

**FILED**

JUN 06 2022

**TERRE HAUTE CITY COUNCIL  
STATE OF INDIANA  
RESOLUTION NO. 6-2022  
(as amended)**

**CITY CLERK**

A Resolution of the Common Council of the City of Terre Haute, Indiana, Designating an Area Within the City legally described as 801 N. 25th Street, Terre Haute, IN 47804, as an Economic Revitalization Area for the purpose of an eight (8) year real property abatement.

WHEREAS, a petition for an eight (8) year real property tax abatement has been filed with the Common Council of the City of Terre Haute requesting that the real property described therein be designated as Economic Revitalization Area for purposes of real property tax abatement; and

WHEREAS, Heritage Landing L.P., the "Petitioner," has submitted an Application and Statement of Benefits and provided all information and documentation necessary for the Common Council to make an informed decision, said information including a site plan as set forth in attached Exhibit A (which is hereby made a part hereof), and legal description of the aforesaid real property more particularly described as follows:

The following described real estate in Terre Haute, Vigo County, Indiana, to wit:

All that part of the following described real estate lying immediately west of and adjacent to the West line of Liberty Village Phase II Subdivision of a part of Section 23, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, the Plat of which was recorded November 2, 2020 as Instrument No. 2020014369:

Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana, more particularly described as follows:  
Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26" – E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet; thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the

South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along said South line 352.81 feet to the point of beginning.  
Containing 19.54 acres, more or less.

Less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet; thence S-00°08'22"-E, parallel with the centerline of Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.  
Containing 0.35 acres, more or less.

Commonly known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804.

Vigo County Parcel No. 84-06-23-226-008.000-002

Containing 3.21 acres, more or less.

WHEREAS, petitioner has represented that the project itself will create 2 new permanent full-time jobs with an annual payroll of \$88,000.00 (approximately) and that the cost of the project will be at least \$12,560,000.00 for real property improvements; and

WHEREAS, the Common Council for the City of Terre Haute, Indiana is authorized under the provisions of I.C. 6-1.1-12.1-1 *et. seq.* to designate areas of Terre Haute, Indiana as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Common Council of the City of Terre Haute has considered the Application, Petition and Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the Common Council of the City of Terre Haute has found the subject property to be within the boundaries of the City of Terre Haute, Indiana, an area where facilities that are technologically, economically, or energy obsolete are located, and where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substantial buildings and other factors which prevent normal development or use;

WHEREAS, the real property abatement is a declining percentage of the increase in assessed value of the improvement based on the following time period and percentages as determined by the City Council bases upon the Hoosier Sites Tax Abatement Calculator:

Abatement	Percentage	Tax Abated	Tax Paid
1	100%	\$243,000.00	0
2	88%	\$199,307.00	\$43,691.00
3	77%	\$159,258.00	\$83,742.00
4	63%	\$108,285.00	\$134,715.00
5	50%	\$60,952.00	\$182,048.00
6	38%	\$17,261.00	\$225,739.00
7	25%	0	\$243,000.00
8	13%	0	\$243,000.00
<b>Totals</b>		<b>\$788,065.00</b>	<b>\$1,155,935.00</b>

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Common Council of the City of Terre Haute that:

1. The petitioner's estimate of the value of the redevelopment and rehabilitation and the project to be constructed on the subject real property is reasonable for projects of that nature in order to maintain, expand, update and improve efficiency and capabilities for affordable housing.
2. The petitioner's estimate of the number of individuals who will be employed, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.
4. That the other benefits about which information has been requested can be expected to result from the project and the redevelopment and rehabilitation.
5. The totality of the benefits of the proposed redevelopment and rehabilitation can reasonably be expected to result from the project and are sufficient to justify an eight (8) year real property tax deduction from assess valuation under Indiana statutes, and each such deduction should be, is hereby, allowed.

6. That the petition for designating the subject property as an economic revitalization area for the purposes of an eight (8) year real property tax abatement and the Statement of Benefits, copies of which were submitted with the petitions, are hereby approved, and the Real Estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 et. seq., and petitioner is entitled to the eight (8) year real property tax abatement provided therein for the proposed redevelopment and rehabilitation upon the real estate described above.
7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office and stating a date on which the Council will hear and receive remonstrances and objections and take final action, all as required by law.

[SIGNATURES ON FOLLOWING PAGE]

Introduced by:

Cheryl Loudermilk  
Cheryl Loudermilk, Councilman

Passed in open Council this 9<sup>th</sup> day of June, 2022.

Cheryl Loudermilk  
Cheryl Loudermilk, City Council President

ATTEST:

Michelle Edwards  
Michelle Edwards, City Clerk

Presented by me to the Mayor this 10 day of June, 2022.

Michelle Edwards  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 10<sup>th</sup> day of JUNE, 2022.

Duke A. Bennett  
Duke A. Bennett, Mayor

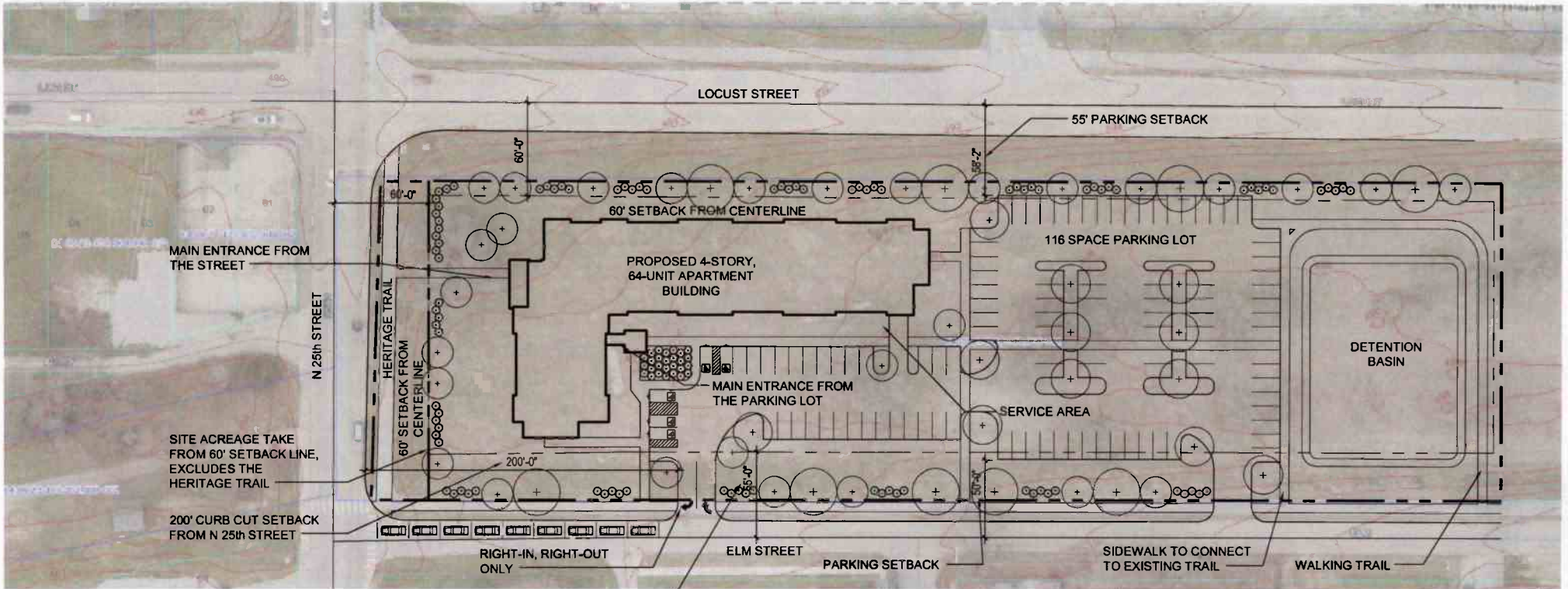
ATTEST:

Michelle Edwards  
Michelle Edwards, City Clerk

**EXHIBIT A**

**SITE PLAN**

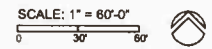
Upon following page



	REQUIRED	PROVIDED
MIN. LOT SIZE	1,000-SF/DU	139,900-SF
<b>FRONT YARD SETBACK - MEASURED FROM THE ROW CENTERLINE</b>		
MAJOR (LOCUST)	60' (120' TOTAL)	60'
MAJOR (25TH)	60' (120' TOTAL)	60'
COLLECTOR (ELM)	55' (110' TOTAL)	55'
INTERIOR YARD SETBACK	5'	5'
<b>ON-SITE PARKING</b>		
1-BEDRMS	1.5 SPACES/DU	1.5 SPACES/DU
2-BEDRMS	2.0 SPACES/DU	2.0 SPACES/DU
	116 SPACES	116 SPACES
DRIVE WIDTH	24'	24'
PARKING STALL SIZE	9'x18'	9'x18'
PARKING SETBACK	50' FROM CENTERLINE	50'
* VARIANCE		

<b>SITE DATA:</b>	
CURRENT ZONING	M-2, HEAVY INDUSTRIAL DISTRICT
PROPOSED ZONING	R-3, APARTMENT DISTRICT
PROPOSED PROJECT	4-STORY MULTI-FAMILY BLDG
ACREAGE	+/- 3.21 ACRES (139,900-SF)
NET BUILDABLE AREA	+/- 111,180-SF
BUILDING SF	+/- 76,025-SF
UNIT COUNT	64 UNITS 24 ONE-BEDRM UNITS 40 TWO-BEDRM UNITS

**PROPOSED SITE PLAN**  
N 25th Street & Locust Street  
Terre Haute, Indiana



May 9, 2022 rdlc #22087 COPYRIGHT © 2022

**RDL ARCHITECTS**  
16102 Chagrin Blvd, Suite 200  
Shaker Heights, Ohio 44120  
T: 216-752-4300 F: 216-752-4301  
www.rdlarchitects.com

**HERITAGE LANDING**  
TERRE HAUTE, INDIANA

**JONESBORO INVESTMENTS CORP.**  
7160 Chagrin Road, Suite 250  
Chagrin Falls, OH 44023  
Telephone: 440.247.3900 Fax: 440.247.3930

**FINAL ACTION BY COMMON COUNCIL OF  
THE CITY OF TERRE HAUTE, INDIANA  
REGARDING RESOLUTION NO. 6, 2022**

WHEREAS, the Common Council of the City of Terre Haute adopted Resolution 6, 2022, on the 9<sup>th</sup> day of June, 2022 and pursuant to Indiana Law has published notice of the adoption and substance of said Resolution including a description of the affected area, known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804 and legally described as:

The following described real estate in Terre Haute, Vigo County, Indiana, to wit:

All that part of the following described real estate lying immediately west of and adjacent to the West line of Liberty Village Phase II Subdivision of a part of Section 23, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, the Plat of which was recorded November 2, 2020 as Instrument No. 2020014369:

Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26" – E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet; thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along said South line 352.81 feet to the point of beginning.  
Containing 19.54 acres, more or less.

Less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet; thence S-00°08'22"-E, parallel with the centerline of



Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.  
Containing 0.35 acres, more or less.

Commonly known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804

Vigo County Parcel No. 84-06-23-226-008.000-002  
Containing 3.21 acres, more or less

and notice that a description of the affected area is available for inspection in the office of the Vigo County Assessor and further stating a date on which the Common Council of the City of Terre Haute would receive and hear remonstrances and objections; and

WHEREAS, the Common Council has conducted the hearing as required by law and has received no remonstrances or objections to designation of the affected area as a revitalization area or to approval of the Application and the Statement of Benefits heretofore filed; and

WHEREAS, said matter is before the Common Council for final action pursuant to Indiana law; and

WHEREAS, the Common Council has received and examined, prior to such hearing, an Application on the form prescribed by the City of Terre Haute, a Statement of Benefits on the form prescribed by the State Board of Tax Commissioners, a petition for designation, and the submitted Agreement with the Board of Public Works for the City of Terre Haute, and has heard all appropriate evidence concerning the proposed project and has found and does find:

1. That the area has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property.
2. That the estimate of the cost of the redevelopment and rehabilitation is reasonable for projects of that type.
3. That the estimate of individuals who will be employed or whose employment will be retained as a result of the redevelopment and rehabilitation can reasonably be expected to result from the proposed project.

