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4 **A CONFIRMING RESOLUTION designating an “Economic
5 Revitalization Area” under I.C. 6-1.1-12.1 for property
6 commonly known as 1919 W. Cook Road, Fort Wayne,
7 Indiana 46818 (Silverado Cook Properties, LLC)**

8 **WHEREAS**, Common Council has previously designated and declared by Declaratory
9 Resolution the following described property as an “Economic Revitalization Area” under Sections
10 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

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

12 **WHEREAS**, said project result in a 100,000 square foot speculative building; and

13 **WHEREAS**, the total estimated project cost is \$11,000,000; and

14 **WHEREAS**, projects involving the redevelopment or rehabilitation of a speculative
15 building are eligible to receive a ten-year phase-in without adhering to the City’s Review System;
16 and

17 **WHEREAS**, a recommendation has been received from the Committee on Finance; and

18 **WHEREAS**, notice of the adoption and substance of said Resolution has been published
19 in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been
20 conducted on said Resolution.

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

23 **SECTION 1.** That, the Resolution previously designating the above described property
24 as an “Economic Revitalization Area” is confirmed in all respects.

25 **SECTION 2.** That, the hereinabove described property is hereby declared an
26 “Economic Revitalization Area” pursuant to I.C. 6-1.1-12.1, said designation to begin on the
27 effective date of this Resolution and shall terminate on December 31, 2026, unless otherwise
28 automatically extended in five year increments per I.C. 6-1.1-12.1-9.

29 **SECTION 3.** That, said designation of the hereinabove described property as an
30 “Economic Revitalization Area” shall apply to a deduction of the assessed value of real estate
improvements to be made between December 1, 2022 and June 30, 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
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.

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

3 (a) If the proposed development does not occur, the approximate current year tax rates
4 for this site would be \$3.0707/\$100.

5 (b) If the proposed development occurs and no deduction is granted, the approximate
6 current year tax rate for the site would be \$3.0707/\$100 (the change would be
7 negligible).

8 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%)
9 is assumed, the approximate current year tax rate for the site would be \$3.0707/\$100
10 (the change would be negligible).

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

13 **SECTION 7.** The deduction schedule from the assessed value of the real property
14 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%

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

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

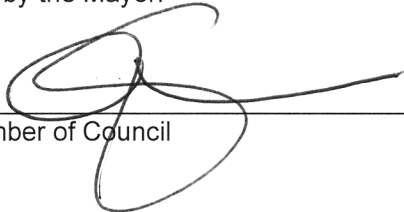
27 **SECTION 10.** The performance report must contain the following information
28
29
30

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

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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 Silverado Cook Properties, LLC for eligible real property improvements. Silverado Cook Properties, LLC will construct a 100,000 square foot speculative building.**

EFFECT OF PASSAGE: **Investment of \$11,000,000, and construction of a 100,000 square foot speculative building.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, no construction of a 100,000 square foot speculative building.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Sharon Tucker and Russ Jehl**

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

CONFIRMING RESOLUTION NO. R-22-11-32

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON DECEMBER 13, 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:

**1919 W Cook Rd, Fort Wayne, Indiana 46818
Silverado Cook Properties, LLC**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY DECEMBER 13, 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: RvijT2IAglvfNpavtRrS | **Proof Updated: Nov. 23, 2022 at 08:19am EST**
Notice Name: R-22-11-32

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
(260) 427-1221

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

11/26/2022: Other 28.44

Subtotal \$28.44

Tax % 0.00

Total \$28.44

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LANA R. KEESLING
CITY CLERK

11--26 hspaxlp



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LANA R. KEESLING
CITY CLERK

11--26 hspaxlp

BILL NO. R-22-11-32

REPORT OF COMMITTEE ON FINANCE

December 13, 2022

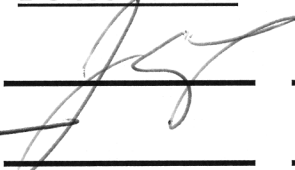




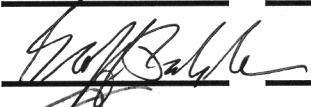

Russ Jehl Chair

Sharon Tucker Co-Chair

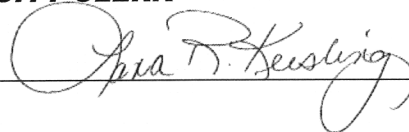
All Council Members

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1919 W. Cook Road, Fort Wayne, Indiana 46818

Silverado Cook Properties, LLC

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

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: December 13, 2022

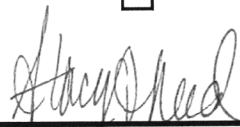
Read the first time in full and on motion by Councilperson Jehl.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: December 13, 2022

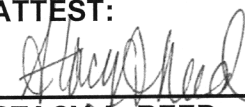


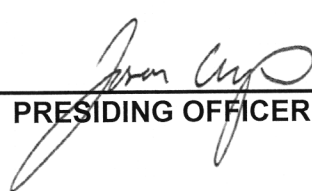
STACY A. REED, DEPUTY CITY CLERK

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

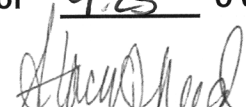
Resolution No. R-22-11-32 on the 13th day of December, 2022

ATTEST:


STACY A. REED
DEPUTY CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of December 2022, at the hour of 9:25 o'clock A.M. E.S.T.


STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 15TH day of December 2022, at the hour of 11:30 o'clock Am E. S.T.


THOMAS C. HENRY, MAYOR

