

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO  
AN AMENDMENT TO THE EXISTING PILOT AGREEMENT  
WITH GESTAMP CHATTANOOGA, LLC.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,  
TENNESSEE, That the Mayor is hereby authorized to enter into an Amendment to the February  
11, 2010 Agreement for Payment in Lieu of Taxes with Gestamp Chattanooga, LLC.

ADOPTED: \_\_\_\_\_, 2015

/vmm

**AMENDMENT TO AGREEMENT FOR PAYMENTS IN LIEU  
OF AD VALOREM TAXES**

THIS AMENDMENT TO AGREEMENT FOR PAYMENTS IN LIEU OF TAXES (the "Amendment") is made and entered into as of \_\_\_\_\_, 2015, by and among THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF HAMILTON, TENNESSEE (the "Board"); GESTAMP CHATTANOOGA, LLC, a Delaware limited liability company that is authorized to do business in Tennessee (the "Company"); the CITY OF CHATTANOOGA, TENNESSEE (the "City"); and HAMILTON COUNTY, TENNESSEE (the "County").

**W I T N E S S E T H:**

WHEREAS, the Board, the Company, the City and the County are parties to that certain Agreement for Payments in Lieu of Ad Valorem Taxes dated as of February 11, 2010, as amended (the "PILOT Agreement"); and

WHEREAS, pursuant to the PILOT Agreement, the Company will make certain payments in lieu of ad valorem taxes (the "In Lieu Payments") on the real property known as Lot 19-A on the West Campus of the Enterprise South Industrial Park, Chattanooga, Tennessee ("Lot 19-A") and all buildings and other improvements constructed, acquired and installed on Lot 19-A by the Company and the equipment and other personal property installed at the Company's manufacturing facility located on Lot 19-A; and

WHEREAS, pursuant to the PILOT Agreement, upon notice from the Company, the Board is required to take title to Lot 19-B on the West Campus of the Enterprise South Industrial Park, Chattanooga, Tennessee ("Lot 19-B") and all buildings and other improvements constructed, acquired and installed on Lot 19-B by the Company and the equipment and other

personal property installed at the Company's manufacturing facility located on Lot 19-B (Lot 19-B and all such buildings, improvements, equipment and other personal property collectively called the "Lot 19-B Property") to the Board and then lease the Lot 19-B Property to the Company; and

WHEREAS, pursuant to the PILOT Agreement, following any such transfer of title to the Board and lease of the Lot 19-B Property to the Company by the Board, the Company will make In Lieu Payments on the Lot 19-B Property; and

WHEREAS, the Company proposes to expand its manufacturing facility that is now located on Lot 19-A and in connection with such expansion (the "Expansion") to acquire Lot 19-C, Lot 19-D and the unimproved portion of Discovery Drive located between Lot 19-C and Lot 19-B, all of which are located in the Enterprise South Industrial Park, Chattanooga, Tennessee and are shown on the plat attached as Exhibit 1 to this Amendment (the "New Expansion Real Property"); and

WHEREAS, in connection with such Expansion, the Company also proposes to re-subdivide Lot 19-A and Lot 19-B, so that following such resubdivision, Lot 19-B will include the portion of Lot 19-A on which the expansion will be located ("New Lot 19-B") and Lot 19-A will include only the portion of Lot 19-A on which the Company's existing manufacturing facility is now located ("New Lot 19-A"), a copy of the proposed plat(s) showing New Lot 19-A and New Lot 19-B being attached as Exhibit 2 to this Amendment; and

WHEREAS, the Company has requested that the City and the County enter into a new Agreement for Payments In Lieu of Ad Valorem Taxes in connection with the Expansion (the

"Expansion PILOT Agreement") pursuant to which the Company will make payments in lieu of ad valorem taxes on the Expansion Real Property, New Lot 19-B and all buildings and other improvements constructed, acquired and installed on such Expansion Real Property and New Lot 19-B by the Company and the equipment and other personal property installed in the expanded manufacturing facility to be located thereon; and

WHEREAS, the Company has requested that the City, the County and the Board enter into this Amendment in order to release New Lot 19-B from the PILOT Agreement and to reflect that only New Lot 19-A and all buildings and other improvements constructed, acquired and installed on New Lot 19-A by the Company and the equipment and other personal property installed in the existing manufacturing facility located thereon are covered by the PILOT Agreement;

NOW, THEREFORE, IN CONSIDERATION OF the premises and the mutual covenants set forth herein, the parties agree as follows:

1. Amendments to PILOT Agreement. The PILOT Agreement is hereby amended as follows:

a. Exhibit "A" attached to the PILOT Agreement is deleted in its entirety, and Exhibit "A" attached to this Amendment is substituted in lieu thereof.

b. Exhibit "B" attached to the PILOT Agreement is deleted in its entirety, and Exhibit "B" attached to this Amendment is substituted in lieu thereof.

c. The PILOT Agreement is further amended as necessary to reflect that New Lot 19-B is released from the PILOT Agreement and to reflect that only New Lot 19-A and all

buildings and other improvements constructed, acquired and installed on New Lot 19-A by the Company and the equipment and other personal property installed in the existing manufacturing facility located thereon are covered by the PILOT Agreement. The

2. Except as set forth in paragraph 1 above, the PILOT Agreement shall remain unchanged and in full force and effect.

3. The Board will enter into such amendments to the PILOT Leases as the Board shall deem to be necessary in order to reflect the amendments to the PILOT Agreement set forth in this Amendment.

4. This Amendment may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Signatures on following pages.]

[The Industrial Development Board of the County of Hamilton, Tennessee – Signature Page to  
Amendment to Agreement for Payments in Lieu of Ad Valorem Taxes]

**IN WITNESS WHEREOF**, The Industrial Development Board of the County of  
Hamilton, Tennessee has executed this Amendment as of the date first above written.

THE INDUSTRIAL DEVELOPMENT BOARD  
OF THE COUNTY OF HAMILTON,  
TENNESSEE

By: \_\_\_\_\_  
Title: \_\_\_\_\_

[Gestamp Chattanooga, LLC – Signature Page to Amendment to Agreement for Payments in  
Lieu of Ad Valorem Taxes]

**IN WITNESS WHEREOF**, Gestamp Chattanooga, LLC has executed this Amendment  
as of the date first above written.

GESTAMP CHATTANOOGA, LLC

By: \_\_\_\_\_  
Title: \_\_\_\_\_

[City of Chattanooga, Tennessee – Signature Page to Amendment to Agreement for Payments in Lieu of Ad Valorem Taxes]

**IN WITNESS WHEREOF**, the City of Chattanooga, Tennessee has executed this Amendment as of the date first above written.

CITY OF CHATTANOOGA, TENNESSEE

BY: \_\_\_\_\_  
Mayor

[Hamilton County, Tennessee – Signature Page to Amendment to Agreement for Payments in  
Lieu of Ad Valorem Taxes]

**IN WITNESS WHEREOF**, Hamilton County, Tennessee has executed this Amendment  
as of the date first above written.

HAMILTON COUNTY, TENNESSEE

BY: \_\_\_\_\_  
County Mayor

EXHIBIT "1"  
TO  
AMENDMENT TO AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

New Expansion Real Property

[See attached Final Plat showing Tract 19-C and 19-D, as recorded (2 pages). May be replaced with amended Plat once the Discovery Drive right of way is incorporated into Tract 19-C.]

