BILL NO. R-11-11-19

DECLARATORY RESOLUTION NO. R-_______

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1300 South Clinton Street, Fort Wayne, Indiana 46802 (Lincoln National Life Insurance Company)

WHEREAS, Petitioner has duly filed its petition dated November 8, 2011 to have the following described property designated and declared an "Economic Revitalization Area" under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein;

and

WHEREAS, said project will retain 1,983 full-time, permanent jobs for a total current annual payroll of $104,436,989, with the average current, annual job salary being $52,666; and

WHEREAS, the total estimated project cost is $951,977; and

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

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

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

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

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

(c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal property for new information technology equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of new information technology equipment, all contained in Petitioner's Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of new information technology equipment.

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

(a) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be $3.1590/$100.

(b) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be $3.1590/$100 (the change would be negligible).

(c) If the proposed new information technology equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be $3.1590/$100 (the change would be negligible).

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

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new information technology equipment shall be for a period of ten years.

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

SECTION 9. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 10. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of said chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 11. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

____
Member of Council

APPROVED AS TO FORM AND LEGALITY

____
Carol Helton, City Attorney

CITY OF FT WAYNE

7/2011

NOV 0 8 2011 Eme

ECONOMIC REVITALIZATION AREA APPLICATION
CITY OF FORT WAYNE, INDIANA

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

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

Total cost of real estate improvements:	
Total cost of manufacturing equipment improvements:	
Total cost of research and development equipment improvements:	
Total cost of logistical distribution equipment improvements:	
Total cost of information technology equipment improvements:	951,977.08
TOTAL OF ABOVE IMPROVEMENTS:	951,977.08

GENERAL INFORMATION

Real property taxpayer's name: Trona Cogeneration Corporation

Personal property taxpayer's name: Lincoln National Life Insurance Company

Telephone number: (260) 455 6757

Address listed on tax bill: 1300 S Clinton St., Ft Wayne, IN 46802

Name of company to be designated, if applicable: Lincoln National Life Insurance Company

Year company was established: 1905

Address of property to be designated: 1300 S Clinton St, Ft. Wayne, IN 46802

Real estate property identification number: 35-0472300

Contact person name: David Clarke

Contact person telephone number: (484) 583 1446 Contact person Email: David.Clarke@lfg.com

Contact person address: 150 North Radnor Chester Rd, Radnor, PA 19087

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
Dennis Glass	PRESIDENT	150 N Radnor Chester Rd, Radnor, PA	484 583 1479
Fred Crawford	CFO and EVP	" "	484 583 1702
Charles Brawley	Secretary	" "	484 583 1475
Mark Konen	SVP	" "	484 583 8718
Doug Miller	SVP	" "	484 583 1430

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

NAME	PERCENTAGE
Lincoln National Corporation	100%

☐ Yes ☑ No Are any elected officials shareholders or holders of any debt obligation of the applicant or operating business? If yes, who? (name/title) ________________

☑ Yes ☐ No Is the property for which you are requesting ERA designation totally within the corporate limits of the City of Fort Wayne?

☑ Yes ☐ No Is the property for which you are requesting ERA designation located in an Economic Development Target Area (EDTA)? (see attached map for current areas)

☑ Yes ☐ No Is the property for which you are requesting ERA designation located in a HUBzone? (see attached map for current areas)

☐ Yes ☑ No Do you plan to request state or local assistance to finance public improvements?

Describe the product or service to be produced or offered at the project site: Insurance and Annuity Products

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

How does the property for which you are requesting designation meet the above definition of an ERA?

It is within the corporate limits of the City of Ft Wayne and the equipment being applied for is an upgrade to create greater efficiency and reduce redundancies caused from previous phone system.

REAL PROPERTY INFORMATION

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

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

____

____

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

____

____

Describe the improvements to be made to the property to be designated for tax abatement purposes: __________

____

____

____

Projected construction start (month/year): ____________________

Projected construction completion (month/year): ____________________

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

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

PERSONAL PROPERTY INFORMATION

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

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

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

Telecommunication Facilities and networks (See Attached Exhibit I)

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

☐ Yes ☑ No Will the equipment be leased?

Equipment purchase date (month/year): 10/11

Equipment installation date (month/year): 12/11

Please provide the depreciation schedule term for equipment under consideration for personal property tax abatement:

See Exhibit II for Depreciation Schedule

Exhibit 1

Lincoln Financial Group®

Order No. PO3319834

Version Number: 1
Internal Version: false
Issued on Thu, 29 Sep, 2011
Created on Thu, 29 Sep, 2011 by ARIBA SYSTEM

Supplier:
CROSS TELECOM CORPORATION DBA CROSS TELECOM CORP
10900 NESBITT AVE SOUTH
MINNEAPOLIS, MN 55437
United States
Phone: 1952-456-3257
Fax: 1(952) 983-3400
Contact: MORGAN ADAMS

Ship To:
Lincoln Financial Group
1300 SOUTH CLINTON STREET
FORT WAYNE, IN 46802
United States

Deliver To:
JEFF SIDES 1566131

Bill To:
Lincoln Financial Group
P O Box 21008
Procurement - MC 4680
Greensboro, NC 27420-1008
United States
Phone: 1336-691-3718

General Ledger:
General Ledger Id: 0001
General Ledger Description: E-2 GENERAL LEDGER
Company: 671C
Cost Center:
Cost Center Id: 00G505
Cost Center Description: II-IT - VOICE COMMUNICATIONS INFRA - OMA
Department Name: 00G505 II-IT - VOICE COMMUNICATIONS INFRA - OMA
Account:
Account Id: 164171
Account Description: FIXED ASSET SYSTEM CLEARING

Payment Terms: Net amount due in 30 days
E-mail Address: Jeff.Sides@lfg.com
This order must be filled as specified. Do not make any changes without prior written authorization. Please acknowledge this order promptly and indicate shipping date. We reserve the right to cancel this order if you do not ship the specified materials in accordance with accepted delivery schedule. Unless the parties have executed any negotiated Agreement, this Purchase Order is an offer to buy the items below and includes the terms and conditions viewable at http://www.lfg.com/suppliers:

Requester: JEFFERY SIDES
CostCenters: 00G505
PR No.: PR3404527

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
1	**Hardware, Software, and SSU/SA Subtotal** ... Hardware, Software, and SSU/SA Subtotal see comments and attached quote for details.	CM6 Upgrade	each	1	None	$805,977.08 USD	$805,977.08 USD

Item	Description	Part Number	Unit	Qty	Need By	Unit Price	Extended Amount
2	**Implementation and Project Management** Implementation and Project Management	Labor	each	1	None	$146,000.00 USD	$146,000.00 USD

Total	$951,977.08 USD

Comments

- VICKEY FOWLER, 09/28/2011:
  LINCOLN DIRECT PAY

  See attached quote for details (VICKEY FOWLER, Wed, 28 Sep, 2011)

Attachments

- ATTACHMENT by **VICKEY FOWLER** on *Wednesday, September 28, 2011 at 4:55 PM*
  Cross quote FTW 9.27.11.pdf (212968 bytes)

Exhibit 2

FORT WAYNE COMMUNITY DEVELOPMENT DIVISION

TAX ABATEMENT - ESTIMATE OF SAVINGS

GAAP Straight-Line Schedule (Half-year convention)

PERSONAL PROPERTY TAX ABATEMENT - 5 yr Schedule

Year	True Cash Value	"Pool 2"	True Tax Value	Assessed Value	Tax Abatement %	Deduction
1	$951,977.08	40%	$380,791	$380,791	10%	$38,079
2	$951,977.08	56%	$533,107	$533,107	20%	$106,621
3	$951,977.08	42%	$399,830	$399,830	20%	$79,966
4	$951,977.08	32%	$304,633	$304,633	20%	$60,927
5	$951,977.08	30%	$285,593	$285,593	20%	$57,119
6	$951,977.08	30%	$285,593	$285,593	10%	$28,559

ELIGIBLE VACANT BUILDING INFORMATION

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

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

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

____

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

Projected occupancy date (month/year): ______________________________

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

____

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PUBLIC BENEFIT INFORMATION

EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED

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

	Number of Employees	Total Annual Payroll
CURRENT NUMBER FULL-TIME	1,983	$104,436,989.88
CURRENT NUMBER PART-TIME		
NUMBER RETAINED FULL-TIME	1,983	$104,436,989.88
NUMBER RETAINED PART-TIME		
NUMBER ADDITIONAL FULL-TIME		
NUMBER ADDITIONAL PART-TIME		

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

- ☐ Pension Plan
- ☑ Major Medical Plan
- ☑ Disability Insurance
- ☑ Tuition Reimbursement
- ☑ Life Insurance
- ☑ Dental Insurance

List any benefits not mentioned above: Core Contribution Matching

When will you reach the levels of employment shown above? (month/year): 12/11

Types of jobs to be created as a result of this project?

