, PRESIDENT
Printed name and title

City of Terre Haute by its
Board of Public Works

By James Trimble

JAMES TRIMBLE
Printed Name and title

Approved as to legal adequacy and form this 13 day of August, 2018

By Durrell E. Felling II

Durrell Felling II
Printed name and title



**CITY OF
TERRE HAUTE
DEPARTMENT OF
PUBLIC WORKS
AND SAFETY**

City Hall
17 Harding Avenue
Terre Haute, IN 47807
Phone: 812.244.2333
Fax: 812.244.2302
robin.drummy@terrehaute.in.gov

August 13, 2018

Lou Britton
511 Wabash Avenue
Terre Haute IN 47807


Dear Lou:

Enclosed please find the Tax Abatement for JWS Machine, LLC, approved and signed by the Board of Public Works and Safety on Monday, August 13, 2018.

If you have any questions please feel free to contact my office at any time.

Sincerely,

**BOARD OF PUBLIC WORKS AND SAFETY
CITY OF TERRE HAUTE, INDIANA**


Robin A. Drummy, Administrator

Enclosure

Cc: file



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

CONFIDENTIAL

FORM SB-1 / PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1

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.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 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 is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

| SECTION 1 | | TAXPAYER INFORMATION | | | | | | | | |
|--|------------------------------|--|--|---|---|-----------------------|-------------------|--------------|----------------|--|
| Name of taxpayer JWS Machine, LLC | | | Name of contact person Eric Stark, Pres. | | | | | | | |
| Address of taxpayer (number and street, city, state, and ZIP code) 501 S. Airport St., Terre Haute, IN47803 | | | | | Telephone number (812) 917-5571 | | | | | |
| SECTION 2 | | LOCATION AND DESCRIPTION OF PROPOSED PROJECT | | | | | | | | |
| Name of designating body City of Terre Haute Common Council | | | Resolution number (s) 10-2018 | | | | | | | |
| Location of property 501 S. Airport St., Terre Haute, IN 47803 | | County Vigo | | DLGF taxing district number 84-0005 | | | | | | |
| 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.) Equipment to be used in the manufacture of highly engineered aerospace engine component parts including CNC Mills, leads, grinders and materials handling equipment of the kind described as follows: Mazak high turn CNC machines, multistage washer/dryer, TEK5 EDM hole driller and leasehold improvements including floor preparation, loading dock office rearrangement and equipment reconfiguration | | | | ESTIMATED | | | | | | |
| | | | | | | START DATE | COMPLETION DATE | | | |
| | | | | Manufacturing Equipment | | 09/01/2018 | 12/01/2019 | | | |
| | | | | R & D Equipment | | | | | | |
| | | | | Logist Dist Equipment | | | | | | |
| IT Equipment | | 09/01/2018 | 12/01/2019 | | | | | | | |
| SECTION 3 | | ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT | | | | | | | | |
| Current number 75 | Salaries 3,200,000 | Number retained 75 | Salaries 3,200,000 | Number additional Eight | Salaries 400,000 | | | | | |
| 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 | | 1,513,190 | | | | | | |
| | | Plus estimated values of proposed project | | 5,000,000 | | | | | | |
| | | Less values of any property being replaced | | 0 | | | | | | |
| Net estimated values upon completion of project | | | 6,513,190 | | | | | | | |
| 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>Eric Stark</i> | | | | | Date signed (month, day year) 7/10/2018 | | | | | |
| Printed name of authorized representative Eric Stark | | | | Title President | | | | | | |

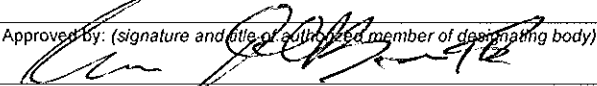
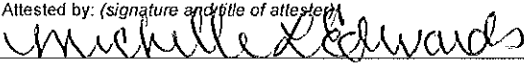
CONFIDENTIAL

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 10 calendar years * (see below). The date this designation expires is _____ . *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- B. The type of deduction that is allowed in the designated area is limited to:
- | | | | |
|--|------------------------------|--|--|
| 1. Installation of new manufacturing equipment; | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <i>Check box if an enhanced abatement was approved for one or more of these types.</i> |
| 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 \$ N/A cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- D. The amount of deduction applicable to new research and development equipment is limited to \$ N/A cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ N/A cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- F. The amount of deduction applicable to new information technology equipment is limited to \$ N/A cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- 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 is allowed for:
- | | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---|--|
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input type="checkbox"/> Year 5 | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input checked="" type="checkbox"/> Year 10 | Number of years approved: _____ |
| | | | | | <i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i> |
- I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

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 by: (signature and title of authorized member of designating body)  | Telephone number <u>(812) 232 3375</u> | Date signed (month, day, year) <u>9-13-18</u> |
| Printed name of authorized member of designating body <u>Curtis DeBaur III</u> | Name of designating body <u>Common Council of the City of Terre Haute</u> | |
| Attested by: (signature and title of attester)  | Printed name of attester <u>Michelle L Edwards</u> | |

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.