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A 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) and Statement of Benefits Real Estate Improvements (Form CF-1/Real Property) for 9138 Bluffton Road, Fort Wayne, Indiana 46809 (Premier Truck Rental/RTT Investments LLC)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 9138 Bluffton Road for Premier Truck Rental/RTT Investments LLC (Confirming Resolution R-56-16) 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 Premier Truck Rental/RTT Investments LLC and approved under Confirming Resolution R-56-16 was for \$2,100,000 in real property improvements and \$205,000 in personal property improvements; and

WHEREAS, construction of the real property improvements and instillation of personal property improvements for Premier Truck Rental/RTT Investments LLC were complete in April 2017; and

WHEREAS, representatives of Premier Truck Rental/RTT Investments LLC have informed the City of Fort Wayne that their application for deduction from assessed valuation of structures in economic revitalization areas (322/RE) and Statement of Benefits (CF-1) for 2018 were not filed in a timely manner; and

WHEREAS, this oversight was an unusual occurrence for Premier Truck Rental/RTT Investments LLC; and

WHEREAS, the Common Council finds that Premier Truck Rental/RTT Investments LLC completed its pledge to construct the real property improvements and install personal property improvements in April 2017; and

WHEREAS, the Common Council acknowledges that Premier Truck Rental/RTT Investments LLC has requested a waiver of noncompliance which the Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3; and

WHEREAS, the Common Council intends that Premier Truck Rental/RTT Investments LLC receive the tax abatement benefits to which they would have been entitled had no non-compliance event occurred, so long as the waiver of non-compliance and the granting of those benefits does not prejudice the City of Fort Wayne; and

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WHEREAS, the Common Council has concluded that granting of the ERA deduction for 2018 payable 2019 tax year would not create a strain on the City of Fort Wayne's fiscal budget; and

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

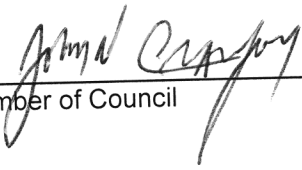
WHEREAS, the non-compliance event has been corrected and a public hearing of the Common Council has been held on the waiver.

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

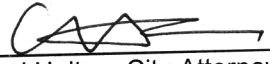
SECTION 1. That, Common Council hereby waives all clerical and technical errors and nonconformities that are waiveable under State and local law, including without limitation those errors and nonconformities described in I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3.

SECTION 2. As authorized by I.C. 6-1.1-12.1-9.5(d), the Common Council will permit Premier Truck Rental/RTT Investments LLC to receive the real property economic revitalization area deductions for 2018 payable 2019 under Confirming Resolution R-56-16. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage, and instructed to apply the deduction amounts in accordance with this schedule. This resolution shall have no effect on the assessed value, tax abatement deductions or taxes payable with respect to Premier Truck Rental/RTT Investments LLC's personal property.

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

Admn. Appr. _____

DIGEST SHEET

TITLE OF RESOLUTION: Resolution Approving a Waiver of Non-compliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures (Form 322/RE) Statement of Benefits Personal Property (CF-1/Real Property) for Premier Truck Rental/RTT Investments LLC.

DEPARTMENT REQUESTING RESOLUTION: Community Development Division

SYNOPSIS OF RESOLUTION: This is to approve a waiver of non-compliance for late-filed real property deduction forms and statement of benefits for Premier Truck Rental/RTT Investments LLC.

EFFECT OF PASSAGE: Approval of this resolution and granting of a waiver of non-compliance will allow Premier Truck Rental/RTT Investments LLC to retain their real property economic revitalization area deductions.

EFFECT OF NON-PASSAGE: Potential loss of future development by Press-Seal Gasket Corporation.

