RESOLUTION NO. 2-2016

A RESOLUTION APPROVING PROPERTY TAX BENEFITS FOR NEW INDUSTRY OR EXPANSION OF AN EXISTING INDUSTRY AS DESCRIBED IN THE APPLICATION OF EXPRESS PIPELINE, LLC, A DELAWARE COMPANY

WHEREAS, the Board of Commissioners has received an application from Express Pipeline, LLC, a Delaware Limited Liability Company, to approve property tax benefits for a new industry or an expansion of an existing industry; and

WHEREAS, the application has been made pursuant to Section 15-24-1402 M.C.A. which provides that qualifying improvements or a modernized process of a new industry or an expansion of an existing industry are to be taxed at 50% of their taxable value for the first five (5) years; and thereafter the percentage must be increased by equal percentages until the full taxable value is attained in the 10th year; and

WHEREAS, the application describes the qualifying property for which the tax benefit is sought by way of the attachment of schedules; and

WHEREAS, the Board of Commissioners has notified all taxing jurisdictions possibly affected by the application; and further, the Board has caused a Notice of Public Hearing to be published in the Lewistown News-Argus soliciting public input; and

WHEREAS, the applicant is current in the payment of its property taxes to Fergus County; and

WHEREAS, the Board of Commissioners, at the public hearing, accepted input and duly considered the application and has decided to approve the same;

NOW, THEREFORE, BE IT RESOLVED, that the tax benefits requested by the above named applicant for the qualifying improvements as described above are hereby approved to the extent allowed by Section 15-24-1402, MCA; such that for the first year they are to be taxed at the rate of 50% of their taxable value and thereafter the percentage must be increased by equal percentages until the full taxable value is attained in the 10th year; and

BE IT FURTHER RESOLVED, that the tax benefits approved herein are subject to the applicant's full compliance with all rules and regulations of the

Montana Department of Revenue, and statutes of the State of Montana; and further, with the understanding that the tax benefits to be granted could be subject to recapture in accordance with Section 15-24-1402(2)(f), M.C.A.; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be provided to the Department of Revenue.

PASSED AND APPROVED by Fergus County the 11 day of April, 2016.

BOARD OF COMMISSIONERS:

SANDY YOUNGBAUER

CARL SEILSTAD

ROSS BUTCHER

ATTEST:

RANA WICHMAN, Clerk & Recorder