4. The estimate of annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
5. That the benefits can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
6. That the totality of benefits of the Project are sufficient to justify an eight (8) year real property tax deduction from assessed valuation to result therefrom under Indiana statutes, and each and all of such deductions should be, and are hereby, allowed.
7. That the real property is located within an Economic Revitalization Area as required by Indiana Code 6-1.1-12.1-2 for the type of facility proposed by Petitioner.
8. That all qualifications for establishing an economic revitalization area have been met.
9. That the Petition for designating the subject property as an Economic Revitalization Area for the purposes of an eight (8) year real property improvement tax abatement and the Statement of Benefits (copies of which were submitted with the Petition) are hereby approved and the real estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 *et. seq.*

NOW, THEREFORE, for final action on Resolution 6, 2022, the Common Council of the City of Terre Haute, Indiana, RESOLVES, FINDS AND DETERMINES that:

1. All of the requirements for designation of the real estate described in Resolution 6, 2022, as an Economic Revitalization Area have been met, the foregoing findings are true and that all information required to be submitted has been submitted in proper form.
2. Resolution 6, 2022, is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed project and the redevelopment and rehabilitation are sufficient to justify an eight (8) year real property tax abatement under Indiana statutes for the proposed redevelopment and rehabilitation described in the petitioner's Statement of Benefits and the deduction for the proposed project and redevelopment and rehabilitation and the statements of benefits submitted are approved and the

Council authorizes and directs the endorsement of said Statement of Benefits to show such approval and that the real estate described in Resolution 6, 2022, is declared an economic revitalization area for the purposes of an eight (8) year real property tax abatement and the said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 *et. seq.* and petitioner is entitled to the eight (8) year real property tax abatement as provided therein in connection with the proposed development and the project.

3. Said Resolution supplements any other designation of the real estate as a Revitalization Area or similar designation.
4. That this Final Action, findings and confirmation of Resolution 6, 2022, shall be incorporated in and be a part of Resolution 6, 2022.

[SIGNATURE PAGE TO FOLLOW]

Introduced by:

*Cheryl Loudermilk*  
Cheryl Loudermilk, Councilman

Passed in open Council this 7<sup>th</sup> day of July 2022.

*Cheryl Loudermilk*  
Cheryl Loudermilk, City Council President

ATTEST:

*Michelle Edwards*  
Michelle Edwards, City Clerk

Presented by me to the Mayor this 8<sup>th</sup> day of July, 2022.

*Michelle Edwards*  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 8<sup>th</sup> day of July, 2022.

*Duke A. Bennett*  
Duke A. Bennett, Mayor

ATTEST:

*Michelle Edwards*  
Michelle Edwards, City Clerk

This instrument prepared by Jeffrey A. Lind, Lind Law Firm, 400 Ohio Street, Terre Haute, IN 47807 (812) 234-5463.

**CITY OF TERRE HAUTE  
PETITION FOR REAL PROPERTY  
TAX ABATEMENT CONSIDERATION  
(as amended)**

The undersigned owner(s) of real property located within the City of Terre Haute hereby petition the Common Council of the City of Terre Haute for real property tax abatement consideration pursuant to I.C. 6-1.1-12.1-1, *et. seq.*, and for this petition states the following:

1. The Project.

Affordable Senior Housing  
Approximately 3.56 AC  
Project cost estimate of \$12,560,000.00

2. The proposed affordable senior housing facility would contain approximately 56,620 square feet. The cost of construction is expected to be at least \$12,560,000.00.
3. The project is important to the Petitioner as a means to serve the needs of seniors in the vicinity of Terre Haute. The unabated taxes are \$1,944,000.00 over the abatement period.
4. The project itself will create 2 new, permanent jobs, representing a new annual payroll of \$88,000.00.

(a) The real property for which tax abatement consideration is petitioned (Property) is owned by the following:

NAME	ADDRESS	INTEREST
Heritage Landing L.P.	7160 Chagrin Road Suite 250 Chagrin Falls, OH 44023	Interested Party with Consent of Terre Haute Department of Redevelopment

(b) The following other persons lease, intend to lease, or have an option to buy the Property (including corporate information as required in 5(a) above, if applicable:

NAME	ADDRESS	INTEREST
	None Anticipated	

(c) A brief description of the overall nature of the business and of the operations occurring at the Property:

Affordable Senior Housing  
Approximately 3.56 AC  
Project cost estimate of \$12,560,000.00

5. The commonly known address of the property is: 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804.
6. The legal description is:

The following described real estate in Terre Haute, Vigo County, Indiana, to wit: All that part of the following described real estate lying immediately west of and adjacent to the West line of Liberty Village Phase II Subdivision of a part of Section 23, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, the Plat of which was recorded November 2, 2020 as Instrument No. 2020014369:

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Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26" – E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet; thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along said South line 352.81 feet to the point of beginning.  
Containing 19.54 acres, more or less.

Less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet; thence S-00°08'22"-E, parallel with the centerline of Brown Avenue 102.40 feet to said South right of

way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.  
 Containing 0.35 acres, more or less.

Commonly known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804

Vigo County Parcel No. 84-06-23-226-008.000-002  
 Containing 3.56 acres, more or less

7. A map designating the Property and showing the proposed new construction is attached hereto, marked Attachment 1 and incorporated herein.
8. The parcel is currently unimproved former railroad property.

Petitioner is seeking an eight (8) year real property tax abatement. The best estimate of the amount of taxes to be abated during the first year after construction is as follows: \$243,000.00

Tax Rate for Terre Haute Harrison Township is expected to be 4.495% (2022/pay 2023).

Assumed Assessed Value of Improvement: \$8,100,000.00, income based approach.

Annual Tax without Abatement: \$243,000.00 (estimated annual average as taken from Tax Abatement Calculator, Hoosier Energy Calculator).

Abatement	Percentage	Tax Abated	Tax Paid
1	100%	\$243,000.00	0
2	88%	\$199,307.00	\$43,691.00
3	77%	\$159,258.00	\$83,742.00
4	63%	\$108,285.00	\$134,715.00
5	50%	\$60,952.00	\$182,048.00
6	38%	\$17,261.00	\$225,739.00
7	25%	0	\$243,000.00
8	13%	0	\$243,000.00
<b>Totals</b>		<b>\$788,065.00</b>	<b>\$1,155,935.00</b>

It is anticipated that \$1,155,935.00 of additional real estate tax will be paid over the course of the abatement period. (The above assumes an assessment estimated on an income-based approach and used a tax calculator from Hoosier Energy, but specific to this tax district, from among those calculators suggested by the Terre Haute City Clerk's Office).

9. No building permit has been issued for construction on the property in connection with the improvement in question as of the date of filing of this petition. The signature below is verification of this statement.
10. Other anticipated public financing for the project (including, if any, Industrial Revenue Bonding to be sought or already authorized, assistance through the United States Department of Housing and Urban Development funds from the City of Terre Haute, or other public financial assistance): City of Terre Haute IHDA Contribution of \$50,000.00
11. The real estate portion of a former railway yard and switch station is in an area that has seen limited growth in new housing.
12. The current use of the Property is undeveloped land and the current zoning is M-2.

In view of the foregoing, Heritage Landing L.P., in good faith, applies for an eight (8) year real property tax abatement.

Heritage Landing L.P. agrees to enter into an Agreement with the Board of Public Works for the City of Terre Haute, Indiana, in substantially the same form as is attached hereto and made a part hereof as Exhibit C.

13. The following persons should be contacted as the petitioner's agent regarding additional information and public hearing notifications:

Name:	Jeff Lind
Address:	400 Ohio St.
City, State, Zip:	Terre Haute, IN 47807
Telephone:	812-234-5463




14. The type of Economic Development Revitalization Project involved in this request:

Affordable Senior Housing  
Approximately 3.56 AC  
Project cost estimate of \$12,560,000.00

WHEREFORE, petitioner requests that the Common Council of the City of Terre Haute, Indiana, adopt a declaratory resolution designating the area described herein to be an economic revitalization area for the purposes of real property tax abatement consideration and, after publication of notice and public hearing, determine qualifications for an economic revitalization area have been met and confirm such resolution.

Heritage Landing L.P.  
By: JIC Heritage Landing, LLC,  
Administrative General Partner

By:   
Timothy M. Morgan, Manager

DO NOT USE THIS SPACE

Resolution # \_\_\_\_\_ Target Area Required  
Yes \_\_\_\_\_ No \_\_\_\_\_

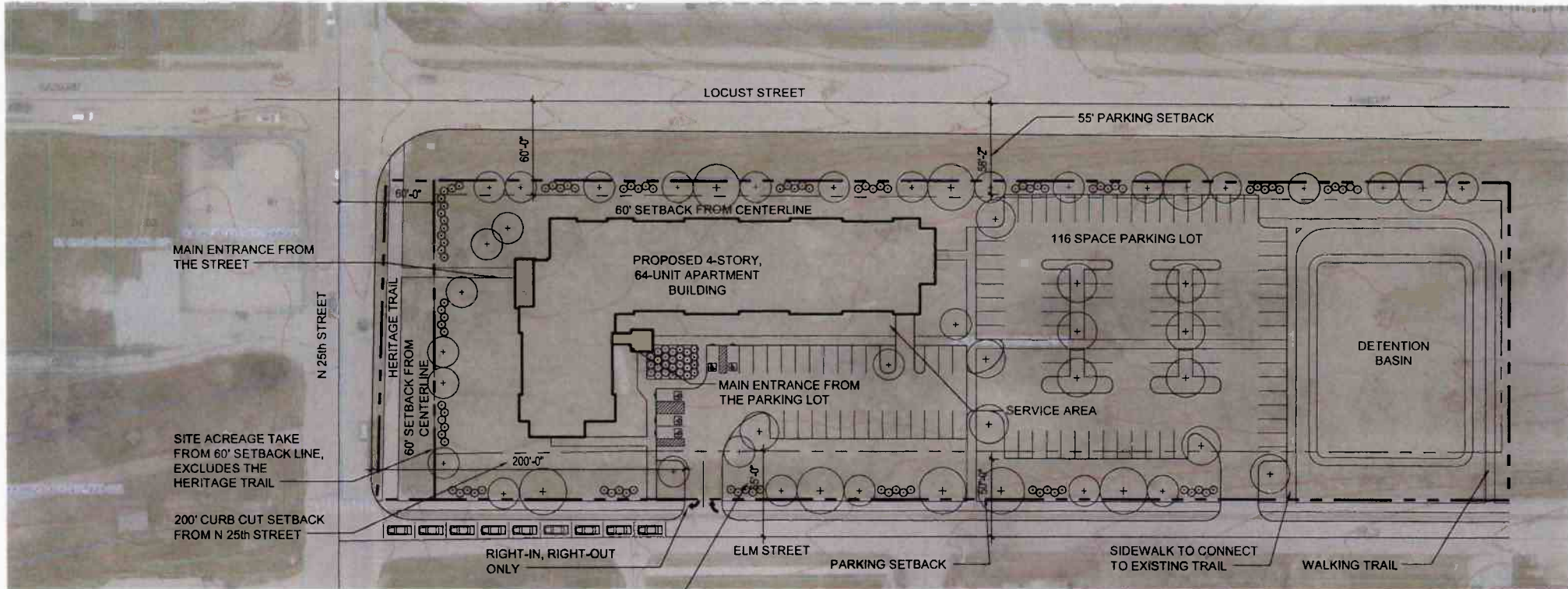
Confirming Ordinance # \_\_\_\_\_

Date of Notice \_\_\_\_\_

Final Action \_\_\_\_\_

Target Area Ord. Effective \_\_\_\_\_

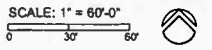
This instrument prepared by Jeffry A. Lind, Lind Law Firm, 400 Ohio Street, Terre Haute, IN 47807 (812) 234-5463.



	REQUIRED	PROVIDED
MIN. LOT SIZE	1,000-SF/DU	139,900-SF
<b>FRONT YARD SETBACK - MEASURED FROM THE ROW CENTERLINE</b>		
MAJOR (LOCUST)	60' (120' TOTAL)	60'
MAJOR (25TH)	60' (120' TOTAL)	60'
COLLECTOR (ELM)	55' (110' TOTAL)	55'
INTERIOR YARD SETBACK	5'	5'
<b>ON-SITE PARKING</b>		
1-BEDRMS	1.5 SPACES/DU	1.5 SPACES/DU
2-BEDRMS	2.0 SPACES/DU	2.0 SPACES/DU
	116 SPACES	116 SPACES
DRIVE WIDTH	24'	24'
PARKING STALL SIZE	9'x18'	9'x18'
PARKING SETBACK	50' FROM CENTERLINE	50'
* VARIANCE		

<b>SITE DATA:</b>	
CURRENT ZONING	M-2, HEAVY INDUSTRIAL DISTRICT
PROPOSED ZONING	R-3, APARTMENT DISTRICT
PROPOSED PROJECT	4-STORY MULTI-FAMILY BLDG
ACREAGE	+/- 3.21 ACRES (139,900-SF)
NET BUILDABLE AREA	+/- 111,180-SF
BUILDING SF	+/- 76,025-SF
UNIT COUNT	64 UNITS
	24 ONE-BEDRM UNITS
	40 TWO-BEDRM UNITS

**PROPOSED SITE PLAN**  
 N 25th Street & Locust Street  
 Terre Haute, Indiana



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**HERITAGE LANDING**  
 TERRE HAUTE, INDIANA

**JONESBORO INVESTMENTS CORP.**

7160 Chagrin Road, Suite 250  
 Chagrin Falls, OH 44023  
 Telephone: 440.247.3900 Fax: 440.247.3930

## AGREEMENT

This Agreement (the "Agreement") dated as of the 13 day of JUNE, 2022, serves as a confirmation of Heritage Landing, L.P.'s (the "Applicant") commitment, pending a July 7, 2022 public hearing, to comply with the project description, and job employment and retention (and associated wage rates and salaries) figures contained in its designation application, Statement of Benefits, the Preliminary Economic Revitalization Area Resolution No. 6, 2022, and attachments adopted by the Common Council of the City of Terre Haute, Indiana (the "Council") on Thursday, June 9, 2022, and this Agreement (the "Commitment").

Subject to the adoption of a Final Economic Revitalization Area Resolution by the Council, the City of Terre Haute, Indiana (the "City") commits to providing an eight (8) year real property tax abatement for the Applicant's capital expenditure of up to \$12,560,000.00 associated with the construction of the Commitments. The capital expenditure of the Project and the filling of positions shall occur within five (5) years of the estimated completion date of November 2024 contained in the approved Statement of Benefits Form SB-1 (the "Commitment Date").

During the term of the abatement, the city may annually request information from the Applicant concerning the status of the Project, the approval capital expenditure for the Project, the number of full-time permanent positions created by the Project, and the average wage rates and salaries (excluding benefits & overtime) associated with the position, and the Applicant shall provide the City with adequate written evidence thereof within 15 days of such request (the "Annual Survey"). The applicant shall provide a copy of the annual CFI to the Board of Public Works and Safety at the same time the CFI is filed with the County. The City shall utilize this information to verify that the Applicant has complied with the commitments contained in "the Commitments" at all times after the Commitment Date and during the duration of the abatement. The Applicant further agrees to provide the City with such additional information requested by the City related to the information provided in the Annual Survey and the CF-1 form within a reasonable time following any such additional request.

The City, by and through the Council, reserves the right to terminate the Economic Revitalization Area designation and associated property tax abatement deductions if it determines that the Applicant has not made reasonable efforts to substantially comply with all the commitments, and the Applicant's failure to substantially comply with the Commitments was not due to factors beyond its control. As used in the Agreement, "substantial compliance" shall mean the Applicant's

compliance with the following: Making capital expenditures of up to \$12,560,000.00 for the Project.

As used in this Agreement, factors beyond the control of the applicant shall only include factors not reasonably foreseeable at the time of the designation application and submission of Statement of Benefits which are not caused by any act or omission of the Applicant and which materially and adversely affect the ability of the Applicant to substantially comply with this Agreement.

If the City terminates the Economic Revitalization Area designation and associated tax abatement deductions, it may require the Applicant to repay the City all or a portion of the tax abatement savings received through the date of such termination. The amount of tax abatement required to be repaid for each year of noncompliance shall not exceed an amount equal to the percentage by which the Applicant has failed to attain substantial compliance in position retention and/or creation and average hourly wage rate and salary categories multiplied by the dollar amount of taxes actually abated. If the Applicant fails to substantially comply with more than one of the aforementioned categories, repayment shall be based on the highest level of noncompliance.

If any at time during the term of this Agreement, whether before or after the Commitment Date, the Applicant shall: (i) cease operations at the facility for which the tax abatement was granted; or (ii) announce the cessation of operations at such facility, then the City may immediately terminate the Economic Revitalization Area designation and associated future tax abatement deductions.

**In the event the City requires repayment of the tax abatement savings as provided hereunder, it shall provide Applicant with a written statement calculation of the amount due (the "Statement"), and Applicant shall make such repayment to the City within 30 days of the date of the Statement. If the Applicant does not make timely repayment, the City shall be entitled to all reasonable costs and attorney fees incurred in the enforcement and collection of the tax abatement savings required to be repaid hereunder.**

**[SIGNATURES CONTAINED ON FOLLOWING PAGE]**

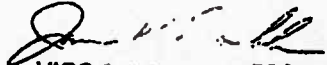




JCM Date 01/02/2001 Time 09:45:28  
Mitchell Newton  
Vigo County Recorder 22.00  
Filing Fee: Page 1 of 9  
1 20010110

DULY  
Subject to real estate taxes for transfer

JAN 02 2001

  
VIGO COUNTY RECORDER

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, that K.C. Properties Inc., ("Grantor"), a body corporate, duly incorporated and doing business under the laws of the State of Indiana, acting by and through Karen Curry, its president, of the County of Vigo, State of Indiana, hereunto authorized by a resolution of the Board of Directors of said corporation, as evidenced by a certified copy of such resolution hereto attached, marked "Exhibit A" and made a part hereof, for the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid, hereby CONVEYS AND WARRANTS to City of Terre Haute Department of Redevelopment, ("Grantee"), of Vigo County, in the State of Indiana, the following described real estate in Vigo County, in the State of Indiana:

SEE ATTACHED LEGAL DESCRIPTION

Subject to real estate taxes prorated to the date of closing, and all taxes thereafter which Grantee assumes and agrees to pay.

Grantor certifies that there is no gross income tax due as a result of this conveyance.

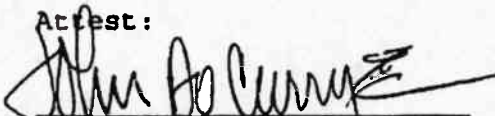
The undersigned persons executing this deed on behalf of said Grantor represent and certify that they are duly elected officers of Grantor and have been fully empowered, by proper resolution of the Board of Directors of Grantor to execute and deliver this deed; that the Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed this 29 day of December, 2000.

K.C. PROPERTIES INC.

By Karen Curry  
Printed: Karen Curry  
Title: President

Attest:

  
Printed: \_\_\_\_\_  
Title: Att.





**John Curry to City of Terre Haute.**

**Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana; and more particularly described as follows:**

**Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26"-E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet, thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along the said South line 352.81 feet to the point of beginning.**

**Containing 19.54 acres more or less.**

**less said exception;**

**Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil, and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil, and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet, thence S-00°08'22"-E, parallel with the centerline of Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.**

**Containing 0.35 acres more or less.**

**Subject to an Ingress and Egress Easement for Adjoining Real Estate of John Curry**

**Being a Part of the Southeast Quarter of Section 14, Township 12 North, Range 9 West, Vigo County, Indiana described as follows:**

**Commencing at the Southeast corner of said Quarter Section, (also being the intersection of Brown Avenue and Locust Avenue); thence North 0 Degrees 08 Minutes 22 Seconds West, along and with the**

centerline of platted Brown Avenue a distance of 29.95 feet to the POINT OF BEGINNING; thence South 89 Degrees 03 Minutes 46 Seconds East, parallel with the centerline of Locust Avenue, a distance of 30.00 feet to an iron pin on the East right-of-way line of platted Brown Avenue; thence North 0 Degrees 08 Minutes 22 Seconds West, along and with said right-of-way, a distance of 1622.55 feet to the centerline of vacated Fourth Avenue; thence South 89 Degrees 37 Minutes 53 Seconds West, along said centerline, a distance of 40.00 feet; thence South 0 Degrees 08 Minutes 22 Seconds East, parallel with the centerline of platted Brown Avenue, a distance of 1161.64 feet; thence South 89 Degrees 03 Minutes 46 Seconds East, a distance of 10.01 feet to the POINT OF BEGINNING, containing 1.07 acres more or less.

Parcel II

Being a part of the Southeast Quarter of Section 13, Township 12 North, Range 9 West, of the Second Principal Meridian, Harrison Township, and part of Section 18, Township 12 North, Range 8 West of the Second Principal Meridian of Lost Creek Township, Vigo County, Indiana, and more particularly described as follows:

Commencing at a point South 00 degrees 05 minutes 48 seconds East along the West Line of said Section 18, 765.47 feet from the Northwest Corner of the Southwest Quarter of Section 18, Township 12 North, Range 8 West, to the Point of Beginning (P  $\cap$  B.); thence running South 77 degrees 55 minutes 01 second East along the North Right-of-Way Line for the East Yard and the Old Philadelphia, Baltimore and Washington Railroad Company, 739.72 feet; thence continuing along said Right-of-Way South 73 degrees 45 minutes 55 seconds West, 116.72 feet thence continuing along said Right-of-Way South 69 degrees 34 minutes 43 seconds 1,062.48 feet; to a point on the East Right-of-Way Line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 00 degrees 00 minutes 01 seconds East, 28.79 feet, thence North 77 degrees 02 minutes 22 seconds East, 124.95 feet; thence South 01 degrees 21 minutes 05 seconds East, 61.45 feet; thence North 76 degrees 48 minutes 42 seconds East 1,992.87 feet; thence North 75 degrees 46 minutes 57 seconds East, 1,113.38 feet; thence North 13 degrees 11 minutes 18 seconds West, 41.00 feet; thence South 82 degrees 08 minutes 17 seconds West, 144.72 feet; thence South 86 degrees 17 minutes 02 seconds West 878.89 feet; thence South 82 degrees 06 minutes 05 seconds West, 102.65 feet; thence South 77 degrees 55 minutes 01 second West, 175.54 feet, to the Point of Beginning containing 12.79 acres, more or less.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

## **EXHIBIT A**

### **CITY OF TERRE HAUTE**

#### **PROPERTY TAX ABATMENT PROGRAM OVERVIEW AND GUIDELINE SCORING SYSTEM**

##### **Program Description**

Property tax abatement in Indiana is authorized under Indiana Code 6-1.1-12.1 in the form of deductions from assessed valuation. Any property owner in a locally-designated Economic Revitalization Area (ERA) who makes improvements to the real property or installs eligible new or used personal property (such as manufacturing equipment and certain research and development equipment) is eligible for property tax abatement. Land does not qualify for abatement.

##### **Scoring System**

The City of Terre Haute utilizes a scoring system as a guide for determining the appropriate length of time (one of ten time periods can be used) of the property tax abatement(s) being sought for a proposed project. Additional information on the scoring system can be found elsewhere in this document.

##### **Indiana Real Property Assessment Standard**

A property's assessed value is the basis for property taxes. Annually, local assessing officials assess the value of real property on March 1 based on market value in use of the property. Property owners can estimate the property taxes for new construction by adding the cost of the land and improvements together and multiplying by the tax rate. For real property tax abatement calculation purposes, the cost of the improvements (the land itself cannot be abated) would be utilized as the real property assessed value. This real property assessment value would then be phased-in over one of ten time periods.

##### **Indiana Personal Property Assessment Standard**

Personal property values are assessed March 1 of every year and are self reported by property owners to township assessors using prescribed state forms. Generally speaking, personal property taxes are levied against all tangible property other than real property. Numerous deductions can be applied to personal property. Of course, the value of personal property over time will be subject to depreciation, therefore, applicants are advised to seek the counsel of a financial advisor to determine which asset pool(s) (see following table) would be applicable to their particular project.

Additional information on the State of Indiana's property tax assessment system can be found at the Indiana Department of Local Government Finance website at [www.in.gov/dlgf](http://www.in.gov/dlgf).

## EXHIBIT A

### Indiana Pools of Assets by Lives Utilized on Federal Tax Return

Year of Acquisition	Pool #1 (1-4 years)	Pool #2 (5-8 years)	Pool #3 (9-12 years)	Pool #4 (13+ years)
1	65%	40%	40%	40%
2	50%	56%	60%	60%
3	35%	42%	55%	63%
4	20%	32%	45%	54%
5		24%	37%	46%
6		18%	30%	40%
7		15%	25%	34%
8			20%	29%
9			16%	25%
10			12%	21%
11				15%
12				10%
13				5%

**Note: The total valuation of a taxpayer's assessable depreciable personal property in a single taxing district cannot be less than 30% of the adjusted cost of all such property of the taxpayer.**

### REAL PROPERTY ABATEMENT CALCULATION

Real property abatement is a declining percentage of the increase in assessed value of the improvement based on one of the ten following time periods and percentages as determined by the City Council:

Year:	10 Year	9 Year	8 Year	7 Year	6 Year	5 Year	4 Year	3 Year	2 Year	1 Year
1	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
2	95%	88%	88%	85%	85%	80%	75%	66%	50%	
3	80%	77%	75%	71%	66%	60%	50%	33%		
4	65%	66%	63%	57%	50%	40%	25%			
5	50%	55%	50%	43%	34%	20%				
6	40%	44%	38%	29%	17%					
7	30%	33%	25%	14%						
8	20%	22%	13%							
9	10%	11%								
10	5%									

### Depreciable Personal Property Abatement Calculation

Depreciable personal property tax abatement is a declining percentage of the assessed value of the newly installed manufacturing (and certain research/development and warehousing/distribution equipment), based upon one of the ten time periods and percentages as determined by the City Council:

Year:	10 Year	9 Year	8 Year	7 Year	6 Year	5 Year	4 Year	3 Year	2 Year	1 Year

Adopted: 4/16/15

## EXHIBIT A

1	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
2	90%	88%	88%	85%	85%	80%	75%	66%	50%	
3	80%	77%	75%	71%	66%	60%	50%	33%		
4	70%	66%	63%	57%	50%	40%	25%			
5	60%	55%	50%	43%	34%	20%				
6	50%	44%	38%	29%	17%					
7	40%	33%	25%	14%						
8	30%	22%	13%							
9	20%	11%								
10	10%									

### **Project Eligibility Criteria**

Decisions to designate areas as Economic Revitalization Areas are determined by the City Council. The City Council utilizes a numerical scoring system as a guide for designating areas as Economic Revitalization Areas within the corporate limits of the City of Terre Haute. Each project is scored on its individual merits. The points system that is utilized to evaluate projects considers the degree of revitalization that the project will have on the surrounding area as well as other facts such as employment (created and/or retained), investment, utilization of local construction firms and labor and so forth.

