

3

BILL NO. R-14-10-27

CONFIRMING RESOLUTION NO. R- 99-14

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2100 W. State Blvd, Fort Wayne, Indiana 46808 (Dana Light Axle Products LLC)**

**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 retain 511 full-time, permanent jobs for a total current annual payroll of \$20,817,381, with the average current, annual job salary being \$40,739; and

**WHEREAS**, the total estimated project cost is \$49,000,000; 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 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably

1 expected to result from the proposed described installation of the new manufacturing  
2 equipment.

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

- 5 (a) If the proposed new manufacturing equipment is not installed, the approximate  
6 current year tax rates for this site would be \$3.3065/\$100.  
7 (b) If the proposed new manufacturing equipment is installed and no deduction is  
8 granted, the approximate current year tax rate for the site would be  
9 \$3.3065/\$100 (the change would be negligible).  
10 (c) If the proposed new manufacturing equipment is installed, and a deduction  
11 percentage of eighty percent (80%) is assumed, the approximate current year  
12 tax rate for the site would be \$3.3065/\$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 new manufacturing equipment shall be for a period of ten  
15 years.

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

Year of Deduction	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

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

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

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

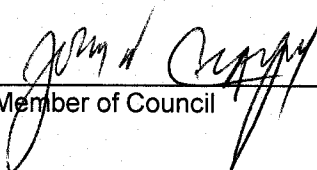
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- (a) The cost and description of real property improvements and/or new manufacturing equipment acquired.
- (b) The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- (c) The total salaries of the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

Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman Crawford

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilman Crawford, 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	✓	_____	_____	_____
CRAWFORD	✓	_____	_____	_____
DIDIER	✓	_____	_____	_____
HARPER	✓	_____	_____	_____
HINES	✓	_____	_____	_____
JEHL	✓	_____	_____	_____
PADDOCK	✓	_____	_____	_____
SHOAFF	✓	_____	_____	_____
SMITH	✓	_____	_____	_____

DATED: 11-18-14 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-99-14 on the 18th day of  
November, 2014

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

Matthew A. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day  
of November, 2014, at the hour of 2:00 o'clock PM . E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21<sup>st</sup> day of November  
2014, at the hour of 10:30 o'clock AM . E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

Dana Light Axle Products LLC  
2100 West State Blvd  
Fort Wayne, Indiana 46808

EXHIBIT A

Parcel I:

