

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8611 Avionics Drive Fort Wayne, Indiana 46809 (GH Land Company, 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 result in a speculative building 150,000 square feet in size; and

WHEREAS, the total estimated project cost is \$7,681,050; and

WHEREAS, projects involving the redevelopment or rehabilitation of a speculative building are eligible to receive a ten-year phase-in without adhering to the City’s Review System; 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 April 1, 2019 and December 31, 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.

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

- 1 (a) If the proposed development does not occur, the approximate current year tax rates
 2 for this site would be \$3.5479/\$100.
- 3 (b) If the proposed development occurs and no deduction is granted, the approximate
 4 current year tax rate for the site would be \$3.5479/\$100 (the change would be
 5 negligible).
- 6 (c) If the proposed development occurs, and a deduction percentage of fifty percent
 7 (50%) is assumed, the approximate current year tax rate for the site would be
 8 \$3.5479/\$100 (the change would be negligible).

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

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

Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%
11	0%

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

16 **SECTION 9.** For real property, a deduction application must contain a performance
 17 report showing the extent to which there has been compliance with the Statement of Benefits
 18 form approved by the Fort Wayne Common Council at the time of filing. This report must be
 19 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
 20 Development Division and must be included with the deduction application. For subsequent
 21 years, the performance report must be updated each year in which the deduction is applicable at

1 the same time the property owner is required to file a personal property tax return in the taxing
2 district in which the property for which the deduction was granted is located. If the taxpayer does
3 not file a personal property tax return in the taxing district in which the property is located, the
4 information must be provided by May 15.

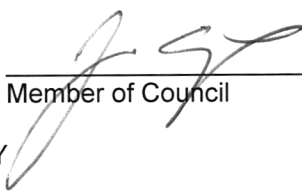
5 **SECTION 10.** The performance report must contain the following information

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

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

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

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

25 
26 _____
27 Member of Council

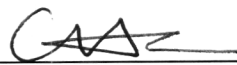
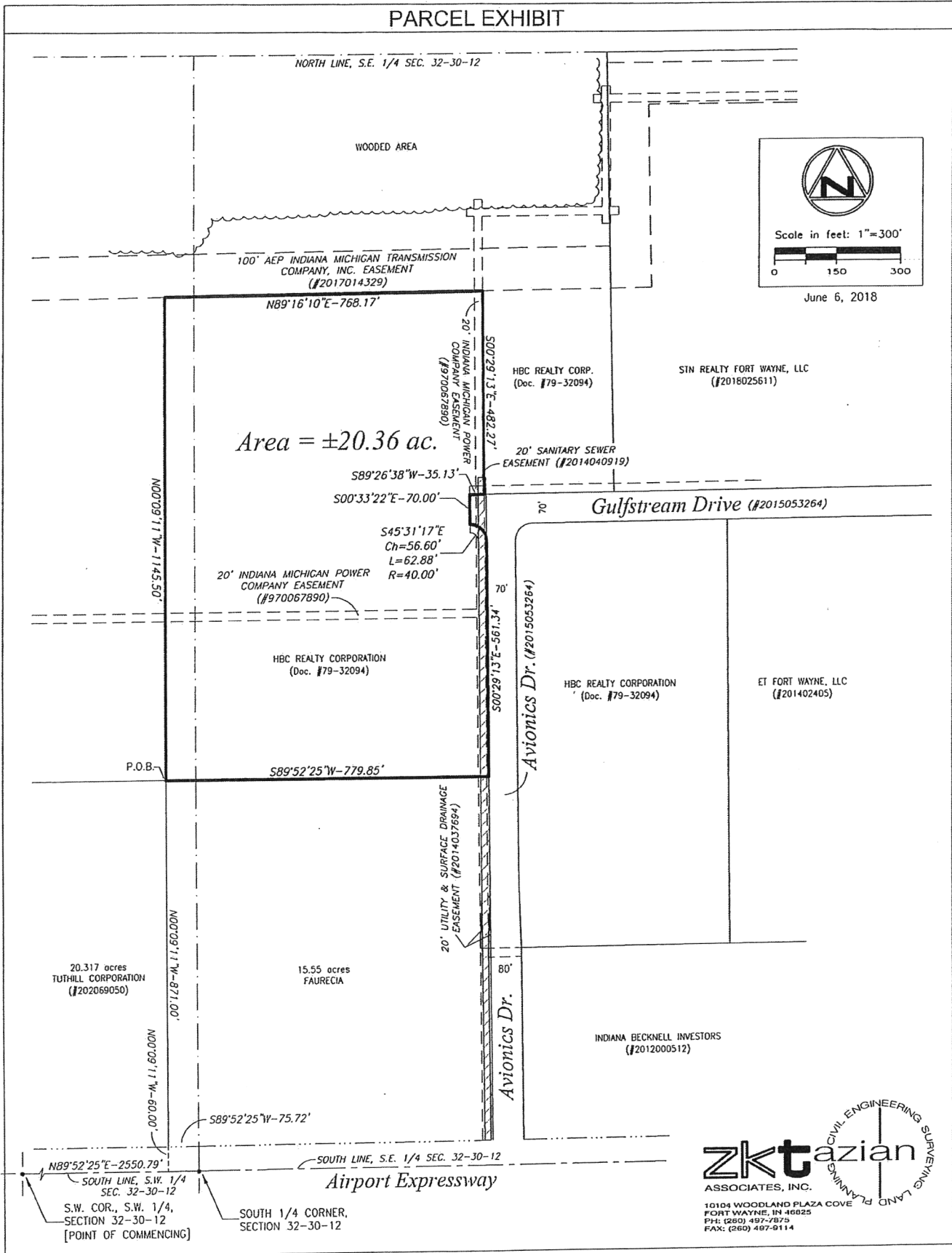
28 APPROVED AS TO FORM A LEGALITY
29 
30 _____
Carol Helton, City Attorney

