26R-24

PETITIONER(S): _____
Department of Planning & Development
Mayor's Office of Economic Development

SPONSOR(S): _____
Council Member: Mark Kalwinski (District 1)
Council Member:

RESOLUTION NO.: 26R- R24

A RESOLUTION OF THE HAMMOND CITY COUNCIL GRANTING MIDWEST PRAIRIE BUILDERS LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR QUALIFIED TANGIBLE REAL PROPERTY IMPROVEMENTS PURSUANT TO INDIANA CODE 6-1.1-12.1

WHEREAS, Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code ("IC") 6-1.1-12.1 *et seq.*, (the "Act") in the form of deductions of assessed value for the qualified real property improvements, the installation of qualified tangible personal property, and/or the occupation of an eligible vacant building that results from development, redevelopment and rehabilitation; and

WHEREAS, Pursuant to Resolution No. 26 R.-19 (the "Declaratory Resolution") approved on October 26, 2026, as confirmed by Resolution No. 26 R.-23 (the "Confirmatory Resolution") approved on November 9, 2026, the Common Council ("Common Council") of the City of Hammond, Indiana ("City") designated and established a certain area located within the City as an economic revitalization area, the Belle Economic Revitalization Area (the "Belle ERA"); and

WHEREAS, The Declaratory Resolution and Confirmatory Resolution remain in full force and effect; and

WHEREAS, Midwest Prairie Builders LLC (the "Company") filed with the Mayor's Office of Economic Development and the City a **Statements of Benefits Real Property Improvements (FORM SB-1/RE)** dated **April 13, 2026,** a copy of which is attached hereto as **EXHIBIT A** and is made a part hereof as incorporated herein, proposing real property improvements, more specifically related to construction of three (3) new buildings totaling approximately 6,000 square feet: (i) Building 1 will consist of 1,200 s.f. and will be utilized for commercial lease; (ii) Building 2 will be 800 s.f. will be an ice cream establishment (Dairy Belle); and (iii) Building 3 will consist of 4,000 square feet and will be utilized for commercial services, with planned tenants including a laundromat and dry cleaning service, all with 12,800 s.f of asphalt for required parking lot, drive-through service for Building 2 and loading space (the "Project"); and

WHEREAS, The Project will be located all within the common address of 1719 to 1733 Indianapolis Boulevard and will be an estimated private investment of $3,000,000 estimated to be completed by the January 1, 2026 assessment date for full assessment by the Office of the Lake County, Indiana Assessor; and

WHEREAS, The Project is located within the boundaries of the duly designated Belle ERA effective pursuant to the approved Declaratory Resolution and the Confirmatory Resolution; such that, the Common Council may make a determination pursuant to Section 3(b) of the Act based upon the evidence as to whether Company shall be allowed an assessed valuation deduction of qualified real property improvements.

WHEREAS, A Statements of Benefits Real Property (FORM SB-1/RE) was submitted to the Common Council as the designating body before and prior to the construction, renovation, redevelopment, rehabilitation or installation of real property improvements related to the Project for which the Company desires to request an assessed valuation deduction; and

NOW, THEREFORE, BE IT RESOLVED that the actions of the Common Council of the City of Hammond, Indiana are based upon the evidence as presented by the Company after review of the Statement of Benefits (FORM SB-1/RE) as well as other pertinent information provided by the Department of Planning and Development and the Mayor's Office of Economic Development including the following findings pursuant to Section 3(b) of the Act, such that:

(1) The Project and the estimates and expectations contained in the FORM SB-1/RE are reasonable for a project of its nature;

(2) The estimated number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the Project;

(3) The estimated annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the Project; and

(4) The totality of the benefits is sufficient to justify an assessed valuation deduction on the Project.

BE IT FURTHER RESOLVED that the Common Council has determined that the Project is not currently located within a designated allocation area of the Hammond Redevelopment District established pursuant to Indiana Code 36-7-14.

BE IT FURTHER RESOLVED that the Common Council hereby grants an assessed valuation deduction (Tax Abatement) from qualified tangible real property for a period of **ten (10) years** from the first year of full assessment of the Project to **Midwest Prairie Builders LLC** in accordance with Section 3(c) and Section17(b) of the Act as it relates to the Project.

BE IT FURTHER RESOLVED that the Common Council hereby grants an assessed valuation deduction (Tax Abatement) from qualified tangible real property with an abatement schedule provided below pursuant Section17(b) of the Act consistent with the above abatement period as it relates to the Project.

Approved Abatement Schedule, *pursuant to I.C. 6-1.1-12.1-17(b)*
NOTE: Assessment Dates are anticipated based upon the FORM SB-1/Real. Year One of the Abatement Period shall be the first Assessment Date proceeding the date of full (100%) assessment, which may vary from the Assessment Dates identified below.

Year One (1): January 1, 2028	**100%**		**Year Six** (6): January 1, 2033	**40%**
Year Two (2): January 1, 2029	**95%**		**Year Seven** (7): January 1, 2034	**30%**
Year Three (3); January 1, 2030	**80%**		**Year Eight** (8): January 1, 2035	**20%**
Year Four (4): January 1, 2031	**65%**		**Year Nine** (9): January 1, 2036	**10%**
Year Five (5): January 1, 2032	**50%**		**Year Ten** (10): January 1, 2037	**5%**

BE IT FURTHER RESOLVED that the calculation and determination of the amount of assessed valuation deduction of the Project for tangible real property **shall be based upon the Project investment and limited to first year of full assessment of new improvements**, anticipated to be January 1, 2028.

BE IT FURTHER RESOLVED that the calculation and determination of the amount of assessed valuation deduction of the Project for tangible real property **shall be limited to $900,000** during the 10-year abatement period, anticipated to be January 1, 2028.

BE IT FURTHER RESOLVED that the final determination of the amount of assessed valuation deduction of the Project for tangible real property shall be made by the appropriate Lake County, Indiana assessing agency, review board or State of Indiana agency.

BE IT FURTHER RESOLVED that having received the consent of the Company and in accordance with Section14(b) of the Act, a copy of which is attached hereto as **EXHIBIT B** and is made a part hereof as incorporated herein, and pursuant to Section 14 of the Act for each year the Company's tangible real property tax liability is reduced by an assessed valuation deduction related specifically to the Project, the Company shall pay to the Lake County,

Indiana Treasurer a fee in the amount computed and determined by the Lake County, Indiana Auditor pursuant to the provisions of Section 14(c) of the Act (the "Imposed Fee") such that:

(1) The Common Council hereby determines that **fifteen percent (15%)** shall be the percentage to be applied by the Lake County, Indiana Auditor for purposes of STEP TWO of Section 14(c) of the Act; and

(2) Accordingly, for each year the Imposed Fee is payable by the Company, the Imposed Fee shall be equal to the lesser of One Hundred Thousand Dollars ($100,000) or fifteen percent (15%) of the additional amount of real property taxes that would have been paid by the Company during that year if the deductions approved in this Resolution had not been in effect (i.e., 15% of the Company's tangible real property tax savings attributable to a deduction from the assessed valuation as a result of the Project); and

(3) The Imposed Fee as collected shall be distributed to the **City of Hammond Redevelopment Commission** as a public entity established to promote economic development within the corporate limits of the City as determined by the Common Council as the designating body.

BE IT FURTHER RESOLVED that if the Company does not meet the minimum real property investments, employment and salary conditions identified in the FORM SB-1/RE as approved by this Resolution, pursuant to Section 5.9, Subsections (b), (c), and (d) of the Act and in accordance with the City's Clawback Provisions attached hereto under **EXHIBIT C**, the City may by resolution terminate the provisions of this Resolution and the assessed valuation deduction with notice to reimburse all overlapping taxing all prior year deductions found to be in non-compliance.

BE IT FURTHER RESOLVED that the Clerk of the City is hereby directed to file with the Office of the Lake County, Indiana Auditor the following information as it applies to this Resolution and the approval of the Company's assessed valuation deduction:

(1) The FORM SB-1/RE, as approved, properly completed consistent with this Resolution and as signed and attested by the appropriate City officials;

(2) A certified copy of this Resolution; and

(3) A copy of the meeting minutes which approved this Resolution and the FORM SB-1/RE.

BE IT FURTHER RESOLVED that the Clerk of the City is hereby directed to file with the Office of the Lake County, Indiana Assessor the following information as it applies to this Resolution and the approval of the Company's assessed valuation deduction:

(1) The FORM SB-1/RE, as approved, properly completed consistent with this Resolution and as signed and attested by the appropriate City officials;

(2) A certified copy of this Resolution; and

(3) A copy of the meeting minutes which approved this Resolution and the FORM SB-1/RE.

BE IT FURTHER RESOLVED that if any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause, or portion of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect from and after its passage and adoption by the City Common Council and upon the signature of the Mayor of the City as the executive of the City.

See Signature Page

[Remainder of Page Intentionally Left Blank]

RESOLUTION NO.: 26R- 24

A RESOLUTION OF THE HAMMOND CITY COUNCIL GRANTING MIDWEST PRAIRIE BUILDERS LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR QUALIFIED TANGIBLE REAL PROPERTY IMPROVEMENTS PURSUANT TO INDIANA CODE 6-1.1-12.1

SIGNATURE PAGE

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Lake County, Indiana on this 9th day of November, 2026.

CITY OF HAMMOND, INDIANA COMMON COUNCIL

Janet Venecz, President
Common Council

ATTEST:

Robert J. Golec, City Clerk
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 10th day of November, 2026.

Robert J. Golec, City Clerk
City of Hammond, Indiana

The foregoing Resolution No. R24 consisting of (7) typewritten pages, including this page, was Approved and signed by me, the undersigned Mayor of the City of Hammond, Indiana, this 15th day of November 2026.

Thomas M. McDermott, Jr., Mayor
City of Hammond, Indiana

PASSED by the Common Council on this 9th day of November 2026 and approved by the Mayor on the 15th day of November 2026.

Robert J. Golec, City Clerk
City of Hammond, Indiana

RESOLUTION NO.: 26R- 24

A RESOLUTION OF THE HAMMOND CITY COUNCIL GRANTING MIDWEST PRAIRIE BUILDERS LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR QUALIFIED TANGIBLE REAL PROPERTY IMPROVEMENTS PURSUANT TO INDIANA CODE 6-1.1-12.1

EXHIBIT A

Statements of Benefits Real Property Improvements (FORM SB-1/RE):
Midwest Prairie Builders LLC dated April 13, 2026

EXHIBIT A

STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51767 (R8 / 5-25)
Prescribed by the Department of Local Government Finance

2026 PAY 2027
FORM SB-1 / Real Property
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 6-1.1-12.1-1.1.

This statement is being completed for real property that qualifies under the following Indiana Code (*check one box*):

- [x] Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- [ ] Residentially distressed area (IC 6-1.1-12.1-4.1)
- [ ] New agricultural improvement (IC 6-1.1-12.1-4)

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** the initiation of the redevelopment or rehabilitation of real property or a new agricultural improvement for which the person wishes to claim a deduction.*
2. *To obtain a deduction, a Form 322/RE must be filed with the county auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between January 1 and May 10 of a subsequent year.*
3. *A property owner who files for the deduction must provide the county auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)*
4. *For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed.*

SECTION 1 — TAXPAYER INFORMATION

Name of Taxpayer: Midwest Prairie Builders LLC		
Address of Taxpayer (*number and street, city, state, and ZIP code*): 8534 Harrison Avenue, Munster, IN 46321-4632		
Name of Contact Person: Raymond J. Matesevac, Member & Agent	Telephone Number: (312) 804-9177	Email Address: jaymematesevac@comcast.net

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of Designating Body: Common Council of the City of Hammond, Indiana		Resolution Number: TBD
Location of Property: 1719 - 1733 Indianapolis Boulevard	County: LAKE	DLGF Taxing District Number: (026)
Description of Real Property Improvements, Redevelopment, or Rehabilitation (*use additional sheets, if necessary*): Construction of a commercial service building (4,000 s.f.) and two food/retail buildings (1,000 s.f each) with required parking. Development to be located 0.63 acres of land on A. Roberts' Subdivision, SE 2, Block 6, Lots 2 though 6.		Estimated Start Date (*month, day, year*): September 1, 2026 Estimated Completion Date (*month, day, year*): December 31, 2027

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES FROM PROPOSED PROJECT

Current Number	Salaries	Number Retained	Salaries	Number Additional	Salaries
0	$ 0	0	$ 0	20	$ 400,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current Values	$ 0	$ 0
(+) Plus Estimated Values of Proposed Project	$ 3,000,000	$ 900,000
(–) Less Values of Any Property Being Replaced	$ 0	$ 0
Net Estimated Values Upon Completion of Project	$ 3,000,000	$ 900,000

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated Solid Waste Converted (*pounds*) N/A

Estimated Hazardous Waste Converted (*pounds*) N/A

Other Benefits:

Not applicable.

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this schedule are true.

Signature of Authorized Representative: [signature] Reviewed: J. Matesevac (Apr 10, 2026 17:31:07 CDT)	Date Signed (*month, day, year*): April 13, 2027
Printed Name of Authorized Representative: Raymond J. Matesevac	Title: Member & Agent

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed ten (10) calendar years* *(see below)*. The date this designation expires is December 31, 2036. *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. Redevelopment or rehabilitation of real estate improvements	☑ Yes	☐ No
2. Residentially distressed areas	☐ Yes	☑ No
3. New agricultural improvement	☐ Yes	☑ No

C. The amount of the deduction is limited to $900,000.

D. Other limitations or conditions *(specify)* (1) Deduction limited to first year of full assessment or (C, above) of new improvements. (2) Imposition of an Imposed Fee (IC 6-1.1-12.1-14).

E. Number of years allowed:

☐ Year 1	☐ Year 2	☐ Year 3	☐ Year 4	☐ Year 5 (* see below)
☐ Year 6	☐ Year 7	☐ Year 8	☐ Year 9	☑ Year 10

F. 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.

We have also 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 of designating body)*	Telephone Number	Date Signed *(month, day, year)*
	(312) 853-6404	11/9/26
Printed Name of Authorized Member of Designating Body	**Name of Designating Body**	
Janet Venecz, President - Common Council	Common Council of the City of Hammond, Indiana	
Attested by *(signature and title of attester)*	**Printed Name of Attester**	
City Clerk	Robert J. Golec, City Clerk	

* 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.

In accordance with IC 6-1.1-12.1-17, where the Form SB-1/Real Property was approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period should be as follows:

A. For residentially distressed areas, the deduction period may not exceed ten (10) years.
B. For the redevelopment or rehabilitation of real property, the deduction period may not exceed ten (10) years.
C. For a new agricultural improvement, the deduction period may not exceed five (5) years.

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.
(5) In the case of a deduction for new farm equipment or new agricultural improvement, an agreement by the deduction applicant to predominately use the area for agricultural purposes for a period specified by the designating body.

(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 subsection (d) and section 18 of this chapter, 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.

(d) An abatement schedule for new farm equipment or new agricultural improvement may not exceed five (5) years.

RESOLUTION NO.: 26R- 24

A RESOLUTION OF THE HAMMOND CITY COUNCIL GRANTING MIDWEST PRAIRIE BUILDERS LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR QUALIFIED TANGIBLE REAL PROPERTY IMPROVEMENTS PURSUANT TO INDIANA CODE 6-1.1-12.1

EXHIBIT B

Imposed Fee Consent Letter:
Midwest Prairie Builders LLC

Pursuant to I.C. 6-1.1-12.1-14(b)

November 3, 2026

EXHIBIT B

Juan Moreno
Director of Economic Development
Mayor's Office of Economic Development
5925 Calumet Avenue, Room 328
Hammond, Indiana 46320

Dear Mr. Moreno:

Midwest Prairie Builders LLC (the "Company") as the property owners of real property located at 1719-1733 Highland Street with the following property identification numbers ("PINs"): 45-03-07-129-003.000-023; 45-03-07-129-004.000-023; 45-03-07-129-005.000-023; 45-03-07-129-006.000-023; and 45-03-07-129-007.000-023, being the SE ½ of Lot 2 and including Lots 3 through 6 in A. Roberts' Subdivision Block 6 have submitted a **FORM SB-1/Real Property (Statement of Benefits)** dated April 13, 2026 to the Mayor's Office of Economic Development for submission to and consideration by the City of Hammond, Indiana (the "City") Common Council, as the designating body, for approval of an assessed valuation deduction ("Tax Abatement") **consents to the imposition of a fee (the "Imposed Fee") pursuant to Indiana Code ("IC") 6-1.1-12.1-14.**

The Company understands that the City's Common Council will incorporate the following statements into a resolution as its approval of the Company's statement of benefits and assessed valuation deduction for qualified real property improvements identified in the FORM SB-1/Real Property:

1) The Common Council's intent to subject the Company to an Imposed Fee pursuant to IC 6-1.1-12.1-14(b);
2) The percentage to be applied by the Office of the Lake County, Indiana Auditor for purposes of STEP TWO of IC 6-1.1-12.1-14(c), which may not exceed fifteen percent (15%) and which shall remain in effect throughout the term of the assessed valuation deduction; and
3) The one or more public or nonprofit entities established to promote economic development within the City served by the City's Common Council as the designating body identified to receive distributions of the Imposed Fee and the proportions of those distributions by the Office of the Lake County, Indiana Auditor

The Company understands that for each year in which its property tax liability is reduced as the result of the application of a real property assessed valuation deduction pursuant to IC 6-1.1-12.1-3, the Company shall pursuant to IC 6-1.1-12.1-14 pay to the Lake County, Indiana Treasurer upon notification the Imposed Fee in an amount calculated by the Lake County, Indiana Auditor for distribution to the one or more public or nonprofit entities as designated by the City's Common Council. The Company shall pay the Imposed Fee within 30 days of notification.

Furthermore the Company understands that pursuant to IC 6-1.1-12.1-14(e), if the City's Common Council determines that the Company has not paid the Imposed Fee in accordance with IC 6-1.1-12.1-14, the Common Council may adopt a resolution terminating the Company's assessed valuation deduction under Sections 3. And, if the Common Council adopts such a resolution, the assessed valuation deduction previously approved under Sections 3 as now terminated does not apply to the next installment of property taxes owed by the Company or to any subsequent installment of property taxes.

Very truly yours,

Signature

Raymond Matesevac
Print Name

President
Title

RESOLUTION NO.: 26R- 24

A RESOLUTION OF THE HAMMOND CITY COUNCIL GRANTING MIDWEST PRAIRIE BUILDERS LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR QUALIFIED TANGIBLE REAL PROPERTY IMPROVEMENTS PURSUANT TO INDIANA CODE 6-1.1-12.1

EXHIBIT C

City of Hammond, Indiana Clawback Provision

EXHIBIT C

Hammond, Indiana
City of Hammond

Assessed Valuation Deductions (Tax Abatement):
Claw Back Provision

The Common Council of the City of Hammond, Indiana (the "City") has prepared the following Claw Back Provision in the event an entity to which an assessed valuation deduction (Tax Abatement) pursuant to Indiana Code 6-1.1-12-1 is approved vis-à-vis a FORM SB-1 or other form for which assessed valuation deductions are approved by Common Council official action and is found to be non-compliant in accordance with Indiana Code 6-1.1-12-1-5.9.

SECTION I. If an approved assessed valuation deduction applicant does not obtain or meet any one of the following criteria as identified on an approved FORM SB-1:

- Ninety percent (90%) of the level of salaries of retained and additional employees because of a project identified in Section 2 of an approved Statement of Benefits as set forth in Section 3 within the time frame (the "Estimated Completion Date") set forth in the same Statement of Benefits; and
- Ninety percent (90%) of the number of retained and additional employees because of a project identified in Section 2 of an approved Statement of Benefits as set forth in Section 3 within the time frame (the "Estimated Completion Date") set forth in the same Statement of Benefits;
- Ninety percent (90%) of the cost of tangible property because of a project identified in Section 2 of an approved Statement of Benefits as set forth in Section 4 within the time frame (the "Estimated Completion Date") set forth in the same Statement of Benefits;
- Reasonably accommodate the City resident employment commitment required by City ordinance (Ordinance No. 8171, as adopted and passed on April 12, 1999, as may be amended, more specifically Section 1) that at least fifty-one percent (51%) of all new employees hired or transferred by the owner shall be residents of the City;
- Meet the requirements of the City contractor bid notification commitment required by City ordinance (Ordinance No. 8171, as adopted and passed on April 12, 1999, as may be amended, more specifically Section 2) that City contractors will be given an opportunity to bid on all new construction with proper legal notice to appear in local newspapers of general circulation;

- Meet the requirements of the City's Common Wage Construction Act Wage Determination required by City ordinance (Ordinance No. 8370, as adopted and passed on August 13, 2001, as may be amended, more specifically Section 1) to pay (as shall all contractors and subcontractors working on the funded or subsidized project) for each class of construction work on the project a scale of wages and fringe benefits set by the then most recent Indiana Common Wage Construction Act Wage Determination issued for a public project in Lake County, Indiana;
- Meet the requirements of the City filing of a schedule of wage and fringe benefits required by City ordinance (Ordinance No. 8370, as adopted and passed on August 13, 2001, as may be amended, more specifically Section 3) require that any contractor or subcontractor performing work covered by Section 1 of the Ordinance to file a schedule of the wages and fringe benefits to be paid to such laborers, workmen or mechanics with the City's Office of the Common Council and also with the City Building Commissioner before any permits are issued; and
- Meet the requirements of the City filing of a certified payroll required by City ordinance (Ordinance No. 8370, as adopted and passed on August 13, 2001, as may be amended, more specifically Section 4) that requires any contractor or subcontractor performing work covered by Section 1 of the Ordinance to file a certified payroll with the City's Office of the Common Council and the Building Commissioner (By Ordinance, (i) the certified payroll shall identify the name of each worker on the project, the worker's classification, wage and fringe benefit package and the number of hours worked on each day on the project by the employee and (ii) each certified payroll shall be filed within thirty (30) days of the end of the employer's weekly payroll period, available to the public for inspection during regular working hours at the Office of the Common Council and the Building Commissioner.

the City's Common Council, as the designating body following the procedures of Indiana Code 6-1.1-12.1-5.9, *may* impose this Claw Back Provision requiring the applicant to pay back tax savings realized during the prior assessment year for taxes due and payable for non-compliance because of an assessed valuation deduction proportional to the extent of the deficiency of the criteria listed above. A determination by resolution to impose this Claw Back Provision and its provisions is at the sole discretion of the City's Common Council as the designating body and may be dependent upon various factors and variables uniquely applicable to each approved Statement of Benefits.

SECTION II. This Claw Back Provision may be imposed by the City's Common Council as the designating body during the approved period of the assessed valuation deduction as documented in the resolution approving a Statement of Benefits (FORM SB-1) and for a period of one year after and subsequent to the final assessment date applicable to the approved abatement period of an assessed valuation deduction applicant as documented in the resolution approving a Statement of Benefits (FORM SB-1).

SECTION III. Upon determination by resolution to impose this Claw Back Provision, the City's Common Council shall have an independent professional consultant calculate: (i) the tax savings realized as a result of an assessed valuation deduction to the extent of the deficiency of the criteria listed above as determined by the Common Council and (ii) the distribution of the claw back payment to the City proportional to each overlapping taxing unit for which the tax payable year the Claw Back Provision is applied, as based upon the percentage of the overlapping taxing unit's tax rate to the gross tax rate for the appropriate tax unit.

SECTION IV. Prior to notification to the approved applicant of an assessed valuation deduction for which this Claw Back Provision is imposed, the City shall notify the Office of the Lake County, Indiana Auditor ("Auditor") and/or the Office of the Lake County, Indiana Assessor ("Assessor") as to the imposition of the Claw Back Provision. The City shall also submit the calculation of the claw back payment and its distribution to the overlapping taxing units pursuant to Section III for confirmation and verification prior to final imposition and notification of this Claw Back Provision to the approved applicant of an assessed valuation deduction.

SECTION V. The Auditor shall provide written confirmation and verification as to the amount of the claw back payment and the proportional distribution of the claw back payments to the overlapping taxing units as calculated by the City pursuant to SECTION III.

SECTION VI. Upon notice from the Auditor that the claw back payment and the distribution of the claw back payment to the overlapping taxing units is confirmed and verified, the City shall notify to the approved applicant of an assessed valuation deduction that this claw back provision is imposed. Said notice shall include the calculation of the claw back payment, its distribution to the overlapping taxing units and a statement that the calculations have been confirmed and verified by the Auditor prior to notification.

SECTION VII. Prior to the distribution to the overlapping taxing units of a claw back payment made to the City, the City shall notify the Auditor and/or the Assessor as to the receipt of a claw back payment for its files pertaining to the assessed valuation deduction.

SECTION VIII. The City shall distribute claw back payments to all overlapping taxing units via USPS certified mail-return receipt no later than 30 days from the date of the receipt of the claw back payment.

SECTION IX. Upon return of all USPS certified mail-return receipts from the overlapping taxing units, the City shall provide copies of the return receipts to the following entities:

- The approved applicant of an assessed valuation deduction for which this Claw Back Provision is imposed;
- The Auditor, and
- If applicable, to the Assessor.

as documentation that the imposed claw back payment was distributed to overlapping taxing units.