

In re: Payments in Lieu of Tax Obligation of Nissan North America, Inc. and Related Entities for 2021

**ORDER PROVIDING FOR THE PAYMENT AND DISTRIBUTION OF
PAYMENT IN LIEU OF TAXES TO BE RECEIVED
FROM NISSAN NORTH AMERICA, INC. AND FOR RELATED PURPOSES**

WHEREAS, on November 8, 2000 Madison County, together with the State of Mississippi, the City of Canton, Mississippi, and numerous other governmental bodies entered into a certain Memorandum of Understanding (“MOU”) with Nissan North America, Inc., commonly known as the “Delta I” MOU, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of this Board of January 31, 2005, and

WHEREAS, heretofore Madison County entered into an “Agreement to Make Payments in Lieu of Ad Valorem Taxes” (hereinafter, “PILOT Agreement”) dated April 23, 2003, said PILOT Agreement having been approved by the Madison County Board of Supervisors on March 21, 2003, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of this Board of January 31, 2005, and

WHEREAS, the Board finds it necessary, pursuant to Miss. Code Ann. § 27-31-104, to (1) establish the amount due from Nissan North America, Inc. in satisfaction of its PILOT obligation for 2021, and (2) provide for the payment, distribution, and apportionment of such sums as shall be remitted from Nissan North America, Inc. and related entities in satisfaction thereof,

WHEREFORE, PREMISES CONSIDERED, and pursuant to the provisions of Miss. Code Ann. § 27-31-104, and upon the advice of counsel, the Board of Supervisors of Madison County, Mississippi does find and order as follows:

1. That, based on statutory authority set forth in Miss. Code Ann. § 27-31-104, Nissan North America, Inc. has been granted a ten-year exemption from ad valorem taxation pursuant to Section 1.3(d)(i) of the “Delta I” MOU.
2. That, in exchange for said exemption, Nissan North America, Inc. is obligated to make annual payments in lieu of taxes to Madison County, and that such payments in lieu of taxes are fee payments, not ad valorem taxes or taxes of any other nature.
3. That the Madison County Board of Supervisors has the authority, pursuant to Miss. Code Ann. § 27-31-104, to determine the amount of the payment in lieu of taxes owed by Nissan North America, Inc. and to apportion said amount between Madison County and the Canton Public School District as directed in said code section and pursuant to the “Delta I” MOU and the PILOT Agreement.
4. That the Tax Assessor of Madison County has prepared and submitted to the Madison County Board of Supervisors a calculation of the amount owed by Nissan North America, Inc. as its payment in lieu of taxes for 2021, which calculation is attached hereto as

Collective Exhibit A to this Order (Exhibit ___ to these Minutes), spread hereupon and incorporated herein by reference and which is summarized as follows, to-wit:

Payment due based upon Nissan North America, Inc.'s
real property values\$ 295,540.04
Payment due based upon Nissan North America, Inc.'s
personal property values.....1,458,835.89
2021 amount due =\$1,754,375.93

- 5. That the Board hereby adopts said calculation and, in accordance therewith, the amount to be paid by Nissan North America, Inc. pursuant to said code section and Section 3, paragraphs (a) and (b) of the PILOT Agreement is \$1,754,375.93 and shall be made payable to "Madison County, Mississippi."
- 6. That the Chancery Clerk shall prepare invoices reflecting the above amounts and submit the same unto Nissan North America, Inc. who shall promptly deliver the aforesaid sum to the Madison County Board of Supervisors, 146 West Center Street, P.O. Box 608, Canton, Mississippi 39046, Attention Mr. Ronald W. Lott, Chancery Clerk and County Treasurer.
- 7. That upon receipt of the balance due from Nissan, of the total PILOT payment of \$1,754,375.93, **\$998,678.30** is to be apportioned unto the Canton Public School District and **\$755,697.63** is to be apportioned unto Madison County for distribution to the appropriate uses.
- 8. That the apportionment set forth in paragraph 7 is computed and shown in Exhibit B.
- 9. That, therefore, upon receipt of the entirety of said funds from Nissan North America, Inc. for 2021, the County Treasurer shall pay unto the Canton Public School District the sum of **\$998,678.30** and shall pay unto Madison County, to be directed to the appropriate bond fund, the sum of **\$755,697.63**.