EXHIBIT "2"  
TO  
AMENDMENT TO AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES

Proposed Plat Showing New Lot 19-A and New Lot 19-B

[To be attached]

EXHIBIT "A"  
TO AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES (AS AMENDED)

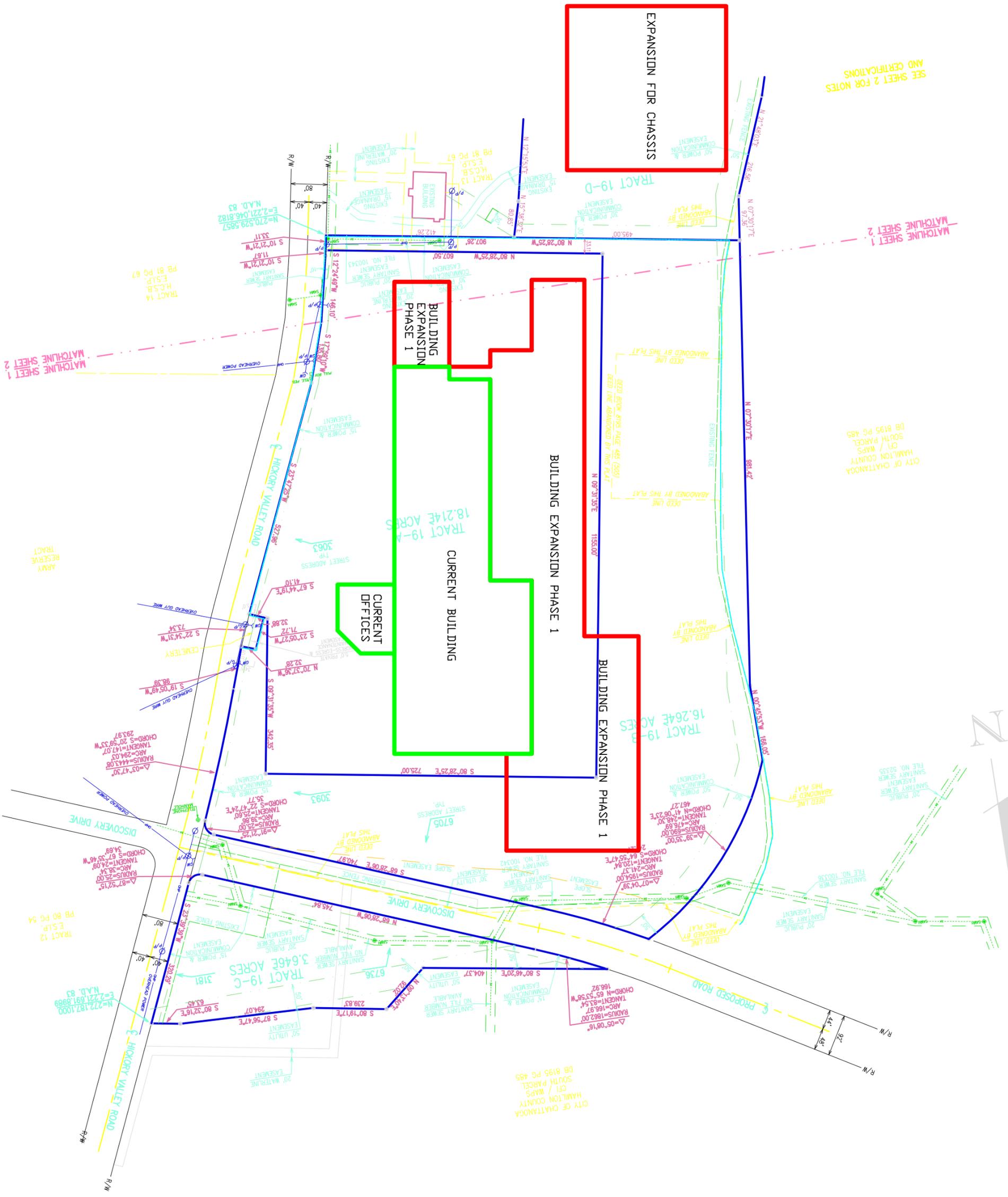
Personal Property

All equipment and other personal property to be installed at the manufacturing facilities to be constructed by the Company or its affiliate or a Leasing Company designated by the Company on the real property known as [Resubdivided] Lot 19-A on the West Campus of the Enterprise South Industrial Park, Chattanooga, Tennessee, during the term of the PILOT Agreement.

EXHIBIT "B"  
TO AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES (AS AMENDED)

Real Property and Improvements

The real property known as [Resubdivided] Lot 19-A on the West Campus of the Enterprise South Industrial Park, Chattanooga, Tennessee and all buildings and other improvements to be constructed, acquired and installed thereon by the Company or one of its affiliates or a Leasing Company designated by the Company in connection with the manufacturing facilities to be operated on such real property by the Company.



SEE SHEET 2 FOR NOTES AND CERTIFICATIONS

CITY OF CHATTANOOGA  
DB 8195 PG 485  
CFI / MAPS  
SOUTH PARCEL

CITY OF CHATTANOOGA  
DB 8195 PG 485  
CFI / MAPS  
SOUTH PARCEL



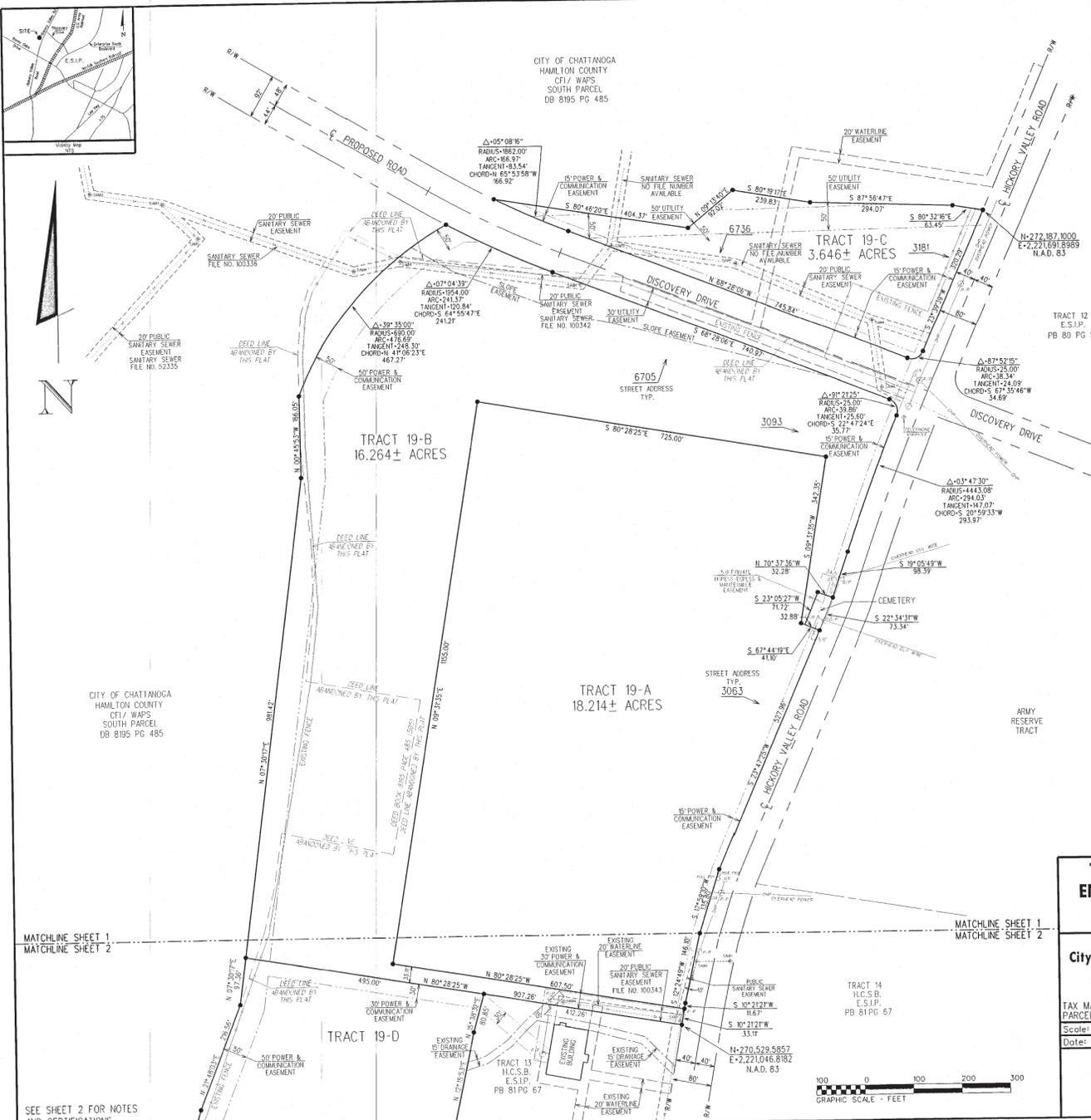


CITY OF CHATTANOOGA  
HAMILTON COUNTY  
CITY WAPS  
SOUTH PARCEL  
DB 8195 PG 485

As shown on 2/28/2007  
Scale: 1" = 40' 0"  
DATE: 2/28/07  
BY: [Signature]

APPROVED FOR RECORDING  
HAMILTON COUNTY GIS DEPT  
DATE: 2/28/07  
BY: [Signature]

PLAT NO. 28352-02  
SHEET 1  
OF 2 SHEETS



**LEGEND**

(Symbol)	SANITARY MANHOLE
(Symbol)	STORM MANHOLE
(Symbol)	CLEAN OUT
(Symbol)	WATER VALVE
(Symbol)	UNDERGROUND WATER LINE
(Symbol)	UNDERGROUND GAS LINE
(Symbol)	UNDERGROUND SAN SEWER LINE
(Symbol)	PROPERTY LINE
(Symbol)	ADJACENT PROPERTY LINE
