

3 A CONFIRMING RESOLUTION designating an "Economic
4 Revitalization Area" under I.C. 6-1.1-12.1 for property
5 commonly known as 888 Harrison Street, Fort Wayne, Indiana
6 46802 (Ash Financial Campus, LLC/Ash Brokerage
7 Corporation)

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

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

12 WHEREAS, said project will create 51 full-time, permanent jobs for a total new, annual payroll of
13 \$1,272,250.00, with the average new annual job salary being \$24,946 and retain 239 full-time, permanent
14 jobs for a total current annual payroll of \$13,500,552.69, with the average current, annual job salary being
15 \$56,487.67; and

16 WHEREAS, the total estimated project cost is \$27,250,000; and

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

19 WHEREAS, notice of the adoption and substance of said Resolution has been published in
20 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
21 Resolution.

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

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

26 SECTION 2. That, the hereinabove described property is hereby declared an "Economic
27 Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this
28 Resolution and shall terminate on December 31, 2016, unless otherwise automatically extended in five
29 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 and personal property
for new information technology 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 redevelopment or rehabilitation and estimate of the value of the new information technology equipment,
all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
expected to result from the proposed described installation of the new information technology equipment.

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 new information technology equipment is not installed, the approximate current year tax rates for this site would be \$3.3065/\$100.
- (e) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.3065/\$100 (the change would be negligible).
- (f) If the proposed new information technology equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site 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 that the deduction from the assessed value of the new information technology equipment shall be for a period of seven 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 new information technology equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

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

SECTION 7. 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 8. For new information technology equipment, 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 with the deduction application. For subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 9. 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 10. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or new information technology 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.

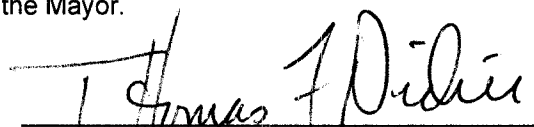
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F. The tax savings resulting from the real and/or personal property being abated.

SECTION 11. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

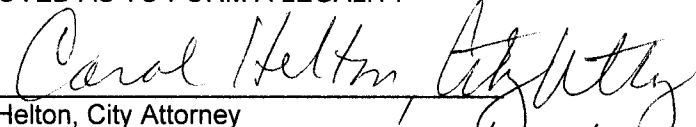
SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases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



DIGEST SHEET

TITLE OF ORDINANCE: Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE: Community Development Division

SYNOPSIS OF ORDINANCE: Ash Financial Campus, LLC/Ash Brokerage Corporation is requesting the designation of an Economic Revitalization Area for both real and personal property improvements in the amount of \$27,250,000. In order to expand, Ash Financial Campus, LLC/Ash Brokerage Corporation will construct an approximately 116,000 square foot mixed use Class A retail and office building downtown.

EFFECT OF PASSAGE: Constructing the new retail and office building will allow Ash Financial Campus, LLC/Ash Brokerage to develop a key block of downtown Fort Wayne which is currently a parking lot. Fifty-one full-time jobs will be created.

EFFECT OF NON-PASSAGE: Potential loss of development and fifty-one full-time jobs

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): Thomas Didier and Russ Jehl

EXHIBIT A

LEGAL DESCRIPTION OF ASH SITE

Lots 492 through 494 and Lots 509 through 511 in The West Part of Hanna's Addition to Fort Wayne, together with the vacated alley lying adjacent to said Lots, according to the plat thereof as originally recorded in Deed Record C, page 525 and reprinted in Plat Record 0, page 116 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

BEGINNING at the Southeasterly corner of Lot 492 in said West Part of Hanna's Addition to Fort Wayne; thence Southwesterly on the Southerly line thereof and continuing on the Southerly line of said Lot 493 and Lot 494, a distance of 180.00 feet to the Southwesterly corner of said Lot 494; thence Northwesterly on the Westerly line of said Lot 494 and continuing on the Westerly line of said Lot 509, by deflection angle to the right of 89 degrees 59 minutes 01 second from the previously described course, a distance of 314.00 feet to the Northwesterly corner of said Lot 509; thence Northeasterly on the Northerly line of said Lot 509 and continuing on the Northerly line of said Lot 510 and Lot 511, by a deflection angle to the right of 90 degrees 00 minutes 59 seconds from the previously described course, a distance of 180.00 feet to the Northeasterly corner of said Lot 511; thence Southeasterly on the Easterly line of said Lot 511 and continuing on the Easterly line of said Lot 492, by a deflection angle to the right of 89 degrees 59 minutes 01 second from the previously described course, a distance of 314.00 feet to the point of beginning, containing 56,520.00 square feet, or 1.298 acres, more or less.



Public Hearing Date, if applicable 3-24-15

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	<u>1</u>	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	_____	_____	<u>✓</u>	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 3-24-15 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. R-19-15 on the 24th day of
March, 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 25th day
of March, 2015, at the hour of 3:45 O'clock PM. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of MARCH
2015, at the hour of 8:00 O'clock AM. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

The Journal Gazette

Account # 1060008 - 1174572

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

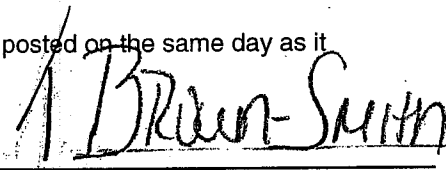
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

<u>3/6/2015</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
Legal Clerk

Date: March 6, 2015

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

RESOLUTION NO. R-15-02-27

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MARCH 24, 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:

888 Harrison Street,
Fort Wayne, Indiana 46802
(Ash Financial Campus, LLC/Ash
Brokerage Corporation)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MARCH 24, 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

3--6

1174572 hsapxlp

The News-Sentinel

Account # 1060008 - 1174572
FW Common Council

Allen County, Indiana

PUBLISHER'S CLAIM

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LINE COUNT

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Head -- number of lines	_____
Body -- number of lines	_____
Tail -- number of lines	_____
Total number of lines in notice	<u>54</u>

COMPUTATION OF CHARGES

<u>54</u> lines, <u>1</u> column(s) wide equals	
<u>54</u> equivalent lines at \$ <u>0.424</u> 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	<u>\$ 22.90</u>

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
Number of Insertions 1

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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:

<u>3/6/2015</u>	-	-	-
-	-	-	-
-	-	-	-

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
Legal Clerk

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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

3--6 1174572 hsapxlp

Wrong Date

The Journal Gazette

Account # 1060008 - 1173674

Allen County, Indiana

FW Common Council

PUBLISHER'S CLAIM

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LINE COUNT

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Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice 55

COMPUTATION OF CHARGES

55 lines, 1 column(s) wide equals _____

55 equivalent lines at \$ 0.424 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 (\$2.00 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

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The dates of publication being as follows:

2/27/2015

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: February 27, 2015

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

RESOLUTION NO. R-15-02-27

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SANDRA E. KENNEDY
CITY CLERK
2--27 1173674 hspaxlp

The News-Sentinel

Account # 1060008 - 1173674
FW Common Council

Allen County, Indiana

PUBLISHER'S CLAIM

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2--27 1173674 hspaxlp