

**A CONFIRMING RESOLUTION designating an  
"Economic Revitalization Area" under I.C. 6-1.1-  
12.1 for property commonly known as 4717  
Clubview, Fort Wayne, Indiana 46804 (Phoenix  
America, Inc.)**

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

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

**WHEREAS**, said project will create 2 full-time, permanent jobs for a total new, annual payroll of \$102,800, with the average new annual job salary being \$51,400 and retain 22 full-time and 3 part-time, permanent jobs for a total current annual payroll of \$1,229,635, with the average current, annual job salary being \$49,185; and

**WHEREAS**, the total estimated project cost is \$469,000; and

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

**WHEREAS**, notice of the adoption and substance of said Resolution has been published in 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 Resolution.

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

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

**SECTION 2.** That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2016, 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 a deduction of the assessed value of personal 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

1 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably  
2 expected to result from the proposed described installation of the new manufacturing  
3 equipment.

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

6 ... If the proposed new manufacturing equipment is not installed, the approximate  
7 current year tax rates for this site would be \$3.3124/\$100.

8 ... If the proposed new manufacturing equipment is installed and no deduction is  
9 granted, the approximate current year tax rate for the site would be  
10 \$3.3124/\$100 (the change would be negligible).

11 ... If the proposed new manufacturing equipment is installed, and a deduction  
12 percentage of eighty percent (80%) is assumed, the approximate current year  
13 tax rate for the site would be \$3.3124/\$100 (the change would be negligible).

14 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction  
15 from the assessed value of the new manufacturing equipment shall be for a period of seven  
16 years.

17 **SECTION 7.** The deduction schedule from the assessed value of new  
18 manufacturing equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	85%
3	71%
4	57%
5	43%
6	29%
7	14%

19 **SECTION 8.** 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  
21 deductions.

22 **SECTION 9.** For new manufacturing equipment, a deduction application must  
23 contain a performance report showing the extent to which there has been compliance with  
24 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of  
25 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort  
26 Wayne's Community Development Division and must be included with the deduction  
27 application. For subsequent years, the performance report must be updated and submitted  
28 along with the deduction application at the time of filing.

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

- (a) The cost and description of real property improvements and/or new manufacturing equipment acquired.
- (b) The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- (c) The total salaries of the employees hired through the end of the preceding 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 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 said 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 AND LEGALITY

  
\_\_\_\_\_  
Carol Helton, City Attorney

ZOHRAH K. TAZIAN, P.E. & L.S.  
M. L. FAUST, L.S.

**zktazian**  
 ASSOCIATES, INC.  
 948 WEST WYVNE STREET  
 SUITE 202  
 PORT WYVNE, INDIANA 46602  
 PHONES: 317-434-8822  
 317-434-8234 FAX

CIVIL ENGINEERING SURVEYING LAND SURVEYING

Exhibit "A"

