# A CONFIRMATORY RESOLUTION FOR THE ESTABLISHMENT OF AN ECONOMIC REVITALIZATION AREA AND THE GRANTING OF ASSESSED-VALUE DEDUCTION FOR THE DUNNS BRIDGE ENERGY STORAGE, LLC a/k/a NEXTERA SOLAR PROJECT BY THE COUNTY COUNCIL OF STARKE COUNTY, INDIANA

#### Resolution No. 10 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 21<sup>st</sup> day of March, 2022, by adopting Starke County Resolution No. 8 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 one thousand six hundred fifty (1,650) acres (the "Area"), as an Economic Revitalization Area for a period of forty (40) years, upon a request from Dunns Bridge Energy Storage, LLC a/k/a NextEra 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. 6-1.1-12-4.5) occurring on the affected properties;

WHEREAS, the Applicant has advised the Council its intents to construct a solar-energy generation facility, which will consist of approximately one hundred and forty-four (144) 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, April 18, 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 COUNTIL 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 Dunns Bridge Energy Storage, LLC a/k/a NextEra 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 18<sup>th</sup> day of April, 2022, by a vote of \_\_\_\_\_\_ Yeas and \_\_\_\_\_\_ Nays.

County Council of Starke County, Indiana

Dave Pearman, President

ATTEST:

Rachel Oesterreich Starke County Auditor

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

Neal Property Tax Parcel No. 75-08-19-100-002,000-011 (75.9900 acres)

The east half of the Northwest Quarter, and also all that part of the east half of the Southwest Quarter lying north of the center of a public highway running east and west through said above described tract, supposed to contain 2 acres, more or less, in Section 19, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana; EXCEPT, a part of the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 19, Township 32 North, Range 4 West of the 2nd P.M., Railroad Township, Starke County, Indiana, described as follows: Commencing at the West Quarter corner of said Section, as marked by a half inch iron pin; thence on the south line of the NW 1/4, as monumented, south 89°53'30" east, 1437.8 feet, to the southwest corner of the Southeast Quarter of the Northwest Quarter, and the point of beginning; thence north 0°03' east, on the west line of said SE¼ of the NW¼, 212.2 feet; thence on the existing fence line, south 88°28' east, 100.2 feet, to an iron pipe, set in said fence line; thence south 0°06' west, 209.8 feet, to the south line of the SE 1/4 of the NW 1/4; thence south 0°06' west, 63.2 feet, to the center line of an asphalt county highway; thence on said centerline, south 89°48'40" west, 100.8 feet to the west line of the NE% of the SW1/4; thence on said west line, north 0°03' east, 63.8 feet to the point of beginning, containing 0.64 acre, more or less; ALSO EXCEPT, a part of the SE 1/4 of the NW 1/4 and the NE1/4 of the SW1/4 of Section 19, Township 32 North, Range 4 West of the 2nd P.M., Railroad Township, Starke County, Indiana, described as follows: Commencing at the West Quarter corner of said Section, as marked by a half-inch iron pin; thence south 89°53'30" east, along the south line of the Northwest Quarter, as monumented, a distance of 1437.8 feet to the southwest corner of the Southeast Quarter of the Northwest Quarter; thence north 0°03'00" east, on the west line of said Southeast Quarter of the Northwest Quarter a distance of 212.2 feet to an iron pin for the point of beginning; thence north 0°03'00" east, continuing along said west line a distance of 514.12 feet to an iron pin; thence south 88°28'00" east, a distance of 300.70 feet to an iron pin; thence south 0°06'00" west, a distance of 442.22 feet to an iron pin; thence north 88°28'00" west, a distance of 156.31 feet to an iron pin; thence south 3°27'31" west, a distance of 280.82 feet to the south line of the Southeast Quarter of the Northwest Quarter of said section; thence south 3°27'31" west, a distance of 63.18 feet to the center line of an asphalt county highway; thence south 89°48'40" west, along said center line a distance of 23.58 feet; thence north 0°06'00" east, along the east line of Deed Record 136, page 204, a distance of 63.2 feet to aforesaid south line of the Southeast Quarter of the Northwest Quarter of said section; thence north 0°06'00" east, continuing along said east line a distance of 209.8 feet to an iron pin; thence north 88°28'00" west, along the north line of said Deed Record a distance of 100.2 feet to the point of beginning. Containing 3.48 acres, more or less.

