

**A CONFIRMING RESOLUTION designating an  
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for  
property commonly known as 3323 Diplomat Drive,  
Fort Wayne, Indiana 46806 (Diplomat Associates/Lillie  
Gardens L.P.)**

**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 one full-time and one part-time, permanent jobs for a total additional payroll of \$52,000, with the average new annual job salary being \$26,000 and retain two full-time, permanent jobs for a current annual payroll of \$52,560, with the average current annual job salary being \$26,325; and

**WHEREAS**, the total estimated project cost is \$5,219,509; and

**WHEREAS**, a recommendation has been received from the Committee on Finance; 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.

**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 redevelopment or rehabilitation, all contained in

1 Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably  
2 expected to result from the proposed described redevelopment or rehabilitation.

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

5 (a) If the proposed development does not occur, the approximate current year tax  
6 rates for this site would be \$3.3053/\$100.

7 (b) If the proposed development occurs and no deduction is granted, the  
8 approximate current year tax rate for the site would be \$3.3053/\$100 (the  
9 change would be negligible).

10 (c) If the proposed development occurs, and a deduction percentage of fifty percent  
11 (50%) is assumed, the approximate current year tax rate for the site would be  
12 \$3.3053/\$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 real property shall be for a period of five years.

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

Year of Deduction	Percentage
1	100%
2	80%
3	60%
4	40%
5	20%
6	0%

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

20 **SECTION 9.** For real property, a deduction application must contain a performance  
21 report showing the extent to which there has been compliance with the Statement of Benefits  
22 form approved by the Fort Wayne Common Council at the time of filing. This report must be  
23 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community  
24 Development Division and must be included with the deduction application. For subsequent  
25 years, the performance report must be updated each year in which the deduction is  
26 applicable at the same time the property owner is required to file a personal property tax  
27 return in the taxing district in which the property for which the deduction was granted is  
28

1 located. If the taxpayer does not file a personal property tax return in the taxing district in  
2 which the property is located, the information must be provided by May 15.

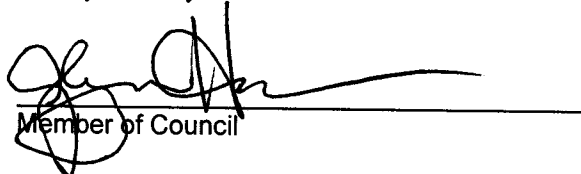
3 **SECTION 10.** The performance report must contain the following information

- 4 A. The cost and description of real property improvements.  
5 B. The number of employees hired through the end of the preceding calendar year  
6 as a result of the deduction.  
7 C. The total salaries of the employees hired through the end of the preceding  
8 calendar year as a result of the deduction.  
9 D. The total number of employees employed at the facility receiving the deduction.  
10 E. The total assessed value of the real property deductions.  
11 F. The tax savings resulting from the real property being abated.

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

14 **SECTION 12.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that  
15 has received a deduction under section 3 or 4.5 of this chapter may be required to repay the  
16 deduction amount as determined by the county auditor in accordance with section 12 of said  
17 chapter if the property owner ceases operations at the facility for which the deduction was  
18 granted and if the Common Council finds that the property owner obtained the deduction by  
19 intentionally providing false information concerning the property owner's plans to continue  
20 operation at the facility.

21 **SECTION 13.** That, this Resolution shall be in full force and effect from and after its  
22 passage and any and all necessary approval by the Mayor.

23   
24 Member of Council

25 APPROVED AS TO FORM A LEGALITY

26   
27 Carol Helton, City Attorney

— EXHIBIT A —

LEGAL DESCRIPTION

Lots numbered 21, 22, and 23 in Schlaudroff's Addition to the City of Fort Wayne, Indiana, as recorded in Plat Record 11, pages 86-87 in the Office of the Recorder of Allen County, Indiana.

Together with the following described real estate in Allen County, Indiana:

Part of the South Half of the Southwest Quarter of Section 17, Township 30 North, Range 13 East, more particularly described as follows:

Beginning at a point of intersection of the North line of the Southwest Quarter of the Southwest Quarter of said Section, and the centerline of Hessen Cassel Road; thence South along the centerline of said Hessen Cassel Road 400 feet; thence East and parallel to the North line of the Southwest Quarter of the Southwest Quarter to the centerline of Wayne Trace; thence Northerly along the centerline of Wayne Trace to its point of intersection with the North line of the Southwest Quarter of the Southwest Quarter; thence West along the North line aforesaid, a distance of 800.4 feet to the point of beginning.

Together with:

All of the vacated portion of Townley Avenue adjoining lots numbered 21, 22, and 23 in Schlaudroff's Addition to the City of Fort Wayne, Indiana, as recorded in Plat Record 11, pages 86-87, in the Office of the Recorder of Allen County, Indiana.

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 Diplomat Associates/Lillie Gardens L.P. for real property improvements in the amount of \$5,219,509. Diplomat Associates/Lillie Gardens L.P. will rehabilitate 140 residential housing units.**

**EFFECT OF PASSAGE: 140 residential housing units will be rehabilitated, one full-time and one part-time job will be created.**

**EFFECT OF NON-PASSAGE: Potential loss of investment to rehabilitate 140 residential housing units, one full-time and one part-time job.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): This project is also supported by a \$5 million economic development revenue bond approved by Fort Wayne Common Council on Tuesday March 8, 2016.**

**ASSIGNED TO COMMITTEE (CO-CHAIRS): Glynn Hines and John Crawford**

**REPORT OF COMMITTEE ON FINANCE**

**April 12, 2016**

*Glynn Hines, 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 3323 Diplomat Drive, Fort Wayne, Indiana 46806 (Diplomat Associates/Lillie Gardens L.P.)


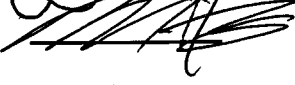
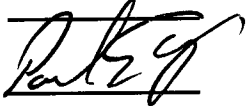
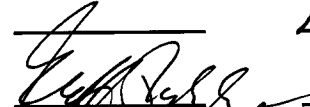
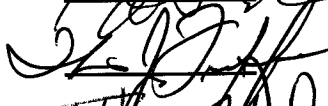
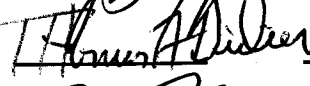
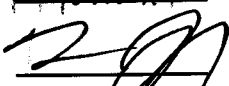
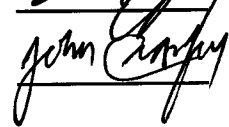
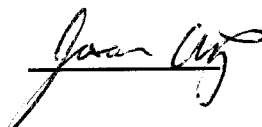
**COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

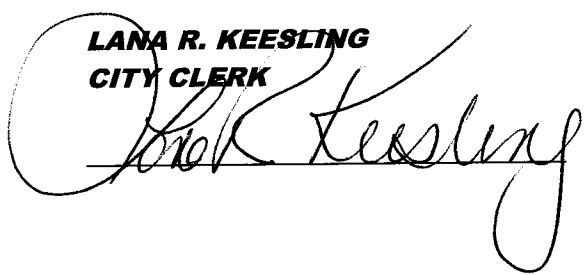
DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
_____		_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____		_____	_____

**LANA R. KEESLING  
CITY CLERK**



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

Read the first time in full and on motion by Councilman Glynn Hines,

Read the second time by title and referred to the Finance committee


Read the third time in full and on motion by Councilman Glynn Hines,  
placed on its passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<b>TOTAL VOTES</b>	<u>7</u>	<u>2</u>	<u>0</u>	<u>0</u>
<b>ARP</b>	_____	<u>X</u>	_____	_____
<b>BARRANDA</b>	<u>X</u>	_____	_____	_____
<b>CRAWFORD</b>	<u>X</u>	_____	_____	_____
<b>DIDIER</b>	<u>X</u>	_____	_____	_____
<b>ENSLEY</b>	_____	<u>X</u>	_____	_____
<b>FREISTROFFER</b>	<u>X</u>	_____	_____	_____
<b>HINES</b>	<u>X</u>	_____	_____	_____
<b>JEHL</b>	<u>X</u>	_____	_____	_____
<b>PADDOCK</b>	<u>X</u>	_____	_____	_____

DATED: 4-12-16

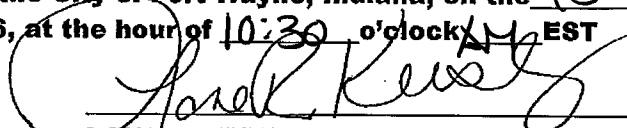
  
LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING)~~ ~~(ORDINANCE)~~ (RESOLUTION) NO. R-16-03-19 on the 12<sup>th</sup> day of April, 2016

ATTEST:  
  
LANA R. KEESLING,  
CITY CLERK

  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13<sup>th</sup> day of April, 2016, at the hour of 10:30 o'clock AM EST

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13<sup>th</sup> day of APRIL 2016, at the hour of 2:30 o'clock PM EST.

  
THOMAS C. HENRY, MAYOR



**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
CONFIRMING  
RESOLUTION NO. R-16-03-19**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON April 12, 2016, 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:

3323 Diplomat Drive  
Fort Wayne, Indiana 46806  
(Diplomat Associates/Lillie  
Gardens L.P.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, April 12, 2016.

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.

Lana R. Keesling  
City Clerk  
hspaxlp

3--26

1233191



**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
CONFIRMING  
RESOLUTION NO. R-16-03-19**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON April 12, 2016, 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:

3323 Diplomat Drive  
Fort Wayne, Indiana 46806  
(Diplomat Associates/Lillie  
Gardens L.P.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, April 12, 2016.

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.

Lana R. Keesling  
City Clerk  
hspaxlp

3--26

1233191

# The Journal Gazette

Account # 1060008 - 1233191

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 \$ 0.436 cents per line

\$ 23.54

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

\$ 23.54

### 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.

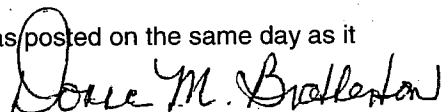
The dates of publication being as follows:

3/26/2016    -    -    -

-    -    -

-    -    -

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  
Legal Clerk

Date:    March 26, 2016

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
CONFIRMING  
RESOLUTION NO. R-16-03-19**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON April 12, 2016, 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:

3323 Diplomat Drive  
Fort Wayne, Indiana 46806  
(Diplomat Associates/Lillie  
Gardens L.P.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, April 12, 2016.

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.

Lana R. Keesling  
City Clerk  
hspaxlp

# The News-Sentinel

Account # 1060008 - 1233191  
**FW Common Council**

Allen County, Indiana

## 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	<u>54</u>

### COMPUTATION OF CHARGES

<u>54</u> lines, <u>1</u> column(s) wide equals	
<u>54</u> equivalent lines at <u>\$ 0.436</u> cents per line	\$ 23.54

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)	-
--	---

<b>TOTAL AMOUNT OF CLAIM</b>	<u>\$ 23.54</u>
------------------------------	-----------------

### DATA FOR COMPUTING COST

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

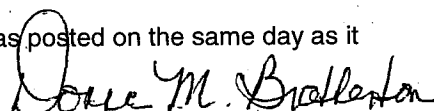
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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 3 times.

The dates of publication being as follows:

<u>3/26/2016</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.



Donna M. Brotherton  
Legal Clerk

Date: March 26, 2016

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
CONFIRMING  
RESOLUTION NO. R-16-03-19**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON April 12, 2016, 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:

3323 Diplomat Drive  
Fort Wayne, Indiana 46806  
(Diplomat Associates/Lillie  
Gardens L.P.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, April 12, 2016.

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.

Lana R. Keesling  
City Clerk  
1233191 hspaxlp