



CITY of COLDWATER
Henry L. Brown Municipal Building
One Grand Street
Coldwater, Michigan 49036
(517) 279-9501 www.coldwater.org

December 14, 2016

Branch District Library
10 E Chicago Street
Coldwater, MI 49036

RE: Industrial Facilities Tax Exemption Certificate

The City of Coldwater received an application for Industrial Facilities Abatement Certificate from Clemens Food Group, LLC, 572 Newton Road, Coldwater, Michigan, 49036.

Enclosed you will find a copy of the application. The Coldwater City Council will be considering the application on January 9, 2017, at the Regular Council Meeting to be held in the Council Chamber at One Grand Street, Coldwater, Michigan, at 5:30 p.m. At this time Council will hear any comments you care to make.

Should you have any questions regarding this matter, please contact Deb Sikorski, City Assessor, at (517) 279-9501.

Sincerely,

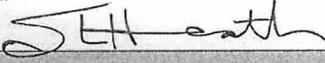
Susan E. Heath, City Clerk
City of Coldwater

Enclosure
Cc/Requesting Company

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit		RECEIVED
Signature of Clerk 	Date Received by Local Unit DEC - 2 2016	
STC Use Only		
Application Number	Date Received by STC	CITY CLERK

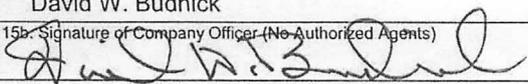
APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Clemens Food Group, LLC	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 2011, 2013, 311611	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 572 Newton Road	1d. City/Township/Village (indicate which) City of Coldwater	1e. County Branch County
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Transfer <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Research and Development (Sec. 2(10)) <input type="checkbox"/> Increase/Amendment	3a. School District where facility is located Coldwater	3b. School Code 12010
4. Amount of years requested for exemption (1-12 Years) 12		
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. Wastewater Treatment Plant to support the Clemens Food Group fresh pork processing facility.		
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$1,769,594 Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ Personal Property Costs	
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$1,769,594 Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.		
	Begin Date (M/D/Y)	End Date (M/D/Y)
Real Property Improvements ▶	6/3/16	9/1/17
Personal Property Improvements ▶		
▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased		
▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased		
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
9. No. of existing jobs at this facility that will be retained as a result of this project. 0	10. No. of new jobs at this facility expected to create within 2 years of completion. 644	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.		
a. TV of Real Property (excluding land)		
b. TV of Personal Property (excluding inventory)		
c. Total TV		
12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District		
12b. Date district was established by local government unit (contact local unit) October 26, 2015	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Jill Kaplan	13b. Telephone Number 215-368-2500 x 8375	13c. Fax Number 215-647-6559	13d. E-mail Address jkaplan@clemensfoodgrou
14a. Name of Contact Person Tara Bahn	14b. Telephone Number 215-368-2500 x 8017	14c. Fax Number 215-647-6559	14d. E-mail Address tbahn@clemensfoodgroup
▶ 15a. Name of Company Officer (No Authorized Agents) David W. Budnick			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (215) 647-6559	15d. Date 12/1/2016
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 2700 Clemens Road, Hatfield, PA 19440		15f. Telephone Number (215) 368-2500	15g. E-mail Address daveb@clemensfamilycorp.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

INDUSTRIAL FACILITIES TAX ABATEMENT AGREEMENT

City of Coldwater
And,

Coldwater, Michigan 49036



Clemens Food Group, LLC agrees to fulfill the stipulations set forth in its Application for Establishment of Tax Abatement Certificate dated 12/1/2016. The company will be making improvements at a cost of one million seven hundred, sixty-nine thousand five-hundred and ninety-four dollars (\$1,769,594) for personal and/or real property; and it will retain zero (0) existing employees as it is a new project to include six hundred forty-four (644) new employees due to the project.

Clemens Food Group, LLC will provide the City with a written report annually certifying its compliance with this agreement.

In consideration of the above, the City of Coldwater will grant a twelve (12) year real property- 50 percent (50%) tax exemption under Act 198 of the State of Michigan as amended.

Clemens Food Group, LLC intends to maintain a manufacturing facility in Coldwater, Michigan, for an indefinite period. However, should market conditions dictate moving or eliminating any of its manufacturing jobs or personal property, the company shall, during the effective period of the abatement herein granted, immediately notify the City Manager and/or City Assessor.

Clemens Food Group, LLC agrees to the use of the State Tax Commission multipliers and applicable sections on the Michigan Department of Treasury, State Tax Commission Form 632, for the calculations of all personal property depreciation in arriving at an assessed and taxable valuation for each year the abatement is in effect; and also to the calculated annual real property assessment, being the same method of calculations used to arrive at an assessed and taxable valuation, as applied to all property in the Industrial Class.

We do swear and affirm by our signatures below that "no payment of any kind in excess of the fee allowed, by P.A. Act 198 of 1974, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application."

Upon review of the facts regarding the failure to comply with the stipulations in the application for Industrial Facilities Exemption Certificate, the City Council may revoke the Certificate and require reimbursement of the taxes as exempted as a result of first granting the Certificate.

The above conditions are agreed upon as evidence by the signatures below.

Date: 12-1-2016

David W. Budnick, Treasurer of Clemens Food Group, LLC

Date: _____

Susan E. Heath- City Clerk

Date: _____

Thomas Kramer - Mayor

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