

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2102 Reservation Drive, Fort Wayne, Indiana 46809 (Harlow Investments, LLP/Property X, LLC)

WHEREAS, Petitioner has duly filed its petition dated September 14, 2021 to have the following described property designated and declared 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 retain five full-time permanent jobs with a total current payroll of \$130,000,with the average current, annual salary of \$26,000; and

WHEREAS, the total estimated project cost is \$8,500,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

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

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 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 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an "Economic Revitalization Area";
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an "Economic Revitalization Area" for public hearing.

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 the estimated timeframe of July 1, 2022 and July 31, 2024. Should any delays occur, an updated timeframe will be communicated to the Allen County Assessor and Allen County Auditor by Community Development staff in writing.

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

1 the estimate of the value of redevelopment or rehabilitation, all contained in Petitioner's Statement
2 of Benefits, are reasonable and are benefits that can be reasonably expected to result from the
3 proposed described redevelopment or rehabilitation.

4 **SECTION 5.** That in accordance to I.C. 6-1.1-12.1-3(e)(11)(A) the facility is a
5 multifamily facility and will contain at least twenty percent (20%) of the units available for use by
6 low and moderate income individuals.

7 **SECTION 6.** That, the current year approximate tax rates for taxing units within the
8 City would be:

- 9 (a) If the proposed development does not occur, the approximate current year tax rates
10 for this site would be \$3.2648/\$100.
- 11 (b) If the proposed development does occur and no deduction is granted, the approximate
12 current year tax rate for the site would be \$3.2648/\$100 (the change would be
13 negligible).
- 14 (c) If the proposed development occurs and a deduction percentage of fifty percent (50%)
15 is assumed, the approximate current year tax rate for the site would be \$3.2648/\$100
16 (the change would be negligible).

17 **SECTION 7.** That, this Resolution shall be subject to being confirmed, modified and
18 confirmed, or rescinded after public hearing and receipt by Common Council of the above
19 described recommendations and resolution, if applicable.

20 **SECTION 8.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
21 deduction from the assessed value of the real property shall be for a period of three years.

22 **SECTION 9.** The deduction schedule from the assessed value of the real property
23 pursuant to I.C. 6-1.1-12.1-17 shall look like this:

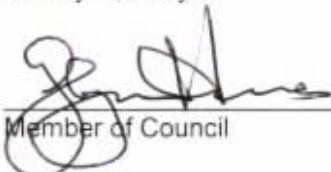
Year of Deduction	Percentage
1	100%
2	66%
3	33%
4	0%

24 **SECTION 10.** That, the benefits described in the Petitioner's Statement of Benefits can
25 be reasonably expected to result from the project and are sufficient to justify the applicable
26 deductions.


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

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

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

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4 
Member of Council

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7 APPROVED AS TO FORM AND LEGALITY

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Carol Helton, City Attorney

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Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Harlow Investments, LLP/Project X, LLC is requesting the designation of an Economic Revitalization Area for eligible real property improvements. Harlow Investments, LLP/Project X, LLC will construct a 150 unit multiple family housing complex.**

EFFECT OF PASSAGE: **Investment of \$8,500,000 and the retention of five full-time permanent jobs with a total annual payroll of \$130,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and the retention of five full-time permanent jobs with a total annual payroll of \$130,000.**

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

ASSIGNED TO COMMITTEE (PRESIDENT): **Jason Arp and Glynn Hines**

MEMORANDUM



To: City Council
FROM: Carman Young, Economic Development Specialist
DATE: September 22, 2021
RE: Request for designation by Harlow Investments, LLP/Property X, LLC as an ERA for real property improvements.

BACKGROUND

PROJECT ADDRESS: 2102 Reservation Drive	PROJECT LOCATED WITHIN:	N/A
PROJECT COST: \$8,500,000	COUNCILMANIC DISTRICT:	4

COMPANY PRODUCT OR SERVICE:	Harlow Investments, LLP/Property X, LLC is a developer of affordable housing.
PROJECT DESCRIPTION:	Harlow Investments, LLP/Property X, LLC will construct a multiple family housing complex consisting of approximately 150 one to three bedroom units with 20% of the units being made available to low to moderate income.

