

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 101 E. Washington Blvd.,
Fort Wayne, Indiana 46802 (One Summit II, 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 retain 407 full-time, and 47 part-time permanent jobs for a current annual payroll of \$21,976,330, with the average current annual job salary being \$49,054; and

WHEREAS, the total estimated project cost is \$4,500,000; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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.

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 redevelopment or rehabilitation, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

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 occurs 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).

SECTION 6. 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 ten years.

SECTION 7. The deduction schedule from the assessed value of the real property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%
11	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.

SECTION 9. 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

1 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
2 Development Division and must be included with the deduction application. For subsequent
3 years, the performance report must be updated each year in which the deduction is
4 applicable at the same time the property owner is required to file a personal property tax
5 return in the taxing district in which the property for which the deduction was granted is
6 located. If the taxpayer does not file a personal property tax return in the taxing district in
7 which the property is located, the information must be provided by May 15.

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

- 9 A. The cost and description of real property improvements.
10 B. The number of employees hired through the end of the preceding calendar year
11 as a result of the deduction.
12 C. The total salaries of the employees hired through the end of the preceding
13 calendar year as a result of the deduction.
14 D. The total number of employees employed at the facility receiving the deduction.
15 E. The total assessed value of the real property deductions.
16 F. The tax savings resulting from the real property being abated.

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

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

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

28 _____
29 Member of Council

30 APPROVED AS TO FORM A LEGALITY

Carol Helton, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF THE REAL ESTATE

TRACT 1:

(A) THE FOLLOWING DESCRIBED REAL ESTATE LOCATED IN ALLEN COUNTY, INDIANA; LOTS NUMBERED 190, 189, 188, 187 AND 186 EXCEPT FOR THE EAST FIVE (5) FEET THEREOF, AND THE VACATED ALLEY ADJACENT TO AND BETWEEN SAID LOTS NUMBERED 187 AND 188, ALL IN THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, AS RECORDED IN DEED RECORD D, PAGE 169, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, EXCEPT FOR THE AIR SPACE ABOVE 830.00 FEET ABOVE MEAN SEA LEVEL OVER THE FOLLOWING DESCRIBED PART OF THE REAL ESTATE DESCRIBED ABOVE:

THE EAST ELEVEN (11) FEET OF LOT NUMBER 188, ALL OF LOT NUMBER 187, LOT NUMBER 186 EXCEPT FOR THE EAST FIVE (5) FEET THEREOF, AND THE VACATED ALLEY ADJACENT TO AND BETWEEN LOTS NUMBERED 187 AND 188, ALL IN THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.

(B) THE SOUTH HALF OF THE VACATED (GENERAL ORDINANCE NO. G-30-83) EAST-WEST ALLEY WHICH LIES SOUTH OF WAYNE STREET AND NORTH OF WASHINGTON BOULEVARD, WHICH IS ADJACENT AND NORTH OF LOTS NUMBERED 190, 189, 188, 187 AND 186, EXCEPT THE EAST 5 FEET THEREOF, AND THE ALLEY BETWEEN LOTS NUMBERED 187 AND 188, ALL IN THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, AS RECORDED IN DEED RECORD D, PAGE 169, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.

TRACT 2:

EASEMENTS IN, UNDER AND ALONG THE FOLLOWING DESCRIBED TRACTS OF REAL ESTATE LOCATED IN ALLEN COUNTY, INDIANA, GRANTED BY THE CITY OF FORT WAYNE, INDIANA, TO INDIANA FRANKLIN REALTY, INC., ITS SUCCESSORS AND ASSIGNS, BY PERPETUAL EASEMENT DATED OCTOBER 16, 1978, RECORDED NOVEMBER 3, 1978 AS DOCUMENT NUMBER 78-35490, FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND REMOVAL OF SUBSURFACE FOOTINGS FOR THE IMPROVEMENTS LOCATED ON THE REAL ESTATE DESCRIBED IN TRACT 1 HEREOF, AND ASSIGNED BY SAID GRANTEE TO ONE SUMMIT ASSOCIATES AND THE TEMPORARY EASEMENT GRANTED THEREWITH:

