

RESOLUTION 2013-7

RESOLUTION WAIVING CERTAIN NON-COMPLIANCE  
AND GRANTING TAX ABATEMENT  
(HJM, LLC)

The Town Council for the Town of Markle, Indiana ("Council") in duly assembled public meeting resolves as follows:

WHEREAS, I.C. 6-1.1-12.1 *et seq.*, provides for a deduction in property taxes for property which has been designated as being within an economic revitalization area and for which a statement of benefits has been approved by the fiscal body of the Town of Markle, Indiana ("Town");

WHEREAS, the Town, under Resolution 2005-3 and Resolution 2010-3, approved a tax abatement for Real Estate Improvements located at 400 E. Logan Street, Markle, Indiana, 46770, filed by the taxpayer, HJM, LLC ("HJM"), copies of which are attached hereto and incorporated herein as Exhibit A;

WHEREAS, I.C. 6-1.1-12.1-5.1 requires HJM to file a Form CF-1/Real Property no later than May 15, 2012, for the tax year 2012 due and payable in 2013, in order to show substantial compliance with the Statement of Benefits/Real Estate approved under Resolution 2005-3 and Resolution 2010-3;

WHEREAS HJM filed a CF-1/Real Property on May 16, 2012, for each ten (10) year tax abatement granted under Resolution 2005-3 and Resolution 2010-3, copies of which are attached hereto and incorporated herein as Exhibit B;

WHEREAS, the Town has been notified by HJM that HJM failed to timely file each Form CF-1/Real Property and has requested a waiver of non-compliance; and

WHEREAS, I.C. 6-1.1-12.1-9.5(b)(2) allows a designating body to waive certain applicant non-compliance by resolution after a public hearing, including but not limited to missing a filing deadline, as long as the document is corrected and filed before the Resolution is adopted.


NOW, THEREFORE, BE IT RESOLVED that from the information contained in each CF-1/Real Property incorporated herein, and additional relevant information, and after notice and a public hearing held on December 18, 2013, the Town does hereby find and determine as follows:

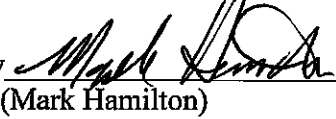
1. That HJM did file its Form CF-1/Real Property on May 16, 2012 for the ten (10) year tax abatement granted under Resolution 2005-3, and that HJM did file its Form CF-1/Real Property on May 16, 2012 for the ten (10) year tax abatement granted under Resolution 2010-3, before the adoption of this Resolution in compliance with I.C. 6-1.1-12.1-9.5.
2. That the Town does affirmatively waive the non-compliance of HJM by its failure to timely file each Form CF-1/Real Property by May 15, 2012.
3. That the tax abatement granted to HJM for a period of ten (10) years under Resolution 2005-3, and the tax abatement granted to HJM for a period of ten (10) years under Resolution 2010-3, are reinstated for the 2012 tax year due and payable in 2013.
4. The Clerk-Treasurer shall certify a copy of this Resolution to the taxpayer and the Department of Local Government Finance.

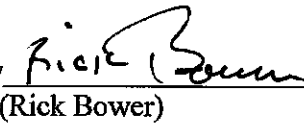
*{Signature Page Follows}*

So resolved this 18th day of December, 2013, by a vote of 3 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF  
MARKLE, INDIANA

By  as President  
(Jeff Humbarger)

By  as Vice President  
(Mark Hamilton)

By  as a Member  
(Rick Bower)

Attest:

By  as Clerk-Treasurer  
(Shelley Monticue)