**RESOLUTION NO. 5, 2024**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WABASH, INDIANA TERMINATING TAX ABATEMENT FOR REAL ESTATE FOR LMBW PROPERTIES, LLC.**

**WHEREAS** LMBW PROPERTIES, LLC, hereinafter “LMBW,” was granted a tax abatement for improvements in Real Estate by action of the Common Council of the City of Wabash, Indiana on April 10, 2017; and

**WHEREAS,** the Common Council of the City of Wabash, Indiana, has considered LMBW’s Compliance with Statement of Benefits and found that LMBW was not in compliance; and

**WHEREAS,** after notice to LMBW, the Common Council conducted a hearing to determine if LMBW made reasonable efforts to comply with the Statement of Benefits or determine that LMBW’s non-compliance was outside the control of LMBW; and

**WHEREAS** the Council has determined that LMBW has not made reasonable efforts to comply with the Statement of Benefits or determined that LMBW’s non-compliance was not due to factors outside the control of LMBW.

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Wabash that LMBW is not in compliance with LMBW’s tax abatement granted as a result of approval of its Statement of Benefits dated April 10, 2017, and was not due to factors outside the control of LMBW and that the tax abatement granted on real estate improvements be terminated this date.

PASSED BY THE COMMON COUNCIL OF THE CITY OF WABASH, INDIANA THIS \_\_\_\_\_\_ DAY OF JUNE 2024.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Burnsworth, President,

Common Council for the City of Wabash, Indiana

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Scott A. Long,

Mayor, City of Wabash

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Melanie Givens Penn,

Clerk-Treasurer, City of Wabash

THIS INSTRUMENT PREPARED BY: Douglas C. Lehman 8756-85

 Douglas C. Lehman Professional Corporation

 30 West Canal Street

 Wabash, Indiana 46992

 (260) 569-0590