

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known 7310 Innovation Boulevard, Fort Wayne, Indiana 46818 (All America City Investors, LLC)

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 156 full-time, permanent jobs for a total new, annual payroll of \$4,873,560, with the average new annual job salary being \$31,240 and retain 98 full-time, permanent jobs for a total current annual payroll of \$3,023,216, with the average current, annual job salary being \$30,849; and

WHEREAS, the total estimated project cost is \$1,410,441; and

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

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

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

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2021, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate improvements to be made between November 8, 2018 and February 28, 2019.

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.

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

- 3 (a) If the proposed development does not occur, the approximate current year tax rates
4 for this site would be \$3.4092/\$100.
5 (b) If the proposed development occurs and no deduction is granted, the approximate
6 current year tax rate for the site would be \$3.4092/\$100 (the change would be
7 negligible).
8 (c) If the proposed development occurs, and a deduction percentage of fifty percent
9 (50%) is assumed, the approximate current year tax rate for the site would be
10 \$3.4092/\$100 (the change would be negligible).

11 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from
12 the assessed value of the real property shall be for a period of seven years.

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

Year of Deduction	Percentage
1	100%
2	85%
3	71%
4	57%
5	43%
6	29%
7	14%
8	0%

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

19 **SECTION 9.** For real property, a deduction application must contain a performance
20 report showing the extent to which there has been compliance with the Statement of Benefits
21 form approved by the Fort Wayne Common Council at the time of filing. This report must be
22 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
23 Development Division and must be included with the deduction application. For subsequent
24 years, the performance report must be updated each year in which the deduction is applicable at
25 the same time the property owner is required to file a personal property tax return in the taxing
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27
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1 district in which the property for which the deduction was granted is located. If the taxpayer does
2 not file a personal property tax return in the taxing district in which the property is located, the
3 information must be provided by May 15.

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

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

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

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

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

24 
25 _____
26 Member of Council

27 APPROVED AS TO FORM A LEGALITY

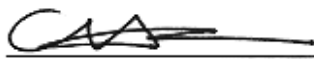
28 
29 _____
30 Carol Helton, City Attorney

Exhibit 1

Construction of significant real estate improvements to the interior of the building leased to Hoffmaster Group, Inc. together with some exterior improvements, to wit: structural improvements to the building, dock area renovation and extension, new concrete pads for semi-trailer parking, replacement of windows and doors, new cabinetry, locker room renovations, new flooring, installation of acoustical ceiling, wall painting, new lighting, installation of fire protection features, HVAC and plumbing work, electrical work, security and IT fiber installation, asphalt paving for parking areas and docks, and landscaping. Hoffmaster Group, Inc. (taxpayer's tenant) will be occupying 111,750 square feet of the approximate 294,000 square foot building. All such improvements will be made because of and in connection with taxpayer's underlying lease with Hoffmaster Group, Inc.

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in the Northwest One-quarter of Section 15, Township 31 North, Range 12 East and in the Northeast One-quarter of Section 16, Township 31 North, Range 12 East, Allen County, Indiana and more particularly described as follows, to wit:

Commencing at the Southeast corner of the Northeast One-quarter of Section 16, Township 31 North, Range 12 East, also being the Southwest corner of the Northwest One-quarter of Section 15, Township 31 North, Range 12 East as now established by the Allen County Surveyor's reference monuments; thence North 89 degrees 21 minutes East along the South line of the Northwest One-quarter of Section 15 a distance of 7.70 feet to a point on the West right of way line of the Grand Rapids & Indiana Railroad; thence North 0 degrees 04 minutes 40 seconds West along said West right of way line a distance of 1,641.10 feet to the point of beginning. Beginning at the above described point; thence North 0 degrees 04 minutes 40 seconds West along the West right of way line of the Grand Rapids & Indiana Railroad a distance of 960.0 feet to an iron pin set on the South right of way of Cook Road as dedicated in Document #83-026073 recorded in the Allen County Recorder's Office; thence North 90 degrees 00 minutes West along said South right of way line and 40 feet South of the North line of said Northeast One-quarter a distance of 739.95 feet; thence on a curve to the left having a radius of 40.0 feet, an arc length of 62.89 feet and subtended by a chord of 56.61 feet bearing South 44 degrees 57 minutes 40 seconds West; thence South 0 degrees 04 minutes 40 seconds East a distance of 919.95 feet to an iron pin set; thence North 90 degrees 00 minutes East a distance of 780.0 feet to the point of beginning, said in previous deed to contain 17.182 acres of land, more or less.

ALSO:

Lot 17 Summit Park Addition to the City of Fort Wayne, Indiana as recorded in Plat Record 48, pages 1-5 in the Office of the Recorder of Allen County, Indiana.

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for All America City Investors, LLC for eligible real property improvements in the amount of \$1,410,441. All America City Investors, LLC will renovate 111,750 square feet of commercial space to lease to Hoffmaster Group, Inc.**

EFFECT OF PASSAGE: **Investment of \$1,410,441 and creation of 156 new full-time positions with an annual payroll of \$4,873,560 and retention of 98 full-time positions with an annual payroll of \$3,023,216.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, 156 new full-time positions with an annual payroll of \$4,873,560 and retention of 98 full-time positions with an annual payroll of \$3,023,216.**

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 - 1345379

Allen County, Indiana

FW City Clerk's Office

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 **53**

COMPUTATION OF CHARGES

53 lines, 1 column(s) wide equals _____

53 equivalent lines at \$ 0.460 cents per line \$ **24.38**

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 \$ 24.38

DATA FOR COMPUTING COST

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

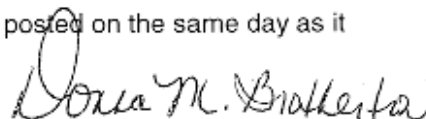
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

11/24/2018

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: November 24, 2018

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING
RESOLUTION NO. R-18-11-38**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON DECEMBER 11, 2018, 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 A PROPERTY COMMONLY KNOWN AS:

7310 Innovation Boulevard,
Fort Wayne, Indiana 46819
All America City Investors, LLC

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY DECEMBER 11, 2018.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2018.

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

11-24 1345379 hspaxlp

The Journal Gazette

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<u>53</u> equivalent lines at \$ <u>0.460</u> cents per line	\$ 24.38
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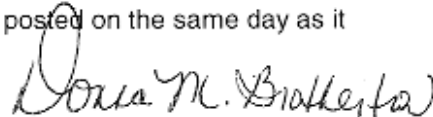
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LANA R. KEESLING
CITY CLERK

11-24 1345379 hspaxlp

BILL NO. R-18-11-38

REPORT OF COMMITTEE ON FINANCE

December 11, 2018

John Crawford Chair

Jason Arp 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 7310 Innovation Boulevard, Fort Wayne, Indiana 46818

All America City Investors, 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

John Crawford
Jason Arp

[Signature]

[Signature]
[Signature]
[Signature]

**LANA R. KEESLING
CITY CLERK**

Lana R. Keesling

Public Hearing Date: 12/11/2018


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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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: December 11, 2018


LANA R. KEESLING, CITY CLERK

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

Resolution No. R-18-11-38 on the 11th day of December, 2018


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th
of December 2018, at the hour of 10:15 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of December

2018, at the hour of 8:00 O'clock AM . E.S.T.

FORT WAYNE, INDIANA
RECEIVED

DEC 13 2018

LANA R. KEESLING
CITY CLERK


THOMAS C. HENRY, MAYOR