(Symbol)	30" OF WAY
(Symbol)	LIGHT POLE
(Symbol)	POWER POLE
(Symbol)	SMALL POLE
(Symbol)	FIRE HYDRANT
(Symbol)	IRON ROD HOLD EXISTING
(Symbol)	IRON ROD NEW SET
(Symbol)	EXISTING CONCRETE MONUMENT
(Symbol)	CURB W/O
(Symbol)	PARKING SIGN SET
(Symbol)	GAS METER
(Symbol)	GW
(Symbol)	GAS VALVE
(Symbol)	UNDERGROUND ELECTRIC LINE
(Symbol)	OVERHEAD ELECTRIC LINE
(Symbol)	OVERHEAD TELEPHONE
(Symbol)	UNDERGROUND TELEPHONE
(Symbol)	TELEPHONE PERMITAL FENCE
(Symbol)	WATER METER
(Symbol)	TOP OF CURB
(Symbol)	INVERT ELEVATION
(Symbol)	M.S.L.
(Symbol)	MEAN SEA LEVEL
(Symbol)	CATCH BASIN
(Symbol)	RAM BLOCK CONCRETE PIPE
(Symbol)	CORRODED METAL PIPE
(Symbol)	DUCTILE IRON PIPE
(Symbol)	RIGHT OF WAY
(Symbol)	DEED BOOK
(Symbol)	PLAT BOOK
(Symbol)	PAVE
(Symbol)	MONITOR WELL
(Symbol)	BIORIGOLE
(Symbol)	FIELD MEASUREMENT
(Symbol)	FIELD RAIL
(Symbol)	QUAD RAIL
(Symbol)	PROPERTY LINE
(Symbol)	STREET ADDRESS

**FINAL PLAT**

**TRACTS 19-A, 19-B, 19-C & 19-D  
ENTERPRISE SOUTH INDUSTRIAL PARK  
WEST CAMPUS**

City of Chattanooga, Hamilton County, Tennessee

Property of  
**City of Chattanooga / Hamilton County Government**  
C/O Hamilton County Real Property Office  
Survey for: Hamilton County Real Property Office  
123 East Seventh Street  
Chattanooga, Tennessee 37402  
Phone (423)209-6444

