

4 **A CONFIRMING RESOLUTION designating an**
5 **“Economic Revitalization Area” under I.C. 6-1.1-12.1 for**
6 **property commonly known as 6110 Maplecrest Road,**
7 **Fort Wayne, Indiana 46835 (BDW, LLC)**

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

12 **Attached hereto as “Exhibit A” as if a part herein; and**

13 **WHEREAS**, said project will create one full-time, permanent job for a total new,
14 annual payroll of \$28,000, with the average new annual job salary being \$28,000 and retain
15 seven full-time and one part-time, permanent jobs for a total current annual payroll of
16 \$295,940, with the average current, annual job salary being \$36,993; and

17 **WHEREAS**, the total estimated project cost is \$220,000; and

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

20 **WHEREAS**, notice of the adoption and substance of said Resolution has been
21 published in accordance with I.C. 6-1 1-12 1-2.5 and I.C. 5-3-1 and a public hearing has
22 been conducted on said Resolution; and

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

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

27 **SECTION 2.** That, the hereinabove described property is hereby declared an
28 “Economic Revitalization Area” pursuant to I.C. 6-1 1-12.1, said designation to begin on the
29 effective date of this Resolution and shall terminate on December 31, 2016, unless otherwise
30 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 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

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

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

5 If the proposed development does not occur, the approximate current year tax
6 rates for this site would be \$3.1955/\$100.

7 If the proposed development occurs and no deduction is granted, the
8 approximate current year tax rate for the site would be \$3.1955/\$100 (the
9 change would be negligible).

10 If the proposed development occurs, and a deduction percentage of fifty percent
11 (50%) is assumed, the approximate current year tax rate for the site would be
12 \$3.1955/\$100 (the change would be negligible).

13 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
14 from the assessed value of the real property shall be for a period of three years.

15 **SECTION 7.** The deduction schedule from the assessed value of the real
16 property pursuant to I.C. 6-1 1-12 1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	66%
3	33%

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

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

30 **SECTION 10.** The performance report must contain the following information
The cost and description of real property improvements.

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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.

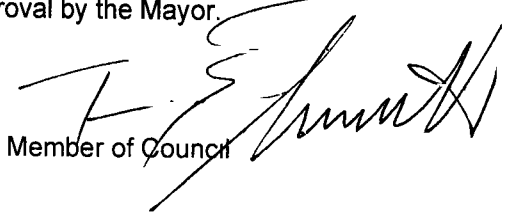
The total assessed value of the real property deductions.

The tax savings resulting from the real 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

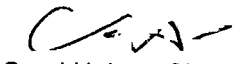

Carol Helton, City Attorney

EXHIBIT A

05/12/00 FRI 14:58 FAX 4241918

Donovan Engineering

003

CERTIFICATE OF SURVEY

GREGORY L. ROBERTS PLS S0548 IN
KENNETH W. HARRIS PLS 9500021 IN

DONOVAN ENGINEERING INC
2020 INWOOD DRIVE
EXECUTIVE PARK
FORT WAYNE, INDIANA 46815

JOHN R. DONOVAN PE 9173 PLS 9921 IN
FRANCIS X. MUELLER PLS 50193 IN

The undersigned has made a re-survey of the real estate located in Allen County, Indiana, as shown and described below. The description of the real estate is as follows:

Part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a nail on the West line of the Southwest Quarter of the Southwest Quarter of Section 15, Township 31 North, Range 13 East, Allen County, Indiana, said point being 426.0 feet South of a nail marking the Northwest corner of the SW 1/4 of the SW 1/4 of Section 15-31-13; thence South 00 degrees 03 minutes East (assumed bearing) along the West line of the SW 1/4 of the SW 1/4 of Section 15-31-13 a distance of 304.94 feet to a nail; thence South 88 degrees 12 minutes East a distance of 168.49 feet (165.0 feet, deed) to a 1/2 inch iron pin; thence North 02 degrees 00 minutes East a distance of 15.0 feet to a 1/2 inch iron pin; thence South 88 degrees 12 minutes East a distance of 56.08 feet to a 5/8 inch iron pin; thence North 80 degrees 03 minutes West a distance of 295.11 feet to a 5/8 inch iron pin; thence North 89 degrees 32 minutes West, a distance of 225.0 feet to the point of beginning containing 1.57 acres, subject to road rights of way and easements.

NOTE: According to the Flood Insurance Rate Map (FIRM) number 18003C0170 D, dated Sept. 28, 1990, the herein described real estate is located in Zone "X" and is not within the 100 year flood hazard area. The accuracy of this flood hazard statement is subject to map scale uncertainty.

Scale:

Job No. 15STJ
Job for: ST. JOE DEV. CORP.

Date: 1-26-99
REV. 9-15-99

LEGEND
IPF Iron Pin Found
PF Iron Pipe Found
IPS 5/8" IP-set
(with cap stamped #0027)
PK PK Nail
(M) Measured
(R) Recorded
(C) Calculated

All monuments are at grade except as noted
All property line distances are recorded
dimensions except as noted.
Monuments found have no documented history,
except as noted.

Date of field work: 1-20-99



I hereby certify that this survey was completed under my direct supervision and to the best of my knowledge and belief was executed according to the survey requirements set forth in 865 IAC 1-12.

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **BDW, LLC d/b/a St. Joe Vision – Dr. Martin White, O.D., Inc. is requesting the designation of an Economic Revitalization Area for real property improvements in the amount of \$220,000. In order to expand, BDW, LLC d/b/a St. Joe Vision – Dr. Martin White, O.D., Inc. will construct 1,200 square feet of additional medical office space.**

EFFECT OF PASSAGE: **Constructing the additional space will allow BDW, LLC d/b/a St. Joe Vision – Dr. Martin White, O.D., Inc. to remain competitive with many of the larger corporate providers. One full-time job will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development and one full-time job.**

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

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

Public Hearing Date, if applicable

7-23-13

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

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8			1
BENDER	✓			
CRAWFORD				1
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED: 7-23-13

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-66-13 on the 23rd day of
July, 2013

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

T. Thomas Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day
of July, 2013, at the hour of 10 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of July

2013, at the hour of 3:00 o'clock P.M., E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. R-13-07-02

REPORT OF THE COMMITTEE ON FINANCE

JULY 23, 2013

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

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 6110 Maplecrest Road, Fort Wayne, Indiana 46835 (BOW, LLC).
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

[Handwritten signatures and initials under "DO PASS"]
Tom Smith
John Crawford
Jim Davis
John Smith
Mary D. Brown
Homer Heidner
Ayer

SANDRA E. KENNEDY
CITY CLERK

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

R-13-07-02, R-13-07-07

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JULY 23, 2013 AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL, CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802, DESIGNATING AN ECONOMIC REVITALIZATION AREA UNDER SECTION IC 6-1-1-12-1 FOR PROPERTY

R-13-07-02 Property commonly known as 6110 Maplecrest Road, Fort Wayne, Indiana 46835 (BDW, LLC)

R-13-07-07 Properties commonly known as 7614 and 7720 Opportunity Drive, Fort Wayne, Indiana 46825 (Shambaugh & Son, LP)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTIONS SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON TUESDAY, JULY 23, 2013

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

7-12

1069789 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1069789
FW Common Council

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

58

COMPUTATION OF CHARGES

58 lines, 1 column(s) wide equals

58 equivalent lines at \$ 0.402 cents per line

\$ 23.32

Additional charges for notices containing rule or tabular work
(50 per cent of above amount)

-

Charge for extra proofs of publication
(\$1.00 for each proof in excess of two)

-

TOTAL AMOUNT OF CLAIM

\$ 23.32

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.

Number of Insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 3 times.

The dates of publication being as follows:

7/12/2013

- - -
- - -
- - -
- - -
- - -

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The News-Sentinel.

T. Brown-Smith

Date: July 12, 2013

T. Brown-Smith
Legal Clerk

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FORT WAYNE COMMON COUNCIL**

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SANDRA E. KENNEDY
CITY CLERK

7-12

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