(A) EASEMENT IN CALHOUN STREET:

COMMENCING AT A POINT ON THE WEST PROPERTY LINE OF LOT NUMBER 190 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH POINT IS TEN FEET ELEVEN AND THREE-QUARTER INCHES NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE WEST, A DISTANCE OF ONE FOOT TO A POINT IN THE PUBLIC RIGHT-OF-WAY KNOWN AS CALHOUN STREET; THENCE IN A NORTHERLY DIRECTION PARALLEL WITH AND CONSTANTLY ONE FOOT WEST OF THE SAID WEST LINE OF THE SAID LOT NUMBER 190, A DISTANCE OF THIRTY-FOUR FEET FOUR INCHES; THENCE WEST, A DISTANCE OF SEVEN INCHES; THENCE IN A NORTHERLY DIRECTION AND PARALLEL WITH THE WEST LINE OF SAID LOT NUMBER 190 AND

CONSTANTLY A DISTANCE OF ONE FOOT SEVEN INCHES WEST THEREOF, A DISTANCE OF SIX FEET; THENCE EAST, A DISTANCE OF SEVEN INCHES; THENCE IN A NORTHERLY DIRECTION PARALLEL TO AND CONSTANTLY ONE FOOT WEST OF THE SAID WEST LINE OF THE SAID LOT NUMBER 190, A DISTANCE OF TWENTY-EIGHT FEET SIX AND ONE-QUARTER INCHES; THENCE WEST FURTHER INTO THE PUBLIC RIGHT-OF-WAY KNOWN AS CALHOUN STREET, A DISTANCE OF SIX FEET SIX INCHES; THENCE IN A NORTHERLY DIRECTION AND PARALLEL TO THE WEST LINE OF THE SAID LOT NUMBER 190 AND CONSTANTLY, A DISTANCE OF SEVEN FEET SIX INCHES THEREFROM, A DISTANCE OF SEVENTY FEET TWO INCHES TO A POINT WHICH IS IN THE PUBLIC RIGHT-OF-WAY KNOWN AS CALHOUN STREET AND THE PUBLIC RIGHT-OF-WAY WHICH IS AN EAST-WEST ALLEY LYING BETWEEN WASHINGTON BOULEVARD AND WAYNE STREET, ONE FOOT NORTH AND SEVEN FEET SIX INCHES WEST OF THE NORTHWEST CORNER OF THE SAID LOT NUMBER 190; THENCE IN AN EASTERLY DIRECTION, A DISTANCE OF SEVEN FEET SIX INCHES TO A POINT WHICH IS ONE FOOT NORTH OF THE NORTHWEST CORNER OF SAID LOT NUMBER 190; THENCE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF THE SAID LOT NUMBER 190 PROJECTED NORTHWARD AND ALONG SAID WEST LINE, A DISTANCE OF ONE HUNDRED FORTY FEET ONE-QUARTER INCH TO THE PLACE OF BEGINNING.

(B) EASEMENT IN WASHINGTON BOULEVARD:

COMMENCING AT A POINT ON THE SOUTH LINE OF LOT NUMBER 189 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH IS ONE HUNDRED EIGHT FEET SIX AND ONE-HALF INCHES EAST OF THE SOUTHWEST CORNER OF LOT NUMBER 190 OF THE SAID ADDITION; THENCE IN A SOUTHERLY DIRECTION INTO THE PUBLIC RIGHT-OF-WAY KNOWN AS WASHINGTON BOULEVARD, A DISTANCE OF ONE FOOT; THENCE IN AN EASTERLY DIRECTION PARALLEL TO AND CONSTANTLY ONE FOOT SOUTH OF THE SOUTH LINE OF THE SAID LOT 189, AND LOTS 188, 187 AND 186 OF THE SAID PLAT, A DISTANCE OF ONE HUNDRED FORTY-FOUR FEET THREE AND ONE-HALF INCHES TO A POINT; THENCE IN A NORTHERLY DIRECTION A DISTANCE OF ONE FOOT TO THE SOUTH LINE OF SAID LOT 186 OF THE SAID PLAT; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF SAID LOTS 186, 187, 188 AND 189 OF THE SAID PLAT TO THE POINT OF BEGINNING.