REQUIRED ATTACHMENTS

The following must be attached to the application.

1. **Statement of Benefits Form(s) (first page/front side completed)**

2. **Full legal description of property and a plat map identifying the property boundaries. <u>(Property tax bill legal descriptions are not sufficient.)</u> Should be marked as Exhibit A.**

3. **Check for non-refundable application fee made payable to the <u>City of Fort Wayne</u>.**

ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed $500
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed $750
ERA filing fee (vacant commercial or industrial building)	$500
ERA filing fee in an EDTA	$100
Amendment to extend designation period	$300
Waiver of non compliance with ERA filing	$500 + ERA filing fee

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

CERTIFICATION

I, as the legal taxpayer and/or owner, hereby certify that all information and representations made on this application and its attached exhibits are true and complete and that neither an Improvement Location Permit nor a Structural Permit haS been filed for construction of improvements, nor has any manufacturing, research and development, logistical distribution or information technology equipment which is a part of this application been purchased and installed as of the date of filing of this application. I also certify that the taxpayer is not delinquent on any and all property tax due to taxing jurisdictions within Allen County, Indiana. I understand that any incorrect information on this application may result in a rescission of any tax abatements which I may receive.

I understand that I must file a correctly completed Compliance with Statement of Benefits Form (CF-1/Real Property for real property improvements and CF-1/PP for personal property improvements) with **BOTH** the City of Fort Wayne Community Development Division, **AND** the County Auditor in each year in which I receive a deduction. Failure to file the CF-1 form with either agency may result in a rescission of any tax abatement occurring as a result of this application.

David Clarke

Signature of Taxpayer/Owner

David Clarke, Director of Life Taxes

Printed Name and Title of Applicant

10/21/11

Date

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (5-04)
Prescribed by the Department of Local Government Finance

CITY OF FT WAYNE

NOV 0 8 2011

COMMUNITY DEVEL.

FORM SB - 1 / PP

INSTRUCTIONS:

1. *This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)*
2. *Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to installation of the new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment, **BEFORE** a deduction may be approved*
3. *To obtain a deduction, Form 322 ERA/PPME and/or Form 322 ERA/PP Other, must be filed with the county auditor. Form 322 ERA/PPME and/or Form 322 ERA/PP Other must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved after June 30, 1991 must submit Form CF-1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *The schedules established under IC 6-1.1-12.1-4(d) and IC 6-1.1-12.1-4.5(e) effective July 1, 2000 apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000 shall continue to apply to those statement of benefits filed before July 1, 2000.*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Lincoln National Life Insurance Company	
Address of taxpayer *(street and number, city, state and ZIP code)*: 1300 S Clinton St., Fort Wayne, IN 46802	
Name of contact person: David Clarke	Telephone number: (484) 583-1446

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: Fort Wayne Common Council		Resolution number:
Location of property: 1300 S Clinton St., Fort Wayne, IN 46802	County: Allen	Taxing district: 074

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment *(use additional sheets if necessary)*

New Phone System installed in Fort Wayne office

	ESTIMATED Start Date	ESTIMATED Completion Date
Manufacturing Equipment		
R & D Equipment		
Logist Dist Equipment *		
IT Equipment *	10/1/2011	1/1/2012

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

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
1,983	104,436,989.88	1,983	104,436,989.88		

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the **COST** of the property is confidential.	Manufacturing Equipment		R & D Equipment		Logist Dist Equipment *		IT Equipment *	
	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value	Cost	Assessed Value
Current values								
Plus estimated values of proposed project							951,977.00	951,977.00
Less values of any property being replaced								
Net estimated values upon completion of project								

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

Estimated solid waste converted (*pounds*) ____________ Estimated hazardous waste converted (*pounds*) ____________

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

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

Signature of authorized representative	Title	Date signed *(month, day, year)*
[signature]	AVP & Director	10/24/2011

*** See IC 6-1.1-12.1-2.3.**

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed — calendar years * *(see below)*. The date this designation expires is December 31, 2016.

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☐ Yes ☒ No
2. Installation of new research and development equipment; ☐ Yes ☒ No
3. Installation of new logistical distribution equipment. ☐ Yes ☒ No
4. Installation of new information technology equipment; ☒ Yes ☐ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ N/A cost with an assessed value of $ N/A.

