

NOTICE

Notice is hereby given that the DeKalb County Council on December 14th, 2021 passed the following resolution

RESOLUTION NUMBER 2021-RCC-26

DEKALB COUNTY COUNCIL DECLARATORY RESOLUTION FOR  
ECONOMIC REVITALIZATION AREA FOR AUBURN RENEWABLES, LLC

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 used so, and can be used for 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 light industrial 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

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maximum amount of deduction for real estate taxes and 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 **14th** day of **December, 2021**.

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:

Jan Bauman  
Jan Bauman, DeKalb County Auditor

**Exhibit A**  
**Auburn Renewables, LLC Legal Description**  
**For Solar Array Project**

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 33 NORTH, RANGE 12 EAST, KEYSER TOWNSHIP, DEKALB COUNTY, INDIANA, AS SURVEYED BY AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY ANGELA D. WALLACE LS #21200016 ON JUNE 3RD, 2021, REVISED JULY 7TH, 2021, AS PROJECT NUMBER 21-267, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MARKER AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 33 NORTH, RANGE 12 EAST; THENCE SOUTH 00 DEGREE 16 MINUTES 33 SECONDS WEST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO. BASIS OF BEARINGS), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 655.50 FEET TO A MAG NAIL WITH "WALLACE-LS21200016" IDENTIFICATION WASHER AT THE SOUTHWEST CORNER OF THE PLAT OF GRIFFIN FORREST HILL ADDITION AS RECORDED IN PLAT BOOK 5, PAGE 119-120 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 39 MINUTES 16 SECONDS EAST, ALONG THE SOUTH LINE OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION, A DISTANCE OF 255.50 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP AT THE SOUTHEAST CORNER OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION; THENCE NORTH 00 DEGREE 16 MINUTES 33 SECONDS EAST, ALONG THE EAST LINE OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION AND BEING PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 655.50 FEET TO THE NORTHEAST CORNER OF SAID PLAT OF GRIFFIN FORREST HILL ADDITION; THENCE SOUTH 88 DEGREES 39 MINUTES 16 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2506.65 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF DEED RECORD 205, PAGE 83 IN SAID OFFICE, ALSO BEING THE WEST RIGHT OF WAY LINE OF INTERSTATE 69; THENCE SOUTH 00 DEGREE 12 MINUTES 44 SECONDS WEST, ALONG SAID WEST LINES AND THE WEST LINE OF DEED RECORD 134, PAGE 468 & 469 IN SAID OFFICE, A DISTANCE OF 318.32 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP; THENCE SOUTH 02 DEGREES 37 MINUTES 16 SECONDS EAST, CONTINUING ALONG SAID WEST LINES, A DISTANCE OF 666.73 FEET TO A POINT ON THE NORTH LINE OF DEED RECORD 224 PAGE 561 IN SAID OFFICE, SAID POINT REFERENCED BY A 1" PIPE 5.3 FEET EAST; THENCE SOUTH 89 DEGREES 00 MINUTES 32 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 276.49 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF SAID DEED RECORD 224 PAGE 561; THENCE SOUTH 00 DEGREE 13 MINUTES 28 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 323.73 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 47 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 327.56 FEET TO THE CENTERLINE OF GARRETT CITY REGULATED DRAIN NO. 44-00-0; THENCE ALONG SAID CENTERLINE FOR THE FOLLOWING 4 COURSES: SOUTH 36 DEGREES 44 MINUTES 03 SECONDS WEST, A DISTANCE OF 420.95 FEET; THENCE NORTH 87 DEGREES 47 MINUTES 17 SECONDS WEST, A DISTANCE OF 500.00 FEET; THENCE NORTH 56 DEGREES

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17 MINUTES 17 SECONDS WEST, A DISTANCE OF 355.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 01 SECONDS WEST, A DISTANCE OF 477.38 FEET TO THE EAST RIGHT OF WAY LINE OF THE FORMER DETROIT, EEL RIVER & ILLINOIS RAILROAD; THENCE NORTH 56 DEGREES 41 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 266.29 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 47 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 893.09 FEET TO A 5/8"X24" REBAR WITH "WALLACE LS21200016" IDENTIFICATION CAP ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREE 16 MINUTES 33 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 668.83 FEET TO THE POINT OF BEGINNING. CONTAINING 86.077 ACRES OF LAND, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 19, SUBJECT TO THE RIGHT OF WAY OF GEORGE CARPER LEGAL DRAIN NO. 167-00-0, SUBJECT TO THE RIGHT OF WAY OF GARRETT CITY REGULATED DRAIN NO. 44-00-0, SUBJECT TO A 60' ELECTRICAL UTILITY AND ACCESS EASEMENT AS RECORDED IN DOCUMENT NUMBER 210300533, AND SUBJECT TO ALL OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD.