

**A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1515 Profit Drive, Fort Wayne, Indiana 46808 (Meijer Stores Limited Partnership)**

**WHEREAS**, Petitioner has duly filed its petition dated May 31, 2012 to have the following described property designated and declared an "Economic Revitalization Area" under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

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

and

**WHEREAS**, said project will result in the occupation of an eligible vacant building under I.c. 6-1.1-12.1-4.8; and

**WHEREAS**, said project will create 33 full-time, permanent jobs for a total new, annual payroll of \$1,617,087, with the average new annual job salary being \$49,002.

**WHEREAS**, the total estimated project cost is \$9,241,000; and

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

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

**SECTION 1.** That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year 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";
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

1 (d) If this Resolution involves an area that has already been designated an allocation  
2 area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort  
3 Wayne Redevelopment Commission and said designation as an "Economic  
4 Revitalization Area" shall not be finally approved unless said Commission adopts  
5 a Resolution approving the petition.

6 **SECTION 3.** That, said designation of the hereinabove described property as an  
7 "Economic Revitalization Area" shall apply to both a deduction of the assessed value of  
8 occupation of an eligible vacant building, real estate, and personal property for new logistical  
9 and information technology equipment.

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

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

- 19 (a) If the proposed occupation of the eligible vacant building does not occur, the  
20 approximate current year tax rates for this site would be \$3.0261/\$100.
- 21 (b) If the proposed occupation of the eligible vacant building occurs and no  
22 deduction is granted, the approximate current tax rate for the site would be  
23 \$3.0261/\$100 (the change would be negligible).
- 24 (c) If the proposed occupation of the eligible vacant building occurs, and a deduction  
25 percentage of fifty percent (50%) is assumed, the approximate current year tax  
26 rate for this would be \$3.0261/\$100 (the change would be negligible).
- 27 (d) If the proposed development does not occur, the approximate current year tax  
28 rates for this site would be \$3.0261/\$100.
- 29 (e) If the proposed development does occur and no deduction is granted, the  
30 approximate current year tax rate for the site would be \$3.0261/\$100 (the  
change would be negligible).
- (f) If the proposed development occurs and a deduction percentage of fifty percent  
(50%) is assumed, the approximate current year tax rate for the site would be  
\$3.0261/\$100 (the change would be negligible).
- (g) If the proposed new logistical and information technology equipment is not  
installed, the approximate current year tax rates for this site would be  
\$3.0261/\$100.

1 (h) If the proposed new logistical and information technology equipment is installed  
2 and no deduction is granted, the approximate current year tax rate for the site  
3 would be \$3.0261/\$100 (the change would be negligible).

4 (i) If the proposed new logistical and information technology equipment is installed  
5 and a deduction percentage of eighty percent (80%) is assumed, the  
6 approximate current year tax rate for the site would be \$3.0261/\$100 (the  
7 change would be negligible).

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

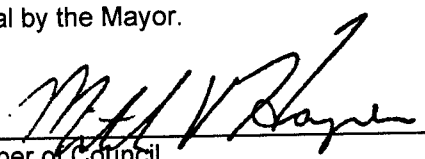
11 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the  
12 deduction from the assessed value of the occupation of the eligible vacant building shall be  
13 for a period of one year and the deduction from the assessed value of the real property shall  
14 be for a period of 10 years, and the deduction from the assessed value of the new logistical  
15 and information technology equipment shall be for a period of 10 years.

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

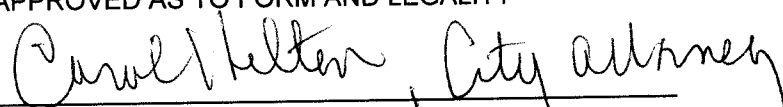
19 **SECTION 9.** That, the taxpayer is non-delinquent on any and all property tax due  
20 to jurisdictions within Allen County, Indiana.

21 **SECTION 10.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that  
22 has received a deduction under section 3 or 4.5 of this chapter may be required to repay the  
23 deduction amount as determined by the county auditor in accordance with section 12 of said  
24 chapter if the property owner ceases operations at the facility for which the deduction was  
25 granted and if the Common Council finds that the property owner obtained the deduction by  
26 intentionally providing false information concerning the property owner's plans to continue  
27 operation at the facility.

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

30  
  
\_\_\_\_\_  
Member of Council

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Carol Helton, City Attorney

Read the first time in full and on motion by Harper 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 Room 030 - Council Discussion Garden Level - Citizens Square, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 2012, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 6-12-12 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>
<u>BENDER</u>	_____	_____	_____	<u>✓</u>
<u>CRAWFORD</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>JEHL</u>	<u>✓</u>	_____	_____	_____
<u>PADDOCK</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 6-12-12 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-29-12 on the 12th day of June, 2012

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

SEAL  
[Signature]  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 2012, 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 18th day of June, 2012, at the hour of 3:00 o'clock P. M., E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR