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4 **A DECLARATORY RESOLUTION designating an “Economic  
5 Revitalization Area” under I.C. 6-1.1-12.1 for property  
6 commonly known as 4433 Gulfstream Drive, Fort Wayne,  
7 Indiana 46809 (ET Fort Wayne IV, LLC)**

8 **WHEREAS**, ET Fort Wayne IV, LLC (“Petitioner”) has duly filed its petition dated April 14,  
9 2022 to have the following described property designated and declared an “Economic  
10 Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne,  
11 Indiana, and I.C. 6-1.1-12.1, to wit:

12 Attached hereto as “Exhibit A” as if a part herein; and

13 **WHEREAS**, said project will retain 162 full-time permanent jobs with a total current payroll  
14 of \$8,300,000 with the average current, annual salary of \$51,234; and

15 **WHEREAS**, the total estimated project cost is \$19,850,000; and

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

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

20 **SECTION 1.** That, subject to the requirements of Section 6, below, the property  
21 hereinabove described is hereby designated and declared an “Economic Revitalization Area”  
22 under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming  
23 Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2026,  
24 unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

25 **SECTION 2.** That, upon adoption of the Resolution:

26 (a) Said Resolution shall be filed with the Allen County Assessor;

27 (b) Said Resolution shall be referred to the Committee on Finance requesting a  
28 recommendation from said committee concerning the advisability of designating the  
29 above area an “Economic Revitalization Area”;

30 (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 May 1, 2022 and December 31, 2023. 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 submitted to the City of Fort Wayne, Indiana ("City") are reasonable and are benefits  
3 that can be reasonably expected to result from the proposed described redevelopment or  
4 rehabilitation.

5 **SECTION 5.** That, the current year approximate tax rates for taxing units within the  
6 City would be:

- 7 (a) If the proposed development does not occur, the approximate current year tax rates  
8 for this site would be \$3.2648/\$100.
- 9 (b) If the proposed development does occur and no deduction is granted, the approximate  
10 current year tax rate for the site would be \$3.2647/\$100 (the change would be  
11 negligible).
- 12 (c) If the proposed development occurs, the deduction schedule listed below in Section 8  
13 is assumed, the approximate current year tax rate for the site would be \$3.2648/\$100  
14 (the change would be negligible).

15 **SECTION 6.** That, this Resolution shall be subject to being confirmed, modified and  
16 confirmed, or rescinded after public hearing and receipt by Common Council of the above  
17 described recommendations and resolution, if applicable.

18 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the  
19 deduction from the assessed value of the hereinabove described real property shall be for a period  
20 of ten years.

21 **SECTION 8.** The deduction schedule from the assessed value of the hereinabove  
22 described real property pursuant to I.C. 6-1.1-12.1-17 shall be:

Year of Deduction	Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	90%
7	80%
8	65%
9	50%
10	40%
11	0%

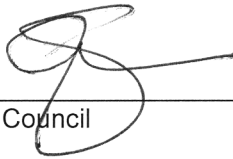
23 **SECTION 9.** That, the benefits described in the Petitioner's Statement of Benefits can  
24 be reasonably expected to result from the project and are sufficient to justify the applicable  
25 deductions.

26 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due to  
27 jurisdictions within Allen County, Indiana.


28 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has  
29 received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction  
30

1 amount as determined by the county auditor in accordance with section 12 of said chapter if the  
2 property owner ceases operations at the facility for which the deduction was granted and if the  
3 Common Council finds that the property owner obtained the deduction by intentionally providing  
4 false information concerning the property owner's plans to continue operation at the facility.

5 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its  
6 passage and any and all necessary approval by the Mayor.

7   
8 \_\_\_\_\_  
9 Member of Council

10 APPROVED AS TO FORM AND LEGALITY

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12 \_\_\_\_\_  
13 Malak Heiny, City Attorney

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DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **ET Fort Wayne IV, LLC is requesting the designation of an Economic Revitalization Area for eligible real property improvements. ET Fort Wayne IV, LLC will construct a 140,000 square foot beverage distribution facility.**

EFFECT OF PASSAGE: **Investment of \$19,850,000 and the retention of 162 full-time permanent jobs with at total annual payroll of \$8,300,000 and an average annual salary of \$51,234.**

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): **Sharon Tucker and Russ Jehl**

# MEMORANDUM



**To:** City Council  
**FROM:** Carman Young, Economic Development Specialist  
**DATE:** May 4, 2022  
**RE:** Request for designation by ET Fort Wayne IV, LLC as an ERA for real property improvements.

## BACKGROUND

PROJECT ADDRESS: <b>4433 Gulfstream Drive</b>	PROJECT LOCATED WITHIN:	N/A
PROJECT COST: <b>\$19,850,000</b>	COUNCILMANIC DISTRICT:	4

COMPANY PRODUCT OR SERVICE:	<b>ET Fort Wayne IV, LLC is a commercial real estate developer.</b>
PROJECT DESCRIPTION:	<b>ET Fort Wayne IV, LLC will build a 140,000 square foot beverage distribution center for Pepsi.</b>

CREATED		RETAINED	
JOBS CREATED (FULL-TIME):	0	JOBS RETAINED (FULL-TIME):	162
JOBS CREATED (PART-TIME):	0	JOBS RETAINED (PART-TIME):	0
TOTAL NEW PAYROLL:	0	TOTAL RETAINED PAYROLL:	\$8,300,000
AVERAGE SALARY (FULL-TIME NEW):	0	AVERAGE SALARY (FULL-TIME RETAINED):	\$51,234

## COMMUNITY BENEFIT REVIEW

Yes  No  N/A

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

**Explain: The parcel to be designated is currently vacant and 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 I2, General Industrial. 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?

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: This project will retain 162 full-time positions with a total annual payroll of \$8,300,000 and an average annual salary of \$51,234.**

Yes  No  N/A

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

**POLICY**

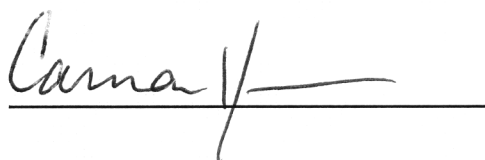
**Per the policy of the City of Fort Wayne, the following guidelines apply to this project:**

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

Under Fort Wayne Common Council's tax abatement policies and procedures, ET Fort Wayne IV, LLC is eligible for a recommended alternate schedule ten year deduction on real property improvements. Attached is a calculation of property taxes saved/paid with the deduction.

**PREVIOUSLY APPROVED PHASE-INS**

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

ET Fort Wayne IV, LLC

**REAL PROPERTY TAX ABATEMENT - 10 yr Schedule**

Year	Cash Value	True Tax Value	Assessed Value	Tax Abatement %	Tax Paid %	Deduction	Taxable AV	Tax Rate	Tax Paid	Tax Saved
1	\$19,850,000	\$19,850,000	\$19,850,000	100%	0%	\$19,850,000	\$0	0.032648	\$0	\$648,063
2	\$19,850,000	\$19,850,000	\$19,850,000	100%	0%	\$19,850,000	\$0	0.032648	\$0	\$648,063
3	\$19,850,000	\$19,850,000	\$19,850,000	100%	0%	\$19,850,000	\$0	0.032648	\$0	\$648,063
4	\$19,850,000	\$19,850,000	\$19,850,000	100%	0%	\$19,850,000	\$0	0.032648	\$0	\$648,063
5	\$19,850,000	\$19,850,000	\$19,850,000	100%	0%	\$19,850,000	\$0	0.032648	\$0	\$648,063
6	\$19,850,000	\$19,850,000	\$19,850,000	90%	10%	\$17,865,000	\$1,985,000	0.032648	\$64,806	\$583,257
7	\$19,850,000	\$19,850,000	\$19,850,000	80%	20%	\$15,880,000	\$3,970,000	0.032648	\$129,613	\$518,450
8	\$19,850,000	\$19,850,000	\$19,850,000	65%	35%	\$12,902,500	\$6,947,500	0.032648	\$226,822	\$421,241
9	\$19,850,000	\$19,850,000	\$19,850,000	50%	50%	\$9,925,000	\$9,925,000	0.032648	\$324,031	\$324,031
10	\$19,850,000	\$19,850,000	\$19,850,000	40%	60%	\$7,940,000	\$11,910,000	0.032648	\$388,838	\$259,225
11	\$19,850,000	\$19,850,000	\$19,850,000	0%	100%	\$0	\$19,850,000	0.032648	\$648,063	\$0

TOTAL TAX SAVED REAL PROPERTY (10 yrs on 10 yr deductic **\$5,346,518**  
TOTAL TAX PAID REAL PROPERTY (10 yrs on 10 yr deductic **\$1,134,110**)

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

ET Fort Wayne IV, 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	5
\$30,000 to \$79,999	4	
\$10,000 to \$29,999	3	
\$5,000 to \$9,999	2	
less than \$5,000	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	5
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**Estimated Percent of Business done outside**

**Allen County**

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

### JOBS (20 points possible)

**Total number of permanent jobs retained**

Over 250	10	
100 to 249	8	8
50 to 99	6	
25 to 49	4	
10 to 24	2	
1 to 9	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	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	7
Pension, Tuition Reimbursement, Life Insurance, Dental Insurance,		
Disability Insurance,	3	3

**SUSTAINABILITY**

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

**Total 83**

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
<b>10 year</b>	<b>10 Year</b>
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%	
<b>7 year</b>	<b>7 Year</b>
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%	
<b>5 year</b>	
Year 1: 100%	
Year 2: 80%	
Year 3: 60%	
Year 4: 40%	
Year 5: 20%	
Year 6: 0%	
<b>3 year</b>	
Year 1: 100%	
Year 2: 66%	
Year 3: 33%	
Year 4: 0%	



CITY OF FT. WAYNE

12/2019

APR 14 2022 *CEY*

COMMUNITY DEVELOPMENT

**ECONOMIC REVITALIZATION AREA APPLICATION  
CITY OF FORT WAYNE, INDIANA**

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

Real Estate Improvements

Personal Property Improvements

Vacant Commercial or Industrial Building

Total cost of real estate improvements: \$19,850,000 est.

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:** \$19,850,000 est.

**GENERAL INFORMATION**

Real property taxpayer's name: ET Fort Wayne IV, LLC

Personal property taxpayer's name: n/a

Telephone number: \_\_\_\_\_

Address listed on tax bill: 120 S. Central Ave. Suite 300 Clayton, MO 63105

Name of company to be designated, if applicable: ET Fort Wayne IV, LLC

Year company was established: 2022

Address of property to be designated: 4433 Gulfstream Drive

Real estate property identification number: 02-12-32-400-001.000-074

Contact person name: David Leavitt

Contact person telephone number: 314.216.7351 Contact email: dleavitt@elmtreefunds.com

Contact person address: 120 S. Central Ave. Suite 300. Clayton, MO 63105

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
James G. Koman	Manager	120 S. Central Ave. Suite 300 Clayton, MO 63105	314.828.4200
Kerry Gawrych	Secretary	120 S. Central Ave. Suite 300 Clayton, MO 63105	314.828.4200
Jason Ridgway	Sr. Vice President	120 S. Central Ave. Suite 300 Clayton, MO 63105	314.828.4200

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

NAME	PERCENTAGE

- 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? 50 to 74% (tenant)

What is the company's primary North American Industrial Classification Code (NAICs)? 312110 (tenant)

Describe the nature of the company's business, product, and/or service: Distribution of Soft Drinks & Beverages (tenant)

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Dollar amount of annual sales for the last three years:

Year	Annual Sales
	Confidential & Trade Secret
	Proprietary

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

Customer Name	City/State	Annual Gross Sales
Confidential & Trade Secret		
Proprietary		

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

Supplier Name	City/State	Annual Gross Purchases
Confidential & Trade Secret		
Proprietary		

List the company's top three competitors:

Competitor Name	City/State
Confidential & Trade Secret	
Proprietary	

Describe the product or service to be produced or offered at the project site: 140,000 SF Building for Pepsi Distribution Center

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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?

The subject property is located within the corporate limits and is a vacant parcel which has never been developed.

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**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: The subject property is vacant and void of any structures

Describe the condition of the structure(s) listed above: N/A

Describe the improvements to be made to the property to be designated for tax phase-in purposes: \_\_\_\_\_  
The development and improvements proposed for the 11.76 acre parcel is approximately 140,000 sf concrete tilt-up facility. This facility will contain an office area as well as warehouse/distribution space. The site allows for segregated vehicular parking from the truck court and trailer parking and both areas will be gated & fenced. The site does accommodate for future expansion opportunity of approximately 35,000 sf, if growth is warranted.

Projected construction start (month/year): May 2022

Projected construction completion (month/year): December 2023

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.)

**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)

N/A

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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:

N/A

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**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? N/A

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

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.

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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](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
Warehouse/Distribution	49-0000 & 53-0000	162	\$8,300,000

**Retained Full-Time Employment**

Occupation	Occupation Code	Number of Jobs	Total Payroll
Warehouse/Distribution	49-0000 & 53-0000	162	\$8,300,000

**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
N/A			

**Retained Part-Time or Temporary Jobs**

Occupation	Occupation Code	Number of Jobs	Total Payroll
N/A			

**Additional Part-Time or Temporary Jobs**

Occupation	Occupation Code	Number of Jobs	Total Payroll
N/A			

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

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

List any benefits not mentioned above: \_\_\_\_\_

When will you reach the levels of employment shown above? (month/year): 12/2023

**REQUIRED ATTACHMENTS**

The following must be attached to the application.

