

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 6400 Brotherhood Way, Fort Wayne, Indiana 46825 (Brotherhood Mutual Insurance Company)

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 100 full-time, permanent jobs for a total additional annual payroll of \$4,830,984, with the average additional, annual job salary being \$48,309 and retain 427 full-time and 14 part-time permanent jobs with a total current payroll of \$28,411,360 ,with the average current, annual salary of \$64,424; and

WHEREAS, the total estimated project cost is \$21,900,000; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning said Resolution; 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 both a deduction of the assessed value of real estate improvements made between August 1, 2019 and December 31, 2020 and personal property for new information technology equipment improvements to be made between August 1, 2019 and December 31, 2023.

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 redevelopment or rehabilitation and estimate of the value of the new information technology equipment, all contained in Petitioner's Statement of Benefits are

1 reasonable and are benefits that can be reasonably expected to result from the proposed
2 described instillation of the new information technology equipment

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

- 5 (a) If the proposed development does not occur, the approximate current year tax rates
6 for this site would be \$3.2934/\$100.
- 7 (b) If the proposed development does occur and no deduction is granted, the
8 approximate current year tax rate for the site would be \$3.2934/\$100 (the change
9 would be negligible).
- 10 (c) If the proposed development occurs, and a deduction percentage of fifty percent
11 (50%) is assumed, the approximate current year tax rate for the site would be
12 \$3.2934/\$100 (the change would be negligible).
- 13 (d) If the real estate and personal property for information technology equipment is not
14 installed, the approximate current year tax rates for this site would be \$3.2934/\$100.
- 15 (e) If the real estate and proposed personal property for information technology
16 equipment is installed and no deduction is granted, the approximate current year tax
17 rate for the site would be \$3.2934/\$100 (the change would be negligible).
- 18 (f) If the real estate and proposed personal property for new information technology
19 equipment is installed and a deduction percentage of eighty percent (80%) is
20 assumed, the approximate current year tax rate for the site would be \$3.2934/\$100
21 (the change would be negligible).

22 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
23 deduction from the assessed value of the real property shall be for a period of ten years, and that
24 the deduction from the assessed value of the new information technology equipment shall be for
25 a period of ten years.

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

28

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

29

30

9	10%
10	5%
11	0%

SECTION 8. The deduction schedule from the assessed value of new personal property information technology equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%
11	0%

SECTION 9. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 10. For personal property, information technology equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division and must be included with the deduction application. For ten subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 11. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in the deduction application. For ten subsequent years, the performance report must be updated each year in which the deduction is applicable at 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 12.** The performance report must contain the following information:

- 4 A. The cost and description of real property improvements and/or purchase of real
5 estate and new personal property for new manufacturing, logistical distribution, and
6 information technology equipment .
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 and/or personal property deductions.
13 F. The tax savings resulting from the real and/or personal property being abated.

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

16 **SECTION 14.** 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 10 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 15.** 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 Member of Council

27 APPROVED AS TO FORM A LEGALITY

28 _____
29 Carol Helton, City Attorney
30

Exhibit A

EXHIBIT "A"

PARCEL 1 - Fee Parcel

Part of the Northeast Quarter of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows: Beginning on the West line of said Northeast Quarter at a point situated 812.6 feet, South 00 degrees, 22 minutes, 40 seconds East from the Northwest corner thereof (bearings in this description are based on a dead bearing of "East" (North 90 degrees, 00 minutes East) for the North line of said Northeast Quarter); thence North 90 degrees, 00 minutes East and parallel to the North line of said Northeast Quarter, a distance of 402.1 feet; thence North 00 degrees, 00 minutes East, a distance of 52.55 feet to the Southwest corner of the right-of-way of Oakbrook Parkway as platted in Oakbrook Office Park, Section "A" as recorded in Plat Book 31, page 105 and 106 in the Office of the Recorder of Allen County, Indiana; thence North 90 degrees, 00 minutes East, on and along the South right-of-way line of said Oakbrook Parkway, a distance of 250.0 feet to the Southeast corner of the right-of-way of said Oakbrook Parkway; thence South 00 degrees, 00 minutes East, on and along the West line of Lot #2 in said Oakbrook Office Park, Section "A", a distance of 228.45 feet to the Southwest corner of said Lot #2, said Southwest corner being on the Northwesterly right-of-way line of a 55 foot-wide service road lying Northerly of and adjacent to the Northwesterly right-of-way line of Interstate Highway #69; thence South 60 degrees, 37 minutes West, on and along the Northwesterly right-of-way line of said service road, a distance of 696.63 feet to the point of intersection of said Northwesterly right-of-way line with the South line of said Northeast Quarter; thence North 83 degrees, 20 minutes West, on and along said South line, a distance of 41.7 feet to the Southwest corner of said Northeast Quarter; thence North 00 degrees, 22 minutes 40 seconds West, on and along the West line of said Northeast Quarter, a distance of 517.2 feet to the point of beginning, containing 5.650 acres of land.

EXCEPTING THEREFROM the following described parcel:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of the said Section 14; thence South 89 degrees 20 minutes East, a distance of 41.7 feet; thence North 60 degrees 37 minutes East, a distance of 673.68 feet to the point of beginning; thence North 00 degrees 00 minutes East, a distance of 239.71 feet; thence North 90 degrees 00 minutes West, a distance of 20.0 feet; thence South 00 degrees 00 minutes West, a distance of 228.45 feet; thence South 60 degrees 37 minutes West, a distance of 22.95 feet to the point of beginning, containing 0.11 acres of land, more or less.

PARCEL 2 - Easement Parcel

Together with appurtenant easements for ingress and egress over and across the following two tracts:

A 50 foot wide Roadway Easement situated in the Northwest Quarter of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, in Allen County, Indiana, in particular described as follows: to-wit: Commence on the North line of the Northwest Quarter of the Southeast Quarter of said Section 14 at a point situated 140.0 feet West of the Northeast corner thereof; thence Southerly on a line normal to the North line of said Quarter Section, a distance of 619.0 feet to a point of curve; thence Southwesterly along a circular curve to the right having a radius of 125 feet and a deflection angle of 30 degrees 00 minutes, an arc distance of 65.45 feet to a point of tangent; thence Southwesterly along said tangent, a distance of 98.15 feet to a point of curve; thence

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19076

Exhibit A

Southwesterly and Westerly along a circular curve to the right having a radius of 125 feet and a delta angle of 50 degrees 00 minutes, an arc distance of 130.9 feet to a point of tangent; thence Westerly along said tangent, a distance of 242.93 feet; thence Southerly by a deflection left of 90 degrees 00 minutes, a distance of 50.0 feet; thence Easterly by a deflection left of 90 degrees 00 minutes, a distance of 242.93 feet to a point of tangent; thence Easterly and Northwesterly along a circular curve to the left having a radius of 175.0 feet and a delta angle of 60 degrees 00 minutes, an arc distance of 181.26 feet to a point of tangent; thence Northwesterly along said tangent, a distance of 98.15 feet to a point of curve; thence Northwesterly along a circular curve to the left having a radius of 175.0 feet and a delta angle of 30 degrees 00 minutes, an arc distance of 91.63 feet to a point of tangent; thence Northerly along said tangent, a distance of 819.0 feet to the North line of said Quarter Section; thence Westerly along the line aforesaid, a distance of 50.0 feet to the point of beginning containing 1.37 Acres, more or less. Except the Ludwig Road upon and over the North 37.5 feet thereof.

ALSO

A Driveway Easement, 50 feet in width, situated in the Northwest Quarter of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, in Allen County, Indiana, and centered on a line hereinafter described as follows, to-wit: To arrive at the point of beginning, commence on the North line of the Northwest Quarter of the Southeast Quarter of said Section 14 at a point situated 90.0 feet West of the Northeast corner thereof; thence Southerly on a line normal to the North line of said Quarter Section, a distance of 618.0 feet to a point of curve; thence Southwesterly along a circular curve to the right having a radius of 175.0 feet and a delta angle of 30 degrees 00 minutes, an arc distance of 91.63 feet to a point of tangent; thence Southwesterly along said tangent, a distance of 98.15 feet to a point of curve; thence Southwesterly along a circular curve to the right having a radius of 175.0 feet and a delta angle of 60 degrees 00 minutes, an arc distance of 91.63 feet to the mid-point of said curve and the point of beginning initially referred to; thence Southwesterly on a line radial to said curve, a distance of 54.9 feet to a point of curve; thence Southwesterly and Northwesterly along a circular curve to the left having a radius of 98.15 feet and a delta angle of 90 degrees 00 minutes, an arc distance of 154.17 feet to a point of tangent; thence Northwesterly along said tangent, a distance of 81.2 feet, more or less, to the East line of the Northwest Quarter of the Southeast Quarter of said Section 14 at a point situated 896.4 feet, more or less, South of the Northeast corner thereof and the terminus of said Easement.

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 Brotherhood Mutual Insurance Company for eligible real and personal property improvements. Brotherhood Mutual Insurance Company will construct an 88,000 square foot addition to the existing facility. Brotherhood Mutual Insurance Company will use this as additional office space for which they will purchase information technology equipment.**

EFFECT OF PASSAGE: **Investment of \$21,900,000, the retention of 427 full-time and 14 part-time permanent jobs with an annual payroll of \$28,411,365 and the creation of 100 new full-time permanent jobs with an annual payroll of \$4,830,984.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 427 full-time and 14 part-time permanent jobs with an annual payroll of \$28,411,365 and the creation of 100 new full-time permanent jobs with an annual payroll of \$4,830,984.**

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 - 1362193

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	54

COMPUTATION OF CHARGES

54 lines, 1 column(s) wide equals	
54 equivalent lines at \$ 0.473 cents per line	\$ 25.54
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	\$ 25.54

DATA FOR COMPUTING COST

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

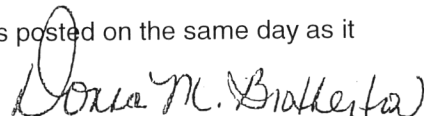
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

6/15/2019

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: June 15, 2019

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING
RESOLUTION NO. R-19-06-12**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 25, 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:

6400 BROTHERHOOD WAY, FORT
WAYNE, INDIANA 46825
BROTHERHOOD MUTUAL
INSURANCE COMPANY

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 25, 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
6--15 1362193 hspaxlp

The Journal Gazette

Account # 1063561 - 1362193

Allen County, Indiana

FW City Clerk's Office

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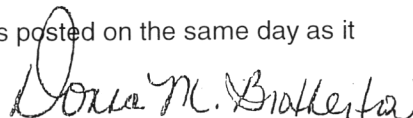
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6/15/2019

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Donna M. Brotherton
Legal Clerk

Date: June 15, 2019

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING
RESOLUTION NO. R-19-06-12**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 25, 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:

6400 BROTHERHOOD WAY, FORT WAYNE, INDIANA 46825
BROTHERHOOD MUTUAL INSURANCE COMPANY

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 25, 2019.

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

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LANA R. KEESLING
CITY CLERK
6--15 1362193 hspaxlp

BILL NO. R-19-06-12

REPORT OF COMMITTEE ON FINANCE

June 25, 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 6400 Brotherhood Way, Fort Wayne, Indiana 46825

Brotherhood Mutual Insurance Company

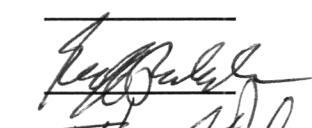

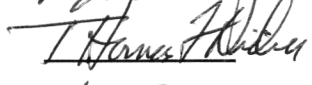
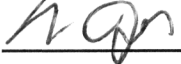
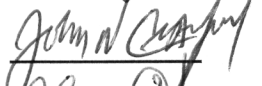

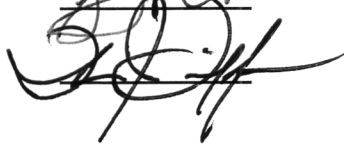

COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

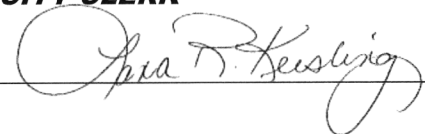
DO NOT PASS

ABSTAIN

NO REC

		_____	_____
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_____	_____	_____	_____

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 06-25-2019

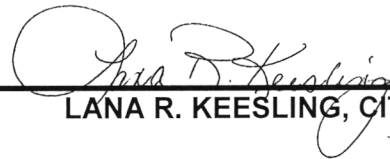
Read the first time in full and on motion by Councilman Arp.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 25, 2019



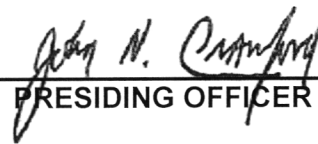
LANA R. KEESLING, CITY CLERK

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

Resolution No. R-19-06-12 on the 25th day of June, 2019

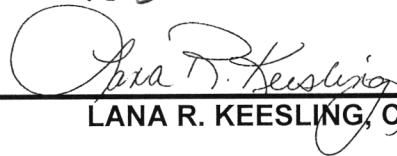


LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

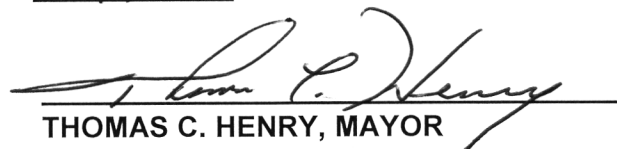
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th of June 2019, at the hour of 10:30 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 4TH day of JULY

2019, at the hour of 11:30 o'clock Am. E.S.T.



THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA

RECEIVED

JUL 05 2019

LANA R. KEESLING
CITY CLERK