TRACT 3:

EASEMENT TO CONSTRUCT AND MAINTAIN FOOTINGS UNDER AND ON THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE LOCATED IN ALLEN COUNTY, INDIANA, GRANTED BY THE CITY OF FORT WAYNE, INDIANA, TO INDIANA FRANKLIN REALTY, INC. BY PERPETUAL EASEMENT RECORDED MARCH 16, 1979 AS DOCUMENT NUMBER 79-06787:

COMMENCING AT A POINT ON THE WEST PROPERTY LINE OF LOT NUMBER 190 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH POINT IS TEN FEET ELEVEN AND THREE-QUARTER INCHES NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE WEST, A DISTANCE OF ONE FOOT TO A POINT IN THE PUBLIC RIGHT-OF-WAY KNOWN AS CALHOUN STREET; THENCE IN A NORTHERLY DIRECTION PARALLEL WITH AND CONSTANTLY ONE FOOT WEST OF THE SAID WEST LINE OF THE SAID LOT NUMBER 190, A DISTANCE OF THIRTY-FOUR FEET FOUR INCHES; THENCE WEST, A DISTANCE OF SEVEN INCHES; THENCE IN A NORTHERLY DIRECTION AND PARALLEL WITH THE WEST LINE OF SAID LOT NUMBER 190 AND

CONSTANTLY A DISTANCE OF ONE FOOT SEVEN INCHES WEST THEREOF, A DISTANCE OF SIX FEET; THENCE EAST, A DISTANCE OF SEVEN INCHES; THENCE IN A NORTHERLY DIRECTION PARALLEL TO AND CONSTANTLY ONE FOOT WEST OF THE SAID WEST LINE OF THE SAID LOT NUMBER 190, A DISTANCE OF TWENTY-EIGHT FEET SIX AND ONE-QUARTER INCHES; THENCE WEST FURTHER INTO THE PUBLIC RIGHT-OF-WAY KNOWN AS CALHOUN STREET, A DISTANCE OF SIX FEET SIX INCHES; THENCE IN A SOUTHEASTERLY DIRECTION, A DISTANCE OF TWENTY-FOUR FEET THREE INCHES TO A POINT THREE FEET WEST OF THE WEST LINE OF SAID LOT NUMBER 190; THENCE IN A SOUTHERLY DIRECTION AND PARALLEL TO THE WEST LINE OF SAID LOT NUMBER 190 AND CONSTANTLY A DISTANCE OF THREE FEET THEREFROM, A DISTANCE OF FORTY-EIGHT FEET; THENCE EAST, A DISTANCE OF THREE FEET TO A POINT ON THE WEST LINE OF SAID LOT NUMBER 190, SAID POINT BEING SEVEN FEET ELEVEN AND THREE-QUARTERS INCHES NORTH OF THE SOUTHWEST CORNER OF SAID LOT NUMBER 190; THENCE NORTH ALONG THE WEST LINE OF SAID LOT NUMBER 190, A DISTANCE OF THREE FEET TO THE POINT OF BEGINNING.

TRACT 4:

EASEMENT IN, UNDER AND ALONG THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE LOCATED IN ALLEN COUNTY, INDIANA, GRANTED BY THE CITY OF FORT WAYNE, INDIANA, TO INDIANA FRANKLIN REALTY, INC., ITS SUCCESSORS AND ASSIGNS, BY PERPETUAL EASEMENT DATED MAY 28, 1980, RECORDED JUNE 26, 1980 AS DOCUMENT NUMBER 80-13166, FOR THE CONSTRUCTION, MAINTENANCE, REPLACEMENT AND REMOVAL OF SUBSURFACE FOOTINGS FOR THE IMPROVEMENTS LOCATED ON THE REAL ESTATE DESCRIBED IN TRACT 1 HEREOF, AND ASSIGNED BY SAID GRANTEE TO ONE SUMMIT ASSOCIATES AND THE TEMPORARY EASEMENT GRANTED THEREWITH:

