

**A DECLARATORY RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 4429 Allen
Martin Drive, Fort Wayne, Indiana 46806 (EFTT
Equities, LLC d/b/a Earth First)**

WHEREAS, Petitioner has duly filed its petition dated March 27, 2013 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 create fourteen full-time, permanent jobs for a total new, annual payroll of \$517,813, with the average new annual job salary being \$36,987 and retain 27 full-time, permanent jobs for a total current annual payroll of \$1,135,000, with the average current, annual job salary being \$42,037; and

WHEREAS, the total estimated project cost is \$1,931,512; 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, 2016, 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";

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

4 **SECTION 3.** That, said designation of the hereinabove described property as an
5 "Economic Revitalization Area" shall apply to both a deduction of the assessed value of real
6 estate and personal property for new manufacturing equipment.

7 **SECTION 4.** That, the estimate of the number of individuals that will be employed
8 or whose employment will be retained and the estimate of the annual salaries of those
9 individuals and the estimate of the value of redevelopment or rehabilitation and the estimate
10 of the value of new manufacturing equipment, all contained in Petitioner's Statement of
11 Benefits, are reasonable and are benefits that can be reasonably expected to result from the
12 proposed described redevelopment or rehabilitation and from the installation of new
13 manufacturing equipment.

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

16 (a) If the proposed development does not occur, the approximate current year tax
17 rates for this site would be \$3.0637/\$100.

18 (b) If the proposed development does occur and no deduction is granted, the
19 approximate current year tax rate for the site would be \$3.0637/\$100 (the
20 change would be negligible).

21 (c) If the proposed development occurs and a deduction percentage of fifty percent
22 (50%) is assumed, the approximate current year tax rate for the site would be
23 \$3.0637/\$100 (the change would be negligible).

24 (d) If the proposed new manufacturing equipment is not installed, the approximate
25 current year tax rates for this site would be \$3.0637/\$100.

26 (e) If the proposed new manufacturing equipment is installed and no deduction is
27 granted, the approximate current year tax rate for the site would be
28 \$3.0637/\$100 (the change would be negligible).

29 (f) If the proposed new manufacturing equipment is installed and a deduction
30 percentage of eighty percent (80%) is assumed, the approximate current year
tax rate for the site would be \$3.0637/\$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 real property shall be for a period of seven years,

1 and the deduction from the assessed value of the new manufacturing equipment shall be for
2 a period of five years.

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

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

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

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

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Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney



MAR 27 2013

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:	<u>\$1,300,000</u>
Total cost of manufacturing equipment improvements:	<u>\$ 631,512</u>
Total cost of research and development equipment improvements:	<u>-----</u>
Total cost of logistical distribution equipment improvements:	<u>-----</u>
Total cost of information technology equipment improvements:	<u>-----</u>

TOTAL OF ABOVE IMPROVEMENTS: \$1,931,512

GENERAL INFORMATION

Real property taxpayer's name: EFTT Equities, LLCPersonal property taxpayer's name: EFTT Equities, LLCTelephone number: 260-436-8700Address listed on tax bill: 4429 Allen Martin Drive, Fort Wayne, IN 46806

Name of company to be designated, if applicable: _____

Year company was established: 2010Address of property to be designated: 4429 Allen Martin Drive, Fort Wayne, IN 46806Real estate property identification number: 02-13-20-226-002.000-077 and 02-13-20-226-007.000-040Contact person name: Gregg WalbridgeContact person telephone number: 260-436-8700 Contact person Email: gw5014@frontier.comContact person address: 4429 Allen Martin Drive, Fort Wayne, IN 46806

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
Gregg Walbridge	Member	4429 Allen Martin Drive Fort Wayne, IN 46806	260-436-8700
Jason Pickerman	Member	4429 Allen Martin Drive Fort Wayne, IN 46806	260-436-8700
Scott Wagner	Member	4429 Allen Martin Drive Fort Wayne, IN 46806	260-436-8700

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

NAME	PERCENTAGE
Gregg Walbridge	24.5%
Jason Pickerman	24.5%
Scott Wagner	51%

- ☐ 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 Do you plan to request state or local assistance to finance public improvements?
- ☐ 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 Does the company's business include a retail component? If yes, answer the following questions:
 What percentage of floor space will be utilized for retail activities? _____
 What percentage of sales is made to the ultimate customer? _____
 What percentage of sales will be from service calls? _____

What is the percentage of clients/customers served that are located outside of Allen County? 10%

What is the company's primary North American Industrial Classification Code (NAICs)? 562111

Describe the nature of the company's business, product, and/or service: The new facility being constructed is a Recycling Center and Transfer Station that will specialize in recycling construction and demolition debris, and commercial, residential and industrial materials. It will also receive solid waste for transfer to final disposal locations or waste to energy facilities when available.

