

ORIGINAL

RESOLUTION NO. 2021- 038

RESOLUTION APPROVING DEDUCTION OF ASSESSED VALUE OF **PERSONAL PROPERTY** IN AN ALREADY DECLARED ECONOMIC REVITALIZATION AREA.

**(Hawthorn Solar, LLC)**

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 Personal Property (as defined in the Act) for purposes of taxation of such property if added during the period beginning March 1, 1983 and ending December 31, (2021), or such other date as extended by Indiana Code, in an area that is declared an economic revitalization area; and

WHEREAS, **Hawthorn Solar, LLC** plans to add Personal Property located at **8651 E. SR 28/67 Albany, Indiana 47320** during the above described period; and

WHEREAS, by a previously adopted resolution, the **Delaware County Council** (the "Council") of Delaware County, Indiana, has declared and affirmed that the area commonly described as **8651 E. SR 28/67 Albany, Indiana 47320** which is identified on the attached map (the "Area"), is an economic revitalization area, and authorizes deductions from assessed value of Personal Property as improved in the area for purposes of taxation; and


WHEREAS, as a condition of approval of the ensuing abatement, **Hawthorn Solar, LLC** agrees to, upon request, update the Council with regard to the status of the abatement, property and employment at the facility during the term of the life of the abatement.

NOW, THEREFORE, BE IT RESOLVED by the **Delaware County Council**:

1. The Council finds and determines that the Personal Property to be added in the above referenced area shall be allowed a phased-in deduction of **Ten (10)** years (note attached *estimated* schedule) from the assessed value, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. The **County Auditor and Assessor** shall take such further actions as may be required to carry out the purposes of this resolution and to process and ensure the eligibility of the Personal Property for the deduction described herein.
3. This Resolution shall be in full force and effect from and after its passage by the Council and after advertised in such publications as may be required by law.


Passed by the Delaware County Council this 26th day of October, 2021.

**Signed:**

  
\_\_\_\_\_  
**President**

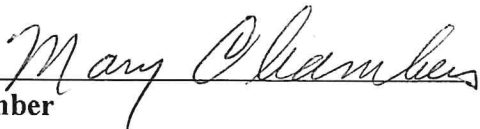
  
\_\_\_\_\_  
**Vice President**

  
\_\_\_\_\_  
**Member**

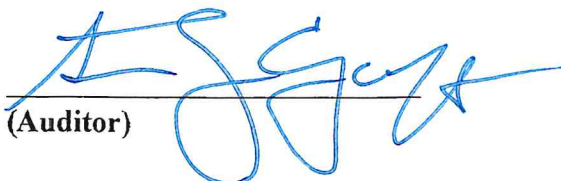
  
\_\_\_\_\_  
**Member**

  
\_\_\_\_\_  
**Member**

  
\_\_\_\_\_  
**Member**

  
\_\_\_\_\_  
**Member**

ATTEST:

  
\_\_\_\_\_  
**(Auditor)**

**EXHIBIT A**  
**PROPOSED FACILITY SUBJECT PROPERTY MAP**





# STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R5 / 1-21)

Prescribed by the Department of Local Government Finance

**FORM SB-1 / PP**

**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.

**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** 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.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
3. 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 or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 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 January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP 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/PP 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<br><b>Hawthorn Solar, LLC</b>  |  |  |                |                             | Name of contact person<br><b>Jesse Montgomery</b>       |  |   |                               |                   |                           |          |
| Address of taxpayer (number and street, city, state, and ZIP code)<br><b>227-B Southside Drive, Charlotte, NC 28217</b>   |  |  |                |                             |   |  | Telephone number<br><b>( 704 ) 930-7700</b>         |                               |                   |                           |          |
| SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT  |  |  |                |                             |   |  |   |                               |                   |                           |          |
| Name of designating body<br><b>Delaware County Council</b>  |  |  |                |                             |   |  | Resolution number (s)                               |                               |                   |                           |          |
| Location of property<br><b>Delaware Township (multiple, see attached)</b>   |  |  |                | County<br><b>Delaware</b>   |   | DLGF taxing district number<br><b>18-004</b> |   |                               |                   |                           |          |
| Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment.<br>(Use additional sheets if necessary.)<br><b>75 MWac solar-powered electric generation facility on approximately 355 acres of land in Delaware Township consisting of racking, solar modules, inverters, wiring.</b> |  |  |                |                             | ESTIMATED   |  |   |                               |                   |                           |          |
|   |  |  |                |                             |   |  | START DATE  |                               | COMPLETION DATE   |                           |          |
|   |  |  |                |                             | Manufacturing Equipment                                 |  | <b>11/30/2023</b>                                   |                               | <b>07/30/2025</b> |                           |          |
|   |  |  |                |                             | R & D Equipment   |  |   |                               |                   |                           |          |
|   |  |  |                |                             | Logist Dist Equipment                                   |  |   |                               |                   |                           |          |
| IT Equipment  |  |  |                |                             |   |  |   |                               |                   |                           |          |
| SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT  |  |  |                |                             |   |  |   |                               |                   |                           |          |
| Current Number<br><b>0</b>  |  | Salaries<br><b>n/a</b>                     |                | Number Retained<br><b>0</b> |   | Salaries<br><b>n/a</b>                       |   | Number Additional<br><b>4</b> |                   | Salaries<br><b>240000</b> |          |
| 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                             |                | <b>0</b>                    | <b>0</b>  | <b>0</b>                                     | <b>0</b>  | <b>0</b>                      | <b>0</b>          | <b>0</b>                  | <b>0</b> |
|   |  | Plus estimated values of proposed project  |                | <b>88,000,000</b>           | <b>0</b>  | <b>0</b>                                     | <b>0</b>  | <b>0</b>                      | <b>0</b>          | <b>0</b>                  | <b>0</b> |
|   |  | Less values of any property being replaced |                | <b>0</b>                    | <b>0</b>  | <b>0</b>                                     | <b>0</b>  | <b>0</b>                      | <b>0</b>          | <b>0</b>                  | <b>0</b> |
| Net estimated values upon completion of project   |  | <b>88,000,000</b>                          | <b>0</b>       | <b>0</b>                    | <b>0</b>  | <b>0</b>                                     | <b>0</b>  | <b>0</b>                      | <b>0</b>          |                           |          |
| SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER   |  |  |                |                             |   |  |   |                               |                   |                           |          |
| Estimated solid waste converted (pounds) <b>n/a</b>   |  |  |                |                             | Estimated hazardous waste converted (pounds) <b>n/a</b> |  |   |                               |                   |                           |          |
| Other benefits:   |  |  |                |                             |   |  |   |                               |                   |                           |          |
| SECTION 6 TAXPAYER CERTIFICATION  |  |  |                |                             |   |  |   |                               |                   |                           |          |
| I hereby certify that the representations in this statement are true.   |  |  |                |                             |   |  |   |                               |                   |                           |          |
| Signature of authorized representative<br><i>Jesse Montgomery</i>   |  |  |                |                             |   |  | Date signed (month, day, year)<br><b>09.14.2021</b> |                               |                   |                           |          |
| Printed name of authorized representative<br><b>Jesse Montgomery</b>  |  |  |                |                             | Title<br><b>Manager</b>                                 |  |   |                               |                   |                           |          |

**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 \_\_\_\_\_. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- B. The type of deduction that is allowed in the designated area is limited to:
- 1. Installation of new manufacturing equipment;  Yes  No  Enhanced Abatement per IC 6-1.1-12.1-18
  - 2. Installation of new research and development equipment;  Yes  No *Check box if an enhanced abatement was approved for one or more of these types.*
  - 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 \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*
- D. The amount of deduction applicable to new research and development equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*
- F. The amount of deduction applicable to new information technology equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_. *(One or both lines may be filled out to establish a limit, if desired.)*
- 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 is allowed for:
- Year 1  Year 2  Year 3  Year 4  Year 5  Enhanced Abatement per IC 6-1.1-12.1-18
  - Year 6  Year 7  Year 8  Year 9  Year 10 *Number of years approved: \_\_\_\_\_*
- (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)*
- I. 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.