D. The amount of deduction applicable to new research and development equipment is limited to $ N/A cost with an assessed value of $ N/A.

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ N/A cost with an assessed value of $ N/A.

F. The amount of deduction applicable to new information technology equipment is limited to $ unlimited cost with an assessed value of $ unlimited.

G. Other limitations or conditions *(specify)* **Subject to taxpayer's non-delinquent status on any and all property tax due to taxing jurisdictions within Allen County, Indiana.**

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction after July 1, 2000 is allowed for:

☐ 1 year ☐ 6 years
☐ 2 years ☐ 7 years
☐ 3 years ☐ 8 years
☐ 4 years ☐ 9 years
☐ 5 years ** ☒ 10 years **

** For ERA's established prior to July 1, 2000 only a 5 or 10 year schedule may be deducted.

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

Approved: *(signature and title of authorized member)*	Telephone number	Date signed *(month, day, year)*
Attested by:	Designated body	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.5

EXHIBIT A

Real Estate

PARCEL 1:

Lots Numbered 52, 53 and 54 in Brackenridge's Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in Deed Record 38 page 170, in the Office of the Recorder of Allen County, Indiana.

Together with the vacated alley lying west of and adjacent to said lots.

Also together with an overhead walkway as set out and described proceedings under Declaratory Resolution 1402-75 adopted August 14, 1975 as set out in transcript recorded October 17, 1984 as Instrument Number 84-25309.

PARCEL 2:

Lots Numbered 84, 85, 86, 87, 88 and 89 in Brackenridge's Addition to the City of Fort Wayne, Indiana as per plat thereof recorded in Deed Record 38 page 170 in the Office of the Recorder of Allen County, Indiana.

Together with the vacated alley lying west of and adjacent to said lots and also together with the vacated alley lying west of and adjacent to said lots, and also together with the vacated alley lying north and adjacent to Lot 89.

PARCEL 3:

A parcel of land situated in the City of Fort Wayne, Allen County, Indiana bound by a line commencing at the point where the North boundary line of Brackenridge Street in said City intersects the East boundary line of Harrison Street in said City and running thence East on the North boundary line of said Brackenridge Street, a distance of 231.5 feet, more or less, to the West boundary line of the alley running North from said Brackenridge Street to Douglas Avenue, between Harrison and Calhoun Streets; thence North, along the West boundary line of said alley, a distance of 131 feet, more or less to the South boundary line of an alley running West to Harrison Street between Brackenridge Street and Douglas Avenue; thence West on the South boundary line of the alley last above described a distance of 231.5 feet, more or less to the East boundary line of said Harrison Street; thence South, on the East boundary line of said Harrison street a distance of 131 feet, more or less to the point of beginning.

PARCEL 4:

That part of the Northwest Quarter of the Northeast Quarter of Section 11, Township 30 North, Range 12 East, in the City of Fort Wayne, Allen County, Indiana, beginning at a point where the East line of Harrison Street intersects with and crosses the South line of Douglas Avenue; thence running South along the East line of Harrison Street, a distance of 134 feet to an alley; thence East, along the alley a distance of 231.5 feet to an alley; thence North and parallel with said Harrison Street to the South line of Douglas Avenue; thence West along the South line of Douglas Avenue to the point of beginning.

PARCEL 5:

That part of a vacated alley lying between Parcel 3 and Parcel 4.

PARCEL 6:

The East 46 feet of Lots 91, 92 and 93 in Hamilton's Third Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in the Office of the Recorder of Allen County, Indiana.

PARCEL 7:

Part of the West 84 feet of Lots 91, 92 and 93 in Hamilton's Third Addition to the City of Fort Wayne as per plat thereof recorded in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 93; thence East on and along the North line of said Lot 93 a distance of 84 feet; thence South, a distance of 60 feet to the South line of said Lot 91; thence Northwesterly on the arc of a regular curve to the right having a radius of 172 feet, a distance of 105.34 feet to the point of beginning.

PARCEL 8:

Lots 94, 95, 96, 97, 98, 99, 100, and 101 and all that part of Lot 103 South of the centerline of the brick wall along the South line of said Lot; Lots 104, 105, 106, 107 and the North 19.5 feet of Lot 103 all in Hamilton's Third Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in the Office of the Recorder of Allen County, Indiana.

Together with an overhead walkway described under Declaratory Resolution 1402-75 adopted August 14, 1975 as set out in transcript recorded October 17, 1984 as Instrument Number 84-25309.

PARCEL 9:

Part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the intersection of the South line of Montgomery Street, now Douglas Avenue, in the City of Fort Wayne, with the East line of an alley next East of and parallel with Calhoun Street in said City; thence South on the East line of said Alley, 160.71 feet, more or less to the center of a vacated alley lying South of Montgomery Street, now Douglas Avenue, and extending from Clinton Street West to the first alley East of Calhoun Street, said alley having been vacated by the Board of Public Works of the City of Fort Wayne, by Declaratory Resolution No. 401, adopted April 22, 1920, and confirmed May 13, 1920, running thence East along the centerline of said vacated alley 70 feet to a point; thence North and parallel to the East line of the first alley East of Calhoun Street 160.71 feet, more or less, to the South line of

Montgomery Street, now Douglas Avenue in said City of Fort Wayne; thence West 70 feet to the place of beginning.

PARCEL 11:

The tract of land in the Northeast Quarter of the Northeast Quarter of Section 11, Township 30 North, Range 12 East, in the City of Fort Wayne, Allen County, described as follows, to-wit:

Commencing at the intersection of the South property line of Montgomery Street (now Douglas Street) and the West property line of Clinton Street, as said lines existed in 1925; thence West on said South property line of Montgomery Street (now Douglas Street) 159 feet, more or less, to the East line of the tract conveyed to Chester J. Nathan and S. Louis Wolf by deed recorded in Deed Record 290 page 210 of the Deed Records of Allen County, State of Indiana; thence South along said East property line 160.71 feet to the centerline of the vacated 14 foot alley between Montgomery (now Douglas) and Holman (now Brackenridge) Streets; thence East along said centerline of said vacated alley, 159 feet more or less to the west property line of Clinton Street as it existed in 1925; thence North along the said west property line of Clinton Street to the place of beginning.

PARCEL 12:

The vacated alley lying East of and adjacent to Lots Numbered 91 to 101, Inclusive and Lots Numbered 103 to 107 inclusive, in Hamilton's Third Addition to the City of Fort Wayne, Allen County, Indiana vacated under Declaratory Resolution 1401-1975.

PARCEL 13:

Lots Numbered 62, 63 and 64 in Brackenridge's Addition to the City of Fort Wayne, Allen County, Indiana as per plat thereof recorded in Plat Book 0, page 82, in the Office of the Recorder of Allen County, Indiana.

Together with that part of an alley lying south and adjacent to said Lots 62, 63, and 64 heretofore vacated by proceedings under General Ordinance G-25-85.

Also together with an overhead walkway as described in Declaratory Resolution Number 1423-76 adopted June 7, 1976 and confirmed July 29, 1976 by the Board of Public Works, recorded October 28, 1984 as Instrument Number 84-25847.

PARCEL 14:

Lot 7 and the East one-half of Lot 8 in Baker's Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in Deed Record 31 page 20 in the Office of the Recorder of Allen County, Indiana.

Together with the west half of a vacated alley lying east of and adjacent to said Lot 7.

Also together with the south half of a vacated alley lying north of and adjacent to said

EXHIBIT A

Lots 7 and 8.

PARCEL 15:

Lots Numbered 4, 5 and 6 in Baker's Addition to the City of Fort Wayne, Indiana as per plat thereof recorded in Deed Record 31, page 20 in the Office of the Recorder of Allen County, Indiana.

Together with the east half of vacated alley lying west of and adjacent to said Lots 4, 5 and 6.

PARCEL 16:

Lots Numbered 55, 56, 57, 58, 59, 60 and 61 in Brackenridge's Addition to the City of Fort Wayne, Indiana as per plat thereof recorded in Plat Book 0 page 82, in the Office of the Recorder of Allen County, Indiana.

Together with the east half of a vacated alley lying west of and adjacent to said Lots 55, 56, 57, 58, 59, 60 and 61.

Also together with an overhead walkway as described in Declaratory Resolution Number 1423-76 adopted June 7, 1976 and confirmed July 29, 1976 by the Board of Public Works, recorded October 28, 1984 as Document Number 84-25847.

PARCEL 17:

The East half of Lot Numbered 57 and all of Lots Numbered 58, 59, 60 and 61 in Hamilton's Second Addition to the City of Fort Wayne as per plat thereof recorded in Deed Record 31 page 176.

