

3 A CONFIRMING RESOLUTION designating an "Economic
4 Revitalization Area" under I.C. 6-1.1-12.1 for property commonly
5 known as 102 & 124 West Superior Street, Fort Wayne, Indiana 46802
(Superior Lofts, LLC)

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

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

10 WHEREAS, said project will result in the occupation of an eligible vacant building under I.C. 6-1.1-
11 12.1-4.8; and

12 WHEREAS, said project will create two full-time permanent jobs for a total new annual payroll of
13 \$80,000, with the average new, annual job salary being \$40,000; and

14 WHEREAS, the total estimated project cost is \$9,789,000; and

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

17 WHEREAS, notice of the adoption and substance of said Resolution has been published in
18 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
19 Resolution.

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

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

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

28 SECTION 3. That, said designation of the hereinabove described property as an "Economic
29 Revitalization Area" shall apply to a deduction of the assessed value of occupation of an eligible vacant
30 building and 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 the occupation of the eligible vacant building and the estimate 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 occupation of the eligible vacant building
and redevelopment or rehabilitation

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

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$3.3065/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.3065/\$100 (the change would be negligible).
- (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$3.3065/\$100 (the change would be negligible).
- (d) If the proposed occupation of the eligible vacant building does not occur, the approximate current year tax rates for this site would be \$3.3065/\$100.
- (e) If the proposed occupation of the eligible vacant building occurs and no deduction is granted, the approximate current tax rate for the site would be \$3.3065/\$100 (the change would be negligible).
- (f) If the proposed occupation of the eligible vacant building occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for this would be \$3.3065/\$100 (the change would be negligible).

SECTION 6. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years, and the deduction from the assessed value of the occupation of the eligible vacant building shall be for a period of two years.

SECTION 7. The deduction schedule from the assessed value of the real property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%

SECTION 8. The deduction schedule from the assessed value of the vacant building pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	100%

SECTION 9. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 10. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in the deduction application. For subsequent years, the performance report must be updated each year in which the deduction is applicable at the same time the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located. If the taxpayer does not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

SECTION 11. For the eligible vacant building, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in the deduction application. For subsequent years, the performance report must be updated each year in which the deduction is applicable at the same time the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located. If the taxpayer does not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

SECTION 12. The performance report must contain the following information:

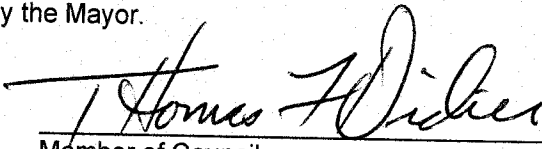
- A. The cost and description of real property improvements.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. 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 13. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

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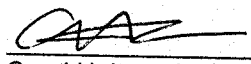
SECTION 14. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases 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 15. 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

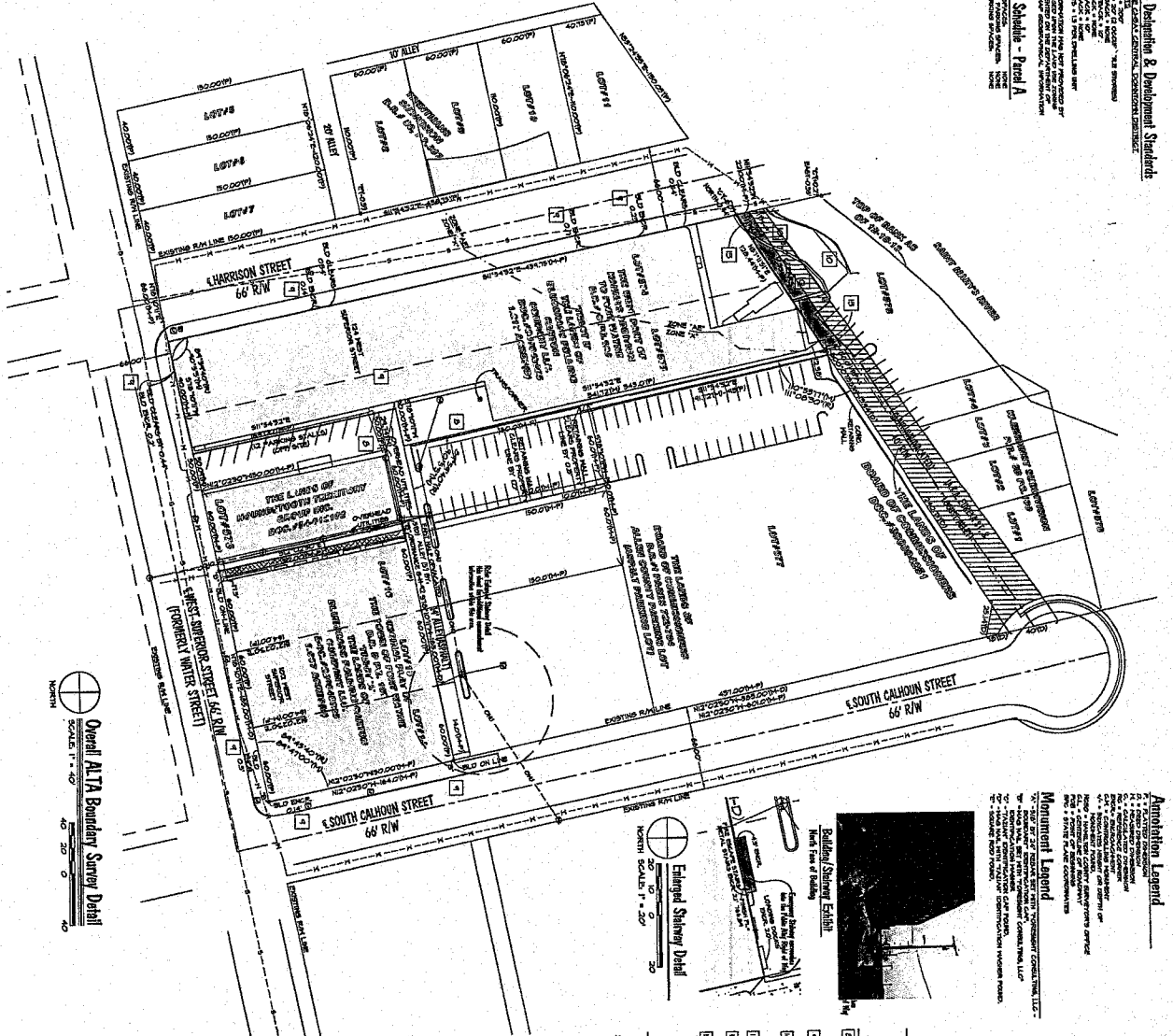
APPROVED AS TO FORM A LEGALITY



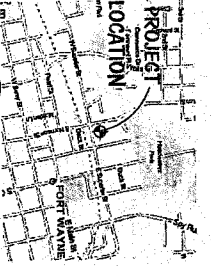
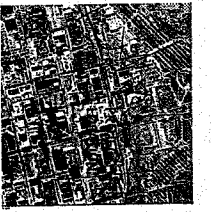
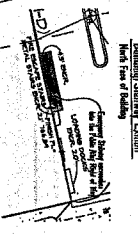
Carol Helton, City Attorney

EXHIBIT A

Final Title Zoning Description & Development Standards
 The following zoning description and development standards are adopted for the subject property as shown on the attached plat. The zoning description and development standards are adopted for the subject property as shown on the attached plat. The zoning description and development standards are adopted for the subject property as shown on the attached plat.



Monument Legend
 1. A monument is a physical object that serves as a permanent marker for a boundary or survey point. It is typically made of stone, metal, or concrete and is placed at a specific location on the ground. The monument is used to identify the location of the boundary or survey point and to provide a permanent record of the survey.



Rail Easement Description - Tract A
 The easement is located on the east side of the subject property and is used for the installation and maintenance of structures. The easement is shown on the attached plat and is subject to the terms and conditions of the easement agreement.

Schedule B, Section 2 Exceptions and Comments:
 1. The easement is located on the east side of the subject property and is used for the installation and maintenance of structures. The easement is shown on the attached plat and is subject to the terms and conditions of the easement agreement.

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Land Surveyor's Certification
 I, the undersigned, being a duly licensed and qualified land surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey plat as shown to me by the client. I further certify that the survey was conducted in accordance with the standards and practices of the profession of land surveying in the State of Indiana. I am a member of the National Society of Professional Surveyors and the Indiana Society of Professional Surveyors.

Survey Data
 Date of Survey: 10/27/2013
 Surveyor: [Name]
 Title: [Title]
 Scale: 1" = 40'

ForeSight Consulting, LLC
 Civil Engineering ~ Land Surveying
 ~ Land Planning
 Serving Northeast Indiana
 1910 St. Joe Center Road, Suite #51
 Fort Wayne, Indiana 46825
 260.484.9900 phone
 260.484.9980 fax
 www.foresight-consulting.biz
 "Designing Better Communities For Life"

RPM AMERICA
 Land Development
 1910 St. Joe Center Road, Suite #51
 Fort Wayne, Indiana 46825
 260.484.9900 phone
 260.484.9980 fax
 www.rpm-america.com

ALTA/ACSM Land Title Survey For:
Superior Lofts, LP - Parcel "A"
 102 West Superior Street
 Fort Wayne, Indiana 46802

Commission Number
 19445
Date
 December 27th, 2013
Title
 ALTA/ACSM LAND
 TITLE SURVEY
Sheet Number
S1.0

Public Hearing Date, if applicable 1-27-15

Read the first time in full and on motion by Councilman Mitch Harper
Read the second time by title and referred to the Finance Committee
Committee. Read the third time in full and on motion by Councilman
Mitch Harper, 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: 1-27-15 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. B-10-15 on the 27th day of
January, 2015

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

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 30th day
of January, 2015, at the hour of 11:00 O'clock AM. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of January
2015, at the hour of 11:00 O'clock AM. 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: **Superior Lofts, LLC is requesting the designation of an Economic Revitalization Area for real property improvements in the amount of \$9,789,000. Superior Lofts, LLC will completely rehabilitate 102 West Superior Street into apartments, commercial space, and climate controlled self-storage. 124 West Superior will be parking for residents. Both properties have been vacant and were deteriorating.**

EFFECT OF PASSAGE: **Completing the real property improvements will allow Superior Lofts, LLC to better attract commercial businesses for the ground floor. 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 (PRESIDENT):

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

RESOLUTION NO. R-15-01-06

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 27, 2015, 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 I.C. 6-1.1-12.1 FOR PROPERTIES COMMONLY KNOWN AS:

**102 & 124 West Superior Street, Fort Wayne, Indiana 46802
(SUPERIOR LOFTS, LLC)**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JANUARY 27, 2015.

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 PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

*SANDRA E. KENNEDY
CITY CLERK*

BILL NO. R-15-01-06

REPORT OF COMMITTEE ON FINANCE

JANUARY 27, 2015

THOMAS DIDIER – 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 102 & 124 West Superior Street, Fort Wayne, Indiana 46802 (Superior Lofts, 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

Thomas Didier
Russ Jehl
Markus J. Smith
Scott
MA
J. M.
Gregg Sasser
MA
MA

SANDRA E. KENNEDY
CITY CLERK

The Journal Gazette

Account # 1060008 - 1167122

Allen County, Indiana

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 **54**

COMPUTATION OF CHARGES

54 lines, 1 column(s) wide equals _____

54 equivalent lines at \$ 0.424 cents per line \$ 22.90

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

Charge for extra proofs of publication (\$2.00 for each proof in excess of two) -

TOTAL AMOUNT OF CLAIM \$ 22.90

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:

1/16/2015

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: January 16, 2015

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

RESOLUTION NO. R-15-01-06

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102 & 124 West Superior Street, Fort
Wayne, Indiana 46802
(SUPERIOR LOFTS, LLC)

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"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 PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

1--16 1167122 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1167122
FW Common Council

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ATTACH COPY OF ADVERTISEMENT HERE

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SANDRA E. KENNEDY
CITY CLERK

1--16 1167122 hspaxlp
