

4 **A CONFIRMING RESOLUTION designating an**
5 **"Economic Revitalization Area" under I.C. 6-1.1-12.1 for**
6 **property commonly known as 711 E. Tillman Road, Fort**
7 **Wayne, Indiana 46816 (Housing Opportunity Program,**
8 **Inc/Hillcrest Pointe, L.P.)**

9 **WHEREAS**, Common Council has previously designated and declared by
10 Declaratory Resolution the following described property as an "Economic Revitalization Area"
11 under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and
12 I.C. 6-1 1-12 1, to wit:

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

14 **WHEREAS**, said project will create two full-time, permanent jobs for a total new,
15 annual payroll of \$39,936, with the average new annual job salary being \$19,968.

16 **WHEREAS**, the total estimated project cost is \$4,956,350; and

17 **WHEREAS**, a recommendation has been received from the Committee on Finance;
18 and

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

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

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

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

30 **SECTION 3.** That, said designation of the hereinabove described property as an
"Economic Revitalization Area" shall apply to a deduction of the assessed value of real
estate.

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 redevelopment or rehabilitation, all contained in
Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
expected to result from the proposed described redevelopment or rehabilitation.

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

3 If the proposed development does not occur, the approximate current year tax
4 rates for this site would be \$3.3124/\$100.

5 If the proposed development occurs and no deduction is granted, the
6 approximate current year tax rate for the site would be \$3.3124/\$100 (the
7 change would be negligible).

8 If the proposed development occurs, and a deduction percentage of fifty percent
9 (50%) is assumed, the approximate current year tax rate for the site would be
10 \$3.3124/\$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 real property shall be for a period of ten years.

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

16 **SECTION 8.** For real property, a deduction application must contain a performance
17 report showing the extent to which there has been compliance with the Statement of Benefits
18 form approved by the Fort Wayne Common Council at the time of filing. This report must be
19 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
20 Development Division and must be included with the deduction application. For subsequent
21 years, the performance report must be updated each year in which the deduction is
22 applicable at the same time the property owner is required to file a personal property tax
23 return in the taxing district in which the property for which the deduction was granted is
24 located. If the taxpayer does not file a personal property tax return in the taxing district in
25 which the property is located, the information must be provided by May 15.

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

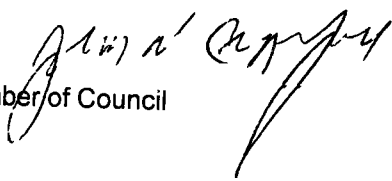
- 27 . The cost and description of real property improvements.
- 28 . The number of employees hired through the end of the preceding calendar year
29 as a result of the deduction.
- 30 . The total salaries of the employees hired through the end of the preceding
calendar year as a result of the deduction.
- . The total number of employees employed at the facility receiving the deduction.
- . The total assessed value of the real property deductions.
- . The tax savings resulting from the real property being abated.

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

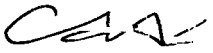
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SECTION 11. That, pursuant to I.C. 6-1 1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 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 12. 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

Legal Description

The East 158 feet of Lots #67, 72, 73 and 78, the West 59 feet of Lot #68, the West 59 feet of the North 92 feet of Lot #71; the West 41 feet of the South 8 feet of Lot 71; and the West 41 feet of Lots 74 and 77, all in Home Gardens Addition, excepting therefrom the right-of-way taken for Tillman Road.

Together with two Non-Exclusive Easements for Ingress and Egress as Follows:

Easement No.1: Ingress and Egress Easement 18 feet in width and being more particularly described as follow:

The East 18 feet of the West 59 feet of Lots 74 and 77 and the East 18 feet of the West 59 feet of the South 8 feet of Lot #71, all in Home Gardens Addition, except that part of Lot #77 taken for the right-of-way of Tillman Road.

Easement No 2: Ingress and Egress easement 24 feet in width, being 12 feet either side of the following described centerline, more particularly described as follows:

Beginning at a point on the North right-of-way line of Tillman Road, said point being situated 223 feet West of the East line of Lot #78 in Home Gardens Addition; thence Northeasterly 112.7 feet to a point situated 158 feet West of the East line of Lot #73 in said Addition and 93 feet North of the North right-of-way of Tillman Road, said point being the terminus of said easement centerline.

Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Housing Opportunity Program, Inc./Hillcrest Point, L.P. is requesting the designation of an Economic Revitalization Area for real property improvements in the amount of \$4,956,350. Housing Opportunity Program, Inc./Hillcrest Point, L.P. will construct a new 49,000 square foot building consisting of (48) 1-bedroom apartments, social service offices, leasing office, a laundry facility, theatre room, community room, food pantry, computer room, covered pavilion, and gazebo.**

EFFECT OF PASSAGE: **Constructing the building will allow Housing Opportunity Program, Inc./Hillcrest Point, L.P. to redevelop the land where a former school building in poor shaped currently resides. The current building has not had routine maintenance or climate control for several years. Two full-time jobs will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development and two full-time jobs**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **John Crawford and Tom Smith**

Sarah A. Rogers

From: fwn legals [fwnlegals@fwn.fortwayne.com]
Sent: Wednesday, May 15, 2013 9:28 AM
To: Sarah A. Rogers
Subject: RE: TAX ABATEMENTS

Please note below is your requested schedule and cost.

*If there is a **discrepancy**. Please let me know soon as possible.*

***Invoices/Proof of Pubs/Affidavits are mailed out on Thursday
a week after the last run date...*

Your ad is scheduled to run as follows:

Ad #: 1059299

Date: 5/17

Publication: JG & NS

Cost: \$56.28

Terrie Brown-Smith

Legal Sales Coordinator

260-461-8246

From: Sarah A. Rogers [mailto:Sarah.Rogers@cityoffortwayne.org]
Sent: Wed 5/15/13 8:18 AM
To: fwn legals
Subject: TAX ABATEMENTS

Good morning, Terrie,

Would you please place the attached Tax Abatements in both the Fort Wayne Journal Gazette and News Sentinel on Saturday, May 17, 2013.

Thank you, Terrie.

**NOTICE OF PUBLIC HEARINGS
FORT WAYNE COMMON COUNCIL**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT PUBLIC HEARINGS ON MAY 28, 2013 AT 5:30 P.M., IN ROOM 030 – COUNCIL DISCUSSION ROOM – GARDEN LEVEL, CITIZENS SQUARE , 200 E. BERRY, FORT WAYNE INDIANA 46802; DESIGNATING ECONOMIC REVITALIZATION AREAS UNDER SECTION I.C. 6-1.1-12.1 FOR THE FOLLOWING PROPERTIES:

R-13-05-02

COMMONLY KNOWN AS 9403 AVIONICS DRIVE, FORT WAYNE, INDIANA 46809 (VITA NONWOVENS)

R-13-05-04

COMMONLY KNOWN AS 711 E.TILLMAN ROAD, FORT WAYNE, INDIANA 46816 (HOUSING OPPORTUNITY PROGRAM, INC/HILLCREST POINTE, L.P.)

R-13-05-07

COMMONLY KNOWN AS 206 E. RUDISILL BLVD., FORT WAYNE, INDIANA 46806 (CIRCLE CITY RENTALS, LLC D/B/A AARON'S)

R-13-05-10

COMMONLY KNOWN AS 2100 W. STATE BLVD., FORT WAYNE, INDIANA 46808 (DANA LIGHT AXLE PRODUCTS, LLC)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTIONS SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 28, 2013 @5:30 P.M.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2016.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

“REASONABLE ACCOMMODATIONS” FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A “REASONABLE ACCOMMODATION” SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

May 15, 2013

Legal Sales Coordinator/Classified Advertising
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Please give the attached Notice of Public Hearing full coverage on the date of Friday, May 17, 2013, in the News Sentinel and Journal Gazette.

Bill No. R-13-05-02
Bill No. R-13-05-04
Bill No. R-13-05-07
Bill No. R-13-05-10

Please send us 2 copies of the Publisher's Affidavit from both Newspapers.

Thank you.

Sincerely

Sandra E. Kennedy
City Clerk

BILL NO. R-13-05-04

REPORT OF THE COMMITTEE ON FINANCE

MAY 28, 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 711 E. Tillman Road, Fort Wayne, Indiana 46816 (Housing Opportunity Program, Inc/Hillcrest Pointe, L.P.). 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 A. Crawford
Tom Smith
John A. Crawford
Tom Smith
John A. Crawford
Tom Smith
John A. Crawford
Tom Smith
John A. Crawford
Tom Smith

M. E. Kennedy

SANDRA E. KENNEDY
CITY CLERK

Public Hearing Date, if applicable

May 28, 2013

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	8		1	
BENDER	✓			
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL				
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED:

May 28, 2013
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-50-13 on the 28th day of
May, 2013

ATTEST:
SANDRA E. KENNEDY,
CITY CLERK

T. Thomas Flidter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day
of May, 2013, at the hour of 2:00 o'clock . E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of MAY

2013, at the hour of 10:30 o'clock A.M. . E.S.T.

THOMAS C. HENRY, MAYOR