

DECLARATORY RESOLUTION NO. R-_____

**A DECLARATORY RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 7601 South Anthony
Boulevard, Fort Wayne, Indiana 46816 (Live Wire - Fort
Wayne, LLC)**

WHEREAS, Petitioner has duly filed its petition dated April 21, 2016 to have the following described property designated and declared 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 eight full-time, permanent jobs for a total new, annual payroll of \$282,304, with the average new annual job salary being \$35,288; and

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

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

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

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 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 2. That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an "Economic Revitalization Area";

(c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an "Economic Revitalization Area" for public hearing.

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 occupation of an eligible vacant building.

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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 Petitioner's Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation and occupation of an eligible vacant building.

SECTION 5. That, 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 \$3.3053/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.3053/\$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 \$3.3053/\$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 \$3.3053/\$100.
- (e) If the proposed occupation of the eligible vacant building occurs and no deduction is granted, the approximate current year tax rate for this site would be \$3.3053/\$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 the site would be \$3.3053/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. 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 one year.

SECTION 8. 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%

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2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%

SECTION 9. 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%

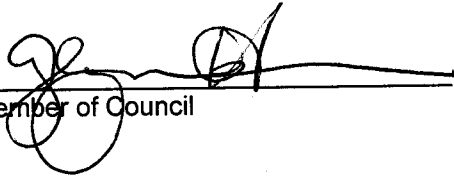
SECTION 10. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

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

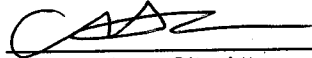
SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3, 4.5 or 4.8 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases 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.

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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

APR 21 2016 *Emc*



ECONOMIC REVITALIZATION AREA APPLICATION
CITY OF FORT WAYNE, INDIANA

COMMUNITY DEVL.

APPLICATION IS FOR: (Check appropriate box(es))

- Real Estate Improvements
- Personal Property Improvements
- Vacant Commercial or Industrial Building

Total cost of real estate improvements: \$ 9,000,000
 Total cost of manufacturing equipment improvements: _____
 Total cost of research and development equipment improvements: _____
 Total cost of logistical distribution equipment improvements: _____
 Total cost of information technology equipment improvements: _____
TOTAL OF ABOVE IMPROVEMENTS: \$ 9,000,000

GENERAL INFORMATION

Real property taxpayer's name: Live Wire - Fort Wayne, LLC
 Personal property taxpayer's name: N/A
 Telephone number: (317) 590-0589
 Address listed on tax bill: Live Wire - Fort Wayne, LLC, PO Box 887, Carmel, IN 46082
 Name of company to be designated, if applicable: _____
 Year company was established: 2008
 Address of property to be designated: 7601 S. Anthony Blvd., Ft. Wayne, IN 46816
 Real estate property identification number: 02-13-31-102-004.000-070
 Contact person name: Alex Carroll
 Contact person telephone number: (317) 590-0589 Contact person Email: acarroll@lldc.net
 Contact person address: 11618 Brooks Court, Carmel, IN 46033

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
Alex Carroll	President	11618 Brooks Court, Carmel, IN 46033	(317) 590-0589
Laura D. Carroll	Secretary	11618 Brooks Court, Carmel, IN 46033	(317) 590-0589

List all persons or firms having ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE
Live Wire Technologies, LLC	100

- Yes No Are any elected officials shareholders or holders of any debt obligation of the applicant or operating business? If yes, who? (name/title) _____
- Yes No Is the property for which you are requesting ERA designation totally within the corporate limits of the City of Fort Wayne?
- Yes No Do you plan to request state or local assistance to finance public improvements?
- Yes No Is the property for which you are requesting ERA designation located in an Economic Development Target Area (EDTA)? (see attached map for current areas)
- Yes No Does the company's business include a retail component? If yes, answer the following questions:
 What percentage of floor space will be utilized for retail activities? N/A
 What percentage of sales is made to the ultimate customer? N/A
 What percentage of sales will be from service calls? N/A

What is the percentage of clients/customers served that are located outside of Allen County? unknown at this time

What is the company's primary North American Industrial Classification Code (NAICs)? 541513

Describe the nature of the company's business, product, and/or service:

The company operates a data center, which provides storage, management, and co-location of electronically stored data and related computer hardware used to store electronic data, such as data servers. The company provides its customers with a highly secure and stable location to store and preserve computer hardware containing the customers data. The company also provides services to

