

RESOLUTION NO. 2013- 6

**WARREN COUNTY COUNCIL
CONFIRMATORY RESOLUTION FOR THE
DESIGNATION OF ECONOMIC REVITALIZATION AREA**

WHEREAS, the County of Warren has been requested to find pursuant to I. C. 6-1.1-12.1-2 that the following described real estate is an Economic Revitalization Area, to-wit: Attached hereto as "Exhibit A" commonly known as approximately 8217 West 300 North, Williamsport, IN 47993.

WHEREAS, on April 29, 2013, the County Council of Warren County, Indiana, did adopt a Declaratory Resolution for the designation of the real estate described in Exhibit A as an "Economic Revitalization Area" pursuant to Resolution No. 2013-3 of the Warren County Council, and

WHEREAS, notice of the adoption and substance of said Declaratory Resolution was published in The Review-Republican pursuant to I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 on May 16, 2013 and May 23, 2013, and

WHEREAS, the Application for Designation, description of the affected area, a map of the affected area and all pertinent supporting data were available for public inspection in the offices of the Warren County Assessor and Warren County Auditor, and

WHEREAS, the Council, after conducting a public hearing on this matter, has given careful consideration to all comments and views expressed and written evidence presented regarding the designation of the subject real estate as an "Economic Revitalization Area",

NOW THEREFORE, BE IT RESOLVED, that the County Council of Warren County, Indiana, confirms certain findings made in the Declaratory Resolution for designation of the real estate described in Exhibit A as an "Economic Revitalization Area" and makes certain findings, those findings being as follows, to-wit:

- a. That said property is located within the jurisdiction of the Warren County Council for the purposes set forth in I.C. 6-1.1-12.1-1 et seq., and
- b. That this Council has determined that the real estate is an area which has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property, and
- c. That the improvement of the real estate described herein would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of Warren County, Indiana, and
- d. That the estimate of the value of the redevelopment, or rehabilitation, is reasonable for projects of that nature, and

- e. That the estimate of the number of individuals who will be employed, whose employment will be retained, and the other benefits proposed, including employment opportunities for independent truckers, can be reasonably expected to result from the proposed described development, redevelopment or rehabilitation, and
- f. That the estimate of the annual salaries of the individuals who will be employed, whose employment will be retained, as well as the independent contractor opportunities, can be reasonably expected to result from the proposed described development, redevelopment or rehabilitation, and
- g. That the totality of benefits is sufficient to justify the deduction.

BE IT ALSO RESOLVED that the designation of property described above as an "Economic Revitalization Area" shall be limited to a time period of ten (10) years as the designation applies to a deduction of real estate taxes for the assessed value of property and a deduction of personal property taxes for the assessed value of new manufacturing equipment. These limitations are established pursuant to I.C. 6-1.1-12.1-2.

BE IT ALSO RESOLVED that the deduction from the assessed value of the property shall be allowed for a period of ten (10) years pursuant to I.C. 6-1.1-12.1-3.

BE IT ALSO RESOLVED that if any part, parts, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part; clause or portion of this Resolution.

BE IT FINALLY RESOLVED that by adoption of this Resolution, the County Council of Warren County, Indiana, does confirm its Declaratory Resolution approved on April 29, 2013, which designated the real estate described in Exhibit A attached hereto as an "Economic Revitalization Area".

ADOPTED this 28th day of May, 2013, by the County Council of Warren County, Indiana.

WARREN COUNTY COUNCIL

John Conner
By: John Conner, President

ATTEST:

Michelle Hetrick
Michelle Hetrick
Auditor of Warren County, Indiana

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY PROPOSED FOR DESIGNATION:

