

**A RESOLUTION CONCERNING Compliance with
Statement of Benefits (CF-1) form filings for 2017 for
properties with approved "Economic Revitalization
Areas" under I.C. 6-1.1-12.1**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution with approved Statement of Benefits (SB-1) forms property for the following property owners as "Economic Revitalization Areas" under Sections 153.13-153.24 of the Fort Wayne Code of Ordinances, and I.C. 6-1.1-12.1; and

WHEREAS, property owners whose Statement of Benefits (SB-1) form was approved after July 1, 1991 who file a deduction application under Sections 3 and 4.5 of I.C. 6-1.1-12.1 and Section 153.21 of the Fort Wayne Code of Ordinances, Indiana, must file a Compliance with Statement of Benefits Form (CF-1/PP and/or CF-1/Real Property) with the Allen County Auditor, the Allen County Assessor and the City of Fort Wayne showing there has been compliance with the approved Statement of Benefits for the project; and

WHEREAS, Common Council designated the City of Fort Wayne Community Development Division as the entity for the administration, application, processing and monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code of the City of Fort Wayne; and

WHEREAS, property owners on the attached Exhibit A have failed to comply with I.C. 6-1.1-12.1 et seq. and Section 153.21(A) of the Fort Wayne Code of Ordinances by failing to file their Compliance with Statement of Benefits pertaining to their deduction and subsequently failed to file a Waiver of Non-Compliance pursuant to I.C. 6-1.1-12.1-9.5, or I.C. 6-1.1-12.1-11.3(a)(5); and

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

SECTION 1. That the property owners listed in Exhibit A in approved Economic Revitalization areas have failed to comply with I.C. 6-1.1-12.1, et. seq, and Section 153.21 of the Fort Wayne Code of Ordinances by failing to file their Compliance with Statement of Benefits forms (CF-1/PP and/or CF-1/Real Property) and further failing to file an appropriate Waiver of Non-Compliance pursuant to either I.C. 6-1.1-12.1-9.5 or I.C. 6-1.1-12.1-11.3(a)(5) as may be applicable. Therefore subject to the rights of said property owners to be heard again by Council pursuant to I.C. 6-1.1-12.1-5.9 as specified in Section 3 of this Resolution,

1 Common Council finds that all of those property owners listed on Exhibit A have failed to
2 substantially comply as a result of their failure to file Compliance with Statement of Benefits
3 forms, and failure to file an appropriate Waiver of Non-Compliance. Council further directs
4 those property owners listed on Exhibit A to apply for and file a Waiver of Non-Compliance
5 pursuant to either I.C. 6-1.1-12.1-9.5 or I.C. 6-1.1-12.1-11.3(a)(5) as may be applicable, and
6 request a waiver by Common Council, for said non-compliance, which request and
7 resolutions and forms shall be submitted to Common Council prior to the subsequent hearing
8 that will be afforded property owners listed on Exhibit A as set forth in Section 3 of this
9 Resolution.

10 **SECTION 2.** Nothing contained in this Resolution shall be construed by any
11 property owners to mean that a subsequently filed Waiver of Non-Compliance, subsequently
12 filed Compliance with Statement of Benefit form or subsequent filing of any nature, will be
13 approved by Common Council, but only that Common Council will consider approval of such
14 Waiver of Non-Compliance filing or other corrective filing, if properly and timely filed. Further,
15 all property owners listed on Exhibit A to this Resolution may have their abatement rescinded
16 as a result of non-compliance by resolution of Common Council at the hearing referenced in
17 Section 3 of this resolution.

18 **SECTION 3.** That, Common Council, pursuant to I.C. 6-1.1-12.1-5.9, shall mail a
19 written notice to the property owners listed on Exhibit A, and such notice shall state the
20 reasons for Council's determination and a date, time and place of the hearing for the purpose
21 of further consideration of each owner's circumstances for its failure to file, or file timely its
22 Compliance with Statement of Benefits Forms (CF-1/PP and/or CF-1/Real Property) or for
23 other substantial non-compliance. Common Council does hereby direct Fort Wayne
24 Community Development Division to prepare and send the aforementioned notices.

25 **SECTION 4.** That, this Resolution shall be in full force and effect from and after
26 its passage and any and all necessary approval by the Mayor.

27 _____
28 Member of Council

29 APPROVED AS TO FORM A LEGALITY

30 _____
Carol Helton, City Attorney

EXHIBIT A
2017 COMPLIANCE WITH STATEMENT OF BENEFITS - NON-FILER

CF-1 RE	CF-1 PP	CF-1/VBD	COMPANY NAME	RES #	TYPE	DESIGNATION ADDRESS
No Filing Received		N/A	41 North Senior Apartments, L.P.	42-15	R	5709 YMCA Park Drive East
No Filing Received	Expired 2010	N/A	AG Plus, Inc.	48-05	B	1105 Production Road
No Filing Received		N/A	Atlee Ft. Wayne Ltd./St. Joseph Health System, LLC (St Joseph Health System, LLC/now HTA-Fort Wayne, LLC fka Atlee Ft. Wayne LTD)	37-07	R	700 Broadway
	No Filing Received	N/A	Becky's Die Cutting, Inc.	80-13	P	701 Sherman Blvd.
	No Filing Received	N/A	Brooks Construction Company, Inc.	30-10	P	2711 Banks Avenue
No Filing Received	No Filing Received	N/A	Calico Precision Molding, LLC	45-08	B	1211 Progress Road
No Filing Received	No Filing Received	N/A	CanLan Ice Sports (filed under Silverado Properties, LLC fka 3 Sheets Development/Ice Sports Fort Wayne, LLC)	90-08	B	3869 Ice Way
No Filing Received	No Filing Received	N/A	Casselwood Investors, LLC	92-07	R	3200-3300 East Paulding Road
No Filing Received	No Filing Received	N/A	Ceruti's at Summit Park II	28-05	B	Summit Park II (unassigned)
No Filing Received	DONE	N/A	CNC Industries, Inc.	68-08	B	3810 Fourier Drive
No Filing Received	No Filing Received	N/A	CTR Partnership LL Fort Wayne Realty, LLC and LL Fort Wayne, LLC d/b/a Lamplight Inn at Fort Wayne	34-10	B	300 East Washington Boulevard
	No Filing Received	N/A	Custom Poly Packaging	19-09	P	3216 Congressional Parkway
	No Filing Received	N/A	Custom Poly Packaging D& M Enterprizes	14-08	P	3216 Congressional Parkway
No Filing Received	No Filing Received	Expired	Cyco Properties	87-12	B,V	6201 Discount Drive
No Filing Received	No Filing Received	N/A	David M. Allen, D.D.S. & Associates, PC dba Afdent	85-06	B	4041 Parnell Avenue
No Filing Received	Expired	N/A	Dupont Hospital (Amend R-40-05)	32-07	B	2520 East Dupont Road
	No Filing Received	N/A	Essex Group, Inc.	36-09	P	3405 Meyer Road
No Filing Received	No Filing Received	N/A	FHH Properties (Creative Coatings)	68-06	B	7505 Freedom Way
	No Filing Received	N/A	First Gear, Inc.	24-12	P	7606 Freedom Way
	No Filing Received	N/A	First Gear, Inc.	9-15	P	7606 Freedom Way
	No Filing Received	N/A	First Gear, Inc.	R-77-16	P	7606 Freedom Way
No Filing Received	No Filing Received	N/A	Fort Wayne Associates c/o NAI Harding Dahm and Centennial Wireless	20-08	B	3811 Illinois Road
No Filing Received	No Filing Received	N/A	Fort Wayne Metals Research Products/Labeca	6-15	B	9503, 9609, 9733, 9735, 9821, 9823 Ardmore Avenue, 4010 Piper Drive, 9307 Avionics Drive, 3618 Ferguson Road, 10222 Airport Drive, 3401 McArthur Drive
No Filing Received	No Filing Received	N/A	Fort Wayne Metals Research Products	26-14	B	9503, 9609, 9733, 9735, 9821, 9823 Ardmore Avenue, 4010 Piper Drive, 9307 Avionics Drive, 3618 Ferguson Road, 10222 Airport Drive, 3401 McArthur Drive
No Filing Received		N/A	FW Convention, LLC	46-08	R	1150 South Harrison Street

EXHIBIT A
2017 COMPLIANCE WITH STATEMENT OF BENEFITS - NON-FILER

	No Filing Received	N/A	FXI, Inc.	40-11	P	3005 Commercial Road
No Filing Received		N/A	G&L Land Development, LLC for Ryker Reserve, LP	58-11	R	1825 Laverne Avenue
	No Filing Received	N/A	GT Automation Group	32-12	P	4422 Airport Expressway
	No Filing Received	N/A	GTA Acquisition, LLC for GT Automation Group	30-09	P	4422 Airport Expressway
	No Filing Received	N/A	Hoosier Pride Plastics	52-12	P	6120 Highview Drive
No Filing Received		N/A	Indiana Medical Associates	83-06	R	7900 West Jefferson Blvd
	No Filing Received	N/A	Irwin Hodson Group LLC	34-15	P	2980 E. Coliseum Blvd.
		N/A	JAC Real Estate, LLC (Ceruti's Summit Park) (Amend R-28-05)	72-07	B	6601 Innovation Boulevard
	No Filing Received	N/A	Lincoln National Life Insurance Company	77-11	P	1300 South Clinton Street
No Filing Received		N/A	Logikos, Inc.	19-11	R	9812 Dawson's Creek Boulevard
No Filing Received	No Filing Received	N/A	Marquis ID Systems/CM260 Enterprises, LLC	35-13	B	2914 Independence Drive
No Filing Received	Expired	N/A	MD Imaging (equipment acquired by St. Joseph Health System and filed under St. Joseph Health Systems)	25-07	B	801 West Main Street and 702 Van Buren Street
No Filing Received	No Filing Received	N/A	Medical Informatics Engineering, Inc. (K&L Holdings, Inc.)	74-06	B	6302 Constitution Drive
No Filing Received		N/A	Mediservice Leasing, LLC for Life, Inc.	31-14	R	4800 Block of Tyrone Road
No Filing Received		Expired	Old Fort Supply Co, Inc	7-15	R,V	3000 Wells Street
No Filing Received	No Filing Received	N/A	Old Fort Supply Company Inc	71-12	P	2000 Wayne Trace
No Filing Received		N/A	Paramount Properties, LLC (filed under Suburban Properties, LLC)	21-08	R	7729 Westfield Drive
No Filing Received		N/A	Patel Building Company, LLC for Fort Wayne Allergy and Asthma Consultants, Inc.	61-11	R	unassigned, Lutheran Hospital Campus, West Jefferson Boulevard
No Filing Received	Expired	N/A	Prairie Quest, Inc./525 W Jefferson(2013 - sold real property filed under Leona Works/Haley&Summers)	13-09	B	620 East Berry Street
	No Filing Received	N/A	Pyromation	70-06	P	5211 Industrial Road
	No Filing Received	N/A	Quake Manufacturing	17-12	P	3923 Engle Road
No Filing Received	No Filing Received	N/A	Revenue Cycle Service Center, LLC	21-15	B	2123 Lincolnway Court
No Filing Received		Expired	Rothberg Realty, LLC	31-09	R,V	505 East Washington Boulevard
No Filing Received	Expired	N/A	SES Environmental (Terrapin, LLC)	02-05	B	3807 Transportation Drive
No Filing Received		N/A	TOFIR, LLC for Eagle Tile Distributors	76-04	R	220 Fernhill Avenue
	No Filing Received	N/A	TransWorks (Amend R-88-04)	96-05	P	9910 Dupont Circle Drive East
No Filing Received	No Filing Received	N/A	Ward Aluminum Casting/Ward Pattern and Engineering	91-05	B	642 Growth Avenue
No Filing Received	No Filing Received	N/A	Ward Heat Treating, Inc.	92-05	B	7603 Opportunity Drive
No Filing Received		N/A	Watkins Motor Lines (Freight Terminals, Inc.) now under FedEx National LTL, Inc.	61-05	R	4901 Adams Center Road
	No Filing Received	N/A	WM Acquisition, LLC	14-11	P	4202 Piper Drive

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: Resolution Concerning Compliance with Statement of Benefits (CF-1) Form Filings for 2017 for Properties with Approved "Economic Revitalization Areas" under I.C.6-1.1-12.1

DEPARTMENT REQUESTING ORDINANCE: Community Development Division

SYNOPSIS OF ORDINANCE: This resolution affirms that certain companies with approved economic revitalization areas are not in substantial compliance pursuant to both Council policy and Indiana law because they did not file Compliance with Statement of Benefits (CF-1) Forms in May 2017

EFFECT OF PASSAGE: Provides notice to company that it has been found to be in substantial non-compliance and a hearing will be scheduled

EFFECT OF NON-PASSAGE: Potential loss of economic revitalization area deduction (property tax abatement/phase-in)

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

ASSIGNED TO COMMITTEE (PRESIDENT): Geoff Paddock and Jason Arp