

**A RESOLUTION approving a Waiver of Noncompliance for a Late-Filed Deduction Application for the Economic Revitalization Area Deduction on Real Property Improvements (Form CF-1/Real Property) for 5501 U.S. Highway 30 West (Sweetwater Holdings, LLC/Sweetwater Sound, Inc.) under Confirming Resolution R-90-15.**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 5501 U.S. 30 West for Sweetwater Holdings, LLC/Sweetwater Sound, Inc. Confirming Resolution R-90-15 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; and

**WHEREAS**, the original Statement of Benefits and economic revitalization area designation application submitted by Sweetwater Holdings, LLC/Sweetwater Sound, Inc. and approved under Confirming Resolution R-90-15 was for \$5,500,000 in real property improvements and \$1,650,000 in personal property logistical distribution and information technology equipment improvements; and

**WHEREAS**, under Indiana law, for an owner to receive a deduction on real property improvements, the owner is required to submit a deduction application with the County Auditor within thirty (30) days after receipt of the increased tax assessment even though the owner may not yet be required to submit its Compliance with Statement of Benefits CF-1/Real Property form;

**WHEREAS**, representatives of Sweetwater Holdings, LLC/Sweetwater Sound, Inc. have informed the City of Fort Wayne that their application for deduction from assessed valuation of structures in economic revitalization areas (Form 322/RE) was not filed in a timely manner; and

**WHEREAS**, this oversight was an unusual occurrence for Sweetwater Holdings, LLC/Sweetwater Sound, Inc. which has made diligent efforts in good faith to make all required Indiana tax abatement filings on a timely basis; and

**WHEREAS**, the Common Council finds that Sweetwater Holdings, LLC/Sweetwater Sound, Inc. has fulfilled its pledge to invest funds in improvements to property located in an economic revitalization area; and

**WHEREAS**, the Common Council acknowledges that Sweetwater Holdings, LLC/Sweetwater Sound, Inc. has requested a waiver of non compliance which the Common

1 Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-  
2 12.1-11.3; and

3 **WHEREAS**, the Common Council intends that Sweetwater Holdings,  
4 LLC/Sweetwater Sound, Inc. receive the tax abatement benefits to which they would have  
5 been entitled had no non-compliance event occurred, so long as the waiver of non  
6 compliance and the granting of those benefits does not prejudice the City of Fort Wayne; and

7 **WHEREAS**, the Common Council has concluded that granting of the ERA deduction  
8 for 2016 payable 2017 tax year would not create a strain on the City of Fort Wayne's fiscal  
9 budget; and

10 **WHEREAS**, I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3 permit tax abatement non  
11 compliance events such as the untimely filing of deduction application paperwork to be  
12 waived; and

13 **WHEREAS**, the noncompliance event has been corrected and a public hearing of  
14 the Common Council has been held on the waiver.

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

17 **SECTION 1.** That, Common Council hereby waives all clerical and technical errors and  
18 nonconformities that are waivable under State and local law, including without limitation those  
19 errors and nonconformities described in I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3.

20 **SECTION 2.** That, as authorized by I.C. 6-1.1-12.1-9.5(d), the Common Council will permit  
21 Sweetwater Holdings, LLC/Sweetwater Sound, Inc. to receive their real property economic  
22 revitalization area deductions for 2016 payable 2017 under Confirming Resolution R-90-15  
23 and in accordance to the following schedule

Tax Year	Real Property Tax Deduction Amount
2016 pay 2017	\$555,500
TOTAL	\$555,500

24 The foregoing numbers represent deductions from assessed valuation from real property, not  
25 tax liability. The total deduction amounts set forth in the preceding table represent  
26 deductions Sweetwater Holdings, LLC/Sweetwater Sound, Inc. will lose in 2016 payable  
27 2017. The Allen County Auditor shall be supplied with a copy of this Resolution, upon  
28 passage, and instructed to apply the deduction amounts.

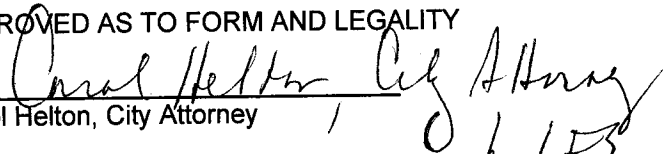
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30


**SECTION 3.** That, nothing herein shall relieve Sweetwater Holdings, LLC/Sweetwater Sound, Inc. from having to timely file any and all future documents required under Indiana law for the owner to continue to receive a property tax deduction, including, but not limited to, a Compliance with Statement of Benefits CF-1/Real Property form.

**SECTION 3.** 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



DIGEST SHEET

**TITLE OF RESOLUTION: Resolution Approving a Waiver of Noncompliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) for Sweetwater Holdings, LLC/Sweetwater Sound, Inc.**

**DEPARTMENT REQUESTING RESOLUTION: Community Development Division**

**SYNOPSIS OF RESOLUTION: This is to approve a waiver of noncompliance for late-filed real property deduction forms for Sweetwater Holdings, LLC/Sweetwater Sound, Inc.**

**EFFECT OF PASSAGE: Approval of this resolution and granting of a waiver of noncompliance will allow Sweetwater Holdings, LLC/Sweetwater Sound, Inc. to recoup their real property deduction due to late filed deduction forms.**

**EFFECT OF NON-PASSAGE: Potential loss of future development by Sweetwater Holdings, LLC/Sweetwater Sound, Inc.**

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

**ASSIGNED TO COMMITTEE (CO-CHAIRS): Geoff Paddock and Jason Arp**



Andrew D. Boxberger  
aboxberger@carsonboxberger.com

November 22, 2016

carsonboxberger.com  
260 423-9411

**The Harrison**  
301 W. Jefferson Boulevard, Suite 200  
Fort Wayne, IN 46802

CITY OF FT WAYNE

COMMUNITY DEVL.

NOV 22 2016  
CAJ

NOV 22 2016

COMMUNITY DEVL.

CITY OF FT WAYNE

via hand delivery

Carmen Young  
Economic Development Specialist  
Division of Community Development  
City of Fort  
Citizens Square, Suite 320  
200 E. Berry Street  
Fort Wayne, IN 46802

Re: **Sweetwater Holdings, LLC**

Dear Ms. Young:

Thank you for reaching out to me regarding the real and personal property tax abatements for Sweetwater Holdings, LLC ("Sweetwater"). As you are aware, according to Resolution R-90-15, Sweetwater (and the operations of Sweetwater Sound, Inc. on the property) were awarded real and personal property tax abatements. Sweetwater mistakenly failed to file with the Auditor the appropriate forms to claim the benefit of the tax phase-in related to the increase in property values. We do wish to proceed with this and correct this error with your assistance.

Please take this letter as a request to apply for a waiver of non-compliance in order to receive the requisite real and personal property tax abatements. Enclosed please find a check for \$500.00 for the applicable filing fee. I am working with Sweetwater to quickly complete all of the necessary documentation and will submit those to you and the Auditor's Office as soon as possible. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

CARSON BOXBERGER LLP

Andrew D. Boxberger

ADB:clc/enc.

F:\Sweetwater Holdings LLC 22585\General Business - 2\Correspondence, Emails\11.22.16.LTR--Community Development re waiver of non-compliance.doc





**APPLICATION FOR DEDUCTION FROM ASSESSED VALUATION OF STRUCTURES IN ECONOMIC REVITALIZATION AREAS (ERA)**

State Form 18379 (R13 / 1-16)  
Prescribed by the Department of Local Government Finance

20 16 PAY 20 17

FORM 322 / RE

SCANNED

**INSTRUCTIONS:**

- This form is to be filed in person or by mail with the County Auditor of the county in which the property is located.
- To obtain this 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 (or new assessment) 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. If the property owner misses the May 10 deadline in the initial year of assessment, he can apply between March 1 and May 10 of a subsequent year for the remainder of the abatement term. (See also IC 6-1.1-12.1-11.3 concerning the failure to file a timely application.)
- A copy of the Form 11, the approved Form SB-1 / Real Property, the resolution adopted by the designating body for the allocation area, and a copy of the CF-1 / Real Property must be attached to this application.
- The Form CF-1 / Real Property must be updated annually and provided to the County Auditor and the designating body for each assessment year in which the deduction is applicable.
- Please see IC 6-1.1-12.1 for further instructions.
- Taxpayer completes Sections I, II and III below.
- If property located in an economic revitalization area is also located in an allocation area as defined in IC 36-7-14-39 or IC 36-7-15.1-26; an application for the property tax deduction may not be approved unless the Commission that designated the allocation area adopts a resolution approving the application (IC 6-1.1-12.1-2(k)).
- Except for deductions related to redevelopment or rehabilitation of real property in a county, a deduction for the redevelopment or rehabilitation of real property may not be approved for the following facilities (IC 6-1.1-12.1-3):
  - Private or commercial golf course
  - Country club
  - Massage parlor
  - Tennis club
  - Skating facility, including roller skating, skateboarding or ice skating
  - Racquet sport facility (including handball or racquet ball court)
  - Hot tub facility
  - Suntan facility
  - Racetrack
  - Any facility, the primary purpose of which is (a) retail food and beverage service; (b) automobile sales or service; or (c) other retail; (unless the facility is located in an economic development target area established under IC 6-1.1-12.1-7).
  - Residential, unless the facility is a multi-family facility that contains at least 20% of the units available for use by low and moderate income individuals, or unless the facility is located in an economic development target area established under IC 6-1.1-12.1-7, or the area is designated as a residentially distressed area which is required to meet conditions as cited in IC 6-1.1-12.1-2(c)(1 & 2).
  - Package liquor store [see IC 6-1.1-12.1-3(e)(12)]

AUDITOR'S OFFICE  
FILED  
NOV 29 2016  
Jana K. Klutz  
AUDITOR OF ALLEN COUNTY

**SECTION I - DESCRIPTION OF PROPERTY**

The owner hereby applies to the County Auditor for a deduction pursuant to IC 6-1.1-12.1-5 beginning with the assessment date January 1, 20 16.

County <b>Allen</b>	Township <b>FW- Washington</b>	DLGF taxing district number <b>073</b>	Key number <b>02-07-19-400-002.000-073</b>
Name of owner <b>Sweetwater Holdings, LLC</b>		Legal description from Form 11	
Property address (number and street, city, state, and ZIP code) <b>5501 US Highway 30 West, Fort Wayne, IN 46818</b>			Date of Form 11 (month, day, year) <b>May of 2016</b>
Type of structure <b>Construction of new making and merchandising department (See SB1)</b>			Use of structure <b>Commercial</b>
Governing body that approved ERA designation <b>Common Council of Fort Wayne</b>		Date ERA designation approved (month, day, year)	Resolution number <b>R-90-15</b>

**SECTION II - VERIFICATION OF OWNER OR REPRESENTATIVE**

Signature of owner or representative (I hereby certify that the representations on this application are true.)

Date signed (month, day, year)  
**11/29/16**

Printed name of owner or representative  
**Andrew Boxberger**

Address (number and street, city, state, and ZIP code)  
**301 W. Jefferson Suite 200, Fort Wayne, IN 46802**

**SECTION III - STRUCTURES**

				AUDITOR'S USE
A. Rehabilitation structure	1. Assessed valuation AFTER rehabilitation	\$		
	2. Assessed valuation BEFORE rehabilitation	\$		
	3. Difference in assessed valuation (Line 1 minus Line 2)	\$		
	4. Assessed valuation eligible for deduction (for the increase in AV from the rehabilitation, not including the increase in AV from the reassessment of the entire structure)	\$		
B. New structure	1. Assessed valuation	\$	<b>555,500.00</b>	
	2. Assessed valuation eligible for deduction	\$	<b>555,500.00</b>	

**SECTION IV - VERIFICATION OF ASSESSING OFFICIAL**

I verify that the above described structure was assessed and the owner was notified on \_\_\_\_\_, with the effective date of the assessment being January 1, 20 \_\_\_\_\_, and that the assessed valuations in Section III are correct.

Signature of assessing official \_\_\_\_\_ Printed name of assessing official \_\_\_\_\_ Date (month, day, year) \_\_\_\_\_

CONTINUED ON THE REVERSE SIDE

**SECTION V - FOR AREAS EXCEPT FOR A RESIDENTIALLY DISTRESSED AREA WHERE THE STATEMENT OF BENEFITS WAS APPROVED BEFORE JULY 1, 2013 - DEDUCTION SCHEDULE PER IC 6-1.1-12.1-17**

