

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 7606
Freedom Way, Fort Wayne, Indiana 46818 (First
Gear, Inc.)**

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, permanent job for a total new, annual payroll of \$41,600, with the average new annual job salary being \$41,600 and retain 18 full-time, permanent jobs for a current annual payroll of \$746,593, with the average current annual job salary being \$41,600; and

WHEREAS, the total estimated project cost is \$295,000; and

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

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

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.

1 **SECTION 3.** That, said designation of the hereinabove described property as an
2 "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal
3 property for new manufacturing equipment.

4 **SECTION 4.** That, the estimate of the number of individuals that will be employed
5 or whose employment will be retained and the estimate of the annual salaries of those
6 individuals and the estimate of the value of the new manufacturing equipment, all contained
7 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
8 expected to result from the proposed described installation of the new manufacturing
9 equipment.

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

- 12 (a) If the proposed new manufacturing equipment is not installed, the approximate
13 current year tax rates for this site would be \$3.3722/\$100.
14 (b) If the proposed new manufacturing equipment is installed and no deduction is
15 granted, the approximate current year tax rate for the site would be
16 \$3.3722/\$100 (the change would be negligible).
17 (c) If the proposed new manufacturing equipment is installed, and a deduction
18 percentage of eighty percent (80%) is assumed, the approximate current year
19 tax rate for the site would be \$3.3722/\$100 (the change would be negligible).

20 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
21 from the assessed value of the new manufacturing equipment shall be for a period of five
22 years.

23 **SECTION 7.** The deduction schedule from the assessed value of new
24 manufacturing equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

25

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

26

27 **SECTION 8.** The benefits described in the Petitioner's Statement of Benefits can be
28 reasonably expected to result from the project and are sufficient to justify the applicable
29 deductions.
30

1 **SECTION 9.** For new manufacturing equipment, a deduction application must
2 contain a performance report showing the extent to which there has been compliance with
3 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
4 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
5 Wayne's Community Development Division and must be included with the deduction
6 application. For subsequent years, the performance report must be updated and submitted
7 along with the deduction application at the time of filing.


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

- 9 (a) The cost and description of real property improvements and/or new
10 manufacturing equipment acquired.
11 (b) The number of employees hired through the end of the preceding calendar year
12 as a result of the deduction.
13 (c) The total salaries of the employees hired through the end of the preceding
14 calendar year as a result of the deduction.
15 (d) The total number of employees employed at the facility receiving the deduction.
16 (e) The total assessed value of the real and/or personal property deductions.
17 (f) The tax savings resulting from the real and/or personal property being abated.

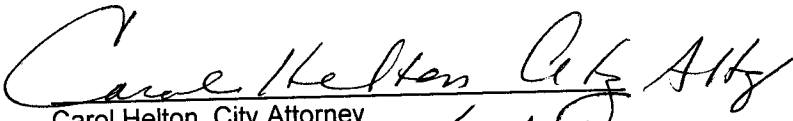
18 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due
19 to jurisdictions within Allen County, Indiana.

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

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

29 
30 Member of Council

APPROVED AS TO FORM AND LEGALITY

31 
32 Carol Helton, City Attorney

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 First Gear, Inc. for personal property improvements in the amount of \$295,000. First Gear, Inc. will purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **One new full-time position will be created and new manufacturing equipment will be purchased and installed.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and one new full-time position.**

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

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

EXHIBIT A

ZOHRAH K. TAZIAN, R.E. & L.S.
JOHN C. SAUER, L.S.
SAM L. FAUST, L.S.



