

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
888 Harrison Street, Fort Wayne, Indiana 46802
(DuCharme, McMillen & Associates, 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 37 full-time, permanent jobs for a total new, annual payroll of \$1,980,000, with the average new annual job salary being \$53,514 and retain 47 full-time, permanent jobs for a total current annual payroll of \$2,558,379 with the average current, annual job salary being \$54,434; and

WHEREAS, the total estimated project cost is \$1,500,000; 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.

1 **SECTION 3.** That, said designation of the hereinabove described property as
2 an "Economic Revitalization Area" shall apply to a deduction of the assessed value of
3 personal property for new information technology equipment improvements.

4 **SECTION 4.** That, the estimate of the number of individuals that will be
5 employed or whose employment will be retained and the estimate of the annual salaries
6 of those individuals and the estimate of the value of the new information technology
7 equipment improvements, all contained in Petitioner's Statement of Benefits are
8 reasonable and are benefits that can be reasonably expected to result from the proposed
described installation of the new information technology equipment improvements.

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

- 11 (a) If the proposed new information technology equipment improvements are not
12 installed, the approximate current year tax rates for this site would be \$3.5045/\$100.
13 (b) If the proposed new information technology equipment improvements are installed
14 and no deduction is granted, the approximate current year tax rate for the site would
15 be \$3.5045/\$100 (the change would be negligible).
16 (c) If the proposed new information technology equipment improvements are installed,
17 and a deduction percentage of eighty percent (80%) is assumed, the approximate
current year tax rate for the site would be \$3.5045/\$100 (the change would be
negligible).

18 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
19 deduction from the assessed value of the new information technology equipment
20 improvements shall be for a period of ten years.

21 **SECTION 7.** The deduction schedule from the assessed value of new
22 information technology equipment improvements pursuant to I.C. 6-1.1-12.1-17 shall look
23 like this:

24

Year of Deduction	Percentage
Year 1	100%
Year 2	90%
Year 3	80%
Year 4	70%

25
26
27
28

Year 5	60%
Year 6	50%
Year 7	40%
Year 8	30%
Year 9	20%
Year 10	10%
Year 11	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 new information technology equipment improvements, 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 10. The performance report must contain the following information

- (a) The cost and description of new information technology equipment improvements.
- (b) The number of employees hired through the end of the preceding calendar year.
as a result of the deduction.
- (c) The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- (d) The total number of employees employed at the facility receiving the deduction.
- (e) The total assessed value of the real and/or personal property deductions.
- (f) 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 said 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 AND LEGALITY

Carol Helton, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF ASH SITE

Lots 492 through 494 and Lots 509 through 511 in The West Part of Hanna's Addition to Port Wayne, together with the vacated alley lying adjacent to said Lots, according to the plat thereof as originally recorded in Deed Record C, page 525 and reprinted in Plat Record 0, page 116 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

BEGINNING at the Southeasterly corner of Lot 492 in said West Part of Hanna's Addition to Port Wayne; thence Southwesterly on the Southerly line thereof and continuing on the Southerly line of said Lot 493 and Lot 494, a distance of 180.00 feet to the Southwesterly corner of said Lot 494; thence Northwesterly on the Westerly line of said Lot 494 and continuing on the Westerly line of said Lot 509, by deflection angle to the right of 89 degrees 59 minutes 01 second from the previously described course, a distance of 314.00 feet to the Northwesterly corner of said Lot 509; thence Northeasterly on the Northerly line of said Lot 509 and continuing on the Northerly line of said Lot 510 and Lot 511, by a deflection angle to the right of 90 degrees 00 minutes 59 seconds from the previously described course, a distance of 180.00 feet to the Northeasterly corner of said Lot 511; thence Southeasterly on the Easterly line of said Lot 511 and continuing on the Easterly line of said Lot 492, by a deflection angle to the right of 89 degrees 59 minutes 01 second from the previously described course, a distance of 314.00 feet to the point of beginning, containing 56,520.00 square feet, or 1.298 acres, more or less.

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 DuCharme, McMillen & Associates, Inc. for personal property improvements in the amount of \$1,500,000. DuCharme, McMillen & Associates, Inc. will make new information technology equipment improvements.**

EFFECT OF PASSAGE: **DuCharme, McMillen & Associates, Inc. will make new information technology equipment improvements. 47 full-time jobs will be retained and 37 new full-time jobs will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of investment of DuCharme, McMillen & Associates, Inc. to make new information technology equipment improvements, retain 47 full-time jobs and create 37 new full-time jobs.**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS):

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Glynn Hines and John Crawford**