YEAR OF DEDUCTION / ASSESSED VALUE / PERCENTAGE / DEDUCTION*				
<b>(1) For deductions allowed over a one (1) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
<b>(2) For deductions allowed over a two (2) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	50% * _____%	\$ _____
<b>(3) For deductions allowed over a three (3) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	86% * _____%	\$ _____
3	20__ pay 20__	\$ _____	33% * _____%	\$ _____
<b>(4) For deductions allowed over a four (4) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	75% * _____%	\$ _____
3	20__ pay 20__	\$ _____	50% * _____%	\$ _____
4	20__ pay 20__	\$ _____	25% * _____%	\$ _____
<b>(5) For deductions allowed over a five (5) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	80% * _____%	\$ _____
3	20__ pay 20__	\$ _____	60% * _____%	\$ _____
4	20__ pay 20__	\$ _____	40% * _____%	\$ _____
5	20__ pay 20__	\$ _____	20% * _____%	\$ _____
<b>(6) For deductions allowed over a six (6) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	85% * _____%	\$ _____
3	20__ pay 20__	\$ _____	66% * _____%	\$ _____
4	20__ pay 20__	\$ _____	50% * _____%	\$ _____
5	20__ pay 20__	\$ _____	34% * _____%	\$ _____
6	20__ pay 20__	\$ _____	17% * _____%	\$ _____
<b>(7) For deductions allowed over a seven (7) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	85% * _____%	\$ _____
3	20__ pay 20__	\$ _____	71% * _____%	\$ _____
4	20__ pay 20__	\$ _____	57% * _____%	\$ _____
5	20__ pay 20__	\$ _____	43% * _____%	\$ _____
6	20__ pay 20__	\$ _____	29% * _____%	\$ _____
7	20__ pay 20__	\$ _____	14% * _____%	\$ _____

YEAR OF DEDUCTION / ASSESSED VALUE / PERCENTAGE / DEDUCTION**				
<b>(8) For deductions allowed over a eight (8) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	88% * _____%	\$ _____
3	20__ pay 20__	\$ _____	75% * _____%	\$ _____
4	20__ pay 20__	\$ _____	63% * _____%	\$ _____
5	20__ pay 20__	\$ _____	50% * _____%	\$ _____
6	20__ pay 20__	\$ _____	38% * _____%	\$ _____
7	20__ pay 20__	\$ _____	25% * _____%	\$ _____
8	20__ pay 20__	\$ _____	13% * _____%	\$ _____
<b>(9) For deductions allowed over a nine (9) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	88% * _____%	\$ _____
3	20__ pay 20__	\$ _____	77% * _____%	\$ _____
4	20__ pay 20__	\$ _____	66% * _____%	\$ _____
5	20__ pay 20__	\$ _____	55% * _____%	\$ _____
6	20__ pay 20__	\$ _____	44% * _____%	\$ _____
7	20__ pay 20__	\$ _____	33% * _____%	\$ _____
8	20__ pay 20__	\$ _____	22% * _____%	\$ _____
9	20__ pay 20__	\$ _____	11% * _____%	\$ _____
<b>(10) For deductions allowed over a ten (10) year period:</b>				
1	20__ pay 20__	\$ _____	100% * _____%	\$ _____
2	20__ pay 20__	\$ _____	95% * _____%	\$ _____
3	20__ pay 20__	\$ _____	80% * _____%	\$ _____
4	20__ pay 20__	\$ _____	65% * _____%	\$ _____
5	20__ pay 20__	\$ _____	50% * _____%	\$ _____
6	20__ pay 20__	\$ _____	40% * _____%	\$ _____
7	20__ pay 20__	\$ _____	30% * _____%	\$ _____
8	20__ pay 20__	\$ _____	20% * _____%	\$ _____
9	20__ pay 20__	\$ _____	10% * _____%	\$ _____
10	20__ pay 20__	\$ _____	5% * _____%	\$ _____

**NOTE:** The deduction percentages shown in this section apply to a statement of benefits approved before July 1, 2013 that did not have an alternative deduction schedule adopted by the designating body. All other abatements shall use the percentages reflected in the abatement schedule adopted by the designating body per IC 6-1.1-12.1-17.

\* The amount of the deduction shall be adjusted annually to reflect changes to the assessed valuation resulting from a reassessment or an appeal of the assessment per IC 6-1.1-12.1-4(b).

**SECTION VI - FOR A RESIDENTIALLY DISTRESSED AREA WHERE THE STATEMENT OF BENEFITS WAS APPROVED BEFORE JULY 1, 2013 - DEDUCTION SCHEDULE PER IC 6-1.1-12.1-17**

TYPE OF DWELLING	DEDUCTION IS THE LESSER OF: [IC 6-1.1-12.1-4.1(b)]	DEDUCTION IS ALLOWED FOR A FIVE (5) YEAR PERIOD THAT INCLUDES YEARS:
<input type="checkbox"/> One (1) family dwelling	Assessed value (after rehabilitation or redevelopment) \$ _____ or \$74,880 AV	____ pay ____ through ____ pay ____
<input type="checkbox"/> Two (2) family dwelling	Assessed value (after rehabilitation or redevelopment) \$ _____ or \$106,080 AV	____ pay ____ through ____ pay ____
<input type="checkbox"/> Three (3) unit multifamily dwelling	Assessed value (after rehabilitation or redevelopment) \$ _____ or \$156,000 AV	____ pay ____ through ____ pay ____
<input type="checkbox"/> Four (4) unit multifamily dwelling	Assessed value (after rehabilitation or redevelopment) \$ _____ or \$199,680 AV	____ pay ____ through ____ pay ____

Assessed value limits for taxes due and payable prior to January 1, 2005 were \$38,000, \$51,000, \$75,000, and \$98,000 for one to four family dwellings, respectively.

**SECTION VII - APPROVAL OF COUNTY AUDITOR (COMPLETE ONLY IF APPROVED)**

This application is approved in the amounts shown above.

Signature of County Auditor	Printed name of County Auditor	Date signed (month, day, year)
-----------------------------	--------------------------------	--------------------------------

# The Journal Gazette

Account # 1060008 - 1285502

Allen County, Indiana

**FW Common Council**

ATTACH COPY OF ADVERTISEMENT HERE

### 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	_____
<b>Total number of lines in notice</b>	<b>59</b>

#### COMPUTATION OF CHARGES

<u>59</u> lines, <u>1</u> column(s) wide equals	
<u>59</u> equivalent lines at <u>\$ 0.448</u> cents per line	\$ 26.43
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>	<b><u>\$ 26.43</u></b>

#### 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>4/28/2017</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.

Date: April 28, 2017

\_\_\_\_\_  
Donna M. Brotherton  
Legal Clerk

**NOTICE OF PUBLIC HEARING**  
**FORT WAYNE COMMON COUNCIL**  
**CONFIRMING RESOLUTION**  
**NO. R-17-04-16**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 9TH, 2017, AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; APPROVING A WAIVER ON NONCOMPLIANCE FOR A LATE-FILED APPLICATION FOR THE ECONOMIC REVITALIZATION AREA ON REAL PROPERTY IMPROVEMENTS (FORM CF-1/REALPROPERTY) UNDER CONFIRMING RESOLUTION R-90-15 FOR A PROPERTY COMMONLY KNOWN AS:

5501 U.S. HIGHWAY 30  
FORT WAYNE, INDIANA 46818  
(SWEETWATER HOLDINGS  
LLC/SWEETWATER SOUND, INC.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 9TH, 2017.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2017.

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  
4--28 1285502 hspaxlp

# The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1285502  
**FW Common Council**

## 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>59</u>

### COMPUTATION OF CHARGES

<u>59</u> lines, <u>1</u> column(s) wide equals	
<u>59</u> equivalent lines at <u>\$ 0.448</u> cents per line	\$ 26.43
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>\$ 26.43</u>

### DATA FOR COMPUTING COST

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

ATTACH COPY OF ADVERTISEMENT HERE

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>4/28/2017</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.

Date: April 28, 2017

\_\_\_\_\_  
Donna M. Brotherton  
Legal Clerk

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
CONFIRMING RESOLUTION  
NO. R-17-04-16**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 9TH, 2017, AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; APPROVING A WAIVER ON NONCOMPLIANCE FOR A LATE-FILED APPLICATION FOR THE ECONOMIC REVITALIZATION AREA ON REAL PROPERTY IMPROVEMENTS (FORM CF-1/REALPROPERTY) UNDER CONFIRMING RESOLUTION R-90-15 FOR A PROPERTY COMMONLY KNOWN AS:

5501 U.S. HIGHWAY 30  
FORT WAYNE, INDIANA 46818  
(SWEETWATER HOLDINGS  
LLC/SWEETWATER SOUND, INC.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 9TH, 2017.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2017.

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  
4--28 1285502 hspaxlp

# The Journal Gazette

Account # 1060008 - 1285502

Allen County, Indiana

**FW Common Council**

ATTACH COPY OF ADVERTISEMENT HERE

### 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	<b>59</b>

#### COMPUTATION OF CHARGES

<u>59</u> lines, <u>1</u> column(s) wide equals	
<u>59</u> equivalent lines at <u>\$ 0.448</u> cents per line	\$ 26.43
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>	<b><u>\$ 26.43</u></b>

#### 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>4/28/2017</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.

Date:        April 28, 2017

\_\_\_\_\_  
 Donna M. Brotherton  
 Legal Clerk

**NOTICE OF PUBLIC HEARING**  
**FORT WAYNE COMMON COUNCIL**  
**CONFIRMING RESOLUTION**  
**NO. R-17-04-16**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 9TH, 2017 AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL, CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; APPROVING A WAIVER ON NONCOMPLIANCE FOR A LATE-FILED APPLICATION FOR THE ECONOMIC REVITALIZATION AREA ON REAL PROPERTY IMPROVEMENTS (FORM CF-1/REAL PROPERTY) UNDER CONFIRMING RESOLUTION R-90-15 FOR A PROPERTY COMMONLY KNOWN AS:

5501 U.S. HIGHWAY 30  
FORT WAYNE, INDIANA 46818  
(SWEETWATER HOLDINGS  
LLC/SWEETWATER SOUND, INC.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 9TH, 2017.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2017.

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  
4--28 1285502 hspaxlp

# The News-Sentinel

Account # 1060008 - 1285502  
**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>59</u>

### COMPUTATION OF CHARGES

<u>59</u> lines, <u>1</u> column(s) wide equals	
<u>59</u> equivalent lines at <u>\$ 0.448</u> cents per line	\$ 26.43
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>\$ 26.43</u>

### DATA FOR COMPUTING COST

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

ATTACH COPY OF ADVERTISEMENT HERE

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>4/28/2017</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.

Date: April 28, 2017

\_\_\_\_\_  
Donna M. Brotherton  
Legal Clerk

**NOTICE OF PUBLIC HEARING**  
**FORT WAYNE COMMON COUNCIL**  
**CONFIRMING RESOLUTION**  
**NO. R-17-04-16**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 9TH, 2017 AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; APPROVING A WAIVER ON NONCOMPLIANCE FOR A LATE-FILED APPLICATION FOR THE ECONOMIC REVITALIZATION AREA ON REAL PROPERTY IMPROVEMENTS (FORM CF-1/REALPROPERTY) UNDER CONFIRMING RESOLUTION R-90-15 FOR A PROPERTY COMMONLY KNOWN AS:

5501 U.S. HIGHWAY 30  
FORT WAYNE, INDIANA 46818  
(SWEETWATER HOLDINGS  
LLC/SWEETWATER SOUND, INC.)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 9TH, 2017.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2017.

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  
4--28 1285502 hspaxlp

**BILL NO. R-17-04-16**

**REPORT OF COMMITTEE ON FINANCE**

**May 9, 2017**

**Geoff Paddock Chair**

**Jason Arp Co-Chair**

**All Council Members**

A Resolution approving a Waiver of Noncompliance for a Late-Filed Deduction Application for the Economic Revitalization Area Deduction on Real Property Improvements (CF-1/Real Property) for 5501 U.S. Highway 30 West under Confirming Resolution R-90-15

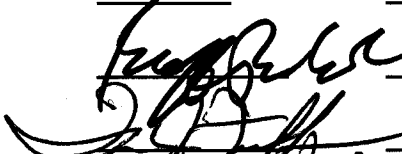
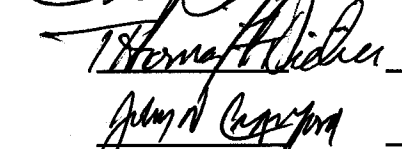
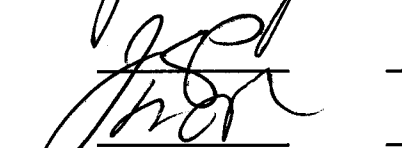
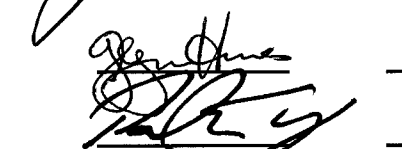
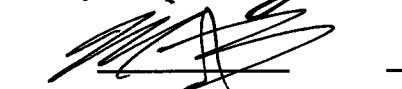
**COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

DO NOT PASS

ABSTAIN

NO REC

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

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: May 9, 2017

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

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

Read the third time in full and on motion by Councilman Paddock, 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 9, 2017

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-17-04-16 on the 9th day of May, 2017

ATTEST:

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th of May 2017, at the hour of 10:30 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10<sup>TH</sup> day of MAY

2017, at the hour of 4:00 O'clock PM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR