

**RESOLUTION 2016-19**  
**A RESOLUTION APPROVING AND GRANTING CERTAIN TAX**  
**ABATEMENTS FOR A NEW PROJECT**

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This Resolution is made this 13th day of September, 2016, (the Effective Date) by the **CITY OF FAYETTE** (the “Granting Authority”), to grant a tax abatement for **PHIFER, INC.** (the “Company”).

*WHEREAS*, the Company has announced plans for a major addition to its existing facility located within the jurisdiction of the Granting Authority; and,

*WHEREAS*, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of all state and local non-educational ad valorem taxes, construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, mortgage and recording taxes; and,

*WHEREAS*, the Company has requested that the abatement of state and local non-educational ad valorem taxes (if applicable) be extended for a period of **ten (10) years**, in accordance with the Act; and,

*WHEREAS*, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the company, in connection with its request; and

*WHEREAS*, the Granting Authority has found the information contained in the Company’s application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

*WHEREAS*, the construction of the project will involve a capital investment of **\$10,085,000.00**; and

*WHEREAS*, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

*WHEREAS*, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

*NOW THEREFORE*, be it resolved by the Granting Authority that,

**Section 1.** Approval is hereby given to the application of the company and abatement is hereby granted of all state and local non-education ad valorem taxes, all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, all mortgage and recoding taxes as the same may apply to the fullest extent permitted by the Act. The period of abatement for the non-educational ad valorem taxes (if applicable) shall extend for a period of ten (10) years measured as provided in Section 40-9B-3(h) of the Act.

**Section 2.** The Mayor and City Clerk of the City of Fayette, the Granting Authority, are hereby authorized to execute on behalf of the City an abatement agreement with the Company to provide for the abatement granted in Section 1.

**Section 3.** A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

**Section 4.** The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

THE CITY OF FAYETTE

By: \_\_\_\_\_  
Its Mayor

Attest:

By: \_\_\_\_\_  
Its City Clerk

CERTIFICATE

I hereby certify that the above and foregoing resolution was duly adopted by the City Council of the City of Fayette a meeting held on the 13th day of September, 2016.

\_\_\_\_\_  
City Clerk