

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5814 Reed Road, Fort Wayne, Indiana 46835 (The Medical Protective Company)**

**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 70 full-time, permanent jobs for a total additional annual payroll of \$4,035,000, with the average new annual job salary being \$57,643 and retain 346 full-time, permanent jobs for a current annual payroll of \$24,941,689, with the average current annual job salary being \$72,086; and

**WHEREAS**, the total estimated project cost is \$4,180,000; and

**WHEREAS**, a recommendation has been received from the Committee on Finance concerning 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 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 \$3.4129/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.4129/\$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 \$3.4129/\$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 \$3.4129/\$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 \$3.4129/\$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 \$3.4129/\$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 manufacturing equipment shall be for a period of ten 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 new information technology 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%

**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 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 11.** 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 12.** 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.

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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.

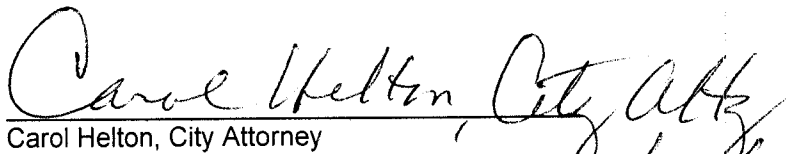
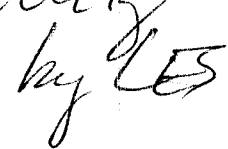
**SECTION 13.** That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

**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  


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

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for The Medical Protective Company for both real and personal property improvements in the amount of \$4,180,000. The Medical Protective Company will construct an 11,000 square foot addition to its existing facility, renovate its existing facilities, expand its parking lot and install new information technology equipment.**

EFFECT OF PASSAGE: **In order to meet the growing demand for its products, The Medical Protective Company will make improvements to its existing facility. 70 full-time jobs will be created and 346 full-time jobs will be retained as a result of the project.**

EFFECT OF NON-PASSAGE: **Potential loss of development and 70 full-time jobs**

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

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

## EXHIBIT A

### LEGAL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN ALLEN COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 13 EAST, SAID POINT BEING AT THE INTERSECTION OF REED ROAD AND SAINT JOE CENTER ROAD, THENCE ALONG THE CENTERLINE OF SAINT JOE CENTER ROAD NORTH 89 DEGREES 52 MINUTES 24 SECONDS EAST, A DISTANCE OF 50.23 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH 00 DEGREES 07 MINUTES 37 SECONDS EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89 DEGREES 52 MINUTES 24 SECONDS EAST, A DISTANCE OF 699.75 FEET; THENCE NORTH 00 DEGR 07 MINUTES 36 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF SAINT JOE CENTER ROAD; THENCE CONTINUING ALONG SAID CENTERLINE, NORTH 89 DEGREES 52 MINUTES 24 SECONDS EAST, A DISTANCE OF 615.61 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH 00 DEGREES 12 MINUTES 17 SECONDS EAST A DISTANCE OF 1339.23 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 36 SECONDS WEST A DISTANCE OF 1359.62 FEET TO A POINT IN THE CENTERLINE OF REED ROAD; THENCE CONTINUING ALONG SAID CENTERLINE NORTH 00 DEGREES 27 MINUTES 38 SECONDS WEST A DISTANCE OF 939.56 FEET; THENCE LEAVING SAID CENTERLINE NORTH 89 DEGREES 32 MINUTES 22 SECONDS EAST A DISTANCE OF 40.00 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 38 SECONDS WEST A DISTANCE OF 349.73 FEET; THENCE NORTH 44 DEGREES 42 MINUTES 52 SECONDS EAST A DISTANCE OF 14.16 FEET; TO THE POINT OF BEGINNING CONTAINING 40.88 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

