

1 **BILL NO. R-16-05 -20**

2 **CONFIRMING RESOLUTION NO. R-_____**

3 **A CONFIRMING RESOLUTION designating an "Economic**
4 **Revitalization Area" under I.C. 6-1.1-12.1 for property**
5 **commonly known as unassigned - Adams Center Road and**
6 **Logistics Drive, Fort Wayne, Indiana 46806 (Transpoint**
7 **Intermodal, LLC)**

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

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

12 **WHEREAS**, said project will create 64 full-time, permanent jobs for a total additional annual
13 payroll of \$3,200,205, with the average new annual job salary being \$50,003; and

14 **WHEREAS**, the total estimated project cost is \$13,520,500; and

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

17 **WHEREAS**, notice of the adoption and substance of said Resolution has been published in
18 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
19 Resolution.

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

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

24 **SECTION 2.** That, the hereinabove described property is hereby declared an "Economic
25 Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this
26 Resolution and shall terminate on December 31, 2021, unless otherwise automatically extended in five
27 year increments per I.C. 6-1.1-12.1-9.

28 **SECTION 3.** That, said designation of the hereinabove described property as an "Economic
29 Revitalization Area" shall apply to a deduction of the assessed value of real estate and personal property
30 for new 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 redevelopment or rehabilitation and estimate of the value of the new 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 installation of the new logistical distribution equipment.

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

- 1 (a) If the proposed development does not occur, the approximate current year tax rates for this
2 site would be \$3.3154/\$100.
- 3 (b) If the proposed development does occur and no deduction is granted, the approximate
4 current year tax rate for the site would be \$3.3154/\$100 (the change would be negligible).
- 5 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is
6 assumed, the approximate current year tax rate for the site would be \$3.3154/\$100 (the
7 change would be negligible).
- 8 (d) If the proposed new logistical distribution equipment is not installed, the approximate current
9 year tax rates for this site would be \$3.3154/\$100.
- 10 (e) If the proposed new logistical distribution equipment is installed and no deduction is granted,
11 the approximate current year tax rate for the site would be \$3.3154/\$100 (the change would
12 be negligible).
- 13 (f) If the proposed new logistical distribution equipment is installed and a deduction percentage
14 of eighty percent (80%) is assumed, the approximate current year tax rate for the site would
15 be \$3.3154/\$100 (the change would be negligible).

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

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

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Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%

25

26 **SECTION 8.** The deduction schedule from the assessed value of new logistical distribution
27 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%

SECTION 9. 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 10. For new logistical distribution 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 11. 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 12. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or new logistical distribution equipment acquired.
- 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.

1 E. The total assessed value of the real and/or personal property deductions.

2 F. The tax savings resulting from the real and/or personal property being abated.

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

5 **SECTION 14.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a
6 deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as
7 determined by the county auditor in accordance with section 12 of said chapter if the property owner
8 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.

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

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12 _____
Member of Council

13
14 APPROVED AS TO FORM A LEGALITY

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16 _____
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 Transpoint Intermodal, LLC for both real and personal property improvements in the amount of \$13,520,500. Transpoint Intermodal, LLC will develop an intermodal ramp for the purpose of loading and unloading international shipping containers.