(A) EASEMENT IN WASHINGTON BOULEVARD:

COMMENCING AT A POINT ON THE SOUTH LINE OF LOT NUMBER 189 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH IS ONE HUNDRED FEET, SIX AND ONE-HALF INCHES EAST OF THE SOUTHWEST CORNER OF LOT NUMBER 190 OF SAID ADDITION; THENCE IN A SOUTHERLY DIRECTION INTO THE PUBLIC RIGHT-OF-WAY KNOWN AS WASHINGTON BOULEVARD, A DISTANCE OF FIVE FEET, TWO INCHES; THENCE IN AN EASTERLY DIRECTION PARALLEL TO AND CONSTANTLY FIVE FEET, TWO INCHES SOUTH OF THE SOUTH LINE OF LOT NUMBER 189 OF SAID ADDITION, A DISTANCE OF ELEVEN FEET; THENCE IN A NORTHERLY DIRECTION, A DISTANCE OF FOUR FEET, TWO INCHES; THENCE IN A WESTERLY DIRECTION PARALLEL TO AND CONSTANTLY ONE FOOT SOUTH OF THE SOUTH LINE OF LOT NUMBER 189 OF SAID ADDITION, A DISTANCE OF THREE FEET; THENCE IN A NORTHERLY DIRECTION, A DISTANCE OF ONE FOOT TO A POINT ON THE SOUTH LINE OF LOT NUMBER 189 OF SAID ADDITION, SAID POINT BEING ONE HUNDRED EIGHT FEET SIX AND ONE-HALF INCHES EAST OF THE SOUTHWEST CORNER OF LOT NUMBER 190 OF SAID ADDITION; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF LOT NUMBER 189, A DISTANCE OF EIGHT FEET TO THE POINT OF BEGINNING.

TRACT 5:

EASEMENT WITHIN THE FOLLOWING DESCRIBED AIR SPACE, GRANTED BY THE CITY OF FORT WAYNE, INDIANA, TO ONE SUMMIT ASSOCIATES, BY PERPETUAL RIGHT-OF-WAY AND EASEMENT DATED NOVEMBER 14, 1980, RECORDED APRIL 29, 1981 AS DOCUMENT

NUMBER 81-8197 TO CONSTRUCT, INSTALL, ERECT, OCCUPY, MAINTAIN, IMPROVE, REPLACE AND REMOVE A PEDESTRIAN BRIDGE IN SAID AIR SPACE:

(A) EASEMENT ABOVE WASHINGTON BOULEVARD:

A PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 30 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD, 99.3 FEET EAST OF THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD WITH THE EAST RIGHT-OF-WAY LINE OF CALHOUN STREET, IN THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF WASHINGTON BOULEVARD, A DISTANCE OF 11 FEET; THENCE SOUTH TO A POINT ON THE NORTH EXTERIOR WALL OF THE FORT WAYNE MUNICIPAL PARKING GARAGE AS LOCATED ON LOT NUMBER 110 IN SAMUEL HANNA'S FIRST ADDITION TO THE CITY OF FORT WAYNE, BEING A DISTANCE OF 66.5 FEET, MORE OR LESS, SAID POINT BEING 110.3 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF CALHOUN STREET; THENCE WEST ALONG SAID NORTH EXTERIOR WALL OF THE FORT WAYNE MUNICIPAL PARKING GARAGE, A DISTANCE OF 11 FEET; THENCE NORTH TO THE PLACE OF BEGINNING, BEING A DISTANCE OF 66.5 FEET, MORE OR LESS, FROM 806 FEET ABOVE SEA LEVEL TO 791 FEET ABOVE SEA LEVEL ACCORDING TO THE DATUM SHOWN ON THE PLANS.

TRACT 6:

INTENTIONALLY DELETED.