### MANHOLE TABLE

MANHOLE	RIM	INVERTS
1	793.30	6" W-782.37, 15" S-780.55, 15" N-780.55
2	791.02	8" N-788.12
3	798.54	8" SW-790.93, 8" E-790.91, 8" W 791.01
4	798.29	6" S-793.14, 6" E-792.99
5	801.20	8" S-799.08, 8" NE-799.14
6	800.89	8" E-799.18
7	802.19	8" N-797.70, 8" E-797.61
8	802.31	8" E-796.96, 8" N-796.96
9	798.71	6" W-797.04
10	800.16	8" N-795.26, 10" E-795.18
11	798.11	4" N-794.76, 8" S-794.74, 6" W-795.80
12	800.38	GREASE TRAP WATER ELEV=796.68
13	797.56	8" N-795.94
14	796.74	8" SW-791.89, 8" NE-791.89
15	796.77	15" E-793.81, 8" NW-793.99, 10" W-793.87
16	797.98	8" SE-794.19, 8" W-794.19
17	798.76	6" S-794.49, 8" E-794.47, 8" N-794.51, 8" W-794.64
18	797.14	6" W-795.79, 15" E-795.99
19	798.01	8" W-795.81, 8" S-794.71
20	790.60	15" N-780.95, 15" S-780.95
21	790.10	15" N-781.7, 15" S-781.7
22	792.47	15" N-782.47, 15" S-782.47
23	794.31	8" E-789.09, 15" N-783.26 12" W-782.8, 12" S-783.26
24	792.30	12" 12" E-790.25, 12" N-790.22
25	793.07	24" N-787.07, 24" S-787.07, 24" W-787.07
26	793.92	12" W-789.77, 12" N-789.91, 12" E-790.07
27	801.81	10" N-796.01, 12" S-796.06
28	802.65	10" E-799.25, 8" W-795.4, 8" SW-795.4
29	801.70	12" N-799.2, 10" S-796.45
30	800.97	24" N-797.97
31	801.28	24" E-797.78
32	800.60	24" N-796.50, 24" S-796.50
33	800.95	24" S-797.65 24" W-797.75
34	801.92	24" E-798.05

Public Hearing Date, if applicable 9-8-15

Read the first time in full and on motion by Councilman Jehl  
Read the second time by title and referred to the Finance Committee  
Committee. Read the third time in full and on motion by Councilman  
Tom 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>7</u>	<u>      </u>	<u>1</u>	<u>1</u>
BENDER	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
CRAWFORD	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
DIDIER	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
HARPER	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
HINES	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
JEHL	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
PADDOCK	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
SHOAF	<u>      </u>	<u>      </u>	<u>✓</u>	<u>      </u>
SMITH	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>

DATED: \_\_\_\_\_ 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-73-15 on the 8<sup>th</sup> day of  
September, 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 9<sup>th</sup> day  
of September, 2015, at the hour of 3:30 O'clock PM. E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10<sup>th</sup> day of September  
2015, at the hour of 8:20 O'clock AM. E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

BILL NO. R-15-08-09

# REPORT OF COMMITTEE ON FINANCE

## SEPTEMBER 8, 2015

*RUSS JEHL – CHAIR  
TOM DIDIER – CO-CHAIR  
ALL COUNCIL MEMBERS*

A CONFIRMING RESOLUTION A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5814 Reed Road, Fort Wayne, Indiana 46835 (The Medical Protective Company). **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 J. Didier*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

*[Signature]*

**SANDRA E. KENNEDY  
CITY CLERK**

# The Journal Gazette

Account # 1060008 - 1202447

**FW Common Council**

Allen County, Indiana

## 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 **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

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>8/28/2015</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.

*Donna M. Brotherton*

Donna M. Brotherton  
Legal Clerk

Date: August 28, 2015

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

CONFIRMING RESOLUTION NO.  
R-15-08-09

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON SEPTEMBER 8, 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:

5814 REED ROAD, FORT WAYNE, INDIANA 46835 (THE MEDICAL PROTECTIVE COMPANY)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY SEPTEMBER 8, 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  
8-28 1202447 hspaxlp

# The News-Sentinel

Account # 1060008 - 1202447  
**FW Common Council**

Allen County, Indiana

## PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

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Head -- number of lines	_____
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<u>55</u> equivalent lines at \$ <u>0.424</u> cents per line	\$ 23.32

Additional charges for notices containing rule or tabular work (50 per cent of above amount)	-
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Charge for extra proofs of publication (\$2.00 for each proof in excess of two)	-
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TOTAL AMOUNT OF CLAIM	<u>\$ 23.32</u>
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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.

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<u>8/28/2015</u>	-	-	-
-	-	-	-
-	-	-	-

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*Donna M. Brotherton*

Donna M. Brotherton  
Legal Clerk

Date: August 28, 2015

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SANDRA E. KENNEDY  
CITY CLERK

8--28

1202447 hspaxlp