The following projects will be considered by the Terre Haute City Council for property tax abatement. The real property guideline project scoring criteria can be found in the section entitled "City of Terre Haute Real Property Tax Abatement Guideline Scoring Criteria" on page 8. For projects seeking personal property tax abatement, the

"City of Terre Haute Personal Property Tax Abatement Guideline Scoring Criteria" can be found on page 10.

- A. **Manufacturing Project** – Local manufacturing projects, local manufacturing-related office structures and local manufacturing-related warehouses that create or preserve employment within the city limits are eligible for property tax abatement. In the case of manufacturing facilities that directly produce product (as well as manufacturing related-warehouses), both real and depreciable personal property are eligible. In the case of manufacturing-related office structures, only real property is eligible for abatement. Also, certain research and development equipment may qualify for depreciable personal property tax abatement.
  
- B. **Non-Manufacturing Warehouse and Distribution Center Projects** – Warehouses and distribution centers not related to a local manufacturing facility may be eligible for both real and depreciable personal property tax abatement. To be eligible for property tax abatement, the facility must substantially serve markets beyond the Terre Haute metropolitan area.

## EXHIBIT A

- C. **Office Space Development** – Office space developments within the city limits are eligible for real property abatement provided the project substantially serves markets beyond the Terre metropolitan area.
- D. **Historic Preservation** – Projects within the city limits that assist in the preservation of buildings of significant historical nature will be considered for real property abatement.



## EXHIBIT A

### CITY OF TERRE HAUTE PROPERTY TAX ABATEMENT PROGRAM APPLICATION

#### Ownership Information

Name	Address	Percentage Interest (if applicable)
Heritage Landing L.P.	7160 Chagrin Road Suite 250 Chagrin Falls, OH 44023	Interested Party with the Consent of the Terre Haute Department of Redevelopment
Attn: Timothy M. Morgan	440-247-3900	

Note: If the owner is a corporation, list the name, address and telephone number for the contact person representing the corporation.

If the owner is a partnership, list the name, address and telephone number of each general and/or limited partner and the percentage of interest in the property held by each general and/or limited partners.

If the owner is a sole proprietor, list the name, address and telephone number of the proprietor.

#### Property Description

- A. Street Address: 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804
- B. Parcel ID Number(s): 84-06-23-226-008.000-02

#### Current Status of Property

- A. Current zoning designation of property: M-2, seeking R-3
- B. Describe current improvements to the property, including estimated age of existing buildings: Unimproved
- C. Describe current use of the property, including the names of businesses currently operating (if applicable) and the current number of jobs (if applicable):  
Unimproved
- D. Current total assessed valuation of land and all improvements: \$64,100.00, no improvements.
- E. Describe any unique historical structure or aesthetic improvements: None
- F.



## EXHIBIT A

Description of employee benefits for new and/or retained employees:

Medical Insurance

Vision (eye) and Dental Insurance

401(k) with an option for a company contribution

- C. *Please attach completed State of Indiana Statement of Benefits form for real property improvements (Form SB-1/RE) and/or State of Indiana Statement of Benefits form for personal property improvements (Form SB-1/PP) to this application material.*

### **Ineligible Projects:**

Projects will not be considered if a building permit has already been obtained or construction has been initiated. This is because the decision of the Council to designate the Economic Revitalization Area must be passed on the finding for that the area is "undesirable for normal development".

The City Council has the right to void the tax abatement designation awarded to a project if the project has not been initiated within twelve (12) months of the reconfirmation date of the tax abatement resolution, or if the actual use is different than that approved.

Tax abatement for the rehabilitation or development of real property is not eligible for the following types of facilities:

- 1) Private or commercial golf courses.
- 2) Country club.
- 3) Massage parlor.
- 4) Tennis club.
- 5) Skating facility (including roller skating, skateboarding or ice skating).
- 6) Racquet sport facility (including any handball or racquetball court).
- 7) Hot tub facility.
- 8) Suntan facility.
- 9) Racetrack.
- 10) Any facility the primary purpose of which is:
  - a. Retail food and beverage service;
  - b. Automobile sales or service; or
  - c. Other retail.
- 11) Residential.
- 12) A package liquor store that holds a liquor dealer's permit under I.C. 7.1-3-10 or any other entity that is required to operate under a license issued under I.C. 7.1. This subdivision does not apply to an applicant that:
  - a. Was eligible for tax abatement under this chapter before July 1, 1995;
  - b. Is described in I.C. 7.1-5-7-11; or

## EXHIBIT A

- c. Operates a facility under:
  - i. A beer wholesaler's permit under I.C. 7.1-3-3;
  - ii. A liquor wholesaler's permit under I.C. 7.1.-3-8; or
  - iii. A wine wholesaler's permit under I.C. 7.1-3-13.

## EXHIBIT A

### Certification

I hereby certify that the representations made in this application are true and I understand that if 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 Terre Haute Common Council shall have the right to void such designation.

OWNER(S)\*

Heritage Landing L.P.

By: JIC Heritage Landing, LLC,  
Administrative General Partner

DATE: 5/11/22

By: Timothy M. Morgan  
Timothy M. Morgan, Manager

- If the entity seeking a tax abatement is a corporation, an authorized representative must sign. If the entity is a partnership, all partners must sign. If the entity is a sole proprietorship, the proprietor must sign.

Exhibit B

**City of Terre Haute  
Real Property Tax Abatement Guideline Scoring Criteria**

Company Name: HERITAGE LANDING L.P.

Application Date: 05/13/2022

1. New Real Property Investment	5 points maximum	<u>5</u>
< \$500,000	1	
\$501,000 to \$1,000,000	2	
\$1,000,001 to \$2,000,000	3	
\$2,000,001 to \$3,000,000	4	
\$3,000,001 and up	5	
2. Anticipated New Full-Time Jobs Created Within 5 Years	5 points maximum	<u>1</u>
1 to 10 employees	1	
11 to 20 employees	2	
21 to 30 employees	3	
31 to 40 employees	4	
41 employees and up	5	
3. Anticipated Jobs to be Retained	5 points maximum	<u>0</u>
1 to 10 employees	1	
11 to 20 employees	2	
21 to 30 employees	3	
31 to 40 employees	4	
41 employees and up	5	
4. Wage Rates	3 points maximum	<u>3</u>
\$7.50 to \$10.00 per hour	0	
\$10.01 to \$12.00 per hour	1	
\$12.01 to \$14.00 per hour	2	
\$14.01 per hour and up	3	
5. Benefits Package	1 point if offered	<u>1</u>
6. Targeted Business	1 point if project is good fit for community	<u>1</u>
7. Community Involvement	1 point if company plans or is already involved in community activities	<u>1</u>
8. Is this project a headquarters or a new project to the community?	1 point if "Yes"	<u>1</u>
9. Diverse Workforce	1 point if applicant maintains an affirmative action plan or other statement of specific goals with respect to employee diversity	<u>1</u>
<b>Total Points</b>		<u>14</u>

**Exhibit B**

Scoring

Length of Personal Property Abatement

20 points and up	10 years
18 to 19 points	9 years
16 to 17 points	8 years
14 to 15 points	7 years
12 to 13 points	6 years
10 to 11 points	5 years
8 to 9 points	4 years
6 to 7 points	3 years
4 to 5 points	2 years
2 to 3 points	1 year

**Bonus Points**

1. Common Construction Wage	Council may award one bonus point if company includes common construction wage requirements in its bid process	_____
2. Contractors Licensed To Do Business in Vigo County	Council may award one bonus point if a substantial percentage of the total fees for construction work associated with the project are paid to companies licensed to do business in Vigo County	<u>1</u>
3. Materials and Supplies from Vigo County Vendors	Council may award one bonus point if the applicant commits to purchase a substantial amount of materials and supplies for the construction work associated with the project from Vigo County based vendors	<u>1</u>
4. Existing Facilities	Council may award one bonus point for use, reuse, rehabilitation and/or expansion of an existing facility	_____
5. Mentoring/Intern Program	Council may award one bonus point if applicant pledges to participate in a mentoring or intern program associated with a Vigo County educational institution	<u>1</u>
Total Bonus Points		<u>3</u>
Grand Total Points		<u>17</u>
Recommended Length of Real Property Abatement Per Guideline Scoring Criteria		<u>8 Years</u>



## STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

(as amended)

State Form 51767 (R6 / 10- 14)

Prescribed by the Department of Local Government Finance

20 22 PAY 20 23

FORM SB-1 / Real Property

**PRIVACY NOTICE**

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1- 12.1- 5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (*check one box*):

- Redevelopment or rehabilitation of real estate improvements (IC 6- 1. 1- 12.1- 4)
- Residentially distressed area (IC 6- 1.1- 12.1- 4.1)

**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** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1		TAXPAYER INFORMATION				
Name of taxpayer <b>HERITAGE LANDING L.P.</b>						
Address of taxpayer (number and street, city, state, and ZIP code) <b>7160 Chagrin Road, Suite 250, Chagrin Falls, OH 44023</b>						
Name of contact person <b>Timothy M. Morgan</b>		Telephone number <b>( 440 ) 247-3900</b>		E-mail address <b>tmorgan@jonesborocorp.com</b>		
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT				
Name of designating body <b>Terre Haute City Council</b>				Resolution number <b>6-2022</b>		
Location of property <b>801 N. 25th Street, Terre Haute, IN 47804</b>		County <b>Vigo</b>		DLGF taxing district number <b>84-002</b>		
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <b>Construction of affordable senior housing</b>				Estimated start date (month, day, year) <b>09/01/2023</b>		
				Estimated completion date (month, day, year) <b>11/30/2024</b>		
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT				
Current number <b>0.00</b>	Salaries <b>\$0.00</b>	Number retained <b>0.00</b>	Salaries <b>\$0.00</b>	Number additional <b>2.00</b>	Salaries <b>\$88,000.00</b>	
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT				
		REAL ESTATE IMPROVEMENTS				
		COST		ASSESSED VALUE		
		Current values				
		Plus estimated values of proposed project				8,100,000.00
		Less values of any property being replaced				0.00
Net estimated values upon completion of project				8,100,000.00		
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER				
Estimated solid waste converted (pounds) <u>0.00</u>		Estimated hazardous waste converted (pounds) <u>0.00</u>				
Other benefits <b>New affordable senior housing and reclamation of contaminated ground</b>						
SECTION 6		TAXPAYER CERTIFICATION				
I hereby certify that the representations in this statement are true.						
Signature of authorized representative 				Date signed (month, day, year) <b>6/3/22</b>		
Printed name of authorized representative <b>Timothy M. Morgan</b>			Title <b>Manager</b>			



**FOR USE OF THE DESIGNATING BODY**

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed 8 calendar years\* (see below). The date this designation expires is N/A.
- 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. Residentially distressed areas  Yes  No
- C. The amount of the deduction applicable is limited to \$ N/A.
- D. Other limitations or conditions (specify) N/A
- E. Number of years allowed:  Year 1  Year 2  Year 3  Year 4  Year 5 (\* see below)  
 Year 6  Year 7  Year 8  Year 9  Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?  
 Yes  No  
 If yes, attach a copy of the abatement schedule to this form.  
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also 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 of designating body) 	Telephone number (812) 244 2103	Date signed (month, day, year) 7-7-2022
Printed name of authorized member of designating body Cheryl Loudermilk	Name of designating body Terre Haute City Council	
Attested by (signature and title of attester) 	Printed name of attester Michelle L Edwards	

\* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**IC 6-1.1-12.1-17**

**Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
  - (2) The number of new full-time equivalent jobs created.
  - (3) The average wage of the new employees compared to the state minimum wage.
  - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

**FILED**

MAY 12 2022

**TERRE HAUTE CITY COUNCIL  
STATE OF INDIANA  
RESOLUTION NO. 6-2022**

**CITY CLERK**

A Resolution of the Common Council of the City of Terre Haute, Indiana, Designating an Area Within the City legally described as 801 N. 25th Street, Terre Haute, IN 47804, as an Economic Revitalization Area for the purpose of an eight (8) year real property abatement.

WHEREAS, a petition for an eight (8) year real property tax abatement has been filed with the Common Council of the City of Terre Haute requesting that the real property described therein be designated as Economic Revitalization Area for purposes of real property tax abatement; and

WHEREAS, Heritage Landing L.P., the "Petitioner," has submitted an Application and Statement of Benefits and provided all information and documentation necessary for the Common Council to make an informed decision, said information including a site plan as set forth in attached Exhibit A (which is hereby made a part hereof), and legal description of the aforesaid real property more particularly described as follows:

The following described real estate in Terre Haute, Vigo County, Indiana, to wit:

All that part of the following described real estate lying immediately west of and adjacent to the West line of Liberty Village Phase II Subdivision of a part of Section 23, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, the Plat of which was recorded November 2, 2020 as Instrument No. 2020014369:

Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26" – E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet; thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78

feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along said South line 352.81 feet to the point of beginning.  
Containing 19.54 acres, more or less.

Less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet; thence S-00°08'22"-E, parallel with the centerline of Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.  
Containing 0.35 acres, more or less.

Commonly known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804.

Vigo County Parcel No. 84-06-23-226-008.000-002

Containing 3.21 acres, more or less.

WHEREAS, petitioner has represented that the project itself will create 2 new permanent full-time jobs with an annual payroll of \$88,000.00 (approximately) and that the cost of the project will be at least \$12,560,000.00 for real property improvements; and

WHEREAS, the Common Council for the City of Terre Haute, Indiana is authorized under the provisions of I.C. 6-1.1-12.1-1 *et. seq.* to designate areas of Terre Haute, Indiana as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Common Council of the City of Terre Haute has considered the Application, Petition and Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the Common Council of the City of Terre Haute has found the subject property to be within the boundaries of the City of Terre Haute, Indiana, an area where facilities that are technologically, economically, or energy obsolete are located, and where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substantial buildings and other factors which prevent normal development or use;

WHEREAS, the real property abatement is a declining percentage of the increase in assessed value of the improvement based on the following time period and percentages as determined by the City Council:

Abatement	Percentage	Tax Abated	Tax Paid
1	100%	\$376,800.00	0
2	88%	\$309,051.00	\$67,749.00
3	77%	\$246,948.00	\$129,852.00
4	63%	\$167,908.00	\$208,892.00
5	50%	\$94,514.00	\$282,286.00
6	38%	\$26,765.00	\$350,035.00
7	25%	0	\$423,428.00
8	13%	0	\$491,178.00
<b>Totals</b>		<b>\$1,221,986.00</b>	<b>\$1,953,421.00</b>

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Common Council of the City of Terre Haute that:

1. The petitioner's estimate of the value of the redevelopment and rehabilitation and the project to be constructed on the subject real property is reasonable for projects of that nature in order to maintain, expand, update and improve efficiency and capabilities for affordable housing.
2. The petitioner's estimate of the number of individuals who will be employed, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.
4. That the other benefits about which information has been requested can be expected to result from the project and the redevelopment and rehabilitation.
5. The totality of the benefits of the proposed redevelopment and rehabilitation can reasonably be expected to result from the project and are sufficient to justify an eight (8) year real property tax deduction from assess valuation under Indiana statutes, and each such deduction should be, is hereby, allowed.

6. That the petition for designating the subject property as an economic revitalization area for the purposes of an eight (8) year real property tax abatement and the Statement of Benefits, copies of which were submitted with the petitions, are hereby approved, and the Real Estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 et. seq., and petitioner is entitled to the eight (8) year real property tax abatement provided therein for the proposed redevelopment and rehabilitation upon the real estate described above.
7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office, and stating a date on which the Council will hear and receive remonstrances and objections and take final action, all as required by law.

[SIGNATURES ON FOLLOWING PAGE]

Introduced by:

Cheryl Loudermilk  
Cheryl Loudermilk, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Cheryl Loudermilk, City Council President

ATTEST:

\_\_\_\_\_  
Michelle Edwards, City Clerk

Presented by me to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Duke A. Bennett, Mayor

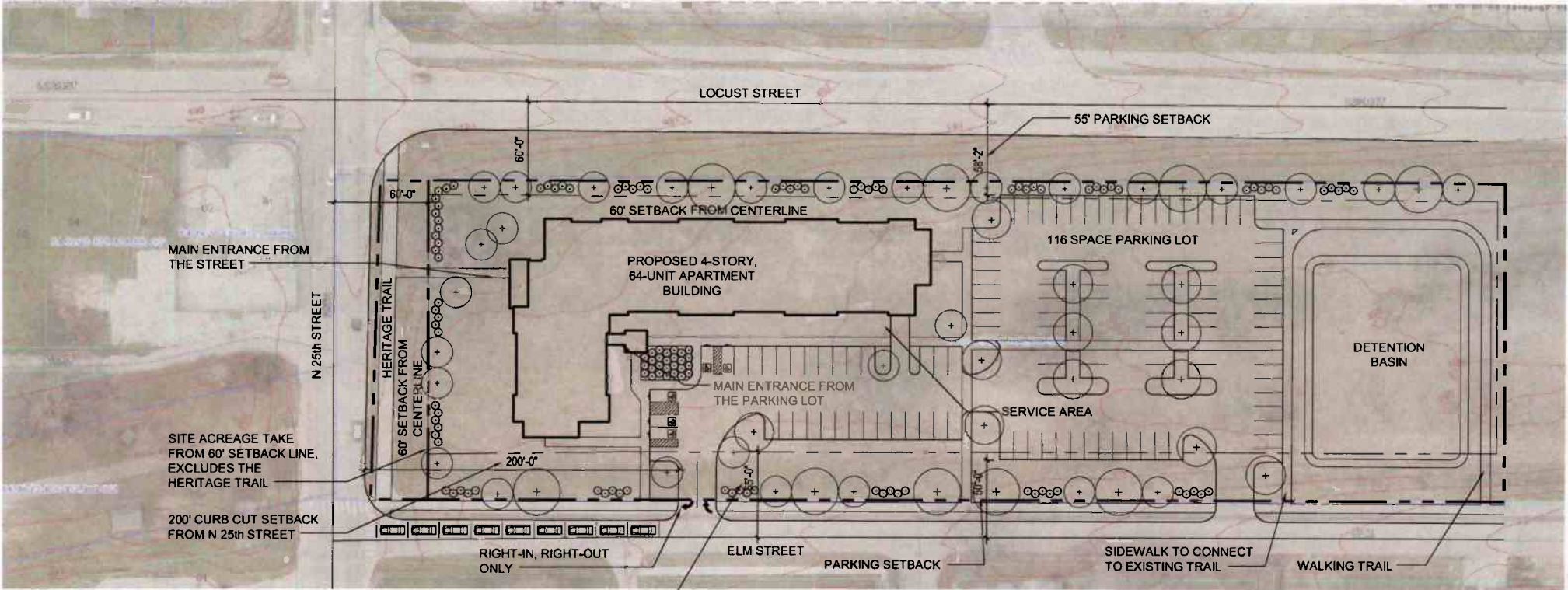
ATTEST:

\_\_\_\_\_  
Michelle Edwards, City Clerk

Exhibit A

**SITE PLAN**

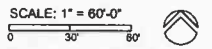
Upon following page



	REQUIRED	PROVIDED
MIN. LOT SIZE	1,000-SF/DU	139,900-SF
<b>FRONT YARD SETBACK - MEASURED FROM THE ROW CENTERLINE</b>		
MAJOR (LOCUST)	60' (120' TOTAL)	60'
MAJOR (25TH)	60' (120' TOTAL)	60'
COLLECTOR (ELM)	55' (110' TOTAL)	55'
INTERIOR YARD SETBACK	5'	5'
<b>ON-SITE PARKING</b>		
1-BEDRMS	1.5 SPACES/DU	1.5 SPACES/DU
2-BEDRMS	2.0 SPACES/DU	2.0 SPACES/DU
	116 SPACES	116 SPACES
DRIVE WIDTH	24'	24'
PARKING STALL SIZE	9'x18'	9'x18'
PARKING SETBACK	50' FROM CENTERLINE	50'
* VARIANCE		

<b>SITE DATA:</b>	
CURRENT ZONING	M-2, HEAVY INDUSTRIAL DISTRICT
PROPOSED ZONING	R-3, APARTMENT DISTRICT
PROPOSED PROJECT	4-STORY MULTI-FAMILY BLDG
ACREAGE	+/- 3.21 ACRES (139,900-SF)
NET BUILDABLE AREA	+/- 111,180-SF
BUILDING SF	+/- 76,025-SF
UNIT COUNT	64 UNITS 24 ONE-BEDRM UNITS 40 TWO-BEDRM UNITS

**PROPOSED SITE PLAN**  
 N 25th Street & Locust Street  
 Terre Haute, Indiana



**RDL ARCHITECTS**  
 16102 Chagrin Blvd. Suite 200  
 Shaker Heights, Ohio 44120  
 T: 216-752-4300 F: 216-752-4301  
 www.rdlarchitects.com

**HERITAGE LANDING**  
 TERRE HAUTE, INDIANA

**JONESBORO INVESTMENTS CORP.**  
 7160 Chagrin Road, Suite 250  
 Chagrin Falls, OH 44023  
 Telephone: 440.247.3900 Fax: 440.247.3930



**FINAL ACTION BY COMMON COUNCIL OF  
THE CITY OF TERRE HAUTE, INDIANA  
REGARDING RESOLUTION NO. 6, 2022**

WHEREAS, the Common Council of the City of Terre Haute adopted Resolution 6, 2022, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 and pursuant to Indiana Law has published notice of the adoption and substance of said Resolution including a description of the affected area, known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804 and legally described as:

The following described real estate in Terre Haute, Vigo County, Indiana, to wit:

All that part of the following described real estate lying immediately west of and adjacent to the West line of Liberty Village Phase II Subdivision of a part of Section 23, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, the Plat of which was recorded November 2, 2020 as Instrument No. 2020014369:

Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26" – E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet; thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along said South line 352.81 feet to the point of beginning.  
Containing 19.54 acres, more or less.

Less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet; thence S-00°08'22"-E, parallel with the centerline of

Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning. Containing 0.35 acres, more or less.

Commonly known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804

Vigo County Parcel No. 84-06-23-226-008.000-002  
Containing 3.21 acres, more or less

and notice that a description of the affected area is available for inspection in the office of the Vigo County Assessor and further stating a date on which the Common Council of the City of Terre Haute would receive and hear remonstrances and objections; and

WHEREAS, the Common Council has conducted the hearing as required by law and has received no remonstrances or objections to designation of the affected area as a revitalization area or to approval of the Application and the Statement of Benefits heretofore filed; and

WHEREAS, said matter is before the Common Council for final action pursuant to Indiana law; and

WHEREAS, the Common Council has received and examined, prior to such hearing, an Application on the form prescribed by the City of Terre Haute, a Statement of Benefits on the form prescribed by the State Board of Tax Commissioners, a petition for designation, and the submitted Agreement with the Board of Public Works for the City of Terre Haute, and has heard all appropriate evidence concerning the proposed project and has found and does find:

1. That the area has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property.
2. That the estimate of the cost of the redevelopment and rehabilitation is reasonable for projects of that type.
3. That the estimate of individuals who will be employed or whose employment will be retained as a result of the redevelopment and rehabilitation can reasonably be expected to result from the proposed project.

4. The estimate of annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
5. That the benefits can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
6. That the totality of benefits of the Project are sufficient to justify an eight (8) year real property tax deduction from assessed valuation to result therefrom under Indiana statutes, and each and all of such deductions should be, and are hereby, allowed.
7. That the real property is located within an Economic Revitalization Area as required by Indiana Code 6-1.1-12.1-2 for the type of facility proposed by Petitioner.
8. That all qualifications for establishing an economic revitalization area have been met.
9. That the Petition for designating the subject property as an Economic Revitalization Area for the purposes of an eight (8) year real property improvement tax abatement and the Statement of Benefits (copies of which were submitted with the Petition) are hereby approved and the real estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 *et. seq.*

NOW, THEREFORE, for final action on Resolution 6, 2022, the Common Council of the City of Terre Haute, Indiana, RESOLVES, FINDS AND DETERMINES that:

1. All of the requirements for designation of the real estate described in Resolution 6, 2022, as an Economic Revitalization Area have been met, the foregoing findings are true and that all information required to be submitted has been submitted in proper form.
2. Resolution 6, 2022, is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed project and the redevelopment and rehabilitation are sufficient to justify an eight (8) year real property tax abatement under Indiana statutes for the proposed redevelopment and rehabilitation described in the petitioner's Statement of Benefits and the deduction for the proposed project and redevelopment and rehabilitation and the statements of benefits submitted are approved and the

Council authorizes and directs the endorsement of said Statement of Benefits to show such approval and that the real estate described in Resolution \_\_, 2022, is declared an economic revitalization area for the purposes of an eight (8) year real property tax abatement and the said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 *et. seq.* and petitioner is entitled to the eight (8) year real property tax abatement as provided therein in connection with the proposed development and the project.