CREATED

RETAINED

JOB'S CREATED (FULL-TIME):	0	JOB'S RETAINED (FULL-TIME):	5
JOB'S CREATED (PART-TIME):	0	JOB'S RETAINED (PART-TIME):	0
TOTAL NEW PAYROLL:	0	TOTAL RETAINED PAYROLL:	\$130,000
AVERAGE SALARY (FULL-TIME NEW):	0	AVERAGE SALARY (FULL-TIME RETAINED):	\$26,000

COMMUNITY BENEFIT REVIEW

Yes No N/A

Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

Explain: Parcels for this project are currently undeveloped.

Yes No N/A

Real estate to be designated is consistent with land use policies of the City of Fort Wayne?

Explain: Property to be designated is zoned RP, Residential Planned. Use of this property is consistent with the land use policies of the City of Fort Wayne.

Yes No N/A

Project encourages the improvement or replacement of a deteriorated or obsolete structure?

Explain: Project will result in a 150 unit multiple family housing complex.

Yes No N/A

Project encourages the improvement or replacement of obsolete manufacturing and/or research and development and/or information technology and/or logistical distribution equipment?

Yes No N/A

Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

Yes No N/A

Project encourages preservation of a historically or architecturally significant structure?

Yes No N/A

Construction will result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes No N/A

Construction will use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Yes No N/A

ERA designation induces employment opportunities for Fort Wayne area residents?

Explain: Five full-time positions will be retained with an annual payroll of \$130,000.Yes No N/A

Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

POLICY

Per the policy of the City of Fort Wayne, the following guidelines apply to this project:

1. The period of deduction for real property improvements is three years.

Under Fort Wayne Common Council's tax abatement policies and procedures, Harlow Investments, LLP/Property X, LLC is eligible for a recommended three year deduction real property improvements. Attached is a calculation of property taxes saved/paid with the deduction.

PREVIOUSLY APPROVED PHASE-INS

The developer submitting this application has previously been approved for a tax phase-in for real property improvements under Waynedale Ventures, LLC/H&H Leasing, LLC for an eight unit development located at 6708 Old Trail Road. This project is located in an economic development target area.

Signed:



Economic Development Specialist

**FORT WAYNE COMMUNITY DEVELOPMENT DIVISION
TAX ABATEMENT - ESTIMATE OF SAVINGS**

*New tax abatement percentages have been changed to reflect change in state law

Harlow Investments, LLP/Property X, LLC

REAL PROPERTY TAX ABATEMENT - 3 yr Schedule

Year	Cash Value	True Tax Value	Assessed Value	Abatement %	Tax				Tax Rate	Tax Paid	Tax Saved
					Tax Paid %	Deduction	Taxable AV	Tax Paid			
1	\$8,500,000	\$8,500,000	\$8,500,000	100%	0%	\$8,500,000	\$0	0.032648	\$0	\$277,508	
2	\$8,500,000	\$8,500,000	\$8,500,000	66%	14%	\$5,610,000	\$1,190,000	0.032648	\$38,851	\$183,155	
3	\$8,500,000	\$8,500,000	\$8,500,000	33%	29%	\$2,805,000	\$2,465,000	0.032648	\$80,477	\$91,578	
4	\$8,500,000	\$8,500,000	\$8,500,000	0%	43%	\$0	\$3,655,000	0.032648	\$119,328	\$0	
TOTAL TAX SAVED REAL PROPERTY (3 yrs on 3 yr deduction)										\$552,241	
TOTAL TAX PAID REAL PROPERTY (3 yrs on 3 yr deduction)										<u>\$238,657</u>	

NOTE: Above calculations assume a constant tax rate over the abatement period. Time value of money is not considered.

Real Property Abatements

Tax Abatement Review System

Harlow Investments, LLP/Property X, LLC

Points Possible	Points Awarded
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INVESTMENT (30 points possible)

Total new investment in real property (new structures and/or rehabilitation)

Over \$1,000,000	10	10
\$500,000 to \$999,999	8	
\$100,000 to \$499,999	6	
Under \$100,000	4	

Investment per employee (both jobs created and retained)

\$35,000 or more	10	10
\$18,500 to \$34,999	8	
\$6,250 to \$18,499	6	
\$1,250 to \$6,249	4	
less than \$1,249	2	

Estimated local income taxes generated from jobs retained

\$80,000 or more	5	
\$30,000 to \$79,999	4	
\$10,000 to \$29,999	3	
\$5,000 to \$9,999	2	
less than \$5,000	1	1

Estimated local income taxes generated from jobs created
(Double points for start-up)

\$30,000 or more	5	
\$10,000 to \$29,999	4	
\$5,000 to \$9,999	3	
\$3,000 to \$4,999	2	
less than \$3,000	1	

ECONOMIC BASE (20 points possible)

Location Quotient in designated Occupation Code
(use majority Occupation Code of all created and retained jobs)

Greater than 1.0	5	
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Estimated Percent of Business done outside

Allen County		
Greater than 75%	15	
50% to 74%	10	
25% to 49%	5	

JOBS (20 points possible)

Total number of permanent jobs retained

Over 250	10	
100 to 249	8	
50 to 99	6	
25 to 49	4	
10 to 24	2	
1 to 9	1	1

Total number of permanent jobs created (Double for start-up)

Over 100	10	
50-99	8	
25-49	6	
10-24	4	
1 to 9	2	

WAGES (20 points possible)

Median salary of the jobs created and/or retained

Over \$47,999	20	
\$43,000 to \$47,999	16	
\$38,000 to \$42,999	12	
\$33,000 to 37,999	8	
\$28,000 to \$32,999	4	
under \$28,000	0	

BENEFITS (10 points possible)

Major Medical Plan	7
Pension, Tuition Reimbursement, Life Insurance, Dental Insurance, Disability Insurance,	3

SUSTAINABILITY

Construction uses green building techniques (ie LEED Certification)	5
Construction uses techniques to minimize impact on Combined Sewer Overflows (CSOs)	5

Total 27

Length of Abatement
20 to 39 points - 3 year abatement
40 to 59 points - 5 year abatement
60 to 69 points - 7 year abatement
70 to 100 points - 10 year abatement

* If average annual salary of the full-time jobs created by listed occupation is 10% or greater than the current average salary for Allen County and is eligible for a 7 or 10 year abatement, then the applicant is eligible for an alternate deduction schedule.

Real Property Deduction Schedules	Alternative Deduction Real Property Schedules
10 year	10 Year
Year 1: 100%	Year 1: 100%
Year 2: 95%	Year 2: 100%
Year 3: 80%	Year 3: 100%
Year 4: 65%	Year 4: 100%
Year 5: 50%	Year 5: 100%
Year 6: 40%	Year 6: 90%
Year 7: 30%	Year 7: 80%
Year 8: 20%	Year 8: 65%
Year 9: 10%	Year 9: 50%
Year 10: 5%	Year 10: 40%
Year 11: 0%	
7 year	7 Year
Year 1: 100%	Year 1: 100%
Year 2: 85%	Year 2: 100%
Year 3: 71%	Year 3: 100%
Year 4: 57%	Year 4: 100%
Year 5: 43%	Year 5: 100%
Year 6: 29%	Year 6: 71%
Year 7: 14%	Year 7: 43%
Year 8: 0%	
5 year	
Year 1: 100%	
Year 2: 80%	
Year 3: 60%	
Year 4: 40%	
Year 5: 20%	
Year 6: 0%	
3 year	
Year 1: 100%	
Year 2: 66%	
Year 3: 33%	
Year 4: 0%	



CITY OF FT. WAYNE 12/2019
SEP 14 2021 *CR4*

ECONOMIC REVITALIZATION AREA APPLICATION
CITY OF FORT WAYNE, INDIANA COMMUNICATION DEVELOPMENT

APPLICATION IS FOR: (Check appropriate box(es))

- Real Estate Improvements
- Personal Property Improvements
- Vacant Commercial or Industrial Building

Total cost of real estate improvements: \$8,500,000.00
 Total cost of manufacturing equipment improvements: _____
 Total cost of research and development equipment improvements: _____
 Total cost of logistical distribution equipment improvements: _____
 Total cost of information technology equipment improvements: _____
TOTAL OF ABOVE IMPROVEMENTS: \$8,500,000.00

GENERAL INFORMATION

Real property taxpayer's name: Property X LLC
 Personal property taxpayer's name: _____
 Telephone number: 260-747-3939
 Address listed on tax bill: 3108 Lower Huntington Road
 Name of company to be designated, if applicable: Harlow Investments LLP
 Year company was established: 2011
 Address of property to be designated: 2102 Reservation Drive
 Real estate property identification number: 02-12-34-153-018.002-074 , 02-12-34-153-018.001-074
 Contact person name: Jerad Harlow
 Contact person telephone number: 260-433-1918 Contact email: Jerad@propxllc.com
 Contact person address: 3108 Lower Huntington Road Fort Wayne, IN 46809

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
Jerad Harlow	Member	3108 Lower Huntington Road	260-747-3939
Jeremy Harlow	Member	3108 Lower Huntington Road	260-747-3939

List all persons or firms having ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE
Jerad Harlow	50%
Jeremy Harlow	50%

- Yes No Are any elected officials shareholders or holders of any debt obligation of the applicant or operating business? If yes, who? (name/title) _____
- Yes No Is the property for which you are requesting ERA designation totally within the corporate limits of the City of Fort Wayne?
- Yes No Do you plan to request state or local assistance to finance public improvements?
- Yes No Is the property for which you are requesting ERA designation located in an Economic Development Target Area (EDTA)? (see attached map for current areas)
- Yes No Does the company's business include a retail component? If yes, answer the following questions:
 What percentage of floor space will be utilized for retail activities? _____
 What percentage of sales is made to the ultimate customer? _____
 What percentage of sales will be from service calls? _____

What is the percentage of clients/customers served that are located outside of Allen County? 0 %

What is the company's primary North American Industrial Classification Code (NAICs)? 53110

Describe the nature of the company's business, product, and/or service: Building affordable housing.

Dollar amount of annual sales for the last three years:

Year	Annual Sales
2018	325,000
2019	425,000
2020	625,000

List the company's three largest customers, their locations and amount of annual gross sales:

Customer Name	City/State	Annual Gross Sales

List the company's three largest material suppliers, their locations and amount of annual purchases:

Supplier Name	City/State	Annual Gross Purchases

List the company's top three competitors:

Competitor Name	City/State
Keller Development	Fort Wayne, IN
Yellow Retirement	Fort Wayne, IN

Describe the product or service to be produced or offered at the project site: This project is going to consists of
Roughly 150 units mixed 1-3 bedroom apartments on a 10 acre plot of land.

In order to be considered an Economic Revitalization Area (ERA), the area must be within the corporate limits of the City of Fort Wayne and must have become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. It also includes any area where a facility or group of facilities that are technologically, economically, or energy obsolete is located and where the obsolescence may lead to a decline in employment and tax revenues.

How does the property for which you are requesting designation meet the above definition of an ERA?
This project offers more market rate housing for The city which there is a shortage of.
Lot on which the project is to be built is currently vacant and undeveloped.

REAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value for real property improvements.

Describe any structure(s) that is/are currently on the property: Bare land

Describe the condition of the structure(s) listed above: _____

Describe the improvements to be made to the property to be designated for tax phase-in purposes: This project is Roughly 150 units mixed 1-3 bedroom apartments on a 10 acre plot of land.

Projected construction start (month/year): July 2022

Projected construction completion (month/year): July 2024

Yes No Will construction result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes No Will construction use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Detention Pond

This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance.

Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner's project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.

PERSONAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value of new manufacturing, research and development, logistical distribution or information technology equipment.

List below the equipment for which you are seeking an economic revitalization area designation.

Manufacturing equipment must be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property at the site to be designated. Research and development equipment consists of laboratory equipment, research and development equipment, computers and computer software, telecommunications equipment or testing equipment used in research and development activities devoted directly and exclusively to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products at the site to be designated. Logistical distribution equipment consists of racking equipment, scanning or coding equipment, separators, conveyors, fork lifts or lifting equipment, transitional moving equipment, packaging equipment, sorting and picking equipment, software for technology used in logistical distribution, is used for the storage or distribution of goods, services, or information. Information technology equipment consists of equipment, including software used in the fields of information processing, office automation, telecommunication facilities and networks, informatics, network administration, software development and fiber optics: (use additional sheets, if necessary)

[] Yes [] No Has the above equipment for which you are seeking a designation, ever before been used for any purpose in Indiana? If yes, was the equipment acquired at an arms length transaction from an entity not affiliated with the applicant? [] Yes [] No

[] Yes [] No Will the equipment be leased?
Date first piece of equipment will be purchased (month/year): _____

Date last piece of equipment will be installed (month/year): _____

Please provide the depreciation schedule term for equipment under consideration for personal property tax phase-in:

ELIGIBLE VACANT BUILDING INFORMATION

Complete this section of the application if you are requesting a deduction from the current assessed value of a vacant building

Yes No Has the building for which you are seeking designation for tax phase-in been unoccupied for at least one year? Please provide evidence of occupation. (i.e. certificate of occupancy, paid utility receipts, executed lease agreements)

What year was the structure built? _____

Describe any structure(s) that is/are currently on the property: _____

Describe the condition of the structure(s) listed above: _____

Projected occupancy date (month/year): _____

Describe the efforts of the owner or previous owner in regards to selling, leasing or renting the eligible vacant building during the period the eligible vacant building was unoccupied including how much the building was offered for sale, lease, or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied.

This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance. Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner's project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.

PUBLIC BENEFIT INFORMATION

EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED

ESTIMATE OF EMPLOYEES AND PAYROLL FOR FORT WAYNE
FACILITY REQUESTING ECONOMIC REVITALIZATION AREA DESIGNATION

Please be specific on job descriptions. When listing the occupation codes, please avoid using the "Major Occupational Groupings" (i.e. 11-000, 13-000, 15-000, etc.) which are more general in nature. Instead, use specific occupation codes (i.e. 11-1021, 13-1081, 15-2041 etc) for each created and retained job. To fill out information on occupation and occupation code, use data available through Occupation Employment Statistics for Fort Wayne http://www.bls.gov/oes/current/oes_23060.htm

Any information concerning the cost of the property and specific salaries paid to individual employees is confidential per Indiana Code (I.C. 6-1.1-12.1-5.1)

Current Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll

Retained Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
Office	43-000	2	\$50,000
Construction	47-3019	3	\$80,000

Additional Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll

PUBLIC BENEFIT INFORMATION

Current Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Retained Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Additional Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Check the boxes below if the existing jobs and the jobs to be created will provide the listed benefits:

- | | | |
|--|---|---|
| <input type="checkbox"/> Pension Plan | <input type="checkbox"/> Major Medical Plan | <input type="checkbox"/> Disability Insurance |
| <input type="checkbox"/> Tuition Reimbursement | <input type="checkbox"/> Life Insurance | <input type="checkbox"/> Dental Insurance |

List any benefits not mentioned above: _____

When will you reach the levels of employment shown above? (month/year): 11/2023

REQUIRED ATTACHMENTS

The following must be attached to the application.

1. **Statement of Benefits Form(s) (first page/front side completed)**
2. **Full legal description of property and a plat map identifying the property boundaries. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
3. **Check for non-refundable application fee made payable to the City of Fort Wayne.**

ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed \$1,000
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed \$1,500
ERA filing fee (vacant commercial or industrial building)	\$500
ERA filing fee in an EDTA	\$200
Amendment to extend designation period	\$300
Waiver of non-compliance with ERA filing	\$1,000 + ERA filing fee

4. **Owner's Certificate (if applicant is not the owner of property to be designated) Should be marked as Exhibit B if applicable.**

CERTIFICATION

I, as the legal taxpayer and/or owner, hereby certify that all information and representations made on this application and its attached exhibits are true and complete and that no Improvement Location Permit or Structural Permit have been filed for construction of improvements, the occupation of the vacant building has not taken place and no manufacturing, research and development, logistical distribution or information technology equipment which is a part of this application been purchased and installed as of the date of filing of this application. I also certify that the taxpayer is not delinquent on any and all property tax due to taxing jurisdictions within Allen County, Indiana. I understand that any incorrect information on this application may result in a rescission of any tax phase-ins which I may receive.

I understand that I must file a correctly completed Compliance with Statement of Benefits Form (CF-1/Real Property for real property improvements, CF-1/PP for personal property improvements, and CF-1/VBD for vacant building deduction) and the Public Benefit Annual Update with the City of Fort Wayne Community Development Division in each year in which I receive a deduction. Further the CF-1/PP form must be filed with the county assessor and the CF-1/Real Property and CF-1/VBD must be filed with the county auditor. Failure to file the CF-1 form with these agencies may result in a rescission of any tax phase-in occurring as a result of this application.



 Signature of Taxpayer/Owner

Jerald Hasler, member

 Printed Name and Title of Applicant

9/8/21

 Date

Return completed application to Community Development staff at 200 E. Berry Street Suite 320 Fort Wayne, IN 46802

Exhibit B

RECORD DESCRIPTION - DOC. #2020036398

PARCEL I:

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER, TOGETHER WITH PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER, ALL IN SECTION 34, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE WEST QUARTER OF SAID SECTION 34, MARKED BY A SURVEY NAIL; THENCE SOUTH 00 DEGREES 01 MINUTES 45 SECONDS EAST (DEED BEARING AND BASIS OF ALL BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 BEING WITHIN THE RIGHT-OF-WAY OF BLUFFTON ROAD, A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTH RIGHT-OF-WAY LINE OF RESERVATION DRIVE AS DEDICATED IN DOCUMENT NUMBER 89-14044 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, ON AND ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 704.31 FEET TO A CHISELED CROSS AT THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, CONTINUING ON AND ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 160.34 FEET TO A CHISELED CROSS; THENCE NORTH 00 DEGREES 25 MINUTES 00 SECONDS WEST, BEING PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF AMHERST DRIVE AS DEDICATED IN SAID DOCUMENT NUMBER 89-14044 IN THE OFFICE OF SAID RECORDER, A DISTANCE OF 679.14 FEET TO A #5 REBAR ON THE SOUTH LINE OF AVALON PLACE, SECTION V, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGES 22-23 IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 89 DEGREES 39 MINUTES 30 SECONDS WEST, ON AND ALONG THE SOUTH LINE OF SAID AVALON PLACE, SECTION V, A DISTANCE OF 160.34 FEET TO A #5 REBAR; THENCE SOUTH 00 DEGREES 25 MINUTES 00 SECONDS EAST AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF SAID AMHERST DRIVE, A DISTANCE OF 679.19 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 2.500 ACRES OF LAND, MORE OR LESS. THIS DESCRIPTION IS BASED ON AN ORIGINAL SURVEY BY SAUER LAND SURVEYING, INC. DATED APRIL 10, 2007 AND NUMBERED 065-127"'.

PARCEL II:

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER, TOGETHER WITH PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER, ALL IN SECTION 34, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 34, MARKED BY A SURVEY NAIL; THENCE SOUTH 00 DEGREES 01 MINUTES 45 SECONDS EAST (DEED BEARING AND BASIS OF ALL BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 BEING WITHIN THE RIGHT-OF-WAY OF BLUFFTON ROAD, A DISTANCE OF 33.00 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTH RIGHT-OF-WAY LINE OF RESERVATION DRIVE AS DEDICATED IN DOCUMENT NUMBER 89-14044 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, ON AND ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 864.65 FEET TO A CHISELED CROSS AT THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, CONTINUING ON AND ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 481.10 FEET TO A CHISELED CROSS AT THE POINT OF INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE WEST RIGHT-OF-WAY LINE OF AMHERST DRIVE AS DEDICATED IN SAID DOCUMENT NUMBER 89-14044 IN THE OFFICE OF SAID RECORDER; THENCE NORTH 00 DEGREES 25 MINUTES 00 SECONDS WEST, ON AND ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 679.00 FEET TO A #5 REBAR AT THE POINT OF INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE OF WITH SOUTH LINE OF AVALON PLACE, SECTION V, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGES 22-23 IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 89 DEGREES 39 MINUTES 30 SECONDS WEST, ON AND ALONG THE SOUTH LINE OF SAID AVALON PLACE, SECTION V, A DISTANCE OF 481.10 FEET TO A #5 REBAR; THENCE SOUTH 00 DEGREES 25 MINUTES 00 SECONDS EAST AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF SAID AMHERST DRIVE, A DISTANCE OF 679.14 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 7.500 ACRES OF LAND, MORE OR LESS. THIS DESCRIPTION IS BASED ON AN ORIGINAL SURVEY BY SAUER LAND SURVEYING, INC. DATED APRIL 10, 2007 AND NUMBERED 065-127"'.



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R7 / 1-21)
Prescribed by the Department of Local Government Finance

CITY OF FT. WAYNE
CRJ
SEP 14 2021
COMMUNITY DEVELOPMENT

20__ PAY 20__

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the county auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between January 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the county auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer Property X LLC		
Address of taxpayer (number and street, city, state, and ZIP code) 3108 Lower Huntington Road Fort Wayne, IN 46809		
Name of contact person Jerad Harlow	Telephone number (260) 433-1918	E-mail address jerad@propxllc.com

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body Fort Wayne Common Council		Resolution number
Location of property Reservation Drive 2102 Reservation Dr.	County Allen	DLGF taxing district number 074 Ft Wayne 91-95
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Redevelop 10 acres of bareland to an apartment complex		Estimated start date (month, day, year)
		Estimated completion date (month, day, year) 7/1/2024

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current Number	Salaries	Number Retained	Salaries	Number Additional	Salaries
0				5	\$130,000

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	\$8,500,000	\$12,600
Plus estimated values of proposed project		
Less values of any property being replaced		
Net estimated values upon completion of project		

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
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Other benefits

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

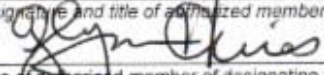

Signature of authorized representative member	Date signed (month, day, year) 9/8/21
Printed name of authorized representative Jerad Harlow	Title member

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed — calendar years* (see below). The date this designation expires is December 31, 2021 NOTE: This question addresses whether the resolution contains an expiration date for the designated area.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements Yes No
 2. Residentially distressed areas Yes No
- C. The amount of the deduction applicable is limited to \$ unlimited.
- D. Other limitations or conditions (specify) N/A
- E. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body) 	Telephone number <u>(301) 427-1221</u>	Date signed (month, day, year) <u>09/28/21</u>
Printed name of authorized member of designating body <u>GLYNN LINES</u>	Name of designating body <u>CITY COUNCIL</u>	
Attested by (signature and title of attester) 	Printed name of attester <u>LISA M. PETRETTA</u>	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. Except as provided in IC 6-1.1-12.1-18, the deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

BILL NO. R-21-09-18

REPORT OF COMMITTEE ON FINANCE

September 28, 2021

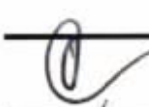

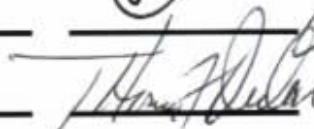
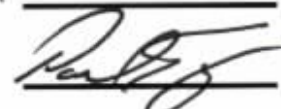


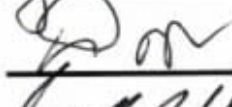
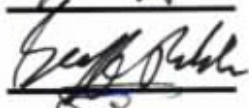

Glynn Hines Chair

Jason Arp Co-Chair

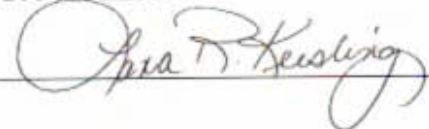
All Council Members

A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2102 Reservation Drive, Fort Wayne, Indiana 46809 (*Harlow Investments, LLP/Property X, LLC*)

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

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

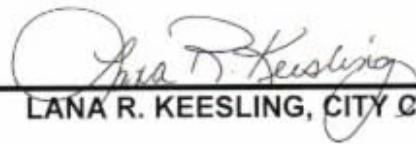
Read the first time in full and on motion by Councilperson Hines.

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

Read the third time in full and on motion by Councilperson Hines, 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"/>
CHAMBERS	<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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: September 28, 2021


LANA R. KEESLING, CITY CLERK

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

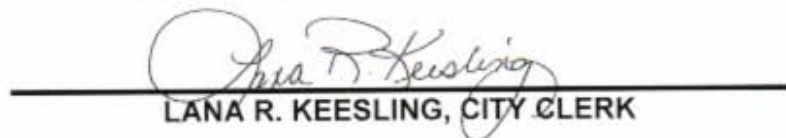
Resolution No. R-21-09-18 on the 28th day of September, 2021

ATTEST:

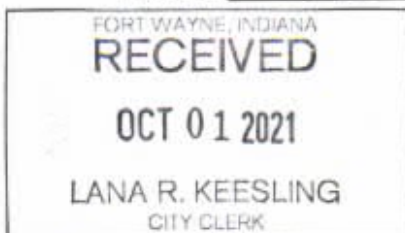

LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th of September 2021, at the hour of 11:20 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 30TH day of SEPTEMBER 2021, at the hour of 12:00 o'clock PM E.S.T.




THOMAS C. HENRY, MAYOR