

3 A CONFIRMING RESOLUTION designating an "Economic
4 Revitalization Area" under I.C. 6-1.1-12.1 for property
5 commonly known as 7617 Freedom Way, Fort Wayne, Indiana
6 46808 (Wagner-Meinert, LLC)

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 create 13 full-time, permanent jobs for a total new, annual payroll of
12 \$725,000, with the average new annual job salary being \$55,769 and retain 140 full-time, permanent jobs
13 for a total current annual payroll of \$9,230,000, with the average current, annual job salary being \$65,929;
14 and WHEREAS, the total estimated project cost is \$374,325; and

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

17 WHEREAS, notice of the adoption and substance of said Resolution has been published in
18 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
19 Resolution.

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

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

24 SECTION 2. That, the hereinabove described property is hereby declared an "Economic
25 Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this
26 Resolution and shall terminate on December 31, 2016, unless otherwise automatically extended in five
27 year increments per I.C. 6-1.1-12.1-9.

28 SECTION 3. That, said designation of the hereinabove described property as an "Economic
29 Revitalization Area" shall apply to a deduction of the assessed value of real estate and personal property
30 for new 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
of redevelopment or rehabilitation and estimate of the value of the new information technology equipment,
all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
expected to result from the proposed described installation of the new information technology equipment.

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

1 ... If the proposed development does not occur, the approximate current year tax rates for this
2 site would be \$3.0261/\$100.

3 ... If the proposed development does occur and no deduction is granted, the approximate
4 current year tax rate for the site would be \$3.0261/\$100 (the change would be negligible).

5 ... If the proposed development occurs, and a deduction percentage of fifty percent (50%) is
6 assumed, the approximate current year tax rate for the site would be \$3.0261/\$100 (the
7 change would be negligible).

8 ... If the proposed new information technology equipment is not installed, the approximate
9 current year tax rates for this site would be \$3.0261/\$100.

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

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

16 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from
17 the assessed value of the real property shall be for a period of ten years, and that the deduction from the
18 assessed value of the new information technology equipment shall be for a period of ten years.

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

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

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

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

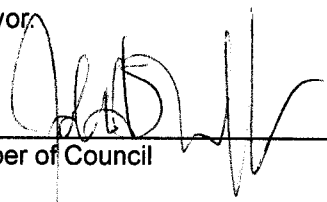
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- The cost and description of real property improvements and/or new information technology equipment acquired.
- The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- The total salaries of the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

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

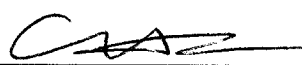
SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases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

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 Shoaff, 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 23rd day of October, 2012, at 5:30 o'clock P.M., E.S.T.

DATED: 10-9-12 Sandra E. Kennedy
 SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Shoaff, 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>9</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: 10-23-12 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-5412 on the 23rd day of October, 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 24th day of October, 2012, at the hour of 3 o'clock P.M., E.S.T.

Sandra E. Kennedy
 SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of October, 2012, at the hour of 9:30 o'clock A.M., E.S.T.

Thomas C. Henry
 THOMAS C. HENRY, MAYOR