



# COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R3 / 11-15)

Prescribed by the Department of Local Government Finance

**CONFIDENTIAL**

**FILED**

FORM CF-1 / PP

MAY 12 2016

**CITY CLERK**

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
  2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessment Value between January 1, and May 15, of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.
  3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).

SECTION 1 TAXPAYER INFORMATION	
Name of taxpayer <b>LENEX STEEL COMPANY</b>	County <b>VIGO</b>
Address of taxpayer (street and number, city, state and ZIP code) <b>450 E 96TH STREET, SUITE 100 INDIANAPOLIS IN 46240</b>	DLGF taxing district number <b>84002</b>
Name of contact person <b>MICHAEL R. BERGHOFF</b>	Telephone number <b>317-818-1622</b>

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body <b>CITY OF TERRE HAUTE</b>	Resolution number <b>21, 2006</b>	Estimated start date (month, day, year) <b>10/01/2006</b>
Location of property <b>2325 SOUTH 6TH STREET TERRE HAUTE IN 47802</b>		Actual start date (month, day, year) <b>/ /</b>
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. <b>THE COMPANY WILL INVEST MORE THAN 1.6 MILLION IN STEEL FABRICATION EQUIPMENT.</b>		Estimated completion date (month, day, year) <b>12/31/2011</b>
		Actual completion date (month, day, year) <b>/ /</b>

SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		60
Salaries		2,100,000
Number of employees retained		
Salaries		
Number of additional employees	60	7
Salaries	2,242,500	246,353

SECTION 4 COST AND VALUES								
AS ESTIMATED ON SB-1	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project		759,000						
Less: Values of any property being replaced								
Net values upon completion of project		759,000						
<b>ACTUAL</b>	<b>COST</b>	<b>ASSESSED VALUE</b>	<b>COST</b>	<b>ASSESSED VALUE</b>	<b>COST</b>	<b>ASSESSED VALUE</b>	<b>COST</b>	<b>ASSESSED VALUE</b>
Values before project								
Plus: Values of proposed project		389,392						
Less: Values of any property being replaced								
Net values upon completion of project		389,392						

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative <i>Michael R. Berghoff</i>	Title <i>President</i>	Date signed (month, day, year) <b>05/10/2016</b>

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.
2. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
3. If the property owner is found NOT to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the Township Assessor and the County Auditor.
4. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits.
5. If the designating body determines that the property owner has NOT made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor; and (3) the Township Assessor.

We have reviewed the CF-1 and find that:

- the property owner IS in substantial compliance
- the property owner IS NOT in substantial compliance
- other (specify) \_\_\_\_\_

Reasons for the determination (attach additional sheets if necessary)

Data on submitted form incorrect or not completed

Signature of authorized member

*[Handwritten Signature]*

Date signed (month, day, year)

5-12-16

Attested by:

*[Handwritten Signature]*

Designating body

Terre Haute City Court

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing

5:00

AM

PM

Date of hearing (month, day, year)

10-9-2016

Location of hearing

CITY HALL COURTROOM

HEARING RESULTS (to be completed after the hearing)

Approved

Denied (see instruction 5 above)

Reasons for determination (attach additional sheets if necessary)

Signature of authorized member

*[Handwritten Signature]*

Date signed (month, day, year)

6-9-16

Attested by:

*[Handwritten Signature]*

Designating body

Terre Haute City Council

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

CONFIDENTIAL



STATEMENT OF BENEFITS  
PERSONAL PROPERTY

(State Form 2070 (5-87))

Prepared by the Department of Local Government Affairs

FORM  
88-1199

INSTRUCTIONS:

- The statement must be submitted to the body designating the economic development area prior to the public hearing of the designating body unless otherwise stated in the application to designate. Some counties in designated areas may have their own procedures. Complete this statement and submit to the designating body (City Council, Board of Commissioners, etc.) a packet including the new manufacturing equipment and development equipment, and/or technical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction. Property placed or acquired on or after July 1, 1991 and placed in service after July 1, 1991 must include a STATEMENT OF BENEFITS (IC 8-1-12.1-1).
- Approval of the designating body (City Council, Board of Commissioners, County Council, etc.) must be obtained prior to knowledge of the new manufacturing equipment and/or technical distribution equipment and/or information technology equipment and/or development equipment (E-SPONS) a (designating body) to be approved.
- To claim a deduction, Form 222 (STATEMENT OF BENEFITS) Form 221 (STATEMENT OF BENEFITS) must be filed with the county auditor. Form 222 (STATEMENT OF BENEFITS) Form 221 (STATEMENT OF BENEFITS) must be filed between March 1 and May 1 of the assessment year in which new manufacturing equipment and/or technical distribution equipment and/or information technology equipment and/or development equipment are placed in service. A person who obtains a long extension must file the form between March 1 and the extended due date of that year of benefits. (IC 8-1-12.1-1.5)
- Property owners whose Statement of Benefits was approved after June 30, 1991 must submit Form 221 annually to their compliance with the Statement of Benefits. (IC 8-1-12.1-1.5)
- The individual scheduled under IC 8-1-12.1-1.5 and IC 8-1-12.1-1.5(a) effective July 1, 2000 apply to any statement of benefits filed on or after July 1, 2000. The schedule effective prior to July 1, 2000 shall continue to apply to those statements of benefits filed before July 1, 2000.

**PROPERTY OWNER INFORMATION**

Name of taxpayer: **Lamar Steel Corporation**

Address of taxpayer (street and number, city, state and ZIP code):  
**2325 South 6th Street, Terre Haute, IN 47802**

Name of contact person: **Mike Berglund, President** Telephone number: **817818-1422**

**PROPERTY AND DEVELOPMENT INFORMATION**

Name of designating body: **City of Terre Haute** Month designated: **22, 2000**

Location of property: **2325 South 6th Street, Terre Haute, IN 47802** County: **Vigo** Taxing district: **118**

Description of manufacturing equipment and/or technical distribution equipment and/or information technology equipment and/or development equipment (see additional sheets if necessary):  
**The company will invest more than \$1.5 million in steel fabrication equipment.**

Equipment Type	ESTIMATED	
	Start Date	Completion Date
Manufacturing Equipment	10/1/2000	12/31/2011
R & D Equipment		
Light Duty Equipment*		
IT Equipment*		

**FINANCIAL INFORMATION**

Current number: **0** Balance: **0.00** Number retired: **0** Expiring: **0.00** Number additional: **00** Expiring: **2,243,490.77**

**NOTES:** Pursuant to IC 8-1-12.1-1.5 (a) (2) the COST of the property is certified.

	Manufacturing Equipment		R & D Equipment		Light Duty Equipment*		IT Equipment*	
	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value
Current value		0.00						
Plus estimated value of proposed project		700,000.00						
Less value of any property being replaced		0.00						
Net estimated value upon completion of project		700,000.00						

Estimated solid waste converted (pounds): \_\_\_\_\_ Estimated hazardous waste converted (pounds): \_\_\_\_\_

**STATEMENT OF BENEFITS**

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

Signature of authorized representative: **Michael L. Berglund** Date: **7/28/06**

\* See IC 8-1-12.1-2.1.

FORM 101 OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards set forth in the resolution previously approved by this body. Said resolution, passed under IC 8-1.1-12.1-1.3, provides for the following limitations on authorized under IC 8-1.1-12.1-3.

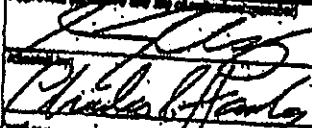
- A. The designated area has been limited to a period of time not to exceed 10 calendar years\* (see below). The date this designation expires is \_\_\_\_\_.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Installation of new manufacturing equipment.  Yes  No
  2. Installation of new research and development equipment.  Yes  No
  3. Installation of new logistical distribution equipment.  Yes  No
  4. Installation of new information technology equipment.  Yes  No
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ 1,150,000.00 cost with an assessed value of \$ 757,000.00.
- D. The amount of deduction applicable to new research and development equipment is limited to \$ N/A cost with an assessed value of \$ \_\_\_\_\_.
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ N/A cost with an assessed value of \$ \_\_\_\_\_.
- F. The amount of deduction applicable to new information technology equipment is limited to \$ N/A cost with an assessed value of \$ \_\_\_\_\_.
- G. Other limitations or conditions (specify): N/A

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first placed eligible for deduction after July 1, 2000 is allowed for:

- |                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> 1 year    | <input type="checkbox"/> 6 years               |
| <input type="checkbox"/> 2 years   | <input type="checkbox"/> 7 years               |
| <input type="checkbox"/> 3 years   | <input type="checkbox"/> 8 years               |
| <input type="checkbox"/> 4 years   | <input type="checkbox"/> 9 years               |
| <input type="checkbox"/> 5 years** | <input checked="" type="checkbox"/> 10 years** |

\*\* For ERA's established prior to July 1, 2000 only a 5 or 10 year schedule may be selected.

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

Approved (Signature and Title of Designating Official)	Telephone Number	Date of Approval (Month, Day, Year)
	812-232-3375	11-9-2001
Designated Body	Terre Haute City Council	

\* If the designating body sets the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 8-1.1-12.1-1.3

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael Berghoff  
 Lenex Steel Company  
 450 E 96th St, Suite 100  
 Indianapolis, IN 46240

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent
- B. Received by (Printed Name)  Addressee
- C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

3. Service Type
- Certified Mail
  - Registered
  - Insured Mail
  - Restricted Delivery? (Extra Fee)
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.

2. Article Number (Transfer from service label) 7007 1490 0004 8336 4192

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

US POSTAL SERVICE  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information, visit our website at [www.usps.com](http://www.usps.com)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent to Michael Berghoff / Lenex Steel  
 Street, Apt. No., or PO Box No. 450 E 96th St, Suite 100  
 City, State, Zip+4 Indianapolis, IN 46240

2007 1490 0004 8336 4192

OFFICE OF THE CLERK  
City Hall, Room 102  
17 Harding Avenue  
Terre Haute, Indiana 47807  
812-232-3375

Charles P. Hanley, City Clerk

Michael Berghoff  
Lenex Steel Company  
450 E 96th St, Suite 100  
Indianapolis, IN 46240

May 19, 2016

To Whom It May Concern:

This letter is in reference to the status of your company's tax abatement compliance with the Terre Haute City Common Council for Resolution RS 22, 2006. A meeting was held by the Common Council on May 12, 2016 to discuss tax abatement compliance matters. During this meeting it was determined your company was Not In Substantial Compliance. This determination was based on the review of the information contained in Section 3 for Employee and Salaries as listed on the submitted CF-1 form.

A hearing has been scheduled for June 9, 2016 at 5:00pm (EST) in the City Hall Courtroom. The Courtroom is located at 17 Harding Avenue, City Hall, Terre Haute, Indiana 47807. A representative of your company must appear to answer questions concerning the data provided on the CF-1 form.

If a representative fails to attend the hearing scheduled for June 9, 2016, the Council may consider such as the property owner's failure to make reasonable efforts to comply with the statement of benefits and may vote to terminate the abatement thereby eliminating the deduction, pursuant to I.C. 6-1.1-12.1-5.9(c). Please make sure a representative is available for questions at the hearing.

If you have any questions, please feel free to contact me at 812-244-2131 or [Michelle.Edwards@Terrehaute.In.Gov](mailto:Michelle.Edwards@Terrehaute.In.Gov)

Sincerely,



Michelle Edwards  
Chief Deputy City Clerk/  
Administrative Assistant to City Council

city of terre haute