

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 7988 West Jefferson
Boulevard, Fort Wayne, Indiana 46804 (Women's
Health Advantage)**

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 12 full-time, permanent jobs for a total additional payroll of \$813,280, with the average new annual job salary being \$27,653 and retain 62 full-time, permanent jobs for a current annual payroll of \$ 4,206,048, with the average current annual job salary being \$67,773; and

WHEREAS, the total estimated project cost is \$4,500,000; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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 real estate.

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, 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.

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

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$3.3286/\$100.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$3.3286/\$100 (the change would be negligible).
- (c) 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 \$3.3286/\$100 (the change would be negligible).

SECTION 6. 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.

SECTION 7. The deduction schedule from the assessed value of the real property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
Year 1	100%
Year 2	85%
Year 3	71%
Year 4	57%
Year 5	43%
Year 6	29%
Year 7	14%
Year 8	0%

SECTION 8. 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. 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 with 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

1 return in the taxing district in which the property for which the deduction was granted is
2 located. If the taxpayer does not file a personal property tax return in the taxing district in
3 which the property is located, the information must be provided by May 15.

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

- 5 A. The cost and description of real property improvements.
6 B. The number of employees hired through the end of the preceding calendar year
7 as a result of the deduction.
8 C. The total salaries of the employees hired through the end of the preceding
9 calendar year as a result of the deduction.
10 D. The total number of employees employed at the facility receiving the deduction.
11 E. The total assessed value of the real property deductions.
12 F. The tax savings resulting from the real property being abated.

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

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

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

24 _____
25 Member of Council

26 APPROVED AS TO FORM A LEGALITY

27 _____
28 Carol Helton, City Attorney

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for Women's Health Advantage for real property improvements in the amount of \$4,500,00. In order to expand, Women's Health Advantage will construct a new medical office building on a vacant lot on the Lutheran Hospital campus.**

EFFECT OF PASSAGE: **This project will result in a new 31,600sq/ft medical office building and 12 new full-time permanent positions.**

EFFECT OF NON-PASSAGE: **Potential loss of development and 12 full-time jobs.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Russ Jehl and Tom Didier**

LEGAL DESCRIPTION

A part of the Northeast Quarter of Section 23, Township 30 North, Range 11 East, Aboite Township, Allen County, Indiana, and more particularly described as follows:

Commencing at a 5/8 inch iron pin (rebar) marking the Northeast Corner of the Northeast Quarter of said Section 23; thence North 89 deg. 36 min. 00 sec. West (basis of bearings) along the North line of said Northeast Quarter, a distance of 330.00 feet; thence South 00 deg. 30 min. 00 sec. West, a distance of 60.00 feet to a point on the South right-of-way of Aboite Center Road, said point also being the POINT OF BEGINNING;

Thence continuing South 00 deg. 30 min. 00 sec. West, and parallel with the East line of the Northeast Quarter of said section 23, a distance of 567.50 feet to the Northeast Corner of that tract of land owned by Rehab Hospital of Fort Wayne as described in Document #92-53491; thence North 78 deg. 31 min. 46 sec. West, along the Northerly line of said Rehab Hospital of Fort Wayne Tract, a distance of 372.77 feet to a point on the Easterly line of a Ingress-Egress Easement as described in Document #960029490 and being on a non-tangent curve to the left, thence along said Document #960029490 and along said curve having a radius of 1680.00 feet, an arc length of 492.94 feet, and a chord bearing North 08 deg. 48 min. 24 sec. East, a distance of 491.17 feet to the point of tangency of said curve; thence continuing along said Document #960029490, North 00 deg. 30 min. 00 sec. East, and parallel with the East line of this tract, a distance of 10.03 feet to the South right-of-way of Aboite Center Road; thence South 89 deg. 36 min. 00 sec. East along said South right-of-way, a distance of 295.00 feet to the POINT OF BEGINNING; containing 3.92 Acres more or less,

Subject to all easements, visible and recorded, as well as all restrictions, assessments and limitations of record, all applicable zoning ordinances, and all legal streets and highways.

JOB No.1507-007

FOR THE USE OF: IOM HEALTH SYSTEM, L.P./WHA Building Company, LLC,

DATED: September 14, 2015

SHEET 3 OF 8.