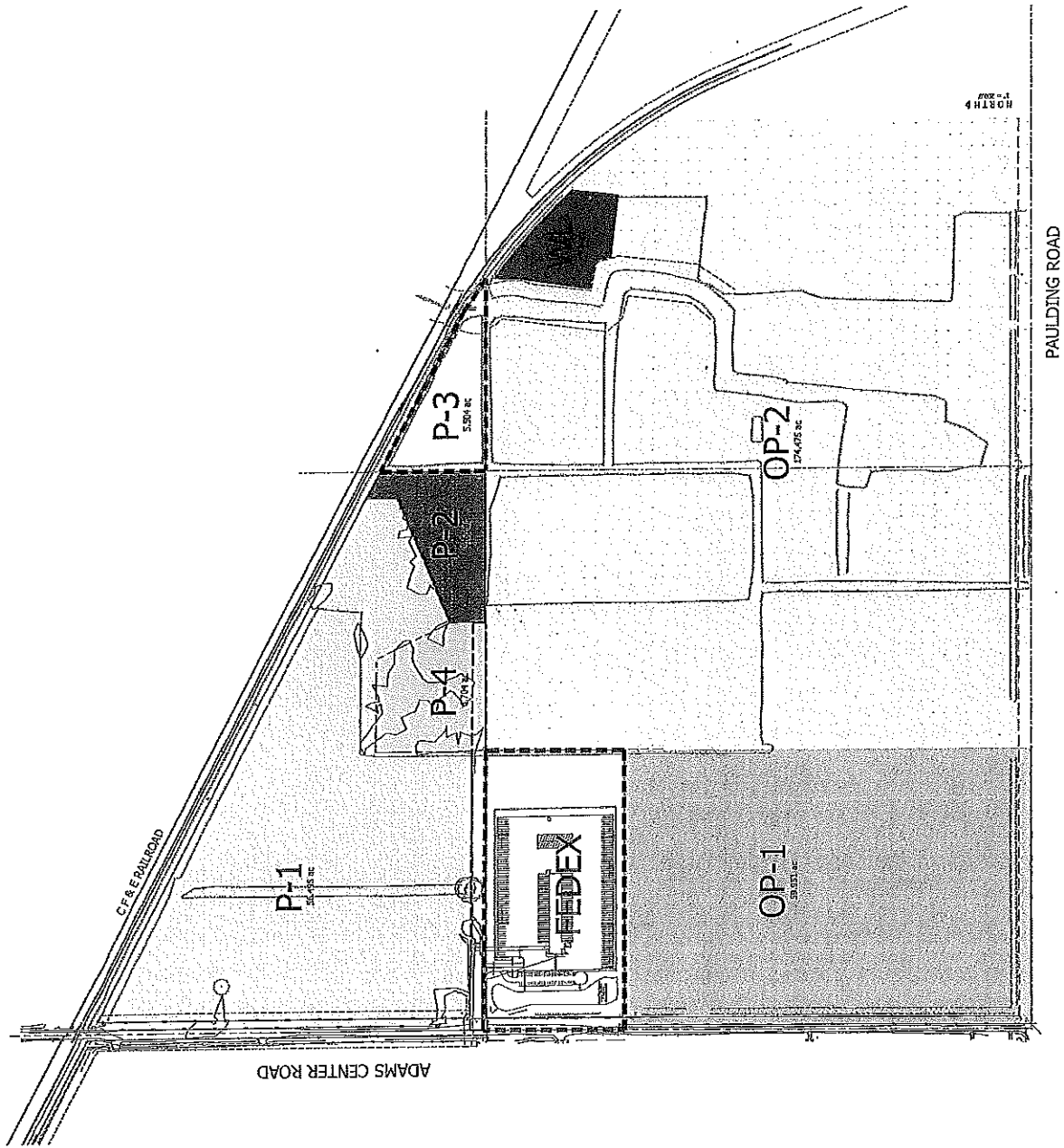
EFFECT OF PASSAGE: Transpoint Intermodal, LLC will develop its intermodal ramp on land that was previously planned to be the site for additional landfill operations. This development will provide the ability to transport goods and products via rail and truck. 64 full-time jobs will be created as a result of the project.

EFFECT OF NON-PASSAGE: Potential loss of development on a vacant site and 64 full-time jobs

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

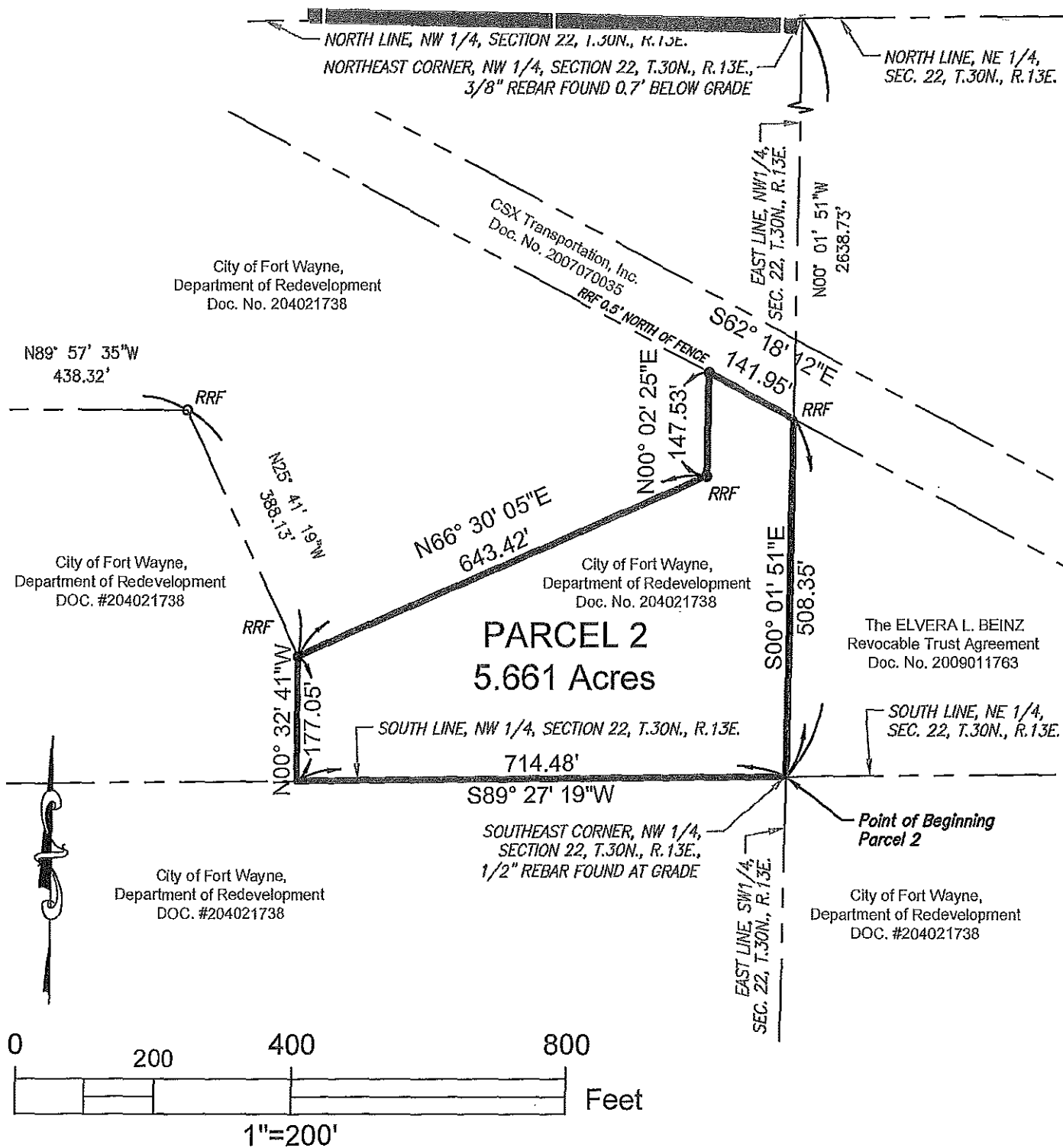
ASSIGNED TO COMMITTEE (CO-CHAIRS): Glynn Hines and John Crawford

EXHIBIT A



[illegible][illegible][illegible][illegible][illegible]

EXHIBIT A



		 gai consultants	Property Address:	PROJECT
			Adams Center Road Fort Wayne, IN 46806	Parcel 2 Re-Zoning PLAT GAI Job No. D150791.00
			County: Allen	CLIENT
			Adams Township Section 22 T 30 N, R 13 E	Transpoint Intermodal, LLC
Prepared for Transpoint Intermodal, LLC			EXHIBIT A	
ISSUING OFFICE: Fort Wayne 1502 Magnavox Way Fort Wayne, IN 46804			Sheet 2 of 2	

EXHIBIT A

BOUNDARY DESCRIPTION
Parcel 2 Re-zoning

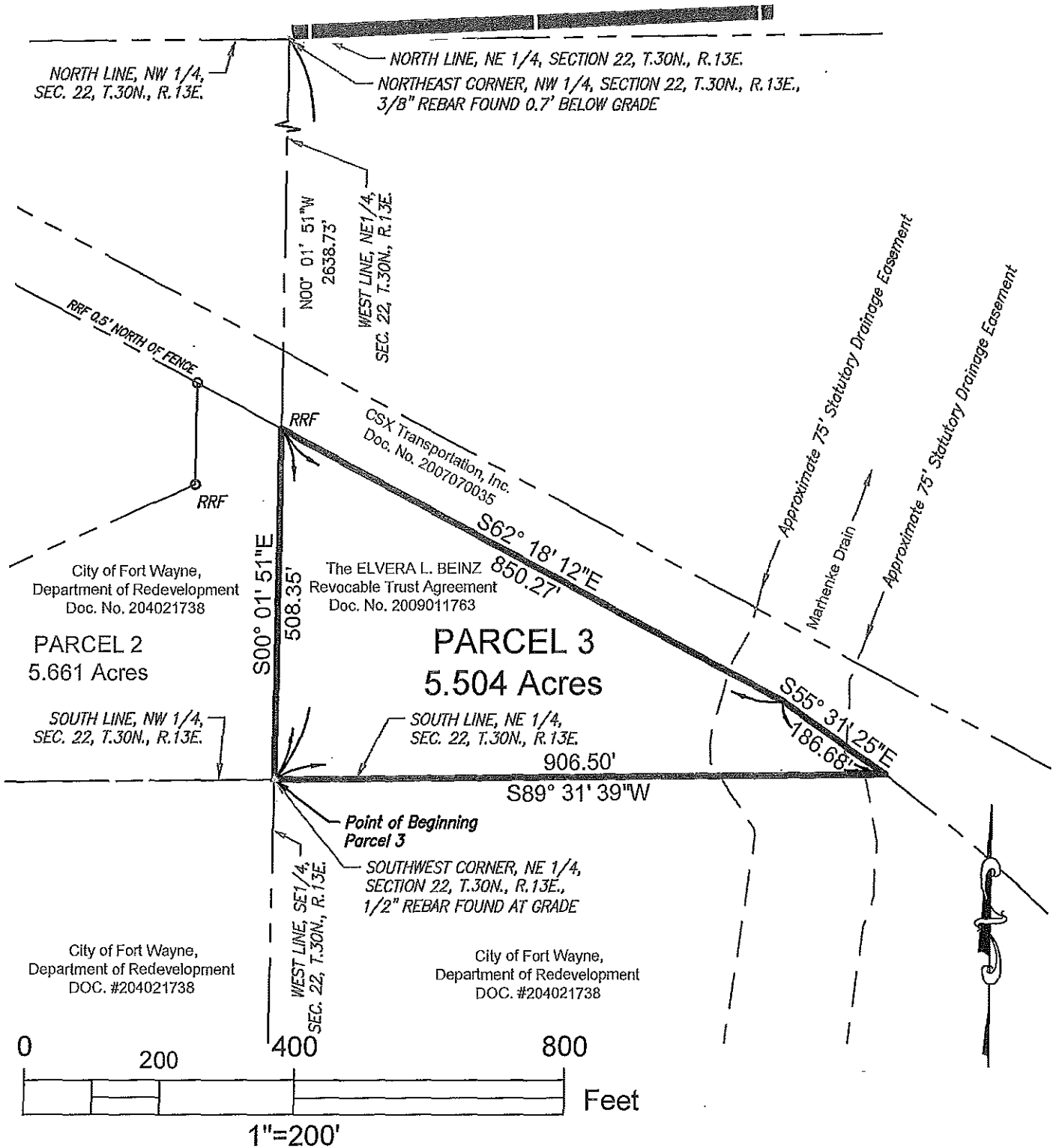
Part of the Northwest Quarter of Section 22, Township 30 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, being also part of those lands described in Document Number 204021738 as recorded in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

BEGINNING at a #4 rebar found marking the southeast corner of the Northwest Quarter of said Section 22; thence South 89 degrees 27 minutes 19 seconds West (assumed bearing based on description from Document Number 204021738) 714.48 feet along the southerly line of said Northwest Quarter; thence North 0 degrees 32 minutes 41 seconds West 177.05 feet; thence North 66 degrees 30 minutes 5 seconds East 643.42 feet; thence North 0 degrees 2 minutes 25 seconds East 147.53 feet to the southerly line of the CSX Transportation Inc. railroad (formerly Penn Central Railroad); thence South 62 degrees 18 minutes 12 second East a distance of 141.95 feet along said southerly line to the easterly line of said Northwest Quarter; thence South 0 degrees 1 minute 51 seconds East 508.35 feet along said easterly line to the POINT OF BEGINNING, containing 5.661 acres [246,597.227 square feet], more or less.

Subject to rights-of-way and easements of record.

		 gai consultants	Property Address:	PROJECT
			Adams Center Road Fort Wayne, IN 46806	Parcel 2 Re-Zoning DESCRIPTION GAI Job No. D150791.00
			County: Allen	CLIENT
			Adams Township Section 22 T 30 N, R 13 E	Transpoint Intermodal, LLC
		Prepared for Transpoint Intermodal, LLC		EXHIBIT A
ISSUING OFFICE: Fort Wayne 1502 Magnavox Way Fort Wayne, IN 46804		Sheet 1 of 2		

EXHIBIT A



		 gai consultants	Property Address:	PROJECT
			Adams Center Road Fort Wayne, IN 46806	Parcel 3 Re-Zoning PLAT GAI Job No. D150791.00
			County: Allen	CLIENT
			Adams Township Section 22 T 30 N, R 13 E	Transpoint Intermodal, LLC
		Prepared for Transpoint Intermodal, LLC		EXHIBIT A
ISSUING OFFICE: Fort Wayne 1502 Magnavox Way Fort Wayne, IN 46804		Sheet 2 of 2		

EXHIBIT A

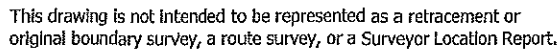
BOUNDARY DESCRIPTION
Parcel 3 Re-zoning

Part of the Northeast Quarter of Section 22, Township 30 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, being Tract 3 described in Document Number 2009011763 as recorded in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

BEGINNING at a #4 rebar found marking the southwest corner of the Northeast Quarter of said Section 22; thence North 0 degrees 1 minute 51 seconds West (assumed bearing based on description from Document Number 204021738) 508.35 feet (506.0 feet - Record) along the westerly line of said Northeast Quarter to the southerly line of the CSX Transportation Inc. railroad (formerly Penn Central Railroad); thence South 62 degrees 18 minutes 12 seconds East 850.27 feet (850.23 feet - Record) along said southerly line; thence continuing along said southerly line South 55 degrees 31 minutes 25 seconds East 186.68 feet (185.6 feet - Record) to the southerly line of said Northeast Quarter; thence South 89 degrees 31 minutes 39 seconds West 906.5 feet (Record) to the POINT OF BEGINNING, containing 5.504 acres (5.38 acres - Record) [239,769.083 square feet], more or less.

Subject to rights-of-way and easements of record.

		 gai consultants	Property Address:	PROJECT
			Adams Center Road Fort Wayne, IN 46806	Parcel 3 Re-Zoning DESCRIPTION GAI Job No. D150791.00
			County: Allen	CLIENT
			Adams Township Section 22 T 30 N, R 13 E	Transpoint Intermodal, LLC
		Prepared for Transpoint Intermodal, LLC		
ISSUING OFFICE: Fort Wayne 1502 Magnavox Way Fort Wayne, IN 46804			Sheet 1 of 2	



PRO FORMA SURVEY

		 gai consultants	Property Address:	PROJECT
			Adams Center Road Fort Wayne, IN 46806	Parcel 4 PLAT GAI Job No. D150791.00
			County: Allen	CLIENT
			Adams Township Section 22 T 30 N, R 13 E	Transpoint Intermodal, LLC
		Prepared for Transpoint Intermodal, LLC		EXHIBIT A
ISSUING OFFICE: Fort Wayne 1502 Magnavox Way Fort Wayne, IN 46804		Sheet 2 of 2		

EXHIBIT A

BOUNDARY DESCRIPTION
Parcel 4

Part of the Northwest Quarter of Section 22, Township 30 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, being also part of those lands described in Document Number 204021738 as recorded in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at a 1/2 inch diameter rebar marking the southeast corner of the Northwest Quarter of said Section 22; thence South 89 degrees 27 minutes 19 seconds West (assumed bearing based on description from Document Number 204021738) 714.48 feet along the southerly line of said Northwest Quarter to the POINT OF BEGINNING; thence continuing South 89 degrees 27 minutes 19 seconds West 606.30 feet along the southerly line of said Northwest Quarter to the southeasterly corner of a street dedication described in Document Number 205025260, within said Recorder's Office; thence North 00 degrees 32 minutes 02 seconds East 70.01 feet to the northeasterly corner of said street dedication; thence South 89 degrees 27 minutes 19 seconds West 2.95 feet along the northerly line of said street dedication; thence North 00 degrees 02 minutes 25 seconds East 462.90 feet; thence South 89 degrees 57 minutes 35 seconds East 438.32 feet; thence South 25 degrees 41 minutes 19 seconds East 388.13 feet; thence South 0 degrees 32 minutes 41 seconds East 177.05 feet to the POINT OF BEGINNING, containing 6.704 acres [292,010 square feet], more or less.

Subject to rights-of-way and easements of record.

		 gai consultants	Property Address:	PROJECT
			Adams Center Road Fort Wayne, IN 46806	Parcel 4 DESCRIPTION
			County: Allen	GAI Job No. D150791.00
			Adams Township Section 22 T 30 N, R 13 E	CLIENT
		Prepared for Transpoint Intermodal, LLC	Transpoint Intermodal, LLC	
ISSUING OFFICE: Fort Wayne 1502 Magnavox Way Fort Wayne, IN 46804			EXHIBIT A	
			Sheet 1 of 2	