TRACT 7:

EASEMENT IN, UNDER AND ON THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE LOCATED IN ALLEN COUNTY, INDIANA, GRANTED BY THE CITY OF FORT WAYNE, INDIANA, TO ONE SUMMIT ASSOCIATES BY PERPETUAL RIGHT-OF-WAY AND EASEMENT DATED NOVEMBER 14, 1980, RECORDED APRIL 29, 1981 AS DOCUMENT NUMBER 81-8197 TO CONSTRUCT, INSTALL, ERECT, OCCUPY, MAINTAIN, IMPROVE, REPLACE AND REMOVE THE COLUMNS AND THE FOUNDATIONS AND FOOTINGS THEREFORE, SAID COLUMNS TO SUPPORT THE BRIDGE ABOVE WASHINGTON BOULEVARD:

(A) EASEMENT IN WASHINGTON BOULEVARD:

COMMENCING AT THE NORTHWEST CORNER OF LOT NUMBER 110 IN SAMUEL HANNA'S FIRST ADDITION TO THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA; THENCE EAST ALONG THE NORTH LINE OF SAID LOT NUMBER 110, A DISTANCE OF 98 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EAST ALONG SAID NORTH LINE, A DISTANCE OF 16 FEET; THENCE NORTH, A DISTANCE OF 5 FEET; THENCE WEST PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 16 FEET; THENCE SOUTH, A DISTANCE OF 5 FEET TO THE TRUE POINT OF BEGINNING.

AND

COMMENCING AT A POINT ON THE SOUTH LINE OF LOT NUMBER 189 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH IS ONE HUNDRED FEET SIX AND ONE-HALF INCHES EAST OF THE SOUTHWEST

CORNER OF LOT NUMBER 190 OF SAID ADDITION; THENCE IN A SOUTHERLY DIRECTION INTO THE PUBLIC RIGHT-OF-WAY KNOWN AS WASHINGTON BOULEVARD, A DISTANCE OF FIVE FEET TWO INCHES; THENCE IN AN EASTERLY DIRECTION PARALLEL TO AND CONSTANTLY FIVE FEET TWO INCHES SOUTH OF THE SOUTH LINE OF LOT NUMBER 189 OF SAID ADDITION, A DISTANCE OF ELEVEN FEET; THENCE IN A NORTHERLY DIRECTION, A DISTANCE OF FOUR FEET TWO INCHES; THENCE IN A WESTERLY DIRECTION PARALLEL TO AND CONSTANTLY ONE FOOT SOUTH OF THE SOUTH LINE OF LOT NUMBER 189 OF SAID ADDITION, A DISTANCE OF THREE FEET; THENCE IN A NORTHERLY DIRECTION, A DISTANCE OF ONE FOOT TO A POINT ON THE SOUTH LINE OF LOT NUMBER 189 OF SAID ADDITION, SAID POINT BEING ONE HUNDRED EIGHT FEET SIX AND ONE-HALF INCHES EAST OF THE SOUTHWEST CORNER OF LOT NUMBER 190 OF SAID ADDITION; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF LOT NUMBER 189, A DISTANCE OF EIGHT FEET TO THE POINT OF BEGINNING.

TRACT 8:

EASEMENT OVER THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE LOCATED IN ALLEN COUNTY, INDIANA, RESERVED IN DEED FROM PEOPLES TRUST BANK TO THE CITY OF FORT WAYNE, INDIANA DATED OCTOBER 5, 1979, RECORDED OCTOBER 9, 1979 AS DOCUMENT NUMBER 79-30945, FOR THE PURPOSE OF LOCATING, CONSTRUCTING AND MAINTAINING THE FOOTINGS FOR A PEDESTRIAN BRIDGE:

(A) EASEMENT IN HANNA'S ADDITION TO THE TOWN (NOW CITY) OF FORT WAYNE:

COMMENCING AT THE NORTHWEST CORNER OF LOT NUMBER 110 IN HANNA'S ADDITION TO THE TOWN (NOW CITY) OF FORT WAYNE, ALLEN COUNTY, INDIANA; THENCE EAST ALONG THE NORTH LINE OF SAID LOT NUMBER 110, A DISTANCE OF 98 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EAST ALONG SAID NORTH LINE, A DISTANCE OF 16 FEET; THENCE SOUTH, A DISTANCE OF 5 FEET; THENCE WEST PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 16 FEET; THENCE NORTH, A DISTANCE OF 5 FEET TO THE TRUE POINT OF BEGINNING.

TRACT 9:

EASEMENT WITHIN THE FOLLOWING DESCRIBED AIR SPACE, GRANTED BY THE CITY OF FORT WAYNE, INDIANA, TO ONE SUMMIT ASSOCIATES BY PERPETUAL RIGHT-OF-WAY AND EASEMENT DATED JUNE 16, 1981, RECORDED JULY 9, 1981 AS DOCUMENT NUMBER 81-14083 TO CONSTRUCT, INSTALL, ERECT, OCCUPY, MAINTAIN, IMPROVE, REPLACE AND REMOVE A CANOPY IN SAID AIR SPACE:

(A) EASEMENT ABOVE CALHOUN STREET:

A PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 30 NORTH, RANGE 12 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF LOT NUMBER 190 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH IS TWENTY-FOUR FEET NINE AND THREE-EIGHTHS INCHES (24 FT. 9-3/8 IN.) SOUTH OF THE NORTHWEST CORNER OF SAID LOT NUMBER 190; THENCE SOUTH ALONG SAID WEST LINE OF LOT NUMBER 190, A DISTANCE OF EIGHTEEN FEET ONE AND ONE-FOURTH INCHES (18 FT. 1-1/4 IN.); THENCE WEST, A DISTANCE OF ELEVEN FEET (11 FT.); THENCE

NORTH PARALLEL WITH SAID WEST LINE OF LOT NUMBER 190, A DISTANCE OF EIGHTEEN FEET AND ONE-FOURTH INCHES (18 FT. 1-1/4 IN.); THENCE EAST TO THE POINT OF BEGINNING, BEING A DISTANCE OF ELEVEN FEET (11 FT.), FROM SEVEN HUNDRED SEVENTY-EIGHT FEET SIX INCHES (778 FT. 6 IN.) ABOVE SEA LEVEL TO SEVEN HUNDRED NINETY FEET TWO AND ONE-HALF INCHES (790 FT. 2-1/2 IN.) ABOVE SEA LEVEL ACCORDING TO THE DATUM SHOWN ON EXHIBIT "A" TO THE PETITION FOR THIS RIGHT-OF-WAY AND EASEMENT FILED WITH GRANTOR ON JANUARY, 1981.

AND

COMMENCING AT A POINT ON THE WEST LINE OF LOT NUMBER 190 OF THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, INDIANA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, WHICH IS TWENTY-FOUR FEET NINE AND THREE-EIGHTHS INCHES (24 FT. 9-3/8 IN.) SOUTH OF THE NORTHWEST CORNER OF SAID LOT NUMBER 190; THENCE SOUTH ALONG SAID WEST LINE OF LOT NUMBER 190, A DISTANCE OF EIGHTEEN FEET ONE AND ONE-FOURTH INCHES (18 FT. 1-1/4 IN.); THENCE WEST, A DISTANCE OF TWO FEET (2 FT.); THENCE NORTH PARALLEL WITH SAID WEST LINE OF LOT NUMBER 190, A DISTANCE OF EIGHTEEN FEET ONE AND ONE-QUARTER INCHES (18 FT. 1-1/4 IN.); THENCE EAST TO THE POINT OF BEGINNING, BEING A DISTANCE OF TWO FEET (2 FT.), FROM SEVEN HUNDRED NINETY FEET TWO AND ONE-HALF INCHES (790 FT. 2-1/2 IN.) ABOVE SEA LEVEL TO EIGHT HUNDRED TWENTY-ONE FEET SIX INCHES (821 FT. 6 IN.) ABOVE SEA LEVEL ACCORDING TO THE DATUM SHOWN ON EXHIBIT "A" TO THE PETITION FOR THIS RIGHT-OF-WAY AND EASEMENT FILED WITH GRANTOR ON JANUARY, 1981.

TRACT 10:

EASEMENT TO USE, MAINTAIN, REPAIR AND REMOVE THE WALLS, CURBS, AND DRIVEWAYS, IN, ON, OVER AND ALONG THE FOLLOWING DESCRIBED PROPERTY AS ESTABLISHED AND GRANTED IN EASEMENT AND AGREEMENT, RECORDED OCTOBER 25, 1984 AS DOCUMENT NUMBER 84-026182, TO-WIT:

PART OF LOT NUMBER 186 AND PART OF LOT NUMBER 185 IN THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE, AS RECORDED IN THE PLAT THEREOF, IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT NUMBER 185 IN THE ORIGINAL PLAT OF THE TOWN (NOW CITY) OF FORT WAYNE; THENCE WEST ALONG THE NORTH LINE OF LOT NUMBER 185 AND LOT NUMBER 186, A DISTANCE OF 65 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF LOT NUMBER 186, A DISTANCE OF 150 FEET TO A POINT ON THE SOUTH LINE OF LOT NUMBER 186, SAID POINT BEING 5 FEET WEST OF THE SOUTHEAST CORNER OF LOT NUMBER 186; THENCE EAST ALONG THE SOUTH LINE OF LOT NUMBER 186, A DISTANCE OF 2.0 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF LOT NUMBER 186, A DISTANCE OF 100.0 FEET; THENCE NORTHEASTERLY WITH A DEFLECTION ANGLE TO THE RIGHT OF 69 DEGREES 00 MINUTES, A DISTANCE OF 9.75 FEET; THENCE NORTH WITH A DEFLECTION ANGLE TO THE LEFT OF 69 DEGREES 00 MINUTES AND PARALLEL TO THE WEST LINE OF LOT NUMBER 185, A DISTANCE OF 4 FEET; THENCE SOUTHWESTERLY WITH A DEFLECTION ANGLE TO THE LEFT OF 111 DEGREES 00 MINUTES, A DISTANCE OF 6.7 FEET; THENCE NORTH WITH A DEFLECTION ANGLE TO THE RIGHT OF 111 DEGREES 00 MINUTES, A DISTANCE OF 20.5 FEET; THENCE NORTHEASTERLY WITH A DEFLECTION ANGLE TO THE RIGHT OF 69 DEGREES 00 MINUTES, A DISTANCE OF 6.7 FEET;

THENCE NORTH WITH A DEFLECTION ANGLE TO THE LEFT OF 69 DEGREES 00 MINUTES, A DISTANCE OF 4.0 FEET; THENCE SOUTHWEST WITH A DEFLECTION ANGLE TO THE LEFT OF 111 DEGREES 00 MINUTES, A DISTANCE OF 9.75 FEET; THENCE NORTH WITH A DEFLECTION ANGLE TO THE RIGHT OF 111 DEGREES 00 MINUTES, A DISTANCE OF 1.1 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 18.7 FEET, A DISTANCE OF 29.38 FEET TO A POINT 1.3 FEET SOUTH OF THE NORTH LINE OF LOT NUMBER 185; THENCE EAST PARALLEL TO THE NORTH LINE OF LOT NUMBER 185, A DISTANCE OF 44.3 FEET TO THE EAST LINE OF LOT NUMBER 185; THENCE NORTH ALONG THE EAST LINE OF LOT NUMBER 185, A DISTANCE OF 1.3 FEET TO THE POINT OF TERMINATION.

EXHIBIT ~~27~~ 6

to Statement of Benefits Real Estate Improvements

Section 2. Location and Description of Proposed Project.

Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary)

Construction of significant real estate improvements to the interior of the building (specifically on Floors 2 and 5-11, and in main lobby area on Ground Floor), together with some exterior facade improvements. North American Van Lines, Inc. (taxpayer's tenant and hereafter "NAVL") will be occupying Floors 5-11. All such improvements will be made because of and in connection with taxpayer's underlying lease with NAVL.

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 One Summit II, LLC for real property improvements in the amount of \$4,500,000. One Summit II, LLC will prepare tenant space to be occupied by North American Van Lines/SIRVA who is relocating from its current location.**

EFFECT OF PASSAGE: **Investment of \$4,500,000 and the retention of 407 full-time and 41 part-time jobs.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and retention of 407 full-time and 41 part-time jobs.**

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

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