3. Said Resolution supplements any other designation of the real estate as a Revitalization Area or similar designation.
4. That this Final Action, findings and confirmation of Resolution 6, 2022, shall be incorporated in and be a part of Resolution 6, 2022.

[SIGNATURE PAGE TO FOLLOW]

Introduced by:

*Cheryl Loudermilk*  
Cheryl Loudermilk, Councilman

Passed in open Council this \_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Cheryl Loudermilk, City Council President

ATTEST:

\_\_\_\_\_  
Michelle Edwards, City Clerk

Presented by me to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Duke A. Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Edwards, City Clerk

This instrument prepared by Jeffrey A. Lind, Lind Law Firm, 400 Ohio Street, Terre Haute, IN 47807 (812) 234-5463.

**CITY OF TERRE HAUTE  
 PETITION FOR REAL PROPERTY  
 TAX ABATEMENT CONSIDERATION**

The undersigned owner(s) of real property located within the City of Terre Haute hereby petition the Common Council of the City of Terre Haute for real property tax abatement consideration pursuant to I.C. 6-1.1-12.1-1, *et. seq.*, and for this petition states the following:

1. The Project.

Affordable Senior Housing  
 Approximately 3.21 AC  
 Project cost estimate of \$12,560,000.00

2. The proposed affordable senior housing facility would contain approximately 56,620 square feet. The cost of construction is expected to be at least \$12,560,000.00.
3. The project is important to the Petitioner as a means to serve the needs of seniors in the vicinity of Terre Haute. The unabated taxes are \$1,953,421.00 over the abatement period.
4. The project itself will create 2 new, permanent jobs, representing a new annual payroll of \$88,000.00.

(a) The real property for which tax abatement consideration is petitioned (Property) is owned by the following:

NAME	ADDRESS	INTEREST
Heritage Landing L.P.	7160 Chagrin Road Suite 250 Chagrin Falls, OH 44023	Interested Party with Consent of Terre Haute Department of Redevelopment

(b) The following other persons lease, intend to lease, or have an option to buy the Property (including corporate information as required in 5(a) above, if applicable):

NAME	ADDRESS	INTEREST
	None Anticipated	

(c) A brief description of the overall nature of the business and of the operations occurring at the Property:

Affordable Senior Housing  
Approximately 3.21 AC  
Project cost estimate of \$12,560,000.00

5. The commonly known address of the property is: 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804.
6. The legal description is:

The following described real estate in Terre Haute, Vigo County, Indiana, to wit:

All that part of the following described real estate lying immediately west of and adjacent to the West line of Liberty Village Phase II Subdivision of a part of Section 23, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, the Plat of which was recorded November 2, 2020 as Instrument No. 2020014369:

Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26" – E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet; thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along said South line 352.81 feet to the point of beginning.  
Containing 19.54 acres, more or less.

Less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet

to the North right of way line of the old Terre Haute, Brazil and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet; thence S-00°08'22"-E, parallel with the centerline of Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.  
Containing 0.35 acres, more or less.

Commonly known as 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804

Vigo County Parcel No. 84-06-23-226-008.000-002  
Containing 3.21 acres, more or less

7. A map designating the Property and showing the proposed new construction is attached hereto, marked Attachment 1 and incorporated herein.
8. The parcel is currently unimproved former railroad property.

Petitioner is seeking an eight (8) year real property tax abatement. The best estimate of the amount of taxes to be abated during the first year after construction is as follows: \$376,800.00

Tax Rate for Terre Haute Harrison Township is expected to be 4.495% (2022/pay 2023).

Assumed Assessed Value of Improvement: \$12,560,000.00.

Annual Tax without Abatement: \$376,800.00 (estimated annual average as taken from Tax Abatement Calculator, Hoosier Energy Calculator).

Abatement	Percentage	Tax Abated	Tax Paid
1	100%	\$376,800.00	0
2	88%	\$309,051.00	\$67,749.00
3	77%	\$246,948.00	\$129,852.00
4	63%	\$167,908.00	\$208,892.00
5	50%	\$94,514.00	\$282,286.00
6	38%	\$26,765.00	\$350,035.00
7	25%	0	\$423,429.00
8	13%	0	\$491,178.00
<b>Totals</b>		<b>\$1,221,986.00</b>	<b>\$1,953,421.00</b>



It is anticipated that \$1,953,421.00 of additional real estate tax will be paid over the course of the abatement period. (The above assumes an assessment equal to the cost of construction and used a tax calculator from Hoosier Energy, but specific to this tax district, from among those calculators suggested by the Terre Haute City Clerk's Office).

9. No building permit has been issued for construction on the property in connection with the improvement in question as of the date of filing of this petition. The signature below is verification of this statement.
10. Other anticipated public financing for the project (including, if any, Industrial Revenue Bonding to be sought or already authorized, assistance through the United States Department of Housing and Urban Development funds from the City of Terre Haute, or other public financial assistance): City of Terre Haute IHEDA Contribution of \$50,000.00
11. The real estate portion of a former railway yard and switch station is in an area that has seen limited growth in new housing.
12. The current use of the Property is undeveloped land and the current zoning is M-2.

In view of the foregoing, Heritage Landing L.P., in good faith, applies for an eight (8) year real property tax abatement.

Heritage Landing L.P. agrees to enter into an Agreement with the Board of Public Works for the City of Terre Haute, Indiana, in substantially the same form as is attached hereto and made a part hereof as Exhibit C.

13. The following persons should be contacted as the petitioner's agent regarding additional information and public hearing notifications:

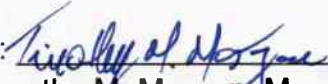
Name:	Jeff Lind
Address:	400 Ohio St.
City, State, Zip:	Terre Haute, IN 47807
Telephone:	812-234-5463

14. The type of Economic Development Revitalization Project involved in this request:

Affordable Senior Housing  
Approximately 3.21 AC  
Project cost estimate of \$12,560,000.00

WHEREFORE, petitioner requests that the Common Council of the City of Terre Haute, Indiana, adopt a declaratory resolution designating the area described herein to be an economic revitalization area for the purposes of real property tax abatement consideration and, after publication of notice and public hearing, determine qualifications for an economic revitalization area have been met and confirm such resolution.

Heritage Landing L.P.  
By: JIC Heritage Landing, LLC,  
Administrative General Partner

By:   
Timothy M. Morgan, Manager

DO NOT USE THIS SPACE

Resolution # \_\_\_\_\_ Target Area Required  
Yes \_\_\_\_\_ No \_\_\_\_\_

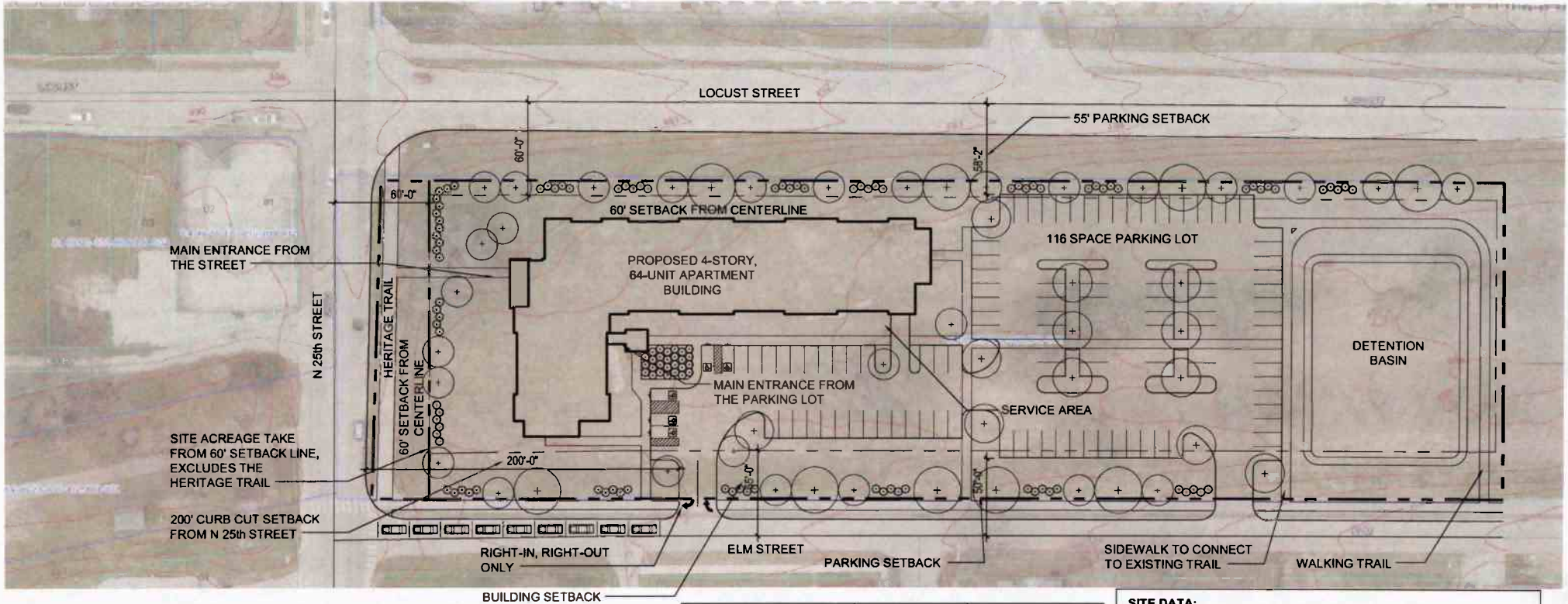
Confirming Ordinance # \_\_\_\_\_

Date of Notice \_\_\_\_\_

Final Action \_\_\_\_\_

Target Area Ord. Effective \_\_\_\_\_

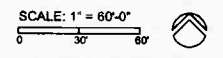
This instrument prepared by Jeffry A. Lind, Lind Law Firm, 400 Ohio Street, Terre Haute, IN 47807 (812) 234-5463.



	REQUIRED	PROVIDED
MIN. LOT SIZE	1,000-SF/DU	139,900-SF
<b>FRONT YARD SETBACK - MEASURED FROM THE ROW CENTERLINE</b>		
MAJOR (LOCUST)	60' (120' TOTAL)	60'
MAJOR (25TH)	60' (120' TOTAL)	60'
COLLECTOR (ELM)	55' (110' TOTAL)	55'
INTERIOR YARD SETBACK	5'	5'
<b>ON-SITE PARKING</b>		
1-BEDRMS	1.5 SPACES/DU	1.5 SPACES/DU
2-BEDRMS	2.0 SPACES/DU	2.0 SPACES/DU
	116 SPACES	116 SPACES
DRIVE WIDTH	24'	24'
PARKING STALL SIZE	9'x18'	9'x18'
PARKING SETBACK	50' FROM CENTERLINE	50'
* VARIANCE		

<b>SITE DATA:</b>	
CURRENT ZONING	M-2, HEAVY INDUSTRIAL DISTRICT
PROPOSED ZONING	R-3, APARTMENT DISTRICT
PROPOSED PROJECT	4-STORY MULTI-FAMILY BLDG
ACREAGE	+/- 3.21 ACRES (139,900-SF)
NET BUILDABLE AREA	+/- 111,180-SF
BUILDING SF	+/- 76,025-SF
UNIT COUNT	64 UNITS 24 ONE-BEDRM UNITS 40 TWO-BEDRM UNITS

**PROPOSED SITE PLAN**  
 N 25th Street & Locust Street  
 Terre Haute, Indiana



**RDL ARCHITECTS**  
 16102 Chagrin Blvd, Suite 200  
 Shaker Heights, Ohio 44120  
 T: 216-752-4300 F: 216-752-4301  
 www.rdlarchitects.com

**HERITAGE LANDING**  
 TERRE HAUTE, INDIANA

**JONESBORO INVESTMENTS CORP.**  
 7160 Chagrin Road, Suite 250  
 Chagrin Falls, OH 44023  
 Telephone: 440.247.3900 Fax: 440.247.3930

AFFIDAVIT OF OWNER

COMES NOW affiant, DAVID I HEATH, PRESIDENT, of the Terre Haute Department of Redevelopment, and affirms under penalty of law that affiant is the owner of record of the property located at 801 N. 25<sup>th</sup> Street, Terre Haute, Indiana 47804 for which a tax abatement is requested and the Terre Haute Department of Redevelopment consents to the filing of this tax abatement request by Heritage Landing L.P.

I affirm under penalty for perjury, that the foregoing representations are true.

Terre Haute Department of Redevelopment

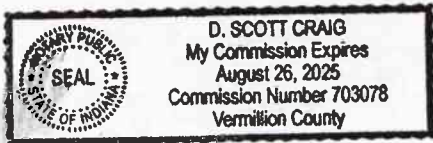
By David I Heath

DAVID I HEATH, PRESIDENT  
[Printed Name and Title]

STATE OF INDIANA    )  
  ) SS:  
COUNTY OF VIGO     )

Personally appeared before me, a Notary Public in and for said County and State, David I Heath, as President of Terre Haute Department of Redevelopment, who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 11<sup>th</sup> day of May, 2022.