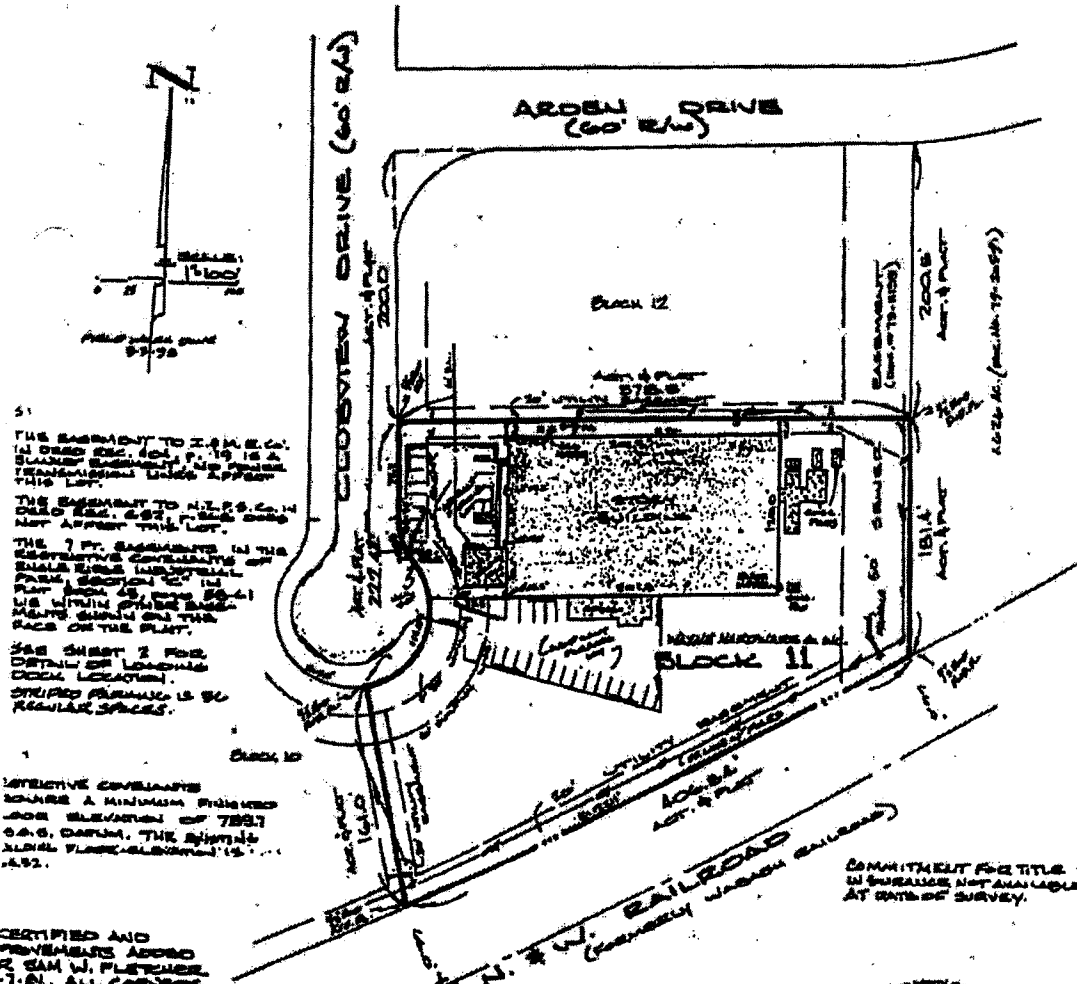
**CERTIFICATE OF SURVEY**

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

**DESCRIPTION OF REAL ESTATE**

Block 11 in Eagle Ridge Industrial Park, Section "C", a Subdivision of part of the West Half of the Northeast Quarter of Section 20, Township 30 North, Range 12 East, Allen County, Indiana.

This property is in Zone X, as the description plots by scale on Flood Insurance Rate Map No. 18003C 0265D, effective September 28, 1990.



THE EASEMENT TO I.M.E.C. IN DEED REC. 101 IN DEED REC. 101 IS A EASEMENT FOR THE USE OF TRANSMISSION LINES ACROSS THIS LOT.

THE EASEMENT TO N.L.P.S. CO. IN DEED REC. 252 IN DEED REC. 252 DOES NOT AFFECT THIS LOT.

THE 7 FT. EASEMENT IN THE EASTERN CORNER OF BLOCK 11 IS FOR THE USE OF THE EAGLE RIDGE INDUSTRIAL PARK SECTION C IN DEED REC. 101 IN DEED REC. 101 IS A EASEMENT FOR THE USE OF TRANSMISSION LINES ACROSS THE FACE OF THE PLAT.

SEE SHEET 2 FOR DETAIL OF LOCATION DOCK LOCATION.

STRIPED PARKING IS IN REGULAR SPACES.

CERTIFIED AND PEREMBERS ADDED  
SAM W. FLETCHER  
T.S., ALL CORNERS  
K. AND PLANNED.

Resurveyed for Wayne Hardware Co., Inc. 3/4/98

hereby certify on the 9th day of June, 1991 that the above survey is correct.  
Surveyed for Fletcher  
Survey No.: HN-146

*Zohrah K. Tazian*



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Phoenix America, Inc. is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of \$469,000. In order to expand, Phoenix America, Inc. will install new manufacturing equipment which will improve energy efficiency, lower their carbon footprint, and increase production capabilities.**

EFFECT OF PASSAGE: **Installing the new equipment will allow Phoenix America, Inc. to stay competitive in the market as well as grow with current customers' needs and new demand for their products. 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**

Public Hearing Date, if applicable 12-10-13

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:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 12-10-13 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-107-13 on the 10<sup>th</sup> day of  
December, 2013

ATTEST: Sandra E. Kennedy T. Thomas F. Didier  
SANDRA E. KENNEDY, PRESIDING OFFICER  
CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11<sup>th</sup> day  
of December, 2013, at the hour of 10:45 o'clock Am. E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12<sup>TH</sup> day of December  
2013, at the hour of 2:00 o'clock Pm E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

BILL NO. R-13-11-20

# REPORT OF THE COMMITTEE ON FINANCE

## DECEMBER 10, 2013

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

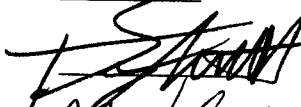
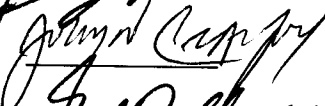

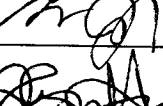

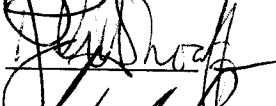
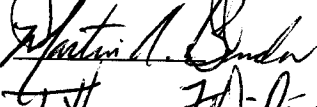
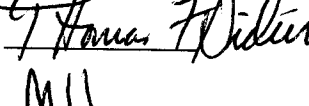

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4717 Clubview, Fort Wayne, Indiana 46804 (Phoenix America, Inc.). **HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE**

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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SANDRA E. KENNEDY  
CITY CLERK