Dollar amount of annual sales for the last three years:

Year	Annual Sales
2012-2015	\$ 0.00

List the company's three largest customers, their locations and amount of annual gross sales:

Customer Name	City/State	Annual Gross Sales

List the company's three largest material suppliers, their locations and amount of annual purchases:

Supplier Name	City/State	Annual Gross Purchases
Graybar	Indianapolis, IN	\$ 500,000
I&M		

List the company's top three competitors:

Competitor Name	City/State
Indiana Data Center, LLC	Fort Wayne, IN

Describe the product or service to be produced or offered at the project site:

Data center services, such as computer hardware storage and management, and co-location of customers' computer equipment.

In order to be considered an Economic Revitalization Area (ERA), the area must be within the corporate limits of the City of Fort Wayne and must have become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. It also includes any area where a facility or group of facilities that are technologically, economically, or energy obsolete is located and where the obsolescence may lead to a decline in employment and tax revenues.

How does the property for which you are requesting designation meet the above definition of an ERA?

The property is undesirable for normal development and the condition of the property has declined significantly due to an extended period of vacancy and lack of maintenance. The area in which the property is located has experienced a cessation of growth of companies in need of commercial space of the size and type as the property. The property was previously home to a Target retail store and has been vacant for several years since Target closed the store. The lack of improvements and upgrades to the property have also made it technologically and energy obsolete. In its current condition, the property will not lead to increased employment or tax revenues.

REAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value for real property improvements.

Describe any structure(s) that is/are currently on the property:

The only structure on the property is a former Target department store, which is vacant.

Describe the condition of the structure(s) listed above:

The structure is in below average condition, due primarily to lack of occupancy, maintenance, and improvements.

Describe the improvements to be made to the property to be designated for tax phase-in purposes:

The property will be significantly improved by re-building and/or replacing the exterior walls and roof of the existing structure. The interior of the structure will also be completely renovated in order to safely and securely maintain highly sophisticated and valuable computer equipment, including but not limited new mechanical systems and wall and floor coverings.

Projected construction start (month/year): 05/2016

Projected construction completion (month/year): 09/2016

Yes No Will construction result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes No Will construction use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

PERSONAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value of new manufacturing, research and development, logistical distribution or information technology equipment.

List below the equipment for which you are seeking an economic revitalization area designation.

Manufacturing equipment must be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property at the site to be designated. Research and development equipment consists of laboratory equipment, research and development equipment, computers and computer software, telecommunications equipment or testing equipment used in research and development activities devoted directly and exclusively to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products at the site to be designated. Logistical distribution equipment consists of racking equipment, scanning or coding equipment, separators, conveyors, fork lifts or lifting equipment, transitional moving equipment, packaging equipment, sorting and picking equipment, software for technology used in logistical distribution, is used for the storage or distribution of goods, services, or information. Information technology equipment consists of equipment, including software used in the fields of information processing, office automation, telecommunication facilities and networks, informatics, network administration, software development and fiber optics: (use additional sheets, if necessary)

N/A

Yes No Has the above equipment for which you are seeking a designation, ever before been used for any purpose in Indiana? If yes, was the equipment acquired at an arms length transaction from an entity not affiliated with the applicant? Yes No

Yes No Will the equipment be leased?

Date first piece of equipment will be purchased (month/year): _____

Date last piece of equipment will be installed (month/year): _____

Please provide the depreciation schedule term for equipment under consideration for personal property tax phase-in:

ELIGIBLE VACANT BUILDING INFORMATION

Complete this section of the application if you are requesting a deduction from the current assessed value of a vacant building

Yes No Has the building for which you are seeking designation for tax phase-in been unoccupied for at least one year? Please provide evidence of occupation. (i.e. certificate of occupancy, paid utility receipts, executed lease agreements)

Describe any structure(s) that is/are currently on the property:

This location is the site of the former Target building. The building was originally designed to be used as a discount and junior department store.

Describe the condition of the structure(s) listed above: Below average.

Projected occupancy date (month/year): 09/2016

Describe the efforts of the owner or previous owner in regards to selling, leasing or renting the eligible vacant building during the period the eligible vacant building was unoccupied including how much the building was offered for sale, lease, or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied.

The previous owner attempted to sell the property for several years by listing it with a commercial real estate broker. The property was listed for sale at various prices during its occupancy and was last listed for sale at \$950,000.