Together with the vacated alley between Lots 57 and 58.

Also together with that part vacated Railroad Street lying south andadjacent to said Lots heretofore vacated by proceedings under Declaratory Resolution Number 1251-1969.

PARCEL 18:

Part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 30 North, Range 12 East, Fort Wayne, Allen County, Indiana, described as follows:

Beginning at a point on the North line of vacated Railroad Street, 131.44 feet East of the East line of Calhoun Street; thence East along the North line of vacated Railroad Street, a distance of 237.56 feet to the West line of Clinton Street; thence South along the West line of Clinton Street, 144.65 feet; thence Westerly, at right angles to the last described course, 20.0 feet; thence Southerly, at right angles to the last described course, 10.5 feet (recorded as 12 feet) to the Northerly face of a concrete retaining wall; thence Westward along the North face of said retaining wall, following a curved course to the right to a point 133.03 feet East of the East line of Calhoun Street, measured along the North face of said retaining wall; thence North 128.4 feet to the point of beginning.

PARCEL 19:

The West Half of Lot Numbered 8 in Baker's Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in Deed Record 31 page 20, in the Office of the Recorder of Allen County, Indiana.

Together with the south half of vacated alley lying north of and adjacent to said Lot 8.

PARCEL 20:

Lots Numbered 65 and 66 in Brackenridge's Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in Deed Record 28, page 93 in the Office of the Recorder of Allen County, Indiana.

Together with the north half of vacated alley lying south of and adjacent to said lots 65 and 66.

PARCEL 21:

That part of Lot 11 in Baker's Addition to the City of Fort Wayne, Allen County, Indiana, as per plat thereof recorded in the Office of the Recorder of Allen County, Indiana, being described as follows:

Beginning at the Northwest corner of said Lot 11; thence East along the North end of said Lot to the East side thereof; thence South along the East side of said Lot to the South end thereof; thence in a straight line in the Northwesterly direction to the point of beginning.

Together with the south half of a vacated alley lying north of and adjacent to said Lot 11.

PARCEL 22:

Lots 9 and 10 in Baker's Addition to the City of Fort Wayne, Allen County Indiana, as per plat thereof recorded in the Office of the Recorder of Allen County, Indiana.

Together with the south half of a vacated alley lying north of and adjacent to said Lots 9 and 10.

PARCEL 23:

Lots 62 and 63 in the continuation of Hamilton's Second Addition to the City of Fort Wayne, as per plat thereof recorded in Deed Record 31 page 176, in the Office of the Recorder of Allen County, Indiana.

PARCEL 24:

The portion of that certain 10 foot north-south alley which is bounded on the west by Lot 62 of Brackenridge Addition to the City of Fort Wayne, by Lot 7 of Baker's Addition to the City of Fort Wayne, and which said alley is bounded on the east by Lots 55 through 61 inclusive, of Brackenridge Addition to the City of Fort Wayne, by Lots 4 through 6, inclusive, in Baker's Addition to the City of Fort Wayne (herein after referred to as north-south alley); and

THE PORTION OF THAT CERTAIN 10 FOOT EAST-WEST ALLEY WHICH IS BOUNDED ON THE NORTH BY LOTS 62 THROUGH 66, INCLUSIVE, OF BRACKENRIDGE ADDITION TO THE CITY OF FORT WAYNE, AND WHICH IS BOUNDED ON THE SOUTH BY LOTS 7 THROUGH 11 INCLUSIVE OF BAKER'S ADDITION TO THE CITY OF FORT WAYNE (HEREINAFTER REFERRED TO AS EAST-WEST ALLEY).

Admn. Appr.______________

DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Lincoln National Life Insurance Company is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of $951,977. In order to expand, Lincoln National Life Insurance Company will purchase and install new information technology equipment.**

EFFECT OF PASSAGE: **In order to create greater efficiencies and reduce redundancies from previous equipment, Lincoln National Life Insurance Company will invest in new telecommunications equipment for its downtown Fort Wayne operations. 1,983 full-time jobs will be retained as a result of the project.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and 1,983 full-time jobs**

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

ASSIGNED TO COMMITTEE (PRESIDENT): **Thomas E. Smith and Elizabeth M. Brown**

MEMORANDUM

TO: City Council

FROM: Elissa McGauley, Economic Development Specialist

DATE: November 14, 2011

RE: Request for designation by Lincoln National Life Insurance Company as an ERA for personal property improvements

BACKGROUND

PROJECT ADDRESS:	**1300 South Clinton Street**	PROJECT LOCATED WITHIN:	**Economic Improvement District, Economic Development Target Area, and Redevelopment Area**
PROJECT COST:	**$ 951,977**	COUNCILMANIC DISTRICT:	**5**

COMPANY PRODUCT OR SERVICE:	**Lincoln National Life Insurance Company is a provider of insurance and annuity products.**
PROJECT DESCRIPTION:	**Lincoln National Life Insurance Company will be purchasing and installing new information technology equipment.**

CREATED		RETAINED	
JOBS CREATED (FULL-TIME):	**0**	JOBS RETAINED (FULL-TIME):	**1,983**
JOBS CREATED (PART-TIME):	**0**	JOBS RETAINED (PART-TIME):	**0**
TOTAL NEW PAYROLL:	**$ 0**	TOTAL RETAINED PAYROLL:	**$ 104,436,989**
AVERAGE SALARY (FULL-TIME NEW):	**$ 0**	AVERAGE SALARY (FULL-TIME RETAINED):	**$ 52,666**

COMMUNITY BENEFIT REVIEW

Yes ☐ **No** ☐ **N/A** ☒ — Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

Yes ☒ **No** ☐ **N/A** ☐ — Real estate to be designated is consistent with land use policies of the City of Fort Wayne?
Explain: Property to be designated is zoned CM5A, Central Downtown District. Use of property is consistent with the land use policies of the City of Fort Wayne.

Yes ☐ **No** ☐ **N/A** ☒ — Project encourages the improvement or replacement of a deteriorated or obsolete structure?

Yes ☒ **No** ☐ **N/A** ☐ — Project encourages the improvement or replacement of obsolete manufacturing and/or research and development and/or information technology and/or logistical distribution equipment?

Yes ☐ No ☐ N/A ☒ Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

Yes ☐ No ☐ N/A ☒ Project encourages preservation of an historically or architecturally significant structure?

Yes ☐ No ☐ N/A ☒ Construction will result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes ☐ No ☐ N/A ☒ Construction will use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Yes ☐ No ☐ N/A ☒ ERA designation induces employment opportunities for Fort Wayne area residents?

Yes ☐ No ☐ N/A ☒ Average wage of all full-time jobs to be created is at least 150% of current Federal minimum wage.

Yes ☒ No ☐ N/A ☐ Average wage of all full-time jobs to be retained is at least 150% of current Federal minimum wage.
Explain: The average wage rate of full-time jobs retained is 349% of the current Federal minimum wage rate.

Yes ☒ No ☐ N/A ☐ Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

POLICY

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

1. The period of deduction for personal property is ten years.

Under Fort Wayne Common Council's tax abatement policies and procedures, Lincoln National Life Insurance Company is eligible for a ten year deduction on personal property improvements. Attached is a spreadsheet that shows how the application scored under the review system.

COMMENTS

Signed: Elissa McGauley
Economic Development Specialist

Personal Property Abatements

Tax Abatement Review System

	Points Possible	Points Awarded
Total new investment in equipment		8
Over $5,000,000	10	
$1,000,000 to $4,999,999	8	
$500,000 to $999,999	6	
$0 to $499,999	4	
Total number of jobs created and/or retained		10
Over 150	10	
75 to 149	8	
25 to 74	6	
10 to 24	4	
Under 10	2	
Current # of employees increases 50-99%	6	
Current # of employees increases 100% or more	8	
Average annual salary of full-time jobs created and/or retained are % of the Federal Minimum Wage		10
Greater than 300% of the Federal Minimum Wage	10	
201% to 300% of the Federal Minimum Wage	7	
151% to 200% of the Federal Minimum Wage	3	
150% of the Federal Minimum Wage	1	
Health insurance provided by the company	5	5
Project involves reinvestment at current location of a business	10	10
Project involves new or startup business	5	
Construction uses green building techniques (ie LEED Certification)	5	
Construction uses techniques to minimize impact on Combined Sewer Overflows (CSOs)	2	
Project is located in a HUBzone	10	10

Total 53

7 to 11 Points	Three Year Abatement
12 to 16 Points	Five Year Abatement
17 to 23 Points	Seven Year Abatement
24 to 60 Points	Ten Year Abatement