

First Reading 7/21/2020

Second Reading 8/04/2020

Received electronically 7/11/2020

RESOLUTION 10-2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA REGARDING TOWER AUTOMOTIVE OPERATIONS USA I, LLC

Summary

This Resolution allows for a belated filing of the Form SB1-/PP required for the Tax-Phase for TOWER AUTOMOTIVE OPERATIONS USA, I, LLC pursuant to Indiana Code Section 6-1.1-1-12.1-13.1.

_____ Recorder's Office

___x___ Publish Public Hearing

___x___ Auditor's /Assessor's Office

_____ Clerk's Office

___x___ Publish summary O/R

_____ Other:

RESOLUTION 10-2020

**RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF AUBURN, INDIANA REGARDING TOWER AUTOMOTIVE
OPERATIONS USA I, LLC**

WHEREAS, the Common Council of the City of Auburn has heretofore adopted its resolutions (the “RESOLUTION”) and Ordinances that created an Economic Revitalization Area (ERA) pursuant to the provisions of I.C. 6-1.1-12.1-1.3(3) (10) both of which were required to consider and grant tax phase-in / tax abatement to Tower Automotive are incorporated herein as authorized and passed by this body; and

WHEREAS, pursuant to I.C. 6-1.1-1-12.1-13.1, the Common Council has the authority to waive any noncompliance by a taxpayer, including failure to timely file Form SB-1/PP; and

WHEREAS, Tower Automotive failed timely to file Form SB-1/PP required for filing in tax year 2020 payable in either 2020 and /or 2021 and consistent with the Indiana Code the purpose of this Resolution is to cure the defect by waiving the deadline for the late filing by the Auburn Common Council and to allow the County Assessor or the County Auditor, as the case may be, to apply the appropriate deduction; and

WHEREAS, the Auburn Common Council, has on this date, held a public hearing pursuant to a notice duly published in the Star newspaper a qualifying newspaper published in DeKalb County, State of Indiana, and has heard and considered the testimony of any person interested in the proceedings regarding the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Auburn that the Common Council hereby waives any and all errors and nonconformities that are waivable under I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3, including, without limitation, any noncompliance for file the Form SB-1/PP

BE IT FURTHER RESOLVED that the Common Council hereby passes the Resolution to waive noncompliance and to give the taxpayer the appropriate deduction and other relief for taxes, payable in 2020 and / or 2021 as deemed appropriate.

BE IT FURTHER RESOLVED, that the Clerk-Treasurer of the City is hereby directed to submit a copy of the Resolution to the Auditor / Assessor of DeKalb County, Indiana as appropriate with a request that the waiver be implemented pursuant to this Resolution.

ECONOMIC REVITALIZATION AREA (ERA): The following real estate area has been determined an ERA, situate in DeKalb County, State of Indiana, to-wit:

Part of the Northeast Quarter of Section 31, Township 34 North, Range 13 East of the Second Principal Meridian in DeKalb County, Indiana, more particularly described as follows:
Commencing at the intersection of the east right-of-way line of Grandstaff Road with the south line of said Northeast Quarter; thence North 88 degrees, 25 minutes, 29 second East a distance of 534.0 feet along said south line to the Point of Beginning; thence North 01 degree, 38 minutes, 20 seconds West a distance of 982.5 feet to the southerly right-of-way line of 15th Street; thence North 88 degrees, 31 minutes, 40 seconds East a distance of 750.0 feet to the northwesterly right-of-way of the Auburn Port Authority (former Consolidated Rail Corp.); thence South 22 degrees, 16 minutes 22 seconds West a distance of 465.3 feet

along said northwesterly right-of-way line; thence southwesterly a distance of 633.2 feet along a line being an arc to the right (chord bearing = South 27 degrees, 05 minutes, 03 seconds, West; ch, = 633.1; R = 3,760.0 feet) to the south line of said Northeast Quarter; thence South 88 degrees, 25 minutes, 29 seconds West a distance of 260.0 feet to the Point of Beginning; containing 11.8 acres, more or less, and subject to rights-of-way and easements of record.


PRESENTLY AND COMMONLY KNOWN AS 801 West 15th Street, Auburn, Indiana, 46706 and the current location of the company commonly referred to as Tower Automotive and pursuant to the Application on SB1/PP identified as Tower Automotive Operations USA I, LLC

Passed and adopted by the Common Council of the City of Auburn, DeKalb County, Indiana, this 4th day of August 2020.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA, ON THE 4th day of August 2020.


James Finchum, Council Member

ATTEST:


Patricia Miller, Clerk-Treasurer

1ST Reading 7/21/2020
2nd Reading 8/04/2020

Presented by me to the Mayor of the City of Auburn, Indiana, this 4th day of August



PATRICIA MILLER
Clerk-Treasurer

APPROVED AND SIGNED by me this 4th day of August.



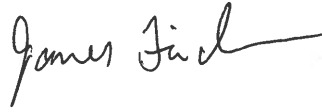
MICHAEL D. Ley, Mayor

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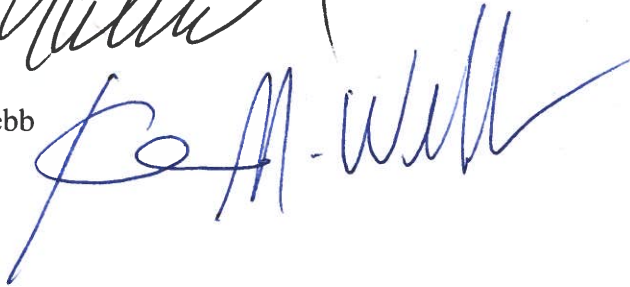
James Finchum



Mike Watson



Kevin Webb



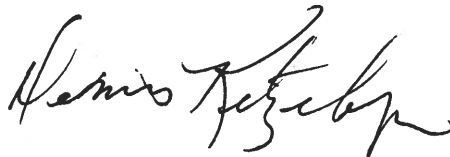
Natalie DeWitt



Dennis K Kruse II



Dennis Ketzenberger



Michael Walter