TAX MAP 130  
PARCELS 1.01 & 1.08

Scale: 1" = 10'  
Date: 8/19/01

Dsgn: [Blank]  
Drwn: WNH

Chkd: TCS  
Appvd: WNH

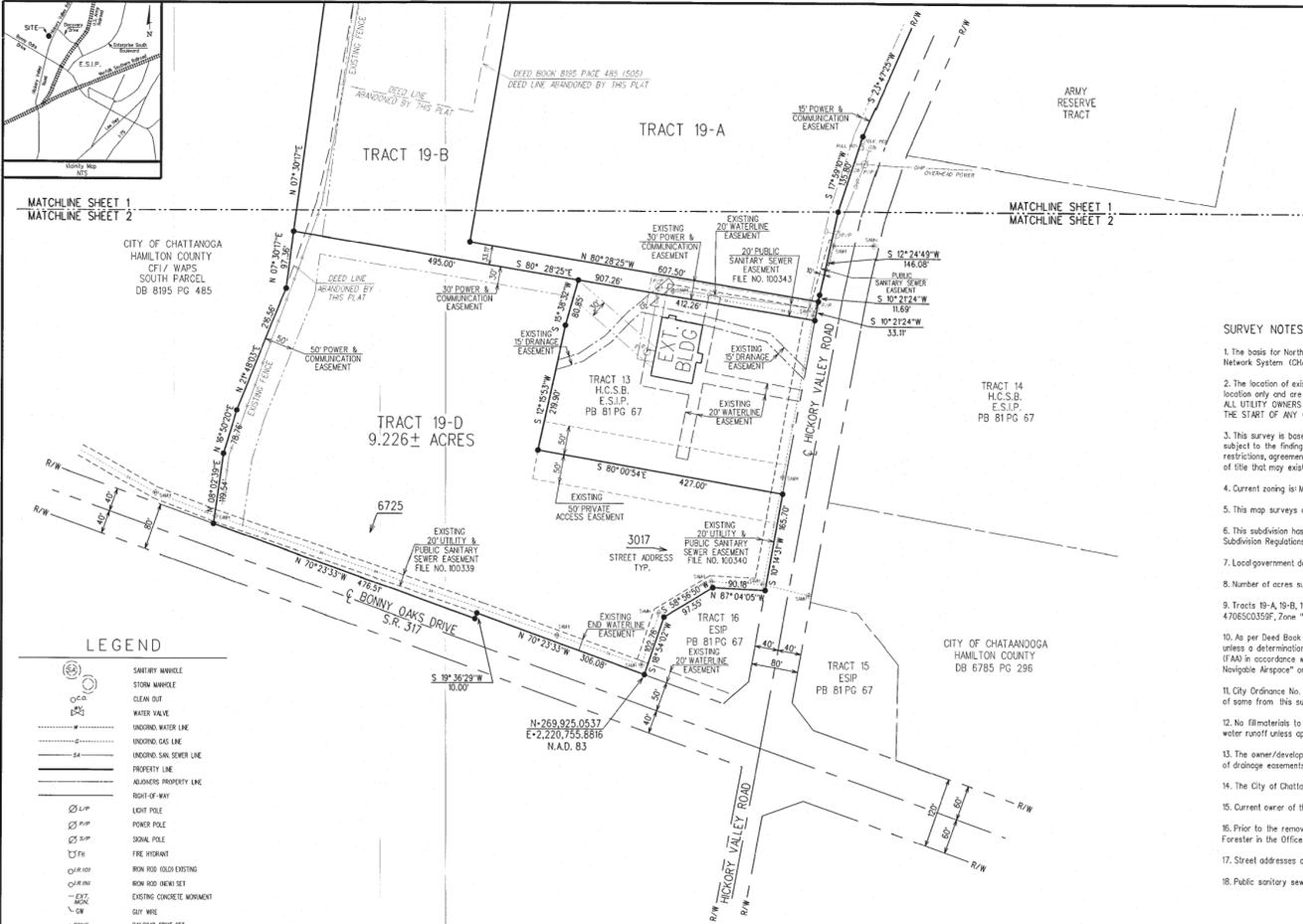
Project No. 28352-02  
SHEET 1

**BWSC**  
BARBE WAGGONER  
BUNNER &  
GANNON, INC.  
ENGINEERS PLANNERS  
LANDSCAPE ARCHITECTS AND SURVEYORS  
100 WEST MAIN STREET, SUITE 200  
CHATTANOOGA, TENNESSEE 37402  
PHONE: (423) 263-2000 FAX: (423) 263-2007



