

RESOLUTION 99-09

**TO CONFIRM RESOLUTION 99-08 DESIGNATING
AN ECONOMIC REVITALIZATION AREA**

**Re: 305 North Curry Pike
(PTS Corporation, Petitioner)**

WHEREAS, PTS Corporation ("Petitioner") has filed an application for designation of the property located at 305 North Curry Pike as an "Economic Revitalization Area" ("ERA") pursuant to IC 6-1.1-12.1 et. seq.; and

WHEREAS, Petitioners seeking designation of their property as an ERA must submit to the Common Council a Statement of Benefits and must, prior to March 1st of each year, provide the Monroe County Auditor and the Common Council with information showing the extent to which there has been compliance with the Statement of Benefits; and

WHEREAS, Petitioner has purchased and installed new manufacturing equipment at 305 North Curry Pike and wishes to obtain tax abatement on the equipment; and

WHEREAS, Petitioner's application and Statement of Benefits have been reviewed by the Economic Development Commission, which passed a resolution recommending that the Common Council approve the ERA designation and a five-year abatement on the new equipment; and

WHEREAS, the Common Council has investigated the area and reviewed the application, as well as the Statement of Benefits, which are attached hereto and made a part hereof, and found the following:

- A. The estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type;
- B. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment;
- C. The estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment;
- D. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of new manufacturing equipment; and
- E. The totality of benefits is sufficient to justify the deduction; and

WHEREAS, on April 7, 1999, the Common Council adopted Resolution 99-08, which approved the ERA designation with a five (5) year period of abatement for the new manufacturing equipment; and

WHEREAS, the Clerk of the City has filed the necessary documents with the County and has published a notice of the passage of that resolution, which requested that persons having objections or remonstrances to the designation appear before the Common Council at a public hearing on April 21, 1999; and

WHEREAS, the Common Council has heard and reviewed all such objections and remonstrances to the designation and waiver;

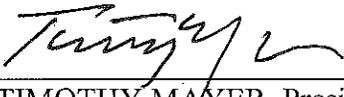
NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The Common Council finds and determines that the area described should be designated as an "Economic Revitalization Area" as set forth in I.C. 6-1.1-12.1-1 et. seq.; and, the Common Council further finds and determines that the Petitioner or its successors shall be entitled to a deduction from the assessed value of the new manufacturing equipment designated in the attached Statement of Benefits for a period of five (5) years if the equipment is acquired in

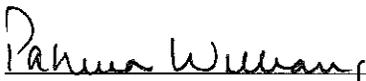
accordance with I.C. 6-1.1-12.1-4.5.

SECTION 2. In granting this designation and deduction the Common Council incorporates I.C. 6-1.1-12.1-12 and also expressly exercises the power set forth in I.C. 6-1.1-12.1-2(I)(5) to impose additional, reasonable conditions on the rehabilitation or redevelopment beyond those listed in the Statement of Benefits. In particular, failure of the property owner to make reasonable efforts to develop and use the land and improvements in a manner that complies with local code are additional reasons for the Council to rescind this designation and deduction.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21st day of April, 1999.


TIMOTHY MAYER, President
Bloomington Common Council

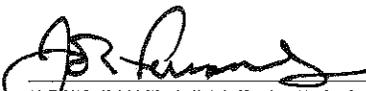
ATTEST:


PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of April, 1999.


PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 21st day of April, 1999.


JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This resolution affirms Resolution 99-08 which designated 305 North Curry Pike as an Economic Revitalization Area and granted a five (5) year period of abatement for new manufacturing equipment.

Signed copies to
Randy Lloyd - Mayor Opp'n
MC. Assessor
MC Auditor

Petitioner

**STATEMENT OF BENEFITS**

State Form 27167 (R3 / 11-91)

Form SB - 1 Is prescribed by the State Board of Tax Commissioners, 1989

The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9

**FORM
SB - 1****INSTRUCTIONS:**

1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment, or BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and the "project" was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation or prior to installation of the new manufacturing equipment, BEFORE a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment is installed, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
4. Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)

SECTION 1**TAXPAYER INFORMATION**

| | |
|---|---|
| Name of taxpayer PTS CORPORATION | |
| Address of taxpayer (street and number, city, state and ZIP code) 5233 Highway 37 South Bloomington, IN 47401 | |
| Name of contact person Geri Sciscoe | Telephone number (812) 824-9331 |

SECTION 2**LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

| | | |
|---|-------------------------|---|
| Name of designating body City of Bloomington Common Council | | Resolution number |
| Location of property 305 N. Curry Pike | County Monroe | Taxing district Richland |
| Description of real property improvements and / or new manufacturing equipment to be acquired (use additional sheets if necessary) See attached | | Estimated starting date Spring 1999 |
| | | Estimated completion date Spring 2000 |

SECTION 3**ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT**

| Current number | Salaries | Number retained | Salaries | Number additional | Salaries |
|---------------------------|----------------------|---------------------------|--------------|-------------------|----------------------|
| 200 385 | \$5.8 million | 200 385 | \$5.8 | 200 | \$3.3 million |

SECTION 4**ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

| | Real Estate Improvements | | Machinery | |
|---|--------------------------|----------------|--------------------|----------------|
| | Cost | Assessed Value | Cost | Assessed Value |
| Current values | | | | |
| Plus estimated values of proposed project | | | \$2,415,834 | |
| Less values of any property being replaced | | | | |
| Estimated values upon completion of project | | | | |

SECTION 5**OTHER BENEFITS PROMISED BY THE TAXPAYER**

Tuition reimbursement, health/dental plan, life insurance, disability, 401k plan

SECTION 6**TAXPAYER CERTIFICATION**

I hereby certify that the representations in this statement are true.

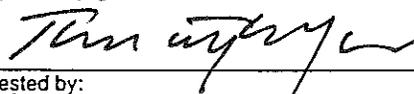
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|--|---------------------------|--|
| Signature of authorized representative | Title President | Date signed (month, day, year) 4/21/99 |
|--|---------------------------|--|

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-4 provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
 - 1. Redevelopment or rehabilitation of real estate improvements; Yes No
 - 2. Installation of new manufacturing equipment; Yes No
 - 3. Residentially distressed areas Yes No
- C. The amount of deduction applicable for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1987, is limited to \$ _____ cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to redevelopment or rehabilitation in an area designated after September 1, 1988 is limited to \$ _____ cost with an assessed value of \$ _____.
- E. Other limitations or conditions (specify) As noted in the "New Manufacturing Clauses" of Res 99-08 & Res 99-09
- F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991 is allowed for:
 - 5 years 10 years

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

| | | |
|---|---|---|
| Approved: (signature and title of authorized member)  | Telephone number (812) 349-3408 | Date signed (month, day, year) 4.21.99 |
| Attested by: Thomas Williams, City Clerk | Designated body Bloomington Common Council | |

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5. Namely: (see tables below)

| NEW MANUFACTURING EQUIPMENT | | |
|--|--------------------------|--------------------------|
| For Deductions Allowed Over A Period Of: | | |
| Year of Deduction | Five (5) Year Percentage | Ten (10) Year Percentage |
| 1st | 100% | 100% |
| 2nd | 95% | 95% |
| 3rd | 80% | 90% |
| 4th | 65% | 85% |
| 5th | 50% | 80% |
| 6th | | 70% |
| 7th | | 55% |
| 8th | | 40% |
| 9th | | 30% |
| 10th | | 25% |

| REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT | | | |
|--|--------------------------|------------------------|-------------------------|
| For Deductions Allowed Over A Period Of: | | | |
| Year of Deduction | Three (3) Year Deduction | Six (6) Year Deduction | Ten (10) Year Deduction |
| 1st | 100% | 100% | 100% |
| 2nd | 66% | 85% | 95% |
| 3rd | 33% | 66% | 80% |
| 4th | | 50% | 65% |
| 5th | | 34% | 50% |
| 6th | | 17% | 40% |
| 7th | | | 30% |
| 8th | | | 20% |
| 9th | | | 10% |
| 10th | | | 5% |