- It is important to note for purposes of this Application that the financial and employment figures contained herein relate to the operating company on site, Earth First, LLC, which is an affiliate of EFTT Equities, LLC.

Dollar amount of annual sales for the last three years:

Year	Annual Sales
2010	\$771,500
2011	\$2,272,000
2012	\$3,814,000

List the company's three largest customers, their locations and amount of annual gross sales:

Customer Name	City/State	Annual Gross Sales
City of New Haven	New Haven, IN	\$480,000
Oakleaf	Providence, CT	\$260,000
City of Butler	Butler, IN	\$140,000

List the company's three largest material suppliers, their locations and amount of annual purchases:

Supplier Name	City/State	Annual Gross Purchases
McMahon Tire	Fort Wayne, IN	\$96,000
Gunsallus Industrial Services	Fort Wayne, IN	\$300,000
Speedway	Indianapolis, IN	\$550,000

List the company's top three competitors:

Competitor Name	City/State
Republic Services	Phoenix, AZ
Waste Management	Houston, TX
Advanced Disposal	Jacksonville, FL

Describe the product or service to be produced or offered at the project site: The new facility being constructed is a Recycling Center and Transfer Station that will specialize in recycling construction and demolition debris, and commercial, residential and industrial materials. It will also receive solid waste for transfer to final disposal locations or waste to energy facilities when available.

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?

The overall property comprises 4.703 acres. While a small portion of the property lies in Allen County, the building structure and business operations are located entirely on the City of Fort Wayne portion of the property. The property is located within an area identified in the Plan-It Allen Comprehensive Plan as a "potential opportunity area". The property lies in an area formerly known as the East End Industrial section of the City of Fort Wayne. This property and all surrounding properties are within an industrial area full of industrial and commercial vacancies and old industrial buildings starving for reinvestment. This area is marked by a general lack of development but ready for redevelopment. For these reasons, the property fits the definition of an ERA.

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: Existing structure is a 14,021 square foot steel frame building that consists of 4,011 square feet of office space and 10,010 square feet of shop space.

Describe the condition of the structure(s) listed above: Existing structure is in good condition.

Describe the improvements to be made to the property to be designated for tax phase-in purposes: Building a new 20,000 plus square foot steel building to house a Recycling Center and Transfer Station.

Projected construction start (month/year): December/2012

Projected construction completion (month/year): April/2013

☐ 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.) Contact water will be stored in a holding tank and can be pumped in low flow periods.

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)

Recycling Sort Line, Baler, Wheel Loader, Excavator, Skid Steer, Forklift, Scales, Roll-Off Containers, Dump Hopper, Yard Tractor, Conveyors, and Roll-Off Truck.

☐ 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?

Date first piece of equipment will be purchased (month/year): July/2012 and February-April/2013

Date last piece of equipment will be installed (month/year): April/2013; no equipment has been installed yet.

Please provide the depreciation schedule term for equipment under consideration for personal property tax phase-in:

See attached depreciation schedule.

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

NOT APPLICABLE.

☐ Yes ☐ No Has the building for which you are seeking designation for tax phase-in 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.

PUBLIC BENEFIT INFORMATION

EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED

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

Please be specific on job descriptions. When listing the occupation codes, please avoid using the "Major Occupational Groupings" (i.e. 11-000, 13-000, 15-000, etc.) which are more general in nature. Instead, use specific occupation codes (i.e. 11-1021, 13-1081, 15-2041 etc) for each created and retained job. To fill out information on occupation and occupation code, use data available through Occupation Employment Statistics for Fort Wayne

http://www.bls.gov/oes/current/oes_23060.htm

Current Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
Route Drivers	53-3032	10	\$450,000
Route Helpers	53-7081	8	\$280,000
Office Staff	43-4051	3	\$103,000
Managers	11-1021	2	\$151,000
Sales	41-3099	4	\$151,000

Retained Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
Route Drivers	53-3032	10	\$450,000
Route Helpers	53-7081	8	\$280,000
Office Staff	43-4051	3	\$103,000
Managers	11-1021	2	\$151,000
Sales	41-3099	4	\$151,000

Additional Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
Equipment Operators	53-7032	4	\$164,354
Scale Clerk	43-5071	1	\$30,132
Lead-Sort Line	53-7011	1	\$34,240
Site Manager/Supervisor	11-1021	2	\$140,800
Sort Line Labor	53-7062	6	\$148,387

PUBLIC BENEFIT INFORMATION

Current Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Retained Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Additional Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Check the boxes below if the existing jobs and 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: Bonuses, 401K, and Uniforms.

