

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 835 Van Buren Street/735 West Berry Street Fort Wayne, Indiana 46802 (Fort Rei, 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 \$5,500,000; 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, 2026, 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 March 1, 2022 and March 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 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 \$3.2648/\$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 \$3.2648/\$100 (the change would be
3 negligible).

4 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%)
5 is assumed, the approximate current year tax rate for the site would be \$3.2648/\$100
6 (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%

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

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

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

- 24 A. The cost and description of real property improvements.
25 B. The number of employees hired through the end of the preceding calendar year as a
26 result of the deduction.
27 C. The total salaries of the employees hired through the end of the preceding calendar
28 year as a result of the deduction.
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- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real property deductions.
- F. The tax savings resulting from the real property being abated.

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

SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has 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.

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



Member of Council

APPROVED AS TO FORM A LEGALITY



Carol Helton, City Attorney

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 eligible real property improvements. Fort Rei, LLC will rehabilitate the former Saint Joseph's Nursing Home into multifamily housing resulting in 41 market rate residential apartment units.**

EFFECT OF PASSAGE: **Investment of \$5,500,000 and the development of 41 market rate residential apartment units.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and the development of 41 market rate residential apartment units.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Finance Committee**

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

CONFIRMING RESOLUTION NO. R-22-01-12

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JANUARY 25, 2022, AT 5:30 P.M., IN ROOM 035 – COUNCIL COURTROOM – 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:

**835 Van Buren Street/735 W. Berry Street, Fort Wayne, Indiana 46802
Fort Rei, LLC**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY JANUARY 25, 2022.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2026.

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*



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Journal Gazette**.

Notice ID: xgcVQfK6BWBHVbJ0vLar | **Proof Updated: Jan. 12, 2022 at 08:22am EST**
Notice Name: R-22-01-12

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Lisa Petretta
lisa.petretta@cityoffortwayne.org

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

01/14/2022: Other 28.44

Subtotal \$28.44

Tax % 0.00

Total \$28.44

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LANA R. KEESLING
CITY CLERK

1--14 hspaxlp

PROOF OF PUBLICATION

STATE OF INDIANA
ALLEN COUNTY

Advertiser Gov: Fort Wayne City Clerk's Office
Notice ID xgcVQfK6BWBHVbJ0vLar

The Journal Gazette

I, Rhonda McClure, of lawful age, state that I am the legal clerk for the above named paper in the city of Fort Wayne. The Journal Gazette is a daily newspaper of general circulation printed and published in said County and State. The notice herewith attached was published in said daily edition of the newspaper 3 times on the following date(s):

1/14/22 _____ _____
_____ _____ _____

Additionally, The Journal Gazette has a Web site and this public notice was posted on the same day as it published in the newspaper.

Date: 01/14/2022



Legal Clerk

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Date: 01/14/2022



Legal Clerk

REPORT OF COMMITTEE ON FINANCE

January 25, 2022

Sharon Tucker Chair

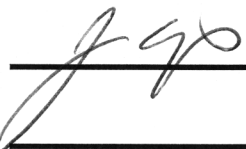

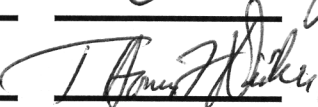



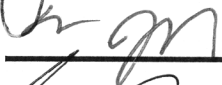

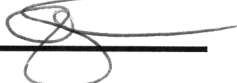
Russ Jehl Co-Chair

All Council Members

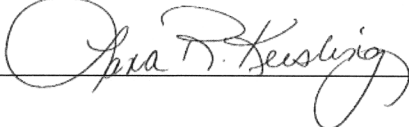
A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6- 1.1-12.1 for property commonly known as 835 Van Buren Street/735 W. Berry Street, Fort Wayne, Indiana 46802

Fort Rei, 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: January 25, 2022

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

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

Read the third time in full and on motion by Councilperson Tucker, 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: January 25, 2022

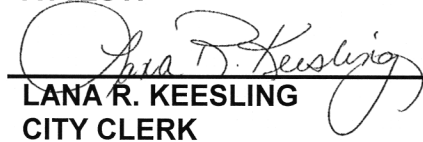


 LANA R. KEESLING, CITY CLERK

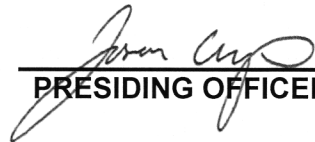
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-22-01-12 on the 25th day of January, 2022

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th of January 2022, at the hour of 9:25 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 27th day of JANUARY 2022, at the hour of 3:00 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

