BILL NO. R-17-07-22

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 4725 Arden Drive, Fort Wayne, Indiana 46804 (Paul A. Walters, LLC/Quality Engineering, Inc./PAW International, 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 six full-time permanent jobs and one part-time job for a total additional annual payroll of $174,800, with the average new annual job salary being $25,542 and retain four full-time permanent jobs with a total current payroll of $230,200 and an average salary of $57,550; and

WHEREAS, the total estimated project cost is $4,000,000; 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 $3.5721/$100.

(b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be $3.5721/$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 $3.5721/$100 (the change would be negligible).

(d) If the personal property for new manufacturing equipment is not installed, the approximate current year tax rates for this site would be $3.5721/$100.

(e) If the proposed personal property for new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be $3.5721/$100 (the change would be negligible).

(f) If the 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 $3.5721/$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 five 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 real property and personal 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 deduction schedule from the assessed value of new personal property 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 manufacturing equipment, 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 Assessor'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 five 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 real 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.

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Member of Council

APPROVED AS TO FORM A LEGALITY

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Carol Helton, City Attorney

DESCRIPTION: (as described in Commitment Number 17-7591)

Lot Numbered Seven (7) in Engle Ridge West, Section I, an addition to the City of Fort Wayne, Allen County, Indiana, as per plat thereof recorded June 26, 2001, in Plat Cabinet D, page 109, as Instrument Number 201043738, in the Office of the Recorder of Allen County, Indiana, EXCEPT that part described as follows:

A part of Lot Number Seven (7) as known and designated on the recorded Plat of Engle Ridge West, Section I, as recorded in Document Number 201043738 in the Office of the Recorder of Allen County, Indiana, described as follows:

Beginning at a 5/8 inch rebar stake at the Southeast corner of said Lot Number Seven (7); thence North 90 Degrees 00 Minutes 00 Seconds West (Plat bearing and the basis for these bearings), 287.12 feet to a 5/8 inch rebar stake at the Southwest corner of said Lot Number Seven (7); thence Northwesterly, 73.30 feet along a non-tangent curve to the left, whose radius is 70.00 feet and falls West and on the Westerly extension of the South line of said Lot Number (7), whose chord is 70.00 feet and bears, North 29 Degrees 57 Minutes 52 Seconds West, to a 5/8 inch rebar stake on the West line of said Lot Number Seven (7); thence North 00 Degrees 00 minutes 00 seconds West, 65.35 feet along said West line to a 5/8 inch rebar stake; thence South 90 degrees 00 minutes 00 seconds East, 322.09 feet parallel with the South line of said Lot Number Seven (7) to a 5/8 inch rebar stake on the East line of said Lot Number Seven (7); thence South 00 degrees 00 Minutes 00 Seconds East, 126.00 feet along said East line to the place of beginning, containing 0.89 acres more or less.

EXHIBIT A

NEW ORIGINAL REMAINDER DESCRIPTION:

Part of Lot Number 7 in Engle Ridge West, Section I, as recorded in Plat Cabinet D, page 109, and Document Number 201043738 in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows, to wit:

Commencing at a #5 rebar marking the Southeast corner of said Lot Number 7, thence North 00 degrees 00 minutes 00 seconds West (plat bearing and basis for all bearings in this description), on and along the East line of said Lot Number 7, a distance of 126.00 feet to a #5 rebar at the Northeast corner of a 0.89 acre tract described in a deed to Thomas A. Lehman, Sr., and Kathryn L. Lehman in Document Number 2011017159 in the Office of the Recorder of Allen County, Indiana, this being the true point of beginning; thence North 00 degrees 00 minutes 00 seconds West, continuing on and along the East line of said Lot Number 7, a distance of 134.26 feet to a #5 rebar at the Northeast corner thereof; thence North 45 degrees 00 minutes 00 seconds West, on and along the North line of said Lot Number 7, a distance of 296.49 feet to a #5 rebar at the most Northerly corner thereof; thence South 45 degrees 00 minutes 00 seconds West, on and along the West line of said Lot Number 7, being also the East right-of-way line of Arden Drive, a distance of 82.42 feet to a #5 rebar at the point of curvature of a tangent circular curve to the left having a radius of 185.00 feet; thence Southwesterly, continuing on and along the West line of said Lot Number 7 and said right-of-way line, as defined by the arc of said curve, an arc distance of 145.30 feet, being subtended by a long chord having a length of 141.59 feet and a bearing of South 22 degrees 30 minutes 00 seconds West, to the point of tangency; thence South 00 degrees 00 minutes 00 seconds West, continuing on and along the West line of said Lot Number 7 and said right-of-way line, and tangent to said curve, a distance of 154.84 feet to a #5 rebar at the Northwest corner of said 0.89 acre tract; thence South 90 degrees 00 minutes 00 seconds East, on and along the North line of said 0.89 acre tract, a distance of 322.12 feet to the true point of beginning, containing 1.877 acres of land, and subject to all easements and limitations of record. This description is based on an original survey by Sauer Land Surveying, Inc., Survey No. 119-167, dated March 28, 2017.

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 Paul A. Walters, LLC/Quality Engineering, Inc./PAW International, Inc. for real and personal property improvements in the amount of $4,000,000. Paul A. Walters, LLC/Quality Engineering, Inc./PAW International, Inc. will construct two new buildings and purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **Six new full-time positions and on new part-time position will be created. Real property improvements will be made and new personal property manufacturing equipment will be purchased and installed.**

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

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

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