When will you reach the levels of employment shown above? (month/year): April/2013

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. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
3. **Check for non-refundable application fee made payable to the City of Fort Wayne.**

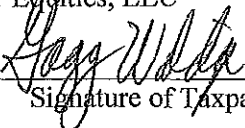
ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed \$500
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed \$750
ERA filing fee (vacant commercial or industrial building)	\$500
ERA filing fee in an 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 phase-ins 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) and the Public Benefit Annual Update with the City of Fort Wayne Community Development Division in each year in which I receive a deduction. Further the CF-1/PP form must be filed with the county assessor and the CF-1/Real Property must be filed with the county auditor. Failure to file the CF-1 form with these agencies may result in a rescission of any tax phase-in occurring as a result of this application.

EFTT Equities, LLC

By: 

Signature of Taxpayer/Owner

Gregg Walbridge, MEMBER
Printed Name and Title of Applicant

March 27, 2013

Date

[illegible]

CITY OF FT WAYNE

STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51764 (R2 / 12-11)

Prescribed by the Department of Local Government Finance

MAR 27 2013

COMMUNITY

FORM SB-1 / PP

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

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, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA 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 is installed and fully functional, 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 / PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. The schedules established under IC 6-1.1-12.1-4.5(d) and (e) apply to equipment installed after March 1, 2001, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17).

SECTION 1

TAXPAYER INFORMATION

Name of taxpayer

EFTT Equities, LLC

Address of taxpayer (number and street, city, state, and ZIP code)

4429 Allen Martin Drive, Fort Wayne, IN 46806

Name of contact person

Gregg Walbridge

Telephone number

(260) 436-8700

SECTION 2

LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body

Fort Wayne Common Council

Resolution number (s)

Location of property

4429 Allen Martin Drive, Fort Wayne, 46806

County

Allen

DLGF taxing district number

077 FW Adams

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)

see attachment.

ESTIMATED

START DATE

COMPLETION DATE

Manufacturing Equipment

04/01/2012

04/30/2012

R & D Equipment

Logist Dist Equipment

IT Equipment

SECTION 3

ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number

27

Salaries

1,135,000.00

Number retained

27

Salaries

1,135,000.00

Number additional

14

Salaries

517,813.00

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

631,512.00

Less values of any property being replaced

Net estimated values upon completion of project

631,512.00

SECTION 5

WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) 36,098,000.00

Estimated hazardous waste converted (pounds)

Other benefits:

Recovering of recyclable materials provides a cost effective source of materials for secondary users. It also stimulates economic development in recycling sector and allows for opportunities in new waste to energy sector.

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)

Total:

Sort Line	137,305
Baler	167,670
Pit Scale	32,700
Truck Scale	70,377
Wheel Loader	71,171
Roll-off Containers (8)	41,100
Self Dumping Hoppers (10)	3,000
Skid Steer	12,500
Excavator	61,689
Fork Truck	6,000
Yard Tractor	28,000

CITY OF FT WAYNE


**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51787 (R4/2-13)

Prescribed by the Department of Local Government Finance

MAR 27 2013

ajw

2013 PAY 2014

FORM SB-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1(c) and (d).

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

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 the redevelopment or rehabilitation of real property 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 initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. If the property owner misses the May 10 deadline in the initial year of occupation, he can apply between March 1 and May 10 of a subsequent year.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. [IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(j)].
5. The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property apply to any economic revitalization areas designated after June 30, 2000, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17). The schedules effective prior to July 1, 2000, shall continue to apply to economic revitalization areas designated before July 1, 2000.

SECTION 1

TAXPAYER INFORMATION

Name of taxpayer

EFTT Equities, LLC

Address of taxpayer (number and street, city, state, and ZIP code)

4429 Allen Martin Drive, Fort Wayne, IN 46806

Name of contact person

Gregg Walbridge

Telephone number

(260) 436-8700

E-mail address

gw5014@frontier.com

SECTION 2

LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body

Fort Wayne Common Council

Resolution number

Location of property

4429 Allen Martin Drive, Fort Wayne 46806

County

Allen

DLGF taxing district number

077FWAdams

Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary)

20,000 square foot Recycling Center & Transfer Station that will recycle construction and demolition debris, residential and industrial materials. It will also receive solid waste for transfer to final disposal locations or waste to energy facilities when available.

Estimated start date (month, day, year)

12/07/2012

Estimated completion date (month, day, year)

04/10/2013

SECTION 3

ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
27.00	\$1,135,000.00	27.00	\$1,135,000.00	14.00	\$517,813.00

SECTION 4

ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	400,000.00	419,900.00
Plus estimated values of proposed project	1,300,000.00	130,000.00
Less values of any property being replaced		
Net estimated values upon completion of project	1,700,000.00	1,719,900.00

SECTION 5

WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) 36,098,000.00

Estimated hazardous waste converted (pounds)

Other benefits

Recovering of recyclable materials provides a cost effective source of materials for secondary users. It also stimulates economic development in recycling sector and allows for opportunities in new waste to energy sector.

SECTION 6

TAXPAYER CERTIFICATION

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

Signature of authorized representative

Title

Member

Date signed (month/day/year)

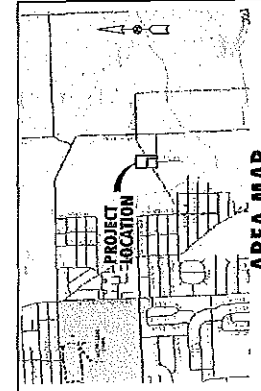
3/27/13

EXHIBIT A

Part of the Northeast Quarter of Section 20, Township 30 North, Range 13 East, Allen County, Indiana, being more particularly described as follows:

Commencing at a point being 40.0 feet South and 60.0 Feet West of the Northeast corner of Section 20, Township 30 North, Range 13 East, Allen County, Indiana, said point being on the South right of way line of Hoevel Road; thence West along said right of way line, being parallel to and 40.0 feet South of the North line of Section 20-30-13, a distance of 880.08 feet to the point of beginning, said point being the Northwest corner of Lot Number 5 in Allen Martin Industrial Park, Section II, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence South with a deflection angle to the left of 90 degrees 45 minutes 27 seconds, along the West line of said Lot Number 5 a distance of 598.9 feet to a 5/8 inch iron pin at the Southwest corner of Lot Number 5, thence West with a deflection angle to the right of 90 degrees 00 minutes 00 seconds a distance of 248.92 feet to a point of curvature thence Southwesterly along a curve to the left having a radius of 260.00 feet and a central angle of 15 degrees 45 minutes 00 seconds, a distance of 71.47 feet to a point of tangency; thence Southwesterly, tangent to said curve a distance of 21.27 feet to a 5/8 inch iron pin; thence North with a deflection angle of 105 degrees 45 minutes 00 seconds a distance of 618.93 feet to a 5/8 inch iron pin on the South right of way of Hoevel Road; thence East with a deflection angle to the right of 90 degrees 45 minutes 27 seconds along said South right of way a distance of 340.00 feet to the point of beginning, containing 4.703 acres.

Pt. of the NE. 1/4 of Sec. 20, Twp. 30 N., R. 13 E., Allen County, Indiana



the owner of record and the buyer is listed on title sections, the title company of architect and the lender for said buyer for the exclusive use in the conveyance of the above described land within the boundaries of the above described Plot of Survey is not to be questioned or annulled in any proceeding after said conveyance is complete.

0. Suburban and environmental conditions were not examined or considered a part of this survey.

Michael C. Vande

ALTA SURVEY
EARTH FIRST 4429 ALLEN MARTIN DRIVE

ANDERSON SURVEYING, INC.
Registered Professional Engineers and Land Surveyors
Industrial Surveying Firm Manufacturing Since 1914
1324 Toney Avenue
Fort Worth, TX 76104
Phone: (817) 341-1724
Fax: (817) 341-2853

