

ORIGINAL

RESOLUTION NO. 2010-023

RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE
OF NEW INFORMATION TECHNOLOGY 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 information technology 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, 2011, 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 information technology equipment at its plant located at 1400 West Fuson 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 1400 West Fuson 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 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 information technology 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 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.

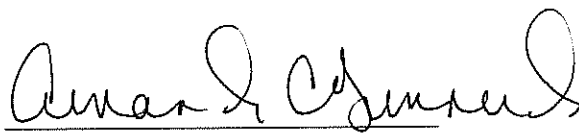
	Yeas	Nays	Abstained	Absent
Ted Bowman	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>
Mary Chambers	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Mike Jones	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
James King	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Chris Matchett	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Kevin Nemyer	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Ron Quakenbush	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>

Passed by the County Council of Delaware County, Indiana this 28 day of September 2010.


 Chris Matchett, President County Council
 Delaware County, Indiana

ATTEST:


 Judy Rust, Auditor
 Delaware County, Indiana

This Resolution is approved in form by 
 Amanda Dunnuck
 Legal Counsel

APPLICATION FOR TAX ABATEMENT
New Information Technology 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.

Date: 9-13-2010 Name of Company: Magna Powertrain of America, Inc.

Address of Property: 1400 West Fuson 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 1400 West Fuson 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: Shell building needs to have utilities connected

Briefly describe the use of the new equipment and its purchase price: IT equipment of \$130,000.00 to support the relocation of used equipment and refurbish it for the manufacturing of automotive components and assemblies for transfer cases.

Tax Assessment and Payment:

Amount of last business personal property assessment: \$ 0

Amount of last business personal property taxes: \$ 0

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



**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State 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:

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. "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)
2. 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
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. 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.
4. 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)
5. 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 1400 West Fuson Road, Muncie, IN 47302			County Delaware	DLGF taxing district number 0002				
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) Relocation of used equipment for manufacturing components and assemblies for automotive transfer cases. Logistics and IT equipment to support production of transfer cases.			ESTIMATED					
			START DATE		COMPLETION DATE			
			Manufacturing Equipment	10/01/2010	12/31/2011			
			R & D Equipment					
			Logist Dist Equipment	10/01/2010	12/31/2011			
IT Equipment	10/01/2010	12/31/2011						
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT								
Current number 0	Salaries 0.00	Number retained 0	Salaries 0.00	Number additional 47	Salaries 1,600,000.00			
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								
Plus estimated values of proposed project	8,173,000.00	3,269,200.00	0.00	0.00	100,000.00	40,000.00	130,000.00	84,500.00
Less values of any property being replaced								
Net estimated values upon completion of project	8,173,000.00	3,269,200.00	0.00	0.00	100,000.00	40,000.00	130,000.00	84,500.00
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) 9/14/10				

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 \$ _____.

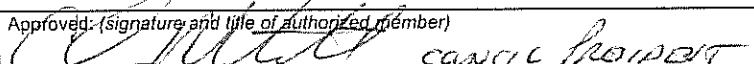
G. Other limitations or conditions (specify) _____

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)  COUNCIL PRESIDENT	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.

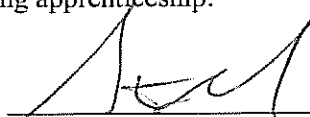
All qualified applicants will receive consideration for employment without regard to race, religion, color, age, sex, handicap, or national origin.

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.


Assistant General Manager
Name/Title

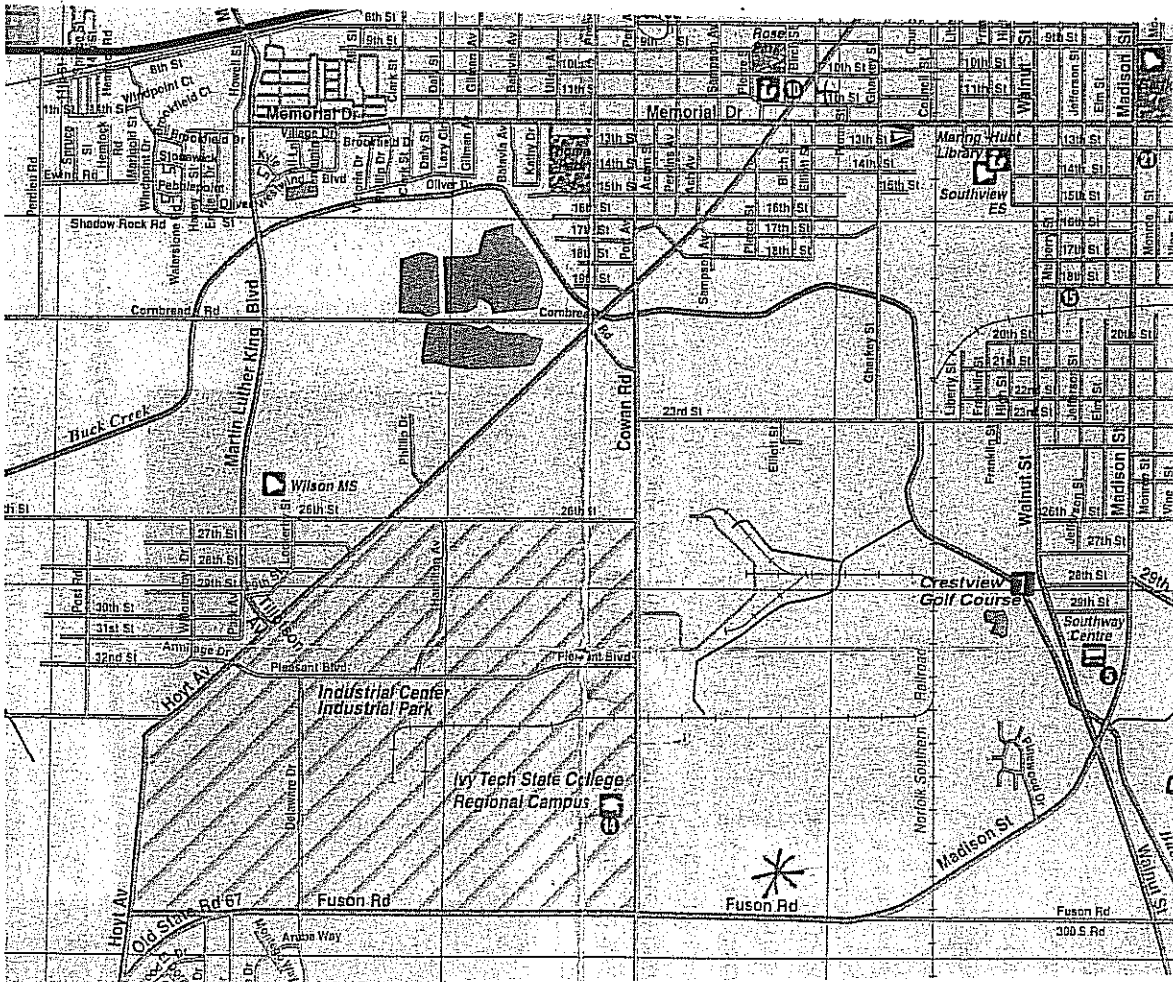
MPMuncie, a division of Magna Powertrain of America, Inc.
Company Name

5/25/2010
Date

Legal Description and Map

Magna Powertrain of America, Inc.
1400 West Fuson Road

That portion of land situate in the West Half of the Southwest Quarter of Section 28, Township 20 North, Range 10 East of the Second Principal Meridian in Delaware County, Indiana, being more particularly described as follows: Considering the South line of the said Southwest Quarter as bearing South 89 degrees, 48 minutes, 53 seconds East with all other bearings herein contained relative thereto; Commencing at a found monument at the Southwest corner of said Southwest Quarter; thence on said South line South 89 degrees, 48 minutes, 53 seconds East 660.08 feet to a set 5/8" diameter rebar with identification cap stamped "RMA Firm #0074" on the extension of the East line of the land described in Instrument No. 2005R20351, being the point of beginning; thence on said East line and the extension thereof North 00 degrees, 42 minutes, 18 seconds West and parallel with the West line of the Southwest Quarter, a distance of 1240.01 feet to a set 5/8" diameter rebar with identification cap stamped "RMA Firm #0074"; thence North 89 degrees, 17 minutes, 42 seconds East and perpendicular to the last described line, a distance of 660.90 feet to a set 5/8" diameter rebar with identification cap stamped "RMA Firm #0074" on the East line of the West Half of the Southwest Quarter; thence on said East line South 00 degrees, 40 minutes, 10 seconds East, a distance of 1250.67 feet to a set 5/8" diameter rebar with identification cap stamped "RMA Firm #0074" at the Southeast corner of the said West Half of the Southwest Quarter; thence on the South line of said Southwest Quarter North 89 degrees, 48 minutes, 53 seconds West, a distance of 660.20 feet to the point of beginning, containing 18.89 acres.



NAME: Delaware County Treasurer ACCOUNT NO: 200540 CHECK NO: 020998 DATE: 05/27/2010

Invoice Number	Invoice Date	Description	Amount	Discount	Net Amount
1900007655	05/25/2010	2010 TAX ABATEME	250.00	0.00	250.00

DETACH STUB BEFORE DEPOSITING - RETAIN VOUCHER FOR YOUR RECORDS

THIS CHECK IS VOID WITHOUT A BURGUNDY & GRAY BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

MAGNA POWERTRAIN
4701 S. Cowan Road
Muncie, IN 47302

JPMorganChase Bank
Dearborn, MI

CHECK NO. 020998
CHECK DATE 05/27/2010
74-1292/724

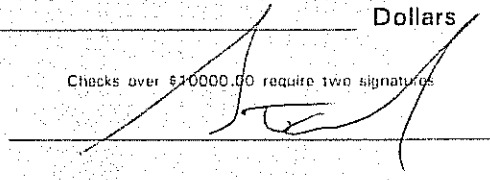
PAY THIS AMOUNT
\$ * * * 250.00 * * *

PAY *** TWO HUNDRED FIFTY ***

Dollars

TO THE ORDER OF
Delaware County Treasurer
100 W. Main St.
Muncie IN 47305

Checks over \$10000.00 require two signatures



AUTHORIZED SIGNATURE

SIGNATURE AREA CONTAINS A KNIGHT & FINGERPRINT CHECK WORDING

⑈020998⑈ ⑆0724⑆2927⑆ 701333379⑈

NAME: Delaware County Treasurer ACCOUNT NO: 200540 CHECK NO: 021899 DATE: 09/14/2010

Invoice Number	Invoice Date	Description	Amount	Discount	Net Amount
1900008467	09/14/2010	APP	200.00	0.00	200.00

DETACH STUB BEFORE DEPOSITING - RETAIN VOUCHER FOR YOUR RECORDS

THIS CHECK IS VOID WITHOUT A BURGUNDY & GRAY BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

MAGNA POWERTRAIN
4701 S. Cowan Road
Muncie, IN 47302

JPMorganChase Bank
Dearborn, MI

74-1292/724

CHECK NO. 021899
CHECK DATE 09/14/2010

PAY THIS AMOUNT

*** 200.00 ***

PAY TWO HUNDRED

Dollars

TO THE ORDER OF
Delaware County Treasurer
Real Property
100 W. Main St.
Muncie IN 47305

Checks over \$10000.00 require two signatures

Joe Barr
AUTHORIZED SIGNATURE

SIGNATURE AREA CONTAINS A KNIGHT & FINGERPRINT CHECK WORDING