

RESOLUTION NO. 16-22

**A RESOLUTION OF THE CITY OF WEST LAFAYETTE COMMON COUNCIL
CONCERNING TAX ABATEMENT COMPLIANCE**

WHEREAS, the City of West Lafayette, Indiana (the "City") issued certain real and personal property tax abatements (individually an "Abatement" or collectively, the "Abatements") to the entities listed in EXHIBIT A attached hereto and incorporated herein (the "Taxpayers");

WHEREAS, certain Taxpayers also entered into separate and distinct agreements that authorize the City, in certain circumstances, to seek repayment of the benefit received by the Taxpayers as a result of the Abatement ("Agreements");

WHEREAS, the Taxpayers have submitted annual Compliance with Statement of Benefits Forms ("CF-1") related to each of their respective Abatements for review by the City, copies of which are provided to the Council and on file in the Clerk's Office; and

WHEREAS, pursuant to Ind. Code § 6-1.1-12.1-1 *et seq.*, the City is required to annually review taxpayers' CF-1s to determine whether taxpayers have substantially complied to date with each of their respective Statement of Benefits and, if they have not, whether the failure to substantially comply was caused by factors beyond the control of the taxpayers (such as declines in demand for taxpayers' products or services).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, FINDS AS FOLLOWS:

Section 1. The Common Council hereby determines that the Taxpayers have substantially complied to date with their Statements of Benefits as shown on their respective CF-1s.

Section 2. The Mayor is hereby authorized to execute the Taxpayers' CF-1 documents and the Clerk is hereby authorized to attest.

Section 3. This Resolution and execution of the Taxpayers' CF-1s shall not be construed or interpreted to negate or limit in any way the City's rights under its respective Agreements with the Taxpayers.

Section 4. This Resolution shall be in full force and effect upon passage.

ALL OF WHICH IS RESOLVED by the Common Council for the City of West Lafayette, Indiana.

INTRODUCED ON FIRST AND ONLY READING ON THE 7 DAY OF June, 2022.

MOTION TO ADOPT MADE BY COUNCILOR Leverenz, AND
SECONDED BY COUNCILOR Thomas.

DULY RESOLVED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 7 DAY OF June, 2022, HAVING BEEN PASSED BY A VOTE OF 8 IN FAVOR AND 1 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco	✓			
Brown	✓			
Bunder	✓			
DeBoer	✓			
Hardesty	✓			
Leverenz	✓			
Parker	✓			
Sanders		✓		
Thomas	✓			


Peter Bunder, Presiding Officer

Attest:



Nichole A. Foster, First Deputy Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 8 DAY OF June, 2022.


Nichole A. Foster, First Deputy Clerk

THIS RESOLUTION APPROVED AND SIGNED BY ME ON THE 8 DAY OF June, 2022.


John R. Dennis, Mayor

Attest:


Nichole A. Foster, First Deputy Clerk



Exhibit A

SAAB Aeronautics Indiana, LLC
2099 Hypersonic Parkway
West Lafayette, IN 47906
Approved: 2020
Type: Real Property
Term: 5 years – 100%

SAAB Aeronautics Indiana, LLC
2099 Hypersonic Parkway
West Lafayette, IN 47906
Approved: 2020
Type: Personal Property
Term: 10 years - graduated