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 by: <i>(signature and title of authorized member of designating body)</i><br> | Telephone number<br>(    ) | Date signed <i>(month, day, year)</i> |
| Printed name of authorized member of designating body<br><b>Scott Alexander</b>        | Name of designating body   |                                       |
| Attested by: <i>(signature and title of attester)</i><br>                              | 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.

**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. Except as provided in IC 6-1.1-12.1-18, 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.

DELAWARE COUNTY, INDIANA

Proposed Hawthorn Solar, LLC Project - Assumes 10-Year Declining Abatement

SUMMARY OF ESTIMATED PROPERTY TAXES FROM THE PROPOSED INVESTMENT

| Taxes Payable Year | Delaware Township          |                         | Niles Township             |                         | Total                      |                         | Estimated Abatement Savings |
|--------------------|----------------------------|-------------------------|----------------------------|-------------------------|----------------------------|-------------------------|-----------------------------|
|                    | Without Proposed Abatement | With Proposed Abatement | Without Proposed Abatement | With Proposed Abatement | Without Proposed Abatement | With Proposed Abatement |                             |
| 2027               | \$602,410                  | (2)                     | \$67,450                   | \$8,580                 | \$669,860                  | \$85,640                | \$584,220                   |
| 2028               | 856,080                    | 154,960                 | 95,880                     | 17,310                  | 951,960                    | 172,270                 | 779,690                     |
| 2029               | 570,700                    | 175,790                 | 63,900                     | 19,650                  | 634,600                    | 195,440                 | 439,160                     |
| 2030               | 570,700                    | 225,150                 | 63,900                     | 25,180                  | 634,600                    | 250,330                 | 384,270                     |
| 2031               | 570,700                    | 274,520                 | 63,900                     | 30,710                  | 634,600                    | 305,230                 | 329,370                     |
| 2032               | 570,700                    | 323,880                 | 63,900                     | 36,240                  | 634,600                    | 360,120                 | 274,480                     |
| 2033               | 570,700                    | 373,250                 | 63,900                     | 41,770                  | 634,600                    | 415,020                 | 219,580                     |
| 2034               | 570,700                    | 422,610                 | 63,900                     | 47,300                  | 634,600                    | 469,910                 | 164,690                     |
| 2035               | 570,700                    | 471,970                 | 63,900                     | 52,830                  | 634,600                    | 524,800                 | 109,800                     |
| 2036               | 570,700                    | 521,340                 | 63,900                     | 58,370                  | 634,600                    | 579,710                 | 54,890                      |
| 2037-2061          | 570,700                    | 570,700                 | 63,900                     | 63,900                  | 634,600                    | 634,600                 | 0                           |
| Totals             |                            |                         |                            |                         |                            |                         |                             |
| through 2061       | \$20,291,590               | \$17,288,030            | \$2,272,030                | \$1,935,440             | \$22,563,620               | \$19,223,470            | \$3,340,150                 |

(1) Based upon the net assessed values shown on pages 2 and 3 and the certified pay 2021 tax rates shown on page 4. Assumes the Circuit Breaker Tax Credit, which limits property tax liability to 3% of gross assessed value for utility property, is applied.

(2) Assumes a 10-year declining property tax abatement for the proposed utility property investment and real property improvements with the following deduction percentages: 100%, 90%, 80%, 70%, 60%, 50%, 40%, 30%, 20%, and 10%.

(Subject to the attached letter dated September 22, 2021)  
(Preliminary - Subject to Change)  
(For Internal Use Only)