LAND SURVEYORS * CIVIL ENGINEERS * LAND PLANNERS

F:\active-surveys\1507-007-WHA\documents\1507-007-Legal-Description.odt

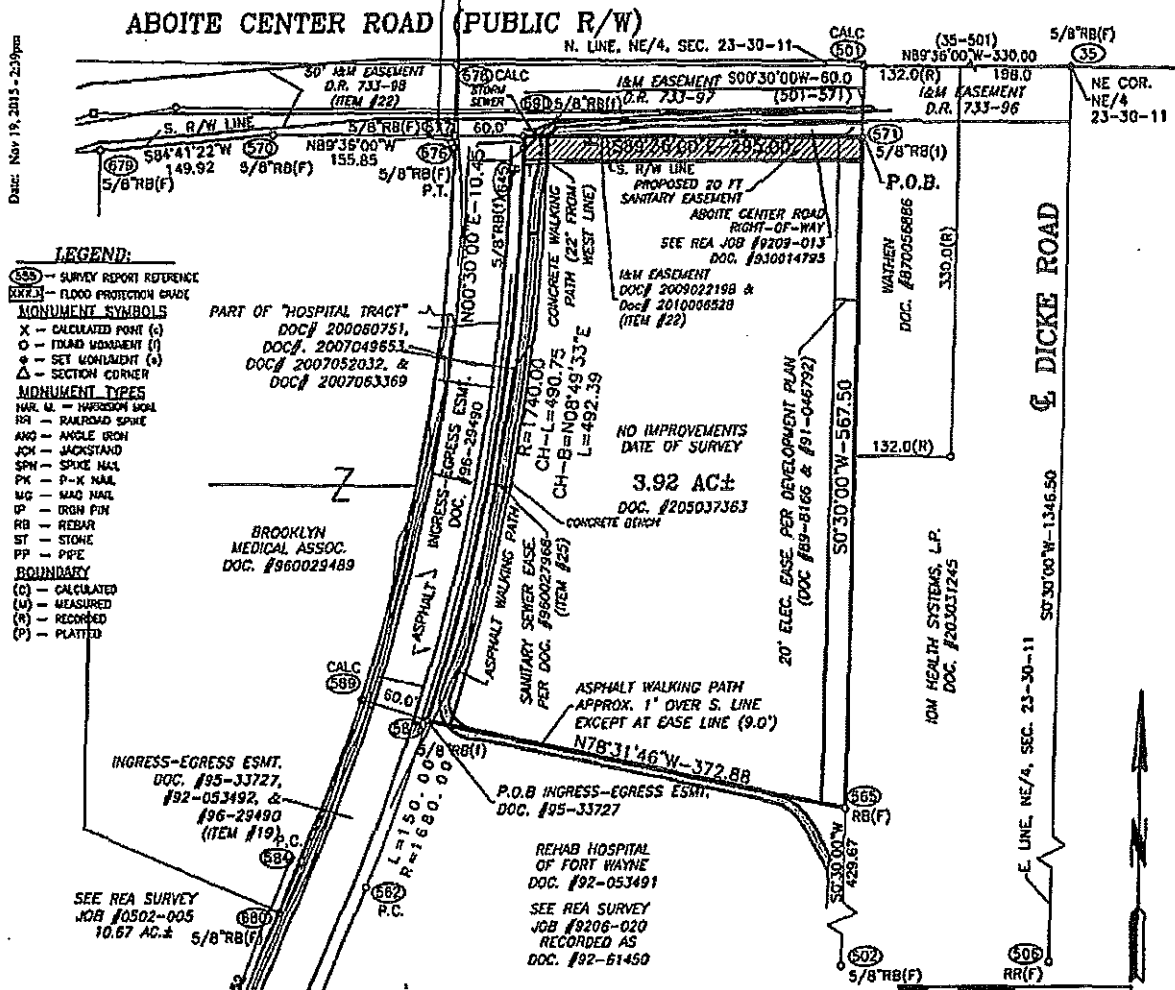
EXHIBIT A

STEVEN A. MAXWELL P.E. & R.L.S.
R.L.S. NO. 29900007

Maxwell
Surveying &
Engineering

P.O. BOX 5068
HUNTINGTON, IN 46750
260-224-6813

Date: Nov 19, 2015 - 2:20pm



UTILITIES LEGEND

- OVERHEAD POWER LINE
- UNDERGROUND POWER LINE
- SANITARY SEWER
- GRAVITY SEWER SERVICE
- LOW PRESSURE SEWER
- FORCE MAIN
- STORM SEWER
- UNDERGROUND TELEPHONE
- OVERHEAD TELEPHONE
- CABLE TV
- FIBER OPTIC
- GAS LINE
- WATER MAIN

FLOOD MAP NOTE:

THE SURVEY TRACT LIES WITHIN ZONE "X". AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO THE FLOOD INSURANCE RATE MAPS (FIRM), COMMUNITY PANEL NUMBERS 18000C2856, DATED AUG. 3, 2009

ZONING TABLE

ZONE "C-1"	PROFESSIONAL OFFICE & PERSONAL SERVICES
ZONE "C-1" RESTRICTIONS	
HEIGHT RESTRICTION	40 FEET
FRONT SETBACK	25 FEET
REAR SETBACK	10 FEET FOR BUILDINGS UP TO 30 FEET IN HEIGHT; 25 FEET FOR BUILDINGS OVER 30 FEET IN HEIGHT WHEN THE LAND IS NOT LOCATED NEXT TO RESIDENTIAL DISTRICT. THE REAR SETBACKS ARE INCREASED TO 25 FEET AND 50 FEET, RESPECTIVELY, FOR LAND LOCATED ADJACENT TO A RESIDENTIAL DISTRICT.
SIDE SETBACK	FOR A CORNER LOT, THERE IS A MINIMUM SIDE YARD OF 25 FEET ON THE STREET SIDE YARD. OTHERWISE, FOR BUILDINGS UP TO 30 FEET IN HEIGHT, THE REQUIRED SIDE YARD IS 10 FEET. FOR BUILDINGS OVER 30 FEET IN HEIGHT, THE REQUIRED SIDE YARD IS 25 FEET. THE SIDE YARDS ARE INCREASED TO 25 FEET AND 50 FEET, RESPECTIVELY, WHEN LAND IS LOCATED ADJACENT TO A RESIDENTIAL DISTRICT.
PARKING REQUIREMENTS:	A Doctor's Office requires Six(6) Parking Spaces per every Practitioner & One(1) Space per every Employee. A Hospital requires One(1) Parking Space per every 600 sq. ft. of Building Floor Space.

TO:
Land Services USA, Inc.
First American Title Insurance Company
WHA Building Company, LLC
IOM HEALTH SYSTEM, L.P.

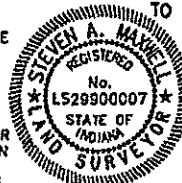
NOTE: REF ITEM#- REFERS TO ITEM #
IN SCHEDULE B, SECTION 2
OF THE TITLE COMMITMENT

SEE SHEET 2 FOR LEGAL DESCRIPTION
SEE SHEET 3 FOR SURVEYOR'S REPORT
SEE SHEET 4 FOR TABLE "A" COMMENTS
SEE SHEET 5, 6, & 7 FOR COMMENTS
TO TITLE COMMITMENT #INFA15-3137.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 8, 11(a), 13, and 16 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 7, 2014.

I FURTHER CERTIFY THE HEREON PLAT TO CORRECTLY REPRESENT A SURVEY AS MADE UNDER MY DIRECTION, AND THAT THIS SURVEY AND ACCOMPANYING REPORT HAS BEEN COMPLETED IN ACCORDANCE WITH INDIANA TITLE 885-IAC 1-12-7 AND ALL OTHER AMENDMENTS THERETO, AND THAT THE RELATIVE POSITIONAL ACCURACY FOR THIS SURVEY, DUE TO MEASUREMENT, IS CERTIFIED TO NOT EXCEED THE ACCEPTABLE ACCURACY OF A "SUBURBAN" CLASSIFICATION AS DEFINED BY TITLE 885-IAC-1-12-7.

DATED THIS 14 DAY OF SEPTEMBER, 2015
REV 10/1/2015 PER COMMENTS
REV 10/1/2015 LEGAL DESCRIPTION
REV 10/1/2015 400 WALK
PATH AND STORM SEWER
STEVEN A. MAXWELL, P.E., LS 29900007



ALTA SURVEY OF SURVEY A 3.92 AC±
PARCEL LOCATED IN NE/4,
SEC. 23-T30N-R11E,
FORT WAYNE, ALLEN CO., INDIANA

SHEET 1 of 8

CIVIL ENGINEERS * LAND SURVEYORS * LAND PLANNERS