

RESOLUTION NUMBER 2022-RCC-2

DEKALB COUNTY COUNCIL DECLARATORY RESOLUTION FOR  
ECONOMIC REVITALIZATION AREA FOR THREE DAUGHTERS CORP.  
D/B/A RATHBURN TOOL AND MANUFACTURING

WHEREAS, the DeKalb County Council recognizes the need to stimulate development and rehabilitation in certain areas located within the County;

WHEREAS, the DeKalb County Council further recognizes that the general health and welfare of its citizens would best be served by stimulating growth of business and industries located within the County;

WHEREAS, real estate described in the application and attached hereto as "Exhibit A" is within the jurisdiction of the DeKalb County Council under Indiana Code §6-1.1-12.11-2;

WHEREAS, the DeKalb County Council has determined based on information provided by the applicant that the real estate qualifies for normal development and occupancy and is not currently being fully used so, and can be used for expanded industrial purposes with a substantial cost by the owner;

WHEREAS, the subject real estate complies with the general requirements of the DeKalb County Council according to the Indiana Code concerning Economic Revitalization Areas within its jurisdiction as evidenced by the information provided in the petitioner's application and by the presentation of evidence at this meeting today;

WHEREAS, the improvement of the real estate described would be of public utility and a benefit to the welfare of all citizens and tax payers of DeKalb County;

WHEREAS, the subject real estate is currently zoned I2-Industrial Light Manufacturing and Assembly by the City of Auburn.

NOW THEREFORE BE IT RESOLVED by the DeKalb County Council that the real estate provided in the application and attached hereto is declared to be an Economic Revitalization Area as that term is defined and intended to be used in Indiana Code Section 6-1.1-12.1-1 through Section 8.

BE IT FURTHER RESOLVED that pursuant Indiana Code Section 6-1.1-12-12(h) the designation of the of property described above as an Economic Revitalization Area be limited to the maximum amount of deduction for personal property taxes on the assessed value of new manufacturing equipment the extent to which shall be allowed and determined after the application for tax abatement has been filed with the DeKalb County Auditor.

BE IT FURTHER RESOLVED that there shall be published notice of the adoption and substance of this Resolution in accordance with Indiana Code Section 5-3-1, which notice shall name a date for the public hearing on the matter and that on the conclusion of the public hearing, the DeKalb County Council may take final action on the proposed designation.

BE IT FURTHER RESOLVED that if any part or parts, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any part, clause, or portion of this Resolution would be adopted by the DeKalb County Council of DeKalb County, Indiana, on the 10th day of May, 2022.

DEKALB COUNTY COUNCIL

BY: Richard Ring Yes ☒ No ☐  
Richard Ring, President

BY: William VanWye Yes ☒ No ☐  
William VanWye, Vice President

BY: Eldonna King Yes ☒ No ☐  
Eldonna King

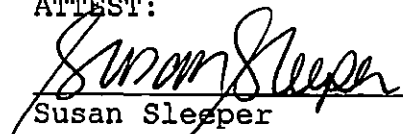
BY: Robert E. Krafft Yes ☒ No ☐  
Robert E. Krafft

BY: David Yarde Yes ☒ No ☐  
David Yarde

BY: Amy Denske Yes ☒ No ☐  
Amy Denske

BY: Amy Prosser Yes ☐ No ☒  
Amy Prosser

ATTEST:

  
\_\_\_\_\_  
Susan Sleeper  
DeKalb County Auditor

"Exhibit A"

PERMANENT 35 FOOT UTILITIES, SURFACE DRAINAGE AND ACCESS EASEMENT

Part of the Northeast Quarter (1/4) of Section Five (5), Township Thirty-three (33) North, Range Thirteen (13) East, Second Principal Meridian, Jackson Civil Township, DeKalb County, Indiana and more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter (1/4) of said Section 5, said point being marked by a one (1) inch rebar; thence North 88 degrees 02 minutes 38 seconds East (bearing from Indiana East State Plain Coordinates and the basis of all bearings in this description), 431.45 feet on and along the North line of said Northeast Quarter (1/4) to the northwest corner of a tract of real estate described to Guardian Automotive Products, Inc. in Confirmation Deed dated November 12, 1997 and recorded in the DeKalb County, Indiana Recorder's office in Deed Record 220 at page 438; thence South 08 degrees 41 minutes 14 seconds West, 1280.30 feet on and along the west line of said Guardian Automotive Products, Inc. tract, said west line also being the centerline of County Road 29 (Center Street in Auburn) to the northwest corner of a tract of real estate described to Rathburn Leasing, LLC in Quit-Claim Deed dated December 12, 2008 and recorded in the DeKalb County, Indiana Recorder's Office in Document No. 20807105, said point being marked by a 1/2 inch rebar and being the true point of beginning of this easement description; thence continuing South 08 degrees 33 minutes 31 seconds West, 374.21 feet on and along the centerline of said County Road 29, said line also being the west line of said Rathburn Leasing, LLC tract, to the southwest corner of said Rathburn Leasing, LLC tract, said point being marked by a 5/8 inch rebar with cap marked "JL Russell IN 11679"; thence North 89 degrees 20 minutes 51 seconds East, 35.46 feet on and along the south line of said Rathburn Leasing, LLC tract to a point 35.00 feet normal to the west line of said Rathburn Leasing, LLC tract; thence North 08 degrees 33 minutes 31 seconds East, 374.15 feet, parallel with and 35.00 feet normal to the west line of said Rathburn Leasing, LLC tract to the north line of said Rathburn Leasing, LLC tract; thence South 89 degrees 26 minutes 45 seconds West, 35.45 feet on and along the north line of said Rathburn Leasing, LLC tract to the point of beginning.