

3 A SPECIAL ORDINANCE OF THE COMMON COUNCIL OF THE  
4 CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE  
5 ISSUANCE OF THE CITY OF FORT WAYNE, INDIANA  
6 MULTIFAMILY HOUSING REVENUE BONDS (SILVER BIRCH AT  
7 COOK ROAD PROJECT), SERIES 2018 (WITH SUCH FURTHER OR  
8 DIFFERENT SERIES DESIGNATION AS MAY BE NECESSARY,  
9 DESIRABLE OR APPROPRIATE, INCLUDING SUCH SERIES  
10 DESIGNATION TO INDICATE THE YEAR IN WHICH THE BONDS  
11 ARE ISSUED) IN A MAXIMUM AGGREGATE PRINCIPAL  
12 AMOUNT NOT TO EXCEED EIGHTEEN MILLION DOLLARS  
13 (\$18,000,000) AND THE LENDING OF THE PROCEEDS THEREOF  
14 TO COOK ROAD AAL LP AND AUTHORIZING AND APPROVING  
15 OTHER ACTIONS IN RESPECT THERETO.

16 **WHEREAS**, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively,  
17 the “Act”) declares that the financing and refinancing of economic development facilities  
18 constitutes a public purpose; and

19 **WHEREAS**, pursuant to the Act, the City of Fort Wayne, Indiana (the “City”) is  
20 authorized to issue revenue bonds and lend the proceeds thereof to a developer for the  
21 purpose of financing, reimbursing or refinancing the costs of acquisition, design,  
22 construction and equipping of economic development facilities in order to foster creation  
23 or retention of opportunities for gainful employment and creation of business  
24 opportunities in or near the City; and

25 **WHEREAS**, Cook Road AAL LP, an Indiana limited partnership or another  
26 Indiana limited partnership formed by Vermillion Enterprises LLC (the “Borrower”)  
27 desires to finance a certain project constituting an economic development facility under  
28 the Act within the City, including all or any portion of the acquisition, design,  
29 construction and equipping of an approximately 119-unit assisted living multifamily  
30 housing facility, together with functionally-related and subordinate facilities  
(collectively, the “Project”) to be located at 3731 West Cook Road in the City of Fort  
Wayne, Allen County, Indiana; and

**WHEREAS**, the Borrower has advised the City of Fort Wayne Economic  
Development Commission (the “Commission”) and the City concerning the Project, and

1 **BILL NO. S-18-10-12**

2 **SPECIAL ORDINANCE NO. 108-18**

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4 CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE  
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8 DIFFERENT SERIES DESIGNATION AS MAY BE NECESSARY,  
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17 the “Act”) declares that the financing and refinancing of economic development facilities  
18 constitutes a public purpose; and

19 **WHEREAS**, pursuant to the Act, the City of Fort Wayne, Indiana (the “City”) is  
20 authorized to issue revenue bonds and lend the proceeds thereof to a developer for the  
21 purpose of financing, reimbursing or refinancing the costs of acquisition, design,  
22 construction and equipping of economic development facilities in order to foster creation  
23 or retention of opportunities for gainful employment and creation of business  
24 opportunities in or near the City; and

25 **WHEREAS**, Cook Road AAL LP, an Indiana limited partnership or another  
26 Indiana limited partnership formed by Vermilion Enterprises LLC (the “Borrower”) desires to finance a certain project constituting an economic development facility under the Act within the City, including all or any portion of the acquisition, design, construction and equipping of an approximately 119-unit assisted living multifamily housing facility, together with functionally-related and subordinate facilities (collectively, the “Project”) to be located at 3731 West Cook Road in the City of Fort Wayne, Allen County, Indiana; and

27 **WHEREAS**, the Borrower has advised the City of Fort Wayne Economic  
28 Development Commission (the “Commission”) and the City concerning the Project, and

1 requested that the City issue one or more series of its Multifamily Housing Revenue  
2 Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different  
3 series designation as may be necessary, desirable or appropriate, including such series  
4 designation to indicate the year in which the Bonds are issued), in an aggregate principal  
5 amount not to exceed Eighteen Million Dollars (\$18,000,000) (the “Bonds”) under the  
6 Act and lend all or a portion of the proceeds of such Bonds to the Borrower for the  
7 purpose of providing funds (a) to pay all or a part of the cost of design, acquisition,  
8 construction and equipping of the Project, and (b) to pay incidental expenses of issuance,  
9 including but not limited to, the funding of a debt service reserve fund, if necessary, and  
capitalized interest, if necessary; and

10 **WHEREAS**, the Bonds shall never constitute a general obligation of, an  
11 indebtedness of, or charge against the general credit of the City; and

12 **WHEREAS**, the Commission has studied the Project and the proposed financing  
13 of the Project and its effect on the health and general welfare of the City and its citizens;  
14 and

15 **WHEREAS**, the Commission has considered whether the proposed Project may  
16 have an adverse competitive effect on similar facilities already constructed or operating  
17 in the City; and

18 **WHEREAS**, the Commission has rendered a report (the “Report”) concerning  
19 the proposed financing of the Project; and

20 **WHEREAS**, the completion and operation of the Project will result in the  
21 creation and retention of jobs, the creation and retention of business opportunities in the  
22 City, the creation of affordable housing in the City and will be of public benefit to the  
23 health safety and general welfare of the City and its citizens; and

24 **WHEREAS**, the Borrower has advised the City that it has determined that the  
25 amount of tax credits to be allocated to the Project under Section 42 of the Internal  
26 Revenue Code of 1986, as amended (the “Code”) does not exceed the amount necessary  
27 for the financial feasibility of the Project and its viability as a qualified housing project  
28 throughout the credit period for the Project and that the Project satisfies the requirements

1 for the allocation of a housing credit dollar amount under the Indiana Housing and  
2 Community Development Authority's (the "IHCDA") qualified allocation plan; and

3 **WHEREAS**, pursuant to and in accordance with the Act, the City desires to  
4 provide funds necessary to finance all or a portion of the Project by issuing the Bonds in  
5 an aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000); and

6 **WHEREAS**, the Act provides that such revenue bonds may be secured by and  
7 issued pursuant to the terms of a trust indenture between an issuer and a corporate  
8 trustee; and

9 **WHEREAS**, the City intends to issue the Bonds pursuant to a Trust Indenture, to  
10 be dated the first day of the month in which the Bonds are sold or delivered (or such  
11 other date as the officers of the City may hereafter approve) (the "Indenture"), by and  
12 between the City and U.S. Bank National Association (the "Trustee"), in order to obtain  
13 funds to lend to the Borrower for the purpose of financing all or a portion of the Project  
14 in accordance with the terms of a Loan Agreement, to be dated the first day of the month  
15 in which the Bonds are sold or delivered (or such other date as the officers of the City  
16 may hereafter approve) (the "Loan Agreement"), by and between the City and the  
17 Borrower with respect to Bonds and the Project, provided, however, that the aggregate  
18 principal amount of the Bonds shall not exceed Eighteen Million Dollars (\$18,000,000);  
and

19 **WHEREAS**, pursuant to the Loan Agreement, the Borrower will make certain  
20 representations, warranties and commitments with respect to the Project and will agree to  
21 make payments sufficient to pay all principal of, premiums, if any, and interest on the  
22 Bonds as the same becomes due and payable, and to pay administrative expenses in  
23 connection with the Bonds; and

24 **WHEREAS**, there has been submitted to the Commission for its approval the  
25 substantially final forms of the Indenture (including the form of the Bonds), the Loan  
26 Agreement, the Purchase Contract among the City, the Borrower and D.A. Davidson &  
27 Co. (the "Underwriter") for the sale of the Bonds, and the Land Use Restriction  
28 Agreement by and among the City, the Trustee and the Borrower to be dated as of the

1 first day of the month in which the Bonds are sold or delivered (or such other date as the  
2 officers of the City may hereafter approve) (collectively, the “Financing Documents”)  
3 and the form of the proposed Special Ordinance of the Common Council of the City (the  
4 “Council”) with respect to the Project and the Bonds (the “Ordinance”); and

5 **WHEREAS**, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24  
6 and certain provisions of the Code, and the rules promulgated thereunder, as amended,  
7 the Commission published notice of a public hearing (the “Public Hearing”) on the  
8 proposed issuance of the Bonds to finance all or a portion of the Project; and

9 **WHEREAS**, on October 18, 2018, the Commission held the Public Hearing on  
10 the Project prior in time to the adoption of this Ordinance by this Council and adopted a  
11 resolution (the “Commission Resolution”) which has been transmitted to this Council in  
12 which the Commission found that the financing of the Project complies with the purposes  
13 and provisions of the Act, that such financing will be of benefit to the health and welfare  
14 of the City and its citizens, that, based solely on the representations provided by the  
15 Borrower, the amount of tax credits to be allocated to the Project under Section 42 of the  
16 Code does not exceed the amount necessary for the financial feasibility of the Project and  
17 its viability as a qualified housing project throughout the credit period for the Project and  
18 approved the substantially final forms of the Financing Documents and form of this  
19 Ordinance presented to the Commission; and

20 **WHEREAS**, no member of this Council has any pecuniary interest in any  
21 employment, financing agreement or other contract made under the provisions of the Act  
22 and related to the Bonds authorized herein, which pecuniary interest has not been fully  
23 disclosed to this Council and no such member has voted on any such matter, all in  
24 accordance with the provisions of Indiana Code 36-7-12-16; and

25 **WHEREAS**, based upon the Commission Resolution and Report adopted by the  
26 Commission pertaining to the Project, the City hereby finds and determines that the  
27 funding approved by the Commission for the Project will be of benefit to the health and  
28 general welfare of the citizens of the City, complies with the provisions of the Act and  
29 the amount necessary to finance the costs of the Project, will require the issuance, sale  
30

1 and delivery of one or more series of economic development revenue bonds in an  
2 aggregate principal amount not to exceed \$18,000,000.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL**  
4 **OF THE CITY OF FORT WAYNE AND OF ALLEN COUNTY, INDIANA AS**  
5 **FOLLOWS:**

6 **SECTION 1.** After considering the evidence presented in the findings of fact  
7 set forth in the Commission's Report, this Council hereby finds, determines, ratifies and  
8 confirms that the financing of the economic development facilities referred to in the  
9 Financing Documents consisting of the Project, the issuance and sale of the Bonds, and  
10 the loan of the net proceeds thereof to the Borrower for the purpose of financing all or a  
11 portion of the Project and the repayment of said loan by the Borrower (i) will promote a  
12 substantial likelihood of the creation or retention of business opportunities, the creation  
13 of affordable housing and the creation or retention of opportunities for gainful  
14 employment within the jurisdiction of the City, (ii) will serve a public purpose, and will  
15 be of benefit to the health and general welfare of the City, (iii) complies with the  
16 purposes and provisions of the Act and it is in the public interest that the City take such  
17 lawful action as determined to be necessary or desirable to encourage the creation or  
18 retention of business opportunities, the creation of affordable housing, and the creation or  
19 retention of opportunities for gainful employment within the jurisdiction of the City, and  
20 (iv) will not have a material adverse competitive effect on any similar facilities already  
21 constructed in the City.

22 **SECTION 2.** The forms of the Financing Documents presented herewith are  
23 hereby approved and all such documents shall be kept on file by the Clerk or the  
24 Secretary of the Commission. In compliance with Indiana Code Title 36, Article 1,  
25 Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office  
26 of the Clerk for public inspection.

27 **SECTION 3.** This Council hereby approves the terms of the Financing  
28 Documents with any and all such changes as may be deemed necessary, desirable or  
29 appropriate by the Mayor, the Controller or any other officer of the City and all such  
30 documents shall be kept on file by the Clerk of the City (the "Clerk") or the Secretary of

1 the Commission. The provisions of this Ordinance and the Financing Documents shall  
2 constitute a contract binding between the City and the holder or holders of the Bonds and  
3 after the issuance of said Bonds, this Ordinance shall not be repealed or amended, in any  
4 respect which would adversely affect the right of such holder or holders so long as said  
5 Bonds or the interest thereon remains unpaid.

6 **SECTION 4.** This Council hereby approves (i) the issuance by the City of its  
7 Bonds, in one or more series, with a maximum aggregate principal amount not to exceed  
8 Eighteen Million Dollars (\$18,000,000), with a maximum term not to exceed forty (40)  
9 years from the date of the Bonds and with a maximum interest rate not to exceed seven  
10 percent (7.00%) per annum, for the purpose of procuring funds to loan to the Borrower in  
11 order to finance all or a portion of (a) the Project, and (b) the incidental expenses of  
12 issuance of the Bonds, including but not limited to, the funding of a debt services reserve  
13 fund, if necessary, and capitalized interest, if necessary, which Bonds will be payable as  
14 to principal, premium if any, and interest solely from payments made by the Borrower  
15 pursuant to the Loan Agreement and the note issued thereunder, and upon such terms and  
16 conditions as otherwise provided in the Financing Documents and this Ordinance; (ii) the  
17 marketing of the Bonds pursuant to a Limited Offering Memorandum (the "Preliminary  
18 Limited Offering Memorandum"), and the offering and sale of the Bonds pursuant to a  
19 final Limited Offering Memorandum (the "Limited Offering Memorandum"); (iii) the  
20 loan of the proceeds of the Bonds by the City to the Borrower pursuant to the terms of  
21 the Loan Agreement; (iv) the sale and delivery of the Bonds pursuant to the Purchase  
22 Contract; (v) the regulation of the Project pursuant to the Land Use Restriction  
23 Agreement; and (vi) the use of the proceeds received from the sale of the Bonds in  
24 accordance with the terms of the Indenture and the Loan Agreement and in accordance  
25 with the Act and the applicable provisions of the Code. The Bonds shall never constitute  
26 a general obligation of, an indebtedness of, or charge against the general credit of the  
27 City. The Mayor and Clerk are hereby authorized to sell the Bonds to the Underwriter at  
28 a price not less than 98% of the aggregate principal amount thereof (excluding any  
29 original issue premium or discount), plus accrued interest, if any.

30 **SECTION 5.** The Mayor and Clerk are authorized and directed to execute  
those Financing Documents approved herein which require the signature of the Mayor

1 and Clerk and any other document which may be necessary or desirable to consummate  
2 the transaction, and their execution is hereby confirmed on behalf of the City. The  
3 signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The  
4 Clerk is authorized to arrange for the delivery of such Bonds to the purchaser, payment  
5 for which will be made in the manner set forth in the Financing Documents. The Mayor  
6 and Clerk may, by their execution of the Financing Documents requiring their signatures  
7 and imprinting of their facsimile signatures thereon, approve changes therein and also in  
8 those Financing Documents which do not require the signature of the Mayor and/or Clerk  
9 without further approval of this Council or the Commission if such changes do not affect  
10 terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through  
11 (a)(10).

12 **SECTION 6.** No recourse under or upon any obligation, covenant,  
13 acceptance or agreement contained in this Ordinance, the Financing Documents or under  
14 any judgment obtained against the City or by the enforcement of any assessment or by  
15 any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or  
16 under any circumstances, under or independent of the Loan Agreement, shall be had  
17 against any member, director, or officer or attorney, as such, past, present, or future, of  
18 the City or the Commission, either directly or through the City, or otherwise, for the  
19 payment for or to the City or any receiver thereof or for or to any holder of the Bonds  
20 secured thereby, or otherwise, of any sum that may remain due and unpaid by the City  
21 upon any of such Bonds. Any and all personal liability of every nature, whether at  
22 common law or in equity, or by statute or by constitution or otherwise, of any such  
23 member, director, or officer or attorney, as such, to respond by reason of any act or  
24 omission on his or her part or otherwise for, directly or indirectly, the payment for or to  
25 the City or any receiver thereof, or for or to any owner or holder of the Bonds, or  
26 otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or  
27 any of them, shall be expressly waived and released as a condition of and consideration  
28 for the execution and delivery of the Loan Agreement and the issuance, sale and delivery  
29 of the Bonds.  
30

31 **SECTION 7.** The Borrower and its general partner will indemnify and hold  
32 the City and the Commission, including their respective officials, attorneys, employees

1 and agents, free and harmless from any loss, claim, damage, tax, penalty, liability,  
2 disbursement, litigation expenses, attorneys' fees and expenses and other court costs  
3 arising out of, or in any way relating to, the execution or performance of the Financing  
4 Documents or other documents in connection therewith or any other cause whatsoever  
5 pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or  
6 failure to issue or sell the Bonds or other actions taken under the Financing Documents  
7 or other documents in connection therewith or any other cause whatsoever pertaining to  
8 the Project or the Bonds, all as further described in the Loan Agreement but which are  
9 not the result of the willful misconduct of the City.

10 **SECTION 8.** It is hereby determined that the amount of tax credits to be  
11 allocated to the Project under Section 42 of the Code does not exceed the amount necessary  
12 for the financial feasibility of the Project and its viability as a qualified housing project  
13 throughout the credit period for the Project. In making the foregoing determination, this  
14 Council has relied solely upon representations of the Borrower. The foregoing  
15 determinations shall not be construed to be a representation or warranty by the City as to  
16 the feasibility or viability of the Project. This Council hereby authorizes and directs the  
17 Clerk to review and make the foregoing determination again for and on behalf of the City  
18 at the request of the Borrower, following receipt of supporting materials submitted by the  
19 Borrower to the IHCD and either written representations of the Borrower or of IHCD to  
20 the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of  
21 the Code does not exceed the amount necessary for the financial feasibility of the Project  
22 and its viability as a qualified housing project throughout the credit period for the Project  
23 and (ii) the Project satisfies the requirements for the allocation of a housing credit dollar  
24 amount under IHCD's qualified allocation plan. Such determinations shall occur on or  
25 about the date of the sale of the Bonds to the Purchasers thereof and on or about the date  
26 that each building of the Project is placed in service.

27 **SECTION 9.** If any section, paragraph or provision of this Ordinance shall  
28 be held to be invalid or unenforceable for any reason, the invalidity or unenforceability  
29 of such section, paragraph or provision shall not affect any of the remaining provisions of  
30 this Ordinance.



**RESOLUTION NO. 10-18-2018**

**A RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT  
COMMISSION APPROVING AND AUTHORIZING CERTAIN ACTIONS  
AND PROCEEDINGS WITH RESPECT TO CERTAIN PROPOSED  
ECONOMIC DEVELOPMENT REVENUE BONDS  
FOR THE SILVER BIRCH AT COOK ROAD PROJECT**

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Fort Wayne, Indiana (the "City") is authorized to issue revenue bonds and lend the proceeds thereof to a developer for the purpose of financing, reimbursing or refinancing the costs of acquisition, design, construction and equipping of economic development facilities in order to foster creation or retention of opportunities for gainful employment and creation of business opportunities in or near the City; and

WHEREAS, Cook Road AAL LP, an Indiana limited partnership or another Indiana limited partnership formed by Vermilion Enterprises LLC (the "Borrower") desires to finance a portion of the costs of a certain project constituting an economic development facility under the Act within the City, including all or any portion of the acquisition, design, construction and equipping of an approximately 119-unit assisted living multifamily housing facility, together with functionally-related and subordinate facilities (collectively, the "Project") to be located at 3731 West Cook Road in the City of Fort Wayne, Allen County, Indiana; and

WHEREAS, the Borrower has advised the Fort Wayne Economic Development Commission (the "Commission") and the City concerning the Project, and requested that the City issue, pursuant to the Act, one or more series of its Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the Bonds are issued), in an aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000) (the "Bonds") and lend all or a portion of the proceeds of such Bonds to the Borrower for the purpose of providing funds (a) to pay all or a part of the cost of design, acquisition, construction and equipping of the Project, and (b) to pay incidental expenses of issuance, including but not limited to, the funding of a debt service reserve fund, if necessary, and capitalized interest, if necessary; and

WHEREAS, the Commission has studied the Project and the proposed financing of the Project and its effect on the health and general welfare of the City and its citizens; and

WHEREAS, the Commission has considered whether the proposed Project may have an adverse competitive effect on similar facilities already constructed or operating in the City; and

WHEREAS, the completion and operation of the Project will result in the creation and retention of jobs, the creation and retention of business opportunities in the City, the creation of affordable housing in the City and will be of public benefit to the health safety and general welfare of the City and its citizens; and

WHEREAS, the Borrower has advised the Commission that it has determined that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended (the "Code") does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the Indiana Housing and Community Development Authority's (the "IHCDA") qualified allocation plan; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by and issued pursuant to the terms of a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds pursuant to a Trust Indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and U.S. Bank National Association (the "Trustee"), in order to obtain funds to lend to the Borrower for the purpose of financing all or a portion of the Project in accordance with the terms of a Loan Agreement, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Loan Agreement"), by and between the City and the Borrower with respect to the Bonds and the Project, provided, however, that the aggregate principal amount of the Bonds shall not exceed Eighteen Million Dollars (\$18,000,000); and

WHEREAS, pursuant to the Loan Agreement, the Borrower will make certain representations, warranties and commitments with respect to the Project and will agree to make payments sufficient to pay all principal of, premiums, if any, and interest on the Bonds as the same becomes due and payable, and to pay administrative expenses in connection with the Bonds; and

WHEREAS, there has been submitted to the Commission for its approval the substantially final forms of the Indenture (including the form of the Bonds), the Loan Agreement, the Purchase Contract among the City, the Borrower and D.A. Davidson & Co. (the "Underwriter") for the sale of the Bonds, and the Land Use Restriction Agreement by and among the City, the Trustee and the Borrower to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (collectively, the "Financing Documents") and the form of the proposed Special Ordinance of the Common Council of the City (the "Council") with respect to the Project and the Bonds (the "Ordinance"); and

WHEREAS, the Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City; and

WHEREAS, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and certain provisions of the Code, and the rules promulgated thereunder, as amended, the Commission published notice of a public hearing (the "Public Hearing") on the proposed issuance of the Bonds to finance all or a portion of the Project; and

WHEREAS, on the date hereof the Commission held the Public Hearing on the Project; and

WHEREAS, the Commission has rendered its report dated as of the date hereof (the "Report") concerning the proposed financing of the Project; and

WHEREAS, no member of the Commission has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Commission and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16.

**NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AS FOLLOWS:**

SECTION 1. After considering the evidence presented at the Public Hearing and the findings of fact set forth in the Report, the Commission hereby finds, determines, ratifies and confirms that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the loan of the net proceeds thereof to the Borrower for the purpose of financing all or a portion of the Project and the repayment of said loan by the Borrower (i) will result in the substantial likelihood of the creation or retention of business opportunities, the creation of affordable housing and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the creation or retention of business opportunities, the creation of affordable housing, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed in the City. The Commission hereby approves the Report with respect to the Project presented at this meeting. The Secretary of the Commission shall cause such report to be submitted to the executive director or chairman of the Fort Wayne Plan Commission, pursuant to the Act.

SECTION 2. The Commission hereby approves the terms of the Financing Documents and the proposed Special Ordinance. The forms of the Financing Documents and the Special Ordinance presented herewith are hereby approved, with any and all such changes as may be deemed necessary, desirable or appropriate by the Mayor, the Controller or any other officer of the City and all such documents shall be kept on file by the Clerk of the City (the "Clerk") or the Secretary of the Commission. The Commission recommends to the Council that it adopt the Special Ordinance. The provisions of such Special Ordinance, if and when adopted, and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this resolution shall not be repealed or amended, in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 3. The Commission hereby approves and recommends to the Council that the City issue one or more series of its Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the Bonds are issued), in a maximum aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000), with a maximum term not to exceed forty (40) years from the date of the Bonds and with a maximum interest rate not to exceed seven percent (7.00%) per annum, for the purpose of procuring funds to loan to the Borrower in order to finance all or a portion of the Project, which Bonds will be payable as to principal, premium if any, and interest solely from payments made by the Borrower pursuant to the Loan Agreement and the note issued thereunder, and upon such terms and conditions as otherwise provided in the Financing Documents and the Special Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Commission further recommends that the Council authorized the Mayor and Clerk to sell such bonds to the Underwriter at a price not less than 98% of the aggregate principal amount thereof (excluding any original issue premium or discount), plus accrued interest, if any.

SECTION 4. The Commission recommends that the Mayor and Clerk be authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Commission also recommends that the Clerk be authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or Clerk without further approval of the Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 5. Any officer of the Commission is hereby authorized and directed, in the name and on behalf of the Commission, to execute any and all other agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by such officer to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this resolution (including the preambles hereto and the documents mentioned herein), the Project and the issuance and sale of the Bonds, and any such execution, performance, approval or doing of other things heretofore effected be, and hereby is, ratified and approved.

SECTION 6. The Commission hereby determines that, based solely on the representations provided by the Borrower, the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Commission has relied upon the representations of the Borrower. The foregoing determinations shall not be construed to be a representation or warranty by the City or the Commission as to the feasibility or viability of the Project. In reliance upon the representation of the Borrower, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHEDA's qualified allocation plan.

SECTION 7. The Secretary of this Commission shall transmit this resolution, together with two (2) copies of the forms of the Financing Documents and the Special Ordinance approved by this Resolution, to the Office of the Clerk for presentation to the Council with the recommendation that the Council approve the forms of the Financing Documents and adopt the proposed Ordinance hereby recommended to the Council. The provisions of such Special Ordinance, if and when adopted, and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, the special resolution shall not be repealed or amended, in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This resolution shall be in full force and effect upon adoption.

*[Remainder of page intentionally left blank.]*

Adopted this 18<sup>th</sup> day of October, 2018.

FORT WAYNE ECONOMIC  
DEVELOPMENT COMMISSION

By: James P. Mitchell  
Its: President

Attest:  
By: [Signature]  
Its: Secretary

**REPORT AND FINDINGS OF FACT OF THE FORT WAYNE  
ECONOMIC DEVELOPMENT COMMISSION CONCERNING THE  
PROPOSED FINANCING OF ECONOMIC DEVELOPMENT FACILITIES  
FOR COOK ROAD AAL LP**

The Fort Wayne Economic Development Commission (the "Commission") proposes to recommend to the Common Council of the City of Fort Wayne, Indiana (the "Council"), that the City of Fort Wayne, Indiana (the "City") provide a portion of the funds for the acquisition, design, construction, and equipping of certain economic development facilities which shall be owned by Cook Road AAL LP or another Indiana limited partnership formed by Vermilion Enterprises LLC (the "Applicant").

The proposed economic development facilities to be undertaken by the Applicant will consist of the acquisition, design, construction and equipping of a 119-unit assisted living multifamily housing facility, together with functionally related and subordinate facilities (collectively, the "Project"), to be located at 3731 West Cook Road in the City of Fort Wayne, Allen County, Indiana. The total cost for the acquisition, design, construction and equipping of the Project is presently estimated to be in an amount of approximately \$24,078,130, including incidental costs of issuance of the Bonds. The Project will be owned by the Applicant.

The Applicant has requested that the City issue one or more series of the City of Fort Wayne, Indiana, Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the Bonds are issued) (the "Bonds") in the aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000), for the purpose of providing funds (a) to pay all or a part of the cost of design, acquisition, construction and equipping of such economic development facilities, and (b) to pay incidental expenses of issuance, including but not limited to, the funding of a debt service reserve fund, if necessary, and capitalized interest, if necessary.

The public purpose for which the Bonds are being issued is to finance economic development facilities which will have a substantial likelihood of creating or retaining opportunities for gainful employment and business opportunities and of providing quality affordable assisted living multifamily housing. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

The Commission estimates that no public works or services, including public ways, schools, water, sewer, street lights and fire protection, will be made necessary or desirable by the Project, because any such works or services already exist or will be provided by the Applicant or other parties.


The Commission estimates that, upon completion and start of operations, as a result of the Project, approximately 35 new full-time equivalent jobs will be created, with an estimated total annual payroll of approximately \$1,600,000 for the twelve-month period ending December 31 of the year immediately following the year in which the Project becomes fully operational.

The acquisition, construction and equipping of the Project will also require construction jobs which are not included in the foregoing estimate.

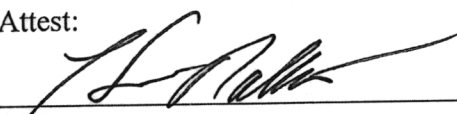
The Commission has considered whether the Project may have an adverse competitive effect on similar facilities already constructed or operating in the City. Based upon information submitted by the Applicant, including the Site and Market Study (the "Market Study") prepared for the Project by Valerie S. Kretchmer Associates, Inc., dated July 17, 2018, and other information available to the Commission, the Commission hereby makes findings of fact that (a) the proceeds of the Bonds will be used to finance all or a portion of the Project, (b) the use of the proceeds of the Bonds to finance the Project will not be used to subsidize rents to be paid by tenants or occupants of the Project, (c) the tenants are expected to pay rent similar to similar facilities existing in the area, (d) the overall market penetration rate of seniors with low-incomes needing assistance remains very reasonable, and (e) the total number of additional Medicaid units planned to come online by 2023, including the subject property, is well within the level of demand predicted. Therefore, based upon such findings of fact, the Commission finds that the acquisition, design, construction, and equipping of the Project and its financing will be of benefit to the health or general welfare of the City and the proposed financing complies with the Indiana Code Title 36, Article 7, Chapters 11.9 and 12.

For all of the foregoing reasons, the Commission recommends that the Fort Wayne Common Council adopt the Special Ordinance approving financing the acquisition, design, construction, and equipping of the Project, as requested by the Applicant.

Adopted this 18<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
President  
City of Fort Wayne Economic Development  
Commission

Attest:

  
\_\_\_\_\_  
Secretary  
City of Fort Wayne Economic Development  
Commission



Fort Wayne Economic Development Commission

CITY OF FT WAYNE

SEP 27 2018

08/07 IRB Application

Application for Economic Development Bond Financing

Fort Wayne Economic Development Commission by: Staff Member Date 9/27/18

Please refer to the attached Application Instructions prior to completing this application!

General Information

Total projected cost of bond issue (include cost of project and cost of bond issuance) \$ 18,000,000

- 1. Name of applicant: Cook Road AAL LP
2. Title of applicant: Cook Road AAL LP
3. Address of applicant: 121 West Waker Drive, Suite 400, Chicago, IL. 60601
4. Phone and fax number of applicant: 312-488-1918/312-488-1919
5. Name of business: Same as above
6. Address of business: Same as above
7. Phone and fax number of business: Same as applicant
8. Name of contact person: David J. Cocagne
9. Title of contact person: CEO
10. Name of contact's business: Vermilion Enterprises, LLC
11. Address of contact's business: Same as applicant
12. Telephone and fax number of contact: Same as applicant
13. Applicant is organized as a: (Check One)
- Not-for-Profit Corporation
- C Corporation
- Limited Liability Company
- Sole Proprietorship
- Limited Partnership
- Subchapter S Corporation
- General Partnership
- Joint Venture
- Other

14. List company officers and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
David J. Cocagne	Member	121 West Wacker Drive, Suite 400	312-488-1918
		Chicago, IL 60601	

15. List all persons or firms having ten percent or more ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE	NAME	PERCENTAGE
AHP Housing Fund #TBD	99.99%		

16. Name and nature of the business or (if others) businesses in which the applicant is engaged:

Applicant is engaged in owning and operating assisted living communities including acquisition, development, and construction thereof.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17.  Yes  No Is the applicant incorporated in the State of Indiana?
18. If yes, attach a copy of Certificate of Existence. **(Attachment #1)**
19. If no, under the laws of what state is the applicant organized? Not applicable
20.  Yes  No Has the applicant received authority to do business in Indiana from the Indiana Secretary of State?
21. Provide evidence of such legal existence, including a statement from any certifying authorities. **(Attachment #2)**
22.  Yes  No Does the applicant operate under an assumed name in Allen County, Indiana?
23.  Yes  No Has the applicant filed for a Certificate of Use of Assumed Name with the Allen County, Indiana Recorder's Office?
24. If yes, under what name? Silver Birch at Cook Road Date filed: In process of filing
25.  Yes  No If the applicant is a sole proprietorship or general partnership, has the applicant filed for a Certificate of Assumed Business Name with the Allen County, Indiana Recorder's Office?
26. If yes, under what name? Not applicable Date filed: \_\_\_\_\_

27.  Yes  No Are any members of the Fort Wayne Economic Development Commission, Fort Wayne Common Council, or Allen County Council shareholders or holders of any debt obligation of the applicant?

28. If yes, list name(s):

Not applicable	

### Project Information

29. Street address of project: 3731 West Cook Road, Fort Wayne, Indiana 46818

30. Description of the project to be funded along with a brief description of the facilities to be constructed:  
Three-story, wood frame, elevator building with 119 apartments (82 studio/37 one-bedroom) located on 5.134 acres. Each apartment will have living/sleeping space. All will have full bath and kitchenette. The facility will contain communal dining and activity rooms, lounges, wellness suite, and library.

31. Total square footage of facility to be constructed on first floor: 33,300 sf

32. Total square footage of facility to be constructed on additional floors: 61,700 sf

33. Legal description of project site (Required **Attachment # 3**) See attached survey

34. Total acreage of the tract or parcel of property on which the project is to be located: 5.134 acres acres

35.  Yes  No Are blueprints or architectural renderings available for the facilities to be constructed?

(If yes, a copy of the blueprints/renderings must be attached to the application. If not, a copy must be provided to the staff of the Fort Wayne Economic Development Commission no later than one week prior to the initial inducement resolution.) **Attachment # 4**

36. Itemize use of bond funds by expenditure category:

Engineering/Architectural Fees:	<u>\$540,000</u>
Legal Fees:	<u>\$140,000</u>
Financing and Other Fees:	<u>\$392,600</u>
Land Purchase:	<u>\$761,000</u>
Site Preparation:	<u></u>
Construction (materials, equipment, labor):	<u>\$13,884,607</u>
Building Purchase:	<u></u>
Machinery:	<u>\$1,250,000</u>
Remodeling/Renovation/Restoration:	<u></u>

Misc Soft Costs - \$219,050    Permit/Tap Fees - \$204,000    Capitalized Interest - \$1,219,000

37. Should bond funds be insufficient to complete the proposed project, itemize any additional funds and funding sources needed to complete the project: Limited Partner equity investment = \$7,000,981
38.  Yes  No Is the project located entirely within the municipal limits of the City of Fort Wayne, Indiana?
39.  Yes  No Is the project located within the Fort Wayne Community Schools District?
40. If no, name the applicable school district (s): Not applicable
41.  Yes  No Will the proposed facility, or any portion thereof, be leased to an entity other than the applicant?
42. If yes, name all such entities, state the type of business in which they engage, and indicate the square footage of the project each is expected to lease: Apartments will be leased to persons age 55 and older with needs for assistance with activities of daily living and with annual incomes of less than \$36,800 per year

### Zoning And Infrastructure Information

43. What is the existing zoning on the project site? C3/General Commercial
44. What zoning will the project require? C3/General Commercial
45.  Yes  No Is the project site located within a floodplain?  
(Attach a surveyor's certificate indicating floodplain status, required.) **Attachment # 5**
46. Is the site to be used currently served by Fort Wayne City Utilities for:
- Yes  No Water?
- Yes  No Sanitary sewer?
- Yes  No Storm sewer?
47. If not, how does applicant intend to procure proper utility infrastructure for the project?  
Sanitary Sewer to be extended as per the site development plans.
48. Will the project cause any adverse environmental impacts to:
- Yes  No Air?  Yes  No Land?
- Yes  No Noise?  Yes  No Other?
- Yes  No Water?
49. Describe any potential adverse environmental impacts: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## Public Benefit Information

50. Is a fully executed "Fort Wayne Economic Development Commission Form ED-1" attached to this application? (If not, application will not be accepted.) **Attachment # 6.**

I certify that I am a legally authorized representative of the above named company and that, to the best of my knowledge, all information in this application and its attached exhibits are true and complete and that I am aware that such application is subject to the Public Records laws of the State of Indiana. Verification of any and all items noted within this application may be obtained from any source named herein. It is my understanding that information on the "Fort Wayne Economic Development Commission Form ED-1" which is attached as a part of this application may be monitored by the staff of the Commission. I further understand that it is my obligation to provide the Commission with an annual "Fort Wayne Economic Development Commission Form ED-2" no later than January 31 of each year during the life of the bond issue. Form ED-2 shall be used to monitor compliance with the job creation and/or retention goals listed in the original "Fort Wayne Economic Development Commission Form ED-1". Commission staff has my express consent to monitor the project during the life of the bond issuance for compliance. Should any inaccuracies be found in the information reported on form ED-2, or should the ED-2 form not be received by January 31 of each year during the life of the bond issue, the Fort Wayne Economic Development Commission may seek such remedies as are legally available to it to address those discrepancies found.

I further agree to abide by all rules and regulations of the Fort Wayne Economic Development Commission. I agree to pay, in addition to the application fee, all attorney fees incurred on behalf of the Commission in the negotiation of financing of the economic development facility for which I am applying.

Signature David J. Cocagne  
Typed Name and Title David J. Cocagne / Member  
Date Signed September 24, 2018

Attachment # 1

**State of Indiana  
Office of the Secretary of State**

CERTIFICATE OF EXISTENCE

To Whom These Presents Come, Greeting:

I, CONNIE LAWSON, Secretary of State of Indiana, do hereby certify that I am, by virtue of the laws of the State of Indiana, the custodian of the corporate records and the proper official to execute this certificate.

I further certify that records of this office disclose that

**COOK ROAD AAL LP**

duly filed the requisite documents to commence business activities under the laws of the State of Indiana on September 26, 2018, and was in existence or authorized to transact business in the State of Indiana on September 26, 2018.

I further certify this Domestic Limited Partnership has filed its most recent report required by Indiana law with the Secretary of State, or is not yet required to file such report, and that no notice of withdrawal, dissolution, or expiration has been filed or taken place. All fees, taxes, interest, and penalties owed to Indiana by the domestic or foreign entity and collected by the Secretary of State have been paid.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, September 26, 2018

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

201809261281058 / 2018741066

All certificates should be validated here: <https://bsd.sos.in.gov/ValidateCertificate>  
Expires on October 26, 2018.

Attachment # 2

State of Indiana  
Office of the Secretary of State

Certified Copies

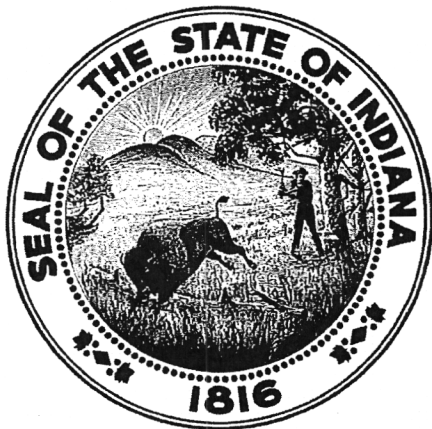
To Whom These Presents Come, Greeting:

I, CONNIE LAWSON, Secretary of State of Indiana, do hereby certify that I am, by virtue of the laws of the State of Indiana, the custodian of the corporate records and the proper official to execute this certificate.

I further certify that this is a true and complete copy of this 2 page document consisting of the following records filed in this office:

Certification Date: September 26, 2018  
Business Name: COOK ROAD AAL LP  
Business ID: 201809261281058

Transaction	Date Filed	No. of pages
Certificate of Limited Partnership	09/26/2018	2
<b>Total No. of pages</b>		<b>2</b>



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, September 26, 2018

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

201809261281058 / 10580653

All certificates should be validated here: <https://bsd.sos.in.gov/ValidateCertificate>  
Expires on October 26, 2018.

State of Indiana  
Office of the Secretary of State

Certificate of Limited Partnership  
of  
**COOK ROAD AAL LP**

I, CONNIE LAWSON, Secretary of State, hereby certify that a Certificate of Limited Partnership of the above Domestic Limited Partnership has been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Code.

NOW, THEREFORE, with this document I certify that said transaction will become effective  
Wednesday, September 26, 2018.



In Witness Whereof, I have caused to be affixed my  
signature and the seal of the State of Indiana, at the City  
of Indianapolis, September 26, 2018

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

201809261281058 / 8035220

To ensure the certificate's validity, go to <https://bsd.sos.in.gov/PublicBusinessSearch>



**CERTIFICATE OF LIMITED PARTNERSHIP**  
**DOMESTIC LIMITED PARTNERSHIP**  
 State Form 51586 (RB / 6-18)

Indiana Code 23-16-3-2  
 23-0.5-9-10

FILING FEE: \$100.00

ARTICLE I - NAME AND PRINCIPAL OFFICE			
Name of Limited Partnership (The name must include the words Limited Partnership or an abbreviation thereof.) <b>Cook Road AAL LP</b>			
Address of Principal Office (number and street) c/o Vermilion Development, 121 W. Wacker Drive, Suite 400	City Chicago	State IL	ZIP code 60601

ARTICLE II - REGISTERED AGENT INFORMATION			
To determine if your Registered Agent is a Commercial Registered Agent (CRA), go to <a href="http://INBIZ.in.gov">INBIZ.in.gov</a> .			
Electronic Service of Process Information			
Sending an e-mail to the e-mail address provided by a registered agent is NOT sufficient to effectuate valid service of process.			
The Secretary of State is currently collecting a service of process e-mail address for registered agents. Until the Indiana Supreme Court writes rules and develops a technical solution, valid service may not be effectuated electronically.			
If you do not want to provide a service of process e-mail address, you may choose to use a commercial registered agent. Because all commercial registered agents are required to have a service of process e-mail address on record with the Secretary of State, choosing to use a commercial registered agent means that you are not required to provide another service of process e-mail address.			
Provide either commercial registered agent or noncommercial registered agent information below.			
<input checked="" type="checkbox"/> Commercial registered agent	Name of registered agent: (Do not provide address.) COGENCY GLOBAL INC.		
OR			
<input type="checkbox"/> Noncommercial registered agent	Name of registered agent		
Address (number and street) (A P.O. Box is not acceptable unless accompanied by a Rural Route number.)	City	State IN	ZIP code
E-mail address of the registered agent at which the registered agent will accept electronic service of process			
<input checked="" type="checkbox"/> By checking the box, the Signator(s) represent(s) that the Registered Agent named in this Certificate of Limited Partnership has consented to the appointment of Registered Agent.			

ARTICLE III - GENERAL PARTNERS	
State the names and business addresses of each general partner of the Limited Partnership. (Please attach additional sheets if necessary.)	
Name	Address (number and street, city, and state and ZIP code)
Vermilion Cook Road LLC	c/o Vermilion Development, 121 W. Wacker Drive, Suite 400, Chicago, IL 60601

ARTICLE IV - PARTNERSHIP AGREEMENT (optional)
Attach herewith and designate as "Exhibit B" any matters or terms concerning the Limited Partnership that the general partners of the Limited Partnership wish to include.

ARTICLE V - DISSOLUTION OF THE LIMITED PARTNERSHIP
State the latest date upon which the Limited Partnership is to dissolve (month, day, year) <b>September 13, 2117</b>

SIGNATURE	
In Witness Whereof, the undersigned executes this Certificate of Limited Partnership and verifies, subject to penalties of perjury, that the statements contained herein are true this <u>14</u> day of <u>September</u> , 20 <u>18</u> .	
Signature 	Printed name David J. Cocagne, Manager, Vermilion Enterprises, LLC, Managing Member of GP

SEP 26 2018  
 SEC OF STATE RCVD

**LEGAL DESCRIPTION**

PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16, BEING MARKED BY A TYPE "B" HIGHWAY MONUMENT; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (DEED BEARING AND BASIS OF ALL BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, BEING WITHIN THE RIGHT-OF-WAY OF WEST COOK ROAD, A DISTANCE OF 516.80 FEET TO A SURVEY NAIL AT THE NORTHEAST CORNER OF A 2.61 ACRE BASE TRACT OF REAL ESTATE DESCRIBED IN A DEED TO BELLCHASE INVESTMENTS, LLC, IN DOCUMENT NUMBER 2011022268 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 24 MINUTES 57 SECONDS WEST, ON AND ALONG THE EAST LINE OF SAID 2.61 ACRE BASE TRACT, A DISTANCE OF 45.00 FEET TO A #5 REBAR AT A SOUTHEAST CORNER OF A 1.796 ACRE TRACT OF REAL ESTATE DESCRIBED IN A DEED TO THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN, INDIANA, IN DOCUMENT NUMBER 2008011064 IN THE OFFICE OF SAID RECORDER, THIS BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG A SOUTH LINE OF SAID 1.796 ACRE TRACT, A DISTANCE OF 455.51 FEET TO A #5 REBAR; THENCE SOUTH 45 DEGREES 12 MINUTES 17 SECONDS WEST, ON AND ALONG A SOUTHEAST LINE OF SAID 1.796 ACRE TRACT, A DISTANCE OF 30.21 FEET TO A #5 REBAR; THENCE SOUTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, ON AND ALONG AN EAST LINE OF SAID 1.796 ACRE TRACT, A DISTANCE OF 284.00 FEET TO A #5 REBAR; THENCE SOUTH 12 DEGREES 43 MINUTES 29 SECONDS EAST, CONTINUING ON AND ALONG SAID EAST LINE, A DISTANCE OF 154.03 FEET TO A #5 REBAR; THENCE SOUTH 89 DEGREES 35 MINUTES 26 SECONDS EAST, CONTINUING ON AND ALONG SAID EAST LINE, A DISTANCE OF 25.00 FEET TO A #5 REBAR; THENCE SOUTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, CONTINUING ON AND ALONG SAID EAST LINE, A DISTANCE OF 35.47 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE WITH THE CENTERLINE OF BROWN NO. 2 DRAIN; THENCE EASTERLY, ON AND ALONG SAID CENTERLINE, AS DEFINED BY THE FOLLOWING COURSES AND DISTANCES:

NORTH 89 DEGREES 48 MINUTES 19 SECONDS EAST, A DISTANCE OF 123.41 FEET; THENCE NORTH 83 DEGREES 00 MINUTES 54 SECONDS EAST, A DISTANCE OF 152.90 FEET; THENCE NORTH 88 DEGREES 50 MINUTES 23 SECONDS EAST, A DISTANCE OF 36.27 FEET; THENCE NORTH 71 DEGREES 00 MINUTES 19 SECONDS EAST, A DISTANCE OF 36.89 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 58 SECONDS EAST AND LEAVING SAID CENTERLINE, A DISTANCE OF 70.14 FEET TO A #5 REBAR AT AN EAST CORNER OF AN 11.8543 ACRE BASE TRACT OF REAL ESTATE DESCRIBED IN SAID BELLCHASE INVESTMENTS DEED; THENCE NORTH 00

Attachment #3 cont

DEGREES 32 MINUTES 39 SECONDS EAST, ON AND ALONG AN EAST LINE OF SAID 11.8543 ACRE BASE TRACT, A DISTANCE OF 280.78 FEET TO A STEEL POST AT THE NORTHEAST CORNER THEREOF, ALSO BEING THE SOUTHEAST CORNER OF SAID 2.61 ACRE BASE TRACT; THENCE NORTH 00 DEGREES 24 MINUTES 57 SECONDS EAST, ON AND ALONG THE EAST LINE OF SAID 2.61 ACRE BASE TRACT, A DISTANCE OF 175.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 5.134 ACRES OF LAND, SUBJECT TO ALL EASEMENTS OF RECORD.

Attachment #4

**INDEX OF DRAWINGS**

A1.1	COVER SHEET & SITE PLAN
A2.1	FIRST FLOOR PLAN
A2.2	SECOND FLOOR PLAN
A2.3	THIRD FLOOR PLAN
A2.4	ENLARGED FIRST FLOOR PLAN - CENTRAL WING
A2.5	ENLARGED FIRST FLOOR PLAN - NORTH WING
A2.6	ENLARGED FIRST FLOOR PLAN - EAST WING
A2.7	ENLARGED FIRST FLOOR PLAN - SOUTH WING
A2.8	ENLARGED FIRST FLOOR PLAN - WEST WING
A2.9	ENLARGED SECOND FLOOR PLAN - CENTRAL WING
A2.10	ENLARGED 2ND/3RD FLOOR PLAN - NORTH & EAST WING
A2.11	ENLARGED SECOND FLOOR PLAN - SOUTH WING
A2.12	ENLARGED THIRD FLOOR PLAN - WEST WING
A2.13	ENLARGED THIRD FLOOR PLAN - CENTRAL WING
A2.14	ENLARGED THIRD FLOOR PLAN - SOUTH WING
A2.15	ENLARGED THIRD FLOOR PLAN - WEST WING
A2.16	ONE BEDROOM UNIT PLANS
A2.17	STUDIO UNIT PLANS
A4.1	ELEVATIONS
A4.2	ELEVATIONS
A4.3	ELEVATIONS
A4.4	ELEVATIONS

**LOCATION MAP**

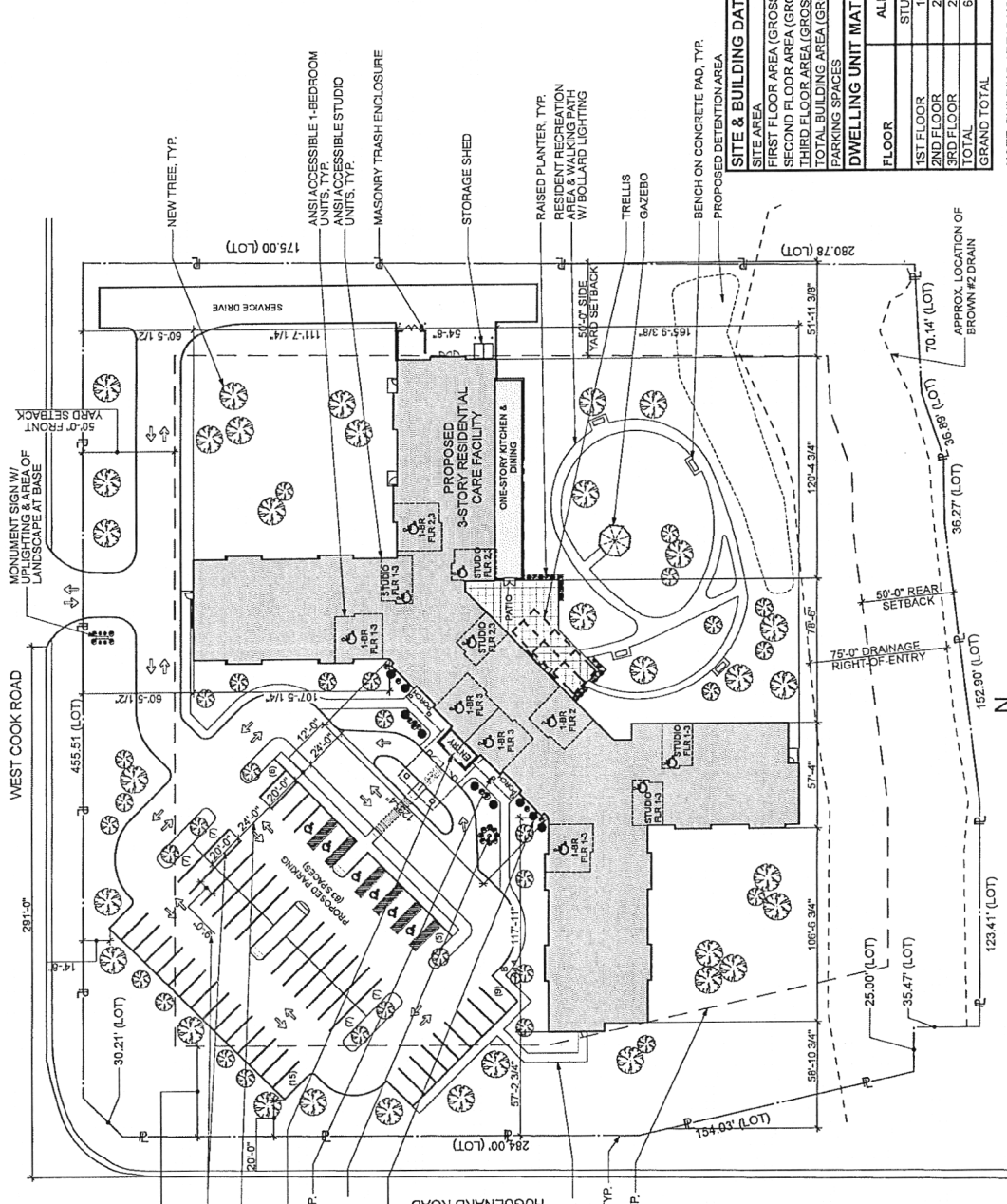
**SITE & BUILDING DATA**

SITE AREA	APPROX. 223,637 SQ. FT. (5.134 ACRES)
FIRST FLOOR AREA (GROSS)	35,120 SQ. FT.
SECOND FLOOR AREA (GROSS)	32,910 SQ. FT.
THIRD FLOOR AREA (GROSS)	32,910 SQ. FT.
TOTAL BUILDING AREA (GROSS)	100,940 SQ. FT.
PARKING SPACES	63 (INCLUDES 6 ACCESSIBLE SPACES)

**DWELLING UNIT MATRIX**

FLOOR	ALL UNIT TYPES		80% ADAPTABLE UNITS		20% ACCESSIBLE UNITS		2% HEARING IMPAIRED UNITS	
	STUDIO	1-BR	STUDIO	1-BR	STUDIO	1-BR	STUDIO	1-BR
1ST FLOOR	16	11	9	3	2	0	0	0
2ND FLOOR	24	20	19	16	5	4	1	1
3RD FLOOR	25	23	20	18	5	5	1	0
TOTAL	65	54	52	43	13	11	2	1
GRAND TOTAL	119		95		24		3	

NOTE: BUILDING AREAS NOTED ABOVE ARE GROSS MEASUREMENTS AND THUS ARE MEASURED TO THE OUTSIDE FACE OF BRICK OR SHEATHING AT EXTERIOR WALLS.



NOTE: ALL SITE DIMENSIONS ARE APPROXIMATE

**A SITE PLAN**  
SCALE: 1" = 60'

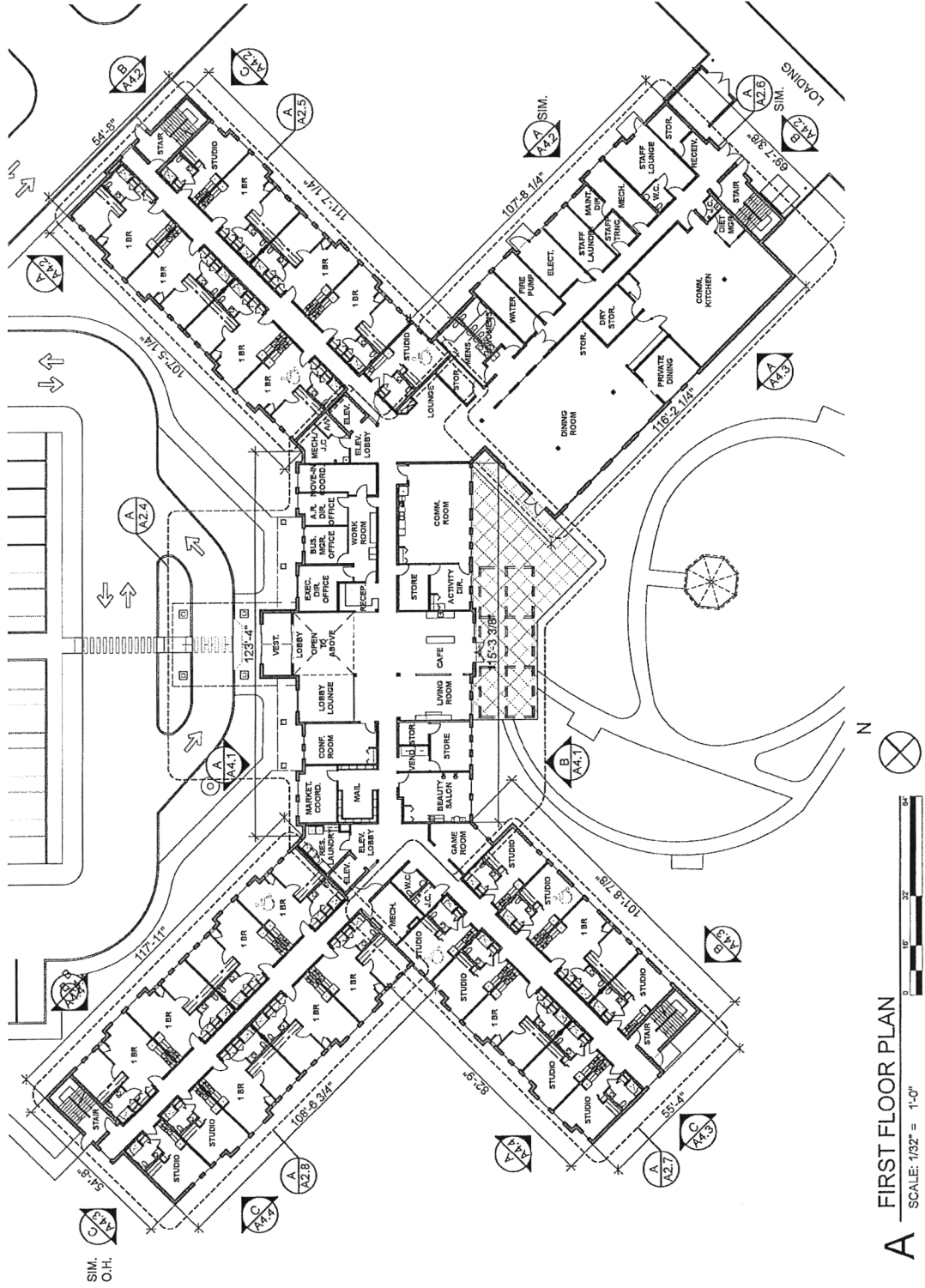
**A1.1**

**Silver Birch at Cook Road**

W. Cook Rd. & Huguenard Rd.  
Port Washington, IL 48818  
5/11/16

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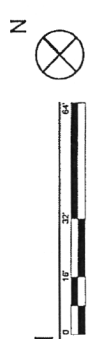
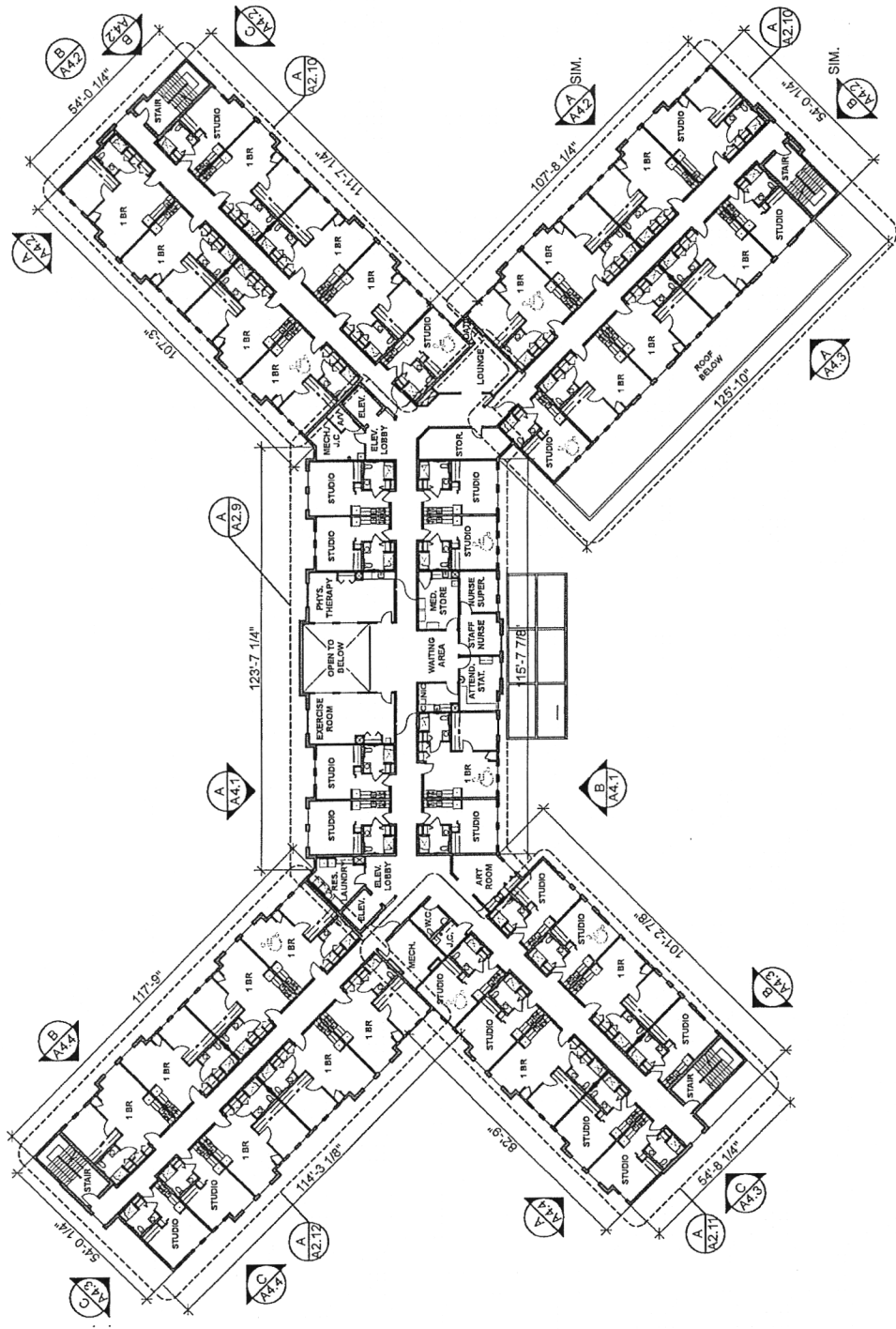
**A** FIRST FLOOR PLAN  
SCALE: 1/32" = 1'-0"

**A2.1**

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**Silver Birch at Cook Road**  
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**A** SECOND FLOOR PLAN  
SCALE: 1/32" = 1'-0"

A2.2

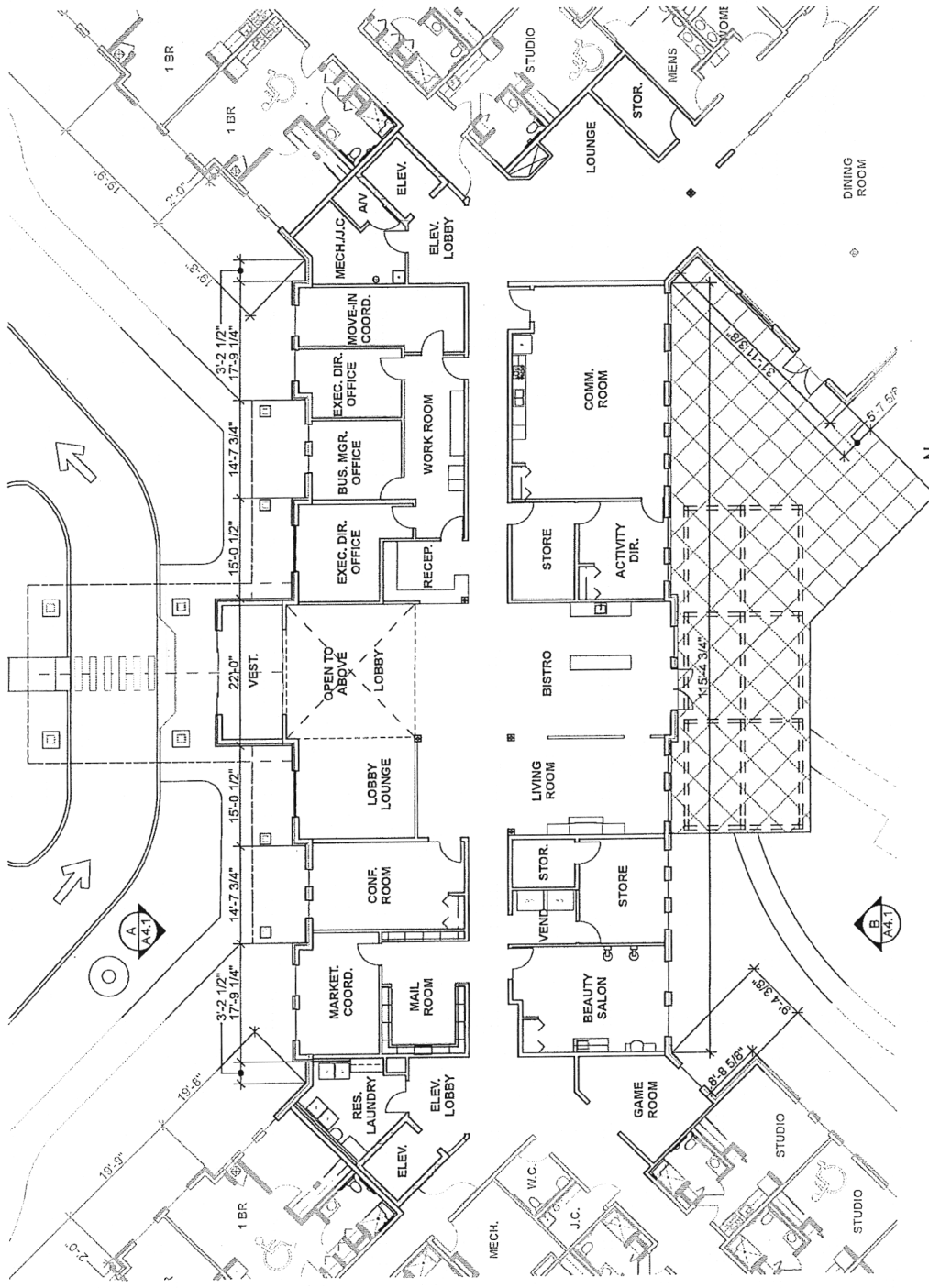
**Silver Birch at Cook Road**

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**A** FIRST FLOOR PLAN CENTRAL WING  
SCALE: 1/16" = 1'-0"

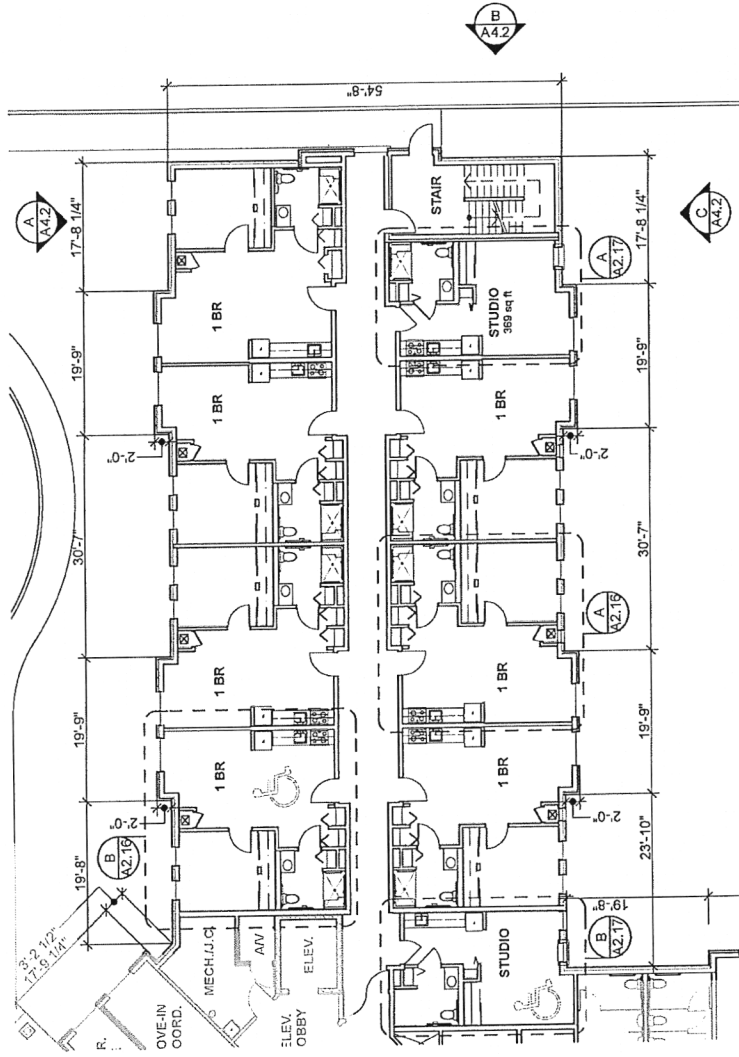
**A2.4**

**Silver Birch at Cook Road**

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Chicago, IL 60654



**A** FIRST FLOOR NORTH WING  
SCALE: 1/16" = 1'-0"



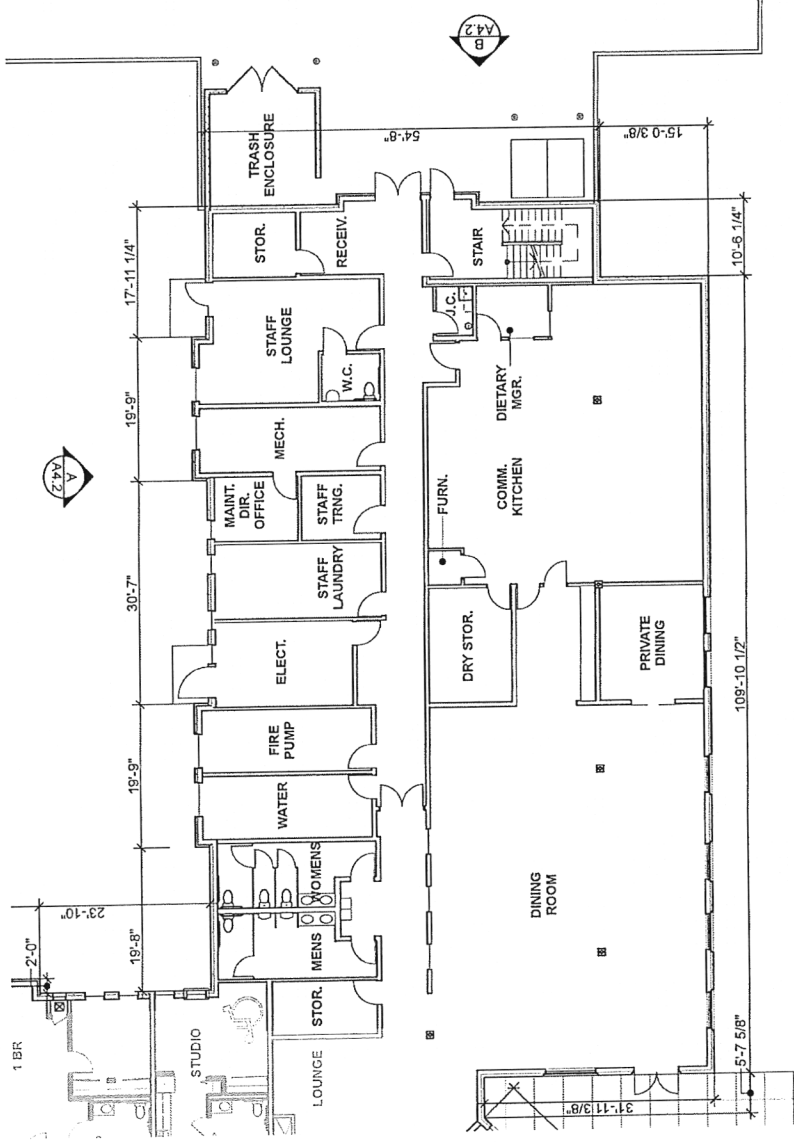
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**A2.5**

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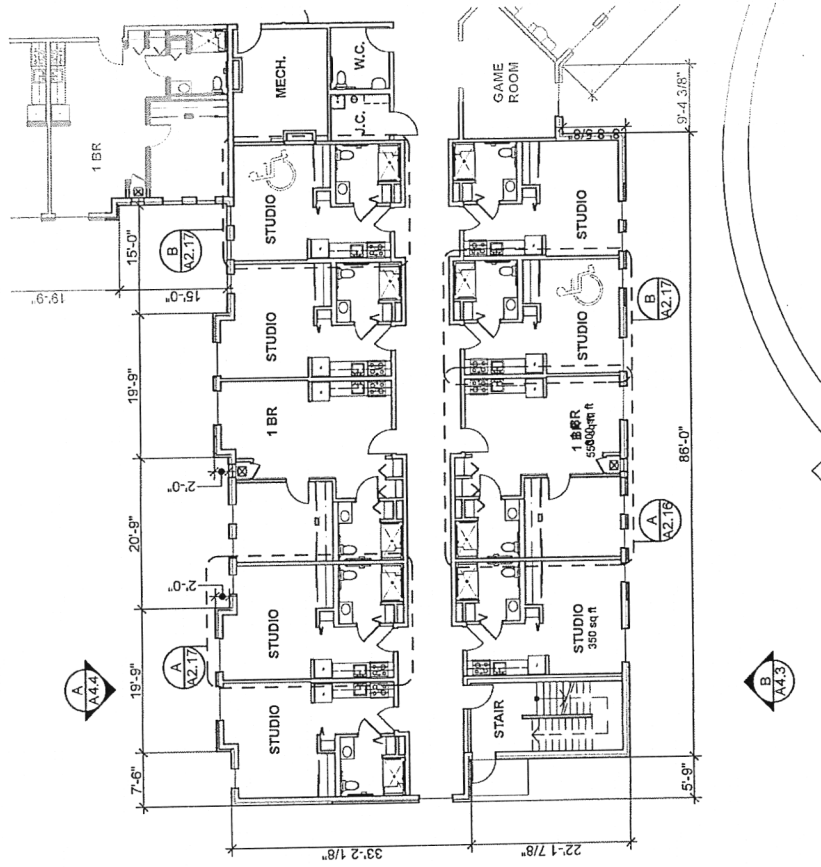
**A** FIRST FLOOR EAST WING  
SCALE: 1/16" = 1'-0"

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5/11/18

**A2.6**

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**A** FIRST FLOOR SOUTH WING  
SCALE: 1/16" = 1'-0"



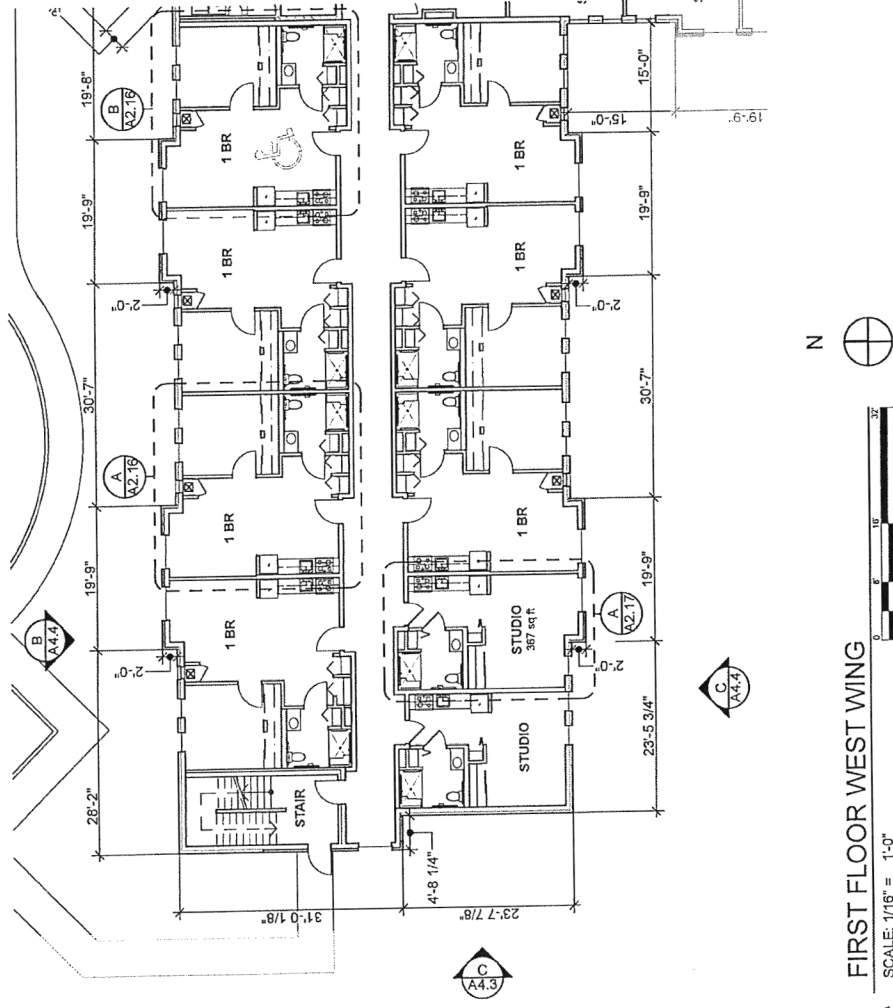
A2.7

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Chicago, IL 60601



**A** FIRST FLOOR WEST WING  
SCALE: 1/16" = 1'-0"

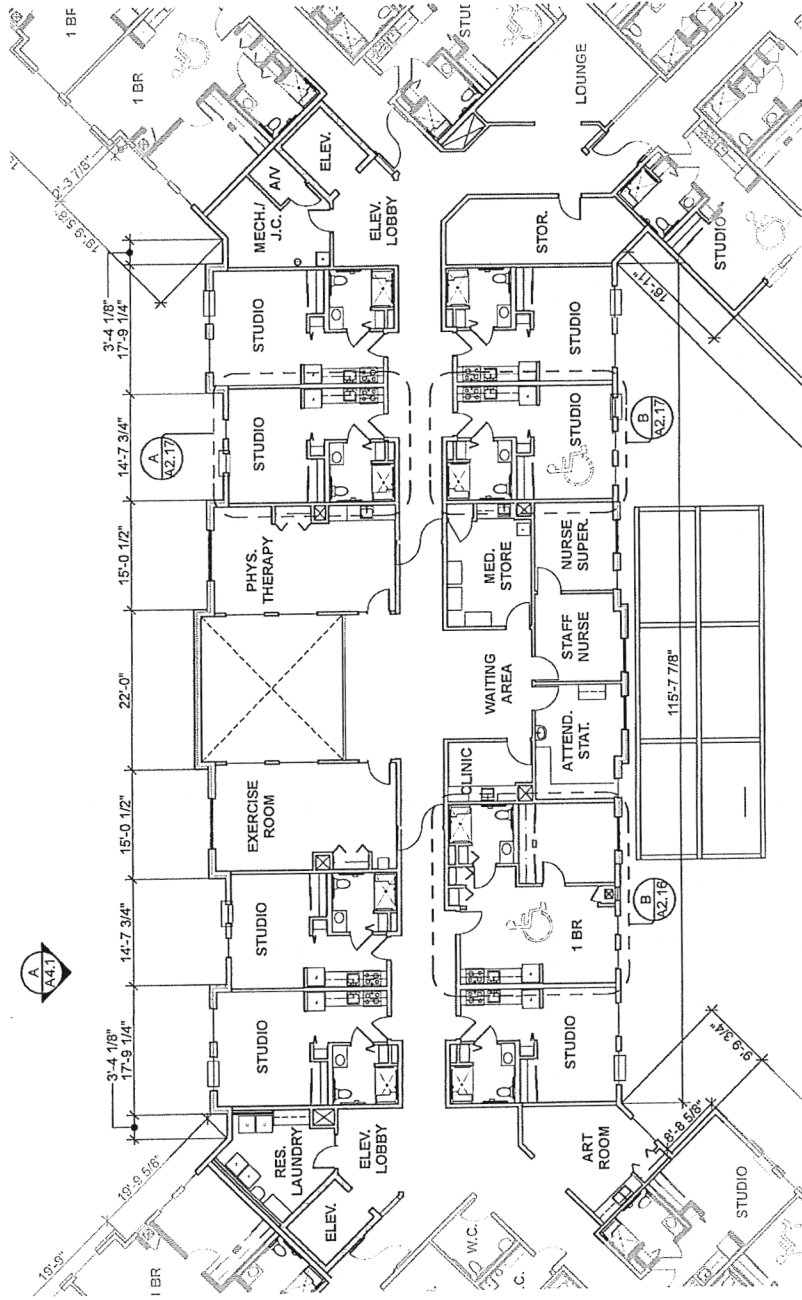
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**A** SECOND FLOOR CENTRAL WING  
SCALE: 1/16" = 1'-0"

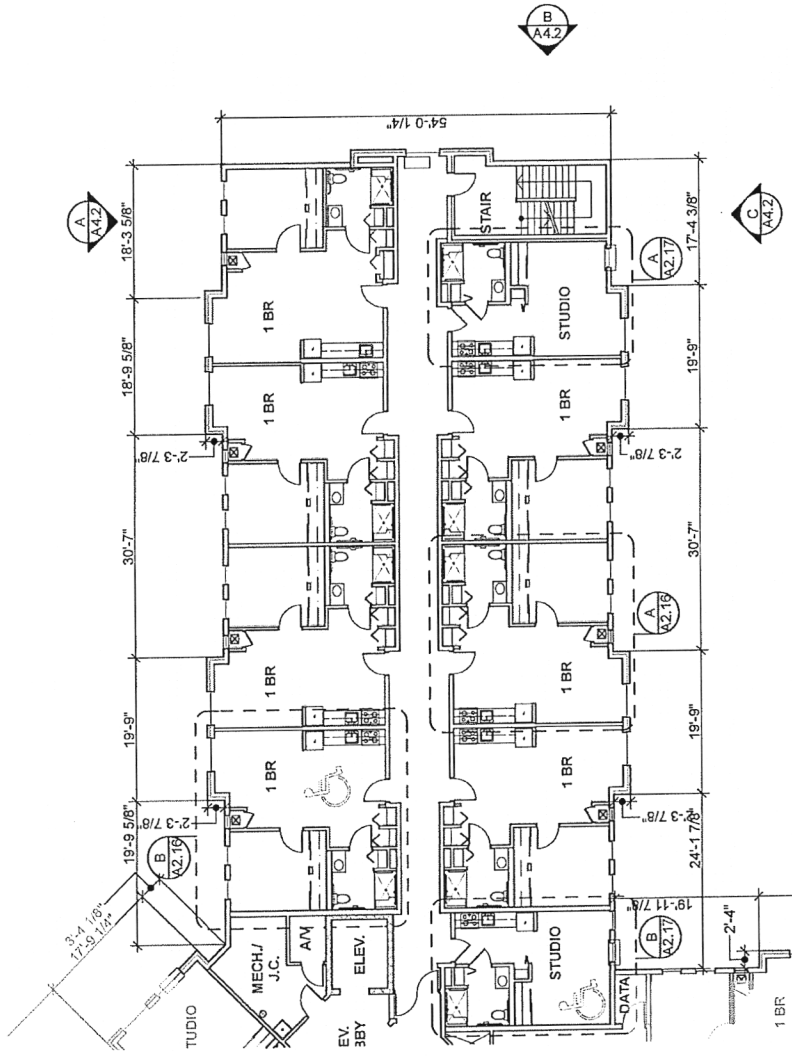
**A2.9**

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**Silver Birch at Cook Road**

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Fort Wayne, IN 46816  
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**A** SECOND & THIRD FLOOR NORTH WING, TYP.  
SCALE: 1/16" = 1'-0"

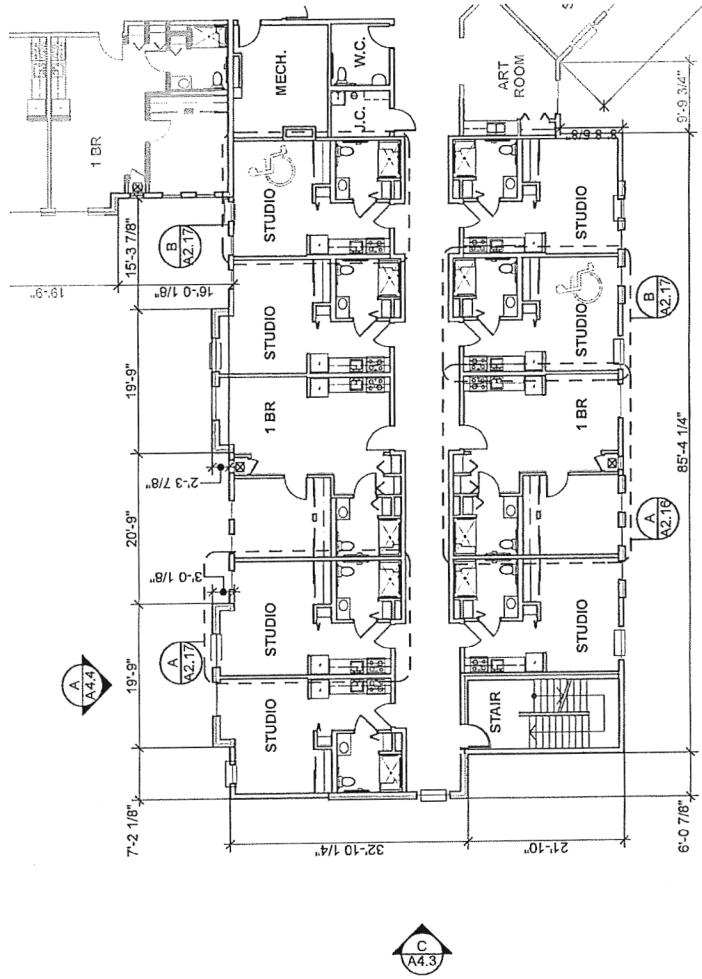
**A2.10**

**Silver Birch at Cook Road**

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**A** SECOND FLOOR SOUTH WING

SCALE: 1/16" = 1'-0"



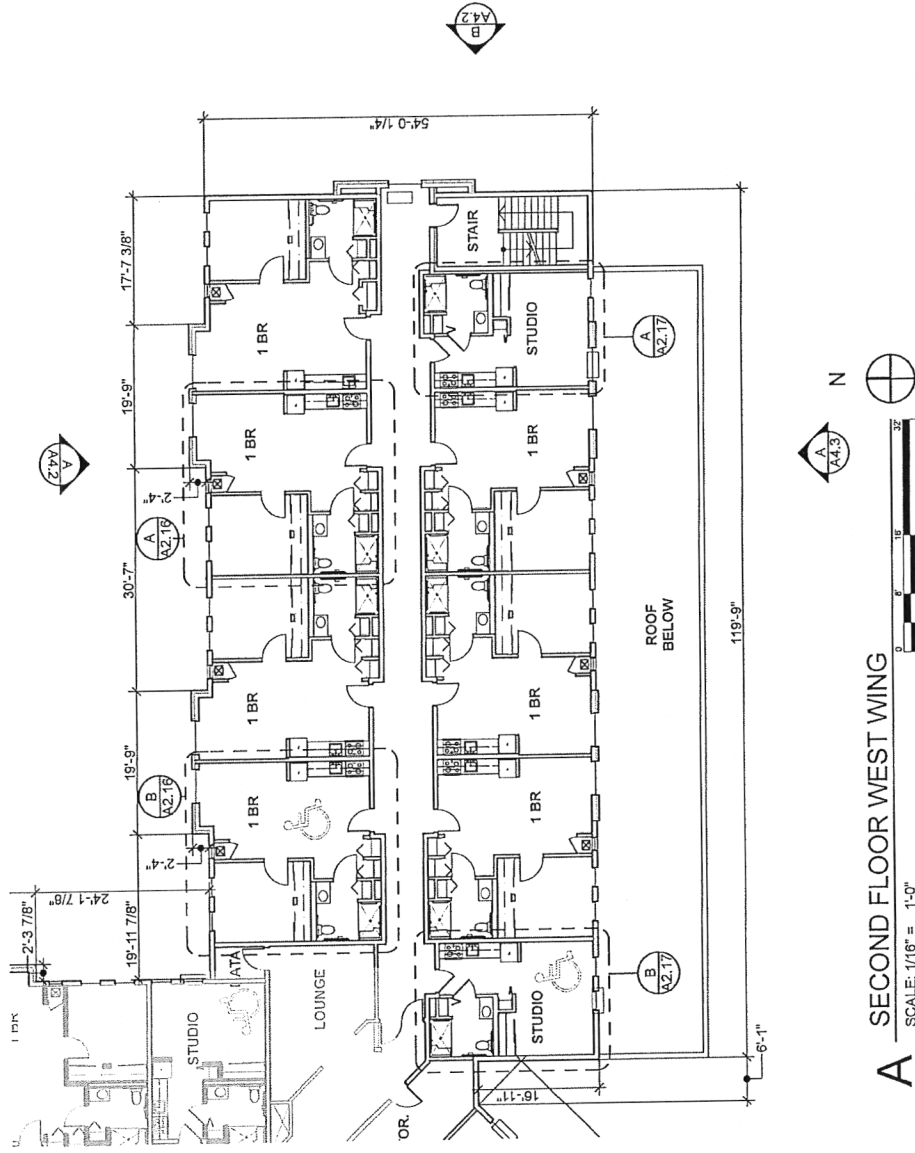
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**A** SECOND FLOOR WEST WING  
SCALE: 1/16" = 1'-0"

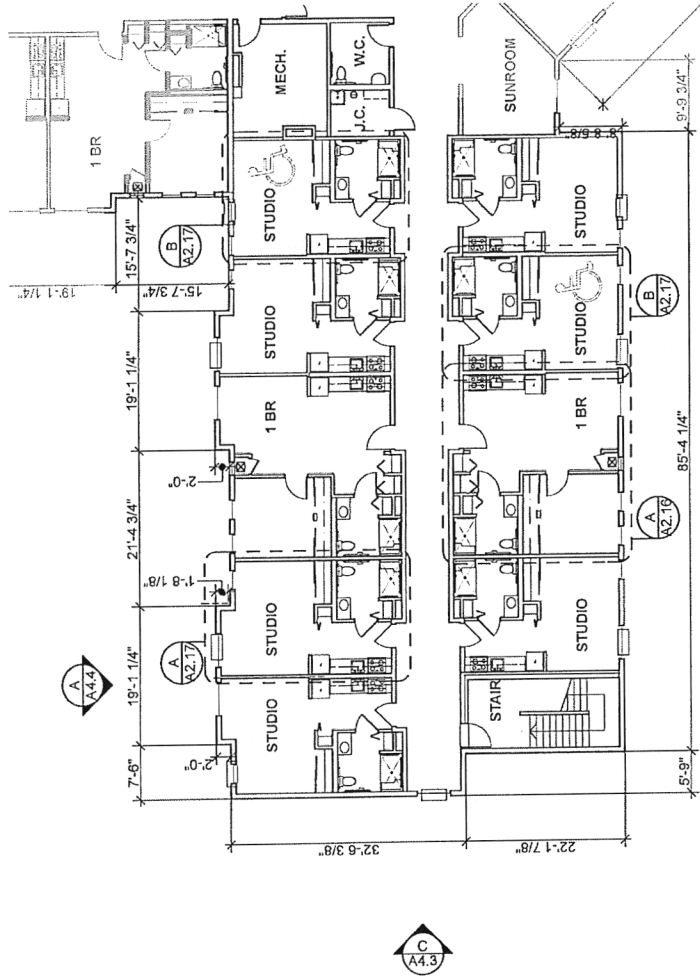
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**A2.12**  
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**A** THIRD FLOOR SOUTH WING  
SCALE: 1/16" = 1'-0"

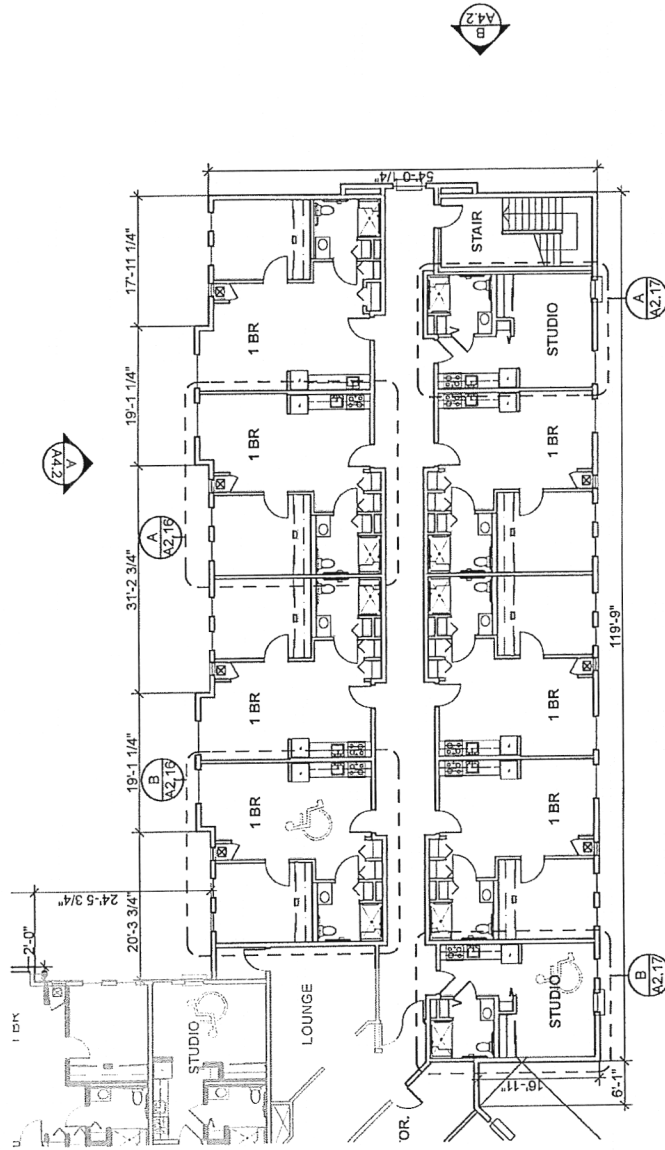
**A2.14**

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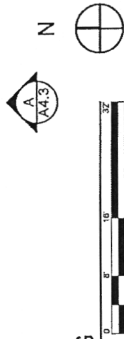
**Silver Birch at Cook Road**