SEE SHEET 2 FOR NOTES AND COORDINATIONS

of 2 Sheets



APPROVED FOR RECORDING  
 HAMILTON COUNTY GIS DEPT  
 DATE: 8/19/09  
 BY: [Signature]  
 CHATTANOOGA COUNTY REGIONAL  
 PLANNING COMMISSION  
 DATE: 8/30/09  
 BY: [Signature]

THESE PLAT DOES NOT  
 CONSTITUTE A PROPERTY  
 SURVEY  
 UNLESS SHOWN  
 OTHERWISE

MATCHLINE SHEET 1  
 MATCHLINE SHEET 2

MATCHLINE SHEET 1  
 MATCHLINE SHEET 2

CITY OF CHATTANOOGA  
 HAMILTON COUNTY  
 CITY / WAPS  
 SOUTH PARCEL  
 DB 8195 PG 465

TRACT 19-D  
 9.226± ACRES

TRACT 14  
 H.C.S.B.  
 E.S.I.P.  
 PB 81 PG 67

CITY OF CHATTANOOGA  
 HAMILTON COUNTY  
 DB 6785 PG 296

**SURVEY NOTES:**

- The basis for North orientation is Tennessee State Grid, Chattanooga / Hamilton County Network System (CHAM) North American Datum 1983 (NAD 83).
- The location of existing underground utilities, whether public or private, are shown in approximate location only and are based upon the field location of the visible utility appurtenances only. CONTACT ALL UTILITY OWNERS TO VERIFY THE EXISTENCE AND EXACT LOCATIONS OF ALL UTILITIES PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
- This survey is based upon the most recent recorded deed information for the subject property and is subject to the findings of title by a Tennessee attorney-at-law related to assessments, rights-of-way, restrictions, agreements, ordinances, covenants, zoning (written and unwritten), and any other matters of title that may exist.
- Current zoning is M-1.
- This map surveys deed(s) Deed Book 6785, Page 296, & Deed Book 8195, Page 465, R.O.H.C.
- This subdivision has been developed according to the design standards of the City of Chattanooga Subdivision Regulations.
- Local government does not certify that utilities or design connections are available.
- Number of acres subdivided: 9.226± acres, more or less.
- Tracts 19-A, 19-B, 19-C & 19-D are not located in a flood hazard area as per F.E.M.A. Map Number 4706500359F, Zone "X", map dated November 7, 2002.
- As per Deed Book 6785, Page 272, R.O.H.C. any construction or alteration on the property is prohibited unless a determination of "no hazard to air navigation" is issued by the Federal Aviation Administration (FAA) in accordance with Title 14 Code of Federal Regulations, Part 77, entitled "Objects Affecting Navigation Aeronautics" or under the authority of the Federal Aviation Act of 1958, as amended.
- City Ordinance No. 9842, entitled "Storm Water Run-off and Erosion Control" shall apply to any discharge of water from this subdivision or property.
- No fillets shall be placed in a constructed drainage facility in such a manner as to impede storm water runoff unless approved by City Engineer.
- The owner/developer is to install all drainage structures and improved easements as shown. The maintenance of drainage easements is the responsibility of the property owner and not the City of Chattanooga.
- The City of Chattanooga is not responsible to construct or maintain private access easements.
- Current owner of the property: City of Chattanooga / Hamilton County Government.
- Prior to the removal of any trees and / or bushes located near the road right-of-way contact the City Forester in the Office of Public Works, City of Chattanooga, phone 423-757-7283.
- Street addresses as per City of Chattanooga / Hamilton County G.I.S. Department.
- Public sanitary sewer is available by gravity flow.