Notary Public:  
D. Scott Craig  
D. Scott Craig  
Printed name

My Commission Expires: \_\_\_\_\_

My County of Residence: \_\_\_\_\_

JCM Date 01/02/2001 Time 09:45:29  
Mitchell Newton  
Vigo County Recorder 22.00  
Filing Fee: Page 1 of 5  
I 20010110

DULY. Subject to... transfer

JAN 02 2001

*[Signature]*  
VIGO COUNTY RECORDER

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, that K.C. Properties Inc., ("Grantor"), a body corporate, duly incorporated and doing business under the laws of the State of Indiana, acting by and through Karen Curry, its president, of the County of Vigo, State of Indiana, hereunto authorized by a resolution of the Board of Directors of said corporation, as evidenced by a certified copy of such resolution hereto attached, marked "Exhibit A" and made a part hereof, for the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid, hereby CONVEYS AND WARRANTS to City of Terre Haute Department of Redevelopment, ("Grantee"), of Vigo County, in the State of Indiana, the following described real estate in Vigo County, in the State of Indiana:

SEE ATTACHED LEGAL DESCRIPTION

Subject to real estate taxes prorated to the date of closing, and all taxes thereafter which Grantee assumes and agrees to pay.

Grantor certifies that there is no gross income tax due as a result of this conveyance.

The undersigned persons executing this deed on behalf of said Grantor represent and certify that they are duly elected officers of Grantor and have been fully empowered, by proper resolution of the Board of Directors of Grantor to execute and deliver this deed; that the Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed this 29 day of December, 2000.

K.C. PROPERTIES INC.

By *[Signature]*  
Printed: Karen Curry  
Title: President

Attest:  
*[Signature]*  
Printed: \_\_\_\_\_  
Title: Sec.



John Curry to City of Terre Haute.

Being a part of the Northeast Quarter of Section 23, and the Southeast Quarter of Section 14, Township 12 North, Range 9 West, of Harrison Township, Vigo County, Second Principal Meridian, Indiana; and more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 23, Township 12 North, Range 9 West; thence S-00°18'56"-E (assumed bearing) along the West line of said Quarter 285.57 feet to the intersection of Elm Street and 25<sup>th</sup> Street; thence N-89°53'38"-E, along the centerline of Elm Street 1342.47 feet; thence N-77°42'26"-E 1332.95 feet to an iron pin at the Northeast corner of Section 23, (also being the intersection of Brown Avenue and Locust Avenue); thence N-00°08'22"-W, along the centerline of Brown Avenue 29.95 feet, thence S-89°03'46"-E, parallel with the centerline of Locust Avenue 30.00 feet; thence N-00°08'22"-W, along the East right of way line of Brown Avenue 1162.55 feet to the centerline of vacated Fourth Street; thence S-89°37'53"-W, along the centerline 150.00 feet; thence S-00°08'22"-W, parallel with the centerline of Brown Avenue 1141.08 feet to an iron pin 50.00 feet North of the South line of Section 14; thence S-89°59'05"-W, parallel with said South line 2110.78 feet; thence S-51°25'01"-W 80.20 feet to the South line of said Section 14; thence S-89°59'05"-W, along the said South line 352.81 feet to the point of beginning.

Containing 19.54 acres more or less.

less said exception;

Beginning at the intersection of the East right of way line of Brown Avenue with the South right of way line of the old Terre Haute, Brazil, and Eastern railroad; thence N-00°08'22"-W, along said East right of way line 102.40 feet to the North right of way line of the old Terre Haute, Brazil, and Eastern railroad; thence S-77°30'31"-W, along said North right of way line 153.55 feet, thence S-00°08'22"-E, parallel with the centerline of Brown Avenue 102.40 feet to said South right of way line; thence N-77°30'31"-E, along said South right of way line 153.55 feet to the point of beginning.

Containing 0.35 acres more or less.

Subject to an Ingress and Egress Easement for Adjoining Real Estate of John Curry

Being a Part of the Southeast Quarter of Section 14, Township 12 North, Range 9 West, Vigo County, Indiana described as follows:

Commencing at the Southeast corner of said Quarter Section, (also being the intersection of Brown Avenue and Locust Avenue); thence North 0 Degrees 08 Minutes 22 Seconds West, along and with the



centerline of platted Brown Avenue a distance of 29.95 feet to the POINT OF BEGINNING; thence South 89 Degrees 03 Minutes 46 Seconds East, parallel with the centerline of Locust Avenue, a distance of 30.00 feet to an iron pin on the East right-of-way line of platted Brown Avenue; thence North 0 Degrees 08 Minutes 22 Seconds West, along and with said right-of-way, a distance of 1622.55 feet to the centerline of vacated Fourth Avenue; thence South 89 Degrees 37 Minutes 53 Seconds West, along said centerline, a distance of 40.00 feet; thence South 0 Degrees 08 Minutes 22 Seconds East, parallel with the centerline of platted Brown Avenue, a distance of 1161.64 feet; thence South 89 Degrees 03 Minutes 46 Seconds East, a distance of 10.01 feet to the POINT OF BEGINNING, containing 1.07 acres more or less.

Parcel II

Being a part of the Southeast Quarter of Section 13, Township 12 North, Range 9 West, of the Second Principal Meridian, Harrison Township, and part of Section 18, Township 12 North, Range 8 West of the Second Principal Meridian of Lost Creek Township, Vigo County, Indiana, and more particularly described as follows:

Commencing at a point South 00 degrees 05 minutes 48 seconds East along the West Line of said Section 18, 765.47 feet from the Northwest Corner of the Southwest Quarter of Section 18, Township 12 North, Range 8 West, to the Point of Beginning (P <sup>o</sup> B.); thence running South 77 degrees 55 minutes 01 second East along the North Right-of-Way Line for the East Yard and the Old Philadelphia, Baltimore and Washington Railroad Company, 739.72 feet; thence continuing along said Right-of-Way South 73 degrees 45 minutes 55 seconds West, 116.72 feet thence continuing along said Right-of-Way South 69 degrees 34 minutes 43 seconds 1,062.48 feet; to a point on the East Right-of-Way Line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 00 degrees 00 minutes 01 seconds East, 28.79 feet, thence North 77 degrees 02 minutes 22 seconds East, 124.95 feet; thence South 01 degrees 21 minutes 05 seconds East, 61.45 feet; thence North 76 degrees 48 minutes 42 seconds East 1,992.87 feet; thence North 75 degrees 46 minutes 57 seconds East, 1,113.38 feet; thence North 13 degrees 11 minutes 18 seconds West, 41.00 feet; thence South 82 degrees 08 minutes 17 seconds West, 144.72 feet; thence South 86 degrees 17 minutes 02 seconds West 878.89 feet; thence South 82 degrees 06 minutes 05 seconds West, 102.65 feet; thence South 77 degrees 55 minutes 01 second West, 175.54 feet, to the Point of Beginning containing 12.79 acres, more or less.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

## EXHIBIT A

### CITY OF TERRE HAUTE

#### PROPERTY TAX ABATEMENT PROGRAM OVERVIEW AND GUIDELINE SCORING SYSTEM

##### **Program Description**

Property tax abatement in Indiana is authorized under Indiana Code 6-1.1-12.1 in the form of deductions from assessed valuation. Any property owner in a locally-designated Economic Revitalization Area (ERA) who makes improvements to the real property or installs eligible new or used personal property (such as manufacturing equipment and certain research and development equipment) is eligible for property tax abatement. Land does not qualify for abatement.

##### **Scoring System**

The City of Terre Haute utilizes a scoring system as a guide for determining the appropriate length of time (one of ten time periods can be used) of the property tax abatement(s) being sought for a proposed project. Additional information on the scoring system can be found elsewhere in this document.

##### **Indiana Real Property Assessment Standard**

A property's assessed value is the basis for property taxes. Annually, local assessing officials assess the value of real property on March 1 based on market value in use of the property. Property owners can estimate the property taxes for new construction by adding the cost of the land and improvements together and multiplying by the tax rate. For real property tax abatement calculation purposes, the cost of the improvements (the land itself cannot be abated) would be utilized as the real property assessed value. This real property assessment value would then be phased-in over one of ten time periods.

##### **Indiana Personal Property Assessment Standard**

Personal property values are assessed March 1 of every year and are self reported by property owners to township assessors using prescribed state forms. Generally speaking, personal property taxes are levied against all tangible property other than real property. Numerous deductions can be applied to personal property. Of course, the value of personal property over time will be subject to depreciation, therefore, applicants are advised to seek the counsel of a financial advisor to determine which asset pool(s) (see following table) would be applicable to their particular project.

Additional information on the State of Indiana's property tax assessment system can be found at the Indiana Department of Local Government Finance website at [www.in.gov/dlgef](http://www.in.gov/dlgef).

## EXHIBIT A

### Indiana Pools of Assets by Lives Utilized on Federal Tax Return

Year of Acquisition	Pool #1 (1-4 years)	Pool #2 (5-8 years)	Pool #3 (9-12 years)	Pool #4 (13+ years)
1	65%	40%	40%	40%
2	50%	56%	60%	60%
3	35%	42%	55%	63%
4	20%	32%	45%	54%
5		24%	37%	46%
6		18%	30%	40%
7		15%	25%	34%
8			20%	29%
9			16%	25%
10			12%	21%
11				15%
12				10%
13				5%

**Note: The total valuation of a taxpayer's assessable depreciable personal property in a single taxing district cannot be less than 30% of the adjusted cost of all such property of the taxpayer.**

#### REAL PROPERTY ABATEMENT CALCULATION

Real property abatement is a declining percentage of the increase in assessed value of the improvement based on one of the ten following time periods and percentages as determined by the City Council:

Year:	10 Year	9 Year	8 Year	7 Year	6 Year	5 Year	4 Year	3 Year	2 Year	1 Year
1	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
2	95%	88%	88%	85%	85%	80%	75%	66%	50%	
3	80%	77%	75%	71%	66%	60%	50%	33%		
4	65%	66%	63%	57%	50%	40%	25%			
5	50%	55%	50%	43%	34%	20%				
6	40%	44%	38%	29%	17%					
7	30%	33%	25%	14%						
8	20%	22%	13%							
9	10%	11%								
10	5%									

#### Depreciable Personal Property Abatement Calculation

Depreciable personal property tax abatement is a declining percentage of the assessed value of the newly installed manufacturing (and certain research/development and warehousing/distribution equipment), based upon one of the ten time periods and percentages as determined by the City Council:

Year:	10 Year	9 Year	8 Year	7 Year	6 Year	5 Year	4 Year	3 Year	2 Year	1 Year

Adopted: 4/16/15

## EXHIBIT A

1	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
2	90%	88%	88%	85%	85%	80%	75%	66%	50%	
3	80%	77%	75%	71%	66%	60%	50%	33%		
4	70%	66%	63%	57%	50%	40%	25%			
5	60%	55%	50%	43%	34%	20%				
6	50%	44%	38%	29%	17%					
7	40%	33%	25%	14%						
8	30%	22%	13%							
9	20%	11%								
10	10%									

### **Project Eligibility Criteria**

Decisions to designate areas as Economic Revitalization Areas are determined by the City Council. The City Council utilizes a numerical scoring system as a guide for designating areas as Economic Revitalization Areas within the corporate limits of the City of Terre Haute. Each project is scored on its individual merits. The points system that is utilized to evaluate projects considers the degree of revitalization that the project will have on the surrounding area as well as other facts such as employment (created and/or retained), investment, utilization of local construction firms and labor and so forth.

The following projects will be considered by the Terre Haute City Council for property tax abatement. The real property guideline project scoring criteria can be found in the section entitled "City of Terre Haute Real Property Tax Abatement Guideline Scoring Criteria" on page 8. For projects seeking personal property tax abatement, the

"City of Terre Haute Personal Property Tax Abatement Guideline Scoring Criteria" can be found on page 10.

- A. **Manufacturing Project** – Local manufacturing projects, local manufacturing-related office structures and local manufacturing-related warehouses that create or preserve employment within the city limits are eligible for property tax abatement. In the case of manufacturing facilities that directly produce product (as well as manufacturing related-warehouses), both real and depreciable personal property are eligible. In the case of manufacturing-related office structures, only real property is eligible for abatement. Also, certain research and development equipment may qualify for depreciable personal property tax abatement.
  
- B. **Non-Manufacturing Warehouse and Distribution Center Projects** – Warehouses and distribution centers not related to a local manufacturing facility may be eligible for both real and depreciable personal property tax abatement. To be eligible for property tax abatement, the facility must substantially serve markets beyond the Terre Haute metropolitan area.

## EXHIBIT A

- C. **Office Space Development** – Office space developments within the city limits are eligible for real property abatement provided the project substantially serves markets beyond the Terre metropolitan area.
- D. **Historic Preservation** – Projects within the city limits that assist in the preservation of buildings of significant historical nature will be considered for real property abatement.