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): John Crawford and Jason Arp

The Journal Gazette

Account # 1063561 - 1336267

Allen County, Indiana

FW City Clerk's Office

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	41

COMPUTATION OF CHARGES

<u>41</u> lines, <u>1</u> column(s) wide equals	
<u>41</u> equivalent lines at <u>\$ 0.460</u> cents per line	\$ 18.86
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	\$ 18.86

DATA FOR COMPUTING COST

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

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

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

<u>8/17/2018</u>	-	-	-
-	-	-	-

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

Donna M. Brotherton

Donna M. Brotherton
Legal Clerk

Date: August 17, 2018

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(RESOLUTION NO. R-18-08-13)**

ON AUGUST 28, 2018, AT 5:30 P.M., IN THE CONFERENCE ROOM 030, CITIZENS SQUARE, FORT WAYNE, INDIANA, A PUBLIC HEARING WILL BE HELD ON THE MATTER OF A WAIVER OF NONCOMPLIANCE WITH THE PROCEDURAL REQUIREMENTS OF I.C. 6-1.1-12.1 RELATING TO THE ECONOMIC REVITALIZATION AREA DESIGNATION OF PROPERTY COMMONLY KNOWN AT:

9138 BLUFFTON ROAD FORT WAYNE, IN 46809 FOR PREMIER TRUCK RENTAL LLC/RTT INVESTMENTS.

THE PUBLIC HEARING ON THE WAIVER WILL BE HELD PURSUANT TO I.C. 6-1.1-12.1-9.5 AND I.C. 6-1.1-12.1-11.3.

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 THE CITY OF FORT WAYNE PUBLIC INFORMATION OFFICE (260) 427-1200 AT LEAST (72) HOURS PRIOR TO THE PUBLIC HEARING.
8--17 1336267 hspaxlp

The Journal Gazette

Account # 1063561 - 1336267

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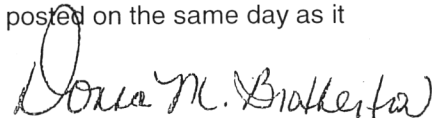
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8--17 1336267 hspaxlp

BILL NO. R-18-08-13

REPORT OF COMMITTEE ON FINANCE

August 28, 2018

John Crawford Chair

Jason Arp Co-Chair

All Council Members

A 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) and Statement of Benefits Real Estate Improvements (Form CF-1/Real Property) for 9138 Bluffton Road, Fort Wayne, Indiana 46809

Premier Truck Rental/RTT Investments LLC

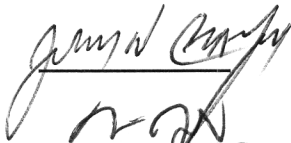

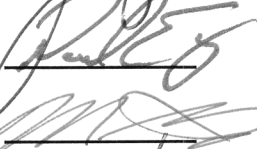


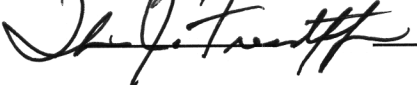
COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

DO NOT PASS

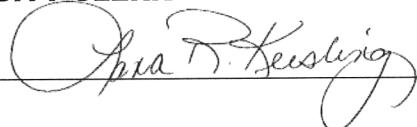
ABSTAIN

NO REC

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LANA R. KEESLING

CITY CLERK



Public Hearing Date: August 28, 2018

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:

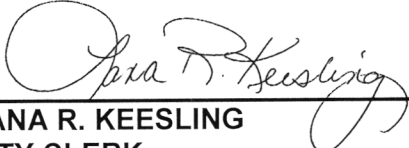
<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: August 28, 2018

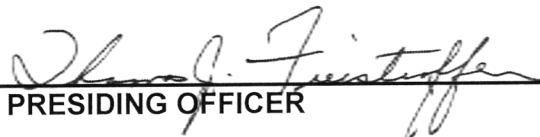
LANA R. KEESLING, CITY CLERK

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

Resolution No. R-18-08-13 on the 28th day of August, 2018



LANA R. KEESLING
CITY CLERK




PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th of August 2018, at the hour of 8:55 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 29th day of August 2018, at the hour of 12:30 O'clock PM E.S.T.



THOMAS C. HENRY, MAYOR

