

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 7606
Freedom Way, Fort Wayne, Indiana 46818 (First
Gear, 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 one full-time, permanent job for a total new, annual payroll of \$41,600, with the average new annual job salary being \$41,600 and retain 18 full-time, permanent jobs for a current annual payroll of \$746,593, with the average current annual job salary being \$41,600; and

WHEREAS, the total estimated project cost is \$295,000; 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; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**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 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 manufacturing equipment.

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

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$3.3722/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.3722/\$100 (the change would be negligible).
- (c) If the proposed new manufacturing equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$3.3722/\$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 new manufacturing equipment shall be for a period of five years.

SECTION 7. The deduction schedule from the assessed value of new manufacturing equipment 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.

1 **SECTION 9.** For new manufacturing equipment, a deduction application must
2 contain a performance report showing the extent to which there has been compliance with
3 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
4 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
5 Wayne's Community Development Division and must be included with the deduction
6 application. For subsequent years, the performance report must be updated and submitted
7 along with the deduction application at the time of filing.

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

- 9 (a) The cost and description of real property improvements and/or new
10 manufacturing equipment acquired.
11 (b) The number of employees hired through the end of the preceding calendar year
12 as a result of the deduction.
13 (c) The total salaries of the employees hired through the end of the preceding
14 calendar year as a result of the deduction.
15 (d) The total number of employees employed at the facility receiving the deduction.
16 (e) The total assessed value of the real and/or personal property deductions.
17 (f) The tax savings resulting from the real and/or personal property being abated.

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

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

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

29
30

Member of Council

APPROVED AS TO FORM AND LEGALITY

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 First Gear, Inc. for personal property improvements in the amount of \$295,000. First Gear, Inc. will purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **One new full-time position will be created and new manufacturing equipment will be purchased and installed.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and one new full-time position.**

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

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

EXHIBIT A

ZORRAN K. YAZIAN, P.E. & L.S.
JOHN Q. SAUER, L.S.
SAM L. WAUST, L.S.

ZK Yazian
ASSOCIATES, INC.
400 WEST WAYNE STREET
SUITE 202
PORT WYOMING, INDIANA 46082
PHONE: 812/424-2822
FAX: 812/424-2824

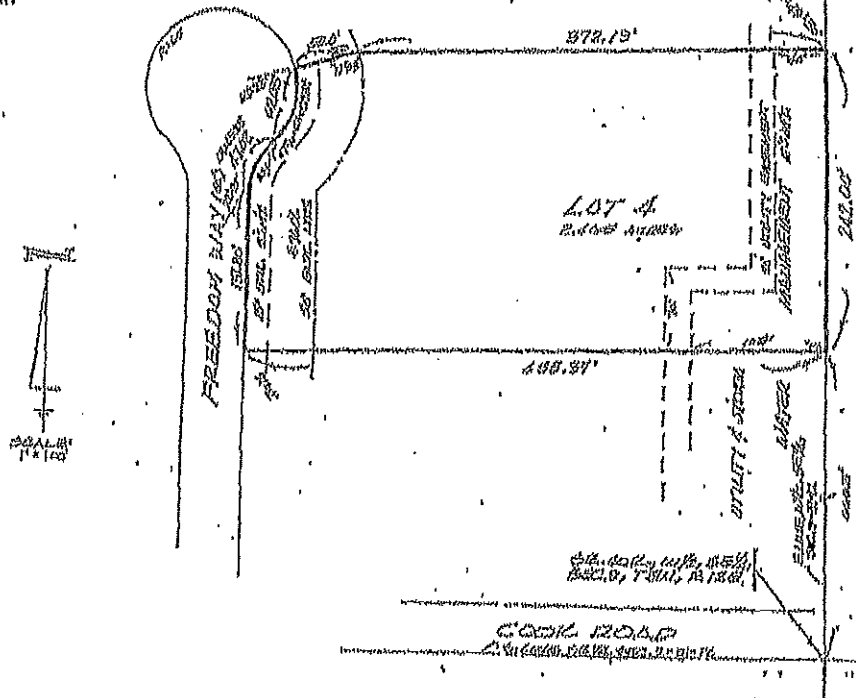
CERTIFICATE OF SURVEY

This document is a record of a survey of land and/or other property prepared in conformity with established rules of surveying and made in accordance with the records on file in the Recorder's Office of the County, State of Indiana. The land described in this document is shown in the attached plat. It is free from encroachments by adjoining land owners unless specifically stated to the contrary on the plat.

DESCRIPTION OF REAL ESTATE

Part of the West Half of the Southeast Quarter of Section 9, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the East line of the West Half of the Southeast Quarter of said Section 9, at a point situated 455.0 feet North of the Southeast corner thereof; thence North, on and along said East line, a distance of 342.0 feet; thence West, by a deflection angle left of 70 degrees 42 minutes 30 seconds and parallel to the South line of said Southeast Quarter, a distance of 372.19 feet; thence Southwesterly, by a deflection angle left of 13 degrees 00 minutes, a distance of 39.0 feet; thence Southwesterly, on and along the arc of a circular curve having a radius of 60.0 feet, an arc distance of 62.03 feet, being subtended by a long chord having a length of 67.31 feet and deflecting left 60 degrees 24 minutes from the last described course, to the point of reverse curvature of a regular curve to the left having a radius of 60.0 feet; thence Southwesterly, on and along the arc of said curve, a distance of 47.02 feet, being subtended by a long chord having a length of 48.83 feet and deflecting right 67 degrees 18 minutes from the last described long chord; thence Southwesterly, and tangent to the last said curve, by a deflection angle left of 28 degrees 27 minutes from the last described long chord, a distance of 181.00 feet; thence East, by a deflection angle left of 91 degrees 12 minutes and parallel to said South line, a distance of 465.37 feet to the point of beginning, containing 2.469 acres of land, subject to all easements of record, this tract being Lot 4 in the proposed plat of Liberty Industrial Park.



I hereby certify on this 27th day of June, 1970, that the above survey is correct.
Surveyor