Bee Line

A strip of land situated in the Northeast quarter of Section thirty (30), Township twenty-three (23) North, Range nine (9) West, said strip of land described as follows: Beginning at a point in West right-of-way of Chicago, Indiana and Southern Railroad which is one thousand two hundred seventy-six and five tenths (1276.5) feet South of North line of said Section thirty (30), thence westerly on a line at ninety (90) degrees to said West right-of-way line for a distance of one hundred (100) feet; thence southerly on a line parallel with said right-of-way line for a distance of one hundred (100) feet; thence easterly to a point on the West right-of-way line which is one hundred (100) feet South of said point of beginning; said strip containing twenty-three hundredths (.23) acre, more or less; also, EXCEPT the following: Beginning at a point in the West right-of-way of Chicago, Indiana and Southern Railroad which is one thousand one hundred twenty-six and five tenths (1126.5) feet South of the North line of Section thirty (30), Township twenty-three (23) North, Range nine (9) West, thence westerly on a line at ninety (90) degrees to said West right-of-way line for a distance of one hundred (100) feet; thence southerly on a line parallel with said right-of-way line for a distance of one hundred (100) feet; thence easterly to a point on said West right-of-way line which is one hundred (100) feet South of said point of beginning, containing twenty-three hundredths (.23) acre, more or less, containing in said tract after said exceptions ninety-nine and fifty-four hundredths (99.54) acres, more or less.

Bee Line

ALL THAT CERTAIN property being a portion of the former Penn Central Transportation Company's line of railroad known as the Danville Branch (a.k.a. Danville Secondary), and identified as Line Code 8431 in the Recorder's Office of Warren County, Indiana in Deed Record 94 at page 216, situate in the Townships of Prairie and Jordan, County of Warren and State of Indiana; being further described as follows:

EXTENDING from the County Line, the County of Benton on the North and the County of Warren on the South, at approximately Railroad Mile Post 81.9, in a southerly direction, passing through the Townships of Prairie, Tab and Stewart (also running on, over and across the East Half of Section 6, East Half of Section 7, East Half of Section 18, East Half of Section 19, East Half of Section 30 and East Half of Section 31, Township 23 North, Range 9 West; East Half of Section 6, East Half of Section 7 and East Half of Section 18, Township 22 North, Range 9 West) to Railroad Station 4802+48.9, at approximately Railroad Mile Post 90.96 (a.k.a. Railroad Mile Post 91.1), being the north line of County Rod 200 North, in the Township of Jordan, the place of ENDING.

BEING a part or portion of the same premises which Robert W. Blanchette, Richard C. Bond and John H. McArthur, as Trustees of the Property of Penn Central Transportation Company, Debtor, by Conveyance Document No. PC-CRC-RP-81, dated March 30, 1976 and recorded on October 13, 1977, in the Recorder's Office of Warren County, Indiana, as in Deed Book Volume 94 at page 211, granted and conveyed unto Consolidated Rail Corporation.

Burton E. Etchison

Part of the Northeast Quarter of Section eighteen (18), Township twenty-two (22) North, Range nine (9) West, Jordan Township, Warren County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of Section 18 being marked by a railroad spike found; thence South eighty-nine degrees fifty-six minutes one second (89°56'01") West, along the North line of the Northeast Quarter and approximate centerline of County Road 300 North, a distance of one thousand one hundred twenty-two and fifty hundredths (1,122.50) feet to a mag nail set at the Northwest corner of the tract conveyed to Elmer E. and Lillian P. Etchison in Deed Book 82, Page 145 and being the Point of Beginning of this description; thence South zero degrees five minutes thirty-eight seconds (00°05'38") West, along the West line of Etchison, a distance of five hundred and zero hundredths (500.00) feet; thence North eighty-nine degrees fifty-six minutes one second (89°56'01") East, parallel with the North line of the Northeast Quarter, a distance of fifty and zero hundredths (50.00) feet to the Southeast corner of Etchison; thence South zero degrees five minutes thirty-eight seconds (00°05'38") West, along the West line of the New York Central Railroad (Bee Line), a distance of one thousand and zero hundredths (1,000.00) feet to a 5/8 inch diameter rebar with a plastic cap stamped "RWG 880043" and hereafter referred to as a standard monument; thence South eighty-nine degrees fifty-six minutes one second West, parallel with the North line of the Northeast Quarter, a distance of two hundred seventy-five and zero hundredths (275.00) feet to a standard monument; thence North zero degrees five minutes thirty-eight seconds (00°05'38") East, parallel with the West line of the New York Central Railroad (Bee Line), a distance of one thousand five hundred and zero hundredths (1,500.00) feet to the North line of the Northeast Quarter and approximate centerline of County Road 300 North being marked by a mag nail set; Thence North eighty-nine degrees fifty-six minutes one second East, along the North line of the Northeast Quarter and approximate centerline of County Road 300 North, a distance of two hundred twenty-five and zero hundredths (225.00) feet to the Point of Beginning, containing eight and eight hundred ninety-six thousandths (8.896) acres, more or less.

Subject to all easements, rights of way and restrictions of record.

Burton E. Etchison

A part of the Northeast Quarter (NE 1/4) of Section eighteen (518), Township twenty-

two North (22N), Range nine West (9W), Jordan Township, Warren County, Indiana, described as follows:

Commencing at the Northeast Corner of the Northeast Quarter (NE 1/4) of said Section eighteen (18) in the center of a county road; thence North eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") West along the center of said county road for a distance of seven hundred forty-eight and five tenths (748.5) feet; thence South for a distance of two hundred ninety-one and zero tenths (291.0) feet to the point of beginning of this description; thence South eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") East for a distance of one hundred fifty and zero tenths (150.0) feet; thence South for a distance of five hundred ten and zero tenths (510.0) feet; thence North eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") West for a distance of three hundred ninety-six and zero tenths (396.0) feet; thence North for a distance of two hundred eighteen and zero tenths (218.0) feet; thence East for a distance of two hundred forty-six and zero tenths (246.0) feet; thence North for a distance of two hundred ninety-two and zero tenths (292.0) feet to the point of beginning and containing two and ninety-nine hundredths (2.99) acres, more or less.

Burton E. Etchison

A part of the Northeast Quarter (NE 1/4) of Section eighteen (18), Township twenty-two North (22N), Range nine West (9W), Jordan Township, Warren County, Indiana, described as follows:

Commencing at the Northeast Corner of the Northeast Quarter (NE 1/4) of said Section eighteen (18) in the center of a county road; thence North eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") West along the center of said county road for a distance of seven hundred forty-eight and five tenths (748.50) feet; thence South for a distance of two hundred ninety-one and zero tenths (291.0) feet; thence South eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") East for a distance of one hundred fifty and zero tenths (150.0) feet to the point of beginning of this description; thence South for a distance of five hundred ten and zero tenths (510.0) feet; thence North eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") West for a distance of three hundred ninety-six and zero tenths (396.0) feet; thence South for a distance of two hundred and zero tenths (200.0) feet; thence South eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") East for a distance of nine hundred ninety-four and five tenths (994.5) feet to the center of a county road; thence North along the center of said county road for a distance of seven hundred ten and zero tenths (710.0) feet; thence North eighty-nine degrees fifty-eight minutes zero seconds (89°58'00") West along the center of a county road for a distance of five hundred ninety-eight and five tenths (598.5) feet to the point of beginning and containing eleven and five hundred seventy-three thousandths (11.573) acres, more or less.

Lillian Etchison

Commencing at a point on the East line of Section seven (7), Township twenty-two (22) North, Range nine (9) West, where the North line of the right of way of the Rossville and Eastern branch of the Chicago & Eastern Illinois Railroad intersects the said

Section line, which is forty (40) feet North of the center line of said railroad as now constructed and in use, running thence West along, parallel and with the North line of said right of way, one hundred ninety-four and five tenths (194.5) feet, thence North two hundred twenty-four (224) feet, thence East one hundred ninety four and five tenths (194.5) feet to the East line of said Section number Seven (7); thence South along and with said Section line, two hundred twenty-four (224) feet to the place of commencing, containing one (1) acre more or less. Commencing at a point eight hundred and seventy-five and twenty-five hundred feet (875.25) West of the East line of Section seven (7), Township twenty-two (22) North, Range nine (9) West and on the North line of the right of way of the Rossville and Eastern Branch of the Chicago and Eastern Illinois Railroad which line is forty (40) feet North of the center line of the said railroad as now constructed and in use, running thence West along parallel and with the North of said right of way ninety-seven and twenty-five hundredths (97.25) feet, thence North two hundred and twenty-four (224) feet, thence East ninety-seven and twenty-five hundredths (97.25) feet, thence South two hundred twenty-four (224) feet to the place of commencing, containing one-half ($\frac{1}{2}$) of an acre, more or less.

Lillian Etchison

A lot commencing at a point one hundred twenty-two and five tenths (122.5) feet North and one hundred ninety-four and five tenths (194.5) feet West of the southeast corner of Section seven (7), Township twenty-two (22) North, Range nine (9) West, said point being on and along the north right-of-way of the Rossville and Eastern Branch of the Chicago & Eastern Railroad, running thence on and along said North right-of-way for a distance of six hundred forty (642) feet; thence North two hundred twenty-four (224) feet; thence East six hundred forty-two (642) feet; thence South two hundred twenty-four (224) feet to the place of commencing, containing three and twenty-eight hundredths (3.28) acres, more or less, in Warren County, Indiana.

Lillian Etchison

Beginning 23 feet North of the Southeast corner of said Section seven (7) on the North boundary of County Road Number 28 which point is also on the South boundary of said abandoned railroad right of way, thence Westerly along said coincident boundaries nine hundred seventy-two and five tenths (972.5) feet to the East boundary of the Penn Central Railroad right of way (formerly New York Central Railroad and formerly Chicago, Indiana and Southern Railroad), thence Northerly along said Penn Central East boundary one hundred (100) feet, thence Easterly along the North boundary of said abandoned railroad right of way nine hundred seventy-two and five tenths (972.5) feet to the East line of said Section seven (7) and center line of County Road Number 13, thence Southerly along said center line one hundred (100) feet to the point of beginning, and containing two and twenty-three hundredths (2.23) acres, more or less.

Lillian Etchison

West of the Northeast corner of Section eighteen (18) Township twenty-two (22) North,

Range nine (9) West, thence South six hundred (600) feet; thence West one hundred forty four (144) feet; thence North one hundred (100) feet; thence East forty four (44) feet; thence North five hundred (500) feet; thence East one hundred (100) feet to the place of beginning.

Lillian Etchison

ALSO, Commencing at a point eight hundred forty-eight and one-half (848 ½) feet West of the Northeast corner of Section eighteen (18), thence West one hundred twenty-four (124) feet to the east line of the right of way of the Chicago, Indiana and Southern Railroad Company (now New York Central Railroad), thence South along and upon the East side of said right of way five hundred (500) feet, thence East one hundred twenty-four (124) feet, thence North five hundred feet to the place of beginning, the same being a part of the Northeast quarter of the Northeast quarter of section eighteen (18), township twenty-two (22) north, Range nine (9) West.

Lillian Etchison

Being two parcels of land in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty-two (22) North, Range Nine (9) West of the Second Principal Meridian (2nd P.M.), in the Village of Stewart, County of Warren, in the State of Indiana, described as follows:

PARCEL ONE: Being a strip of land fifty (50) feet in width and five hundred (500) feet in length measured from the North line of Section Eighteen (18) South along the West line of land conveyed to the predecessor of the Grantor herein by deed dated June 3rd, 1905, Record 59, Page 322.

PARCEL TWO: From the Northeast (NE) corner of Section eighteen (18) measure West along the North line of Section nine hundred seventy-two and five tenths (972.5) feet to the east right of way line of the Grantor; thence South along said right of way line five hundred (500) feet to the place of beginning; thence continuing South on said right of way line one hundred (100) feet; thence East at right angles eighty (80) feet; thence North at right angles one hundred (100) feet; thence West eighty (80) feet to the place of beginning; together with an easement on the following described property: A strip twenty (20) feet wide, the center line of which is located as follows: From the Northeast corner of Section eighteen (18), Township twenty-two (22) North, Range nine (9) West of the Second Principal Meridian (2nd P.M.), measured nine hundred twelve and five tenths (912.5) feet West to the place of beginning; thence South parallel with East right of way line of said Railroad five hundred (500) feet, measured from the North line of said Section eighteen (18).