**LEGEND**

- (S) SANITARY MANHOLE
- (SM) STORM MANHOLE
- (C) CLEAN OUT
- (V) WATER VALVE
- (UW) UNDERGROUND WATER LINE
- (UG) UNDERGROUND GAS LINE
- (S) UNDERGROUND SAN SEWER LINE
- (P) PROPERTY LINE
- (A) ADJACENT PROPERTY LINE
- (R/W) RIGHT-OF-WAY
- (L/P) LIGHT POLE
- (P/P) POWER POLE
- (S/P) SIGNAL POLE
- (F/H) FIRE HYDRANT
- (R/RO) IRON ROD (OLD EXISTING)
- (R/RO) IRON ROD (NEW SET)
- (C/M) EXISTING CONCRETE MONUMENT
- (G/W) GUY WIRE
- (S/P) HALLOWAY SPIKE SET
- (M) GAS METER
- (S) GAS VALVE
- (E) UNDERGROUND ELECTRIC LINE
- (O) OVERHEAD ELECTRIC LINE
- (T) OVERHEAD TELEPHONE
- (U) UNDERGROUND TELEPHONE
- (T/P) TELE. PEG
- (T) TIE
- (M) WATER METER
- (C) TOP OF CASTING
- (E) INVERT ELEVATION
- (MSL) MEAN SEA LEVEL
- (C/B) CATCH BASIN
- (R/C) REINFORCED CONCRETE PIPE
- (M/P) CORRUGATED METAL PIPE
- (D/P) DUCTILE IRON PIPE
- (R/W) RIGHT-OF-WAY
- (D) DEED BOOK
- (P) PLAT BOOK
- (P) PAGE
- (M/W) MONITOR WELL
- (R) RIBBON
- (M) FIELD MEASUREMENT
- (D) DEED CALL
- (G) GUARD RAIL
- (P) PROPERTY LINE
- (S) STREET ADDRESS

**CERTIFICATE OF OWNERSHIP**

I, We, the undersigned, hereby adopt this as my / our plan of subdivision and certify that I / We are the owners in fee simple of the property shown and that there is no other way to be dedicated.

[Signature]  
 Agent of the City of Chattanooga  
 Hamilton County Real Property Office  
 123 East Seventh Street  
 Chattanooga, Tennessee 37402  
 Phone: 423-209-6444

[Signature]  
 Agent of Hamilton County  
 Hamilton County Real Property Office  
 123 East Seventh Street  
 Chattanooga, Tennessee 37402  
 Phone: 423-209-6444

**CERTIFICATION OF SURVEY**

I hereby certify that I have surveyed the property shown hereon that this survey is correct to the best of my knowledge and belief and that this is a Category I Survey and that the ratio of precision of the angle survey is 1/10,000" as shown hereon.  
 [Signature]  
 Wilburn N. Notson, P.L.L.C. 9-4-09  
 P.L.L.C. No. 1828 Date



**FINAL PLAT**

**TRACTS 19-A, 19-B, 19-C & 19-D  
 ENTERPRISE SOUTH INDUSTRIAL PARK  
 WEST CAMPUS**  
 City of Chattanooga, Hamilton County, Tennessee

Property of  
**City of Chattanooga / Hamilton County Government**  
 C/O Hamilton County Real Property Office  
 Survey for Hamilton County Real Property Office  
 123 East Seventh Street  
 Chattanooga, Tennessee 37402

TAX MAP 130	Chattanooga, Tennessee 37402
PARCELS 1,01 & 1,08	Phone: 423/209-6444
Scale: 1" = 100'	Desgn: TCS
Date: 8/19/09	Drwn: WNH
	Chkd: TCS
	Appvd: WNH
	Project No. 28352-02
	SHEET 2

**BWSC**  
 BARRE WAGGONER BLUNNER & CLANNON, INC.  
 ENGINEERS PLANNERS  
 LANDSCAPE ARCHITECTS