

ORIGINAL

RESOLUTION NO. 2012-014

RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE
OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY DECLARED
ECONOMIC REVITALIZATION AREA
(Magna Powertrain of America, Inc.)

WHEREAS, the Indiana General Assembly has enacted a statute, I.C. 6-1.1-12.1 (the "Act"), authorizing certain deductions from the assessed value of new manufacturing equipment (as defined in the Act) for purposes of taxation of such equipment if installed during the period beginning March 1, 1983 and ending December 31, 2012, or such other date as extended by Indiana Code, in an area that is declared an economic revitalization area; and

WHEREAS, Magna Powertrain of America, Inc., will install new manufacturing equipment at its plant located at 4701 South Cowan Road, Muncie, Indiana, 47302 during the above-described period; and

WHEREAS, by previously adopted resolutions, the Delaware County Council declared and affirmed that the area commonly described as 4701 South Cowan Road, which is identified on the attached map and legal description (the "Area"), is an economic revitalization area, and authorizes deductions from assessed value of new manufacturing equipment, installed in the area for purposes of taxation; and




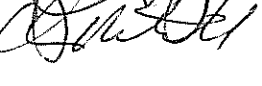


WHEREAS, as a condition of approval of the ensuing abatement, Magna Powertrain of America, Inc., agrees to update the County Council on a semi-annual basis with regard to the status of employment at the facility during the term of the life of the abatement.

NOW, THEREFORE, BE IT RESOLVED by the County Council of the County of Delaware in the State of Indiana:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by Magna Powertrain of America, Inc., shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.

2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.

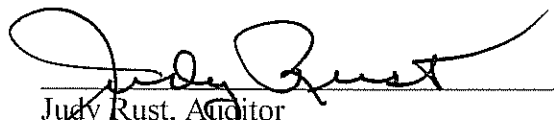
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.

	Yeas	Nays	Abstained	Absent
Mary Chambers 	—	—	—	—
Mike Jones 	—	—	—	—
James King 	—	—	—	—
Chris Matchett 	—	—	—	—
Kevin Nemyer	—	—	—	—
Rick Spangler 	—	—	—	—
Ron Quakenbush 	—	—	—	—

Passed by the County Council of Delaware County, Indiana this _____ day of _____ 2012.

 James King, President County Council
 Delaware County, Indiana

ATTEST:



 Judy Rust, Auditor
 Delaware County, Indiana

This Resolution is approved in form by _____
 Amanda Dunnuck
 Legal Counsel

MAGNA POWERTRAIN OF AMERICA, INC.
4701 South Cowan Road
Muncie, IN 47302

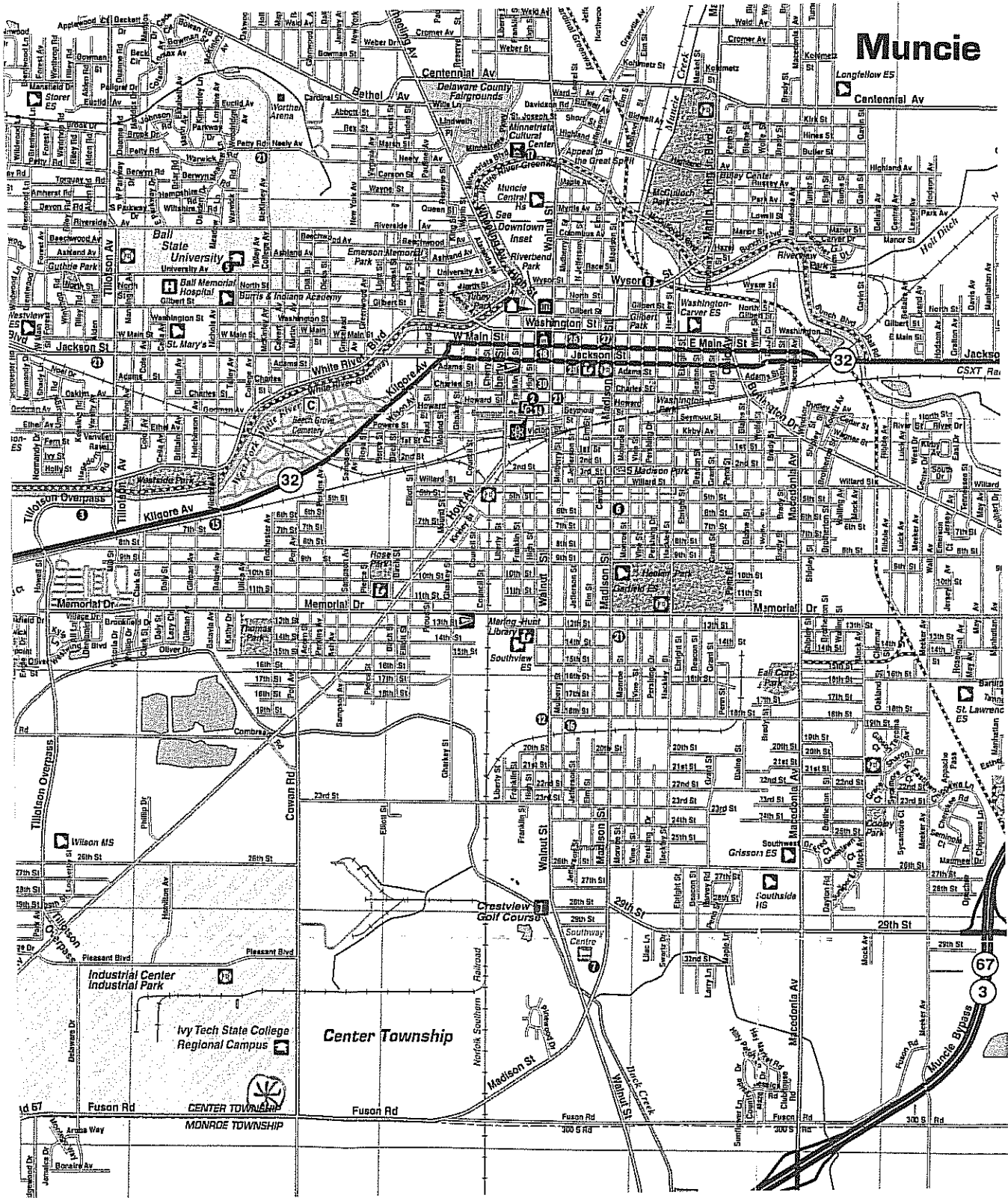


EXHIBIT A

The Area is located at the northwest corner of South Cowan Road and West Fuson Road, Center Township, Delaware County, Indiana, and includes 77.09 acres, more or less. It is a part of a platted subdivision known as the Industria Centre and is more accurately described in the following legal description:

A part of Lot #20 in Replat of Industria Centre, as recorded in Plat Book 13, pages 88-89 in the Office of the Recorder of Delaware County, Indiana, more particularly described as follows, to-wit:

Beginning at the Southeast Corner of Lot #20 in Replat of Industria Centre, as recorded in Plat Book 13, pages 88-89 in the Office of the Recorder of Delaware County, Indiana; thence North 88°-51'-08" West on and along the South line of said Lot #20, 849.56 feet to the Easterly Corner of Deed Record 2001, pages 6848-6851; thence North 69°-05'-03" West on and along said Deed Record 2001, pages 6848-6851, 70.18 feet; thence North 89°-55'-00" West on and along said Deed Record 2001, pages 6848-6851, 19.69 feet; thence South 57°-22'-28" West on and along said Deed Record 2001, pages 6848-6851, 37.32 feet to the South line of said Lot #20; thence North 88°-51'-08" west on and along said South line 147.35 feet; thence North 89°-06'-11" West on and along said South line 1,070.73 feet; thence North 89°-11'-50" West on and along said South line 465.46 feet to the Southwest Corner of said Lot #20; thence North 00°-14'-15" East on and along the West line of said Lot #20, 1,651.88 feet to the Northwest corner of said Lot #20; thence South 88°-48'-16" East on and along the North line of said Lot #20, 905.33 feet to the Northwest Corner of Deed Record 1998, pages 8998-8999; thence South 00°-14'-15" West on and along the West line of Deed Record 1998, pages 8998-8999, 500.00 feet to the Southwest Corner of said Deed Record 1998; thence South 88°-48'-02" East on and along the South line of said Deed Record 1998, pages 8998-8999, 1,242.49 feet to the Northwest Corner of Deed Record 2000, pages 7017-7018; thence South 00°-14'-15" West on and along the West line of said Deed Record 2000, pages 7017-7018, 250.00 feet to the Southwest Corner of said Deed Record; thence South 88°-48'-02" East on and along the South line of said Deed Record 2000, pages 7017-7018, 500.00 feet to the East line of said Lot #20; thence South 00°-14'-15" West on and along the East line of said Lot #20, 891.95 feet to the point of beginning. Estimated to contain 77.09 acres, more or less.

APPLICATION FOR TAX ABATEMENT
New Manufacturing Equipment

This completed application, including a map identifying the general location of the facility, should be signed by the owner (or representative) of the new manufacturing equipment and submitted to:

Delaware County Council
c/o Bruce Baldwin, Vision 2011
P.O. Box 842
Muncie, IN 47308-0842
PH: 765.751.9104
Please type or print.

FILED
AUDITOR
MAY 23 2012
Judy R. Hunt
DELAWARE CO. AUDITOR

Date: 5-18-2012 Name of Company: Magna Powertrain of America, Inc.

Address of Property: 4701 S Cowan Road, Muncie, IN 47302

Township: Center

Is legal description attached? Yes No

Property Owner (s): Magna Powertrain of America, Inc

Name Stephen Brand Name _____

Address 4701 S Cowan Road Address _____
Muncie, IN 47302 _____

Owner's Representative:

Name Stephen Brand Telephone 765-587-1302

Address PO Box 2950, Muncie, IN 47307

Is property / facility served by adequate utilities?

Yes No

Are present utilities adequate for new equipment?

Yes No

If not, please explain: _____

Briefly describe the use of the new equipment and its purchase price: Purchase price of \$8,906,000 for manufacturing equipment for rotary swedge forging equipment and laser welders.

Tax Assessment and Payment:

Amount of last business personal property assessment: \$ 13,255,230

Amount of last business personal property taxes: \$ 118,839.44

(Please attached a copy of your latest paid tax receipts to this form)

APPLICATION FOR NEW MANUFACTURING EQUIPMENT TAX ABATEMENT - PAGE 2

Total number of employees currently working for the company: 198

Number of Minorities: 10; Number of Females: 41; Number of Handicapped: 0

What percentage of employees are Delaware County Residents? 77 %

Number of new employees to be added as a result of abatement : 21 Actual (+-) jobs 21

Fringe Benefits: Health Insurance (Y or N) Y; % paid by employer: 80; % paid by employee: 20

Pension: (Y or N) N; % paid by employer: _____; % paid by employee: _____


Wage Package: Starting Wage: \$ 14.00; High Wage: \$ 20.29; Average Wage: \$ 15.00

Job skill of new employees / entry level skill: pass entrance test – observation, basic English, basic math and basic reading _____

Current average expected wage for jobs resulting from abatement (range): \$ 15.00

Number of jobs retained as a result of this project: 198

I hereby certify that the information and representations on this application are true and complete.

	<u>General Manager</u>	<u>5/21/12</u>
Name	Title	Date

NOTICE: Your signature above indicates that you are aware that you must annually file both form CF-1 (Compliance with Statement of Benefits), and Form 322 ERA/PP (Application for Deduction from Assessed Valuation) by the dates indicated on the forms in order to actually receive your tax deduction.

The amount of the deduction equals the product of the taxes on the newly installed manufacturing equipment multiplied by the following percentages:

1 st year	100%
2 nd year	95%
3 rd year	80%
4 th year	65%
5 th year	50%
6 th year and thereafter	0%

To be eligible for the abatement, the equipment must be installed during the period beginning March 1, 1983 and ending December 31, 2011 or such other date as extended by Indiana code. The equipment must be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining or finishing of other tangible personal property.

A non-refundable fee of one hundred fifty dollars (\$150.00) payable to the **Delaware County Treasurer** is required of applicants for filing of applications for designation of economic revitalization areas and for tax abatement in already approved areas.



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

Slate Form 51764 (R / 1-06)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
- Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to installation of the new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment, BEFORE a deduction may be approved
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1 / PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- The schedules established under IC 6-1.1-12.1-4.5(d) and (e) apply to equipment installed after March 1, 2001. For equipment installed prior to March 2, 2001, the schedules and statutes in effect at the time shall continue to apply. (IC 6-1.1-12.1-4.5(f) and (g))

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer
Magna Powertrain of America, Inc

Address of taxpayer (number and street, city, state, and ZIP code)
PO Box 2950 Muncie, IN 47307

Name of contact person
Stephen Brand

Telephone number
(765) 587-1302

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body
County Council of Delaware County

Resolution number (s)

