

PROCEDURE FOR SEEKING AN ABATEMENT

1. ERA is declared by County Council;
2. Notice is published that ERA has been declared;
3. Hearing is held by County Council on confirming the ERA;
4. ERA and SB1 is confirmed by County Council; and
5. SB1 is confirmed by County Commissioners (this step is necessary because property is in a TIF district).

Economic Revitalization Area Designation
Property Tax Abatement Policy
LaPorte County

General Overview

Communities throughout the State of Indiana have used property tax abatement to attract new and promote expansion of existing businesses. The LaPorte County is desirous to foster continued growth and redevelopment of eligible parcels within the County. To that end enclosed is the tax abatement policy for the LaPorte County. The LaPorte County will consider the following types of property tax abatement as provided for in IC 6-1.1-12.1. The tax abatement comes to the recipient in the form of a reduction in assessed valuation on investments (improvements) made in one or more of the following:

- 1) Real Property
 - a. Rehabilitation
 - b. New
- 2) Personal Property
 - a. Manufacturing Equipment
 - b. Research and Development Equipment
 - c. Logistics Equipment
 - d. IT Equipment

Request for Tax Abatement

Applicants for tax abatement are required to complete the enclosed application form along with the submission of a statement of Benefits Form (SB-1) and a non-refundable application fee of \$250. The application, Form SB-1 and the fees are to be submitted to the LaPorte County Department of Economic Development. Tax abatement must be approved prior to installation of eligible equipment or redevelopment or rehabilitation of real property or as directed by other local ordinance.

Upon review of the County's Economic Development Office, a project summary, included all attachments will be submitted to the County Council for delegation to committee and/or Council as a whole for consideration. The County Council may award a

tax abatement request for a period of one to ten years (for the normal tax abatement process) and may limit the amount of deduction for specific projects. Additionally, the County Council reserves the right to utilize an alternative abatement schedule for projects they deem to be necessary.

Additionally, the County Council as the Designating Body will review annually Compliance with Statement of Benefits Form (CF-1) to ensure that the applicant is in compliance with the abatement and may if appropriate, reduce or rescind a tax abatement for non-compliance.

Local Process

The County Council requires that the applicant work in cooperation with the LaPorte County Economic Development Office to prepare and submit the following documents for consideration:

1. A completed Tax Abatement Application
2. Preliminary Economic Revitalization Area Resolution (as necessary)
3. Final Economic Revitalization Area Resolution (as necessary)
4. A completed Statement of Benefits Form
5. Ordinance/Resolution to approve the Statement of Benefits

Initiation and Compliance

Successful applicants must file with the Auditor one or more of the following forms to initiate and maintain tax abatement:

1. Application for Deduction From Assessed Valuation of Structures in Economic Revitalization Areas (Form 322 ERA)
2. Application for Deduction From Assessed Valuation Eligible Equipment in Economic Revitalization Area (Form 103-ERA)
3. Copy of Personal Property Tax Return (Form 103)
4. Copy of Statement of Benefits (Form SB-1)
5. Certification of Compliance (CF-1 or CF-1 PP)

After the abatement has been approved, the recipient must file a Compliance with Statement of Benefits Form (Form CF-1) with the Auditor as well as the County Council (Designating Body).

For Real Estate and Improvements, the Form (CF-1) must be filed with the initial deduction application (Form 322 ERA) and then annually within 60 days after the end of each year in which the deduction is applicable. For qualified personal property, the applicant must file the Form (CF-1) along with Form 103-PP and Personal Property filings between March 1st and May 15th of each year unless a filing extension under IC 6-1.1-3.7 has been granted. The applicant obtaining an extension must then file between March 1st and June 14th.

Should the applicant fail to submit the Compliance with Statement of Benefits form to the County Council prior to the required deadline, the County Council may tax action including termination of abatement and or requiring a reinstatement fee.

Abatement Fee

The County may impose with the consent of the investor. The total amount of the fee imposed may be up to 15% of the total savings.

Summary

IC 6-1.1-12.1-2-5, IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5 provide the County with the mechanism to establish an area as ERA and also give guidance with regard to Statement of Benefits, filing requirements and requirements of the beneficiaries with regard to compliance. The Statutes also describe the methods and ability of the community to rescind tax abatement for non-compliance. Questions regarding this policy or tax abatement should be directed to the LaPorte County Economic Development Office.

Application for Tax Abatement

LaPorte County

Company Name:

Address:

Web Address (if available):

Contact name and title:

Phone number:

Fax number:

E-mail address:

Brief description of business including SIC code and or principal business activity:

Legal description and address of project property:

(Attach additional sheets if necessary)

Current uses and conditions of property:

Is the project an expansion or relocation?

If the project is relocation, please identify the State, County and local jurisdiction that you are relocating from and why?

What is the project estimated start and completion date?

Type and amount of new investment:

Real Property:

Land: _____

Improvements: _____

Personal Property:

Manufacturing equipment: _____

Research and development equipment: _____

Logistics Distribution: _____

IT Equipment: _____

Estimated tax benefits to the LaPorte County:

Real Property: _____

Personal Property: _____

Attach copies the following:

Exhibit A Plats or maps of project area

Exhibit B Drawings and photos

Exhibit C Signage and landscape plans as applicable

Current number of employees in the County:

Current number of employees in the State of Indiana:

Estimated number of construction jobs (if applicable):

Number of estimated new full and part-time jobs as a result of the project:

(Attach Exhibit D job descriptions, and wage ranges)

Estimated number of trucks per day (if applicable):

Description of financial capacity with regard to this project:

(Please Attach Exhibit E Letter of Financial Commitment)

Number of years that the applicant is requesting tax abatement:

Other incentives requested from the LaPorte County or State of Indiana:

Upon favorable review and passage by the County Council, the successful applicant will be required to contribute an amount of up to 15% of the annual savings to LaPorte County. The County Council will determine the specific dollar amount at time of final approval for tax abatement. Contributions to this fund shall be used for community and economic development purposes, and other public benefit as directed by the County Council and Commissioners.

I affirm under penalties of perjury that the above information is true and correct.

(Signed):

(Name and Title):

(Date):