Following discussion, Mr. _____ did offer and Mr. _____ did second a motion to approve, adopt and enter the foregoing Order. The vote on the matter being as follows:

Supervisor Sheila Jones _____
Supervisor Trey Baxter _____
Supervisor Gerald Steen _____
Supervisor David Bishop _____
Supervisor Paul Griffin _____

the matter carried by the unanimous vote of those present and the above and foregoing Order was and is hereby approved, adopted and entered.

SO ORDERED this the 6th day of December, 2021.



MADISON COUNTY BOARD OF SUPERVISORS

125 West North Street • Post Office Box 608
Canton, Mississippi 39046
601-855-5500 • Facsimile 601-855-5759
www.madison-co.com

December 6, 2021

TO: NISSAN NORTH AMERICA, INC.
ATTN: Hailey Kirk
P.O. Box 685013
Mail Stop B-6-A
Franklin, TN 37068-5016

SEPARATE INVOICE FOR PAYMENTS IN LIEU OF TAX

On behalf of Madison County, Mississippi, and in accordance with Section 1.3(d)(i) of that certain Memorandum of Understanding ("MOU") with Nissan North America, Inc., commonly known as the "Delta I" MOU and Section 6, paragraph (b) and Section 3, paragraphs (a) and (b) of that certain "Agreement to Make Payments in Lieu of Ad Valorem Taxes" (hereinafter, "PILOT Agreement") dated April 23, 2003, the following payment in lieu of tax is now due of
and from Nissan North America, Inc. for 2020, to-wit:

Payment due based upon Nissan North America, Inc.'s property values. \$1,754,375.93.

These figures are based upon the calculations set forth in Exhibit A hereto (prepared by Tax Assessor Norman Cannady in accordance with Section 5 of the aforesaid PILOT Agreement).

Respectfully submitted this the 6th day of December 2021.

Ronald W. Lott
Chancery Clerk

Exhibit A

11/10/2021

| Nissan - Tax 2021 Values and Estimated Taxes - In Lieu Only | | | | | | | |
|--|-----|-------|--------------------|-----------------------------------|--------------------------|-------------------------|------------------------|
| Tax Dist | FD | PPIN | Parcel | NAME | Tr Total | Assessed Total | Estimated 2021 Taxes |
| 4 CX | N/A | 54686 | 092G-35 -005/03.00 | MISSISSIPPI MAJOR ECONOMIC IMPACT | \$ 65,766,682.00 | \$ 9,865,002.00 | |
| 4 CX | N/A | 57686 | 092G-35 -001/06.00 | MISSISSIPPI MAJOR ECONOMIC IMPACT | \$ 414,515.00 | \$ 62,177.00 | |
| 4 CX | N/A | 57691 | 092G-35 -001/07.00 | MISSISSIPPI MAJOR ECONOMIC IMPACT | \$ 592,435.00 | \$ 88,865.00 | |
| | | | | 1/3 Assessed Total | | \$ 3,338,681.00 | \$ 295,540.04 |
| Exempt Real Property | | | | | \$ 66,773,632.00 | \$ 10,016,044.00 | \$ 295,540.04 |
| | | | | | | | |
| Tax Dist | FD | PPIN | | NAME | Tr Total | Assessed Total | Estimated 2021 Taxes |
| 4 CX | N/A | 3413 | | NISSAN NORTH AMERICA, INC | \$ 329,605,903.00 | \$ 49,440,890.00 | |
| | | | | 1/3 Assessed Total | | \$ 16,480,297.00 | \$ 1,458,835.89 |
| Exempt Personal Property | | | | | \$ 329,605,903.00 | \$ 49,440,890.00 | \$ 1,458,835.89 |
| <p>The information in this document is provided by the Tax Assessor's office. The values are shown as they were approved by the Board of Supervisors at the August 16, 2021 meeting. Values are subject to change.</p> | | | | | | | |

