

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 10050 Auburn Park Drive,
Fort Wayne, Indiana 46825 (Credo Family Medicine)**

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 and two part-time, jobs for a total additional payroll of \$867,200, with the average new annual job salary being \$61,942; and

WHEREAS, the total estimated project cost is \$941,261; 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 \$.033879/\$100.

(b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$.033879/\$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 \$.033879/\$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 three 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
1	100%
2	80%
3	60%
4	40%
5	20%
6	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 return in the taxing district in which the property for which the deduction was granted is

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

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

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

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

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

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

23 _____
24 Member of Council

25 APPROVED AS TO FORM A LEGALITY

26 _____
27 Carol Helton, City Attorney

EXHIBIT A

EXHIBIT A - LEGAL DESCRIPTION

A part of the Fractional Northwest Quarter of Section 6, Township 31 North, Range 13 East, Allen County, Indiana, together with part of the Northeast Quarter of Section 6, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at a bronze plug at the intersection of the North line of the Northeast Quarter of said Section 6 with the centerline of Auburn Road; thence South 00 degrees 34 minutes 00 seconds West (adjoining deed bearing) a distance of 972.36 feet along said centerline of Auburn Road to a 1/2-inch square pin set on the South line of an existing 0.61 acre tract, said point being the Point of Beginning; thence continuing South 00 degrees 34 minutes 00 seconds West, a distance of 89.24 feet along said centerline of Auburn Road to a 1/2-inch square pin set at the point of curvature of a regular curve to the right having a central angle of 23 degrees 26 minutes 56 seconds and a radius of 1188.77 feet; thence southerly along the arc of said curve, and centerline of Auburn Road, a distance of 486.51 feet (the chord of which bears South 12 degrees 17 minutes 28 seconds West, a distance of 483.13 feet) to a 1/2-inch square pin set at the point of tangency; thence South 24 degrees 00 minutes 55 seconds West, a distance of 508.33 feet along said centerline of Auburn Road to a 1/2-inch square pin set at the centerline of an open ditch being the North line of an existing 1.00 acre tract; thence South 89 degrees 01 minutes 13 seconds West, a distance of 309.23 feet along the centerline of said ditch to the Northwest corner of said existing 1.00 acre tract, said Northwest corner being North 00 degrees 44 minutes 51 seconds West, a distance of 15.06 feet from an iron pin found; thence South 00 degrees 44 minutes 51 seconds East, a distance of 156.90 feet along the West line of said 1.00 acre tract to an iron pin found at the Southwest corner of said 1.00 acre tract; thence North 89 degrees 33 minutes 42 seconds West, a distance of 951.97 feet along the North line of an existing 4.04 acre tract to a point on the West line of the Fractional Northwest Quarter of said Section 6, said point being 0.17 feet West of an angle iron found; thence North 00 degrees 59 minutes 22 seconds West, a distance of 1713.12 feet along the West line of the Fractional Northwest Quarter of said Section 6 to a 1/2-inch iron rod found at the Southwest corner of Rainig's Suburban Addition; thence North 89 degrees 45 minutes 05 seconds East, a distance of 1391.79 feet along the South line of said Rainig's

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EXHIBIT A - CONT'D

Suburban Addition to a 1/2-inch square pin set at the point of intersection of the South line of said Rainig's Suburban Addition with the West line of an existing 0.71 acre tract; thence South 01 degrees 08 minutes 08 seconds East, a distance of 540.93 feet along the West line of said 0.71 acre tract and its three adjacents to a 1/2-inch square pin set at the Southwest corner of an existing 0.61 acre tract; thence North 89 degrees 10 minutes 11 seconds East, a distance of 194.78 feet along the South line of said 0.61 acre tract to the Point of Beginning, containing 55.25 acres, more or less.

EXCEPT THE FOLLOWING:

A part of the Fractional Northwest Quarter and a part of the Northeast Quarter of Section 6, Township 31 North, Range 13 East, Allen County, Indiana, described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of said Section; thence North 88 degrees 30 minutes 18 seconds East, 134.00 feet along the North line of said Section to the Southeast corner of Section 34, Township 32 North, Range 12 East, Allen County, Indiana, and the centerline of Auburn Road; thence South 1 degree 07 minutes 03 seconds East, 45.60 feet along said centerline; thence South 0 degrees 54 minutes 03 seconds East, 929.65 feet along said centerline to the Northeast corner of the owner's land and the Point of Beginning of this description; thence continuing South 0 degrees 54 minutes 03 seconds East, 97.08 feet along said centerline; thence along said centerline Southwesterly 469.25 feet along an arc to the right and having a radius of 1,145.32 feet and subtended by a long chord having a bearing of South 10 degrees 49 minutes 49 seconds West and a length of 445.97 feet; thence South 22 degrees 33 minutes 41 seconds West, 516.07 feet along said centerline to the Southeast corner of the owner's land; thence South 87 degrees 45 minutes 28 seconds West, 22.03 feet along the South line of the owner's land to the Eastern boundary of said Auburn Road; thence North 22 degrees 33 minutes 41 seconds East, 57.10 feet along the boundary of said Auburn Road; thence North 15 degrees 15 minutes 05 seconds East, 76.49 feet; thence North 21 degrees 49 minutes 58 seconds East, 393.35 feet; thence North 17 degrees 23 minutes 31 seconds East, 199.29 feet; thence North 5 degrees 39 minutes 39 seconds East 252.75 feet; thence North 0 degrees 54 minutes 03 seconds West, 96.67 feet to the North line of the owner's land; thence North 88 degrees 30 minutes 18 seconds East, 40.00 feet along said North line to the Point of Beginning, and containing 0.964 acres, more or less.