City of Bloomington
Application for Property Tax Abatement

Ownership

PTS Corporation
5233 South Highway 37
P.O. Box 272
Bloomington, IN 47402

President: Jack Craig 50%
Secretary: Jeffrey Hamilton 50%

Property Description

The facility is located at 305 N. Curry Pike. The building has been vacant for several years. PTS recently acquired the building for expansion of its operations. The building is located on 2.85 acres. The tax ID number is 008-00080-00. It is located at PT SE NW 36-9-2W, Plat 89. (See attached legal description).

Current Status of Property

The site is currently zoned "industrial." Besides some minor facility improvements the majority of the investment is for new equipment (see attached list). These improvements will total approximately \$2,415,834. Prior to purchase by PTS Corporation, the facility was vacant.

Proposed Improvements:

PTS Corporation has acquired this vacant facility for expansion of its existing business located in Bloomington. PTS is proposing to install nearly \$2.5 million in new equipment for this expansion project. PTS proposes to install this equipment in the spring of 1999 and complete the expansion by spring 2000. This project will retain over 283 existing jobs and add over 200 new jobs. This project will permit a locally based company to grow and expand in the community. This project is critical to PTS Corporation's ability to grow and remain competitive.

Eligibility

The facility PTS has purchased for its expansion project is an older, obsolete facility that has been vacant for several years. This obsolescence and resulting vacancy has lead to a decline in employment and tax revenues as previously generated by the facility. Our project will return the site to a productive, state-of-the-art facility. Under the Indiana Code, the installation of new equipment in this facility qualifies for tax abatement and ERA designation.

As previously stated, this expansion project will create approximately 200 new jobs and retain over 283. With this new project, salaries will grow from an estimated \$5.8 million to over \$9.1 million (see attached Statement of Benefits).

I hereby certify that the representation made in this application are true and I understand that if the above improvements are not commenced (defined as obtaining a building permit and actual start of construction) within 12 months of the date of the designation of the above area as an Economic Revitalization Area, the Bloomington Common council shall have the right to void such designation.

OWNER

Jeffrey G. Hamilton

DATE

4/21/99

SCALE: 1"=40'

THIS HAS BEEN
REDUCED FOR FAXING
PURPOSES

SPUR LINE EASEMENT
DR. 261 PGS. 263-268

C.L. RAILROAD SPUR LINE

JUL 07 '98 18:21 FR CB RICHARD ELLIS

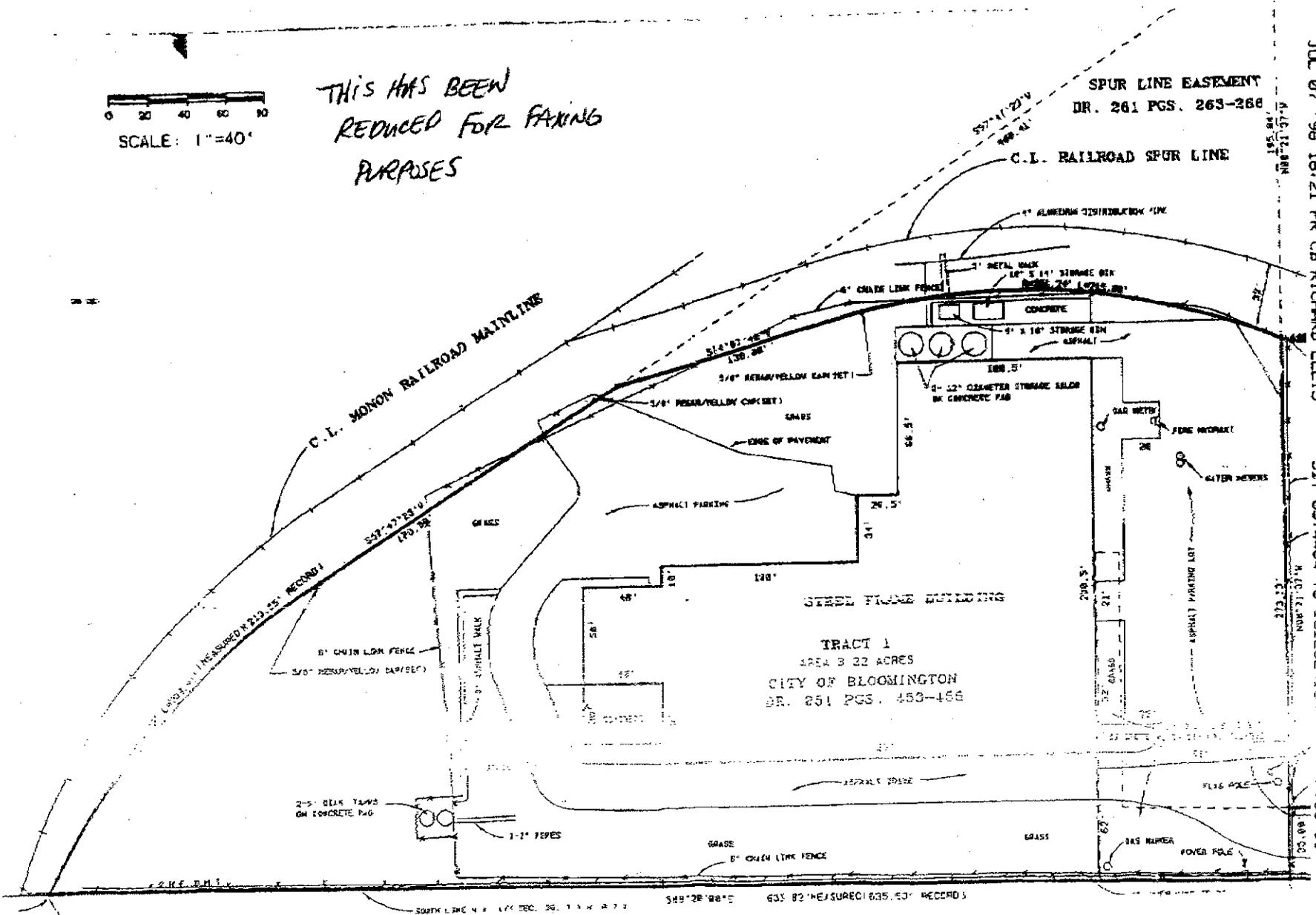
317 6374404 TO 18128241641

F. 08/08

C.L. MONON RAILROAD MAINLINE

STEEL FRAME BUILDING

TRACT 1
AREA B 32 ACRES
CITY OF BLOOMINGTON
DR. 251 PGS. 453-455



TRACT I:

A part of the Southeast quarter of the Northwest quarter of Section 36, Township 9 North, Range 2 West, 2nd Principal Meridian, Monroe County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the said quarter quarter, marked by a P.K. nail 10 feet west of the centerline of Curry Pike; thence North 89 degrees 20 minutes 00 seconds West (basis of bearings as shown on a survey by Ray Graham) 690.52 feet to 3/4 inch crimped top iron pipe; thence North 00 degrees 21 minutes 37 seconds West parallel with the east line of said quarter quarter 273.53 feet to a 5/8 inch rebar with yellow cap on the southerly right-of-way line of an existing railroad spur line and on a non-tangent curve to the left having a chord bearing and distance of North 85 degrees 13 minutes 27 seconds West 215.73 feet and radius of 361.24 feet; thence westerly along said right-of-way and non-tangent curve through a central angle of 34 degrees 44 minutes 44 seconds a distance of 219.06 feet to a 5/8 inch rebar with yellow cap and the point of tangency; thence continuing along said right-of-way South 74 degrees 07 minutes 40 seconds West a distance of 130.00 feet to a 5/8 inch rebar with yellow cap at the intersection of the southerly right-of-way of said spur line with the southerly right-of-way line of railroad mainline; thence South 37 degrees 47 minutes 23 seconds West along said mainline right-of-way 180.00 feet to a 5/8 inch rebar with yellow cap set and point of curvature of a tangent curve to the left having a chord bearing and distance of South 42 degrees 28 minutes 45 seconds West 206.93 feet and a radius of 391.83 feet; thence along said right-of-way and tangent curve through a central angle of 30 degrees 37 minutes 16 seconds a distance of 209.41 feet to a 5/8 inch rebar with yellow cap on the south line of said quarter quarter Section; thence South 89 degrees 20 minutes 00 seconds East along said south line 633.82 feet to the point of beginning, containing 3.23 acres, more or less.

EXCEPTING THEREFROM the following described real estate:

A part of the Southeast quarter of the Northwest quarter of Section 36, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows:

Commencing at the southeast corner of the northwest quarter of said Section 36; thence South 89 degrees 52 minutes 05 seconds West concurrent with the south line of the said quarter section 690.00 feet to the southeast corner of Parcel 1 as recorded in Deed Record 251, page 453, in the office of the Recorder, Monroe County, said point being the point of beginning; thence South 89 degrees 52 minutes 05 seconds West concurrent with the south line of said quarter section 635.53 feet to a point on the east right-of-way line of the Monon Railroad; said point being on a tangent curve concave to the east, the radius of which bears North 89 degrees 52 minutes 05 seconds East 391.83 feet; thence Northerly along the said curve through a central angle of 3 degrees 39 minutes 29 seconds a distance of 25.02 feet; thence leaving said right-of-way line North 89 degrees 52 minutes 05 seconds East 634.77 feet; thence South 00 degrees 03 minutes 00 seconds East 25.00 feet to the point of beginning, containing 0.365 acres, more or less, in said exception.

TRACT II:

(Easement rights per Deed Record 251, pages 371-373.)

A part of the Southeast quarter of the Northwest quarter of Section 36, Township 9 North, Range 2 West, 2nd Principal Meridian, Monroe County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the said quarter quarter, marked by a P.K. nail 10 feet west of the centerline of Curry Pike; thence North 00 degrees 21 minutes 37 seconds West along the east line of said Northwest quarter 35.00 feet to the point of beginning; thence continuing along said east line North 00 degrees 21 minutes 37 seconds West 80.00 feet; thence North 89 degrees 20 minutes 00 seconds West 100.00 feet; thence South 00 degrees 21 minutes 37 seconds East 80.00 feet; thence South 89 degrees 20 minutes 00 seconds East 100.00 feet to the point of beginning, containing 0.184 acre, more or less.

TRACT III:

(Easement rights per Deed Record 261, pages 263-266, and assigned in Release & Assignment Record 43, pages 194-199.)

A part of the Southeast quarter of the Northwest quarter of Section 36, Township 9 North, Range 2 West, 2nd Principal Meridian, Monroe County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the said quarter quarter, marked by a P.K. nail 10 feet west of the centerline of Curry Pike; thence North 89 degrees 20 minutes 00 seconds West 690.52 feet; thence North 00 degrees 21 minutes 37 seconds West parallel with the east line of said quarter quarter 273.53 feet to the point of beginning; thence continuing North 00 degrees 21 minutes 37 seconds West 195.84 feet to the south right-of-way of the Monon Railroad; thence South 37 degrees 47 minutes 23 seconds West along said right-of-way 400.41 feet; thence North 74 degrees 07 minutes 40 seconds East 130.00 feet to a tangent curve concave to the south having a radius of 361.24 feet; thence southeasterly along said curve 219.06 feet to the point of beginning, containing 0.596 acre, more or less.

NOTE: The acreage indicated in this legal description is solely for the purpose of identifying the real estate and does not insure the quantity of land.