The parcels described in Deed Record 384, page 472, Deed Record 384, pages 603-604, Deed Record 406, pages 292-293, together with Lots 1 through 6, inclusive in Poinsett Park Addition (recorded in Plat Book 10, pages 72-73), together with Lots 1 through 44, inclusive in Cambridge Hills Addition (recorded in Plat Book 13, page 61), all as recorded in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast Corner of Lot 2 in Poinsett Park Addition, said corner being on the Northerly, 50 foot right-of-way line of West State Boulevard; thence Westerly along said Northerly right-of-way line, a distance of 1,195.52 feet to the Easterly, 60 foot wide transmission right-of-way of Indiana & Michigan Electric Co. (formerly Indiana Service Corporation); thence Northwesterly along said transmission right-of-way, a distance of 282.70 feet to the West line of the Northwest Quarter of Section 34, Township 31 North, Range 12 East, Allen County, Indiana; thence continuing Northwesterly along the Easterly line of said transmission right-of-way, a distance of 2413.8 feet to the North line of the Northeast Quarter of Section 33, Township 31 North, Range 12 East; thence Easterly along the North line of said Northeast Quarter, a distance of 404.7 feet to the Northeast corner of said Section 33, said corner also being the Northwest corner of the Northwest Quarter of said Section 34; thence continuing Easterly along the North line of said Northwest Quarter, a distance of 1063.59 feet to the Northwest corner of the plat of said Cambridge Hills Addition, said corner also being the Northeast corner of the parcel described in Deed Record 384, page 472; thence Southerly along the West line of said Cambridge Hills Addition, said West line also being the East line of the parcel described in Deed Record 384, page 472, a distance of 40 feet to the Northwest corner of Lot 1 in said Cambridge Hills Addition; thence Easterly along the North line of said Lot 1, a distance of 107 feet to the Northeast corner of said Lot 1; thence Southerly along the East lines of Lots 1 through 13, inclusive, in said Cambridge Hills Addition, a distance of 655.28 feet to the Southeast corner of said Lot 13; thence Westerly along the South line of said Lot 13, a distance of 107.68 feet to the Southwest corner of said Lot 13; thence Southerly along the West line of said Cambridge Hills Addition, a distance of 50 feet to the Northwest Corner of Lot 14 in said Cambridge Hills Addition; thence Easterly along the North line of said Lot 14, a distance of 107.74 feet to the Northeast corner of said Lot 14; thence Southerly along the East lines of Lots 14 through 24 inclusive, in said Cambridge Hills Addition, a distance of 570 feet to the Southeast corner of said Lot 24; thence Westerly along the South line of said Lot 24, a distance of 108.4 feet to the Southwest corner of said Lot 24; thence Southerly along the West line of said Cambridge Hills Addition, a distance of 60 feet to the Northwest corner of Lot 25 in said Cambridge Hills Addition; thence Easterly along the North line of said Lot 25, a distance of 108.47 feet to the Northeast corner of said Lot 25; thence Southerly along the East lines of Lots 25 through 41, inclusive, in said Cambridge Hills Addition, a distance of 878 feet to the Southeast corner of said Lot 41; thence Southeasterly, along the east lines of Lots 42, 43, and 44, along a curve to the left, as shown on said plat of Cambridge Hills Addition, a distance of 155.3 feet to the Southeast corner of said Lot 44, said corner being the Northeast corner of Lot 6 in said Poinsett Park Addition; thence Southeasterly, along the East lines of Lots 6 through 2, inclusive, along a curve to the left, as shown on the plat of said Poinsett Park Addition, a distance of 271.91 feet to the Southeast corner of said Lot 2 and the Point of Beginning.

Parcel II:

Lots 78 through 101, inclusive, in Cambridge Hills Addition (recorded in Plat Book 13, page 61 in the Office of the Recorder of Allen County, Indiana), more particularly described as follows:

Beginning at the Southwest corner of Lot 78 in said Cambridge Hills Addition; thence Northerly along the West lines of Lots 78 through 90, inclusive, in said Addition, a distance 657 feet to the Northwest corner of said Lot 90; thence Easterly and Southeasterly, along the Northerly lines of Lots 90 and 91, along a curve to the right, having a radius of 300 feet, an arc length of 232 feet to the Northeast corner of said Lot 91; thence Southerly along the East lines of Lots 91 through 101, inclusive, in said Addition, a distance of 566 feet to the Southeast corner of said Lot 101; thence Westerly, along the South line of said Lot 101, a distance of 118 feet to the Southwest corner of said Lot 101, said corner also being the Northeast corner of Lot 78 in said Addition; thence Southerly, along the East line of said Lot 78, a distance of 50 feet to the southeast corner of said Lot 78; thence Westerly along the south line of said Lot 78, a distance of 110 feet to the Point of the Beginning.

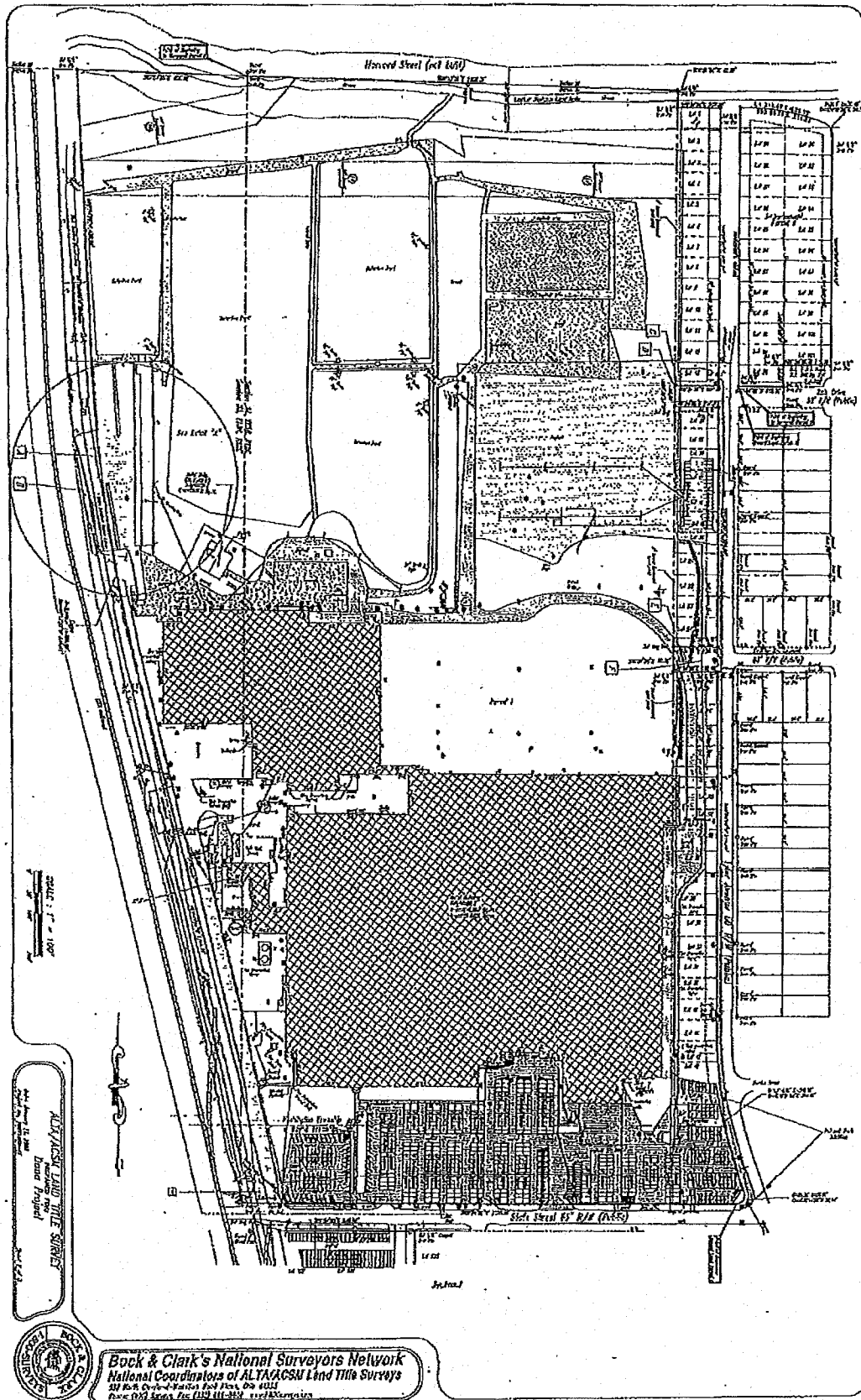
Parcel III:

Lots 126, 127, 128, 133 and 134, together with all of Tillie Avenue lying East of Lots 126, 128, and 133 as vacated by Declaratory Resolution 864-52 and recorded in Plat Book 19, page 162, together with all of vacated Rosemont Drive (Declaratory Resolution 864-52) lying South of Lots 127 and 128, except that portion of vacated Rosemont Drive which lies South of the West 60 feet of Lot 127 and North of the West 60 of Lot 133, as sold off in Deed Record 305, page 592, and excepting the West 60 feet of Lots 127, 133 and 134, sold off by Deed Record 305, page 592, and excepting that part of the vacated Tillie Avenue and Lots 126 and 127 sold off for street widening in Deed Record 641, page 583, all lying in the Plat of Eureka Park Addition (recorded in Plat Book 4, page 54, in the Office of the Recorder of Allen County, Indiana) more particularly described as follows:

Beginning at the Southeast corner of Lot 134 in said Eureka Park Addition; thence Westerly along the South line of said Lot 134, distance of 150.37 feet to the Easterly line of the parcel described in Deed Record 305, page 592; thence Northwesterly, along said Easterly line, a distance of 604.57 feet to the southerly right-of-way line of West State Boulevard and the Southwest corner of the parcel described in Deed Record 641, page 583; thence Easterly, along the Southerly right-of-way line, a distance of 340.14 feet to a point on the West line of Lot 125 in said Eureka Park Addition; thence Southerly along the West lines of Lots 125, 129, and 132 in said Eureka Park Addition, a distance of 451.6 feet to the Southwest Corner of Lot 132 in said Addition; thence Westerly, a distance of 50 feet to the Northeast corner of Lot 134 in said Addition; thence Southerly along the East line of said Lot 134 a distance of 136.6 feet to the Point of Beginning.

Being a portion of the property conveyed to Dana Transmissions, Inc., a Delaware corporation by General Warranty Deed dated October 13, 1999, and recorded as Instrument Number 990077849 in the Office of the Recorder of Allen County, Indiana.





**Bock & Clark's National Surveyors Network**  
 National Coordinators of ALTA/ACSM Land Title Surveys  
 211 East College Street, Fort Worth, TX 76102  
 Phone: (817) 339-1111 Fax: (817) 339-1112



Dana Light Axle Products LLC  
2100 W State Blvd  
Fort Wayne, Indiana 46808

**EXHIBIT "C"**

Real Estate Property	Personal Property
Parcel Number	Parcel Number

02-07-33-229-002.000-073	073-00014179
02-07-34-101-001.000-073	
02-07-34-101-002.000-073	
02-07-34-126-001.000-074	
02-07-34-126-002.000-074	
02-07-34-126-003.000-074	
02-07-34-126-004.000-074	
02-07-34-126-005.000-074	
02-07-34-126-006.000-074	
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02-07-34-126-021.000-074	
02-07-34-126-022.000-074	
02-07-34-126-023.000-074	
02-07-34-126-024.000-074	
02-07-34-151-001.000-074	
02-07-34-151-002.000-074	

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

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Dana Light Axle Products LLC is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of \$49,000,000. In order to expand, Dana Light Axle Products LLC will install new manufacturing equipment.**

EFFECT OF PASSAGE: **Installing the new equipment will allow Dana Light Axle Products LLC to maintain their market position. 511 full-time job 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 (PRESIDENT): **Russ Jehl and John Crawford**

BILL NO. R-14-10-27

## REPORT OF COMMITTEE ON FINANCE

### NOVEMBER 18, 2014

*JOHN CRAWFORD – CHAIR  
RUSS JEHL – 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 2100 W. State Blvd, Fort Wayne, Indiana 46808 (Dana Light Axle Products 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**

*John Crawford*  
*Russ Jehl*  
*Thomas F. Hester*  
*Scott Baller*  
*Michael Bender*

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**SANDRA E. KENNEDY  
CITY CLERK**

# The Journal Gazette

Account # 1060008 - 1156650

Allen County, Indiana

**FW Common Council**

## PUBLISHER'S CLAIM

### 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 **35**

### COMPUTATION OF CHARGES

35 lines, 1 column(s) wide equals

35 equivalent lines at \$ 0.413 cents per line \$ 14.46

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 \$ 14.46**

### 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 1 times.

The dates of publication being as follows:

<u>11/7/2014</u>	-	-	-
-	-	-	-
-	-	-	-

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

*T. Brown-Smith*

T. Brown-Smith  
Legal Clerk

Date: November 7, 2014

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(RESOLUTION NO. R-14-10-27)**

On November 18, 2014, at 5:30 P.M., In Council Chamber, Room 030, Citizens Square, Fort Wayne, Indiana, A Public Hearing Will be held on a Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1, for Property commonly known as

2100 W. State Blvd, Fort Wayne, Indiana 46808  
(Dana Light Axle Products LLC)

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 City of Fort Wayne Public Information Office @260-427-1120, or TTY (260) 427-1200 at least (72) hours prior to the Public Hearing.

SANDRA E. KENNEDY  
CITY CLERK

11--7

1156650 hspaxlp

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# The News-Sentinel

Account # 1060008 - 1156650  
**FW Common Council**

Allen County, Indiana

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SANDRA E. KENNEDY  
CITY CLERK

11-7 1156650 hspaxlp

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