Location of property
4701 S. Cowan Road

County
Delaware

DLGF taxing district number
18-001

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (use additional sheets if necessary)
Rotary Swedge Forging machines (2) and Laser welders (2)

	ESTIMATED	
	START DATE	COMPLETION DATE
Manufacturing Equipment	07/01/2012	12/31/2013
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

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

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
198	7,700,570.00	198	7,700,570.00	21	655,000.00

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	39,791,736.00	12,367,890.00						
Plus estimated values of proposed project	8,996,090.00	3,562,400.00						
Less values of any property being replaced								
Net estimated values upon completion of project	48,687,700.00	15,950,290.00						

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____

Estimated hazardous waste converted (pounds) _____

Other benefits:

SECTION 6 TAXPAYER CERTIFICATION

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

Signature of authorized representative _____ Title **General Manager** Date signed (month, day, year) **5/21/12**

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.

B. The type of deduction that is allowed in the designated area is limited to:

- | | | |
|--|------------------------------|-----------------------------|
| 1. Installation of new manufacturing equipment; | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ _____ cost with an assessed value of \$ _____.

D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____.

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____.

F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____.

G. Other limitations or conditions (specify) _____

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 claimed eligible for deduction on or 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 type="checkbox"/> 10 years ** |

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

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

Approved: (signature and title of authorized member)

Telephone number

Date signed (month, day, year)

Attested by:

Designated body

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.5

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The undersigned company agrees to comply with Executive Orders 11246 and 11478, and the rules, regulations and relevant orders of the Secretary of Labor. No segregated facilities will be maintained on said company's premises as required by Title VI of Civil Rights Act of 1964. Furthermore, the undersigned company attests to and agrees to the following policies regarding equal employment opportunity and affirmative action.

There will be no discrimination against any employee or applicant for employment because of race, religion, color, age sex, handicap, or national origin.

Affirmative action will be taken to ensure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, age, sex, handicap, or national origin.

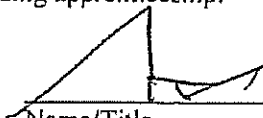
All qualified applicants will receive consideration for employment without regard to race, religion, color, age, sex, handicap, or national origin.

There will be no discrimination against any employee or applicant for employment because he or she is a disabled veteran or a veteran of the Vietnam Era in regard to any position for which the employee or applicant for employment is qualified.

Affirmative action will be taken to treat qualified disabled veterans and veterans of the Vietnam Era without discrimination based upon their disability or veteran status.

The company further agrees to post in conspicuous places, available to both employees and applicants for employment, notices to be provided setting forth the provisions of these nondiscriminating clauses and policies.

The previous policies will be adhered to in such employment practices as hiring, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.


Name/Title General Manager

Magna Powertrain Muncie
Company Name

5/21/12
Date

JPMorgan Chase Bank
Dearborn, MI

CHECK NO. 027168
CHECK DATE 05/21/2012

74-1292724

PAY TO THE ORDER OF
PAY THIS AMOUNT
\$ * * * 150.00 * * *

Dollars

Checks over \$10000.00 require two signatures

[Signature]

AUTHORIZED SIGNATURE

SIGNATURE AREA CONTAINS A KNIGHT & FINGERPRINT CHECK MARKING

⑆027268⑆ ⑆07242927⑆ 70333379⑆

ABSENCE OF PINK U.S. PATENT NUMBERS UNDER SIGNATURE INDICATES CHECK IS FRAUDULENT. PATENT NUMBERS ARE PRINTED WITH HEAT SENSITIVE INK & WILL DISAPPEAR WHEN BLOWING OR RUBBING

PRESCRIBED BY STATE BOARD
OF ACCOUNTS - DELAWARE COUNTY 1991

OFFICE OF DELAWARE COUNTY AUDITOR
MUNCIE, INDIANA

No

0000606067

DATE 05/23/12

I HEREBY CERTIFY THAT: MAGNA POWERTRAIN
HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF DELAWARE COUNTY, INDIANA
IN THE SUM OF 150.00

METHOD OF PAYMENT: CHECK

QUIETUS NO. 0000606067

ACCOUNT DESCRIPTION AMOUNT
100-000-4-06500-000 TAX ABATEMENT PERSON 150.00

JUDY RUST
AUDITOR OF DELAWARE CO, INDIANA

GENERAL LEDGER ACCOUNTS

TAX ABATEMENT PERSONAL