PUBLIC BENEFIT INFORMATION

EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED

ESTIMATE OF EMPLOYEES AND PAYROLL FOR FORT WAYNE
FACILITY REQUESTING ECONOMIC REVITALIZATION AREA DESIGNATION

Please be specific on job descriptions. When listing the occupation codes, please avoid using the "Major Occupational Groupings" (i.e. 11-000, 13-000, 15-000, etc.) which are more general in nature. Instead, use specific occupation codes (i.e. 11-1021, 13-1081, 15-2041 etc) for each created and retained job. To fill out information on occupation and occupation code, use data available through Occupation Employment Statistics for Fort Wayne http://www.bls.gov/oes/current/oes_23060.htm

Current Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
None			

Retained Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
None			

Additional Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
NOC Tech	15-1152.00	5	\$ 122,304
Electrician	47-2110.00	████████████████████	████████████████████
HVAC Tech	49-9021.00	████████████████████	████████████████████
Mechanical Tech	17-3027.00	████████████████████	████████████████████

PUBLIC BENEFIT INFORMATION

Current Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll
None			

Retained Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll
None			

Additional Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll
None			

Check the boxes below if the existing jobs and the jobs to be created will provide the listed benefits:

- | | | |
|------------------------------------------------|--------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Pension Plan | <input checked="" type="checkbox"/> Major Medical Plan | <input type="checkbox"/> Disability Insurance |
| <input type="checkbox"/> Tuition Reimbursement | <input type="checkbox"/> Life Insurance | <input type="checkbox"/> Dental Insurance |

List any benefits not mentioned above:

N/A

When will you reach the levels of employment shown above? (month/year): 09/2017

REQUIRED ATTACHMENTS

The following must be attached to the application.

1. **Statement of Benefits Form(s) (first page/front side completed)**
2. **Full legal description of property and a plat map identifying the property boundaries. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
3. **Check for non-refundable application fee made payable to the City of Fort Wayne.**


ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed \$500
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed \$750
ERA filing fee (vacant commercial or industrial building)	\$500
ERA filing fee in an EDTA	\$100
Amendment to extend designation period	\$300
Waiver of non compliance with ERA filing	\$500 + ERA filing fee

4. **Owner's Certificate (if applicant is not the owner of property to be designated)
Should be marked as Exhibit B if applicable.**

CERTIFICATION

I, as the legal taxpayer and/or owner, hereby certify that all information and representations made on this application and its attached exhibits are true and complete and that neither an Improvement Location Permit nor a Structural Permit has been filed for construction of improvements, nor has any manufacturing, research and development, logistical distribution or information technology equipment which is a part of this application been purchased and installed as of the date of filing of this application. I also certify that the taxpayer is not delinquent on any and all property tax due to taxing jurisdictions within Allen County, Indiana. I understand that any incorrect information on this application may result in a rescission of any tax phase-ins which I may receive.

I understand that I must file a correctly completed Compliance with Statement of Benefits Form (CF-1/Real Property for real property improvements and CF-1/PP for personal property improvements) and the Public Benefit Annual Update with the City of Fort Wayne Community Development Division in each year in which I receive a deduction. Further the CF-1/PP form must be filed with the county assessor and the CF-1/Real Property must be filed with the county auditor. Failure to file the CF-1 form with these agencies may result in a rescission of any tax phase-in occurring as a result of this application.



Signature of Taxpayer/Owner

Alex Carroll, President

Printed Name and Title of Applicant

4/19/2016

Date



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51787 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

CITY OF FT WAYNE

20 17 PAY 20 18

FORM SB-1 / Real Property

APR 21 2016 *Emc*

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

COMMUNITY DEVL.

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Live Wire Technologies, LLC - Live Wire - Fort Wayne, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) Live Wire - Fort Wayne, LLC, PO Box 887, Carmel, IN 46082					
Name of contact person Alex Carroll		Telephone number (317) 590-0589		E-mail address acarroll@lldc.net	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Fort Wayne City Council				Resolution number	
Location of property 7601 S. Anthony Blvd., Ft. Wayne, IN 46816		County Allen		DLGF taxing district number 070	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) The new owner will re-build and/or replace exterior walls and the roof of the existing structure. The interior of the structure will be completely renovated in order to safely and securely maintain highly sophisticated and valuable computer equipment and new mechanical systems and wall and floor coverings will be installed.				Estimated start date (month, day, year) 05/15/2016	
				Estimated completion date (month, day, year) 09/01/16	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 0.00	Salaries \$0.00	Number retained 0.00	Salaries \$0.00	Number additional 8.00	Salaries \$282,304.00 \$300,000.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST	ASSESSED VALUE	
Current values			230,100.00	230,100.00	
Plus estimated values of proposed project			9,000,000.00	9,000,000.00	
Less values of any property being replaced			0.00	0.00	
Net estimated values upon completion of project			9,230,100.00	9,230,100.00	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) 1,000.00			Estimated hazardous waste converted (pounds) 0.00		
Other benefits The rehabilitation of the former Target store will improve the appearance of the building and surrounding neighborhood and could encourage additional development in the area by other companies.					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) 4/19/2016	
Printed name of authorized representative Alex Carroll			Title President		

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed calendar years* (see below). The date this designation expires is December 31, 2016

B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements Yes No
 2. Residentially distressed areas Yes No

C. The amount of the deduction applicable is limited to \$ unlimited.

D. Other limitations or conditions (specify) _____

E. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10

F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body) <i>[Signature]</i>	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body <i>Glynn Hines</i>	Name of designating body	
Attested by (signature and title of attester) <i>[Signature]</i>	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.



**STATEMENT OF BENEFITS
VACANT BUILDING DEDUCTION**

State Form 55182 (R / 2-14)
Prescribed by the Department of Local Government Finance

CITY OF FT WAYNE

APR 21 2016

Emc

20_16_PAY_20_17

FORM SB-1 / VBD

COMMUNITY DEVL.

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1-1-12.1-5.1 (c) and (d).

This statement is being completed for real property that qualifies as an "eligible vacant building" as defined by IC 6-1-1-12.1-1(17).

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the occupation of the eligible vacant building for which the person wishes to claim a deduction.
2. To obtain a vacant building deduction, a Form 322/VBD must be filed with the county auditor before May 10 in the year in which the property owner or his tenant occupies the vacant building or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. If the property owner misses the May 10 deadline in the initial year of occupation, he can apply between March 1 and May 10 of a subsequent year.
3. A property owner who files the Form 322/VBD must provide the county auditor and the designating body with a Form CF-1/VBD to show compliance with the approved Form SB-1/VBD. The Form CF-1/VBD must also be updated each year in which the deduction is applicable.

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Live Wire Technologies, LLC <i>Live Wire - Fort Wayne, LLC</i>					
Address of taxpayer (number and street, city, state, and ZIP code) Live Wire - Fort Wayne, LLC, PO Box 887, Carmel, IN 46082					
Name of contact person Alex Carroll		Telephone number (317) 590-0589		E-mail address acarroll@lfdc.net	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Fort Wayne City Council				Resolution number	
Location of property 7601 S. Anthony Blvd., Ft. Wayne, IN 46816		County Allen		DLGF taxing district number 070	
Description of eligible vacant building that the property owner or tenant will occupy (use additional sheets if necessary). The building is the old Target building at Southtown. It was used in the past as a discount and junior department store. Due to its vacancy, the condition of the building has deteriorated and will need to be rehabilitated for owner's proposed use as a data processing and management facility.				Estimated occupancy date (month, day, year) 09/2016	
				Estimated date placed-in-use (month, day, year) 09/2016	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS A RESULT OF PROPOSED PROJECT					
Current number 0	Salaries 0.00	Number retained 0	Salaries 0.00	Number additional 8	Salaries 300,000.00 262,304.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values			230,100.00		230,100.00
Plus estimated values of proposed project			9,000,000.00		9,000,000.00
Less values of any property being replaced			0.00		0.00
Net estimated values upon completion of project			9,230,100.00		9,230,100.00
SECTION 5 EFFORTS TO SELL OR LEASE VACANT BUILDING					
Described efforts by the owner or previous owner to sell, lease, or rent the building during period of vacancy: The previous owner listed property for sale with a commercial real estate broker for several years, and held an auction to sell the property, but was not able to sell the property.					
Show amount for which the building was offered for sale, lease, or rent during period of vacancy: 950,000.00					
List any other benefits resulting from the occupancy of the eligible vacant building. The rehabilitation will result in additional tax revenue for the City, will result in the addition of new jobs, and will improve the appearance of the former Target building, which could encourage additional development in the area.					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 		Title President		Date signed (month, day, year) 4/19/2016	

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed — calendar years* (see below). The date this designation expires is December 31, 2016

B. The amount of the deduction applicable is limited to \$ unlimited.

C. Other limitations or conditions (specify) _____

D. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10

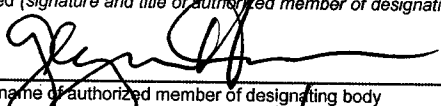
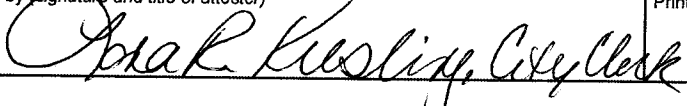
E. For a statement of benefits approved after June 30, 2013, did the designating body adopt an abatement schedule per IC 6-1.1-12.1-17?

Yes No

If yes, attach a copy of the abatement schedule to this form.

If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body) 	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body <u>Glynn Hines</u>	Name of designating body	
Attested by (signature and title of attester) 	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-1(17) "Eligible vacant building" means a building that:

- (A) is zoned for commercial or industrial purposes; and
- (B) is unoccupied for at least one (1) year before the owner of the building or a tenant of the owner occupies the building, as evidenced by a valid certificate of occupancy, paid utility receipts, executed lease agreements, or any other evidence of occupation that the department of local government finance requires.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

— **EXHIBIT A** —

Part of the Northwest Quarter of Section 31, Township 30 North, Range 13 East, in Allen County, State of Indiana; being more particularly described as follows:

Commencing at the Northwest corner of the aforementioned Quarter Section; running; thence South 00 degrees 18 minutes 08 seconds West along the West line thereof a distance of 1034.070 feet to the point of beginning of the real estate described herein; continuing thence along the same line a distance of 253.908 feet; running thence South 89 degrees 41 minutes 52 seconds East a distance of 25.00 feet to a point on the East line of Oetting Road; running thence South 15 degrees 53 minutes 14 seconds East along side right of way a distance of 10.00 feet; running thence North 59 degrees 05 minutes 01 seconds East a distance of 170.00 feet; running thence South 30 degrees 54 minutes 59 seconds East a distance of 125.553 feet; running thence South 59 degrees 05 minutes 01 seconds West a distance of 203.71 feet to a point on the East right of way line of Oetting Road and U.S. Highway #27; running thence South 15 degrees 53 minutes 14 seconds East along said right of way a distance of 16.499 feet; thence South 53 degrees 40 minutes 00 seconds East along said right of way a distance of 50.00 feet; running thence South 51 degrees 22 minutes 34 seconds East along said right of way a distance of 50.04 feet; running thence South 53 degrees 40 minutes 00 seconds East along said right of way a distance of 348.321 feet; running thence North 59 degrees 05 minutes 01 seconds East a distance of 531.445 feet to the centerline of Decatur Road; running thence North 26 degrees 35 minutes 22 seconds West a distance of 148.666 feet to a point of curvature of a curve concave Southwest having a central angle of 15 degrees 50 minutes 34 seconds and a radius of 1886.179 feet; running thence Northwesterly around said curve an arc distance of 521.555 feet; said arc being subtended by a long chord having a bearing of North 34 degrees 30 minutes 39 seconds West and a length of 519.891 feet; running thence South 72 degrees 40 minutes 38 seconds West a distance of 546.089 feet to the point of beginning.

And:

Commencing at the Northwest corner of said Section 31; running thence South 00 degrees 18 minutes 08 seconds West upon and along the West line thereof a distance of 1287.978 feet; running thence South 89 degrees 41 minutes 52 seconds East a distance of 25.000 feet to a point on the East right of way line of Oetting Road and the right of way of U.S. #27; running thence South 15 degrees 53 minutes 14 seconds East upon and along said right of way line 10.000 feet to the point or beginning of the Real Estate described herein; continuing thence along the same line a distance of 130.000 feet; running thence North 59 degrees 05 minutes 01 seconds East a distance of 203.711 feet; running thence North 30 degrees 54 minutes 59 seconds West a distance of 125.553 feet; running thence South 59 degrees 05 minutes 01 seconds West a distance of 170.00 feet to the point of beginning.

Together with the driveway easement created under that certain Driveway Easement Grant dated October 13, 1969 and recorded July 27, 1970 as Instrument Number 70-11688 in the Office of the Recorder of Allen County, Indiana.

MTC File No.: 14-22756(CWD)

Page 3 of 3

DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Live Wire - Fort Wayne, LLC is requesting the designation of an Economic Revitalization Area for real property improvements in the amount of \$9,000,000. In order to expand, Live Wire - Fort Wayne, LLC will make real property improvements to a vacant building to establish a data center that will house electronically stored data and customer computer equipment.**

EFFECT OF PASSAGE: **Live Wire - Fort Wayne, LLC will rehabilitate and occupy a vacant retail building in the Southtown Centre economic development target area. Eight full-time jobs will be created as a result of the project.**

EFFECT OF NON-PASSAGE: **Potential loss of rehabilitation of an existing vacant building and eight full-time jobs**

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

ASSIGNED TO COMMITTEE (PRESIDENT): **Glynn Hines and John Crawford**

MEMORANDUM



To: City Council
FROM: Elissa McGauley, Economic Development Manager
DATE: April 29, 2016
RE: Request for designation by Live Wire - Fort Wayne, LLC as an ERA for vacant building and real property improvements

BACKGROUND

PROJECT ADDRESS:	7601 South Anthony Boulevard	PROJECT LOCATED WITHIN:	Economic Development Target Area
PROJECT COST:	\$ 9,000,000	COUNCILMANIC DISTRICT:	6

COMPANY PRODUCT OR SERVICE:	Live Wire - Fort Wayne, LLC is a provider of secure and stable storage, management, and co-location of electronically stored data and related computer hardware.
PROJECT DESCRIPTION:	Live Wire - Fort Wayne, LLC will make real property improvements to a vacant building to establish a data center that will house electronically stored data and customer computer equipment.

CREATED

RETAINED

JOBS CREATED (FULL-TIME):	8	JOBS RETAINED (FULL-TIME):	0
JOBS CREATED (PART-TIME):	0	JOBS RETAINED (PART-TIME):	0
TOTAL NEW PAYROLL:	\$ 282,304	TOTAL RETAINED PAYROLL:	\$ 0
AVERAGE SALARY (FULL-TIME NEW):	\$ 35,288	AVERAGE SALARY (FULL-TIME RETAINED):	\$ 0

COMMUNITY BENEFIT REVIEW

Yes No N/A

Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

Yes No N/A

Real estate to be designated is consistent with land use policies of the City of Fort Wayne?

Explain: Property to be designated is zoned SC, Shopping Center. Use of property is consistent with the land use policies of the City of Fort Wayne.

Yes No N/A

Project encourages the improvement or replacement of a deteriorated or obsolete structure?

Explain: Property to be designated is a vacant retail building.

Yes No N/A

Project encourages the improvement or replacement of obsolete manufacturing and/or research and development and/or information technology and/or logistical distribution equipment?

Yes No N/A

Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

Yes No N/A

Project encourages preservation of an historically or architecturally significant structure?

Yes No N/A

Construction will result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes No N/A

Construction will use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Yes No N/A

ERA designation induces employment opportunities for Fort Wayne area residents?
Explain: Eight full-time jobs will be created as a result of the project.

Yes No N/A

Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

POLICY

Per the policy of the City of Fort Wayne, the following guidelines apply to this project:

1. The period of deduction for real property is ten years.
2. The period of deduction for vacant building deduction is one year.

Live Wire – Fort Wayne, LLC is located in an economic development target area. The company is requesting an economic revitalization area designation on real property improvements as well as a deduction for the occupation of an eligible vacant commercial building. Under Fort Wayne Common Council's tax abatement policies and procedures, Live Wire - Fort Wayne, LLC is eligible for a ten year deduction on real property improvements and a one year deduction on the vacant building. Attached is a calculation of property taxes saved/paid with the deductions.

COMMENTS

Signed:

Eloisa McAuley
Economic Development Manager

**FORT WAYNE COMMUNITY DEVELOPMENT DIVISION
TAX ABATEMENT - ESTIMATE OF SAVINGS**

REAL PROPERTY TAX ABATEMENT - 10 yr Schedule

Year	Cash Value	True Tax Value	Assessed Value	Tax Abatement %	Tax Paid %	Deduction	Taxable AV	Tax Rate	Tax Paid	Tax Saved
1	\$9,000,000	\$9,000,000	\$9,000,000	100%	0%	\$9,000,000	\$0	0.033053	\$0	\$297,477
2	\$9,000,000	\$9,000,000	\$9,000,000	95%	5%	\$8,550,000	\$450,000	0.033053	\$14,874	\$282,603
3	\$9,000,000	\$9,000,000	\$9,000,000	80%	20%	\$7,200,000	\$1,800,000	0.033053	\$59,495	\$237,982
4	\$9,000,000	\$9,000,000	\$9,000,000	65%	35%	\$5,850,000	\$3,150,000	0.033053	\$104,117	\$193,360
5	\$9,000,000	\$9,000,000	\$9,000,000	50%	50%	\$4,500,000	\$4,500,000	0.033053	\$148,739	\$148,739
6	\$9,000,000	\$9,000,000	\$9,000,000	40%	60%	\$3,600,000	\$5,400,000	0.033053	\$178,486	\$118,991
7	\$9,000,000	\$9,000,000	\$9,000,000	30%	70%	\$2,700,000	\$6,300,000	0.033053	\$208,234	\$89,243
8	\$9,000,000	\$9,000,000	\$9,000,000	20%	80%	\$1,800,000	\$7,200,000	0.033053	\$237,982	\$59,495
9	\$9,000,000	\$9,000,000	\$9,000,000	10%	90%	\$900,000	\$8,100,000	0.033053	\$267,729	\$29,748
10	\$9,000,000	\$9,000,000	\$9,000,000	5%	95%	\$450,000	\$8,550,000	0.033053	\$282,603	\$14,874
11	\$9,000,000	\$9,000,000	\$9,000,000	0%	100%	\$0	\$9,000,000	0.033053	\$297,477	\$0

TOTAL TAX SAVED REAL PROPERTY (10 yrs on 10 yr deduction) **\$1,472,511**
 TOTAL TAX PAID REAL PROPERTY (10 yrs on 10 yr deduction) **\$1,502,259**

NOTE: Above calculations assume a constant tax rate over the abatement period. Time value of money is not considered.

VACANT BUILDING DEDUCTION - 1 yr Schedule

Year	Assessed Value	Tax Abatement %	Tax Paid %	Deduction	Taxable AV	Tax Rate	Tax Paid	Tax Saved
1	\$174,400	100%	0%	\$174,400	\$0	0.033053	\$0	\$5,764
TOTAL TAX SAVED VACANT BUILDING (1 yr on 1 yr deduction)								\$5,764
TOTAL TAX PAID VACANT BUILDING (1 yr on 1 yr deduction)								\$0

REPORT OF COMMITTEE ON FINANCE

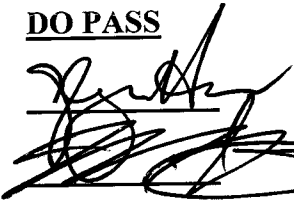
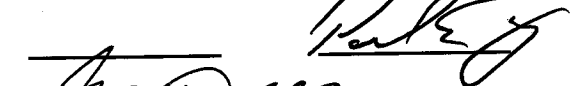
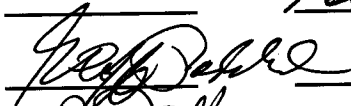

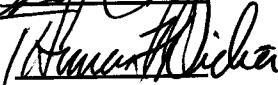
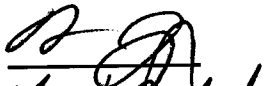
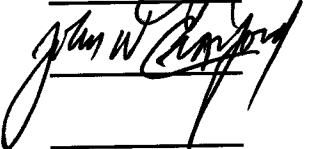

MAY 10, 2016

*Glynn Hines, Chair
John Crawford, Co-Chair
All Council Members*

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 7601 South Anthony Boulevard, Fort Wayne, Indiana 46816 (Live Wire - Fort Wayne, LLC)

Involving a total cost of \$282,304.00

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

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____		_____	_____

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date, if applicable N/A.

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

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

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


<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: May 10, 2016


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-16-05-01 on the 10th day of May, 2016

ATTEST:

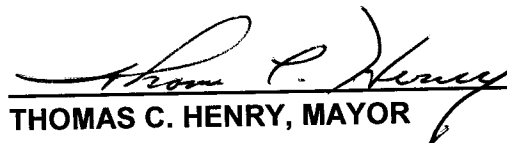

LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of May 2016, at the hour of 9:45 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 11TH day of MAY 2016, at the hour of 11:00 O'clock AM . E.S.T.


THOMAS C. HENRY, MAYOR