EXHIBIT A



Part of the Southwest and Southeast Quarters of Section 32, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter of said Section 32, Township 30 North, Range 12 East; thence North 89 degrees 52 minutes 25 seconds East, along the South line of said Southwest Quarter and within the right-of-way of Airport Expressway, a distance of 2550.79 feet; thence North 00 degrees 09 minutes 11 seconds West, a distance of 60.00 feet to the Northerly right-of-way line of Airport Expressway and the Southeast corner a 20.317 acre tract of land conveyed to Tuthill Corporation by deed recorded in Document Number 202069050; thence North 00 degrees 09 minutes 11 seconds West, along the Easterly line of said 20.317 acre tract, a distance of 871.00 feet to the Northeast corner thereof, this being the Point of Beginning; thence North 00 degrees 09 minutes 11 seconds West, along the Northerly extension of the Easterly line of said 20.317 acre tract, a distance of 1145.50 feet to the Southerly line of a 100 foot wide AEP easement recorded in Document Number 2017014329 in the Office of the Recorder of Allen County, Indiana; thence North 89 degrees 16 minutes 10 seconds East, along said Southerly line, a distance of 768.17 feet to the Easterly line of a 20 foot wide Indiana Michigan Power Company easement recorded in Document Number 970067890 in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 29 minutes 13 seconds East, along said Easterly line, a distance of 482.27 feet to a point on the Northerly line of the right-of-way granted for Gulfstream Drive and Avionics Drive recorded in Document Number 2015053264 in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 26 minutes 38 seconds West, along said Northerly right-of-way line, a distance of 35.13 feet; thence South 00 degrees 33 minutes 22 seconds East, along the Westerly right-of-way line of Gulfstream Drive and Avionics Drive, a distance of 70.00 feet; thence Southerly, continuing along said Westerly right-of-way line, along a curve to the right having a radius of 40.00 feet, not tangent to the last course, an arc distance of 62.88 feet, being subtended by a chord having a length of 56.60 feet and a bearing of South 45 degrees 31 minutes 17 seconds East; thence South 00 degrees 29 minutes 13 seconds East, continuing along said Westerly right-of-way line, a distance of 561.34 feet; thence South 89 degrees 52 minutes 25 seconds West, a distance of 779.85 feet to the Point of Beginning, containing 20.36 acres of land, subject to and/or together with all easements of record.

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 GH Land Company, LLC for eligible real property improvements in the amount of \$7,681,050. GH Land Company, LLC will build a 150,000 square foot speculative building that could be expanded to up to 240,000 square feet for an end user.**

EFFECT OF PASSAGE: **Investment of \$7,681,050 and a new 150,000 square foot speculative building.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and new speculative building.**

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 - 1349252

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 \$ 0.473 cents per line \$ 25.07

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 \$ 25.07

DATA FOR COMPUTING COST

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

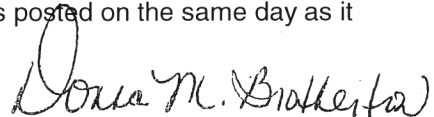
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

1/11/2019 - - -
- - -

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: January 11, 2019

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING
RESOLUTION NO. R-19-01-06**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 22, 2019, 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:

8611 Avionics Drive
Fort Wayne, Indiana 46809
GH Land Company, LLC

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON TUESDAY JANUARY 22, 2019.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2019.

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

1--11 1349252 hspaxlp

The Journal Gazette

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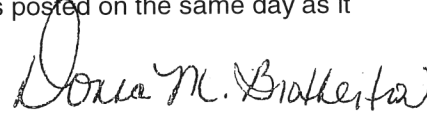
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LANA R. KEESLING
CITY CLERK
1--11 1349252 hspaxlp

BILL NO. R-19-01-06

REPORT OF COMMITTEE ON FINANCE

January 22, 2019

Jason Arp Chair


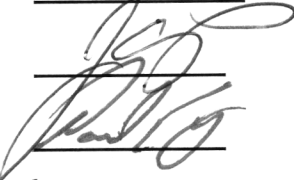


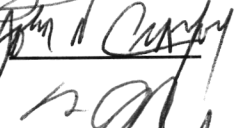
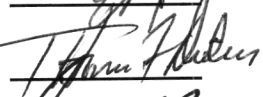

Russ Jehl Co-Chair

All Council Members

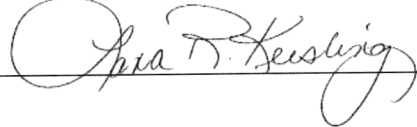
A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 8611 Avionics Drive Fort Wayne, Indiana 46809

GH Land Company, LLC

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: 01/22/2019

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

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

Read the third time in full and on motion by Councilman Arp, 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: January 22, 2019



 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-19-01-06 on the 22nd day of January, 2019



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd of January 2019, at the hour of 9:00 o'clock A.M. E.S.T.

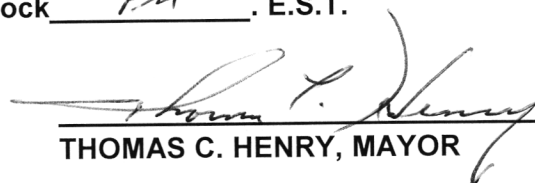


 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 23RD day of January

2019, at the hour of 1:00 o'clock PM E.S.T.

FORT WAYNE, INDIANA
RECEIVED
JAN 23 2018
 LANA R. KEESLING
 CITY CLERK



 THOMAS C. HENRY, MAYOR