≈ Real Property Tax Parcel No. 75-08-19-200-004.000-011 (80.0000 acres) '

The West One-Half of the Northeast Quarter of Section 19, Township 32 North, Range 4 West, of the Second Principal Meridian, in Starke County, Indiana.

Real Property Tax Parcel No. 75-08-19-100-002.000-011 (75.9900 acres)

Transfer on Death Deed to the above property was recorded in Starke County, on 12/6/2016, as Document No. 2016003670.

Real Property Tax Parcel No. 75-08-19-200-004.000-011 (80.0000 acres)

Transfer on Death Deed to the above property was recorded in Starke County, on 12/6/2016, as Document No. 2016003668.

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

ъ Real Property Tax Parcel No. 75-08-24-100-001.000-011 (80.0 acres) .

The North half of the Northwest Quarter of Section 24, Township, 32 North, Range 4 West of the 2nd P.M.

Real Property Tax Parcel No. 75-08-09-300-008.000-011 (40 acres) and 75-08-09-300-011.000- '011 (80 acres)

Also, the South half of the Southwest Quarter; and the Northeast Quarter of the Southwest Quarter, of Section 9, Township 32 North, Range 4 West of the 2nd P.M.

Real Property Tax Parcel No. 75-08-09-200-006.000-011 (40.16 acres) and 75-08-09-100-005.000-011 (40 acres)

Also, a part of the South half of the North half of Section 9, Township 32 North, Range 4 West of the 2nd P.M., more particularly bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 9, Township and Range aforesaid, thence north 1315 feet and to the center of the open drainage ditch running along the north Line of the South half of the North half of section 9, Township and range aforesaid, thence east down and along the center line of said ditch and along the north line of the south half of the North half of Section 9, Township and Range aforesaid, 2310 feet and to the center line of the Payne Ditch 1515 feet and to the intersection thereof with the south line of the South half of the North half of Section 9, Township and Range aforesaid, thence west along said south line of the South half of the North half of Section 9, Township and Range aforesaid, 3001 feet to the point of beginning, and containing 80.16 acres, more or less, being in Starke County, Indiana.

Real Property Tax Parcel No. 75-08-24-100-007.000-011 (43.22 acres)

Also, the South Half of the Northwest Quarter lying north of the New York Central Railroad (formerly the C. I. and S. Railroad) in Section 24, Township 32 North, Range 4 West of the Second Principal Meridian, in Starke County, Indiana.

α Real Property Tax Parcel No. 75-08-03-300-012.000-011 (40.0 acres)

Also, the Northwest Quarter of the Southwest Quarter of Section 3, Township 32 North, Range 4 West of the 2nd P.M.

Real Property Tax Parcel No. 75-08-03-300-019.000-011 (40.0 acres)

Also, the Southeast Quarter of the Southwest Quarter of Section 3, Township 32 North, Range 4 West of the 2nd P.M.

No. 75-08-24-200-002.000-011 (26.72 acres)

Also, all that part of the Northeast Quarter of Section 24, Township 32 North, Range 4 West of the 2nd P. M., in Starke County, Indiana, lying north of the New York Central Railroad right of way and west of the Green Ditch; Except such part thereof as may be included in Deed to William Geary and Emma Geary, husband and wife, dated August 8, 1949, recorded in Deed Record 97, page 279-280 in the office of the Recorder of Starke County, Indiana.

Quitclaim deed to the above property was recorded in Starke County on September 30, 1992, in Record Book 143, page 984, Starke County, Indiana

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

Real Property Tax Parcel No. 75-08-09-400-009.000-011 (115.7 acres) '

The West Half of the East Half of the Southeast Quarter and the West Half of the Southeast Quarter of Section Nine (9), Township Thirty-two (32) North, Range Four (4) West, Starke County, Indiana.