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Chicago, IL 60601



**A** THIRD FLOOR WEST WING  
SCALE: 1/16" = 1'-0"

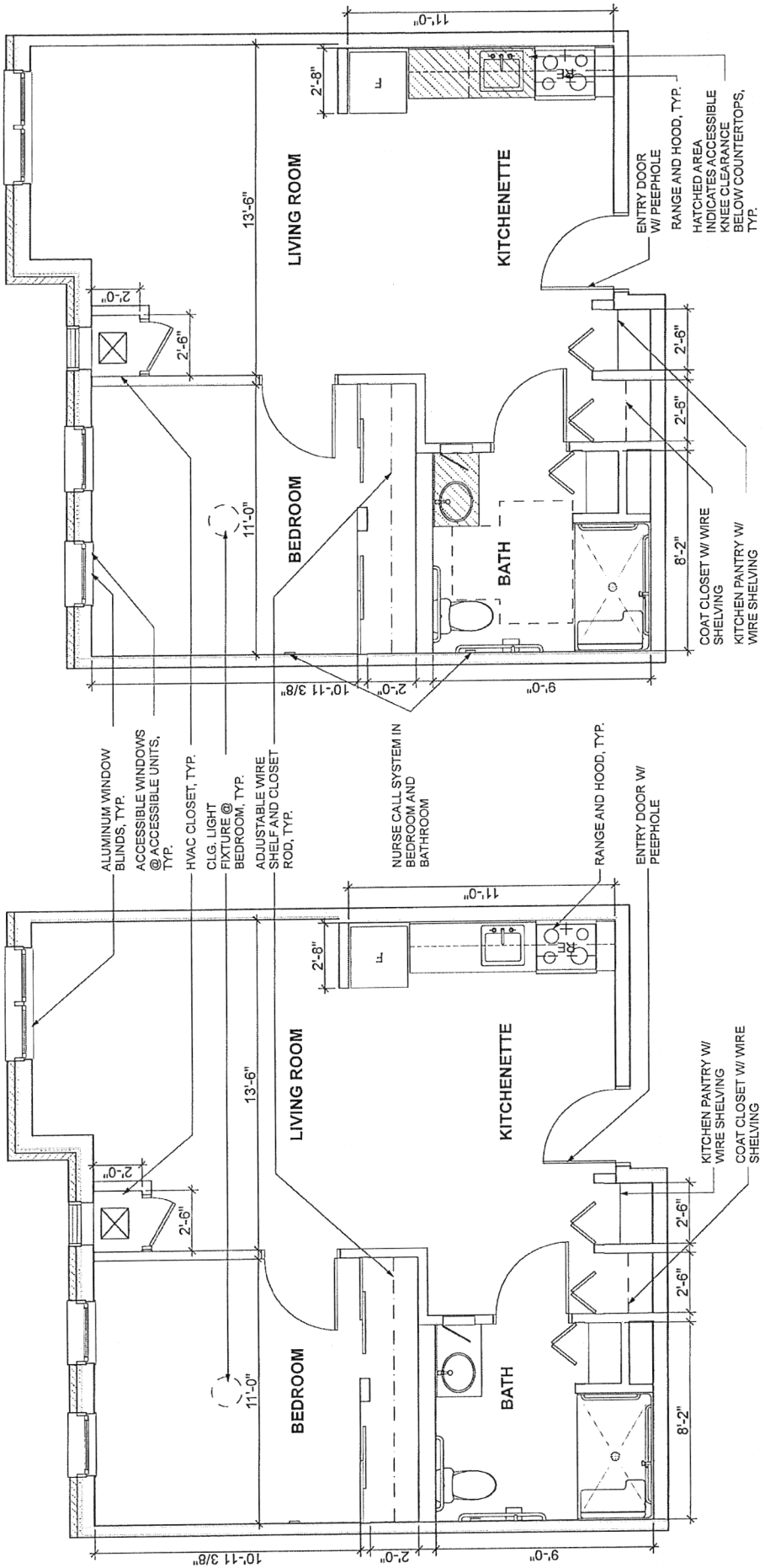


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**A** TYPICAL ONE BEDROOM UNIT (ADAPTABLE)  
SCALE: 1/4" = 1'-0"

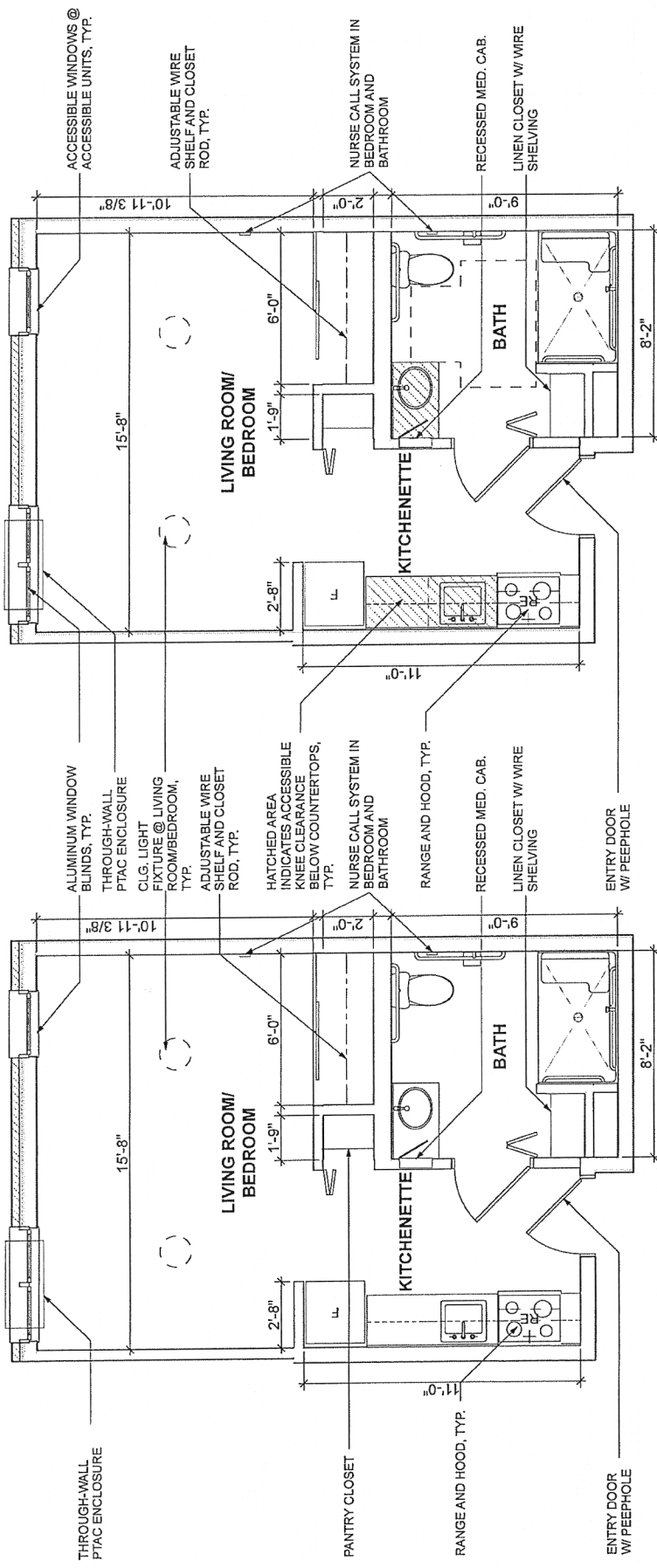
UNIT AREA CALCULATIONS  
NET 515 S.F. (VARIES FROM 515 - 600 NET S.F.)  
GROSS 550 S.F. (VARIES FROM 550 - 630 GROSS S.F.)

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**B** ACCESSIBLE ONE BEDROOM UNIT  
SCALE: 1/4" = 1'-0"

UNIT AREA CALCULATIONS  
NET 515 S.F. (VARIES FROM 515 - 600 NET S.F.)  
GROSS 550 S.F. (VARIES FROM 550 - 630 GROSS S.F.)

Silver Birch at Cook Road  
W. Cook Rd. & Huguenard Rd.  
Port Washington, IL 60068  
5/11/18



**A** TYPICAL STUDIO UNIT (ADAPTABLE)  
SCALE: 1/4" = 1'-0"

UNIT AREA CALCULATIONS  
NET 360 S.F. (VARIES FROM 350 - 400 NET S.F.)  
GROSS 375 S.F. (VARIES FROM 375 - 420 GROSS S.F.)

**B** ACCESSIBLE STUDIO UNIT  
SCALE: 1/4" = 1'-0"

UNIT AREA CALCULATIONS  
NET 360 S.F. (VARIES FROM 350 - 400 NET S.F.)  
GROSS 375 S.F. (VARIES FROM 375 - 420 GROSS S.F.)

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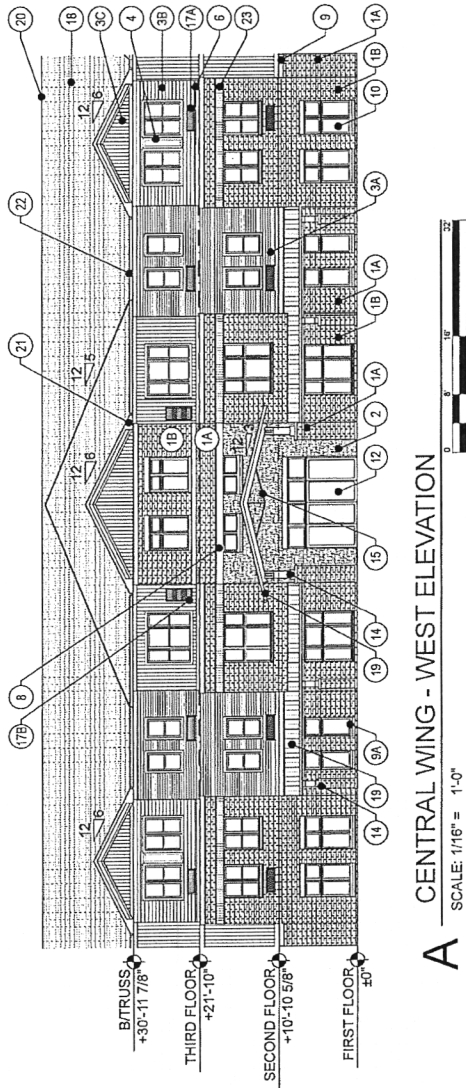
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Silver Birch at Cook Road

W. Cook Rd. & Higleywood Rd.  
Fort Wayne, IN 46818  
5/11/18

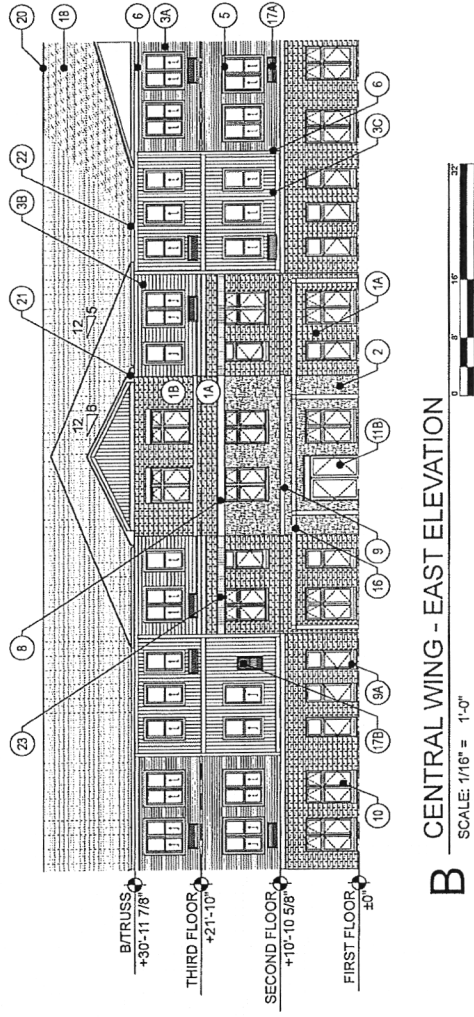
A2.17

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**A** CENTRAL WING - WEST ELEVATION

SCALE: 1/16" = 1'-0"



**B** CENTRAL WING - EAST ELEVATION

SCALE: 1/16" = 1'-0"

**ELEVATION MATERIAL KEY**

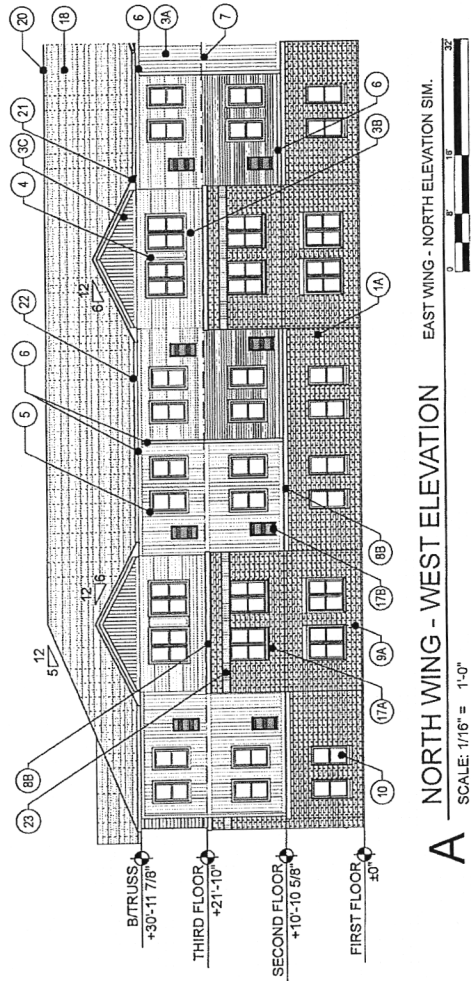
- 1A - FACE BRICK #1 - 3 5/8" (H) x 3 5/8" (D) x 11 5/8" (L) - MANUF., COLOR & TEXTURE BY ARCHITECT
- 1B - FACE BRICK #2 - 3 5/8" (H) x 3 5/8" (D) x 11 5/8" (L) - MANUF., COLOR & TEXTURE BY ARCHITECT
- 2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT
- 3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE
- 3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE
- 3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE
- 4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT
- 5 - 3 1/2" (W) x 1" (TH) FIBER CEMENT TRIM
- 6 - 5 1/2" (W) x 1" (TH) FIBER CEMENT TRIM
- 7 - 7 1/2" (W) x 1" (TH) FIBER CEMENT TRIM
- 8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM
- 8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM
- 8C - 3 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM
- 9 - VINYL WINDOW UNIT
- 10 - VINYL WINDOW UNIT
- 11A - PRE-FINISHED STEEL DOOR
- 11B - PRE-FINISHED STOREFRONT DOOR
- 12 - PRE-FINISHED AUTO-OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT
- 13 - PRE-FINISHED FASCIA
- 14 - FIBER CEMENT WRAPPED COLUMN COVER
- 15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS
- 16 - PRE-FINISHED FIBERGLASS TRELIS
- 17A - PRE-FINISHED ALUMINUM PTAC GRILLE
- 17B - PRE-FINISHED ALUMINUM PTAC GRILLE
- 18 - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES
- 19 - PRE-FINISHED METAL STANDING SEAM ROOFING
- 20 - CONTINUOUS RIDGE VENT
- 21 - PRE-FINISHED METAL COPING, FASCIA & TRIM
- 22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT
- 23 - BRICK SOLDIER COURSE, TYP.

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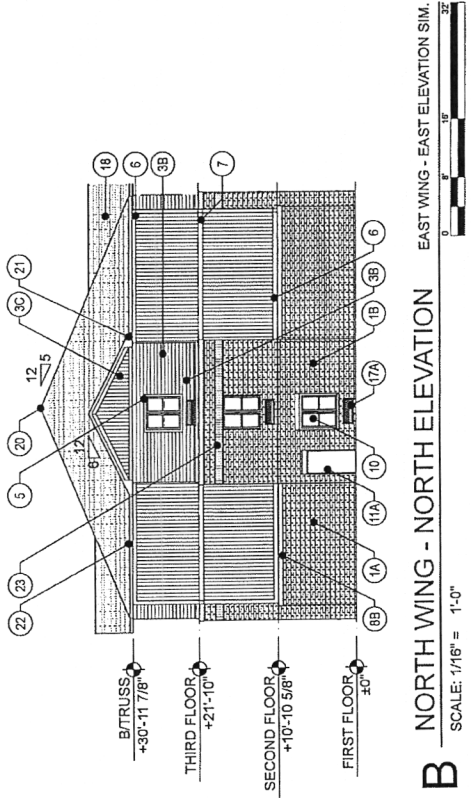
**Silver Birch at Cook Road**

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Port Wayne, IL 46818  
5/11/18

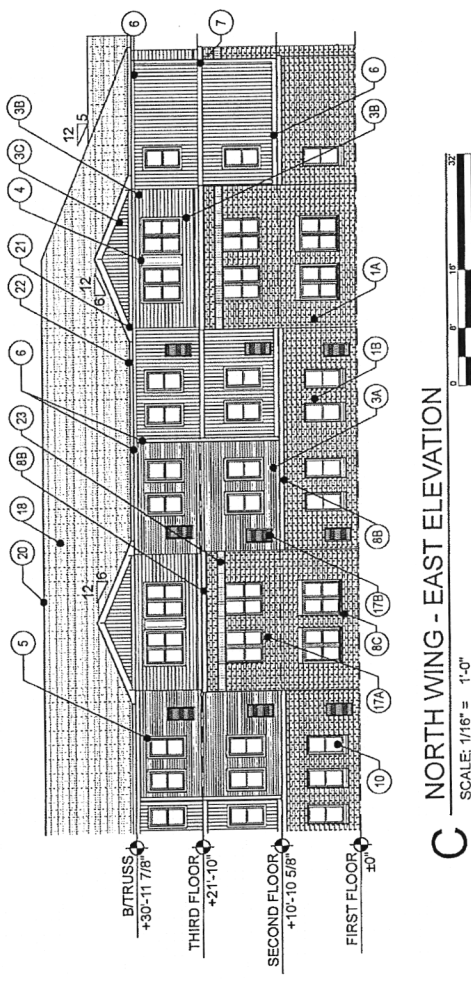
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**A** NORTH WING - WEST ELEVATION EAST WING - NORTH ELEVATION SIM.  
SCALE: 1/16" = 1'-0"



**B** NORTH WING - NORTH ELEVATION EAST WING - EAST ELEVATION SIM.  
SCALE: 1/16" = 1'-0"



**C** NORTH WING - EAST ELEVATION  
SCALE: 1/16" = 1'-0"

**ELEVATION MATERIAL KEY**

- 1A - FACE BRICK #1 - 3.5/8" (H) X 3.5/8" (D) X 11.5/8" (L) - MANUF. COLOR & TEXTURE BY ARCHITECT
- 1B - FACE BRICK #2 - 3.5/8" (H) X 3.5/8" (D) X 11.5/8" (L) - MANUF. COLOR & TEXTURE BY ARCHITECT
- 2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT
- 3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE
- 3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE
- 3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE
- 4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT
- 5 - 3 1/2" (W) X 1" (TH.) FIBER CEMENT TRIM
- 6 - 5 1/2" (W) X 1" (TH.) FIBER CEMENT TRIM
- 7 - 7 1/2" (W) X 1" (TH.) FIBER CEMENT TRIM
- 8A - 11 5/8" (H) X 4 5/8" (D) CAST STONE SILL/TRIM
- 8B - 7 5/8" (H) X 4 5/8" (D) CAST STONE SILL/TRIM
- 8C - 3 5/8" (H) X 4 5/8" (D) CAST STONE SILL/TRIM
- 10 - VINYL WINDOW UNIT
- 11A - PRE-FINISHED STEEL DOOR
- 11B - PRE-FINISHED STOREFRONT DOOR
- 12 - PRE-FINISHED AUTO-OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT
- 13 - PRE-FINISHED FASCIA
- 14 - FIBER CEMENT WRAPPED COLUMN COVER
- 15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS
- 16 - PRE-FINISHED FIBERGLASS TRELLIS
- 17A - PRE-FINISHED ALUMINUM PTAC GRILLE
- 17B - PRE-FINISHED ALUMINUM VTAC GRILLE
- 18 - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES
- 19 - PRE-FINISHED METAL STANDING SEAM ROOFING
- 20 - CONTINUOUS RIDGE VENT
- 21 - PRE-FINISHED METAL COPING, FASCIA & TRIM
- 22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT
- 23 - BRICK SOLDIER COURSE, TYP.

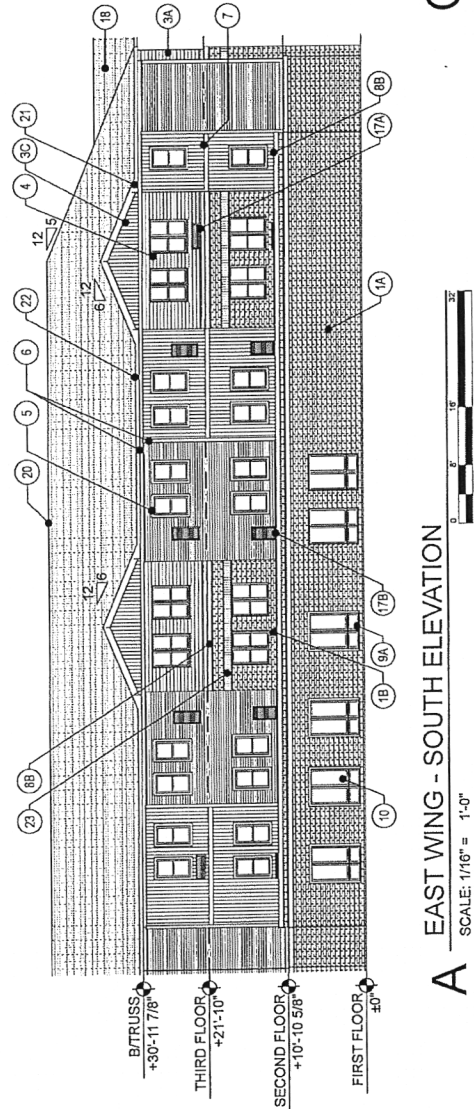
**Silver Birch at Cook Road**

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Fort Wayne, IN 46818  
5/11/18

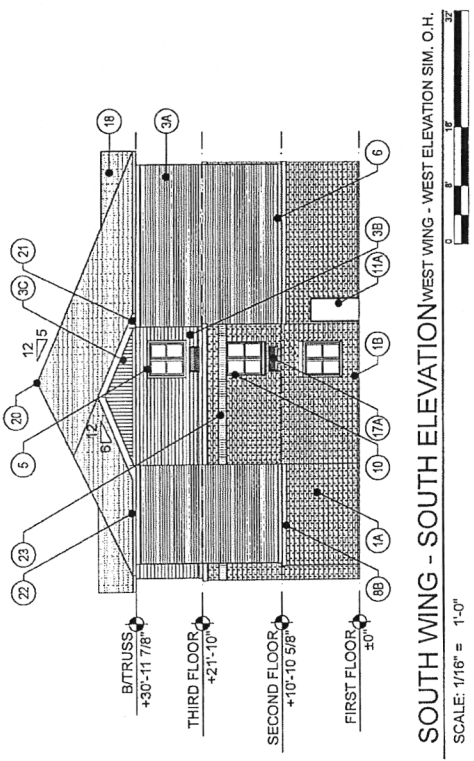
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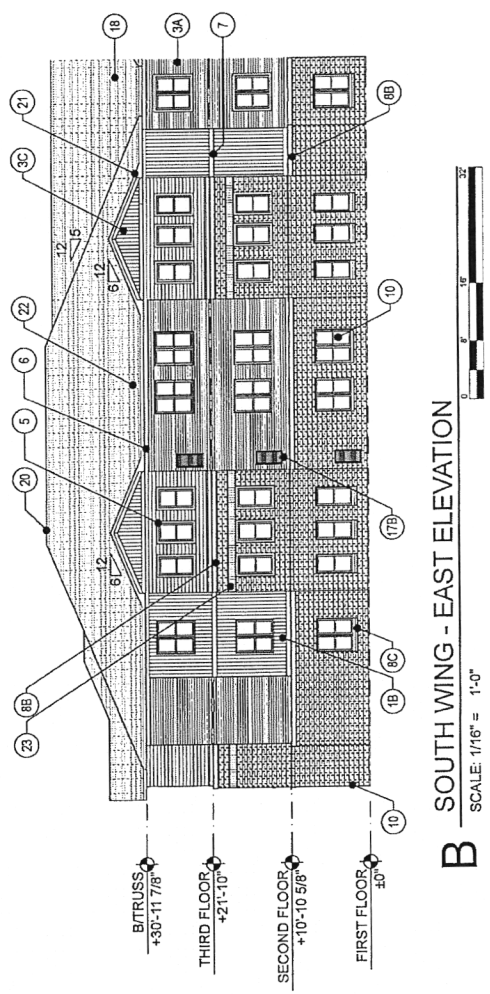
**A4.2**



**A** EAST WING - SOUTH ELEVATION  
SCALE: 1/16" = 1'-0"



**C** SOUTH WING - SOUTH ELEVATION WEST WING - WEST ELEVATION SIM. O.H.  
SCALE: 1/16" = 1'-0"



**B** SOUTH WING - EAST ELEVATION  
SCALE: 1/16" = 1'-0"

**ELEVATION MATERIAL KEY**

- 1A - FACE BRICK #1 - 3.5/8" (H) x 3.5/8" (D) x 11.5/8" (L) - MANUF., COLOR & TEXTURE BY ARCHITECT
- 1B - FACE BRICK #2 - 3.5/8" (H) x 3.5/8" (D) x 11.5/8" (L) - MANUF., COLOR & TEXTURE BY ARCHITECT
- 2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT
- 3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE
- 3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE
- 3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE
- 4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT
- 5 - 3 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM
- 6 - 5 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM
- 7 - 7 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM
- 8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM
- 8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM
- 8C - 3 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM
- 10 - VINYL WINDOW UNIT
- 11A - PRE-FINISHED STEEL DOOR
- 11B - PRE-FINISHED STOREFRONT DOOR
- 12 - PRE-FINISHED AUTO-OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT
- 13 - PRE-FINISHED FASCIA
- 14 - FIBER CEMENT WRAPPED COLUMN COVER
- 15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS
- 16 - PRE-FINISHED FIBERGLASS TRELLIS
- 17A - PRE-FINISHED ALUMINUM PTAC GRILLE
- 17B - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES
- 19 - PRE-FINISHED METAL STANDING SEAM ROOFING
- 20 - CONTINUOUS RIDGE VENT
- 21 - PRE-FINISHED METAL COPING, FASCIA & TRIM
- 22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT
- 23 - BRICK SOLDIER COURSE, TYP.

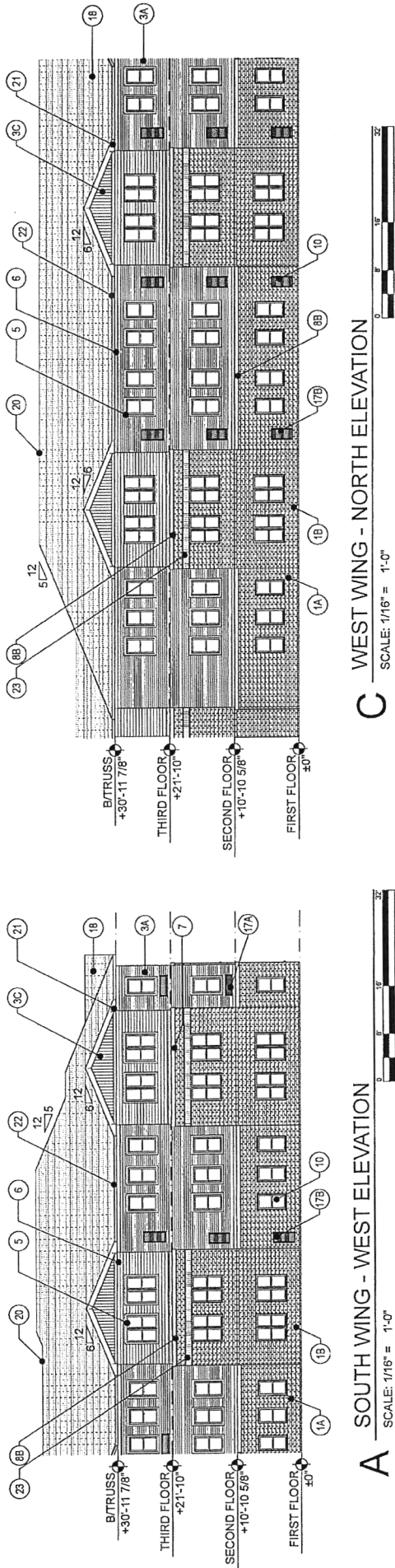
**Silver Birch at Cook Road**

W. Cook Rd. & Huguennard Rd.  
Fort Wayne, IN 46818  
5/11/18

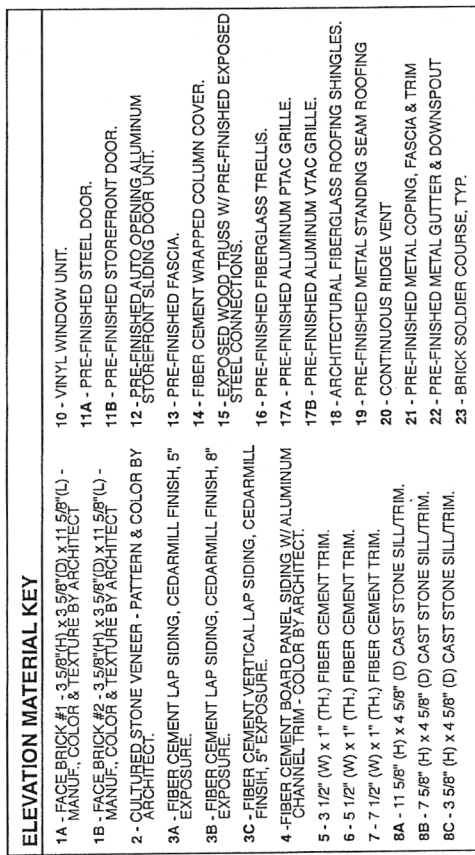
DRAFT-NOT FOR CONSTRUCTION  
Vermilion Development, Inc.  
121 W. Wacker Drive, Suite 400  
Chicago, IL 60601

**A4.3**

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WORN JERABEK WILTSE ARCHITECTS, P.C.  
401 West Superior St, Suite 400  
Chicago, IL 60654

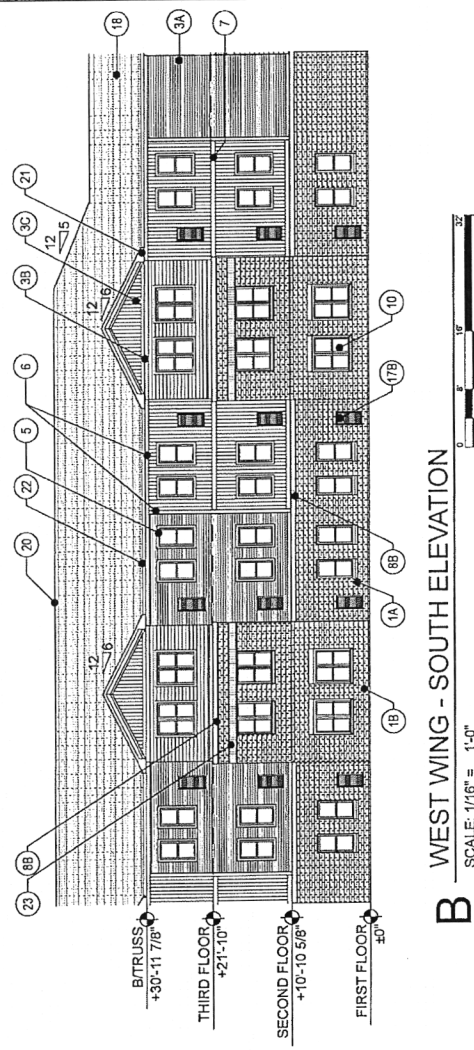


**C WEST WING - NORTH ELEVATION**  
SCALE: 1/16" = 1'-0"



**ELEVATION MATERIAL KEY**

- 1A - FACE BRICK #1 - 3.58"(H) x 3.58"(D) x 11.58"(L) - MANUF., COLOR & TEXTURE BY ARCHITECT
- 1B - FACE BRICK #2 - 3.58"(H) x 3.58"(D) x 11.58"(L) - MANUF., COLOR & TEXTURE BY ARCHITECT
- 2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT
- 3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.
- 3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE.
- 3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.
- 4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT.
- 5 - 3 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.
- 6 - 5 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.
- 7 - 7 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.
- 8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.
- 8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.
- 8C - 3 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.
- 10 - VINYL WINDOW UNIT.
- 11A - PRE-FINISHED STEEL DOOR.
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- 23 - BRICK SOLDIER COURSE, TYP.



