

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2817 Goshen Road, Fort Wayne, Indiana 46808 (Accutech Mold & Machine, Inc./Keldar Properties, 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 three full-time, permanent jobs for a total additional annual payroll of \$66,000, with the average new annual job salary being \$22,000; and

**WHEREAS**, the total estimated project cost is \$2,250,000; and

**WHEREAS**, a recommendation has been received from the Committee on Finance concerning 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, 2021, 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 and 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 redevelopment or rehabilitation and 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 instillation 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 development does not occur, the approximate current year tax rates for this site would be \$3.5045/\$100.

- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.5045/\$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 \$3.5045/\$100 (the change would be negligible).
- (d) If the real estate and personal property for new manufacturing, logistical distribution, and information technology equipment is not installed, the approximate current year tax rates for this site would be \$3.5045/\$100.
- (e) If the real estate and proposed personal property for new manufacturing, logistical distribution, and information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.5045/\$100 (the change would be negligible).
- (f) If the real estate and proposed personal property for 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 \$3.5045/\$100 (the change would be negligible).

**SECTION 6.** That, 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 seven years, and 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 the new real property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

| Year of Deduction | Percentage |
|-------------------|------------|
| 1                 | 100%       |
| 2                 | 85%        |
| 3                 | 71%        |
| 4                 | 57%        |
| 5                 | 43%        |
| 6                 | 29%        |
| 7                 | 14%        |
| 8                 | 0%         |

**SECTION 8.** The deduction schedule from the assessed value of new personal property for 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 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 personal property, new manufacturing, 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 five 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 seven 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 purchase of real estate and new personal property for new manufacturing, logistical distribution, and information technology equipment.
- 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 13.** That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

**SECTION 14.** 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 this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 10 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 15.** 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 A LEGALITY

Carol Helton, City Attorney

EXHIBIT A

Escrow File No.: 02-6016

EXHIBIT "A"

Part of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northeast Quarter; thence South, along the West line of said Northeast Quarter (assumed bearing and basis for this description) a distance of 36.80 feet to a 1-1/2" pipe found on the South right-of-way line of California Road; thence South 83 degrees 12 minutes 56 seconds East, on said South right-of-way line, a distance of 390.22 feet (390.03 feet Deed) to a right-of-way marker found on the Southwesterly right-of-way line of Goshen Avenue; thence South 45 degrees 24 minutes 24 seconds East, on said Southwesterly right-of-way line, a distance of 203.65 feet (203.0 feet Deed) to a 1/2" rebar found; thence South 45 degrees 44 minutes 33 seconds East, on said Southwesterly right-of-way, a distance of 148.95 feet to a 5/8" rebar (capped Karst #0073); thence continuing South 45 degrees 44 minutes 33 seconds East, on said Southwesterly right-of-way line, a distance of 209.01 feet to a right-of-way marker found; thence South 41 degrees 02 minutes 46 seconds East, on said Southwesterly right-of-way line, a distance of 128.41 feet (129.71 feet Deed) to a 1" pipe found on a North line of an existing tract described in Document Number 202101397 in the Office of the Recorder of Allen County, Indiana monumenting the POINT OF BEGINNING; thence South 65 degrees 35 minutes 12 seconds West, on said North line, a distance of 102.49 feet to a railroad rail post found on the North line of said existing tract; thence South 89 degrees 58 minutes 27 second West, on said North line, a distance of 443.87 feet to a 1/2" Rebar monumenting the corner of a tract of land conveyed to Wise Holdings, LLC as found in Document #960005907; thence South 00 degrees 35 minutes 50 seconds West, on an East line of said Wise Holdings, LLC tract, a distance of 378.32 feet (378.07 feet Deed) to a 1/2" rebar found monumenting a corner of said Wise Holdings, LLC tract; thence South 89 degrees 45 minutes 21 seconds East, on a North line of said Wise Holdings, LLC tract, a distance of 488.25 feet (487.79 feet Deed) to a 1/2" Rebar found monumenting a corner of said Wise Holdings, LLC tract; thence North 25 degrees 08 minutes 23 seconds East, on a Northwestern line of said Wise Holdings, LLC tract, a distance of 71.70 feet to a 1/2" Rebar found monumenting a corner of said Wise Holdings, LLC tract; thence North 00 degrees 15 minutes 56 seconds East, on a West line of said Wise Holdings, LLC tract, a distance of 273.60 feet (272.59 feet Deed) to a 1/2" Rebar found monumenting a corner of said Wise Holdings, LLC tract; thence North 49 degrees 14 minutes 08 seconds East, on a Northwestern line of said Wise Holdings, LLC tract, a distance of 72.53 feet to a 5/8" Rebar found on the Southwesterly right-of-way line of Goshen Avenue; thence North 42 degrees 19 minutes 50 seconds West, on said Southwesterly right-of-way line of Goshen Avenue, a distance of 50.15 feet to the POINT OF BEGINNING, containing 4.572 Acres, more or less and subject to all easements, restrictions, covenants, rights-of-way, and legal drains of record.

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 Accutech Mold & Machine, Inc./Keldar Properties, LLC for real and personal property improvements in the amount of \$2,250,000. Accutech Mold & Machine, Inc./Keldar Properties, LLC will expand their current facility and purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **In order to expand its manufacturing services in Fort Wayne, Accutech Mold & Machine, Inc./Keldar Properties, LLC add a 28,000 square foot addition to their current facility, purchase and install new manufacturing equipment and create three new full-time jobs.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and three full-time jobs.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Geoff Paddock and Jason Arp**