

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 1916
Lakeview Drive, Fort Wayne, Indiana 46808 (All
Tool & Die, LLC)**

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 two full-time, permanent jobs for a total new, annual payroll of \$76,000, with the average new annual job salary being \$38,000 and retain 11 full-time, permanent jobs for a total current annual payroll of \$408,450, with the average current, annual job salary being \$37,131, and two part-time jobs with an annual payroll of \$27,000; and

WHEREAS, the total estimated project cost is \$214,000; 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, 2021, 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 an
2 "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal
3 property for new manufacturing equipment.

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

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

12 (a) If the proposed new manufacturing equipment is not installed, the approximate
13 current year tax rates for this site would be \$3.3722/\$100.

14 (b) If the proposed new manufacturing equipment is installed and no deduction is
15 granted, the approximate current year tax rate for the site would be
16 \$3.3722/\$100 (the change would be negligible).

17 (c) If the proposed new manufacturing equipment is installed, and a deduction
18 percentage of eighty percent (80%) is assumed, the approximate current year
19 tax rate for the site would be \$3.3722/\$100 (the change would be negligible).

20 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
21 from the assessed value of the new manufacturing equipment shall be for a period of five
22 years.

23 **SECTION 7.** The deduction schedule from the assessed value of new
24 manufacturing 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	80%
3	60%
4	40%
5	20%
6	0%

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27 **SECTION 8.** The benefits described in the Petitioner's Statement of Benefits can be
28 reasonably expected to result from the project and are sufficient to justify the applicable
29 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.
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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



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RECORDED: 12/21/2012 2:44:15 PM

JOHN MCGAULEY

ALLEN COUNTY RECORDER

FORT WAYNE, IN

QUITCLAIM DEED

(Parcel No.: 02-07-33-481-002.000-073)

THIS INDENTURE WITNESSETH, That Donald L. Kincaid of Allen County in the State of Indiana ("Grantor"), QUITCLAIMS to Elaine L. Kincaid, as Trustee of The Donald L. Kincaid 2012 Irrevocable Trust, under Agreement dated December 20, 2012 ("Grantee"), for no consideration, all of his right, title and interest in and to the following described real estate in Allen County, State of Indiana:

Part of Lot #14 in West State Subdivision, Section "A", Amended, an Addition to the City of Fort Wayne, Indiana, said part being more particularly described as follows, to wit: Beginning at the Southwest corner of said Lot #14; thence North, on and along the West line of said Lot #14, being also the East right-of-way line of Lakeview Drive, a distance of 128.3 feet (recorded 128.6 feet) to the Northwest corner of said Lot #14; thence Easterly, on and along the North line of said Lot #14, a distance of 320.0 feet; thence Southerly, a distance of 82.2 feet to an Easterly corner of said Lot #14; thence Southeasterly, on and along an Easterly line of said Lot #14, a distance of 48.2 feet to the Southeast corner of said Lot #14; thence Westerly, on and along the South line of said Lot #14, a distance of 331.5 feet (recorded 332.0 feet) to the point of beginning.

Subject to all taxes, mortgages of record, assessments, easements, and to all restrictions and limitations of record.

IN WITNESS WHEREOF, Grantor has executed this deed this 21st day of December, 2012.

GRANTOR:

Donald L. Kincaid
Donald L. Kincaid

Notary Public for the State of Indiana
My Comm. Expires 12/31/2012

DEC 21 2012

DEC 21 2012

Notary Seal

John McGauley
AUDITOR

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 All Tool & Die, LLC for personal property improvements in the amount of \$214,000. All Tool & Die, LLC will purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **Two new full-time position will be created, personal property improvements will be made with the purchase and installation of new manufacturing equipment.**

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

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

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