EXCEPTING THEREFROM: A parcel of land situate in the Southeast Quarter of Section 9, Township 32 North, Range 4 West, Starke County, Indiana, more particularly described as follows: Commencing at a railroad bolt at the Southeast corner of Section 9, Township 32 North, Range 4 West; thence along the South line of said Section North 89°47'50" West a distance of 1793.26 feet; thence North 00°12'10" East a distance of 1213.09; thence North 26°46'04" East a distance of 44.72 feet; thence South 89°47'50" East a distance of 284.47 feet to a bar and cap set being the Point of Beginning; thence North 00°12'10" East a distance of 397.20 feet to a bar and cap set; thence North 89°47'50" West a distance of 478.26 feet to a bar and cap set; thence South 00°12'10" West a distance of 331.93 feet to the centerline of an open ditch; thence along said centerline South 51°38'24" East a distance of 105.65 feet; thence South 89°47'50" East a distance of 395.18 feet to the point of beginning, said exception said in survey to contain 4.30 acres, more or less.

Warranty Deed to the above property was recorded in Starke County on February 26, 2016, as Document #2016000575, Greg S. Hoppe and Anna M. Hoppe, Grantors. Having been previously conveyed to Greg S. and Anna Hoppe by Trustee's Deed recorded October 31, 2003, as Document # 2003463216, Floyd G. Hoppe, Trustee, Grantor

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

\* Real Property Tax Parcel No. 75-08-08-100-001.000-011 (80 acres)

The North Half of the Northwest Quarter of Section 8, Township 32 North, Range 4 West of the 2<sup>nd</sup> P.M., Starke County, Indiana.

Being part of the property described in Deed to Bobek Farms, Inc. dated December 9, 1998, recorded in Book 153, Page 469, Starke County Records.

A Real Property Tax Parcel No. 75-08-08-100-005.000-011 (80 acres)

The South Half of the Northwest Quarter of Section 8, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana. Being part of the property described in Deed to Bobek Farms, Inc. dated February 23, 1987, recorded in Book 137, Page 888, Starke County Records.

Neal Property Tax Parcel No. 75-08-08-300-009.000-011 (40 acres)

The Northwest Quarter of the Southwest Quarter of Section 8, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana. Being part of the property described in Deed to Bobek Farms, Inc. dated February 23, 1987, recorded in Book 137, Page 888, Starke County Records.

(h) Real Property Tax Parcel No. 75-08-08-300-013.000-011 (40 acres)

The Southwest Quarter of the Southwest Quarter of Section 8, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana. Being part of the property described in Deed to Bobek Farms, Inc. dated December 27, 1978, recorded in Book 130, Page 711, Starke County Records.

W Real Property Tax Parcel No. 75-08-08-300-010.000-011 (80 acres)

The East Half of the Southwest Quarter of Section 8, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana.

Being part of the property described in Deed to Bobek Farms, Inc. dated December 27, 1978, recorded in Book 130, Page 711, Starke County Records.

(40 acres) ( Real Property Tax Parcel No. 75-08-17-100-002.000-011

The Northeast Quarter of the Northwest Quarter of Section 17, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana.

Being part of the property described in Deed to Bobek Farms, Inc. dated December 27, 1978, recorded in Book 130, Page 711, Starke County Records.

Real Property Tax Parcel No. 75-08-12-300-014.000-011 (54 acres) \*

The East 54 acres of the East Half of the Southwest Quarter of Section 12, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana. Being part of the property described in Deed to Bobek Farms, Inc. dated December 29, 1978, recorded in Book 130, Page 712, Starke County Records.

A Real Property Tax Parcel No. 75-08-12-400-019.000-011 (55.23 acres)

The West 60 acres of South Half of the Southeast Quarter of Section 12, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana, excepting therefrom a tract of land in the Southeast Quarter of Section 12, Township 32 North, Range 4 West, Railroad Township, Starke County, Indiana, more particularly described as follows towit:

Commencing at the Southwest corner of the Southeast Quarter of Section 12; thence North 00° 00' 00" East, 447.39 feet along the West line of the Southeast Quarter of Section 12 for the place of beginning; thence North 00° 00' 00" East, 300.00 feet along the West line of the Southeast Quarter of the aforesaid Section 12; thence North 88° 53' 30" East, 692.61 feet; thence South 00° 00' 00" West, 300.00 feet; thence South 88° 53' 30" West, 692.91 feet to the place of beginning, containing 4.77 acres, more or less. Being part of the property described in Deed to Bobek Farms, Inc. dated December 29, 1978, recorded in Book 130, Page 712, Starke County Records.

Real Property Tax Parcel No. 75-08-12-100-007.100-011 (28.1 acres) and 75-08-12-100-006.100-011 (1.05 acres)

The East Half of the Northwest Quarter of Section 12, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana, lying South of the centerline of the former Erie Railroad right of way, excepting therefrom a parcel of land located in the Northwest corner of a parcel of property described on Warranty Deed dated January 17, 1976, and recorded in the Office of the Starke County Recorder in Deed Record 126, Page 728, the

description of which land herein conveyed is as follows: A tract of land in the West Half of Section 12, Township 32 North, Range 4 West, Railroad Township, Starke County, Indiana, bounded and described as follows: Commencing at the Southeast corner of the Southwest Quarter of the aforesaid Section 12, thence North 00° 00' 00" East, 2,779.96 feet along the East line of the West Half of the aforesaid Section 12; for the place of beginning; thence North 90° 00' 00" West, 400.0 feet; thence North 00° 00' 00" East, 859.19 feet to the Southwesterly right-of-way line of Erie Lakawana Railroad; thence South 61° 49' 12" East, 453.79. feet along the aforesaid right-of-way line to the East line of the West half of the aforesaid Section 12; thence South 00° 00' 00" West, 644.98 feet along the East line of the West half of the aforesaid Section 12 to the place of beginning, containing 6.90 acres, more or less; also excepting that portion of the former Erie Railroad right of way adjoining said 6.90 acre parcel.

Being part of the property described in Deed to Bobek Farms, Inc. dated December 29, 1978, recorded in Book 130, Page 712, Starke County Records, and part of the property described in

Notice of Abandonment dated June 13, 1985, and recorded in Book EE, at Page 989, Starke County Records.

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

3 Real Property Tax Parcel No. 75-08-19-100-001.000-011 (89.44 acres) ·

The West Half (W ½) of the Northwest Quarter (NW ½) of Section 19, Township 32 North, Range 4 West, containing eight-nine (89) acres, more or less; ALSO a narrow strip off of the north end of the West Half (W ½) of the Southwest Quarter (SW/4) of Section 19, Township 32 North, Range 4 West.

☆ Real Property Tax Parcel No. 75-08-19-300-012.000-011 (2 acres) ·

Commencing at the Southwest corner of the West half of the Northwest Quarter of Section 19, Township 32 North, Range 4 West, running due South to State Ditch; thence East to East line of the West half of the Southwest Quarter (SW ½) of Section 19, Township 32 North, Range 4 West; thence North to the Southeast corner of the West half of the Northwest Quarter of Section 19, Township 32 North, Range 4 West; thence West to the place of beginning, containing two acres, more or less.

<sup>№</sup> Real Property Tax Parcel No. 75-08-18-300-022.000-011 (22 acres) '

The East one-half (E ½) of the Southwest Quarter (SW ¼) of the southwest quarter (SW ¼) of Section Eighteen (18) Township 32 North, Range 4 West of the Second Principal Meridian all in Starke County, Indiana.

A Real Property Tax Parcel No. 75-08-19-300-014.000-011 (37 acres)

All that part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township thirty-two (32) North, Range four (4) West of the second principal meridian, lying South of the public highway running East and West through said section, the part hereby described contains thirty-eight acres.

EXCEPT: A part of the Northeast Quarter of the Southwest Quarter of Section 19, Township 32 North, Range 4 West of the 2nd P.M., Starke County, Indiana, described as: Beginning at the intersection of the West line of the Northeast Quarter of the Southwest Quarter of said Section 19 with the centerline of County Road 650 South; thence East on said centerline, 136.5 feet; thence South, parallel with the west line of the Northeast Quarter of the Southwest Quarter of said Section 19, a distance of 320 feet; thence West, parallel with the centerline of said County Road, 136.5 feet to the West line of said quarter section and the centerline of a drainage ditch; thence north on said West line, 320 feet, to the Point of Beginning, Starke County, Indiana. Containing 1.00 acre, more or less.

Real Property Tax Parcel No. 75-08-17-200-007.000-011 (11.45 acres), 75-08-16-100-004.000-011 (108.96 acres)

The West Half of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter in Section Sixteen and Part of the Northeast Quarter of Section Seventeen lying east of the right of way of the Monon Railroad, all in Township Thirty-two North, Range Four West of the Second Principal Meridian.

EXCEPT beginning at a point on the west line of the Northwest Quarter of Section 16, Township 32 North, Range 4 West, Railroad Township, Starke County, Indiana, that is 1787.40 feet due South of the Northwest corner of the Northwest Quarter of said Section 16; thence North 89° 31' 10" East 369.30 feet to a ½" rebar; thence South 02° 30' 12" East 633.26 feet to a ½" rebar; thence South 89° 31' 10" West 649.58 feet to a ½" rebar on the westerly right-of-way line of State Road 421; thence North 02°30'12" West on said westerly right-of-way line, 633.26 feet to a ½" rebar; thence North 89°31'10" East 280.28 feet to the point of beginning. Containing 9.44 acres, more or less.

Warranty Deed to the above property was recorded in Starke County, Indiana, on April 7, 2014, as Instrument #2014000897.

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

A Real Property Tax Parcel No. 75-08-30-300-007.000-011 (42.84 acres)

The NW ¼ of the SW ¼ of Section 30, in Township 32 North, Range 4 West of the 2nd P.M., in Starke County, Indiana, excepting therefrom a parcel of real estate described as follows: A parcel of land located in the northwest quarter of the southwest quarter of Section 30, Township 32 North, Range 4 West of the Second Principal Meridian in Railroad Township, Starke County, Indiana, described as follows: Commencing at the southwest corner of the northwest quarter of the southwest quarter of Section 30, as evidenced by a Railroad spike; thence north 00°00' on the west line of the northwest quarter of the southwest quarter of Section 30, a distance of 594.05 feet to a P-K nail, being the point of beginning; thence north 00°00', a distance of 170 feet to a P-K nail; thence north 90°00' east, 512.5 feet to a 5/8" X 30" long iron reinforcing rod; thence north 90°00' west, 512.5 feet to the point of beginning, Containing 2.00 acres, more or less.

46 Real Property Tax Parcel No. 75-08-30-300-008.000-011 (80 acres)

The E ½ of the SW ¼ of Section 30, in Township 32 North, Range 4 West of the 2nd P.M. in Starke County, Indiana.

Parcel ID: 75-08-30-300-007.000-011 and 75-08-30-300-008.000-011

Trustee's Deed to the above property was recorded in Starke County, on 5/21/2014, as Document No. 2014001292.

# Legal Description of Property

ALL THAT CERTAIN real estate lying and being situated in Starke County, Indiana, being more particularly bounded and described as follows:

Real Property Tax Parcel No. 75-08-18-200-009.000-011 (40 acres) '

The Southeast Quarter of the Northeast Quarter of Section 18, Township 32 North, Range 4 West of the 2<sup>nd</sup> P.M., Starke County, Indiana.

Quitclaim Deed to the above property was recorded in Starke County on November 24,2011, as Document No. 2004469620, from James E. Kalinke to James E. Kalinke and Melodee A. Kalinke, Husband and wife.

See also Quitclaim Deed recorded October 4, 1999 in Deed Record Book 154, page 999, from

Keith Kalinke to James E. Kalinke.

Devised to James E. Kalinke and Keith Kalinke as noted in the Order on Final Account and Decree of Final Distribution of the Estate of Evelyn V. Kalinke, deceased, recorded in Misc. Record KK, Page 896, dated February 28, 1996.

3 Real Property Tax Parcel No. 75-08-17-300-011.000-011 (40 acres)

The Northwest Quarter of the Southwest Quarter of Section 17, Township 32 North, Range 4 West of the 2<sup>nd</sup> P.M., Starke County, Indiana.

Quitclaim Deed to the above property was recorded in Starke County on November 24,2011, as Document No. 2004469620, from James E. Kalinke to James E. Kalinke and Melodee A. Kalinke, Husband and wife.