A+S INC.
CIVIL ENGINEERING
LAND SURVEYING
EST. 1978

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **EFTT Equities, LLC is requesting the designation of an Economic Revitalization Area for real and personal property improvements in the amount of \$1,931,512. In order to expand, EFTT Equities, LLC will construct a new 20,000 plus square foot steel building to house a Recycling Center and Transfer Station while also installing \$631,512 worth of new manufacturing equipment.**

EFFECT OF PASSAGE: **Installing the new equipment and building the Recycling Center and Transfer Station will allow EFTT Equities, LLC to continue to develop property within an industrial area full of industrial and commercial vacancies. Fourteen full-time jobs will be created.**

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

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

ASSIGNED TO COMMITTEE (PRESIDENT): **John Crawford and Tom Smith**

MEMORANDUM



To: City Council
FROM: Adam Welch, Economic Development Specialist
DATE: April 1, 2013
RE: Request for designation by EFTT Equities, LLC d/b/a Earth First as an ERA for real and personal property improvements

BACKGROUND

PROJECT ADDRESS:	4429 Allen Martin Drive	PROJECT LOCATED WITHIN:	Not Applicable
PROJECT COST:	\$ 1,931,512	COUNCILMANIC DISTRICT:	6

COMPANY PRODUCT OR SERVICE:	Earth First is an affiliate of EFTT Equities, LLC and is a Waste Disposal and Recycling Provider that offers residential, commercial, industrial, and construction services.
PROJECT DESCRIPTION:	The new 20,000 plus square foot facility being constructed is a Recycling Center and Transfer Station that will specialize in recycling construction and demolition debris, and commercial, residential and industrial materials. It will also receive solid waste for transfer to final disposal locations or waste to energy facilities when available.

CREATED

RETAINED

JOBS CREATED (FULL-TIME):	14	JOBS RETAINED (FULL-TIME):	27
JOBS CREATED (PART-TIME):	N/A	JOBS RETAINED (PART-TIME):	N/A
TOTAL NEW PAYROLL:	\$ 517,813	TOTAL RETAINED PAYROLL:	\$ 1,135,000
AVERAGE SALARY (FULL-TIME NEW):	\$ 36,987	AVERAGE SALARY (FULL-TIME RETAINED):	\$ 42,037

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 IN3; Heavy Industrial

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?

Explain: Earth First will purchase and install a Recycling Sort Line, Baler Wheel Loader, Excavator, Skid Steer, Forklift, Scales, Roll-Off Containers, Dump Hopper, Yard Tractor, Conveyors, and a Roll-Off Truck.

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 ☐

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:

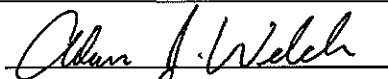
1. The period of deduction for real property is seven years
2. The period of deduction for personal property is five years.

Under Fort Wayne Common Council's tax abatement policies and procedures, EFTT Equities, LLC is eligible for a seven year deduction on real property improvements and a five year deduction on personal property improvements. Attached is a spreadsheet that shows how the application scored under the review system. Also attached is an estimate of the taxes saved and paid over the length of ten years.

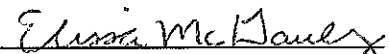
After reviewing the City's Procedures and Policies on Economic Revitalization Areas (ERA) which are provided with each ERA Application, EFTT Equities, LLC informed City staff that prior to their application submission, they filed for an Improvement Location Permit. To allow an economic revitalization area designation after the initiation of development, Indiana Code 6-1.1-12.1-11.3 permits for an adoption of a resolution to waive non-compliance due to a failure to file a statement of benefits (SB-1) form prior to the initiation of development. The confirming resolution for this project contains language to waive non-compliance that will allow for the final approval of an economic revitalization area designation on this property for tax abatement. A letter from Henry Najdeski, the attorney representing EFTT Equities, LLC, is attached explaining EFTT Equities, LLC's request for a waiver of non-compliance.

COMMENTS

Signed:


Economic Development Specialist

Reviewed:


Economic Development Specialist

COMMUNITY DEVELOPMENT DIVISION

March 27, 2013

Elissa McGauley, AICP
Economic Development Specialist
Fort Wayne Community Development Division
Citizens Square
200 East Berry Street, Suite 320
Fort Wayne, Indiana 46802

Re: EFTT Equities, LLC

Dear Elissa:

As you know, this law firm represents EFTT Equities, LLC ("EFTT"). For and on behalf of EFTT, we are hereby requesting a waiver of non-compliance in connection with the real estate tax abatement being sought by EFTT. Permits were pulled and construction began in December of 2012. For business and weather reasons, the construction had to begin at that time. Another important factor was that the use of the property as a recycling center and transfer station required approval from the Fort Wayne City Board of Zoning Appeals. EFTT applied for a special use in June and planned for a July public hearing; however, the Fort Wayne City Board of Zoning Appeals failed to meet quorum requirements which caused the public hearing to be delayed and pushed back to August. Such delay was another material reason for starting the construction in December.

Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

BARRETT & McNAGNY LLP



Henry P. Najdeski

HPN:tmv:1035475

Real Property Abatements

Tax Abatement Review System

Points Possible	Points Awarded
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INVESTMENT (30 points possible)

Total new investment in real property (new structures and/or rehabilitation)

Over \$1,000,000	10	10
\$500,000 to \$999,999	8	
\$100,000 to \$499,999	6	
Under \$100,000	4	

Investment per employee (both jobs created and retained)

\$35,000 or more	10	
\$18,500 to \$34,999	8	8
\$6,250 to \$18,499	6	
\$1,250 to \$6,249	4	
less than \$1,250	2	

Estimated local income taxes generated from jobs retained

\$80,000 or more	5	
\$30,000 to \$79,999	4	
\$10,000 to \$29,999	3	3
\$5,000 to \$9,999	2	
less than \$5,000	1	

Estimated local income taxes generated from jobs created
(Double points for start-up)

\$30,000 or more	5	
\$10,000 to \$29,999	4	
\$5,000 to \$9,999	3	3
\$3,000 to \$4,999	2	
less than \$3,000	1	

ECONOMIC BASE (20 points possible)

Location Quotient in designated Occupation Code
(use majority Occupation Code of all created and retained jobs)
Greater than 1.0

5	5
---	---

Estimated Percent of Business done outside

Allen County

Greater than 75%	15	
50% to 74%	10	
25% to 49%	5	

JOBS (20 points possible)

Total number of permanent jobs retained

Over 250	10	
100 to 249	8	
50 to 99	6	
25 to 49	4	4
10 to 24	2	
1 to 9	1	

Total number of permanent jobs created (Double for start-up)

Over 100	10	
50-99	8	
25-49	6	
10-24	4	4
1 to 9	2	

WAGES (20 points possible)

Median salary of the jobs created and/or retained

Over \$45,000	20	
\$40,000 to \$44,999	16	
\$35,000 to \$39,999	12	12
\$30,000 to \$34,999	8	
\$25,000 to \$29,999	4	
under \$25,000	0	

BENEFITS (10 points possible)

Major Medical Plan	7	7
Pension, Tuition Reimbursement, Life Insurance, Dental Insurance,		
Disability Insurance,	3	3

SUSTAINABILITY

Construction uses green building techniques (ie LEED Certification)	5	
Construction uses techniques to minimize impact on Combined Sewer Overflows (CSOs)	5	5

Total	64
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Length of Abatement

20 to 39 points - 3 year abatement
40 to 59 points - 5 year abatement
60 to 69 points - 7 year abatement
70 to 100 points - 10 year abatement

* If Average annual salary of the full-time jobs created by listed occupation is 10% or greater than the average salary for Allen County using current occupational employment statistics, then the applicant is eligible for an alternate deduction schedule.

Real Property Deduction Schedules	Alternative Deduction Real Property Schedules
10 year	10 Year
Year 1: 100%	Year 1: 100%
Year 2: 95%	Year 2: 100%
Year 3: 80%	Year 3: 100%
Year 4: 65%	Year 4: 100%
Year 5: 50%	Year 5: 100%
Year 6: 40%	Year 6: 90%
Year 7: 30%	Year 7: 80%
Year 8: 20%	Year 8: 65%
Year 9: 10%	Year 9: 50%
Year 10: 5%	Year 10: 40%
Year 11: 0%	
7 year	7 Year
Year 1: 100%	Year 1: 100%
Year 2: 85%	Year 2: 100%
Year 3: 71%	Year 3: 100%
Year 4: 57%	Year 4: 100%
Year 5: 43%	Year 5: 100%
Year 6: 29%	Year 6: 71%
Year 7: 14%	Year 7: 43%
Year 8: 0%	
5 year	
Year 1: 100%	
Year 2: 80%	
Year 3: 60%	
Year 4: 40%	
Year 5: 20%	
Year 6: 0%	
3 year	
Year 1: 100%	
Year 2: 66%	
Year 3: 33%	
Year 4: 0%	

Personal Property Abatements

Tax Abatement Review System

	Points Possible	Points Awarded
INVESTMENT (30 points possible)		
Total new investment in equipment		
Over \$5,000,000	10	
\$1,000,000 to \$4,999,999	8	
\$500,000 to \$999,999	6	6
\$0 to \$499,999	4	
Investment per employee (both jobs created and retained)		
\$35,000 or more	10	
\$18,500 to \$34,999	8	
\$6,250 to \$18,499	6	6
\$1,250 to \$6,249	4	
less than \$1,250	2	
Estimated local income taxes generated from jobs retained		
\$80,000 or more	5	
\$30,000 to \$79,999	4	
\$10,000 to \$29,999	3	3
\$5,000 to \$9,999	2	
less than \$5,000	1	
Estimated local income taxes generated from jobs created (Double points for start-up)		
\$30,000 or more	5	
\$10,000 to \$29,999	4	
\$5,000 to \$9,999	3	3
\$3,000 to \$4,999	2	
less than \$3,000	1	

ECONOMIC BASE (20 points possible)

Location Quotient in designated Occupation Code (use majority Occupation Code of all created and retained jobs)		
Greater than 1.0	5	5
Estimated Percent of Business done outside Allen County		
Greater than 75%	15	
50% to 74%	10	
25% to 49%	5	

JOBS (20 points possible)

Total number of permanent jobs retained		
Over 250	10	
100 to 249	8	
50 to 99	6	
25 to 49	4	4
10 to 24	2	
1 to 9	1	
Total number of permanent jobs created (Double for start-up)		
Over 100	10	
50-99	8	
25-49	6	
10-24	4	4
1 to 9	2	

WAGES (20 points possible)

Median salary of the jobs created and/or retained		
Over \$45,000	20	
\$40,000 to \$44,999	16	
\$35,000 to \$39,999	12	12
\$30,000 to \$34,999	8	
\$25,000 to \$29,999	4	
under \$25,000	0	

BENEFITS (10 points possible)

Major Medical Plan	7	7
Pension, Tuition Reimbursement, Life Insurance, Dental Insurance, Disability Insurance,	3	3

SUSTAINABILITY

Construction uses green building techniques (ie LEED Certification)	5
Construction uses techniques to minimize impact on Combined Sewer Overflows (CSOs)	5

Total	53
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Length of Abatement

20 to 39 points - 3 year abatement
 40 to 59 points - 5 year abatement
 60 to 69 points - 7 year abatement
 70 to 100 points - 10 year abatement

* If Average annual salary of the full-time jobs created by listed occupation is 10% or greater than the average salary for Allen County using current occupational employment statistics, then the applicant is eligible for an alternate deduction schedule.

Personal Property Deduction Schedules	Alternative Deduction Personal Property Schedules
10 year	10 Year
Year 1: 100%	Year 1: 100%
Year 2: 90%	Year 2: 100%
Year 3: 80%	Year 3: 100%
Year 4: 70%	Year 4: 100%
Year 5: 60%	Year 5: 100%
Year 6: 50%	Year 6: 90%
Year 7: 40%	Year 7: 80%
Year 8: 30%	Year 8: 65%
Year 9: 20%	Year 9: 50%
Year 10: 10%	Year 10: 40%
Year 11: 0%	
7 year	7 Year
Year 1: 100%	Year 1: 100%
Year 2: 85%	Year 2: 100%
Year 3: 71%	Year 3: 100%
Year 4: 57%	Year 4: 100%
Year 5: 43%	Year 5: 100%
Year 6: 29%	Year 6: 71%
Year 7: 14%	Year 7: 43%
Year 8: 0%	
5 year	
Year 1: 100%	
Year 2: 80%	
Year 3: 60%	
Year 4: 40%	
Year 5: 20%	
Year 6: 0%	
3 year	
Year 1: 100%	
Year 2: 66%	
Year 3: 33%	
Year 4: 0%	

POOL #2 FORT WAYNE COMMUNITY DEVELOPMENT DIVISION

TAX ABATEMENT - ESTIMATE OF SAVINGS

*New tax abatement percentages have been changed to reflect change in state law

REAL PROPERTY TAX ABATEMENT - 7 yr Schedule

Year	Cash Value	True Tax Value	Assessed Value	Tax Abatement %	Tax Paid %	Deduction	Taxable AV	Tax Rate	Tax Paid	Tax Saved
1	\$1,300,000	\$1,300,000	\$1,300,000	100%	0%	\$1,300,000	\$0	0.030637	\$0	\$39,828
2	\$1,300,000	\$1,300,000	\$1,300,000	85%	5%	\$1,105,000	\$65,000	0.030637	\$1,991	\$33,854
3	\$1,300,000	\$1,300,000	\$1,300,000	71%	20%	\$923,000	\$260,000	0.030637	\$7,966	\$26,278
4	\$1,300,000	\$1,300,000	\$1,300,000	57%	35%	\$741,000	\$455,000	0.030637	\$13,940	\$22,702
5	\$1,300,000	\$1,300,000	\$1,300,000	43%	50%	\$559,000	\$650,000	0.030637	\$19,914	\$17,126
6	\$1,300,000	\$1,300,000	\$1,300,000	29%	100%	\$377,000	\$1,300,000	0.030637	\$39,828	\$11,550
7	\$1,300,000	\$1,300,000	\$1,300,000	14%	100%	\$182,000	\$1,300,000	0.030637	\$39,828	\$5,576
8	\$1,300,000	\$1,300,000	\$1,300,000	0%	100%	\$0	\$1,300,000	0.030637	\$39,828	\$0
9	\$1,300,000	\$1,300,000	\$1,300,000	0%	100%	\$0	\$1,300,000	0.030637	\$39,828	\$0
10	\$1,300,000	\$1,300,000	\$1,300,000	0%	100%	\$0	\$1,300,000	0.030637	\$39,828	\$0
11	\$1,300,000	\$1,300,000	\$1,300,000	0%	100%	\$0	\$1,300,000	0.030637	\$39,828	\$0

PERSONAL PROPERTY TAX ABATEMENT - 5 yr Schedule

Year	True Cash Value	"Pool 2"	True Tax Value	Assessed Value	Tax Abatement %	Tax Paid %	Deduction	Taxable A V	Tax Rate	Tax Paid	Tax Saved
1	\$631,512	40%	\$252,605	\$252,605	100%	0%	\$252,605	\$0	0.030637	\$0	\$7,739
2	\$631,512	56%	\$353,647	\$353,647	80%	20%	\$282,917	\$70,729	0.030637	\$2,167	\$8,668
3	\$631,512	42%	\$265,235	\$265,235	60%	40%	\$159,141	\$106,094	0.030637	\$3,250	\$4,876
4	\$631,512	32%	\$202,084	\$202,084	40%	60%	\$80,834	\$121,250	0.030637	\$3,715	\$2,476
5	\$631,512	30%	\$189,454	\$189,454	20%	80%	\$37,891	\$151,563	0.030637	\$4,643	\$1,161
6	\$631,512	30%	\$189,454	\$189,454	0%	100%	\$0	\$189,454	0.030637	\$5,804	\$0
7	\$631,512	30%	\$189,454	\$189,454	0%	100%	\$0	\$189,454	0.030637	\$5,804	\$0
8	\$631,512	30%	\$189,454	\$189,454	0%	100%	\$0	\$189,454	0.030637	\$5,804	\$0
9	\$631,512	30%	\$189,454	\$189,454	0%	100%	\$0	\$189,454	0.030637	\$5,804	\$0
10	\$631,512	30%	\$189,454	\$189,454	0%	100%	\$0	\$189,454	0.030637	\$5,804	\$0
11	\$631,512	30%	\$189,454	\$189,454	0%	100%	\$0	\$189,454	0.030637	\$5,804	\$0

TOTAL TAX SAVED REAL PROPERTY	(10 yrs on 7 yr deduction)	<u>\$158,914</u>
TOTAL TAX PAID REAL PROPERTY	(10 yrs on 7 yr deduction)	<u>\$242,951</u>
TOTAL TAX SAVED PERSONAL PROPERTY	(10 yrs on 5 yr deduction)	<u>\$24,920</u>
TOTAL TAX PAID PERSONAL PROPERTY	(10 yrs on 5 yr deduction)	<u>\$42,797</u>
TOTAL TAX SAVED MACHINERY & BUILDING	(10 yrs on deductions)	<u>\$183,834</u>
TOTAL TAX PAID MACHINERY & BUILDING	(10 yrs on deductions)	<u>\$285,748</u>