ALSO EXCEPTING THE FOLLOWING:

Continued on next page

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CERTIFICATE OF SURVEY

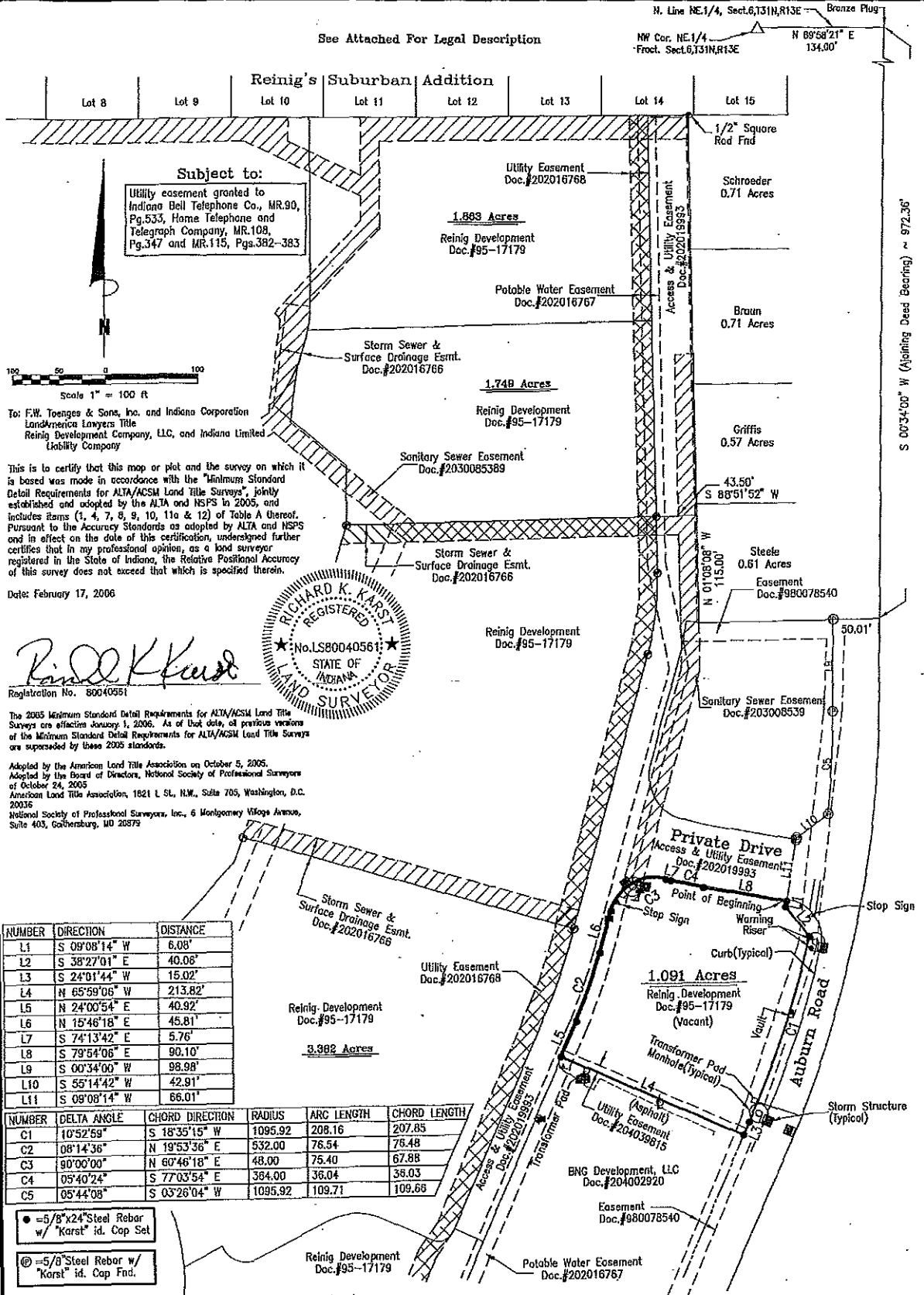
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**Karst Surveying
Services, Inc.**

RICHARD K. KARST, PLS No. LS80040561
BRETT R. MILLER, PLS No. LS20300059
ROBERT J. MARUCCI, PLS No. LS20400028

See Attached For Legal Description



(Drawing Name: 3597.dwg)