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2 BILL NO. R-11-05-18
3

4 DECLARATORY RESOLUTION NO. R- 22-11

5 **A DECLARATORY RESOLUTION designating an**
6 **"Economic Revitalization Area" under I.C. 6-1.1-**
7 **12.1 for property commonly known as 5021**
8 **Investment Drive, Fort Wayne, Indiana 46808**
9 **(AccuTemp Products, Inc.)**

10 **WHEREAS**, Petitioner has duly filed its petition dated May 10, 2011 to have the
11 following described property designated and declared an "Economic Revitalization Area"
12 under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and
13 I.C. 6-1.1-12.1, to wit:

14 **Attached hereto as "Exhibit A" as if a part herein;**

15 and

16 **WHEREAS**, said project will create one full-time, permanent jobs for a total new,
17 annual payroll of \$27,000, with the average new annual job salary being \$27,000 and retain
18 17 full-time, permanent jobs for a total current annual payroll of \$800,367, with the average
19 current, annual job salary being \$47,080; and

20 **WHEREAS**, the total estimated project cost is \$8,800; and

21 **WHEREAS**, it appears the said petition should be processed to final determination in
22 accordance with the provisions of said Division 6.

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

25 **SECTION 1.** That, subject to the requirements of Section 6, below, the
26 property hereinabove described is hereby designated and declared an "Economic
27 Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective
28 date of the Confirming Resolution referred to in Section 6 of this Resolution and shall
29 terminate on December 31, 2011, unless otherwise automatically extended in five year
30 increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance requesting a
recommendation from said committee concerning the advisability of designating
the above area an "Economic Revitalization Area";

1
2 (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and
3 I.C. 5-3-1 of the adoption and substance of this resolution and setting this
4 designation as an "Economic Revitalization Area" for public hearing;

5 **SECTION 3.** That, said designation of the hereinabove described property as an
6 "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal
7 property for new information technology equipment.

8 **SECTION 4.** That, the estimate of the number of individuals that will be employed
9 or whose employment will be retained and the estimate of the annual salaries of those
10 individuals and the estimate of the value of new information technology equipment, all
11 contained in Petitioner's Statement of Benefits, are reasonable and are benefits that can be
12 reasonably expected to result from the proposed described installation of new information
13 technology equipment.

14 **SECTION 5.** That, the current year approximate tax rates for taxing units within
15 the City would be:

16 (a) If the proposed new information technology equipment is not installed, the
17 approximate current year tax rates for this site would be \$3.0384/\$100.

18 (b) If the proposed new information technology equipment is installed and no
19 deduction is granted, the approximate current year tax rate for the site would be
20 \$3.0384/\$100 (the change would be negligible).

21 (c) If the proposed new information technology equipment is installed and a
22 deduction percentage of eighty percent (80%) is assumed, the approximate
23 current year tax rate for the site would be \$3.0384/\$100 (the change would be
24 negligible).

25 **SECTION 6.** That, this Resolution shall be subject to being confirmed, modified
26 and confirmed, or rescinded after public hearing and receipt by Common Council of the
27 above described recommendations and resolution, if applicable.

28 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
29 deduction from the assessed value of the new information technology equipment shall be for
30 a period of ten years.

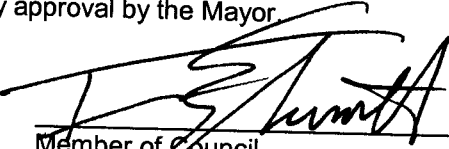
SECTION 8. That, the benefits described in the Petitioner's Statement of Benefits
can be reasonably expected to result from the project and are sufficient to justify the
applicable deductions.

SECTION 9. That, the taxpayer is non-delinquent on any and all property tax due
to jurisdictions within Allen County, Indiana.

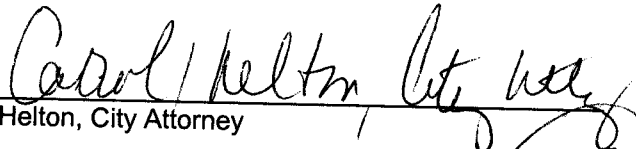
SECTION 10. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
has received a deduction under section 3 or 4.5 of said chapter may be required to repay the
deduction amount as determined by the county auditor in accordance with section 12 of said

1 chapter if the property owner ceases operations at the facility for which the deduction was
2 granted and if the Common Council finds that the property owner obtained the deduction by
3 intentionally providing false information concerning the property owner's plans to continue
4 operation at the facility.

5 **SECTION 11.** That, this Resolution shall be in full force and effect from and after
6 its passage and any and all necessary approval by the Mayor

7 
8 _____
9 Member of Council

10 APPROVED AS TO FORM AND LEGALITY

11 
12 _____
13 Carol Helton, 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 _____, 2011, at _____ o'clock _____ M.E.S.T.

DATED: 5-24-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, and duly adopted, placed on its passage. PASSED _____ 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: 5-24-11

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-22-11 on the 24th day of May, 2011

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Matthew Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of May, 2011, at the hour of 1:30 o'clock P M.E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 31st day of MAY, 2011, at the hour of 9:30 o'clock A M.E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR