

**A CONFIRMATORY RESOLUTION FOR THE ESTABLISHMENT OF AN
ECONOMIC REVITALIZATION AREA AND
THE GRANTING OF ASSESSED-VALUE DEDUCTION FOR THE
MAMMOTH SOLAR, LLC PROJECT
BY THE COUNTY COUNCIL OF STARKE COUNTY, INDIANA**

Resolution No. 7 of 2022

WHEREAS, pursuant to *Indiana Code* (I.C.) 6-1.1-12.1, the County Council of Starke County, Indiana, (the “**Council**”), did, on the 15th day of February, 2022, by adopting Starke County Resolution No. 6 of 2022 (the “**Preliminary Resolution**”), preliminary designate parcels described in Exhibit A, located at locations within Starke County described by the maps included as Exhibit B, and comprising approximately six thousand (6,000) acres (the “**Area**”), as an Economic Revitalization Area for a period of forty (40) years, upon a request from Starke Solar, LLC, a/k/a Mammoth Solar (the “**Applicant**”), for the purpose of achieving a deduction to assessed valuation (property-tax abatement) in connection with redevelopment activity and the installation of new manufacturing equipment (all as defined in I.C. 6-1.1-12.1-1 and permitted under I.C. 6-1.1-12.1-3 and I.C. 6-1.1-12.1-4.5) occurring on the affected properties;

WHEREAS, the Applicant has advised the Council it intends to construct a solar-energy generation facility, which will consist of approximately nine hundred (900) megawatts of new nameplate capacity and involve significant investment in real property redevelopment or rehabilitation and new manufacturing equipment (the “**Equipment**) in the Area;

WHEREAS, the Applicant submitted to the Council a Form SB-1/UD, Statement of Benefits, attached as Exhibit C, in connection with the Project (the “**Statement**”), and provided all information and documentation necessary for the Council to make an informed decision; and

WHEREAS, such redevelopment activities and such manufacturing equipment, as described above, are limited strictly to investments made for the purpose of generating electricity from solar energy for the public grid and to activities and equipment in direct support of such efforts, or to other purposes related thereto and fully compliant with the Starke County zoning ordinance, maps and exhibits as amended from time to time in their efforts to enforce and to interpret aforesaid ordinance;

WHEREAS, the Applicant has requested a 100-percent, twenty-year enhanced property-tax abatement for eligible utility-distributable solar-energy-manufacturing equipment pursuant to I.C. 6-1.1-12.1-18, as set forth in the Statement, and as outlined in Exhibit D, a deduction phase-in schedule, which are attached hereto and made a part of this resolution;

WHEREAS, the Council has considered the following factors under I.C. 6-1.1-12.1-17 in connection with the Project: (i) the total amount of the Applicant’s investment in real and personal property; (ii) the number of new full-time equivalent jobs to be created as a result of the Project; (iii) the average wage of the new employees resulting from the Project compared to the state minimum wage; and (iv) the infrastructure requirements for the Applicant’s investment under the Project (collectively, the “**Deduction Schedule Factors**”);

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, the Council published notice (the “**Notice**”) describing the adoption and substance of the Preliminary Resolution and stating that, on the date hereof, the Council would hold a public hearing (the “**Public Hearing**”) at which it will receive and hear all remonstrances and objections from interested persons, with respect to the Preliminary Resolution;

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, on Monday, March 21, 2022, the Council held the Public Hearing at which it received, heard, and considered evidence concerning the Preliminary Resolution and any remonstrances or objections with respect to the Preliminary Resolution;

WHEREAS, the Council has received and considered evidence concerning the designation of an Economic Revitalization Area and this application for tax abatement, and hereby finds that the Project as described in the Statement will be of public utility and will be to the benefit and welfare of all citizens and taxpayers of the County; and

WHEREAS, pursuant to I.C. 6-1.1-12.1-2.5, the Council desires to take final action confirming the Preliminary Resolution.

NOW, THEREFORE, BE IT FOUND, DETERMIEND, AND RESOLVED BY THE COUNCIL THAT:

1. the Area is within the County and the Area has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values and prevented a normal development of property and use of property;
2. the foresaid parcels, described in Exhibit A and located at locations within Starke County described by the maps included as Exhibit B, are designated an Economic Revitalization Area for a period of forty (40) years commencing this day, confirming the prior resolution;
3. this Economic Revitalization Area allows abatement of property taxes attributable to redevelopment or rehabilitation activities and the installation of new manufacturing equipment, all as defined in I.C. 6-1.1-12.1-1 and permitted under I.C. 6-1.1-12.1-3 and I.C.6-1.1-12-4.5;
4. such redevelopment or rehabilitation activities and such manufacturing equipment as described in part 3, above, are limited strictly to investments made for the purpose of generating electricity from solar energy for the public grid and to activities and equipment in direct support of such efforts, or to other purposes related thereto and fully compliant with the Starke County zoning ordinance, maps and exhibits as amended from time to time in their efforts to enforce and to interpret aforesaid ordinance;
5. based on the information in the Statement of Benefits describing the Project:

- A. the estimate of the cost of Equipment is reasonable for equipment of that type;
- B. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the Equipment;
- C. the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the Equipment;
- D. the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of the Equipment;
- E. the totality of benefits is sufficient to justify the granting of personal property tax deductions to the Applicant pursuant to I.C. 6-1.1-12-4.5;

6. based on the information in the Statement and the forgoing findings, the Council, pursuant to I.C. 6-1.1-12.1-4.5 and I.C. 6-1.1-12.1-18, hereby approves and allows State-assessed distributable and locally assessed personal property tax deductions for the Equipment by the Applicant with respect to the Project, and based on the Statements, the foregoing findings, and the Deduction Schedule Factors, pursuant to I.C. 6-1.1-12.1-17, that such personal property deductions shall be provided in accordance with the schedule set forth as Exhibit D hereto;

7. notwithstanding anything contained herein to the contrary, the granting of the tax deductions described herein is conditioned on and subject to the terms set forth in the Agreement for Economic Development Agreement (the "Agreement"), between the Applicant and the County, presented on the date hereof. The President of the Council is authorized to execute the Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized to attest the execution of such agreement with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evident of the approval of such changes;

8. having made its findings in the affirmative, the Council approves the aforesaid tax abatement and confirms the Preliminary Resolution;

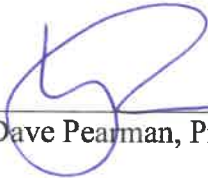
9. the estimated dates of construction outlined in Section 2 of the first page of Exhibit C, Form SB-1/UD, and the assessment and payment years outlined in Exhibit D are subject to change without penalty to Starke Solar, LLC, a/k/a Mammoth Solar, and/or any successor in such instance when the delay is attributable to legal proceedings concerning any challenges to the Starke County Board of Zoning Appeals' granting of a special exception to the Applicant, for the purposes of developing this project in an A-1, Agricultural, zoning district;

10. a copy of this resolution shall be filed with the County Assessor; and

11. this Resolution shall be in full force and effect from and after its adoption.

PASSED AND ADOPTED by the Council this 21st day of March, 2022, by a vote of 5 Yeas and 6 Nays.

County Council of Starke County, Indiana



Dave Pearman, President

ATTEST:



Rachel Oesterreich
Starke County Auditor