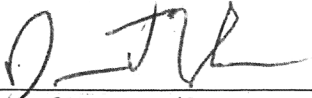
1. **Statement of Benefits Form(s) (first page/front side completed)**
2. **Full legal description of property and a plat map identifying the property boundaries. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
3. **Check for non-refundable application fee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

**Jason Ridgway, Sr Vice President**

\_\_\_\_\_  
Printed Name and Title of Applicant

**04/13/2022**

\_\_\_\_\_  
Date

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

# EXHIBIT A

## PARCEL DESCRIPTION

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

COMMENCING at the Southwest corner of the Southeast Quarter of Section 32, Township 30 North, Range 12 East; thence North 89 degrees 30 minutes 47 seconds East, along the South line of said Southeast Quarter, a distance of 784.38 feet; thence North 00 degrees 29 minutes 13 seconds West, a distance of 520.73 feet to the Southeast corner of Avionics Drive as extended by Document No. 2015053264 as recorded in the Office of the Recorder of Allen County, Indiana and the POINT OF BEGINNING; thence North 02 degrees 23 minutes 46 seconds West, along the Easterly line of said Avionics Drive, a distance of 150.08 feet; thence North 00 degrees 29 minutes 13 seconds West, continuing along the Easterly line of said Avionics Drive, a distance of 817.35 feet to the point of curvature of a regular curve to the right having a radius of 40.00 feet; thence Northeasterly, along the arc of said curve, an arc distance of 62.78 feet, being subtended by a long chord having a length of 56.53 feet and a bearing of North 44 degrees 28 minutes 43 seconds East to the point of tangency; thence North 89 degrees 26 minutes 38 seconds East and tangent to said curve, along the Southerly line of Gulfstream Drive as described in Document No. 2015053264 as recorded in the Office of the Recorder of Allen County, Indiana, a distance of 471.11 feet to the Northwest corner of a 39.17 acre tract of land conveyed to ETCL FORT WAYNE, LLC by deed recorded in Document Number 2017027558 in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 15 minutes 25 seconds East, along the West line of said 39.17 acre tract of land, a distance of 1007.93 feet to the Southwest corner of said 39.17 acre tract, this being point on the North line of a tract of land conveyed to INDIANA BECKNELL INVESTORS 2011 LLC by deed recorded in Document No. 2012000512 in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 30 minutes 47 seconds West, along said North line, a distance of 502.02 feet to the Point of Beginning, containing 11.76 acres of land.



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R7 / 1-21)

Prescribed by the Department of Local Government Finance

CITY OF FT. WAYNE  
OKY

APR 14 2022

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 <b>ET Fort Wayne IV, LLC</b>		
Address of taxpayer (number and street, city, state, and ZIP code) <b>120 S. Central Ave., Suite 300 Clayton, MO 63105</b>		
Name of contact person <b>David Leavitt</b>	Telephone number <b>( 314 ) 261-7351</b>	E-mail address <b>dleavitt@elmtreefunds.com</b>

**SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of designating body <b>Fort Wayne Common Council</b>		Resolution number
Location of property <b>4433 Gulfstream Drive</b>	County <b>Allen</b>	DLGF taxing district number <b>074</b>
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) The parcel is 11.76 acres and vacant -has never been developed. A 140,000 SF concrete tilt-up building is proposed. The site configuration will provide for segregated vehicle parking from the truck access and truck court. The primary access points will be on Gulfstream Drive.		Estimated start date (month, day, year) <b>May 2022</b>
		Estimated completion date (month, day, year) <b>December 2023</b>

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

Current Number	Salaries	Number Retained	Salaries	Number Additional	Salaries
<b>162.00</b>	<b>\$8,300,000.00</b>	<b>162.00</b>	<b>\$8,300,000.00</b>	<b>0.00</b>	<b>\$0.00</b>

**SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	0.00	
Plus estimated values of proposed project	19,850,000.00	
Less values of any property being replaced	0.00	
Net estimated values upon completion of project	19,850,000.00	

**SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER**

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
--	--

Other benefits

**SECTION 6 TAXPAYER CERTIFICATION**

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

Signature of authorized representative 	Date signed (month, day, year) <b>04/13/2022</b>
Printed name of authorized representative <b>Jason Ridgway</b>	Title <b>Sr. VP</b>

**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, 2026. 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

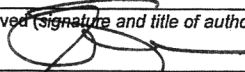
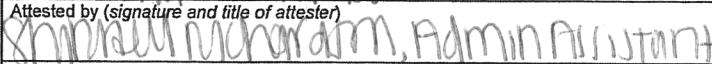
C. The amount of the deduction applicable is limited to \$ unlimited.

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>(200) 427-1221</u>	Date signed (month, day, year) <u>3/10/2022</u>
Printed name of authorized member of designating body <u>Sharon Tucker</u>	Name of designating body <u>city council</u>	
Attested by (signature and title of attester) 	Printed name of attester <u>Shirrell Richardson</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.

# H B C REALTY CORPORATION

510 West Washington Blvd. Fort Wayne, IN 46802 260.469.7962

CITY OF FT. WAYNE  
APR 14 2022 *CRY*

COMMUNITY DEVELOPMENT

April 13, 2022

Carman Young  
Andrea Robinson  
Community Development  
City of Fort Wayne  
200 E. Berry Street, Suite 320  
Fort Wayne, IN 46802

RE: Owner's Certificate

Dear Carman and Andrea:

This correspondence is to convey that H B C Realty Corporation is the current property owner and we are in the process of selling 11.76 acres at the southeast corner of Gulfstream and Avionics (commonly referred to as 4433 Gulfstream Drive) to New Development, LLC or it's Assigns ("Purchaser") As Owner, we acknowledge and agree that Purchase has the contractual right to submit an application under the City's Economic Area Revitalization application for a tax phase-in on the real property improvements.

Thank you,



Richard E. Sutorius, Assistant Secretary  
H B C REALTY CORPORATION

**A CONFIRMING RESOLUTION designating an  
“Economic Revitalization Area” under I.C. 6-1.1-12.1 for  
property commonly known as 4433 Gulfstream Drive  
Fort Wayne, Indiana 46809 (ET Fort Wayne IV, LLC)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution the following described property as an “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

**Attached hereto as “Exhibit A” as if a part herein; and**

**WHEREAS**, said project will retain 162 full-time permanent jobs with a total current payroll of \$8,300,000 with the average current, annual salary of \$51,234; and

**WHEREAS**, the total estimated project cost is \$19,850,000; 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 property improvements to be made between May 1, 2022 and December 31, 2023. 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 the estimate of the value of redevelopment or rehabilitation, all contained in Petitioner ET Fort Wayne IV, LLC’s (“Petitioner”) Statement of Benefits submitted to the City of Fort Wayne, Indiana (“City”) 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.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$3.2648/\$100 (the change would be negligible).
- (c) If the proposed development occurs, the deduction schedule listed below in Section 7 is assumed and the approximate current year tax rate for the site would be \$3.2648/\$100 (the change would be negligible).

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

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

Year of Deduction	Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	90%
7	80%
8	65%
9	50%
10	40%
11	0%

**SECTION 8.** 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 9.** 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 with the deduction application. For 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 not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

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

- A. The cost and description of real property improvements.
- B. The number of employees retained and/or hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees retained and/or hired through the end of the preceding calendar year as a result of the deduction.
- 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

\_\_\_\_\_  
Malak Heiny, City Attorney

**BILL NO. R-22-05-14**

**REPORT OF COMMITTEE ON FINANCE**

**May 10, 2022**

**Sharon Tucker Chair**





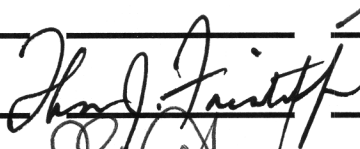
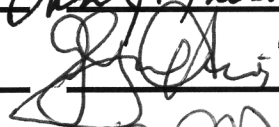
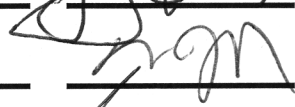
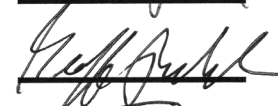
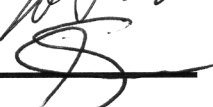
**Russ Jehl Co-Chair**

**All Council Members**

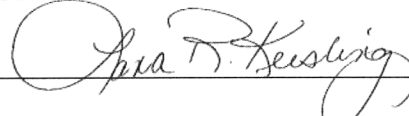
A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6- 1.1-12.1 for property commonly known as 4433 Gulfstream Drive, Fort Wayne, Indiana 46809 (ET Fort Wayne IV, LLC)

This is to be Introduced, Discussed and voted for Passage in the same evening

**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 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: May 10, 2022

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-22-05-14 on the 10th day of May, 2022

ATTEST:

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of May 2022, at the hour of 9:10 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 17<sup>th</sup> day of MAY 2022, at the hour of 1:00 o'clock PM E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR

