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1 BILL NO R-13-01-08

2 CONFIRMING RESOLUTION NO R- R-12-13

3 A CONFIRMING RESOLUTION designating an
4 "Economic Revitalization Area" under I.C. 6-1.1-
5 12.1 for property commonly known as 3904
6 Ferguson Road, Fort Wayne, Indiana 46809
(International Paper Company)

7 WHEREAS, Common Council has previously designated and declared by
8 Declaratory Resolution the following described property as an "Economic Revitalization Area"
9 under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and
10 I C 6-1 1-12.1, to wit.

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

12 WHEREAS, said project will retain 104 full-time, permanent jobs for a total current
13 annual payroll of \$4,627,000, with the average current, annual job salary being \$44,490; and

14 WHEREAS, the total estimated project cost is \$6,400,000; and

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

17 WHEREAS, notice of the adoption and substance of said Resolution has been
18 published in accordance with I.C. 6-1.1-12 1-2 5 and I.C 5-3-1 and a public hearing has
19 been conducted on said Resolution.

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

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

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

28 SECTION 3. That, said designation of the hereinabove described property as an
29 "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal
30 property for new manufacturing 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 the value of the new manufacturing 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 manufacturing
equipment.

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

3 If the proposed new manufacturing equipment is not installed, the approximate
4 current year tax rates for this site would be \$2.7023/\$100.

5 If the proposed new manufacturing equipment is installed and no deduction is
6 granted, the approximate current year tax rate for the site would be
7 \$2.7023/\$100 (the change would be negligible).

8 If the proposed new manufacturing equipment is installed, and a deduction
9 percentage of eighty percent (80%) is assumed, the approximate current year
10 tax rate for the site would be \$2.7023/\$100 (the change would be negligible).

11 **SECTION 6.** Pursuant to I C 6-1 1-12 1, it is hereby determined that the deduction
12 from the assessed value of the new manufacturing equipment shall be for a period of ten
13 years.

14 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
15 reasonably expected to result from the project and are sufficient to justify the applicable
16 deductions.

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

24 **SECTION 9.** The performance report must contain the following information

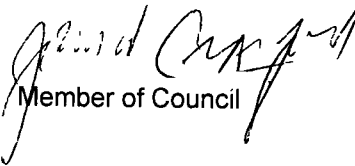
- 25 (a) The cost and description of real property improvements and/or new
26 manufacturing equipment acquired.
- 27 (b) The number of employees hired through the end of the preceding calendar year
28 as a result of the deduction
- 29 (c) The total salaries of the employees hired through the end of the preceding
30 calendar year as a result of the deduction.
- (d) The total number of employees employed at the facility receiving the deduction
- (e) The total assessed value of the real and/or personal property deductions.
- (f) The tax savings resulting from the real and/or personal property being abated

SECTION 10. That, the taxpayer is non-delinquent on any and all property tax due
to jurisdictions within Allen County, Indiana

SECTION 11. 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

1 deduction amount as determined by the county auditor in accordance with section 12 of said
2 chapter if the property owner ceases operations at the facility for which the deduction was
3 granted and if the Common Council finds that the property owner obtained the deduction by
4 intentionally providing false information concerning the property owner's plans to continue
5 operation at the facility

6 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its
7 passage and any and all necessary approval by the Mayor.

8 
9 Member of Council

10 APPROVED AS TO FORM AND LEGALITY

11 
12
13 Carol Helton, City Attorney

Public Hearing Date, if applicable 1/22 '13

Read the first time in full and on motion by Councilman John Crawford,
Read the second time by title and referred to the Finance Committee
Committee. Read the third time in full and on motion by Councilman
Crawford, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<input checked="" type="checkbox"/>			
CRAWFORD	<input checked="" type="checkbox"/>			
DIDIER	<input checked="" type="checkbox"/>			
HARPER	<input checked="" type="checkbox"/>			
HINES	<input checked="" type="checkbox"/>			
JEHL	<input checked="" type="checkbox"/>			
PADDOCK	<input checked="" type="checkbox"/>			
SHOAFF	<input checked="" type="checkbox"/>			
SMITH	<input checked="" type="checkbox"/>			

DATED: 2/12 '13 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-12-13 on the 12th day of
February, 2013

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

Thomas F. Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day
of February, 2013, at the hour of 3 o'clock PM. . E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of February
2013, at the hour of 2:00 o'clock PM. . E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **International Paper Company is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of \$6,400,000. In order to expand, International Paper Company will install new manufacturing equipment which will replace the existing equipment that is nearing the end of its useful life.**

EFFECT OF PASSAGE: **Without the infusion of new modern equipment, the plant would be at risk of becoming technologically obsolete in a very competitive and consolidating marketplace. This new equipment will significantly enhance the plants capabilities and capacity and avoid a decline in employment at the facility. One hundred and four full-time jobs will be retained.**

EFFECT OF NON-PASSAGE: **Potential loss of development**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): **No expenditures of public funds required.**

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Mitch Harper and John Shoaff**

Exhibit A

Legal description of property owned by International Paper at 3904 Ferguson Road, Fort Wayne:

Part of the Southwest quarter of the Southwest quarter of Section 4, Township 29 North, Range 12 East in Allen County, State of Indiana, described as follows, to wit: Beginning at a point situated 117.0 feet North 88 degree 20 minutes East of the Southwest quarter of the aforementioned Southwest quarter of the Southwest quarter of Section 4, Township 29 North, Range 12 East said point being also situated on the centerline of the Ferguson Road and the South line of the said Southwest quarter of the Southwest quarter of Section 4, Township and Range aforesaid, thence North 1 degree 40 minutes West 682.8 feet along the centerline of Seventh Street in said Section, Township, and Range to the centerline of "C" Street in said Section, Township, and Range; thence North 88 degrees 11 minutes East 645.0 feet along the said centerline of "C" Street, thence South 1 degree 40 minutes East 684.6 feet to the aforementioned centerline of the Ferguson Road, said line being also the South line of the aforementioned Southwest quarter of the Southwest quarter of Section 4, Township 29 North, Range 12 East, thence South 88 degrees 20 minutes West 645.0 feet along the last described line to the place of beginning, containing 10.12 acres of land, more or less, subject to building setback lines, roadway easements for "C" Street, Seventh Street and the Ferguson Road, and easements, grants and rights of way for the installation, maintenance, operation and use of all public or quasi-public utilities or services as determined and set out by the Board of Aviation Commissioners of the City of Fort Wayne, Indiana.

BILL NO. R-13-01-08

REPORT OF THE COMMITTEE ON FINANCE
FEBRUARY 12, 2013

JOHN CRAWFORD – CHAIR
TOM SMITH – CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3904 Ferguson Rd., Fort Wayne, Indiana 46809 (International Paper Company). COMMITTEE OF FINANCE HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE

DO PASS

DO NOT PASS

ABSTAIN

NO REC

John Crawford
Tom Smith
29
John
John
John
John
John
John

SANDRA E. KENNEDY
CITY CLERK