

RESOLUTION NO. 2016- ~~216~~ 020

**RESOLUTION WAIVING NONCOMPLIANCE AND AUTHORIZING  
LATE FILING PURSUANT TO I.C. § 6-1.1-3.7 OF ALL REQUIRED FORMS  
RELATED TO THE TAX ABATEMENT AUTHORIZED IN RESOLUTION 2015-2  
FOR WILLOW DAIRY, LLC; BENTON DAIRY, LLC; AND FARM CREDIT  
SERVICES**

*WHEREAS*, Indiana Code 6-1.1-12.1, et seq., as amended (the "Act") sets forth the procedures to be followed in order to designate an Economic Revitalization Area and allow a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" or the installation in such areas of "New Manufacturing Equipment" or "New Research and Development Equipment" as those terms are defined in the Act, but requires taxpayers seeking such an abatement to file timely with the county certain tax forms prescribed by the Indiana Department of Local Government Finance, on or before the filing deadlines required by law; and

*WHEREAS*, the Warren County Council passed Resolution 2015-1 authorizing the abatement of taxes for real and personal property situated at 7055 W. County Road 100 North, Williamsport, IN 47993 and now owed by Willow Dairy, LLC; Benton Dairy, LLC; and/or Farm Credit Services (collectively "Taxpayer"); and

*WHEREAS*, certain tax forms required by the Indiana Department of Local Government Finance to perfect and continue the tax abatements for the Taxpayer related to business personal and real property taxes, including but not limited to forms: CF-1 - *Statement of Compliance with Benefits*; 103-ERA - *Schedule of Deduction From Assessed Valuation Personal Property in Economic Revitalization Area*; 103 - *Long Business Tangible Personal Property Assessment Return*; and Form 104 - *Business Tangible Personal Property Return* (the "Tax Forms"), are to be filed with the County on or before May 15 of each year, unless an filing extension is authorized under I.C. § 6-1.1-3.7, which may be extended up to 30 days; and

*WHEREAS*, the Taxpayer, has requested that Warren County extend the filing deadline for this, its first year of filing, for all required Tax Forms related to the abatement granted by 2015-1 for an additional 30 days, as the Taxpayer works with the Auditor and Assessor to insure the proper completion of the required forms and assessments, all of which has come before the Council on this date for consideration.

*NOW, THEREFORE, BE IT RESOLVED* by the Warren County Council as follows:

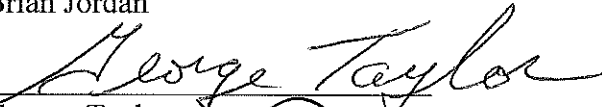
That the Warren County Council, during a public meeting on the matter of Taxpayers' late filings and request to extend filing deadlines for Tax Forms related to the Taxpayers tax abatement, and for good causing having been shown, hereby WAIVES such non-compliance and extends all statutory filing deadline by thirty (30) days.

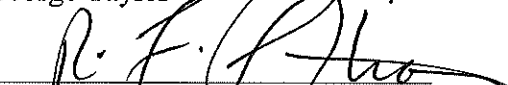
SO RESOLVED this 31<sup>st</sup> day of May, 2016.

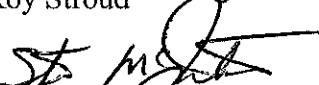
WARREN COUNTY COUNCIL


  
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John Comer

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Brian Jordan

  
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George Taylor


  
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Roy Stroud

  
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Steve McIntosh

  
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Dick Dobbels

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Eric Shideler

ATTEST:

  
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Robin Weston-Hubner, Warren County Auditor