**BILL NO. R-12-07-12**

**CONFIRMING RESOLUTION NO. R-________**

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1211 Progress Road, Fort Wayne, Indiana 46808 (Calico Precision Molding, LLC)**

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

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

**WHEREAS,** said project will create 15 full-time, permanent jobs for a total new, annual payroll of $377,800, with the average new annual job salary being $25,187 and retain 33 full-time and 1 part-time, permanent jobs for a total current annual payroll of $1,142,000, with the average current, annual job salary being $33,588; and

**WHEREAS,** the total estimated project cost is $543,500; and

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

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

**WHEREAS**, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

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

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

**SECTION 2.** That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2016, 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 both a deduction of the assessed value of real estate and personal property for new manufacturing, research and development, information technology, and logistical distribution 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 redevelopment or rehabilitation and the estimate of the value of new manufacturing, research and development, information technology, and logistical distribution 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 redevelopment or rehabilitation and from the installation of new manufacturing, research and development, information technology, and logistical distribution equipment.

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

- If the proposed development does not occur, the approximate current year tax rates for this site would be $3.0261/$100.
- If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be $3.0261/$100 (the change would be negligible).
- If the proposed development occurs and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be $3.0261/$100 (the change would be negligible).
- If the proposed new manufacturing, research and development, information technology, and logistical distribution equipment is not installed, the approximate current year tax rates for this site would be $3.0261/$100.
- If the proposed new manufacturing, research and development, information technology, and logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be $3.0261/$100 (the change would be negligible).
- If the proposed new manufacturing, research and development, information technology, and logistical distribution equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be $3.0261/$100 (the change would be negligible).

**SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of ten years, and the deduction from the assessed value of the new manufacturing, research and development, information technology, and logistical distribution equipment shall be for a period of ten years.

**SECTION 7.** 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 8.** For new manufacturing, research and development, logistical distribution, and information technology equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division and must be included with the deduction application. For subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

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

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

- The cost and description of real property improvements and/or new manufacturing, research and development, logistical distribution, and information technology equipment acquired.
- The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- The total number of employees employed at the facility receiving the deduction.
- The total assessed value of the real and/or personal property deductions.
- The tax savings resulting from the real and/or personal property being abated.

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

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

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

____________________________________

Member of Council

APPROVED AS TO FORM A LEGALITY

____________________________________

Carol Helton, City Attorney

[redacted]

# EXHIBIT A

EXHIBIT A - LEGAL DESCRIPTION

Block #19, Section "E", Interstate Industrial Park, together with part of Block #7A, Section "E", Interstate Industrial Park, part of Block #7, Section "A", Interstate Industrial Park, and part of the vacated right-of-way for Profit Drive, all as being recorded in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows:

BEGINNING at the Southwest corner of said Block #19; thence South 39 degrees 56 minutes 44 seconds West (North 90 degrees 00 minutes 00 seconds West is a recorded bearing for the South line of Block #19 and the North lines of Blocks #7 and 7A and is utilized as the basis of this and all other subsequent bearings appearing this description), a distance of 52.45 feet to a rebar set; thence South 00 degrees 01 minutes 33 seconds East, parallel with the West line of said Block #19 and its Southerly projection, a distance of 60.32 feet to a P.K. nail set; thence South 89 degrees 28 minutes 58 seconds East, a distance of 375.00 feet to a P.K. nail set; thence North 00 degrees 00 minutes 00 seconds East, a distance of 63.71 feet to a P.K. nail set; thence South 90 degrees 00 minutes 00 seconds East, parallel with the South line of said Block #19 and the North line of said Blocks #7 and 7A, a distance of 86.48 feet to a point on the centerline of the Spy Run Creek, said point being referenced by a rebar found 35.8 feet West; thence along the following described courses being the centerline of said Creek and the Easterly lines of Block #7A and Block #19; North 17 degrees 28 minutes 00 seconds East (platted North 17 degrees 01 minutes East), a distance of 124.90 feet; North 05 degrees 18 minutes 00 seconds East (platted North 04 degrees 51 minutes East), a distance of 210.10 feet; North 06 degrees 15 minutes 00 seconds West (platted North 06 degrees 42 minutes East), a distance of 106.70 feet; North 12 degrees 15 minutes 40 seconds West (platted North 12 degrees 35 minutes West), a distance of 285.00 feet to the Northeast corner of said Block #19; thence South 38 degrees 54 minutes 00 seconds West (platted South 37 degrees 36 minutes West), along the Southern right-of-way for Progress Road, a distance of 38.30 feet to a rebar set at the point of curvature, being monumented by a rebar set; thence Southwesterly along said right-of-way on a curve to the right having a radius of 911.47 feet, an arc length of 485.00 feet, being subtended by a chord bearing of South 54 degrees 08 minutes 42 seconds West and a chord length of 479.30 feet to the Northwest corner of said Block #19, which corner is located.

0.17 feet South and 0.36 feet East of a pipe found; thence South 00 degrees 01 minutes 33 seconds West (South 00 degrees 02 minutes East recorded and South 00 degrees 27 minutes East platted), along the West line of said Block #19 and its Southerly projection, a distance of 363.13 feet (363.36 recorded and 363.3 platted) to the point of beginning for the parcel herein described, containing 6.299 acres of land, more or less.

END OF EXHIBIT A

Admn. Appr.____________

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Calico Precision Molding, LLC is requesting the designation of an Economic Revitalization Area for both real and personal property improvements in the amount of $543,500. In order to expand, Calico Precision Molding, LLC will purchase additional equipment and make improvements to their existing facility.**

EFFECT OF PASSAGE: **Installing new equipment and improving their current facility will allow Calico Precision Molding, LLC to remain competitive in the markets they serve. Fifteen full-time jobs will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development and 15 full-time jobs**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Mitch Harper and John Shoaff**