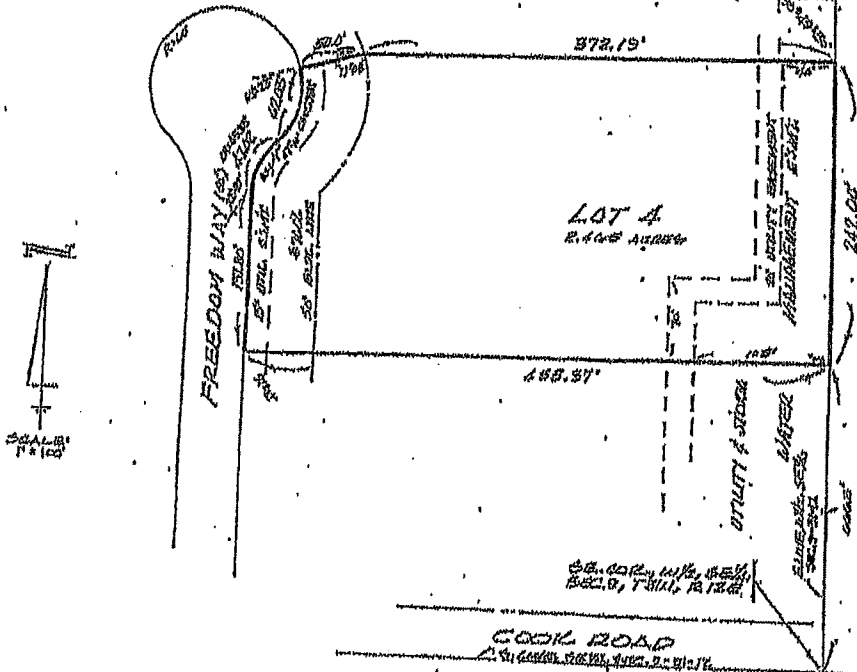
CERTIFICATE OF SURVEY

This document is a report of a survey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records as filed in the Recorder's office of _____ County, State of Indiana. The land described in full dimensions as shown hereon is free from encroachments by adjoining land owners unless specifically stated below. Corner monuments are indicated.

DESCRIPTION OF REAL ESTATE

Part of the West Half of the Southeast Quarter of Section 9, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the East line of the West Half of the Southeast Quarter of said Section 9, at a point situated 555.8 feet North of the Southeast corner thereof; thence North, on and along said East line, a distance of 242.0 feet; thence West, by a deflection angle left of 90 degrees 49 minutes 30 seconds and parallel to the South line of said Southeast Quarter, a distance of 372.19 feet; thence Southwesterly, by a deflection angle left of 13 degrees 00 minutes, a distance of 50.0 feet; thence Southwesterly, on and along the arc of a circular curve having a radius of 60.0 feet, an arc distance of 62.03 feet, being subtended by a long chord having a length of 69.91 feet and deflecting left 60 degrees 28 minutes from the last described course, to the point of reverse curvature of a circular curve to the left having a radius of 60.0 feet; thence Southerly, on and along the arc of said curve, a distance of 47.02 feet, being subtended by a long chord having a length of 45.93 feet and deflecting right 07 degrees 10 minutes from the last described long chord; thence Southerly, and tangent to the last said curve, by a deflection angle left of 22 degrees 27 minutes from the last described long chord, a distance of 131.00 feet; thence East, by a deflection angle left of 91 degrees 12 minutes and parallel to said South line, a distance of 285.97 feet to the point of beginning, containing 2.465 acres of land, subject to all easements of record, this tract being Lot 4 in the proposed plat of Liberty Industrial Park.



I hereby certify on this 29th day of June, 1979 that the above survey is correct.
Surveyed by _____
Survey No. _____

[Signature]



10/11/16

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

CONFIRMING RESOLUTION NO. R-16-09-32

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON OCTOBER 11, 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:

**7606 Freedom Way, Fort Wayne, Indiana 46818
First Gear, Inc.**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, OCTOBER 11, 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) 427-1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

*LANA R. KEESLING
CITY CLERK*

The Journal Gazette

Account # 1060008 - 1259578

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	54

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)	
TOTAL AMOUNT OF CLAIM	<u>\$ 23.54</u>

DATA FOR COMPUTING COST

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

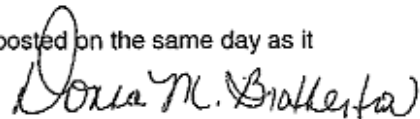
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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 1 times.

The dates of publication being as follows:

<u>9/30/2016</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
Legal Clerk

Date: September 30, 2016

ATTACH COPY OF ADVERTISEMENT HERE

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LANA R. KEESLING
CITY CLERK
9-30 1259578 hspaxp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1259578
FW Common Council

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LANA R. KEESLING
CITY CLERK

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REPORT OF COMMITTEE ON FINANCE

October 11, 2016

John Crawford Chair

Glynn Hines 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 7606 Freedom Way, Fort Wayne, Indiana 46818 (First Gear, Inc.)

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

John W. Crawford

Jason

[Handwritten signatures]

**LANA R. KEESLING
CITY CLERK**

Lana R. Keesling

Public Hearing Date: OCTOBER 11, 2016

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

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

Read the third time in full and on motion by Councilman Crawford, 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

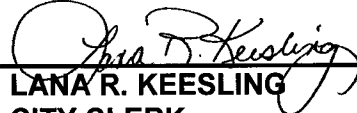
DATED: October 11, 2016


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. R-16-09-32 on the 11th day of October, 2016

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of October 2016, at the hour of 3:45 o'clock P.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of October 2016, at the hour of 2:00 O'clock PM E.S.T.


THOMAS C. HENRY, MAYOR