**A4.4**  
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401 West Superior St, Suite 400  
Chicago, IL 60654

**Silver Birch at Cook Road**  
W. Cook Rd. & Highland Rd.  
Fort Wayne, IN 46818  
5/11/18

DRAFT - NOT FOR CONSTRUCTION  
Vermillion Development, Inc.  
121 W. Wacker Drive, Suite 400  
Chicago, IL 60601



Attachment #6

FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
FORM ED-1

David J. Cocagne

Business Name: Cook Road AAL LP  
 Business Address: 121 W. Wacker Drive, Suite 400, Chicago IL 60601  
 Telephone No.: 312-488-1918  
 Fax No.: 312-488-1919  
 CEO Name: David J. Cocagne  
 CEO Title: CEO

Contact Person: David J. Cocagne  
 Contact Title: CEO  
 Contact Phone No.: 312-488-1918

Projected Cost of Project: \$24,200,000

EMPLOYMENT INFORMATION	# Full-Time	# Part-Time	* Total FT+ PT Payroll	* Mean Avg. Annual Wages, FT Only	* Median Avg. Annual Wages FT Only
Current Fort Wayne Employment	0	0	\$ 0	\$ 0	\$ 0
Retained Fort Wayne Employment	0	0	\$ 0	\$ 0	\$ 0
# of Jobs Created at Opening	15	15	\$ 871,000	\$ 39,700	\$ 41,100
# of Jobs Created Within Three Years	24	25	\$ 1,718,000	\$ 41,200	\$ 41,760

Will the jobs created or retained provide the following benefits? Please check all that apply.

Pension Plan  
 Major Medical Plan  
 Disability Insurance  
 Life Insurance  
 Dental Insurance  
 Vision Insurance  
 Tuition Reimbursement

What Percentage of the above benefits are paid by the employee? TBD %

\* Excludes pay of owners and/or officers of company.



# FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION FORM ED-2

Business Name Cook Road AAL LP Contact Person David J. Cocagne  
 Business Address 121 West Wacker Drive, Suite 400, Chicago IL 60601 Contact Title CEO  
 Telephone No. 312-488-1918 Contact Phone No. 312-488-1918  
 Fax No. 312-488-1919  
 CEO Name David J. Cocagne  
 CEO Title CEO

Actual Cost of Project

EMPLOYMENT INFORMATION	# Full-Time	# Part-Time	* Total FT + PT Payroll	* Mean Avg. Annual Wages, FT Only	* Median Avg. Annual Wages FT Only
Current Fort Wayne Employment			\$	\$	\$
Retained Fort Wayne Employment			\$	\$	\$
# of Jobs Created at Opening			\$	\$	\$
# of Jobs Created Within Three Years			\$	\$	\$

Do the jobs created or retained provide the following benefits? Please check all that apply.

- Pension Plan
- Life Insurance
- Major Medical Plan
- Dental Insurance
- Disability Insurance
- Vision Insurance

What Percentage of the above benefits are paid by the employee? \_\_\_\_\_%

\* Excludes pay of owners and/or officers of company.

\_\_\_\_\_ Tuition Reimbursement

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**TITLE OF ORDINANCE: A Resolution of the Common Council of the City of Fort Wayne, Indiana, Providing Preliminary Approval of the Issuance of Bonds for the Purpose of Providing Certain Economic Development Facilities.**

**DEPARTMENT REQUESTING ORDINANCE: Community Development Division**

**SYNOPSIS OF ORDINANCE: The Cook Road AAL LP is seeking approval of the City's participation with economic development revenue bond financing in the amount of \$18,000,000 toward the construction of a three story, 119 apartment assisted living facility. Total investment for this project is \$24,200,000.**

**EFFECT OF PASSAGE: \$24,200,000 investment in a new assisted living facility that will create 24 new full-time jobs and 25 new part-time jobs.**

**EFFECT OF NON-PASSAGE: Potential loss of investment and 24 new full-time jobs and 25 new part-time jobs.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS):**

**ASSIGNED TO COMMITTEE (CO-CHAIRS): John Crawford and Jason Arp**

**BILL NO. S-18-10-12**

**REPORT OF COMMITTEE ON FINANCE**

**November 13, 2018**

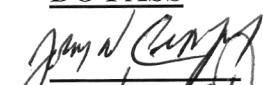
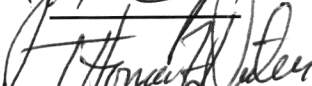
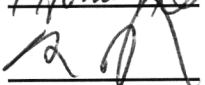

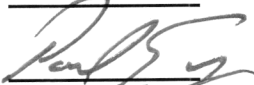
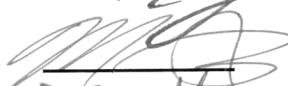


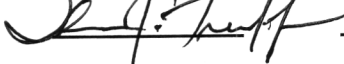
***John Crawford Chair***

***Jason Arp Co-Chair***

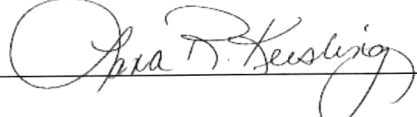
***All Council Members***

A Special Ordinance of the Common Council of the City of Fort Wayne, Indiana, authorizing the issuance of the City of Fort Wayne, Indiana, Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designations as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued) in a maximum aggregate principal amount not to exceed eighteen million dollars and the lending of the proceeds thereof to Cook Road AAL LP and authorizing and approving other actions in respect thereto

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

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____		_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

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

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


Read the third time in full and on motion by Councilman Crawford, placed on passage by the following vote:

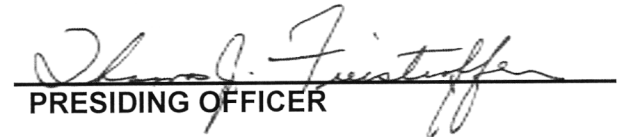
<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: November 13, 2018

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

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 Special Ordinance No. S-18-10-12 on the 13th day of November, 2018

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

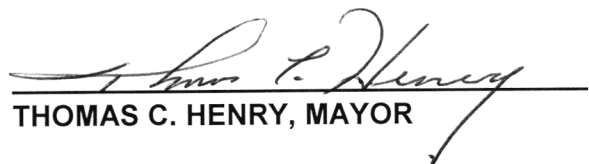
  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th  
 of November 2018, at the hour of 11:40 o'clock A.M. E.S.T.

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

Approved and signed by me this 14<sup>TH</sup> day of November  
 2018, at the hour of 2:00 O'clock Pm . E.S.T.

FORT WAYNE, INDIANA  
**RECEIVED**  
 NOV 14 2018  
 LANA R. KEESLING  
 CITY CLERK

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

1 requested that the City issue one or more series of its Multifamily Housing Revenue  
2 Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different  
3 series designation as may be necessary, desirable or appropriate, including such series  
4 designation to indicate the year in which the Bonds are issued), in an aggregate principal  
5 amount not to exceed Eighteen Million Dollars (\$18,000,000) (the "Bonds") under the  
6 Act and lend all or a portion of the proceeds of such Bonds to the Borrower for the  
7 purpose of providing funds (a) to pay all or a part of the cost of design, acquisition,  
8 construction and equipping of the Project, and (b) to pay incidental expenses of issuance,  
9 including but not limited to, the funding of a debt service reserve fund, if necessary, and  
capitalized interest, if necessary; and

10 **WHEREAS**, the Bonds shall never constitute a general obligation of, an  
11 indebtedness of, or charge against the general credit of the City; and

12 **WHEREAS**, the Commission has studied the Project and the proposed financing  
13 of the Project and its effect on the health and general welfare of the City and its citizens;  
14 and

15 **WHEREAS**, the Commission has considered whether the proposed Project may  
16 have an adverse competitive effect on similar facilities already constructed or operating  
17 in the City; and

18 **WHEREAS**, the Commission has rendered a report (the "Report") concerning  
19 the proposed financing of the Project; and

20 **WHEREAS**, the completion and operation of the Project will result in the  
21 creation and retention of jobs, the creation and retention of business opportunities in the  
22 City, the creation of affordable housing in the City and will be of public benefit to the  
23 health safety and general welfare of the City and its citizens; and

24 **WHEREAS**, the Borrower has advised the City that it has determined that the  
25 amount of tax credits to be allocated to the Project under Section 42 of the Internal  
26 Revenue Code of 1986, as amended (the "Code") does not exceed the amount necessary  
27 for the financial feasibility of the Project and its viability as a qualified housing project  
28 throughout the credit period for the Project and that the Project satisfies the requirements  
29

1 for the allocation of a housing credit dollar amount under the Indiana Housing and  
2 Community Development Authority's (the "IHCDA") qualified allocation plan; and

3 **WHEREAS**, pursuant to and in accordance with the Act, the City desires to  
4 provide funds necessary to finance all or a portion of the Project by issuing the Bonds in  
5 an aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000); and

6 **WHEREAS**, the Act provides that such revenue bonds may be secured by and  
7 issued pursuant to the terms of a trust indenture between an issuer and a corporate  
8 trustee; and

9 **WHEREAS**, the City intends to issue the Bonds pursuant to a Trust Indenture, to  
10 be dated the first day of the month in which the Bonds are sold or delivered (or such  
11 other date as the officers of the City may hereafter approve) (the "Indenture"), by and  
12 between the City and U.S. Bank National Association (the "Trustee"), in order to obtain  
13 funds to lend to the Borrower for the purpose of financing all or a portion of the Project  
14 in accordance with the terms of a Loan Agreement, to be dated the first day of the month  
15 in which the Bonds are sold or delivered (or such other date as the officers of the City  
16 may hereafter approve) (the "Loan Agreement"), by and between the City and the  
17 Borrower with respect to Bonds and the Project, provided, however, that the aggregate  
18 principal amount of the Bonds shall not exceed Eighteen Million Dollars (\$18,000,000);  
and

19 **WHEREAS**, pursuant to the Loan Agreement, the Borrower will make certain  
20 representations, warranties and commitments with respect to the Project and will agree to  
21 make payments sufficient to pay all principal of, premiums, if any, and interest on the  
22 Bonds as the same becomes due and payable, and to pay administrative expenses in  
23 connection with the Bonds; and

24 **WHEREAS**, there has been submitted to the Commission for its approval the  
25 substantially final forms of the Indenture (including the form of the Bonds), the Loan  
26 Agreement, the Purchase Contract among the City, the Borrower and D.A. Davidson &  
27 Co. (the "Underwriter") for the sale of the Bonds, and the Land Use Restriction  
28 Agreement by and among the City, the Trustee and the Borrower to be dated as of the

1 first day of the month in which the Bonds are sold or delivered (or such other date as the  
2 officers of the City may hereafter approve) (collectively, the “Financing Documents”)  
3 and the form of the proposed Special Ordinance of the Common Council of the City (the  
4 “Council”) with respect to the Project and the Bonds (the “Ordinance”); and

5 **WHEREAS**, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24  
6 and certain provisions of the Code, and the rules promulgated thereunder, as amended,  
7 the Commission published notice of a public hearing (the “Public Hearing”) on the  
8 proposed issuance of the Bonds to finance all or a portion of the Project; and

9 **WHEREAS**, on October 18, 2018, the Commission held the Public Hearing on  
10 the Project prior in time to the adoption of this Ordinance by this Council and adopted a  
11 resolution (the “Commission Resolution”) which has been transmitted to this Council in  
12 which the Commission found that the financing of the Project complies with the purposes  
13 and provisions of the Act, that such financing will be of benefit to the health and welfare  
14 of the City and its citizens, that, based solely on the representations provided by the  
15 Borrower, the amount of tax credits to be allocated to the Project under Section 42 of the  
16 Code does not exceed the amount necessary for the financial feasibility of the Project and  
17 its viability as a qualified housing project throughout the credit period for the Project and  
18 approved the substantially final forms of the Financing Documents and form of this  
19 Ordinance presented to the Commission; and

20 **WHEREAS**, no member of this Council has any pecuniary interest in any  
21 employment, financing agreement or other contract made under the provisions of the Act  
22 and related to the Bonds authorized herein, which pecuniary interest has not been fully  
23 disclosed to this Council and no such member has voted on any such matter, all in  
24 accordance with the provisions of Indiana Code 36-7-12-16; and

25 **WHEREAS**, based upon the Commission Resolution and Report adopted by the  
26 Commission pertaining to the Project, the City hereby finds and determines that the  
27 funding approved by the Commission for the Project will be of benefit to the health and  
28 general welfare of the citizens of the City, complies with the provisions of the Act and  
29 the amount necessary to finance the costs of the Project, will require the issuance, sale  
30

1 and delivery of one or more series of economic development revenue bonds in an  
2 aggregate principal amount not to exceed \$18,000,000.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL**  
4 **OF THE CITY OF FORT WAYNE AND OF ALLEN COUNTY, INDIANA AS**  
5 **FOLLOWS:**

6 **SECTION 1.** After considering the evidence presented in the findings of fact  
7 set forth in the Commission's Report, this Council hereby finds, determines, ratifies and  
8 confirms that the financing of the economic development facilities referred to in the  
9 Financing Documents consisting of the Project, the issuance and sale of the Bonds, and  
10 the loan of the net proceeds thereof to the Borrower for the purpose of financing all or a  
11 portion of the Project and the repayment of said loan by the Borrower (i) will promote a  
12 substantial likelihood of the creation or retention of business opportunities, the creation  
13 of affordable housing and the creation or retention of opportunities for gainful  
14 employment within the jurisdiction of the City, (ii) will serve a public purpose, and will  
15 be of benefit to the health and general welfare of the City, (iii) complies with the  
16 purposes and provisions of the Act and it is in the public interest that the City take such  
17 lawful action as determined to be necessary or desirable to encourage the creation or  
18 retention of business opportunities, the creation of affordable housing, and the creation or  
19 retention of opportunities for gainful employment within the jurisdiction of the City, and  
20 (iv) will not have a material adverse competitive effect on any similar facilities already  
21 constructed in the City.

22 **SECTION 2.** The forms of the Financing Documents presented herewith are  
23 hereby approved and all such documents shall be kept on file by the Clerk or the  
24 Secretary of the Commission. In compliance with Indiana Code Title 36, Article 1,  
25 Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office  
26 of the Clerk for public inspection.

27 **SECTION 3.** This Council hereby approves the terms of the Financing  
28 Documents with any and all such changes as may be deemed necessary, desirable or  
29 appropriate by the Mayor, the Controller or any other officer of the City and all such  
30 documents shall be kept on file by the Clerk of the City (the "Clerk") or the Secretary of

1 the Commission. The provisions of this Ordinance and the Financing Documents shall  
2 constitute a contract binding between the City and the holder or holders of the Bonds and  
3 after the issuance of said Bonds, this Ordinance shall not be repealed or amended, in any  
4 respect which would adversely affect the right of such holder or holders so long as said  
5 Bonds or the interest thereon remains unpaid.

6 **SECTION 4.** This Council hereby approves (i) the issuance by the City of its  
7 Bonds, in one or more series, with a maximum aggregate principal amount not to exceed  
8 Eighteen Million Dollars (\$18,000,000), with a maximum term not to exceed forty (40)  
9 years from the date of the Bonds and with a maximum interest rate not to exceed seven  
10 percent (7.00%) per annum, for the purpose of procuring funds to loan to the Borrower in  
11 order to finance all or a portion of (a) the Project, and (b) the incidental expenses of  
12 issuance of the Bonds, including but not limited to, the funding of a debt services reserve  
13 fund, if necessary, and capitalized interest, if necessary, which Bonds will be payable as  
14 to principal, premium if any, and interest solely from payments made by the Borrower  
15 pursuant to the Loan Agreement and the note issued thereunder, and upon such terms and  
16 conditions as otherwise provided in the Financing Documents and this Ordinance; (ii) the  
17 marketing of the Bonds pursuant to a Limited Offering Memorandum (the "Preliminary  
18 Limited Offering Memorandum"), and the offering and sale of the Bonds pursuant to a  
19 final Limited Offering Memorandum (the "Limited Offering Memorandum"); (iii) the  
20 loan of the proceeds of the Bonds by the City to the Borrower pursuant to the terms of  
21 the Loan Agreement; (iv) the sale and delivery of the Bonds pursuant to the Purchase  
22 Contract; (v) the regulation of the Project pursuant to the Land Use Restriction  
23 Agreement; and (vi) the use of the proceeds received from the sale of the Bonds in  
24 accordance with the terms of the Indenture and the Loan Agreement and in accordance  
25 with the Act and the applicable provisions of the Code. The Bonds shall never constitute  
26 a general obligation of, an indebtedness of, or charge against the general credit of the  
27 City. The Mayor and Clerk are hereby authorized to sell the Bonds to the Underwriter at  
28 a price not less than 98% of the aggregate principal amount thereof (excluding any  
29 original issue premium or discount), plus accrued interest, if any.

30 **SECTION 5.** The Mayor and Clerk are authorized and directed to execute  
those Financing Documents approved herein which require the signature of the Mayor

1 and Clerk and any other document which may be necessary or desirable to consummate  
2 the transaction, and their execution is hereby confirmed on behalf of the City. The  
3 signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The  
4 Clerk is authorized to arrange for the delivery of such Bonds to the purchaser, payment  
5 for which will be made in the manner set forth in the Financing Documents. The Mayor  
6 and Clerk may, by their execution of the Financing Documents requiring their signatures  
7 and imprinting of their facsimile signatures thereon, approve changes therein and also in  
8 those Financing Documents which do not require the signature of the Mayor and/or Clerk  
9 without further approval of this Council or the Commission if such changes do not affect  
10 terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through  
11 (a)(10).

12 **SECTION 6.** No recourse under or upon any obligation, covenant,  
13 acceptance or agreement contained in this Ordinance, the Financing Documents or under  
14 any judgment obtained against the City or by the enforcement of any assessment or by  
15 any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or  
16 under any circumstances, under or independent of the Loan Agreement, shall be had  
17 against any member, director, or officer or attorney, as such, past, present, or future, of  
18 the City or the Commission, either directly or through the City, or otherwise, for the  
19 payment for or to the City or any receiver thereof or for or to any holder of the Bonds  
20 secured thereby, or otherwise, of any sum that may remain due and unpaid by the City  
21 upon any of such Bonds. Any and all personal liability of every nature, whether at  
22 common law or in equity, or by statute or by constitution or otherwise, of any such  
23 member, director, or officer or attorney, as such, to respond by reason of any act or  
24 omission on his or her part or otherwise for, directly or indirectly, the payment for or to  
25 the City or any receiver thereof, or for or to any owner or holder of the Bonds, or  
26 otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or  
27 any of them, shall be expressly waived and released as a condition of and consideration  
28 for the execution and delivery of the Loan Agreement and the issuance, sale and delivery  
29 of the Bonds.

30 **SECTION 7.** The Borrower and its general partner will indemnify and hold  
the City and the Commission, including their respective officials, attorneys, employees

1 and agents, free and harmless from any loss, claim, damage, tax, penalty, liability,  
2 disbursement, litigation expenses, attorneys' fees and expenses and other court costs  
3 arising out of, or in any way relating to, the execution or performance of the Financing  
4 Documents or other documents in connection therewith or any other cause whatsoever  
5 pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or  
6 failure to issue or sell the Bonds or other actions taken under the Financing Documents  
7 or other documents in connection therewith or any other cause whatsoever pertaining to  
8 the Project or the Bonds, all as further described in the Loan Agreement but which are  
not the result of the willful misconduct of the City.

9           **SECTION 8.** It is hereby determined that the amount of tax credits to be  
10 allocated to the Project under Section 42 of the Code does not exceed the amount necessary  
11 for the financial feasibility of the Project and its viability as a qualified housing project  
12 throughout the credit period for the Project. In making the foregoing determination, this  
13 Council has relied solely upon representations of the Borrower. The foregoing  
14 determinations shall not be construed to be a representation or warranty by the City as to  
15 the feasibility or viability of the Project. This Council hereby authorizes and directs the  
16 Clerk to review and make the foregoing determination again for and on behalf of the City  
17 at the request of the Borrower, following receipt of supporting materials submitted by the  
18 Borrower to the IHCD and either written representations of the Borrower or of IHCD to  
19 the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of  
20 the Code does not exceed the amount necessary for the financial feasibility of the Project  
21 and its viability as a qualified housing project throughout the credit period for the Project  
22 and (ii) the Project satisfies the requirements for the allocation of a housing credit dollar  
23 amount under IHCD's qualified allocation plan. Such determinations shall occur on or  
about the date of the sale of the Bonds to the Purchasers thereof and on or about the date  
that each building of the Project is placed in service.

24           **SECTION 9.** If any section, paragraph or provision of this Ordinance shall  
25 be held to be invalid or unenforceable for any reason, the invalidity or unenforceability  
26 of such section, paragraph or provision shall not affect any of the remaining provisions of  
27 this Ordinance.  
28



**RESOLUTION NO. 10-18-2018**

**A RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT  
COMMISSION APPROVING AND AUTHORIZING CERTAIN ACTIONS  
AND PROCEEDINGS WITH RESPECT TO CERTAIN PROPOSED  
ECONOMIC DEVELOPMENT REVENUE BONDS  
FOR THE SILVER BIRCH AT COOK ROAD PROJECT**

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Fort Wayne, Indiana (the "City") is authorized to issue revenue bonds and lend the proceeds thereof to a developer for the purpose of financing, reimbursing or refinancing the costs of acquisition, design, construction and equipping of economic development facilities in order to foster creation or retention of opportunities for gainful employment and creation of business opportunities in or near the City; and

WHEREAS, Cook Road AAL LP, an Indiana limited partnership or another Indiana limited partnership formed by Vermilion Enterprises LLC (the "Borrower") desires to finance a portion of the costs of a certain project constituting an economic development facility under the Act within the City, including all or any portion of the acquisition, design, construction and equipping of an approximately 119-unit assisted living multifamily housing facility, together with functionally-related and subordinate facilities (collectively, the "Project") to be located at 3731 West Cook Road in the City of Fort Wayne, Allen County, Indiana; and

WHEREAS, the Borrower has advised the Fort Wayne Economic Development Commission (the "Commission") and the City concerning the Project, and requested that the City issue, pursuant to the Act, one or more series of its Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the Bonds are issued), in an aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000) (the "Bonds") and lend all or a portion of the proceeds of such Bonds to the Borrower for the purpose of providing funds (a) to pay all or a part of the cost of design, acquisition, construction and equipping of the Project, and (b) to pay incidental expenses of issuance, including but not limited to, the funding of a debt service reserve fund, if necessary, and capitalized interest, if necessary; and

WHEREAS, the Commission has studied the Project and the proposed financing of the Project and its effect on the health and general welfare of the City and its citizens; and

WHEREAS, the Commission has considered whether the proposed Project may have an adverse competitive effect on similar facilities already constructed or operating in the City; and

WHEREAS, the completion and operation of the Project will result in the creation and retention of jobs, the creation and retention of business opportunities in the City, the creation of affordable housing in the City and will be of public benefit to the health safety and general welfare of the City and its citizens; and

WHEREAS, the Borrower has advised the Commission that it has determined that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended (the "Code") does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the Indiana Housing and Community Development Authority's (the "IHCD") qualified allocation plan; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by and issued pursuant to the terms of a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds pursuant to a Trust Indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and U.S. Bank National Association (the "Trustee"), in order to obtain funds to lend to the Borrower for the purpose of financing all or a portion of the Project in accordance with the terms of a Loan Agreement, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Loan Agreement"), by and between the City and the Borrower with respect to the Bonds and the Project, provided, however, that the aggregate principal amount of the Bonds shall not exceed Eighteen Million Dollars (\$18,000,000); and

WHEREAS, pursuant to the Loan Agreement, the Borrower will make certain representations, warranties and commitments with respect to the Project and will agree to make payments sufficient to pay all principal of, premiums, if any, and interest on the Bonds as the same becomes due and payable, and to pay administrative expenses in connection with the Bonds; and

WHEREAS, there has been submitted to the Commission for its approval the substantially final forms of the Indenture (including the form of the Bonds), the Loan Agreement, the Purchase Contract among the City, the Borrower and D.A. Davidson & Co. (the "Underwriter") for the sale of the Bonds, and the Land Use Restriction Agreement by and among the City, the Trustee and the Borrower to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (collectively, the "Financing Documents") and the form of the proposed Special Ordinance of the Common Council of the City (the "Council") with respect to the Project and the Bonds (the "Ordinance"); and

WHEREAS, the Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City; and

WHEREAS, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and certain provisions of the Code, and the rules promulgated thereunder, as amended, the Commission published notice of a public hearing (the "Public Hearing") on the proposed issuance of the Bonds to finance all or a portion of the Project; and

WHEREAS, on the date hereof the Commission held the Public Hearing on the Project; and

WHEREAS, the Commission has rendered its report dated as of the date hereof (the "Report") concerning the proposed financing of the Project; and

WHEREAS, no member of the Commission has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Commission and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16.

**NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AS FOLLOWS:**

SECTION 1. After considering the evidence presented at the Public Hearing and the findings of fact set forth in the Report, the Commission hereby finds, determines, ratifies and confirms that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the loan of the net proceeds thereof to the Borrower for the purpose of financing all or a portion of the Project and the repayment of said loan by the Borrower (i) will result in the substantial likelihood of the creation or retention of business opportunities, the creation of affordable housing and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the creation or retention of business opportunities, the creation of affordable housing, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed in the City. The Commission hereby approves the Report with respect to the Project presented at this meeting. The Secretary of the Commission shall cause such report to be submitted to the executive director or chairman of the Fort Wayne Plan Commission, pursuant to the Act.

SECTION 2. The Commission hereby approves the terms of the Financing Documents and the proposed Special Ordinance. The forms of the Financing Documents and the Special Ordinance presented herewith are hereby approved, with any and all such changes as may be deemed necessary, desirable or appropriate by the Mayor, the Controller or any other officer of the City and all such documents shall be kept on file by the Clerk of the City (the "Clerk") or the Secretary of the Commission. The Commission recommends to the Council that it adopt the Special Ordinance. The provisions of such Special Ordinance, if and when adopted, and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this resolution shall not be repealed or amended, in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 3. The Commission hereby approves and recommends to the Council that the City issue one or more series of its Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the Bonds are issued), in a maximum aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000), with a maximum term not to exceed forty (40) years from the date of the Bonds and with a maximum interest rate not to exceed seven percent (7.00%) per annum, for the purpose of procuring funds to loan to the Borrower in order to finance all or a portion of the Project, which Bonds will be payable as to principal, premium if any, and interest solely from payments made by the Borrower pursuant to the Loan Agreement and the note issued thereunder, and upon such terms and conditions as otherwise provided in the Financing Documents and the Special Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Commission further recommends that the Council authorized the Mayor and Clerk to sell such bonds to the Underwriter at a price not less than 98% of the aggregate principal amount thereof (excluding any original issue premium or discount), plus accrued interest, if any.

SECTION 4. The Commission recommends that the Mayor and Clerk be authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Commission also recommends that the Clerk be authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or Clerk without further approval of the Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 5. Any officer of the Commission is hereby authorized and directed, in the name and on behalf of the Commission, to execute any and all other agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by such officer to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this resolution (including the preambles hereto and the documents mentioned herein), the Project and the issuance and sale of the Bonds, and any such execution, performance, approval or doing of other things heretofore effected be, and hereby is, ratified and approved.

SECTION 6. The Commission hereby determines that, based solely on the representations provided by the Borrower, the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Commission has relied upon the representations of the Borrower. The foregoing determinations shall not be construed to be a representation or warranty by the City or the Commission as to the feasibility or viability of the Project. In reliance upon the representation of the Borrower, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHEDA's qualified allocation plan.

SECTION 7. The Secretary of this Commission shall transmit this resolution, together with two (2) copies of the forms of the Financing Documents and the Special Ordinance approved by this Resolution, to the Office of the Clerk for presentation to the Council with the recommendation that the Council approve the forms of the Financing Documents and adopt the proposed Ordinance hereby recommended to the Council. The provisions of such Special Ordinance, if and when adopted, and the Financing Documents shall constitute a contract binding between the Issuer and the holder or holders of the Bonds and after the issuance of said Bonds, the special resolution shall not be repealed or amended, in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 8. This resolution shall be in full force and effect upon adoption.

*[Remainder of page intentionally left blank.]*

Adopted this 18<sup>th</sup> day of October, 2018.

FORT WAYNE ECONOMIC  
DEVELOPMENT COMMISSION

By: *Jammo P. Mitchell*  
Its: President

Attest:  
By: *[Signature]*  
Its: Secretary

**REPORT AND FINDINGS OF FACT OF THE FORT WAYNE  
ECONOMIC DEVELOPMENT COMMISSION CONCERNING THE  
PROPOSED FINANCING OF ECONOMIC DEVELOPMENT FACILITIES  
FOR COOK ROAD AAL LP**

The Fort Wayne Economic Development Commission (the "Commission") proposes to recommend to the Common Council of the City of Fort Wayne, Indiana (the "Council"), that the City of Fort Wayne, Indiana (the "City") provide a portion of the funds for the acquisition, design, construction, and equipping of certain economic development facilities which shall be owned by Cook Road AAL LP or another Indiana limited partnership formed by Vermilion Enterprises LLC (the "Applicant").

The proposed economic development facilities to be undertaken by the Applicant will consist of the acquisition, design, construction and equipping of a 119-unit assisted living multifamily housing facility, together with functionally related and subordinate facilities (collectively, the "Project"), to be located at 3731 West Cook Road in the City of Fort Wayne, Allen County, Indiana. The total cost for the acquisition, design, construction and equipping of the Project is presently estimated to be in an amount of approximately \$24,078,130, including incidental costs of issuance of the Bonds. The Project will be owned by the Applicant.

The Applicant has requested that the City issue one or more series of the City of Fort Wayne, Indiana, Multifamily Housing Revenue Bonds (Silver Birch at Cook Road Project), Series 2018 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the Bonds are issued) (the "Bonds") in the aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000), for the purpose of providing funds (a) to pay all or a part of the cost of design, acquisition, construction and equipping of such economic development facilities, and (b) to pay incidental expenses of issuance, including but not limited to, the funding of a debt service reserve fund, if necessary, and capitalized interest, if necessary.

The public purpose for which the Bonds are being issued is to finance economic development facilities which will have a substantial likelihood of creating or retaining opportunities for gainful employment and business opportunities and of providing quality affordable assisted living multifamily housing. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

The Commission estimates that no public works or services, including public ways, schools, water, sewer, street lights and fire protection, will be made necessary or desirable by the Project, because any such works or services already exist or will be provided by the Applicant or other parties.


The Commission estimates that, upon completion and start of operations, as a result of the Project, approximately 35 new full-time equivalent jobs will be created, with an estimated total annual payroll of approximately \$1,600,000 for the twelve-month period ending December 31 of the year immediately following the year in which the Project becomes fully operational.

The acquisition, construction and equipping of the Project will also require construction jobs which are not included in the foregoing estimate.

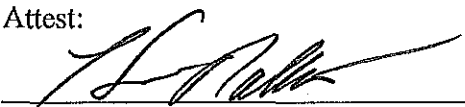
The Commission has considered whether the Project may have an adverse competitive effect on similar facilities already constructed or operating in the City. Based upon information submitted by the Applicant, including the Site and Market Study (the "Market Study") prepared for the Project by Valerie S. Kretchmer Associates, Inc., dated July 17, 2018, and other information available to the Commission, the Commission hereby makes findings of fact that (a) the proceeds of the Bonds will be used to finance all or a portion of the Project, (b) the use of the proceeds of the Bonds to finance the Project will not be used to subsidize rents to be paid by tenants or occupants of the Project, (c) the tenants are expected to pay rent similar to similar facilities existing in the area, (d) the overall market penetration rate of seniors with low-incomes needing assistance remains very reasonable, and (e) the total number of additional Medicaid units planned to come online by 2023, including the subject property, is well within the level of demand predicted. Therefore, based upon such findings of fact, the Commission finds that the acquisition, design, construction, and equipping of the Project and its financing will be of benefit to the health or general welfare of the City and the proposed financing complies with the Indiana Code Title 36, Article 7, Chapters 11.9 and 12.

For all of the foregoing reasons, the Commission recommends that the Fort Wayne Common Council adopt the Special Ordinance approving financing the acquisition, design, construction, and equipping of the Project, as requested by the Applicant.

Adopted this 18<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
President  
City of Fort Wayne Economic Development  
Commission

Attest:

  
\_\_\_\_\_  
Secretary  
City of Fort Wayne Economic Development  
Commission



Fort Wayne Economic Development Commission

CITY OF FT WAYNE

SEP 27 2018

08/07 IRB Application

Application for Economic Development Bond Financing

Fort Wayne Economic Development Commission by: Staff Member Date 9/27/18

Please refer to the attached Application Instructions prior to completing this application!

General Information

Total projected cost of bond issue (include cost of project and cost of bond issuance) \$ 18,000,000

- 1. Name of applicant: Cook Road AAL LP
2. Title of applicant: Cook Road AAL LP
3. Address of applicant: 121 West Wacker Drive, Suite 400, Chicago, IL 60601
4. Phone and fax number of applicant: 312-488-1918/312-488-1919
5. Name of business: Same as above
6. Address of business: Same as above
7. Phone and fax number of business: Same as applicant
8. Name of contact person: David J. Cocagne
9. Title of contact person: CEO
10. Name of contact's business: Vermillion Enterprises, LLC
11. Address of contact's business: Same as applicant
12. Telephone and fax number of contact: Same as applicant

- 13. Applicant is organized as a: (Check One)
Not-for-Profit Corporation
C Corporation
Limited Liability Company
Sole Proprietorship
Limited Partnership
Subchapter S Corporation
General Partnership
Joint Venture
Other

14. List company officers and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
David J. Cocagne	Member	121 West Wacker Drive, Suite 400 Chicago, IL 60601	312-488-1918

15. List all persons or firms having ten percent or more ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE	NAME	PERCENTAGE
AHP Housing Fund #TBD	99.99%		

16. Name and nature of the business or (if others) businesses in which the applicant is engaged:

Applicant is engaged in owning and operating assisted living communities including acquisition, development, and construction thereof.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17.  Yes  No Is the applicant incorporated in the State of Indiana?

18. If yes, attach a copy of Certificate of Existence. (**Attachment #1**)

19. If no, under the laws of what state is the applicant organized? Not applicable

20.  Yes  No Has the applicant received authority to do business in Indiana from the Indiana Secretary of State?

21. Provide evidence of such legal existence, including a statement from any certifying authorities. (**Attachment #2**)

22.  Yes  No Does the applicant operate under an assumed name in Allen County, Indiana?

23.  Yes  No Has the applicant filed for a Certificate of Use of Assumed Name with the Allen County, Indiana Recorder's Office?

24. If yes, under what name? Silver Birch at Cook Road Date filed: In process of filing

25.  Yes  No If the applicant is a sole proprietorship or general partnership, has the applicant filed for a Certificate of Assumed Business Name with the Allen County, Indiana Recorder's Office?

26. If yes, under what name? Not applicable Date filed: \_\_\_\_\_

27.  Yes  No Are any members of the Fort Wayne Economic Development Commission, Fort Wayne Common Council, or Allen County Council shareholders or holders of any debt obligation of the applicant?

28. If yes, list name(s):

Not applicable	

### Project Information

29. Street address of project: 3731 West Cook Road, Fort Wayne, Indiana 46818

30. Description of the project to be funded along with a brief description of the facilities to be constructed: Three-story, wood frame, elevator building with 119 apartments (82 studio/37 one-bedroom) located on 5.134 acres. Each apartment will have living/sleeping space. All will have full bath and kitchenette. The facility will contain communal dining and activity rooms, lounges, wellness suite, and library.

31. Total square footage of facility to be constructed on first floor: 33,300 sf

32. Total square footage of facility to be constructed on additional floors: 61,700 sf

33. Legal description of project site (Required **Attachment # 3**) See attached survey

34. Total acreage of the tract or parcel of property on which the project is to be located: 5.134 acres acres

35.  Yes  No Are blueprints or architectural renderings available for the facilities to be constructed?

(If yes, a copy of the blueprints/renderings must be attached to the application. If not, a copy must be provided to the staff of the Fort Wayne Economic Development Commission no later than one week prior to the initial inducement resolution.) **Attachment # 4**

36. Itemize use of bond funds by expenditure category:

Engineering/Architectural Fees:	<u>\$540,000</u>
Legal Fees:	<u>\$140,000</u>
Financing and Other Fees:	<u>\$392,600</u>
Land Purchase:	<u>\$761,000</u>
Site Preparation:	<u></u>
Construction (materials, equipment, labor):	<u>\$13,884,607</u>
Building Purchase:	<u></u>
Machinery:	<u>\$1,250,000</u>
Remodeling/Renovation/Restoration:	<u></u>

Misc Soft Costs - \$219,050    Permit/Tap Fees - \$204,000    Capitalized Interest - \$1,219,000

37. Should bond funds be insufficient to complete the proposed project, itemize any additional funds and funding sources needed to complete the project: Limited Partner equity investment = \$7,000,981
38.  Yes  No Is the project located entirely within the municipal limits of the City of Fort Wayne, Indiana?
39.  Yes  No Is the project located within the Fort Wayne Community Schools District?
40. If no, name the applicable school district (s): Not applicable
41.  Yes  No Will the proposed facility, or any portion thereof, be leased to an entity other than the applicant?
42. If yes, name all such entities, state the type of business in which they engage, and indicate the square footage of the project each is expected to lease: Apartments will be leased to persons age 55 and older with needs for assistance with activities of daily living and with annual incomes of less than \$36,800 per year

### Zoning And Infrastructure Information

43. What is the existing zoning on the project site? C3/General Commercial
44. What zoning will the project require? C3/General Commercial
45.  Yes  No Is the project site located within a floodplain?  
(Attach a surveyor's certificate indicating floodplain status, required.) **Attachment # 5**
46. Is the site to be used currently served by Fort Wayne City Utilities for:
- Yes  No Water?
- Yes  No Sanitary sewer?
- Yes  No Storm sewer?
47. If not, how does applicant intend to procure proper utility infrastructure for the project?  
Sanitary Sewer to be extended as per the site development plans.
48. Will the project cause any adverse environmental impacts to:
- Yes  No Air?  Yes  No Land?
- Yes  No Noise?  Yes  No Other?
- Yes  No Water?
49. Describe any potential adverse environmental impacts: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## Public Benefit Information

50. Is a fully executed "Fort Wayne Economic Development Commission Form ED-1" attached to this application? (If not, application will not be accepted.) **Attachment # 6.**

I certify that I am a legally authorized representative of the above named company and that, to the best of my knowledge, all information in this application and its attached exhibits are true and complete and that I am aware that such application is subject to the Public Records laws of the State of Indiana. Verification of any and all items noted within this application may be obtained from any source named herein. It is my understanding that information on the "Fort Wayne Economic Development Commission Form ED-1" which is attached as a part of this application may be monitored by the staff of the Commission. I further understand that it is my obligation to provide the Commission with an annual "Fort Wayne Economic Development Commission Form ED-2" no later than January 31 of each year during the life of the bond issue. Form ED-2 shall be used to monitor compliance with the job creation and/or retention goals listed in the original "Fort Wayne Economic Development Commission Form ED-1". Commission staff has my express consent to monitor the project during the life of the bond issuance for compliance. Should any inaccuracies be found in the information reported on form ED-2, or should the ED-2 form not be received by January 31 of each year during the life of the bond issue, the Fort Wayne Economic Development Commission may seek such remedies as are legally available to it to address those discrepancies found.

I further agree to abide by all rules and regulations of the Fort Wayne Economic Development Commission. I agree to pay, in addition to the application fee, all attorney fees incurred on behalf of the Commission in the negotiation of financing of the economic development facility for which I am applying.

Signature David J. Cocagne  
Typed Name and Title David J. Cocagne / Member  
Date Signed September 24, 2018

Attachment # 1

State of Indiana  
Office of the Secretary of State

CERTIFICATE OF EXISTENCE

To Whom These Presents Come, Greeting:

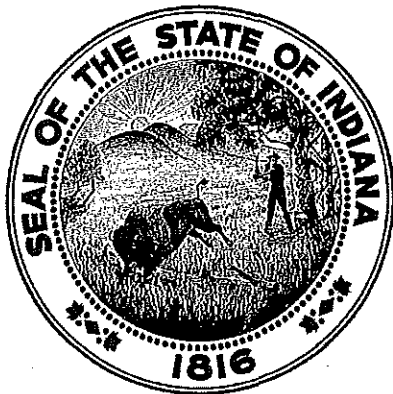
I, CONNIE LAWSON, Secretary of State of Indiana, do hereby certify that I am, by virtue of the laws of the State of Indiana, the custodian of the corporate records and the proper official to execute this certificate.

I further certify that records of this office disclose that

**COOK ROAD AAL LP**

duly filed the requisite documents to commence business activities under the laws of the State of Indiana on September 26, 2018, and was in existence or authorized to transact business in the State of Indiana on September 26, 2018.

I further certify this Domestic Limited Partnership has filed its most recent report required by Indiana law with the Secretary of State, or is not yet required to file such report, and that no notice of withdrawal, dissolution, or expiration has been filed or taken place. All fees, taxes, interest, and penalties owed to Indiana by the domestic or foreign entity and collected by the Secretary of State have been paid.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, September 26, 2018

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

201809261281058 / 2018741066

All certificates should be validated here: <https://bsd.sos.in.gov/ValidateCertificate>

Expires on October 26, 2018.

Attachment # 2

State of Indiana  
Office of the Secretary of State

Certified Copies

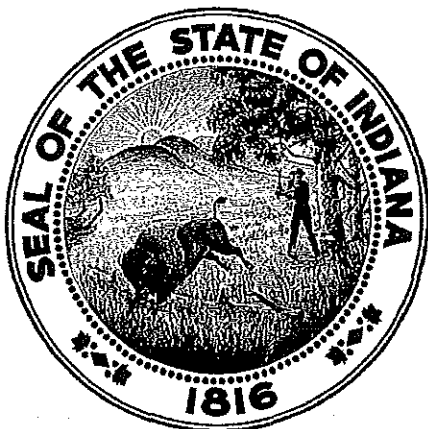
To Whom These Presents Come, Greeting:

I, CONNIE LAWSON, Secretary of State of Indiana, do hereby certify that I am, by virtue of the laws of the State of Indiana, the custodian of the corporate records and the proper official to execute this certificate.

I further certify that this is a true and complete copy of this 2 page document consisting of the following records filed in this office:

Certification Date: September 26, 2018  
Business Name: COOK ROAD AAL LP  
Business ID: 201809261281058

Transaction	Date Filed	No. of pages
Certificate of Limited Partnership	09/26/2018	2
	<b>Total No. of pages</b>	<b>2</b>



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, September 26, 2018

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

201809261281058 / 10580653

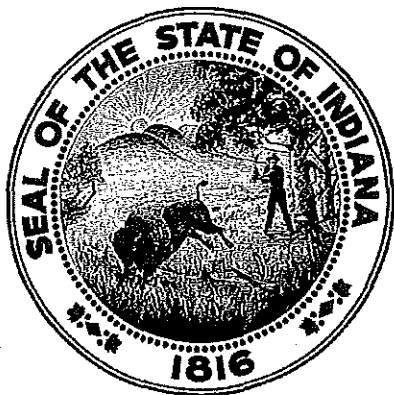
All certificates should be validated here: <https://bsd.sos.in.gov/ValidateCertificate>  
Expires on October 26, 2018.

State of Indiana  
Office of the Secretary of State

Certificate of Limited Partnership  
of  
**COOK ROAD AAL LP**

I, CONNIE LAWSON, Secretary of State, hereby certify that a Certificate of Limited Partnership of the above Domestic Limited Partnership has been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Code.

NOW, THEREFORE, with this document I certify that said transaction will become effective  
Wednesday, September 26, 2018.



In Witness Whereof, I have caused to be affixed my  
signature and the seal of the State of Indiana, at the City  
of Indianapolis, September 26, 2018

*Connie Lawson*

CONNIE LAWSON  
SECRETARY OF STATE

201809261281058 / 8035220

To ensure the certificate's validity, go to <https://bsd.sos.in.gov/PublicBusinessSearch>



**LEGAL DESCRIPTION**

PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

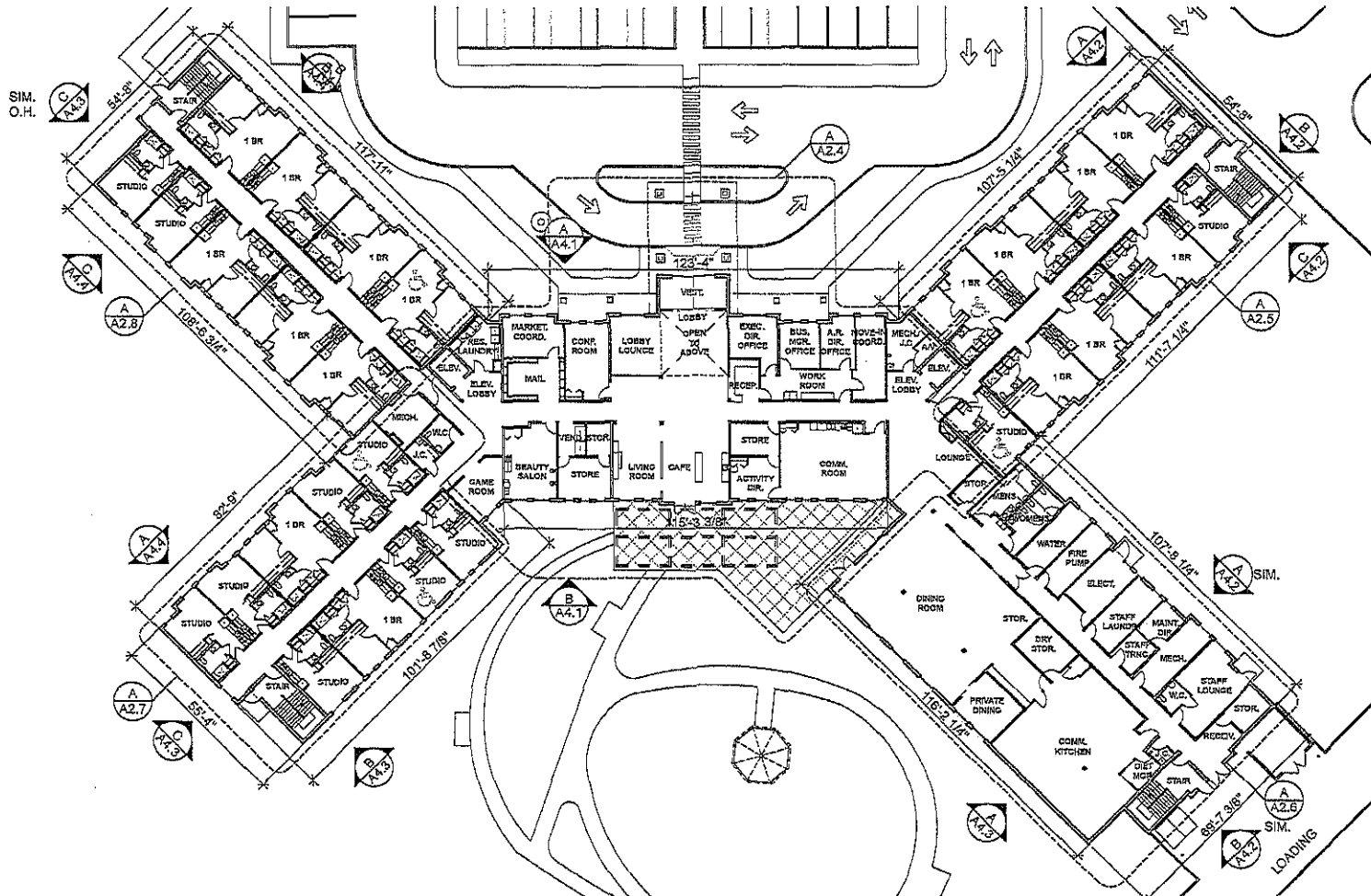
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16, BEING MARKED BY A TYPE "B" HIGHWAY MONUMENT; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (DEED BEARING AND BASIS OF ALL BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, BEING WITHIN THE RIGHT-OF-WAY OF WEST COOK ROAD, A DISTANCE OF 516.80 FEET TO A SURVEY NAIL AT THE NORTHEAST CORNER OF A 2.61 ACRE BASE TRACT OF REAL ESTATE DESCRIBED IN A DEED TO BELLCHASE INVESTMENTS, LLC, IN DOCUMENT NUMBER 2011022268 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 24 MINUTES 57 SECONDS WEST, ON AND ALONG THE EAST LINE OF SAID 2.61 ACRE BASE TRACT, A DISTANCE OF 45.00 FEET TO A #5 REBAR AT A SOUTHEAST CORNER OF A 1.796 ACRE TRACT OF REAL ESTATE DESCRIBED IN A DEED TO THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN, INDIANA, IN DOCUMENT NUMBER 2008011064 IN THE OFFICE OF SAID RECORDER, THIS BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG A SOUTH LINE OF SAID 1.796 ACRE TRACT, A DISTANCE OF 455.51 FEET TO A #5 REBAR; THENCE SOUTH 45 DEGREES 12 MINUTES 17 SECONDS WEST, ON AND ALONG A SOUTHEAST LINE OF SAID 1.796 ACRE TRACT, A DISTANCE OF 30.21 FEET TO A #5 REBAR; THENCE SOUTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, ON AND ALONG AN EAST LINE OF SAID 1.796 ACRE TRACT, A DISTANCE OF 284.00 FEET TO A #5 REBAR; THENCE SOUTH 12 DEGREES 43 MINUTES 29 SECONDS EAST, CONTINUING ON AND ALONG SAID EAST LINE, A DISTANCE OF 154.03 FEET TO A #5 REBAR; THENCE SOUTH 89 DEGREES 35 MINUTES 26 SECONDS EAST, CONTINUING ON AND ALONG SAID EAST LINE, A DISTANCE OF 25.00 FEET TO A #5 REBAR; THENCE SOUTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, CONTINUING ON AND ALONG SAID EAST LINE, A DISTANCE OF 35.47 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE WITH THE CENTERLINE OF BROWN NO. 2 DRAIN; THENCE EASTERLY, ON AND ALONG SAID CENTERLINE, AS DEFINED BY THE FOLLOWING COURSES AND DISTANCES:

NORTH 89 DEGREES 48 MINUTES 19 SECONDS EAST, A DISTANCE OF 123.41 FEET; THENCE NORTH 83 DEGREES 00 MINUTES 54 SECONDS EAST, A DISTANCE OF 152.90 FEET; THENCE NORTH 88 DEGREES 50 MINUTES 23 SECONDS EAST, A DISTANCE OF 36.27 FEET; THENCE NORTH 71 DEGREES 00 MINUTES 19 SECONDS EAST, A DISTANCE OF 36.89 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 58 SECONDS EAST AND LEAVING SAID CENTERLINE, A DISTANCE OF 70.14 FEET TO A #5 REBAR AT AN EAST CORNER OF AN 11.8543 ACRE BASE TRACT OF REAL ESTATE DESCRIBED IN SAID BELLCHASE INVESTMENTS DEED; THENCE NORTH 00

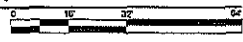
Attachment #3 cont

DEGREES 32 MINUTES 39 SECONDS EAST, ON AND ALONG AN EAST LINE OF SAID 11.8543 ACRE BASE TRACT, A DISTANCE OF 280.78 FEET TO A STEEL POST AT THE NORTHEAST CORNER THEREOF, ALSO BEING THE SOUTHEAST CORNER OF SAID 2.61 ACRE BASE TRACT; THENCE NORTH 00 DEGREES 24 MINUTES 57 SECONDS EAST, ON AND ALONG THE EAST LINE OF SAID 2.61 ACRE BASE TRACT, A DISTANCE OF 175.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 5.134 ACRES OF LAND, SUBJECT TO ALL EASEMENTS OF RECORD.





**A** FIRST FLOOR PLAN  
SCALE: 1/32" = 1'-0"



**Silver Birch at Cook Road**

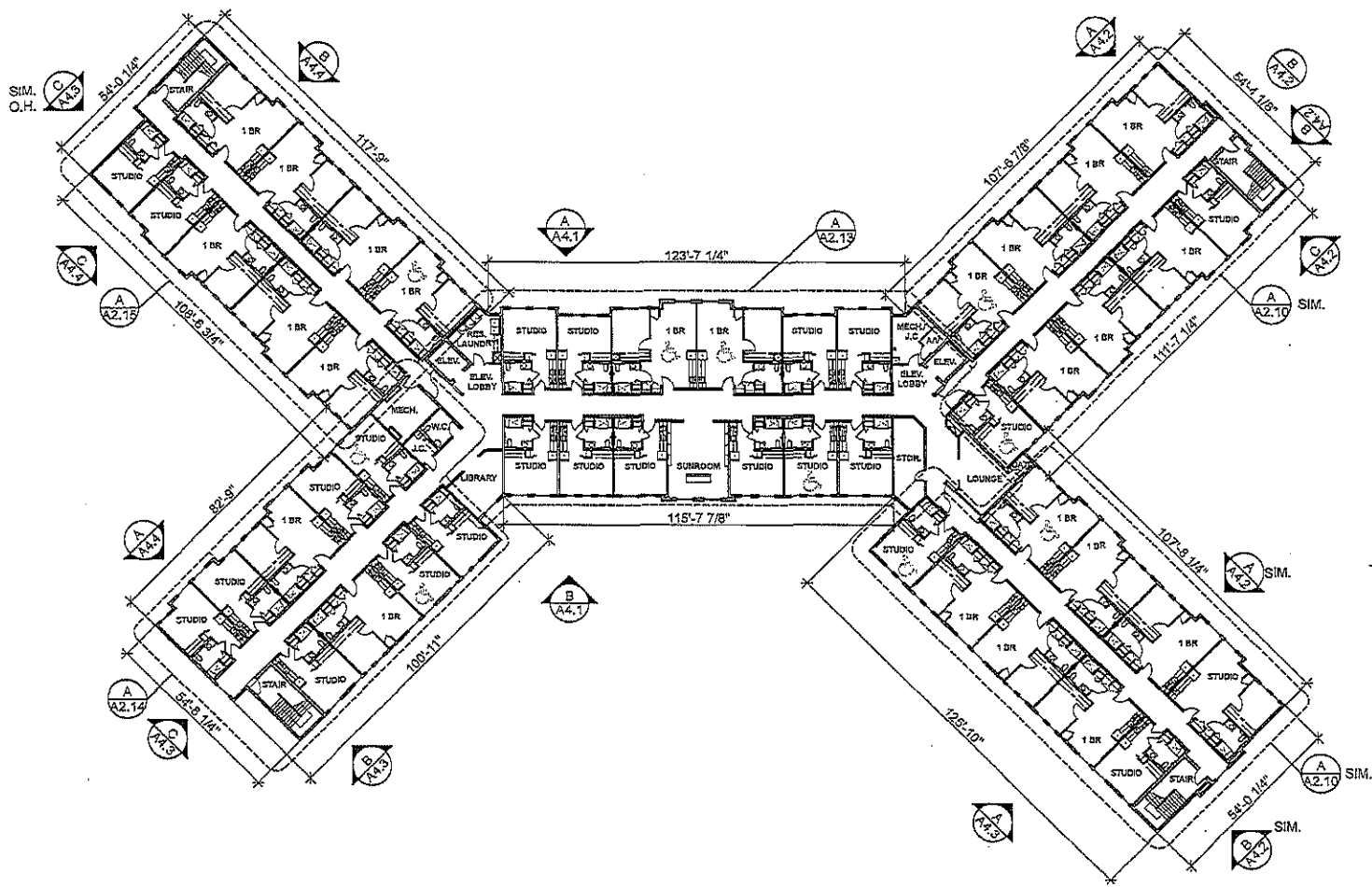
W. Cook Rd. & Huguenard Rd.  
Fort Wayne, IN 46818  
5/11/18

**A2.1**

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CONSTRUCTION  
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Chicago, IL 60601

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**A** THIRD FLOOR PLAN  
 SCALE: 1/32" = 1'-0"



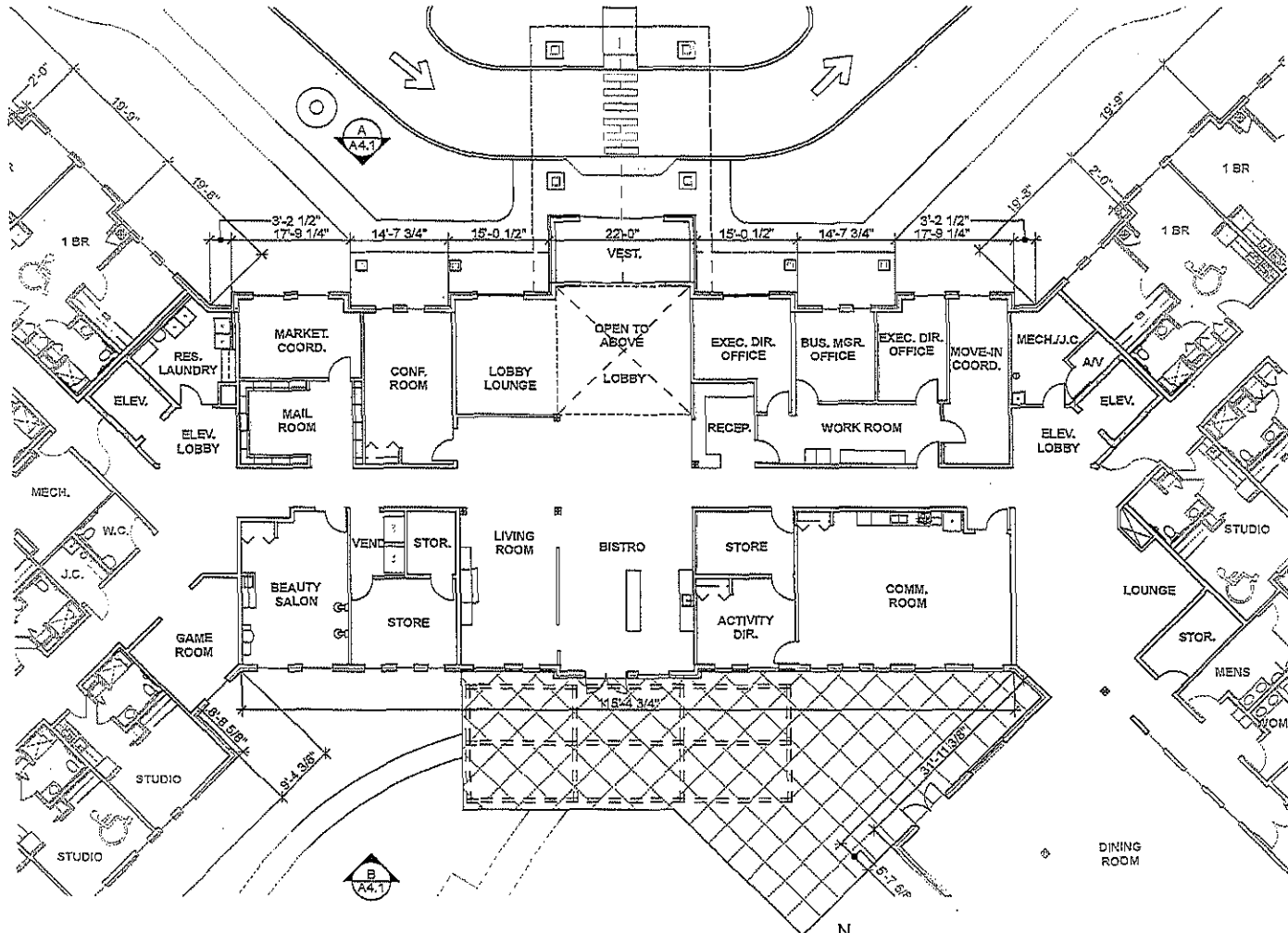
**Silver Birch at Cook Road**

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**A2.3**

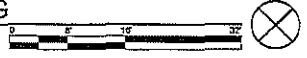
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**A** FIRST FLOOR PLAN CENTRAL WING

SCALE: 1/16" = 1'-0"



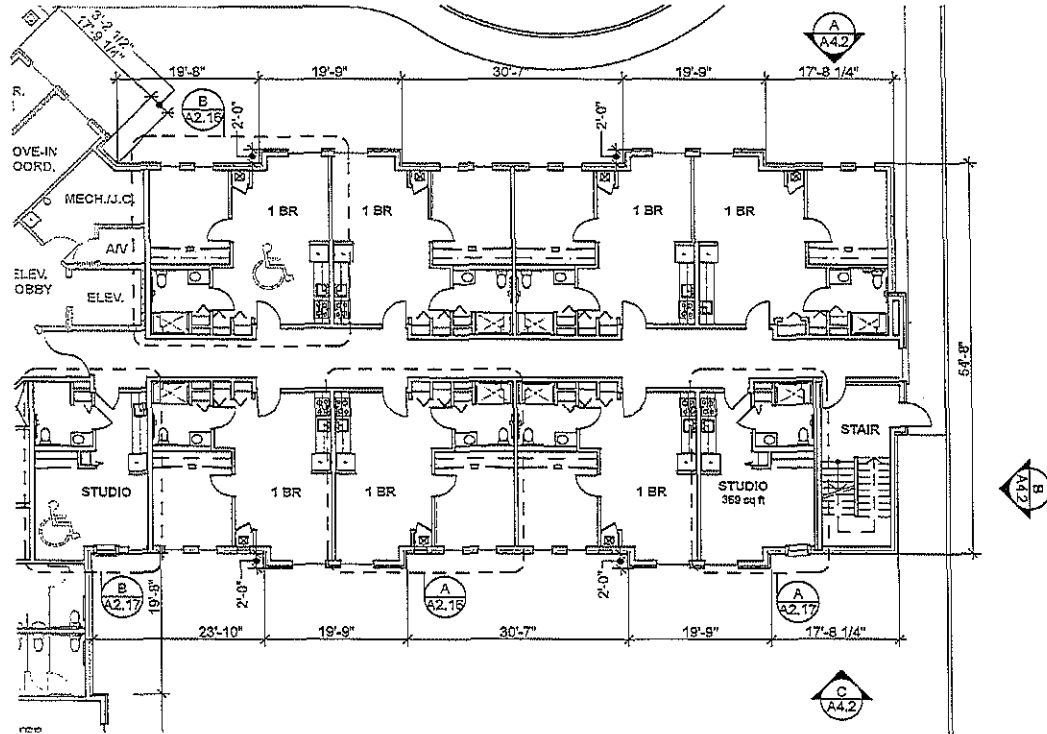
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**A** FIRST FLOOR NORTH WING  
 SCALE: 1/16" = 1'-0"

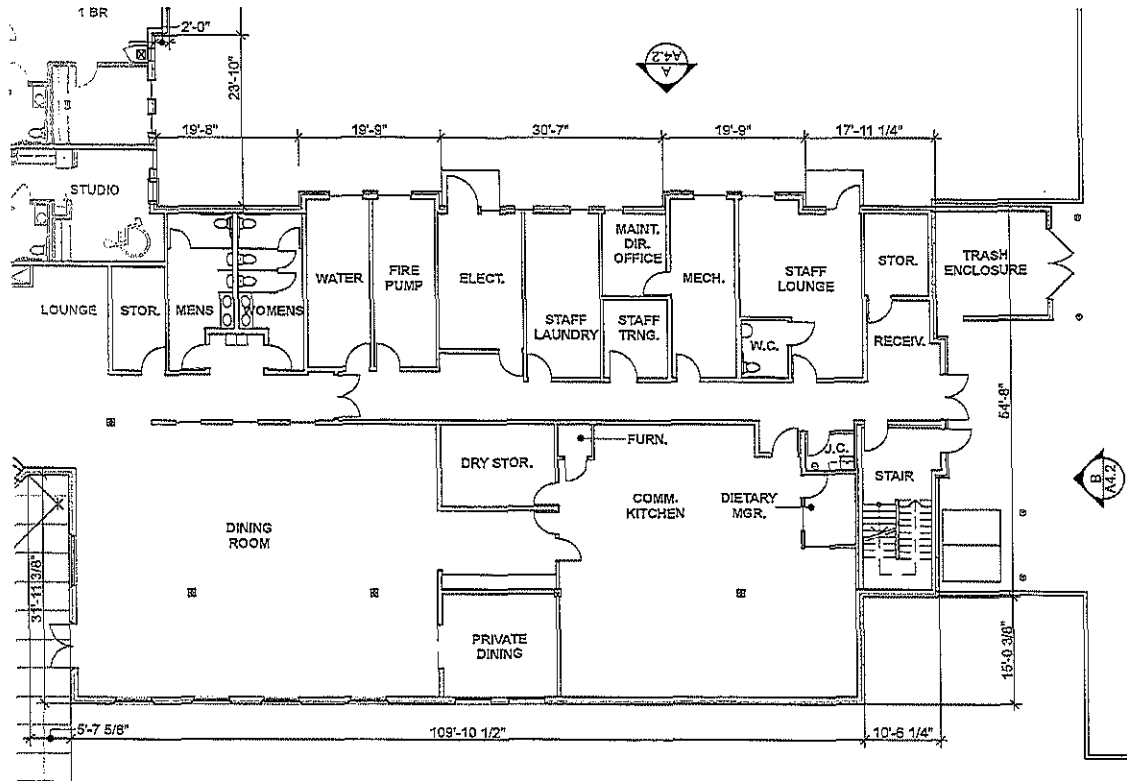
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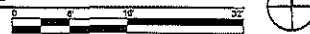
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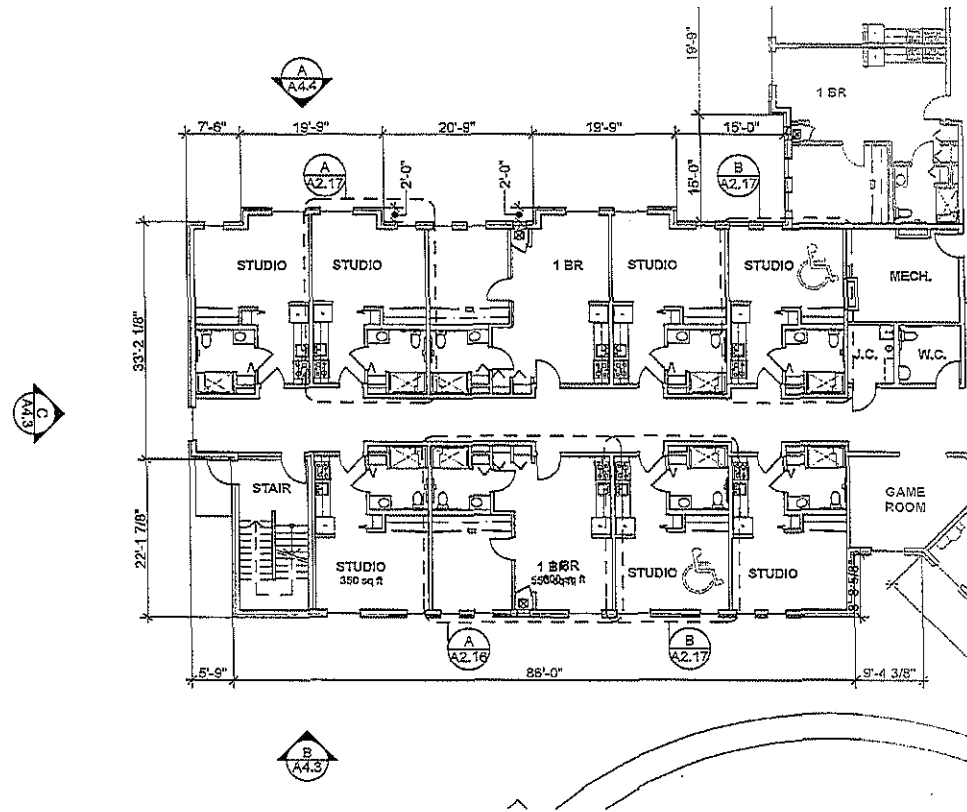
**A** FIRST FLOOR EAST WING  
SCALE: 1/16" = 1'-0"



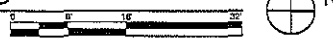
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Fort Wayne, IN 46818  
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**A2.6**



**A** FIRST FLOOR SOUTH WING  
SCALE: 1/16" = 1'-0"



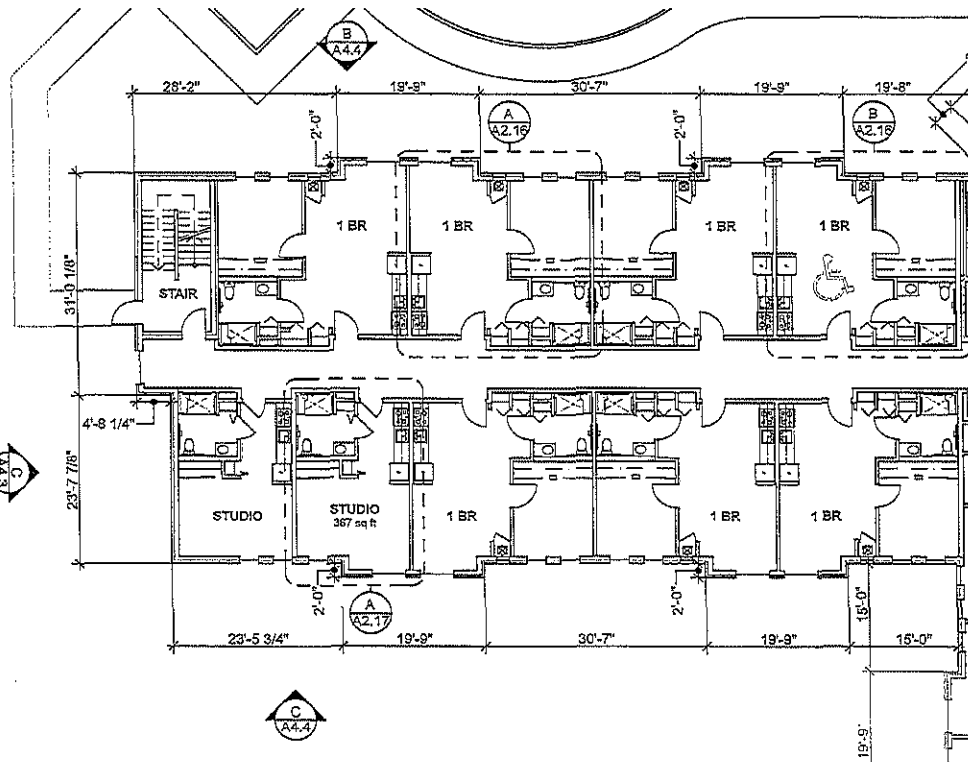
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**Silver Birch at Cook Road**

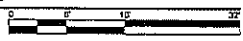
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**A2.7**



**A** FIRST FLOOR WEST WING  
SCALE: 1/16" = 1'-0"



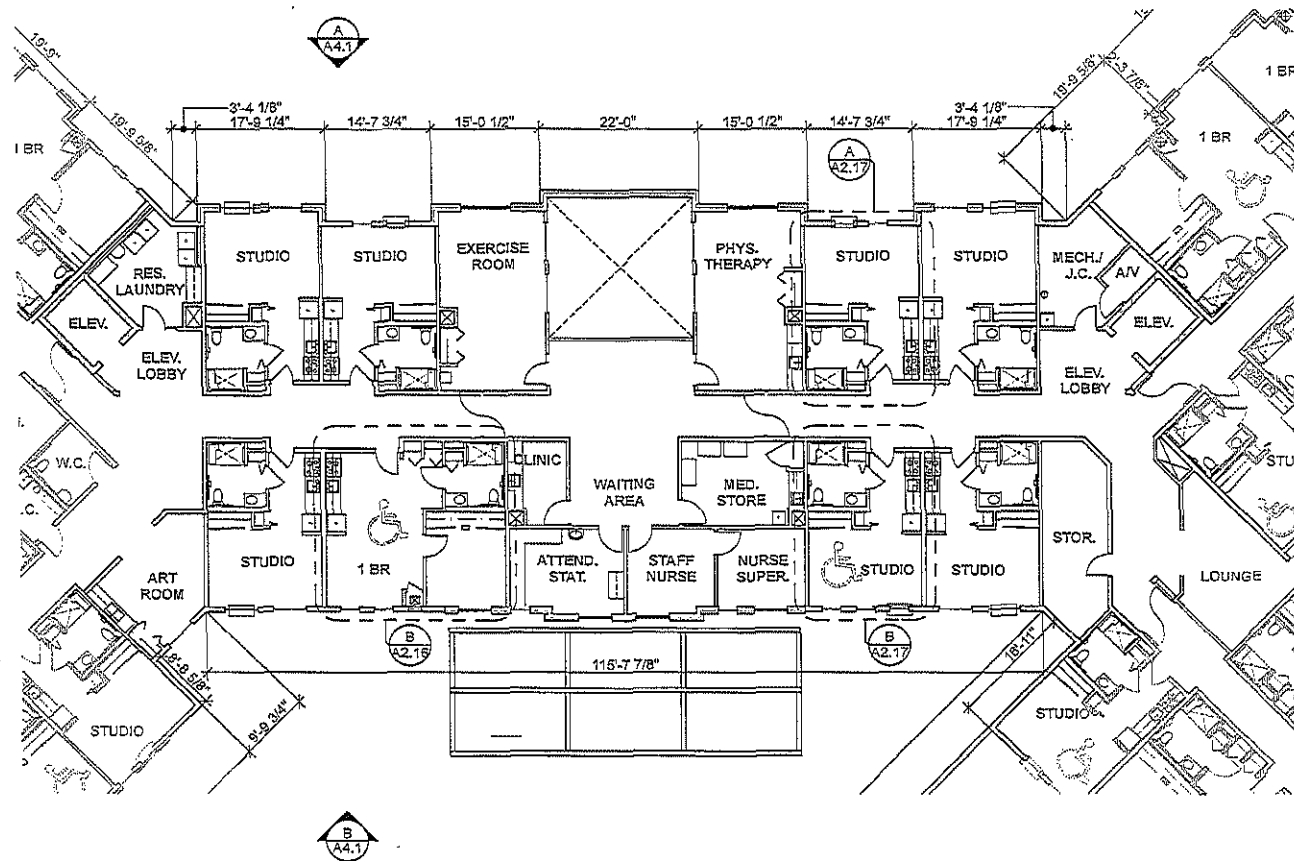
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**A** SECOND FLOOR CENTRAL WING

SCALE: 1/16" = 1'-0"



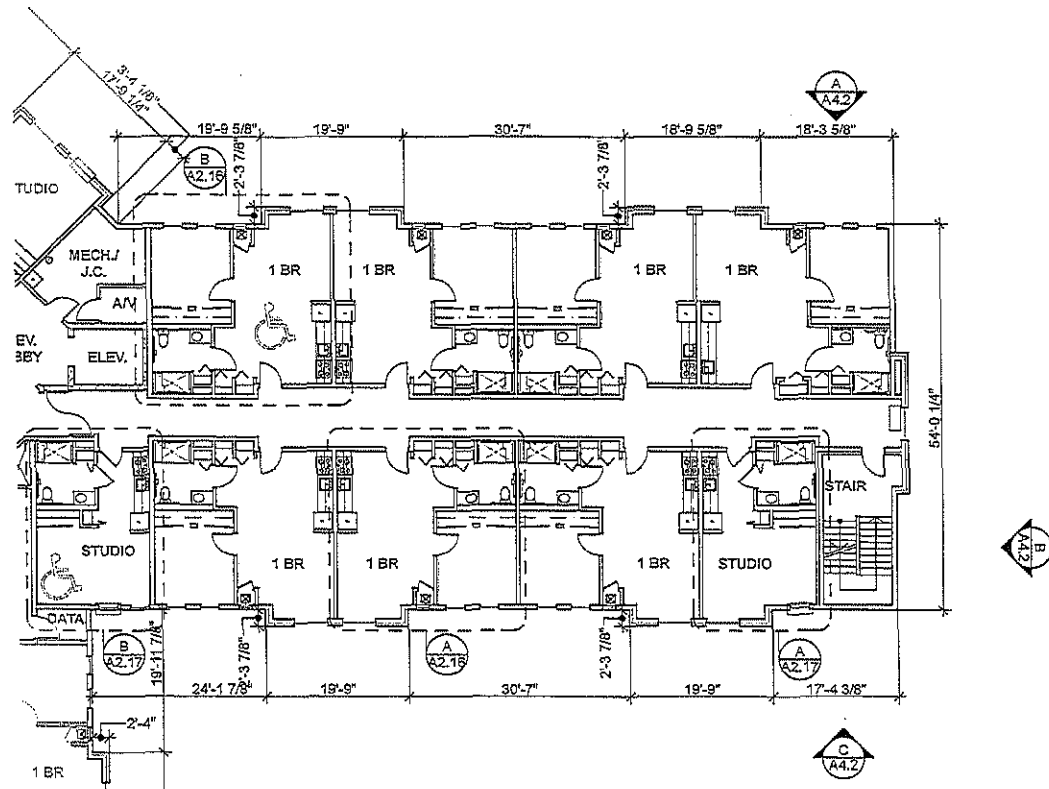
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**A2.9**

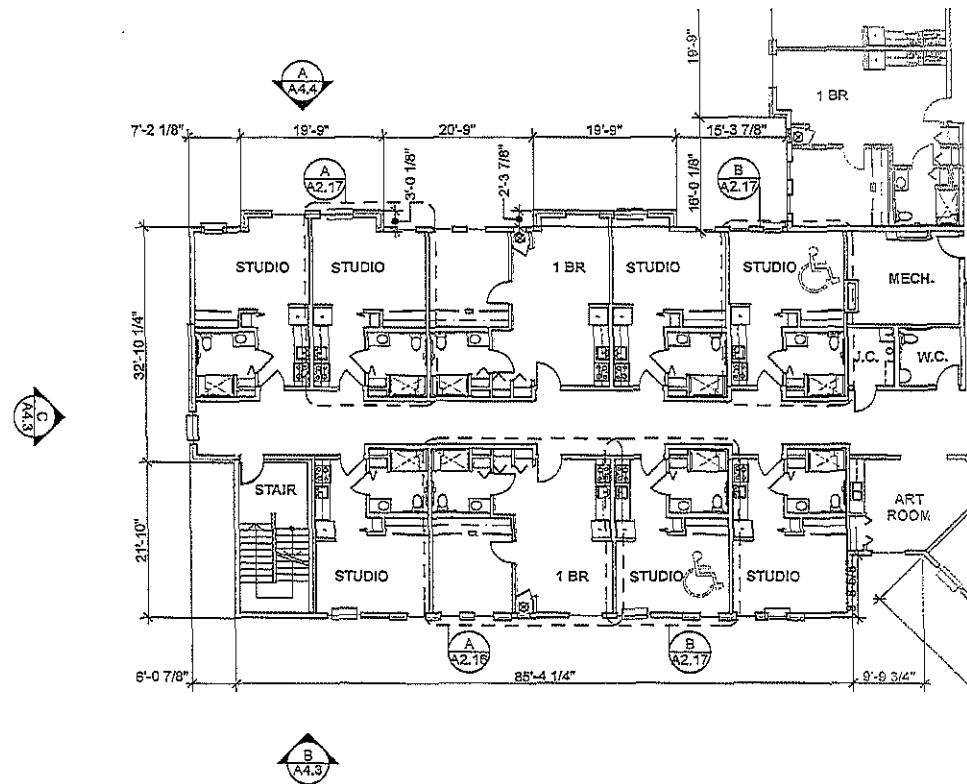
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**A** SECOND & THIRD FLOOR NORTH WING, TYP.  
SCALE: 1/16" = 1'-0"





**A** SECOND FLOOR SOUTH WING  
 SCALE: 1/16" = 1'-0"



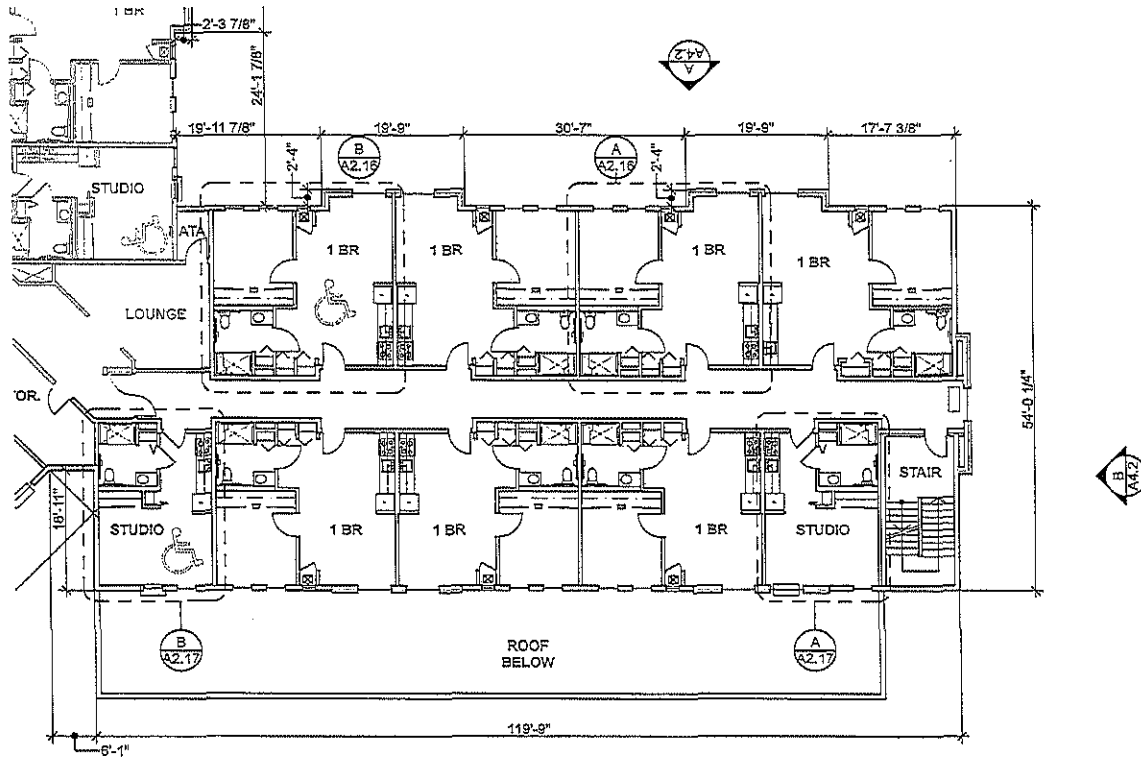
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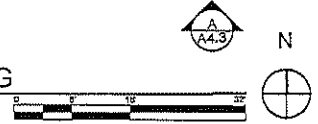
**A2.11**

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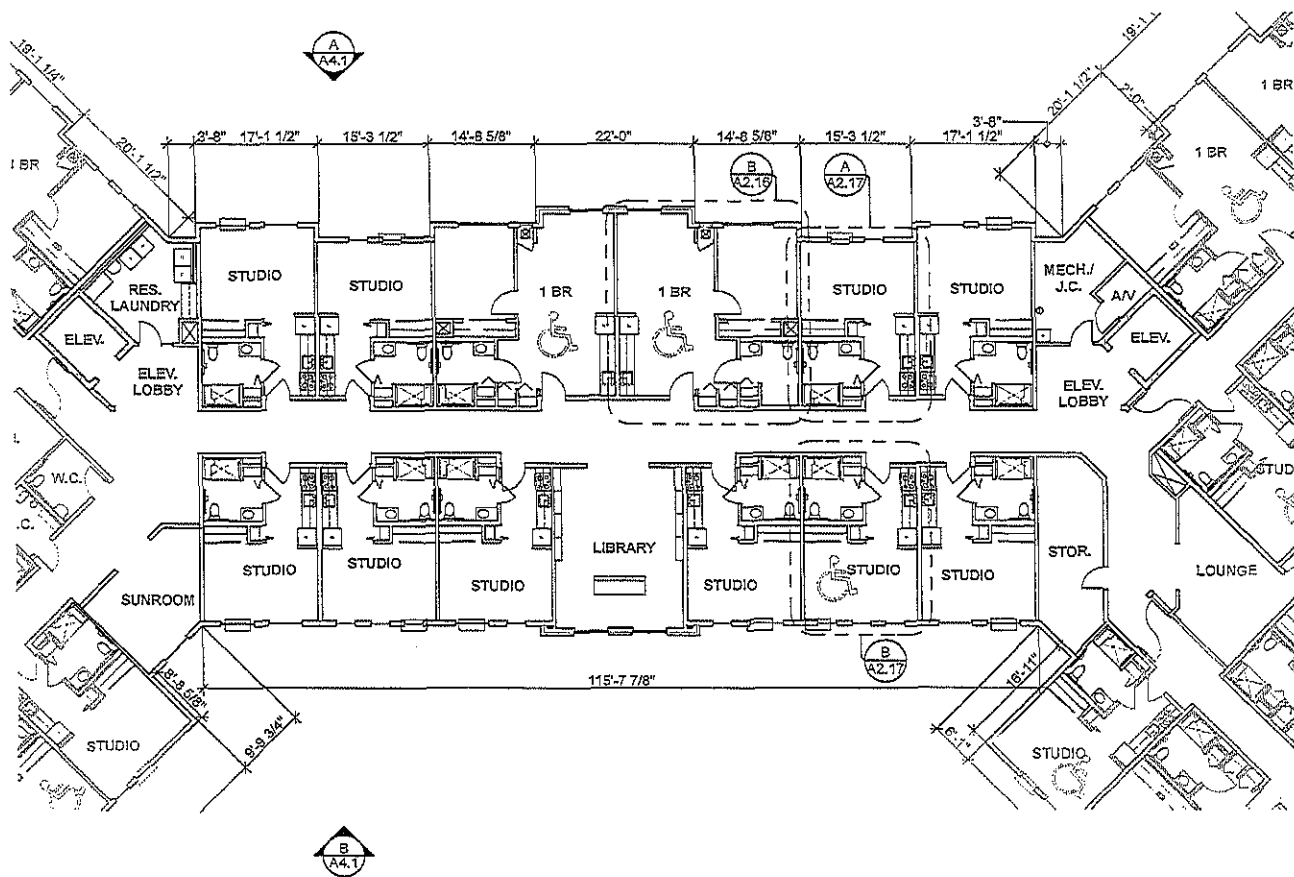
**A** SECOND FLOOR WEST WING  
 SCALE: 1/16" = 1'-0"



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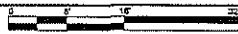
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**A** THIRD FLOOR CENTRAL WING

SCALE: 1/16" = 1'-0"



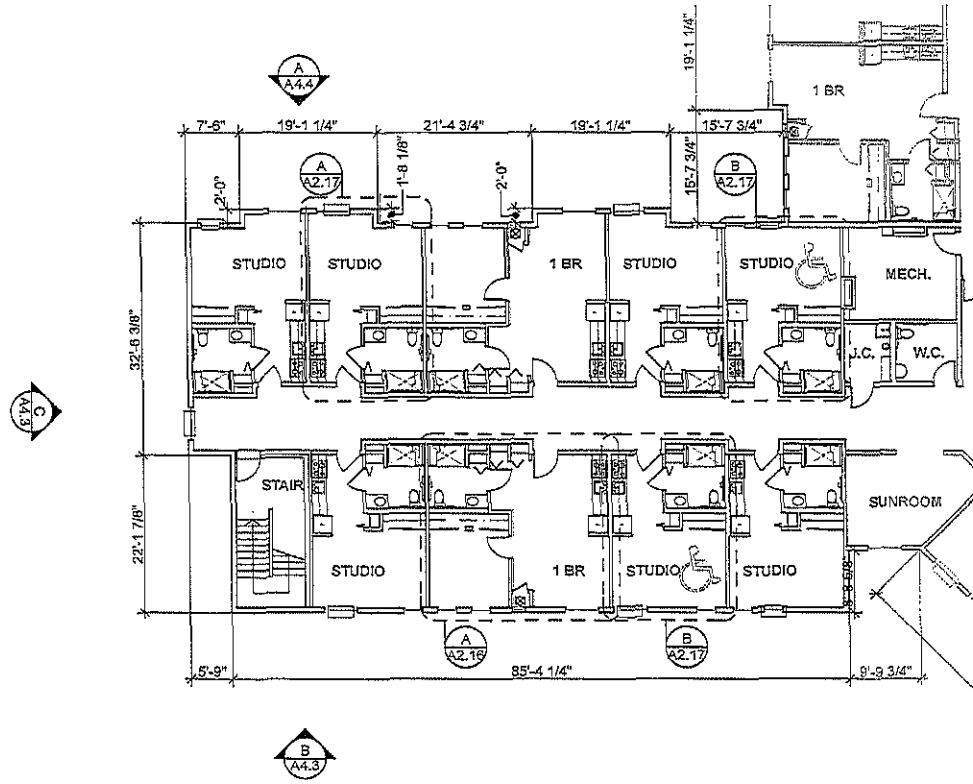
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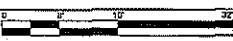
**A2.13**

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**A** THIRD FLOOR SOUTH WING  
 SCALE: 1/16" = 1'-0"



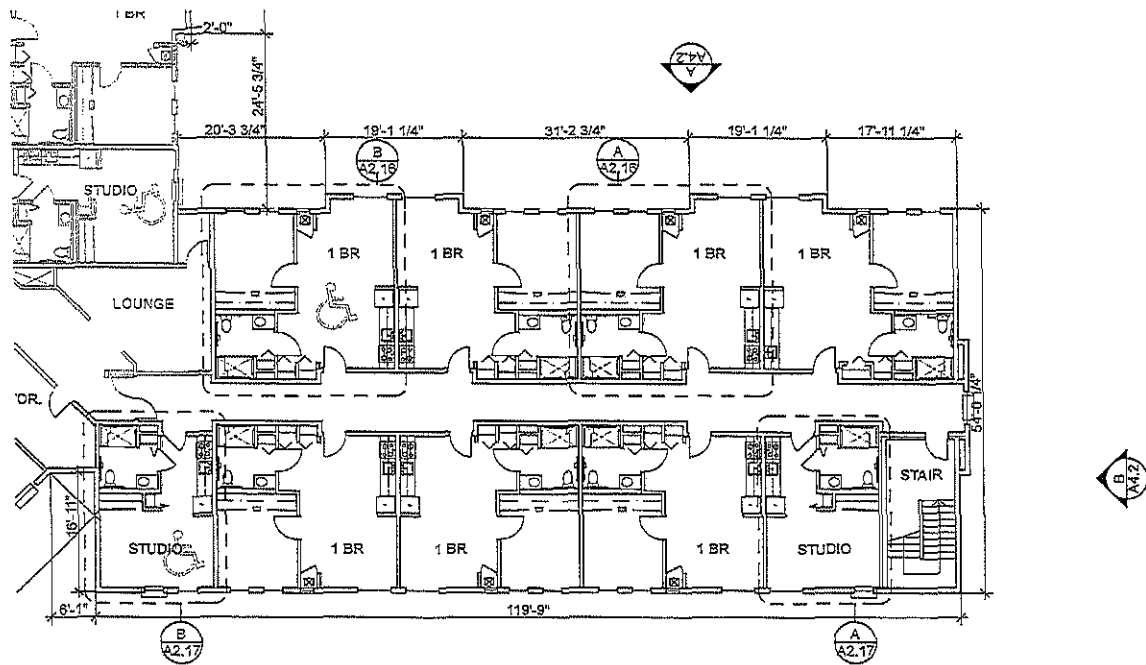
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**A2.14**

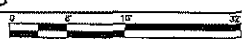
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**A** THIRD FLOOR WEST WING

SCALE: 1/16" = 1'-0"



N



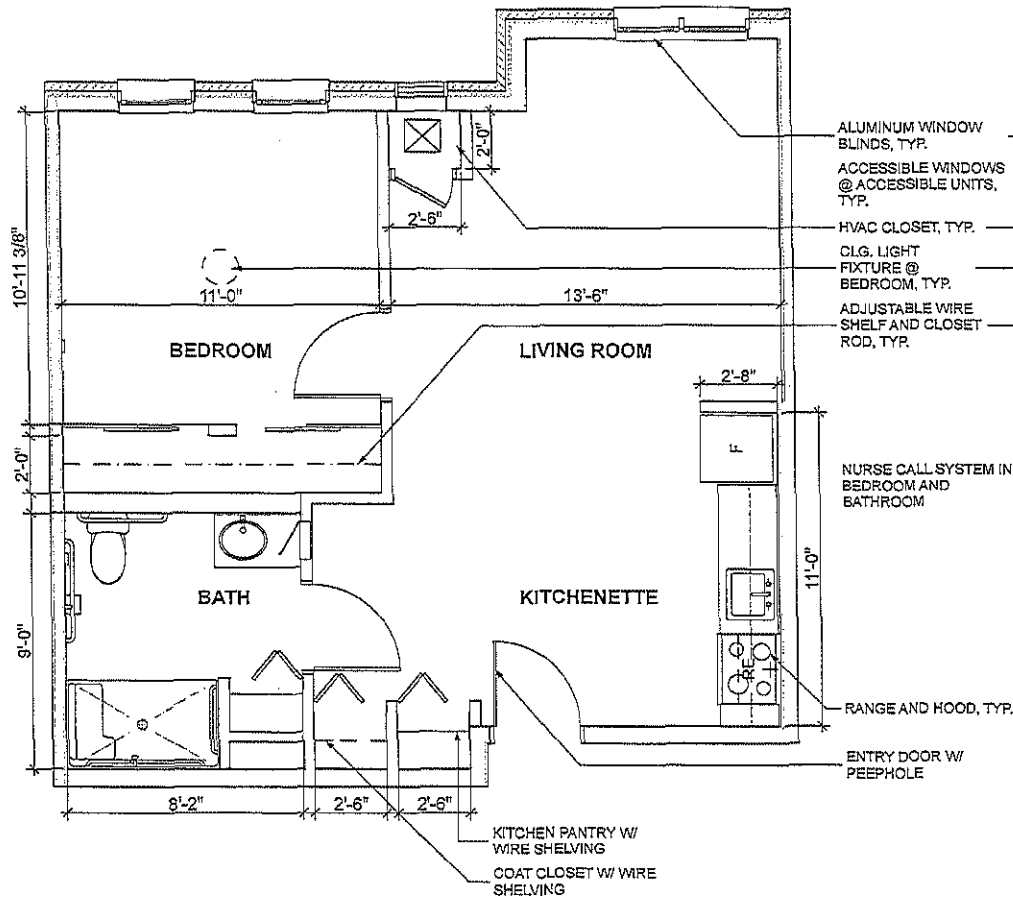
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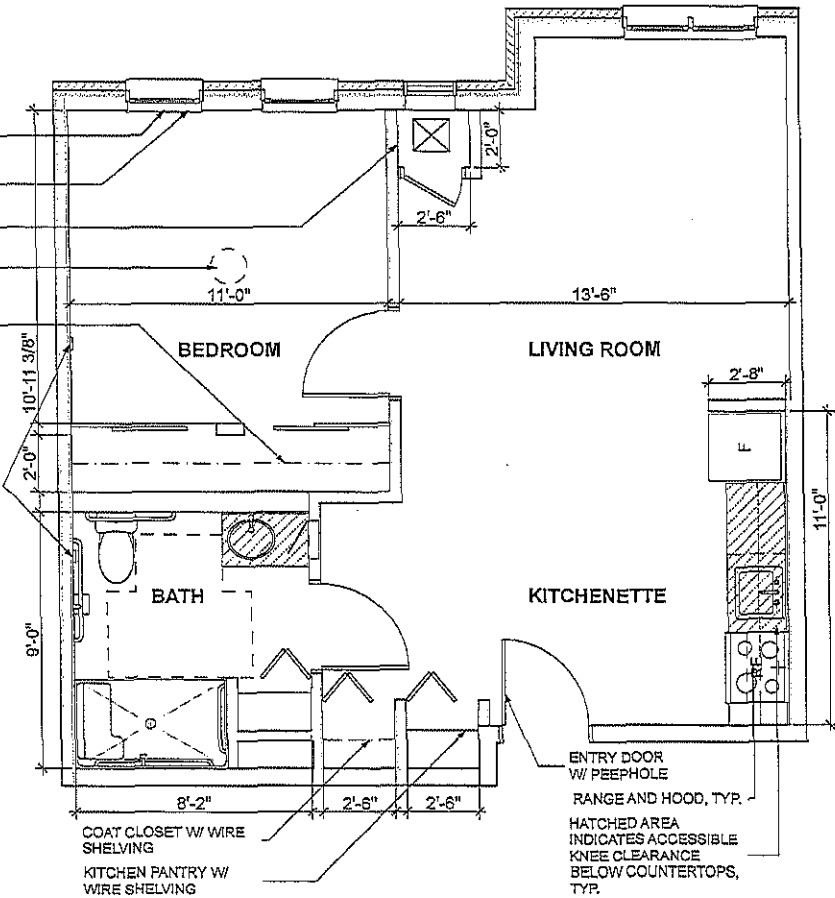
**A** TYPICAL ONE BEDROOM UNIT (ADAPTABLE)

SCALE: 1/4" = 1'-0"



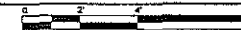
**UNIT AREA CALCULATIONS**

NET 515 S.F. (VARIES FROM 515 - 600 NET S.F.)  
 GROSS 550 S.F. (VARIES FROM 550 - 630 GROSS S.F.)



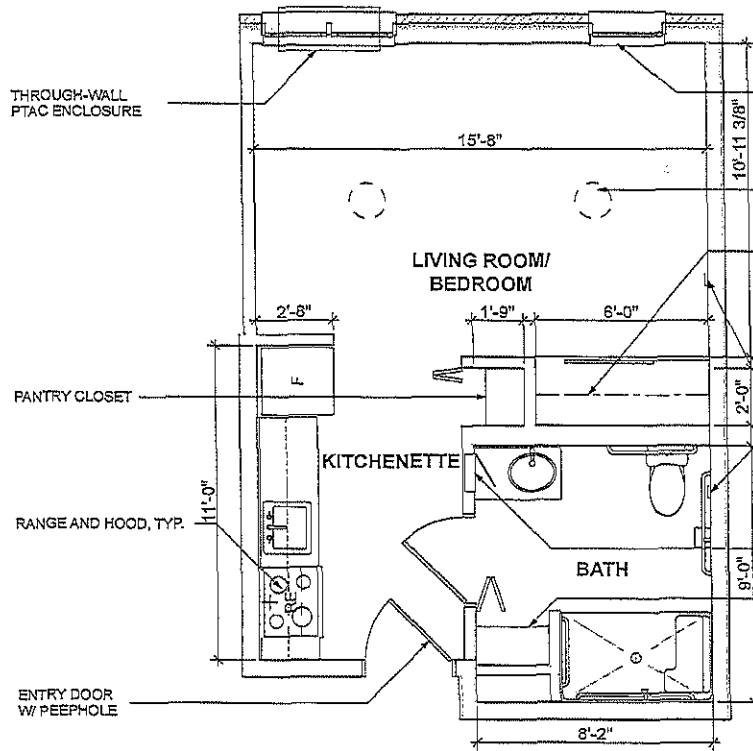
**B** ACCESSIBLE ONE BEDROOM UNIT

SCALE: 1/4" = 1'-0"

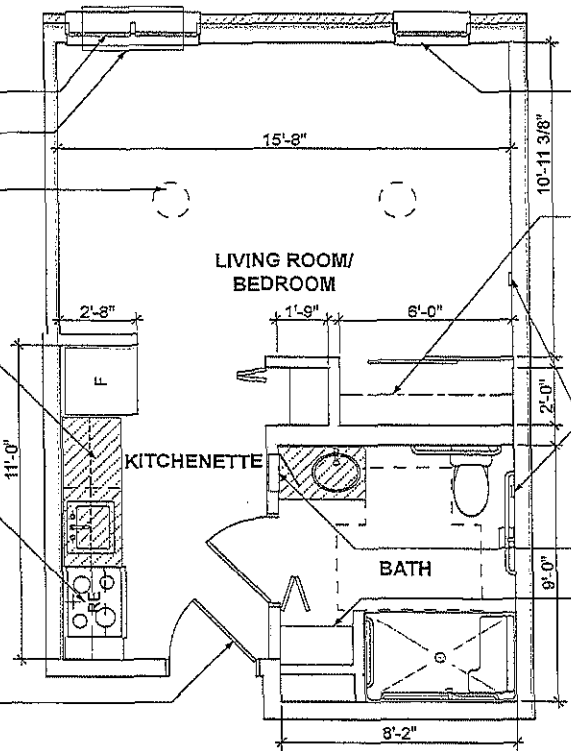


**UNIT AREA CALCULATIONS**

NET 515 S.F. (VARIES FROM 515 - 600 NET S.F.)  
 GROSS 550 S.F. (VARIES FROM 550 - 630 GROSS S.F.)



- ALUMINUM WINDOW BLINDS, TYP.
- THROUGH-WALL PTAC ENCLOSURE
- CLG. LIGHT FIXTURE @ LIVING ROOM/BEDROOM, TYP.
- ADJUSTABLE WIRE SHELF AND CLOSET ROD, TYP.
- HATCHED AREA INDICATES ACCESSIBLE KNEE CLEARANCE BELOW COUNTERTOPS, TYP.
- NURSE CALL SYSTEM IN BEDROOM AND BATHROOM
- RANGE AND HOOD, TYP.
- RECESSED MED. CAB.
- LINEN CLOSET W/ WIRE SHELVEING
- ENTRY DOOR W/ PEEPHOLE



- ACCESSIBLE WNDWS @ ACCESSIBLE UNITS, TYP.
- ADJUSTABLE WIRE SHELF AND CLOSET ROD, TYP.
- NURSE CALL SYSTEM IN BEDROOM AND BATHROOM
- RECESSED MED. CAB.
- LINEN CLOSET W/ WIRE SHELVEING

**A TYPICAL STUDIO UNIT (ADAPTABLE)**

SCALE: 1/4" = 1'-0"



**UNIT AREA CALCULATIONS**

NET 350 S.F. (VARIES FROM 350 - 400 NET S.F.)  
 GROSS 375 S.F. (VARIES FROM 375 - 420 GROSS S.F.)

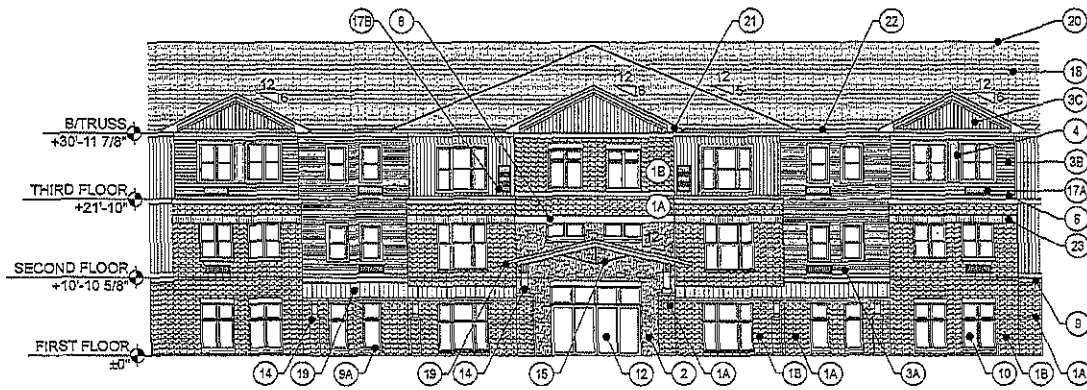
**B ACCESSIBLE STUDIO UNIT**

SCALE: 1/4" = 1'-0"



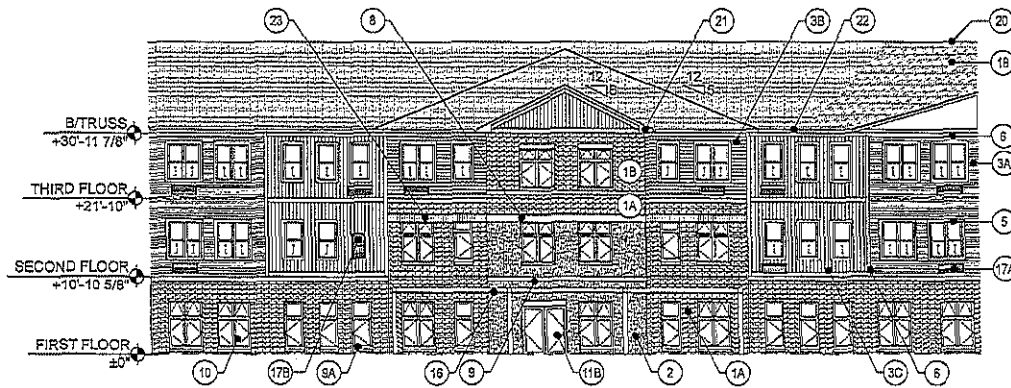
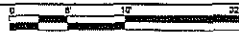
**UNIT AREA CALCULATIONS**

NET 350 S.F. (VARIES FROM 350 - 400 NET S.F.)  
 GROSS 375 S.F. (VARIES FROM 375 - 420 GROSS S.F.)



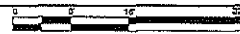
**A** CENTRAL WING - WEST ELEVATION

SCALE: 1/16" = 1'-0"



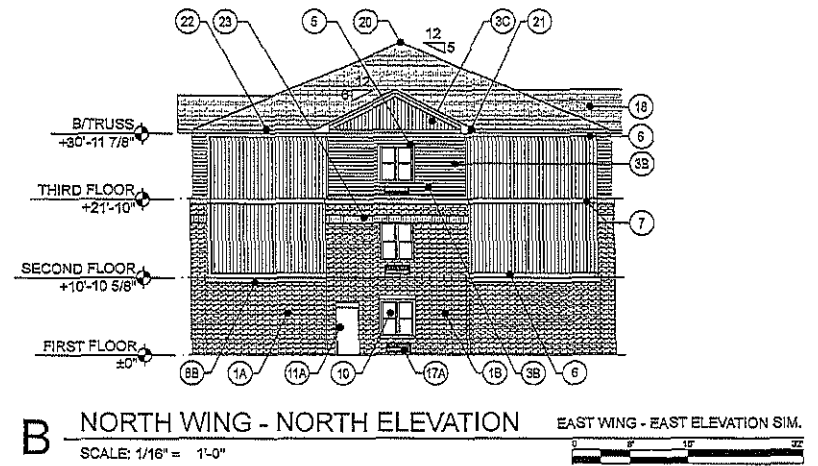
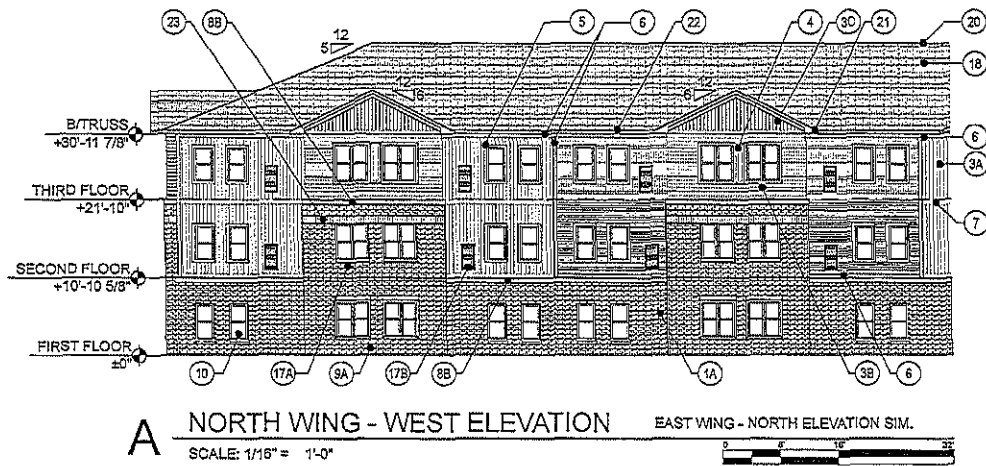
**B** CENTRAL WING - EAST ELEVATION

SCALE: 1/16" = 1'-0"

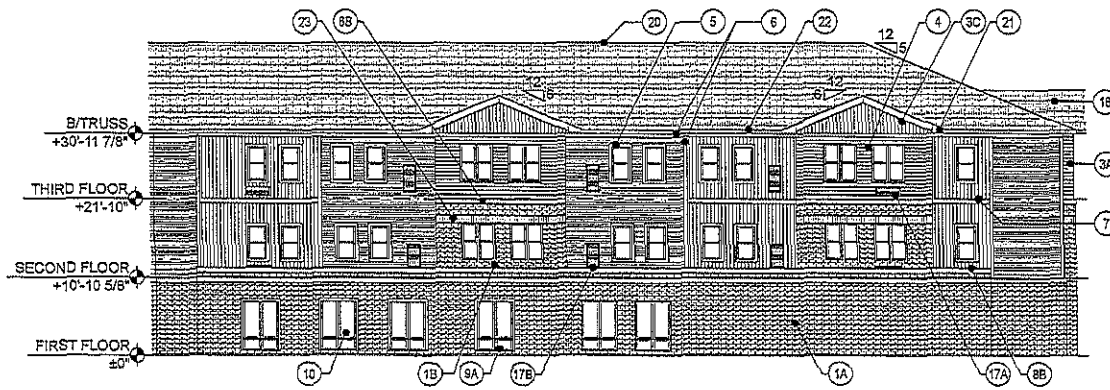


**ELEVATION MATERIAL KEY**

- |  |   |
|--|---|
| 1A - FACE BRICK #1 - 3 5/8" (H) x 3 5/8" (D) x 11 5/8" (L) - MANUF. COLOR & TEXTURE BY ARCHITECT | 10 - VINYL WINDOW UNIT.   |
| 1B - FACE BRICK #2 - 3 5/8" (H) x 3 5/8" (D) x 11 5/8" (L) - MANUF. COLOR & TEXTURE BY ARCHITECT | 11A - PRE-FINISHED STEEL DOOR.  |
| 2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT.  | 11B - PRE-FINISHED STOREFRONT DOOR.                                   |
| 3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.                                     | 12 - PRE-FINISHED AUTO OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT. |
| 3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE.                                     | 13 - PRE-FINISHED FASCIA.   |
| 3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.                            | 14 - FIBER CEMENT WRAPPED COLUMN COVER.                               |
| 4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT.               | 15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS.    |
| 5 - 3 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.   | 16 - PRE-FINISHED FIBERGLASS TRELLIS.                                 |
| 6 - 5 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.   | 17A - PRE-FINISHED ALUMINUM PTAC GRILLE.                              |
| 7 - 7 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.   | 17B - PRE-FINISHED ALUMINUM VTAC GRILLE.                              |
| 8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.  | 18 - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES.                       |
| 8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.   | 19 - PRE-FINISHED METAL STANDING SEAM ROOFING                         |
| 8C - 5 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.   | 20 - CONTINUOUS RIDGE VENT  |
|  | 21 - PRE-FINISHED METAL COPING, FASCIA & TRIM                         |
|  | 22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT                            |
|  | 23 - BRICK SOLDIER COURSE, TYP.                                       |

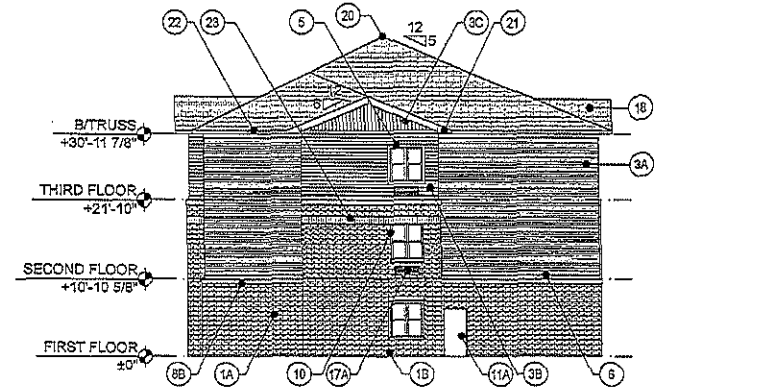


ELEVATION MATERIAL KEY	
1A - FACE BRICK #1 - 3 5/8" (H) x 3 5/8" (D) x 11 5/8" (L) - MANUF. COLOR & TEXTURE BY ARCHITECT	10 - VINYL WINDOW UNIT.
1B - FACE BRICK #2 - 3 5/8" (H) x 3 5/8" (D) x 11 5/8" (L) - MANUF. COLOR & TEXTURE BY ARCHITECT	11A - PRE-FINISHED STEEL DOOR.
2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT.	11B - PRE-FINISHED STOREFRONT DOOR.
3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	12 - PRE-FINISHED AUTO OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT.
3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE.	13 - PRE-FINISHED FASCIA.
3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	14 - FIBER CEMENT WRAPPED COLUMN COVER.
4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT.	15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS.
5 - 3 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	16 - PRE-FINISHED FIBERGLASS TRELLIS.
6 - 5 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	17A - PRE-FINISHED ALUMINUM PTAC GRILLE.
7 - 7 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	17B - PRE-FINISHED ALUMINUM VTAC GRILLE.
8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	18 - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES.
8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	19 - PRE-FINISHED METAL STANDING SEAM ROOFING
8C - 3 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	20 - CONTINUOUS RIDGE VENT
	21 - PRE-FINISHED METAL COPING, FASCIA & TRIM
	22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT
	23 - BRICK SOLDIER COURSE, TYP.



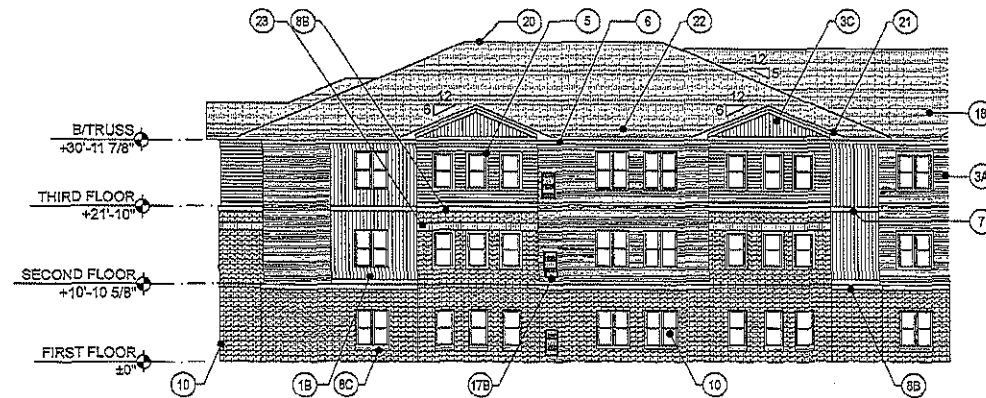
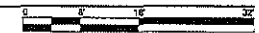
**A EAST WING - SOUTH ELEVATION**

SCALE: 1/16" = 1'-0"



**C SOUTH WING - SOUTH ELEVATION WEST WING - WEST ELEVATION SIM. O.H.**

SCALE: 1/16" = 1'-0"

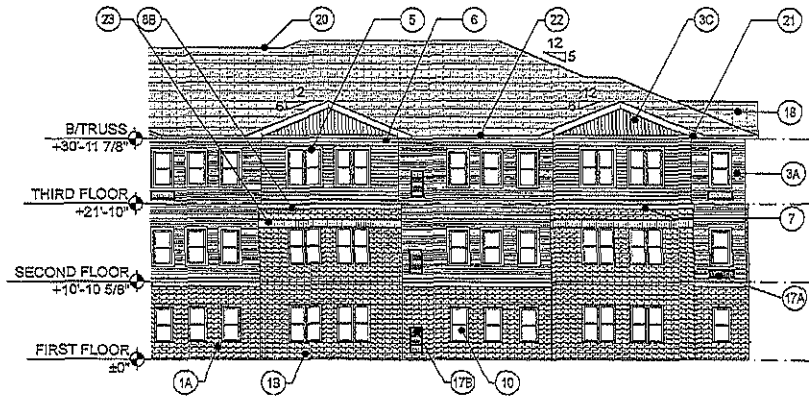


**B SOUTH WING - EAST ELEVATION**

SCALE: 1/16" = 1'-0"

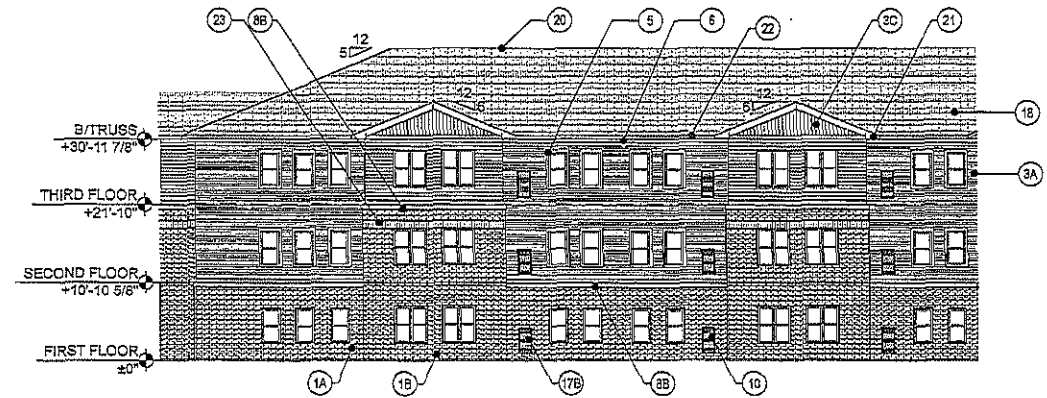


ELEVATION MATERIAL KEY	
1A - FACE BRICK #1 - 3 5/8" (H) x 9 5/8" (D) x 11 5/8" (L) - MANUF., COLOR & TEXTURE BY ARCHITECT	10 - VINYL WINDOW UNIT.
1B - FACE BRICK #2 - 3 5/8" (H) x 9 5/8" (D) x 11 5/8" (L) - MANUF., COLOR & TEXTURE BY ARCHITECT	11A - PRE-FINISHED STEEL DOOR.
2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT.	11B - PRE-FINISHED STOREFRONT DOOR.
3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	12 - PRE-FINISHED AUTO OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT.
3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	13 - PRE-FINISHED FASCIA.
3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	14 - FIBER CEMENT WRAPPED COLUMN COVER.
4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT.	15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS.
5 - 3 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	16 - PRE-FINISHED FIBERGLASS TRELLIS.
6 - 5 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	17A - PRE-FINISHED ALUMINUM PTAC GRILLE.
7 - 7 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	17B - PRE-FINISHED ALUMINUM VTAC GRILLE.
8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	18 - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES.
8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	19 - PRE-FINISHED METAL STANDING SEAM ROOFING
8C - 3 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	20 - CONTINUOUS RIDGE VENT
	21 - PRE-FINISHED METAL COPING, FASCIA & TRIM
	22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT
	23 - BRICK SOLDIER COURSE, TYP.



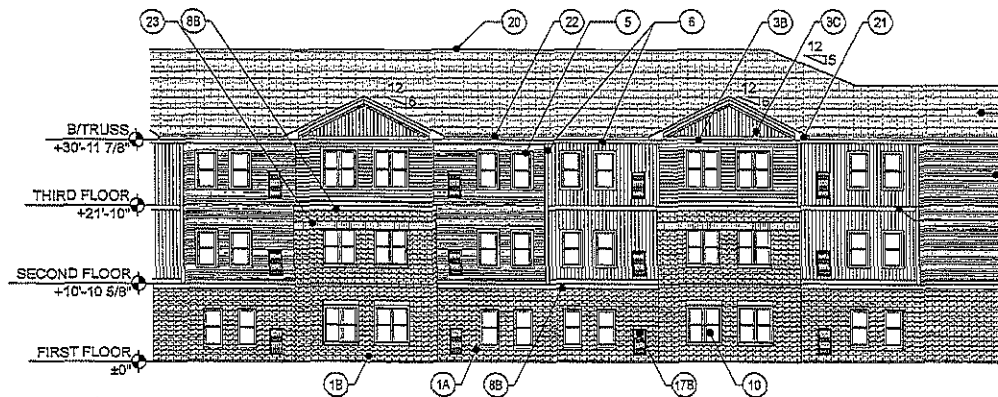
**A SOUTH WING - WEST ELEVATION**

SCALE: 1/16" = 1'-0"



**C WEST WING - NORTH ELEVATION**

SCALE: 1/16" = 1'-0"



**B WEST WING - SOUTH ELEVATION**

SCALE: 1/16" = 1'-0"

ELEVATION MATERIAL KEY	
1A - FACE BRICK #1 - 3 5/8"(H) x 3 5/8"(D) x 11 5/8"(L) - MANUF., COLOR & TEXTURE BY ARCHITECT	10 - VINYL WINDOW UNIT.
1B - FACE BRICK #2 - 3 5/8"(H) x 3 5/8"(D) x 11 5/8"(L) - MANUF., COLOR & TEXTURE BY ARCHITECT	11A - PRE-FINISHED STEEL DOOR.
2 - CULTURED STONE VENEER - PATTERN & COLOR BY ARCHITECT.	11B - PRE-FINISHED STOREFRONT DOOR.
3A - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	12 - PRE-FINISHED AUTO OPENING ALUMINUM STOREFRONT SLIDING DOOR UNIT.
3B - FIBER CEMENT LAP SIDING, CEDARMILL FINISH, 8" EXPOSURE.	13 - PRE-FINISHED FASCIA.
3C - FIBER CEMENT VERTICAL LAP SIDING, CEDARMILL FINISH, 5" EXPOSURE.	14 - FIBER CEMENT WRAPPED COLUMN COVER.
4 - FIBER CEMENT BOARD PANEL SIDING W/ ALUMINUM CHANNEL TRIM - COLOR BY ARCHITECT.	15 - EXPOSED WOOD TRUSS W/ PRE-FINISHED EXPOSED STEEL CONNECTIONS.
5 - 3 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	16 - PRE-FINISHED FIBERGLASS TRELLIS.
6 - 5 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	17A - PRE-FINISHED ALUMINUM PTAC GRILLE.
7 - 7 1/2" (W) x 1" (TH.) FIBER CEMENT TRIM.	17B - PRE-FINISHED ALUMINUM VTAC GRILLE.
8A - 11 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	18 - ARCHITECTURAL FIBERGLASS ROOFING SHINGLES.
8B - 7 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	19 - PRE-FINISHED METAL STANDING SEAM ROOFING
8C - 3 5/8" (H) x 4 5/8" (D) CAST STONE SILL/TRIM.	20 - CONTINUOUS RIDGE VENT
	21 - PRE-FINISHED METAL COPING, FASCIA & TRIM
	22 - PRE-FINISHED METAL GUTTER & DOWNSPOUT
	23 - BRICK SOLDIER COURSE, TYP.







## FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION FORM ED-2

Business Name    Cook Road AAL LP  
Business Address 121 West Wacker Drive, Suite 400, Chicago IL 60601  
Telephone No.    312-488-1918  
Fax No.            312-488-1919  
CEO Name         David J. Cocagne  
CEO Title         CEO

Contact Person   David J. Cocagne  
Contact Title     CEO  
Contact Phone No. 312-488-1918

Actual Cost of Project

EMPLOYMENT INFORMATION	# Full-Time	# Part-Time	* Total FT+ PT Payroll	* Mean Avg. Annual Wages, FT Only	* Median Avg. Annual Wages FT Only
Current Fort Wayne Employment			\$	\$	\$
Retained Fort Wayne Employment			\$	\$	\$
# of Jobs Created at Opening			\$	\$	\$
# of Jobs Created Within Three Years			\$	\$	\$

Do the jobs created or retained provide the following benefits? Please check all that apply.

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

What Percentage of the above benefits are paid by the employee? \_\_\_\_\_%

\* Excludes pay of owners and/or officers of company.

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**TITLE OF ORDINANCE: A Resolution of the Common Council of the City of Fort Wayne, Indiana, Providing Preliminary Approval of the Issuance of Bonds for the Purpose of Providing Certain Economic Development Facilities.**

**DEPARTMENT REQUESTING ORDINANCE: Community Development Division**

**SYNOPSIS OF ORDINANCE: The Cook Road AAL LP is seeking approval of the City's participation with economic development revenue bond financing in the amount of \$18,000,000 toward the construction of a three story, 119 apartment assisted living facility. Total investment for this project is \$24,200,000.**

**EFFECT OF PASSAGE: \$24,200,000 investment in a new assisted living facility that will create 24 new full-time jobs and 25 new part-time jobs.**

**EFFECT OF NON-PASSAGE: Potential loss of investment and 24 new full-time jobs and 25 new part-time jobs.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS):**

**ASSIGNED TO COMMITTEE (CO-CHAIRS): John Crawford and Jason Arp**