

3
4 **A CONFIRMING RESOLUTION designating an**
5 **"Economic Revitalization Area" under I.C. 6-1.1-**
6 **12.1 for property commonly known as 3923 Engle**
7 **Road, Fort Wayne, Indiana 46804 (Quake**
8 **Manufacturing)**

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

13 **Attached hereto as "Exhibit A" as if a part herein; and**

14 **WHEREAS,** said project will create three full-time and three part-time, permanent
15 jobs for a total new, annual payroll of \$180,000, with the average new annual job salary being
16 \$30,000 and retain nine full-time and three part-time, permanent jobs for a current annual
17 payroll of \$361,000, with the average current annual job salary being \$30,083; and

18 **WHEREAS,** the total estimated project cost is \$1,000,000; and

19 **WHEREAS,** a recommendation has been received from the Committee on Finance
20 on said Resolution; and

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

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

26 **SECTION 1.** That, the Resolution previously designating the above described
27 property as an "Economic Revitalization Area" is confirmed in all respects.

28 **SECTION 2.** That, the hereinabove described property is hereby declared an
29 "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the
30 effective date 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 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 manufacturing 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 the new manufacturing equipment, all contained

1 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
2 expected to result from the proposed described installation of the new manufacturing
3 equipment.

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

5 ... If the proposed new manufacturing equipment is not installed, the approximate
6 current year tax rates for this site would be \$3.1590/\$100.

7 ... If the proposed new manufacturing equipment is installed and no deduction is
8 granted, the approximate current year tax rate for the site would be
9 \$3.1590/\$100 (the change would be negligible).

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

13 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
14 from the assessed value of the new manufacturing equipment shall be for a period of ten
15 years.

16 **SECTION 7.** Pursuant to I.C. 6-1.1-12.1-17, an alternative abatement schedule will
17 be provided with the following percentage amounts each year:

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

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

26 **SECTION 9.** For new manufacturing equipment, a deduction application must
27 contain a performance report showing the extent to which there has been compliance with
28 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
29
30

1 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
2 Wayne's Community Development Division and must be included with the deduction
3 application. For subsequent years, the performance report must be updated and submitted
4 along with the deduction application at the time of filing.

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

- 6 (a) The cost and description of real property improvements and/or new
7 manufacturing equipment acquired.
8 (b) The number of employees hired through the end of the preceding calendar year
9 as a result of the deduction.
10 (c) The total salaries of the employees hired through the end of the preceding
11 calendar year as a result of the deduction.
12 (d) The total number of employees employed at the facility receiving the deduction.
13 (e) The total assessed value of the real and/or personal property deductions.
14 (f) The tax savings resulting from the real and/or personal property being abated.

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

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

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

26 _____
27 Member of Council

28 APPROVED AS TO FORM AND LEGALITY

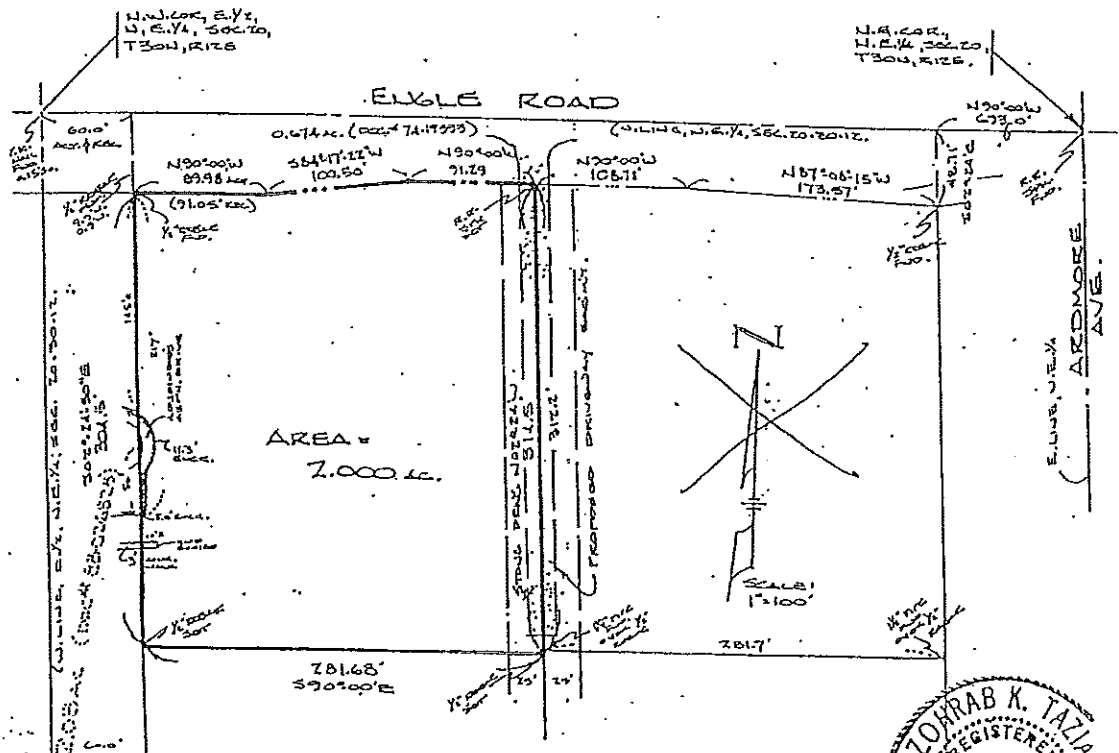
29 _____
30 Carol Helton, City Attorney

in full dimensions as shown hereon in fact. It is free from
perpetuated as indicated.

EXHIBIT A

DESCRIPTION OF REAL ESTATE

See Page 2 for Legal Description.



I hereby certify on the 17 day of September, 1990 that the above survey is correct.
Surveyed for: Dressler/Taylor
Survey No.: Q2-101 "A"

Zohrab K. Tazini

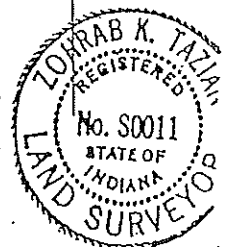


EXHIBIT A

PAGE 2 OF 2.

ZOHRAB K. TAZIAN, P.E. & L.S.
JOHN C. SAUER, L.S.
SAM L. FAUST, L.S.



CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

Part of The East Half of the Northeast Quarter of Section 20, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing at the Northeast corner of said Northeast Quarter; thence North 90 degrees 00 minutes West (assumed bearing and is used as the basis for the bearings in this description), on and along the North line of said Northeast Quarter, a distance of 693.0 feet; thence South 02 degrees 24 minutes East and parallel to the East line of said Northeast Quarter, a distance of 40.71 feet to a point on the South right-of-way line of Engle Road, said South right-of-way line having being established by the conveyance of 0.674 acres of land from Ervin A. Dressler and Kenneth W. Dressler to the County of Allen, Indiana in a deed recorded August 21, 1974 in Document 174-19593 in the Office of the Recorder of Allen County, Indiana; thence North 87 degrees 08 minutes 15 seconds West, on and along said South right-of-way line, a distance of 173.57 feet; thence North 90 degrees 00 minutes West, continuing along said South right-of-way line and parallel to said North line, a distance of 108.71 feet to the true point of beginning; thence North 90 degrees 00 minutes West, continuing along said South right-of-way line, a distance of 91.29 feet; thence South 84 degrees 17 minutes 22 seconds West, continuing along said South right-of-way line, a distance of 100.50 feet; thence North 90 degrees 00 minutes West, continuing along said South right-of-way line, a distance of 89.98 feet (recorded 91.05 feet) to the point of intersection of said South right-of-way line with the East line of a 2.03 acre tract of land conveyed to David H. Fortney and Elizabeth Ann Fortney by deed dated November 18, 1983 and recorded in Document 183-26825 in the Office of said Recorder; thence South 02 degrees 24 minutes 30 seconds East, on and along the East line of said 2.03 acre tract and parallel to the West line of the East Half of said Northeast Quarter, a distance of 304.5 feet; thence South 90 degrees 00 minutes East and parallel to the North line of said Northeast Quarter, a distance of 261.68 feet; thence North 02 degrees 24 minutes West and parallel to the East line of said Northeast Quarter, a distance of 314.5 feet to the true point of beginning, containing 2.000 acres of land, subject to all easements of record.

This property is not in a special flood hazard area as defined by the FIA Flood Hazard Boundary Map No. H-01-41, effective Feb. 27, 1976.