

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

**RESOLUTION WAIVING CERTAIN FILING REQUIREMENTS OF THE ECONOMIC  
REVITALIZATION AREA DESIGNATION APPROVED BY RESOLUTION  
2019-A-019,**

**RESOLUTION NO. 2024-A-008**

**PERSONAL PROPERTY TAX ABATEMENT**

**IMH Products, Inc.**

1925 Columbia Avenue

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to the installation of new equipment (hereinafter the "Project") in Economic Revitalization Areas; and

**WHEREAS,** on Wednesday, March 6<sup>th</sup>, 2019 the Metropolitan Development Commission (hereinafter "Commission") adopted Preliminary Economic Revitalization Area Resolution No. 2019-A-013, 2019 preliminarily designating 1925 Columbia Avenue, Indianapolis, Indiana (the "Subject Real Estate") as an Economic Revitalization Area; and

**WHEREAS,** on Wednesday, March 20<sup>th</sup>, 2019 after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2019-A-019, 2019 (hereinafter, the "Resolution"), designating the Subject Real Estate as an Economic Revitalization Area for the purpose of receiving nine (9) years personal property tax abatement for the benefit of IMH Products, Inc. achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution, information technology, and/or research and development equipment (hereinafter "Applicant" and the "Abatement"); and

**WHEREAS, I.C. 6-1.1-12.1-5** requires an Applicant for Economic Revitalization Area designation to annually file with the personal property return a certified deduction schedule, including forms known as the Compliance with a Statement of Benefits Real Estate Improvements Property, or Form CF1/Personal Property (hereinafter "CF-1"), (hereinafter the "Deduction Application") with the Marion County Assessor (hereinafter "Assessor"); and

**WHEREAS,** on September 22, 2023, Applicant filed the 2023 and 2024 CF-1 forms with Department of Metropolitan Development, as staff to the Commission, which indicated Applicant has exceeded the job commitment of 30 new positions, was compliant with retained positions and new and retained wage commitments, and has meet the Personal Property Investment commitment per the Memorandum of Agreement, signed in consideration of the Abatement; and

**WHEREAS, I.C. 6-1.1-12.1-11.3(a)(5)** allows the Commission to waive non-compliance for certain filing requirements of the statutory abatement process, including the filing deadline for the certified deduction applications, provided that the Commission holds a public hearing and adopts a resolution approving such waivers (hereinafter "the Waivers"); and

**WHEREAS,** the Assessor, without the Commission's adoption of the Waivers, is legally prohibited from accepting the Applicant's deduction applications due to the untimeliness of the filing; and

**WHEREAS**, the Commission fixed 1:00 p.m. on February 21<sup>st</sup>, 2024 in the Public Assembly Room of the City-County Building for public hearing regarding the Waivers of Applicant’s noncompliance relative to the 2023 Pay 2024 deduction application filing dates (hereinafter, the “Public Hearing”); and

**WHEREAS**, such Public Hearing shall only consider the specified Waiver relative to the Applicant’s deduction filing and shall not constitute any other waiver of non-compliance of any other requirements of the Project pursuant to the Resolution and the executed Memorandum of Agreement, including but not limited to the Applicant’s commitments regarding the number and deadline dates for job creation and retention, wages and salaries of Applicant’s employees, and capital investment in the Project; and

**WHEREAS**, the Department of Metropolitan Development published proper legal notices for the Public Hearing stating the time, date, and location that the Commission would hear remonstrances and public input concerning the Waiver of Applicant’s noncompliance with the filing deadline for the 2023 Pay 2024 Abatement deduction applications.

**NOW, THEREFORE, IT IS RESOLVED:**

1. Following the Public Hearing and after consideration of all public input and the facts presented to the Commission, the Commission now confirms, adopts and approves the Waiver of Applicant’s failure to file, in a timely manner, the 2023 deduction applications, for which Applicant desires to claim deductions for taxes payable in 2024 under I.C. 6-1.1-12.1 *et seq.*, and the Commission finds and confirms all such noncompliance relative to the 2023 Pay 2024 deduction application filing deadline is hereby waived.
2. A copy of this resolution shall be filed with the Marion County Auditor.

METROPOLITAN DEVELOPMENT COMMISSION

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John J. Dillon III, President

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Date

Approved as to Legal Form  
and Adequacy this 21<sup>st</sup> day  
of February 2024.

Sheila Kinney *sek*  
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Approved for Legal Form and Adequacy  
Office of Corporation Counsel