Exhibit B
Nissan North America
Apportionment of PILOT Obligation
Between Madison County and Canton Public School District (CPSD)
2021 Calculations

| Property | Value | Assessed Value | County Millage | CPSD Millage | County Portion | CPSD Portion | 1/3 Total Tax |
|--|-------------------|--------------------------------|-------------------|-----------------|-----------------------------|-----------------------------|-------------------------------|
| Nissan Exempt Personal Property (3413) | \$ 329,605,903.00 | \$ 49,440,890.00 | 38.13 | 50.39 | \$ 628,393.72 | \$ 830,442.17 | \$ 1,458,835.89 |
| Nissan Exempt Real Property (92G-35-5/03.00) | \$ 65,766,682.00 | \$ 9,865,002.00 | 38.13 | 50.39 | \$ 125,384.16 | \$ 165,699.13 | \$ 291,083.29 |
| Nissan Exempt Real Property (92G-35-1/06.00) | \$ 414,515.00 | \$ 62,177.00 | 38.13 | 50.39 | \$ 790.27 | \$ 1,044.37 | \$ 1,834.64 |
| Nissan Exempt Real Property (92G-35-1/07.00) | \$ 592,435.00 | \$ 88,865.00 | 38.13 | 50.39 | \$ 1,129.47 | \$ 1,492.64 | \$ 2,622.11 |
| Total Due | | <u><u>\$ 59,456,934.00</u></u> | | | <u><u>\$ 755,697.63</u></u> | <u><u>\$ 998,678.30</u></u> | <u><u>\$ 1,754,375.93</u></u> |

**MADISON COUNTY, MISSISSIPPI
TAX LEVIES
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022**

| | Miss. Code Section | Fund Number | Levy Mills |
|--------------------------------------|-----------------------|----------------|---------------|
| General County | 27-39-303 | 001 | 14.64 |
| Reappraisal Trust | 27-39-329 | 002 | 1.00 |
| Library | 39-3-5 | 095 | 1.07 |
| Mapping and Reappraisal | 27-39-325 | 096 | .06 |
| Solid Waste* | 19-5-21 | 105 | 3.85 |
| Fire Protection** | 83-1-39 | 115 | 1.10 |
| Economic Development | HB 1874, 1988 | 137 | .45 |
| | Local & Private | | |
| Road and Bridge Maintenance | 27-39-305 | 150 | 3.56 |
| Bridge and Culvert | 65-15-7 | 160 | 1.60 |
| Countywide Interest and Sinking | 19-9-9 | 226 | 8.55 |
| Holmes Community College Maintenance | 37-29-141 | 690 | 1.00 |
| Holmes Community College Special | 37-29-141 | 691 | 1.25 |
| TOTAL MILLS | | | 38.13 |

*For the 2022 fiscal year, this tax levy will continue to apply to the newly incorporated City of Gluckstadt and to the newly annexed area of the City of Canton that will remain as part of the County's Solid Waste Collection area.

** For the 2022 fiscal year, this tax levy will continue to apply to the newly incorporated City of Gluckstadt.

| Fire Districts: | Miss. Code Section | Fund Number | Levy Mills |
|------------------------|-----------------------|----------------|---------------|
| South Madison | 19-5-189 | 116 | 8.00 |
| Valley View | 19-5-189 | 117 | 9.00 |
| Kearney Park | 19-5-189 | 118 | 6.00 |
| Farmhaven | 19-5-189 | 119 | 10.00 |
| Southwest Madison | 19-5-189 | 120 | 5.62 |
| Camden | 19-5-189 | 121 | 2.00 |
| Central Madison County | 19-5-189 | 122 | 8.00 |

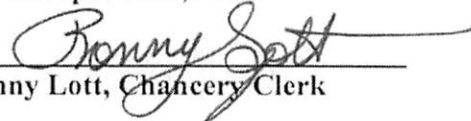
| <u>Madison County School District</u> | | | |
|---|--|--|--------------|
| Mississippi Code Section 37-57-1, et.seq. | | | |
| Maintenance | | | 47.55 |
| Bond and Interest Sinking | | | 7.00 |
| TOTAL MILLS | | | 54.55 |

| <u>Canton Municipal Separate School District (to be provided by City of Canton)</u> | | | |
|---|--|--|--------------|
| Mississippi Code Section 37-57-1, et.seq. | | | |
| Maintenance | | | 43.28 |
| Debt Service | | | 7.11 |
| TOTAL MILLS | | | 50.39 |

Forest Acreage 49-19-115 .09/acre

Persimmon Burnt Corn
Water Management District 51-29-33 .4236

Sworn to and Certified by Ronny Lott, Clerk of the Board of Supervisors, this the 7th day of September, 2021.


Ronny Lott, Chancery Clerk