## EXHIBIT A

### CITY OF TERRE HAUTE PROPERTY TAX ABATEMENT PROGRAM APPLICATION

#### Ownership Information

Name	Address	Percentage Interest (if applicable)
Heritage Landing L.P.	7160 Chagrin Road Suite 250 Chagrin Falls, OH 44023	Interested Party with the Consent of the Terre Haute Department of Redevelopment
Attn: Timothy M. Morgan	440-247-3900	

Note: If the owner is a corporation, list the name, address and telephone number for the contact person representing the corporation.

If the owner is a partnership, list the name, address and telephone number of each general and/or limited partner and the percentage of interest in the property held by each general and/or limited partners.

If the owner is a sole proprietor, list the name, address and telephone number of the proprietor.

#### Property Description

- A. Street Address: 801 N. 25<sup>th</sup> Street, Terre Haute, IN 47804
- B. Parcel ID Number(s): 84-06-23-226-008.000-02

#### Current Status of Property

- A. Current zoning designation of property: M-2, seeking R-3
- B. Describe current improvements to the property, including estimated age of existing buildings: Unimproved
- C. Describe current use of the property, including the names of businesses currently operating (if applicable) and the current number of jobs (if applicable):  
Unimproved
- D. Current total assessed valuation of land and all improvements: \$64,100.00, no improvements.
- E. Describe any unique historical structure or aesthetic improvements: None
- F.





## EXHIBIT A

Description of employee benefits for new and/or retained employees:

Medical Insurance

Vision (eye) and Dental Insurance

401(k) with an option for a company contribution

- C. *Please attach completed State of Indiana Statement of Benefits form for real property improvements (Form SB-1/RE) and/or State of Indiana Statement of Benefits form for personal property improvements (Form SB-1/PP) to this application material.*

### **Ineligible Projects:**

Projects will not be considered if a building permit has already been obtained or construction has been initiated. This is because the decision of the Council to designate the Economic Revitalization Area must be passed on the finding for that the area is "undesirable for normal development".

The City Council has the right to void the tax abatement designation awarded to a project if the project has not been initiated within twelve (12) months of the reconfirmation date of the tax abatement resolution, or if the actual use is different than that approved.

Tax abatement for the rehabilitation or development of real property is not eligible for the following types of facilities:

- 1) Private or commercial golf courses.
- 2) Country club.
- 3) Massage parlor.
- 4) Tennis club.
- 5) Skating facility (including roller skating, skateboarding or ice skating).
- 6) Racquet sport facility (including any handball or racquetball court).
- 7) Hot tub facility.
- 8) Suntan facility.
- 9) Racetrack.
- 10) Any facility the primary purpose of which is:
  - a. Retail food and beverage service;
  - b. Automobile sales or service; or
  - c. Other retail.
- 11) Residential.
- 12) A package liquor store that holds a liquor dealer's permit under I.C. 7.1-3-10 or any other entity that is required to operate under a license issued under I.C. 7.1. This subdivision does not apply to an applicant that:
  - a. Was eligible for tax abatement under this chapter before July 1, 1995;
  - b. Is described in I.C. 7.1-5-7-11; or

## EXHIBIT A

- c. Operates a facility under:
  - i. A beer wholesaler's permit under I.C. 7.1-3-3;
  - ii. A liquor wholesaler's permit under I.C. 7.1.-3-8; or
  - iii. A wine wholesaler's permit under I.C. 7.1-3-13.

## EXHIBIT A

### Certification

I hereby certify that the representations made in this application are true and I understand that if 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 Terre Haute Common Council shall have the right to void such designation.

OWNER(S)\*

Heritage Landing L.P.

By: JIC Heritage Landing, LLC,

Administrative General Partner

By: Timothy M. Morgan  
Timothy M. Morgan, Manager

DATE: 5/11/22

- If the entity seeking a tax abatement is a corporation, an authorized representative must sign. If the entity is a partnership, all partners must sign. If the entity is a sole proprietorship, the proprietor must sign.

Exhibit B

**City of Terre Haute  
Real Property Tax Abatement Guideline Scoring Criteria**

Company Name: HERITAGE LANDING L.P.

Application Date: 05/13/2022

1. New Real Property Investment	5 points maximum	<u>5</u>
< \$500,000	1	
\$501,000 to \$1,000,000	2	
\$1,000,001 to \$2,000,000	3	
\$2,000,001 to \$3,000,000	4	
\$3,000,001 and up	5	
2. Anticipated New Full-Time Jobs Created Within 5 Years	5 points maximum	<u>1</u>
1 to 10 employees	1	
11 to 20 employees	2	
21 to 30 employees	3	
31 to 40 employees	4	
41 employees and up	5	
3. Anticipated Jobs to be Retained	5 points maximum	<u>0</u>
1 to 10 employees	1	
11 to 20 employees	2	
21 to 30 employees	3	
31 to 40 employees	4	
41 employees and up	5	
4. Wage Rates	3 points maximum	<u>3</u>
\$7.50 to \$10.00 per hour	0	
\$10.01 to \$12.00 per hour	1	
\$12.01 to \$14.00 per hour	2	
\$14.01 per hour and up	3	
5. Benefits Package	1 point if offered	<u>1</u>
6. Targeted Business	1 point if project is good fit for community	<u>1</u>
7. Community Involvement	1 point if company plans or is already involved in community activities	<u>1</u>
8. Is this project a headquarters or a new project to the community?	1 point if "Yes"	<u>1</u>
9. Diverse Workforce	1 point if applicant maintains an affirmative action plan or other statement of specific goals with respect to employee diversity	<u>1</u>
<b>Total Points</b>		<u><b>14</b></u>

**Exhibit B**

Scoring

Length of Personal Property Abatement

20 points and up	10 years
18 to 19 points	9 years
16 to 17 points	8 years
14 to 15 points	7 years
12 to 13 points	6 years
10 to 11 points	5 years
8 to 9 points	4 years
6 to 7 points	3 years
4 to 5 points	2 years
2 to 3 points	1 year

**Bonus Points**

1. Common Construction Wage	Council may award one bonus point if company includes common construction wage requirements in its bid process	_____
2. Contractors Licensed To Do Business in Vigo County	Council may award one bonus point if a substantial percentage of the total fees for construction work associated with the project are paid to companies licensed to do business in Vigo County	<u>1</u>
3. Materials and Supplies from Vigo County Vendors	Council may award one bonus point if the applicant commits to purchase a substantial amount of materials and supplies for the construction work associated with the project from Vigo County based vendors	<u>1</u>
4. Existing Facilities	Council may award one bonus point for use, reuse, rehabilitation and/or expansion of an existing facility	_____
5. Mentoring/Intern Program	Council may award one bonus point if applicant pledges to participate in a mentoring or intern program associated with a Vigo County educational institution	<u>1</u>
Total Bonus Points		<u>3</u>
Grand Total Points		<u>17</u>
Recommended Length of Real Property Abatement Per Guideline Scoring Criteria		<u>8 Years</u>



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

**FILED**

**MAY 12 2022**

**CITY CLERK**

20 22 PAY 20 23

**FORM SB-1 / Real Property**

**PRIVACY NOTICE**

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

**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** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

**SECTION 1 TAXPAYER INFORMATION**

Name of taxpayer <b>HERITAGE LANDING L.P.</b>			<b>CONFIDENTIAL</b>
Address of taxpayer (number and street, city, state, and ZIP code) <b>7160 Chagrin Road, Suite 250, Chagrin Falls, OH 44023</b>			
Name of contact person <b>Timothy M. Morgan</b>	Telephone number <b>( 440 ) 247-3900</b>	E-mail address <b>tmorgan@jonesborocorp.com</b>	

<b>SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT</b>			
Name of designating body <b>Terre Haute City Council</b>		Resolution number <b>6-2022</b>	
Location of property <b>801 N. 25th Street, Terre Haute, IN 47804</b>	County <b>Vigo</b>	DLGF taxing district number <b>84-002</b>	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <b>Construction of affordable senior housing</b>		Estimated start date (month, day, year) <b>09/01/2023</b>	
		Estimated completion date (month, day, year) <b>11/30/2024</b>	

<b>SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT</b>					
Current number <b>0.00</b>	Salaries <b>\$0.00</b>	Number retained <b>0.00</b>	Salaries <b>\$0.00</b>	Number additional <b>2.00</b>	Salaries <b>\$88,000.00</b>

<b>SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT</b>		
	<b>REAL ESTATE IMPROVEMENTS</b>	
	<b>COST</b>	<b>ASSESSED VALUE</b>
Current values	0.00	
Plus estimated values of proposed project	12,560,000.00	12,560,000.00
Less values of any property being replaced	0.00	0.00
<b>Net estimated values upon completion of project</b>	<b>12,560,000.00</b>	<b>12,560,000.00</b>

<b>SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER</b>	
Estimated solid waste converted (pounds) <u>0.00</u>	Estimated hazardous waste converted (pounds) <u>0.00</u>
Other benefits <b>New affordable senior housing and reclamation of contaminated ground</b>	

<b>SECTION 6 TAXPAYER CERTIFICATION</b>	
I hereby certify that the representations in this statement are true.	
Signature of authorized representative 	Date signed (month, day, year) <b>5/11/22</b>
Printed name of authorized representative <b>Timothy M. Morgan</b>	Title <b>Manager</b>

**FOR USE OF THE DESIGNATING BODY**

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

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. Residentially distressed areas  Yes  No

**CONFIDENTIAL**

C. The amount of the deduction applicable is limited to \$ \_\_\_\_\_.

D. Other limitations or conditions (specify) \_\_\_\_\_

E. Number of years allowed:  Year 1  Year 2  Year 3  Year 4  Year 5 (\* see below)  
 Year 6  Year 7  Year 8  Year 9  Year 10

F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?  
 Yes  No  
 If yes, attach a copy of the abatement schedule to this form.  
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also 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 of designating body)	Telephone number ( )	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

\* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**IC 6-1.1-12.1-17**

**Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

**Receipt**

The following was paid to the City of Terre Haute, Controller's Office.

Date: 5/12/22

Name: Heritage Landing L.P.

Reason: Tax abatement \$500

TERRE HAUTE, IN.  
**PAID**  
MAY 12 2022  
CONTROLLER

Cash: \_\_\_\_\_

Check: CHK#5017 \$500

Credit: \_\_\_\_\_

Total: \$500

Received By: Gute



May 12, 2022

**CITY OF  
TERRE HAUTE  
DEPARTMENT OF  
REDEVELOPMENT**  
City Hall  
17 Harding Avenue, Room 301  
Terre Haute, IN 47807-3455  
Phone: 812.244.2393  
Fax: 812.244.2395  
www.thredevelopment.org

**DUKE A. BENNETT**  
Mayor

Michelle Edwards  
Clerk  
City of Terre Haute  
17 Harding Avenue  
Terre Haute, IN 47807

Re: Heritage Landing L.P.  
Application for Tax Abatement  
801 N. 25<sup>th</sup> Street

**FILED**

MAY 12 2022

**CITY CLERK**

Dear Ms. Edwards:

The Terre Haute Redevelopment Commission is the current owner of the above-described property consisting of approximately 3.21 acres at the intersection of 25<sup>th</sup> and Locust Streets (Parcel No. 84-06-23-226-008.000-002).

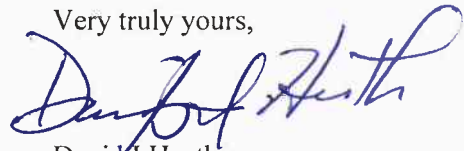
On May 11<sup>th</sup> the Redevelopment Commission adopted Resolution 7-2022 authorizing the solicitation of offers for the purchase of this real estate. This resolution also authorized any parties interested in submitting an offer for the real estate to submit applications for incentives, rezoning, and other regulatory matters relating to the redevelopment of the real estate prior to the date set for opening offers.

We have been informed that Heritage Landing L.P. intends on submitting an offer for the real estate. Accordingly, this letter is to confirm that the Terre Haute Redevelopment Commission has authorized Heritage Landing L.P., as a prospective purchaser of the above-referenced property, to submit applications for a subdivision of the property to the Area Plan Commission, a rezoning of the property to the Area Plan Commission and the City Council and an application for tax abatement to the City Council. This authorization is neither an endorsement of Heritage Landing L.P.'s applications nor any assurance that their offer for the real estate, if submitted, will be accepted or given more favorable consideration than other offers. Rather, the Redevelopment Commission recognizes that the potential redevelopment of this property may hinge on matters such as tax abatement or obtaining zoning variances that require submittal of applications prior to the opening of offers.

The Redevelopment Commission will be opening offers for the real estate at its meeting on June 8, 2022, and is hopeful it will be able to enter into a purchase agreement before the City Council's meeting on June 9<sup>th</sup> if an acceptable offer is submitted.

Thank you for your assistance with and attention to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David I Heath". The signature is fluid and cursive, with the first name "David" being the most prominent.

David I Heath  
President