

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 3505
Conestoga Drive, Fort Wayne, Indiana 46808
(A&L Great Lakes Laboratories, Inc.)**

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 1 full-time, permanent job for a total new, annual payroll of \$60,000, with the average new annual job salary being \$60,000 and retain 35 full-time, permanent jobs for a total current annual payroll of \$2,263,986, with the average current, annual job salary being \$64,685; and

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

WHEREAS, a recommendation has been received from the Committee on Finance on 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. 5-3-1 and a public hearing has been conducted on said Resolution.

**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 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
current year tax rates for this site would be \$3.1821/\$100.

6 If the proposed new manufacturing equipment is installed and no deduction is
7 granted, the approximate current year tax rate for the site would be
\$3.1821/\$100 (the change would be negligible).

8 If the proposed new manufacturing equipment is installed, and a deduction
9 percentage of eighty percent (80%) is assumed, the approximate current year
10 tax rate for the site would be \$3.1821/\$100 (the change would be negligible).

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

13 **SECTION 7.** The deduction schedule from the assessed value of new
14 manufacturing equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

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Year of Deduction	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

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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

EXHIBIT A

#203067329

Doc. No. 203067329
 Receipt No. 23961
 DCFD 3.00
 DEED 8.00
 SCSF 5.00
 Total 16.00

MAIL TAX BILLS TO:

W P Enterprises LLC, c/o Lois K. Parker, A & L Great Lakes Laboratories, Inc.
 3505 Conestoga Drive, Fort Wayne, IN 46808

TAX KEY NO. 80-4731-0051

RECORDED
 07/07/2003 09:48:29
 RECORDER
 PATRICIA J CRICK
 ALLEN COUNTY, IN

PARTNERSHIP DEED

THIS INDENTURE WITNESSETH, That HLB Partnership ("Grantor"), an Indiana general partnership organized and existing under the laws of the State of Indiana

CONVEYS AND WARRANTS TO W P Enterprises LLC ("Grantee") a limited liability company organized and existing under the laws of the State of Indiana in consideration of One Dollar and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana, to-wit:

Lot Numbered 51 in Centennial Industrial Park, Section VII, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.

EXCEPTING THEREFROM:

Part of Lot Numbered 51 in Centennial Industrial Park, Section VII, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot Numbered 51, being also the Northeast corner of Lot Numbered 52, in Centennial Industrial Park, Section VII, as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana; thence West along the South line of said Lot #51, being also the North line of said Lot #52, a distance of 330.0 feet to the Southwest corner of said Lot #51, being also the Northwest corner of said Lot #52; thence North with a deflection angle to the right of 90 degrees 14 minutes 40 seconds along the West line of said Lot #51, a distance of 4.0 feet; thence East with deflection angle to the right of 89 degrees 45 minutes 20 seconds and parallel to the South line of said Lot #51, a distance of 330.0 feet to a point on the East line of said Lot #51; thence South along said East line, a distance of 4.0 feet to the point of beginning, containing 1320.0 square feet (0.03 ac.) subject to easements.

HLB Partnership, an Indiana general partnership, consists of two general partners, Gerald N. Hohla and James P. Loughran. Subject to all real estate taxes, special assessments, easements, and other limitations of record.

This deed is subject to a first mortgage of even date given by Grantee to Grantor to secure payment of a promissory note in the sum of \$1,050,000.00

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 1st day of July, 2003.

HLB PARTNERSHIP

By: Gerald N. Hohla
 Gerald N. Hohla, General Partner

HLB PARTNERSHIP

By: James P. Loughran
 James P. Loughran, General Partner

STATE OF INDIANA
 COUNTY OF ALLEN SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 1st day of July, 2003, personally appeared: GERALD N. HOHLA, a general partner of HLB PARTNERSHIP, who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 1st day of July, 2003.

My commission expires: 9-27-2007
 Resident of Allen County

Signature Thomas S. Locke
 Printed THOMAS S. LOCKE, Notary Public

03 19853
 ALLEN COUNTY AUDITOR'S NUMBER

FILED

JUL 03 2003

AUDITOR'S OFFICE
 Duly entered for taxation. Subject
 to final acceptance for transfer.

JUL 03 2003

SALES DISCLOSURE
 FORM

Elizabeth A. Glavin
 AUDITOR OF ALLEN COUNTY

STATE OF MONTANA
COUNTY OF Missoula SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of June, 2003, personally appeared: JAMES P. LOUGHRAN, a general partner of HLB PARTNERSHIP, who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 27 day of June, 2003.

My commission expires: 1/15/2007
Resident of Missoula County

Signature Deana R. Carlson
Printed Deana Carlson, Notary Public

This instrument prepared by: Thomas S. Locke, Attorney at Law, Attorney Identification Number: 8870-02

MAIL TO: Thomas S. Locke
520 South Calhoun Street
Fort Wayne, IN 46802



DEANA R. CARLSON
NOTARY PUBLIC-MONTANA
Residing at Missoula, Montana
My Comm. Expires Jan 15, 2007

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **A&L Great Lakes Laboratories, Inc. is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of \$1,000,000. In order to expand, A&L Great Lakes Laboratories will install a new drying tunnel and will automate their grinding process.**

EFFECT OF PASSAGE: **Installing the new equipment will allow A&L Great Lakes Laboratories, Inc. to better meet the demands of their customers while also adding a second shift to the process without fatiguing their full time employees. One full-time job will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development and one full-time job**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Russ Jehl and John Crawford**