

**RESOLUTION 23-11**

**TO WAIVE NON-COMPLIANCE OF NEW URBAN STATION, LLC CONCERNING A PREVIOUSLY-APPROVED REAL PROPERTY TAX ABATEMENT**

WHEREAS, the City of Bloomington, by Resolution 16-12 as amended by Resolution 17-26, previously granted a 10-year real property tax abatement pursuant to Indiana Code 6-1.1-12.1 *et. seq.* to H.M. Mac Development, LLC for properties now owned by New Urban Station, LLC at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street, Bloomington, Indiana, including the parcels:

- 53-08-04-200-037.000-009 (Alt Parcel Num: 015-35020-00)
- 53-08-04-200-088.000-009 (Alt Parcel Num: 015-35010-00)
- 53-08-04-200-021.000-009 (Alt Parcel Num: 015-35030-00)
- 53-08-04-200-185.000-009 (Alt Parcel Num: 015-10000-00)
- 53-08-04-200-203.000-009 (Alt Parcel Num: 015-33130-00); and

WHEREAS, the owner of said real property is under a statutory duty to file a Compliance with Statement of Benefits (“CF-1”) form with the Common Council of the City pursuant to Indiana Code 6-1.1-12.1 *et. seq.* on or before May 15 of each year in which said deduction from property taxes is allowed; and

WHEREAS, the property owner for the properties listed above did not timely file the CF-1 form for 2023 taxes payable in 2024 but has since filed such form and requests that this form be accepted by the Common Council as if timely filed; and

WHEREAS, the Common Council, pursuant to Indiana Code 6-1.1-12.1-9.5(b) may, by resolution, waive non-compliance with a filing deadline applicable to a Statement of Benefits or another document required to be filed under that chapter;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY INDIANA, THAT:

SECTION 1. The Common Council finds that the Compliance with Statement of Benefits (CF-1) form for 2023 for the properties identified above has been filed by the property owner with the Common Council before the adoption of this resolution.

SECTION 2. The Common Council finds that granting New Urban Station, LLC relief from the CF-1 form filing deadline will not result in a delay in the issuance of tax bills, require the recalculation of tax rates or tax levies, or otherwise cause an undue burden on a taxing unit.

SECTION 3. The Common Council now waives the filing deadline for said form, which shows compliance with the Statement of Benefits originally provided as part of the abatement application. By this action, the Common Council intends that the property owner shall be treated as if the property owner had timely complied with the procedural requirements of Indiana Code 6-1.1-12.1, *et. seq.*

SECTION 4. The City Clerk is directed to provide a certified copy of this Resolution to the property owner and the Department of Local Government Finance.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
SUE SGAMBELLURI, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This resolution waives non-compliance with a filing deadline applicable to New Urban Station, LLC as owner of properties subject to a real property tax abatement.