

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF FORT WAYNE AND THE BOARD OF COMMISSIONERS OF ALLEN COUNTY, INDIANA ALLOWING L.H. MEDICAL CORPORATION TO RETAIN ITS ABATEMENTS GRANTED BY FORT WAYNE COMMON COUNCIL

WHEREAS, Indiana Code 35-1-7-1 provides that for the City of Fort Wayne to enter into an Interlocal Cooperation Agreement, the fiscal body of the municipality shall approve the Agreement either before or after it has been executed by the respective parties; and

WHEREAS, the City, acting through its Common Council has the authority under I.C. 6-1.1-12.1, et.seq., to designate certain areas within the City as economic revitalization area and thereafter to grant deductions for the placement of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, new information technology equipment and other items as set forth in the above reference statute; and

WHEREAS, the County Council, as the fiscal body for the County has the authority to designate certain areas with the County as economic revitalization areas and thereafter to grant deduction for the placement of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, new information technology equipment and other items as set forth in the above referenced statute; and

WHEREAS, L.H. Medical Corporation, is a corporation currently doing business in the City of Fort Wayne and has been granted an economic revitalization area designation for property tax abatement by the Fort Wayne Common Council and now desires to move its operations from the City of Fort Wayne to a location in the unincorporated area of Allen County; and

WHEREAS, both the City and the County deem it beneficial to allow said move with the retention of property tax abatements; and

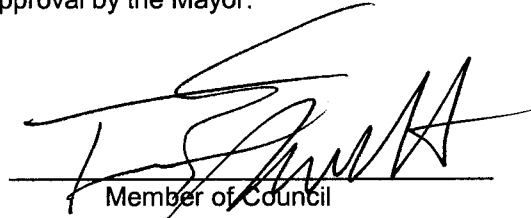
WHEREAS, the City of Fort Wayne and the Board of Commissioners of the County of Allen, Indiana, have entered into an Interlocal Cooperation Agreement (attached hereto and made a part hereof as "Exhibit 1") to allow L.H. Medical Corporation to continue and retain its property tax abatements and designation as an economic revitalization area by the Fort Wayne Common Council, upon moving its operations to the unincorporated area of Allen County.

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council of the City of Fort Wayne, Indiana, hereby ratifies and approves the Interlocal Cooperation Agreement between Allen County, by and through the Board of Commissioners of the County of Allen, Indiana and the City of Fort Wayne, under which the county cedes its jurisdiction to the City and specifically to its Common Council to: (a) declare the real estate described in Exhibit " A " to the attached Interlocal Cooperation Agreement as an " Economic Revitalization Area " and (b) grant future property tax abatements in said Economic Revitalization Area for the benefit of L.H. Medical Corporation.

SECTION 2. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Member of Council

APPROVED AS TO FORM AND LEGALITY



Carol Taylor, City Attorney

Read the first time in full and on motion by Smith and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____ the _____ day of _____, 2010, at _____ o'clock _____ M.E.S.T.

DATED: 12-14-10

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Smith and duly adopted, placed on its passage. PASSED ~~LOSS~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>BROWN</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>PAPE</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 1-11-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. R-3-11 on the 11th day of January, 2011

ATTEST:

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Matthew Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of January, 2011, at the hour of 3:00 o'clock P. M.E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20TH day of JANUARY 2011, at the hour of 9:00 o'clock A. M.E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR