

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 6708 Old Trail Road Fort Wayne, Indiana 46809 (Waynedale Ventures, LLC/H&H Leasing, 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, the total estimated project cost is \$500,000; 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 September 1, 2018 and April 30, 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:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$3.4283/\$100.

1 (b) If the proposed development occurs and no deduction is granted, the approximate
2 current year tax rate for the site would be \$3. 4283/\$100 (the change would be
3 negligible).

4 (c) If the proposed development occurs, and a deduction percentage of fifty percent
5 (50%) is assumed, the approximate current year tax rate for the site would be \$3.
6 4283/\$100 (the change would be negligible).

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

9 **SECTION 7.** The deduction schedule from the assessed value of the real property
10 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%

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

24 **SECTION 9.** For real property, a deduction application must contain a performance
25 report showing the extent to which there has been compliance with the Statement of Benefits
26 form approved by the Fort Wayne Common Council at the time of filing. This report must be
27 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
28 Development Division and must be included with the deduction application. For subsequent
29 years, the performance report must be updated each year in which the deduction is applicable at
30 the same time the property owner is required to file a personal property tax return in the taxing
district in which the property for which the deduction was granted is located. If the taxpayer does

1 not file a personal property tax return in the taxing district in which the property is located, the
2 information must be provided by May 15.


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

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

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

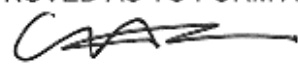
14 **SECTION 12.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has
15 received a deduction under section 3 or 4.5 of this chapter may be required to repay the
16 deduction amount as determined by the county auditor in accordance with section 12 of said
17 chapter if the property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

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

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Member of Council

APPROVED AS TO FORM A LEGALITY

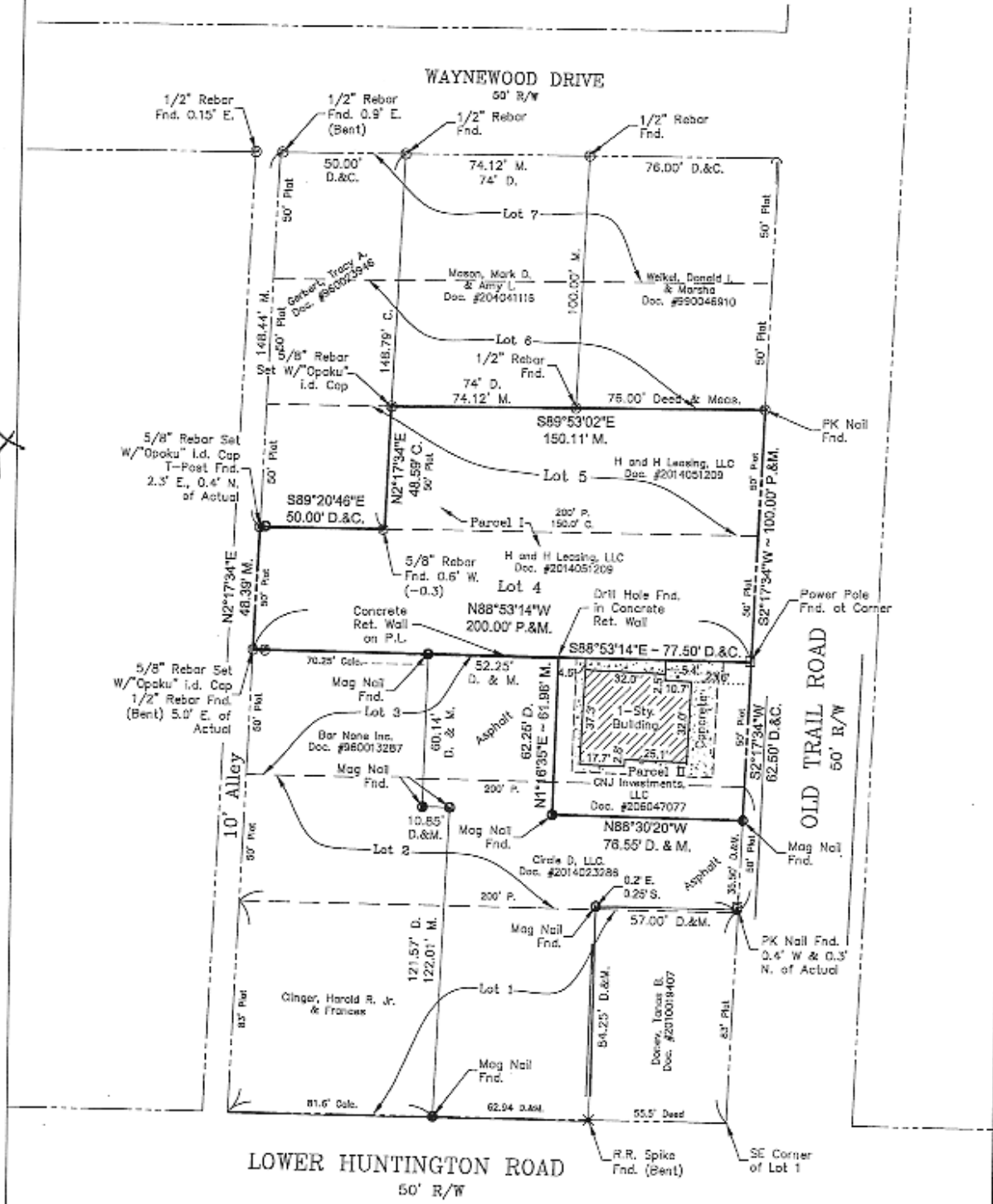


Carol Helton, City Attorney

CERTIFICATE OF SURVEY

The undersigned Land Surveyor, registered under the laws of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted below. Measurements were made and monuments perpetuated as shown, in conformance with the record thereof in the office of the recorder of Allen County, Indiana. No encroachments existed. The description of the real estate is as follows, to wit: See Attached

Exhibit A



LOWER HUNTINGTON ROAD
50' R/W



Parcel I = 0.40 Acres
Parcel II = 0.11 Acres
Total = 0.51 Acres

For: H and H Leasing, LLC
Job No. 14100141
Date of Fieldwork: October 31, 2014

IN WITNESS WHEREOF, I HERETO PLACE MY HAND AND SEAL THIS 10TH DAY OF NOVEMBER, 2014.
I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 IAC, Article 1, Rule 12, Section 1 thru 30.



Nana A. Opoku
Nana A. Opoku
Registered Land Surveyor 21200012

RECORD DESCRIPTION

Parcel I (Document Number 2014051209)

Lot Number 4 in Elzey's Third Addition to the Original Plat of Waynedale and Lot Number 5 in Elzey's Third Addition to the Original Plat of Waynedale, except 50 feet of even width off the West end thereof, according to the recorded plat thereof in the Office of the Recorder of Allen County, Indiana.

Parcel II (Document Number 206047077)

Parts of Lots Numbered and 3 in Elzey's Third Addition to the Original Plat of Waynedale, as recorded in Plat Record 11, page 12, and more particularly described as follows:

BEGINNING at the Northeast corner of Lot Number 3, in Elzey's Third Addition to the Original Plat of Waynedale; thence Southerly along the East line of Lots Numbered 2 and 3 in said Addition a distance of 62.50 feet; thence Westerly a distance of 76.55 feet; thence Northerly a distance of 62.25 feet to a point on the North line of Lot Number 3 in said Addition; thence Easterly along the North line of said Lot Number 3 a distance of 77.5 feet to the point of beginning, together with the following ingress and egress easement:

An ingress and egress easement over a portion of Lots #2 and 3 in Elzey's Third Addition to the Original Plat of Waynedale and more particularly described as follows:

Commencing at the Northeast corner of Lot #3 in Elzey's Third Addition to the Original Plat of Waynedale; thence South along the East line of Lot #3 and 2 in said Addition a distance of 62.5 feet to the point of beginning.

Beginning at the above described point; thence Westerly a distance of 76.55 feet along the Southern boundary of the above-described real estate; thence South 20 feet; thence East 76.55 feet parallel to the North line of this easement; thence North 20 feet, more or less to the point of beginning.

**Surveyor's Report ~ Lot 4 and Part of Lots 2, 3, & 5 in Elzey's Third Addition to the
Original Plat of Waynedale**

SURVEYOR'S REPORT

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the following opinion is submitted regarding the various uncertainties in the locations of the lines and corners established on this parcel as a result of:

a) Variances in the reference monuments; b) Discrepancies in the record descriptions and plats; c) Inconsistencies in lines of occupation; d) Relative Positional Accuracy;

An electronic total station and data collector were used to collect data for physical location of pavement and lot corner monumentation was accomplished employing the total station using standard radial surveying techniques and dual GPS receivers. The bearing used as basis for this survey was derived by dual frequency GPS receivers connected to INDOT CORS Network.

INTENT: To retrace Lot 4 and parts of Lots 2, 3, & 5 in Elzey's Third Addition to the Original Plat of Waynedale; as described in Document Number 206047077 and 2014051209 all in the Office of the Recorder of Allen County, Indiana.

OCCUPATION: Shown on plat.

MONUMENTS FOUND: Found monuments, record descriptions, and recorded plat were used to establish the subject tract. Existing Lot corners were found as noted, corners not found were set as noted.

AMBIGUITIES: None

VARIATIONS:

Dimensions shown as Meas. (measured) were made by inverting between found monuments. Dimensions shown as Calc. (calculated) were developed with the intent to maintain the geometric relationship of the deed description in correlation to the monuments found.

As a result of the above findings, it is my opinion that the uncertainties in the locations of the lines and corners of this surveyed parcel are as follows:

Due to Variances in reference monuments	See Certificate of Survey
Due to Discrepancies in the record descriptions:	none
Due to Inconsistencies in lines of occupation:	none

The calculated Relative Positional Accuracy due to random errors in measurement of the corners of this survey is within the specifications for a Suburban Survey as defined in IAC 865.

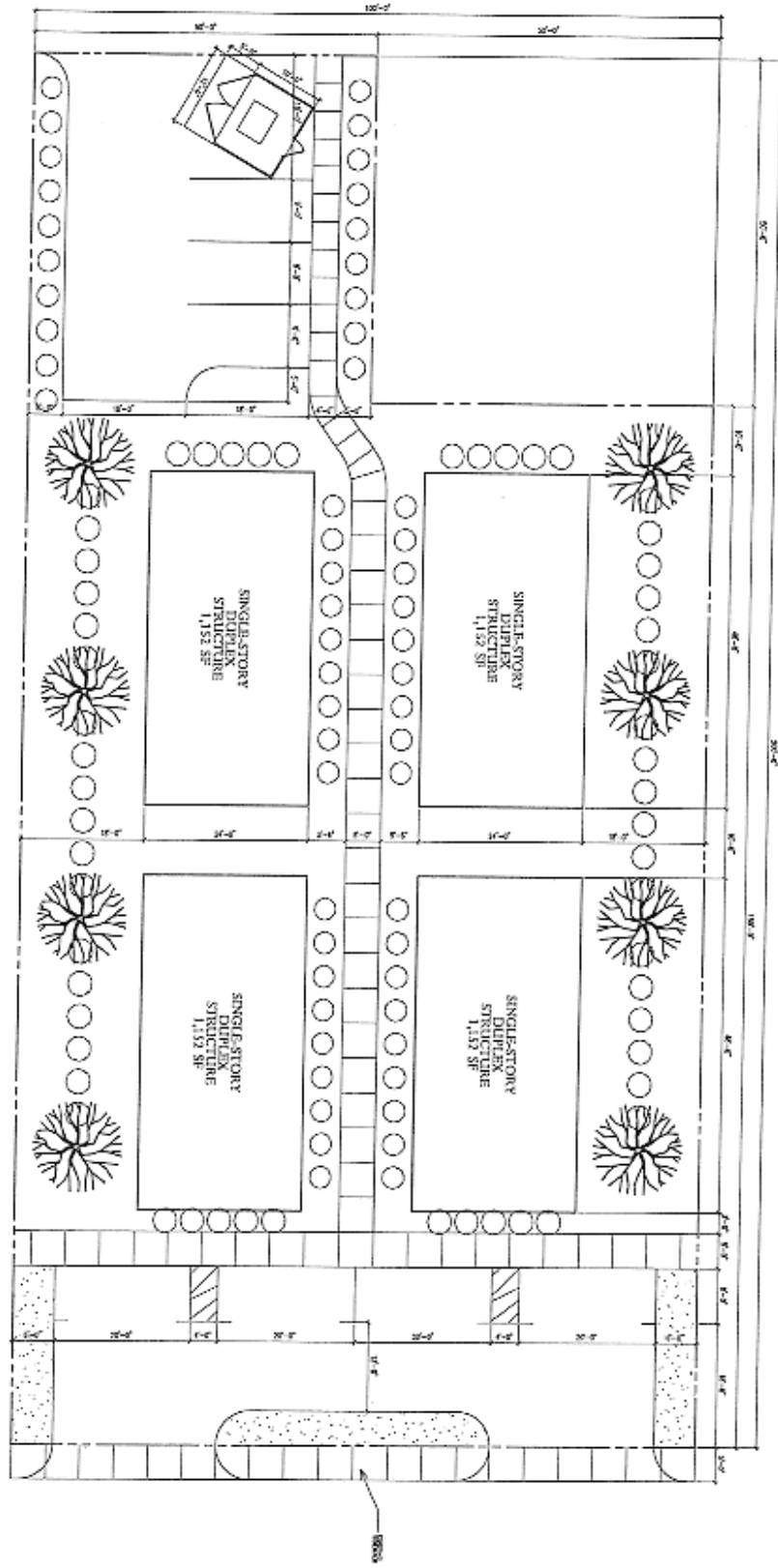
REFERENCES:

The opinion of this survey is based on the evidence extant at the date of this survey. A commitment for title insurance was not provided to this surveyor at the time of this report. An abstract or title search may reveal additional information affecting the property.

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

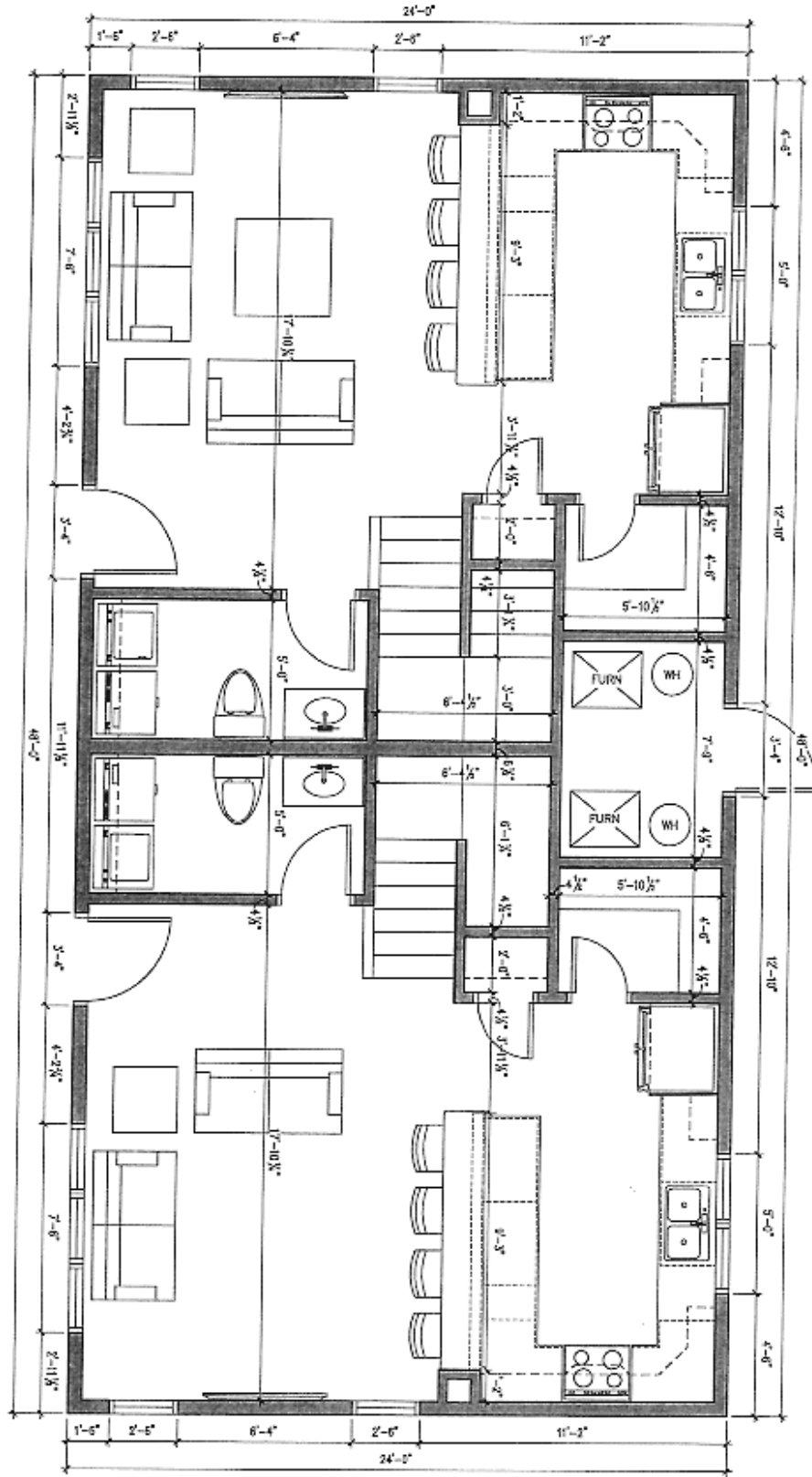
Survey No. 14100141
APEX Consulting & Surveying
October 31, 2014

Page 2 of 2



ARCHITECTURAL SITE PLAN

<p>AL.1</p>	<p>March 7, 2015 19009</p>	<p>PROJECT 678 OLD TRAIL ROAD DUPLEX DEVELOPMENT</p>	<p>6708 OLD TRAIL ROAD DUPLEX DEVELOPMENT ARCHITECTURAL SITE PLAN</p>	<p>KELTY TAPPY DESIGN, INC. ARCHITECTURE • PLANNING • URBAN DESIGN 11000 Town Dr. 102 116 East Dairy Street Port Wisco, Indiana 46081 Tel: 765 - 414 - 7771 www.keltytappy.com Fax: 765 - 414 - 7772</p>
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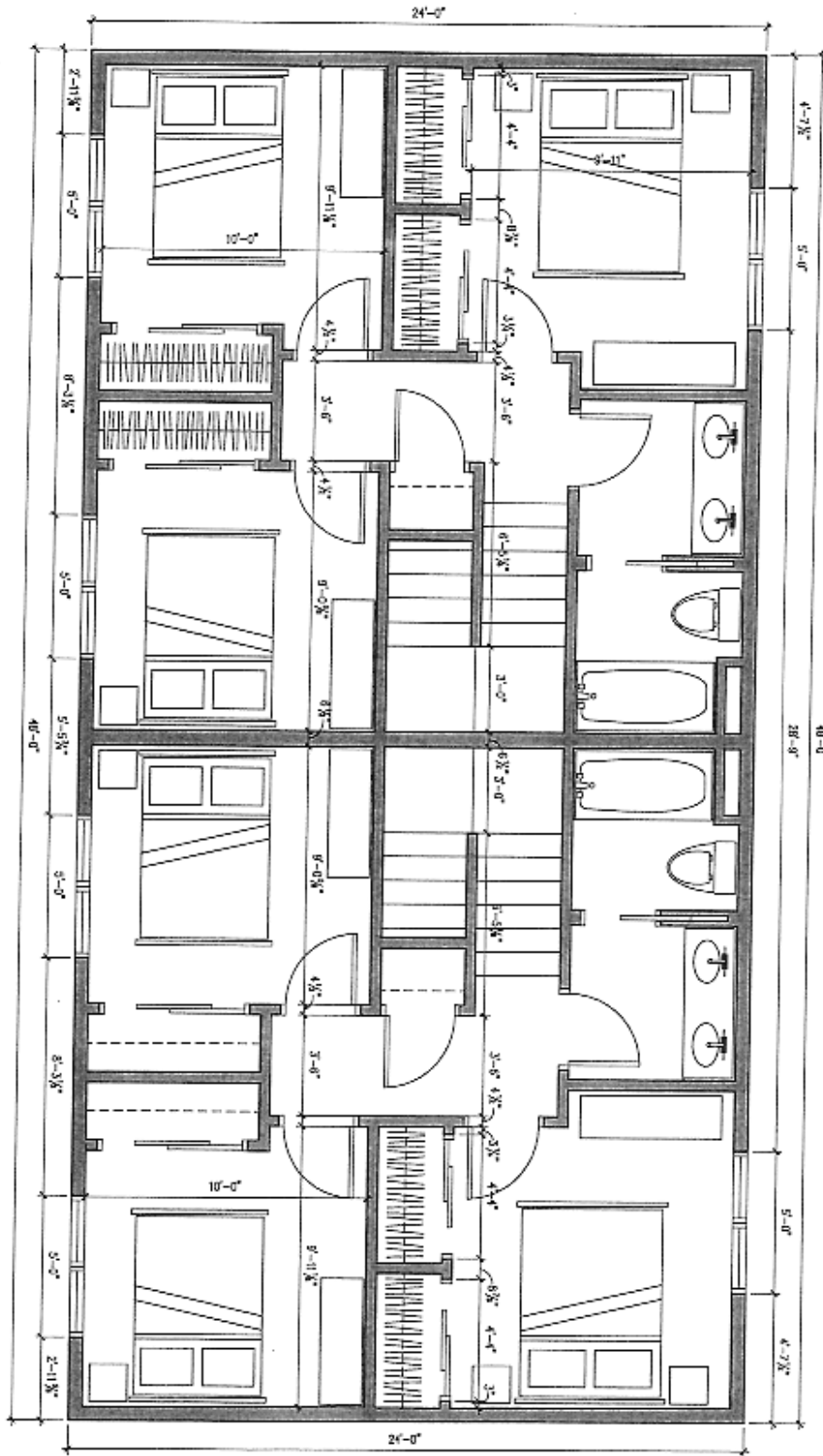


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REV. 25.2019
15029



KELTY TAPPY DESIGN, INC.
 ARCHITECTURE • PLANNING • URBAN DESIGN
 116 West Berry Street
 Fort Myers, Florida 33901
 www.ktd.com
 Tel: 813.432.7772
 Fax: 813.432.7772



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KELTY TAPPY DESIGN, INC.
 ARCHITECTURE • PLANNING • INTERIOR DESIGN
 114 West Tappan Street
 Fort Wayne, Indiana 46822
 Phone: 765.425.7778
 Fax: 765.425.7778

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 Waynedale Ventures, LLC/H&H Leasing, LLC for eligible real property improvements. Waynedale Ventures, LLC/H&H Leasing, LLC will construct four duplex apartment buildings resulting in eight new apartments.**

EFFECT OF PASSAGE: **Investment of \$500,000 and eight new apartments.**

EFFECT OF NON-PASSAGE: **Potential loss of investment.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Russ Jehl and Jason Arp**

The Journal Gazette

Account # 1063561 - 1360889

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

<u>53</u> lines, <u>1</u> column(s) wide equals	
<u>53</u> equivalent lines at \$ <u>0.473</u> 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	\$ <u>25.07</u>

DATA FOR COMPUTING COST

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

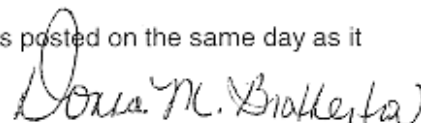
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

5/31/2019

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: May 31, 2019

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING RESOLUTION
NO. R-19-05-39**

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

6708 Old Trail Road Fort Wayne, Indiana 46809 Waynedale Ventures, LLC/H&H Leasing, LLC

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

5--31 1350889 hspaxlp

The Journal Gazette

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Allen County, Indiana

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Legal Clerk

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LANA R. KEESLING
CITY CLERK

5--31 1360889 hspaxlp

BILL NO. R-19-05-39

REPORT OF COMMITTEE ON FINANCE

June 11, 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 6708 Old Trail Road Fort Wayne, Indiana 46809

Waynedale Ventures, LLC/H&H Leasing, LLC

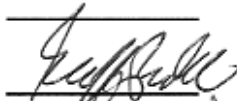
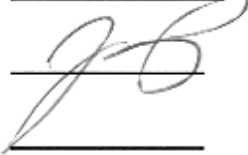
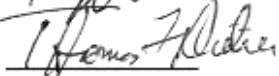

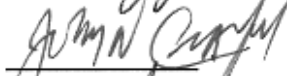




COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

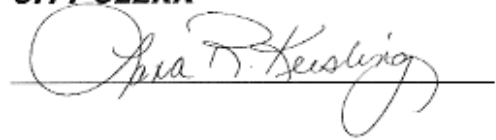
DO NOT PASS

ABSTAIN

NO REC

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

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 06/11/19


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: June 11, 2019



 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-19-05-39 on the 11th day of June, 2019




 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of June 2019, at the hour of 11:40 o'clock A.M. E.S.T.

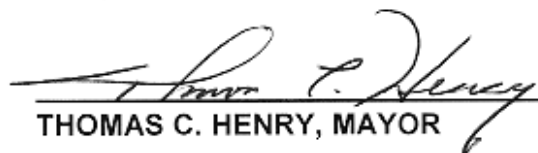


 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13TH day of June

2019, at the hour of 9:00 o'clock AM E.S.T.

FORT WAYNE, INDIANA
RECEIVED
JUN 14 2019
 LANA R. KEESLING
 CITY CLERK



 THOMAS C. HENRY, MAYOR