See also Quitclaim Deed recorded October 4, 1999 in Deed Record Book 154, page 999, from

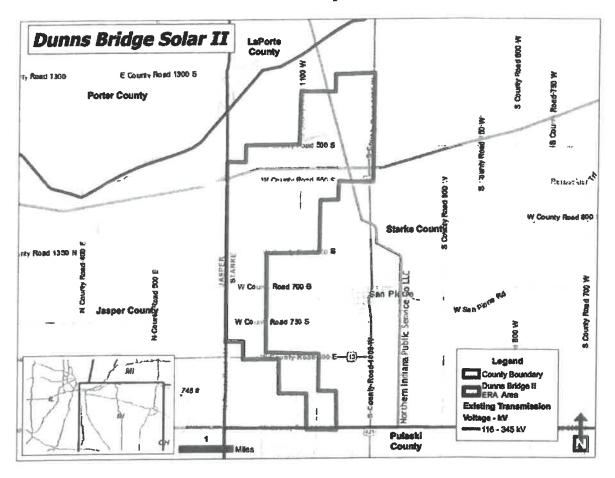
Keith Kalinke to James E. Kalinke.

Devised to James E. Kalinke and Keith Kalinke as noted in the Order on Final Account and Decree of Final Distribution of the Estate of Evelyn V. Kalinke, deceased, recorded in Misc. Record KK, Page 896, dated February 28, 1996.



# Exhibit B to Agreement for Economic Development

# Real Estate / Project Area



# Exhibit to Agreement for Economic Development

## **Statement of Benefits**



#### STATEMENT OF BENEFITS UTILITY DISTRIBUTABLE PROPERTY

State Form \$246 (FS / 11-16)

Prescribed by the Department of Local Government Finance

#### PRIVACY NOTICE

Any information concerning the cost of the properly and specific salestes paid to individual amploymes by the properly owner a constanted per IC 5-1.1-12.3-6 f.

FORM 88 -1/UD

#### INSTRUCTIONS

- 9. This statement must be submitted to the body designating the Economic Revialization Atea prior to the public hearing if the designating body requires information from the applicant in making its decision should whether to designate an Economic Revialization Area. Otherwise this statement must be submitted to the designating body REFORE a person helality the new manufacturing equipment and/or example and development againment, and/or logistical distribution equipment end/or information technology equipment for which the person wishes to distribution.
- The absenced of horalise form must be extended to the designating body and the ered designated an economic revitablesion ones before the installation of qualifying abstable equipment for which the paraon desires to claim a disdution.
- 3. Tooldan a deduction, Form UB-ERA must be sted with the county assessor. Form UD-ERA must be sted between January 1 and May 18 of the assessment year invehiclence mentioning engineers ander research and development engineers ander togistical desiration engineers ander invehiclence must be sted and any turnional, unless a Birg address has been obtained. A person who obtains a Sing assession must be the form between January 1 and the autented due date of their year.
- 4. Property owners whose Sistement of Banelits was approved must submit Form CF-1/LID annually to show complence with the Statement of Banelits. (IC 8-1.1-12.1-5.8)
- 5. For a Form SB-(ALD that is approved after June 30, 2013, the dealposing body is required to establish to elastrominal actividate for each discrete allowed.

  For a Form SB-(ALD that is approved prior to July 1, 2013, the abelianian actividate approved by the dealgrating body remains in effect. (C 6-1.1-12.1-17)

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Dunns Bridge Energy Storage, LLC											
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Telephone rember	F-gas rusts	Fets rumber			( 317 ) 635-8900			mary.solada@dentons.com			
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#### **RESOLUTION NO. 9 OF 2022**

Exhibit D

# Utility Distributable Property Tax-Abatement Schedule

Year of	Payable	Rate of
Abatement	Year*	Abatement
1	'24 - pay - '25	100%
2	'25 - pay - '26	100%
3	'26 - pay - '27	100%
4	'27 - pay - '28	100%
5	'28 - pay - '29	100%
6	'29 - pay - '30	100%
7	'30 - pay - '31	100%
8	'31 - pay - '32	100%
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10	'33 - pay - '34	100%
11	'34 - pay - '35	100%
12	'35 - pay - '36	100%
13	'36 - pay - '37	100%
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15	'38 - pay - '39	100%
16	'39 - pay - '40	100%
17	'40 - pay - '41	100%
18	'41 - pay - '42	100%
19	'42 - pay - '43	100%
20	'43 - pay - '44	100%
21	'44 - pay - '45	0%

\*Payable year subject to change without penalty to Dunns Bridge Energy Storage, LLC a/k/a NextEra Solar Projec, 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 Dunns Bridge Energy Storage, LLC, for the purposes of developing this project an A-1, Agricultural, zoning district.