

**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA**

**RESOLUTION
AUTHORIZING AMENDMENTS TO THE MEMORANDUM OF AGREEMENT
ASSOCIATED WITH RESOLUTION 2021-A-047 REGARDING REAL PROPERTY TAX
ABATEMENT**

RESOLUTION NO. 2024-A-042

**Scannell Properties #526, LLC
1210, 1220, 1230, and 1402 South Post Road**

WHEREAS, I.C. 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment or rehabilitation activities (hereinafter the “Project”) in Economic Revitalization Areas; and

WHEREAS, pursuant to I.C. 6-1.1-12.1, Scannell Properties, LLC. (hereinafter “Applicant”) filed designation application requesting that the subject real estate at 1210, 1220, 1230, and 1402 S. Post Rd. (hereinafter “Subject Real Estate”) be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with redevelopment or rehabilitation activities (hereinafter “Project”); and

WHEREAS, on Wednesday, September 15th, 2021, the Metropolitan Development Commission (hereinafter “Commission”) adopted Preliminary Economic Revitalization Area Resolutions No. 2021-A-044 preliminary designating the Subject Real Estate as an Economic Revitalization Area; and

WHEREAS, on Wednesday October 6th, 2021, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2021-A-047 (hereinafter “Resolution”), designating the Subject Real estate as an Economic Revitalization Area for the purpose of receiving up to seven (7) years real property tax abatement (hereinafter “Abatement”); and

WHEREAS, in the Statement of Benefits Form contained in the Resolution and the Memorandum of Agreement (hereinafter “MOA”) executed by and between the Applicant and the City of Indianapolis (hereinafter “City”), the Applicants indicated, among other requirements, that a minimum of \$30,000,000 in real property improvements would be made at the Subject Real Estate, and LOT ONE would have 40 full-time, permanent positions and LOT TWO would have 100 full-time, permanent positions would be created at wages of not less than \$18.00 per hour as a result of the Project (collectively, the “Commitments”); and

WHEREAS, in the MOA it required the Applicant to complete the Commitments for LOT ONE and LOT TWO by December 31, 2026 (the “Deadline Date”); and

WHEREAS, the Applicant submitted, on February 29th, 2024, a request to extend the schedule for commitments to LOT ONE and LOT TWO. The applicant has stated LOT ONE has no tenants and no new job creation, as of this request; and

WHEREAS, the City and Applicant (collectively, the “Parties”) desire to amend the Resolution and MOA in the following manner: extend job creation commitment date of LOT ONE and LOT TWO to December 31, 2028.

WHEREAS, the City and Applicant (collectively, the “Parties”) desire to amend the MOA in the following manner: increase LOT ONE job creation commitment to 100 full-time permanent positions, at an average hourly wage of not less than \$18.00 per hour, and reduce LOT TWO job creation commitment to 40 full-time permanent positions, at an average hourly wage of not less than \$18.00 per hour, as set forth in this Amending Resolution, and subsequently set 1:00 p.m. on Wednesday, December 18th, 2024, for the public hearing of remonstrances and objections from persons interested in the Applicant’s compliance with Resolutions and MOA, and whether the payment of the damages should be made to the City; and

WHEREAS, proper legal notices were published stating when and where such final hearing would be held; and

WHEREAS, at such final hearing, evidence and testimony (along with all written remonstrances and objections previously filed) were considered by the Commission; and

WHEREAS, the DMD and The City of Indianapolis have satisfied all other conditions precedent to hold the hearing to amend the terms of the Economic Revitalization Area designations, associated tax abatement deductions and the associated Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. The Commission hereby determines that the Applicant is unlikely to be able to comply with the job creation Commitments for LOT ONE and LOT TWO, as stated in the Statement of Benefits, the Resolution, and the MOA.
2. The Commission finds that allowing the extension to job creation for LOT ONE and LOT TWO is a reasonable deviation from the Commitments set forth in the SB-1, Resolution and MOA, and authorizes the Director of DMD to execute the Amended Memorandum of Agreement.
3. The Commission directs the Department of Metropolitan Development to continue to monitor the Applicant’s Project for the remainder of the term agreed upon in the Amended MOA.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillion III, President

Dated

Approved as to Legal Form
and Adequacy December 3, 2024.

Sheila Kinsey

Approved for Legal Form and Adequacy
Office of Corporation Counsel