

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

7 WHEREAS, Common Council has previously designated and declared by Declaratory Resolution
8 the following described property as an "Economic Revitalization Area" under Sections 153.13-153.24 of
9 the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

10 Attached hereto as "Exhibit A" as if a part herein; and

11 WHEREAS, said project will result in the occupation of an eligible vacant building under I.c. 6-1.1-
12 12.1-4.8; and

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

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

16 WHEREAS, a recommendation has been received from the Committee on Finance concerning
17 said Resolution; and

18 WHEREAS, notice of the adoption and substance of said Resolution has been published in
19 accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said
20 Resolution; and

21 WHEREAS, if said Resolution involves an area that has already been designated an allocation
22 area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution
23 approving the designation.

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

26 SECTION 1. That, the Resolution previously designating the above described property as an
27 "Economic Revitalization Area" is confirmed in all respects.

28 SECTION 2. That, the hereinabove described property is hereby declared an "Economic
29 Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this
30 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 3. That, said designation of the hereinabove described property as an "Economic
Revitalization Area" shall apply to both a deduction of the assessed value of occupation of an eligible
vacant building, real estate, and personal property for new logistical and information technology
equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose
employment will be retained and the estimate of the annual salaries of those individuals and the estimate

1 of the value of the occupation of the eligible vacant building and estimate of the value of the occupation of
2 the eligible vacant building and the value of the redevelopment or rehabilitation of the eligible vacant
3 building and estimate of the value of the new logistical and information technology equipment, all
4 contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
5 expected to result from the proposed described installation of the new logistical and information
6 technology equipment.

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

- 7 ... If the proposed occupation of the eligible vacant building does not occur, the approximate
8 current year tax rates for this site would be \$3.0261/\$100.
- 9 ... If the proposed occupation of the eligible vacant building occurs and no deduction is granted,
10 the approximate current tax rate for the site would be \$3.0261/\$100 (the change would be
11 negligible).
- 12 ... If the proposed occupation of the eligible vacant building occurs, and a deduction percentage
13 of fifty percent (50%) is assumed, the approximate current year tax rate for this would be
14 \$3.0261/\$100 (the change would be negligible).
- 15 ... If the proposed development does not occur, the approximate current year tax rates for this
16 site would be \$3.0261/\$100.
- 17 ... If the proposed development does occur and no deduction is granted, the approximate
18 current year tax rate for the site would be \$3.0261/\$100 (the change would be negligible).
- 19 ... If the proposed development occurs, and a deduction percentage of fifty percent (50%) is
20 assumed, the approximate current year tax rate for the site would be \$3.0261/\$100 (the
21 change would be negligible).
- 22 ... If the proposed new logistical and information technology equipment is not installed, the
23 approximate current year tax rates for this site would be \$3.0261/\$100.
- 24 ... If the proposed new logistical and information technology equipment is installed and no
25 deduction is granted, the approximate current year tax rate for the site would be \$3.0261/\$100
26 (the change would be negligible).
- 27 ... If the proposed new logistical and information technology equipment is installed and a
28 deduction percentage of eighty percent (80%) is assumed, the approximate current year tax
29 rate for the site would be \$3.0261/\$100 (the change would be negligible).

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

1 **SECTION 7.** That, the benefits described in the Petitioner's Statement of Benefits can be
2 reasonably expected to result from the project and are sufficient to justify the applicable deductions.

3 **SECTION 8.** For new logistical and information technology equipment, a deduction application
4 must contain a performance report showing the extent to which there has been compliance with the
5 Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report
6 must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
7 Development Division and must be included with the deduction application. For subsequent years, the
8 performance report must be updated and submitted along with the deduction application at the time of
9 filing.

10 **SECTION 9.** For real property, a deduction application must contain a performance report
11 showing the extent to which there has been compliance with the Statement of Benefits form approved by
12 the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County
13 Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in
14 the deduction application. For subsequent years, the performance report must be updated each year in
15 which the deduction is applicable at the same time the property owner is required to file a personal
16 property tax return in the taxing district in which the property for which the deduction was granted is
17 located. If the taxpayer does not file a personal property tax return in the taxing district in which the
18 property is located, the information must be provided by May 15.

19 **SECTION 10.** The performance report must contain the following information:

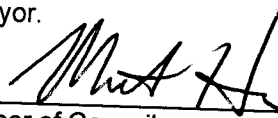
- 20 . The cost and description of real property improvements and/or new logistical and information
21 technology equipment acquired.
- 22 . The number of employees hired through the end of the preceding calendar year as a result of
23 the deduction.
- 24 . The total salaries of the employees hired through the end of the preceding calendar year as a
25 result of the deduction.
- 26 . The total number of employees employed at the facility receiving the deduction.
- 27 . The total assessed value of the real and/or personal property deductions.
- 28 . The tax savings resulting from the real and/or personal property being abated.

29 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due to
30 jurisdictions within Allen County, Indiana.

SECTION 12. 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 this chapter may be required to repay the deduction amount as
determined by the county auditor in accordance with section 12 of said chapter if the property owner
ceases operations at the facility for which the deduction was granted and if the Common Council finds that
the property owner obtained the deduction by intentionally providing false information concerning the
property owner's plans to continue operation at the facility.

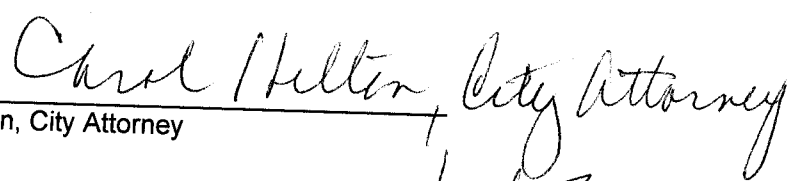
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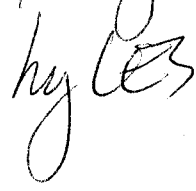
SECTION 13. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Member of Council

APPROVED AS TO FORM A 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 Tuesday the 26th day of June, 2012, at 5:30 o'clock P. 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 ~~LAST~~

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

DATED: 6-26-12

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-33-12 on the 26th 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 27th day of June, 2012, at the hour of 11:30 o'clock A M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of June, 2012, at the hour of 2:30 o'clock P. M., E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR