

BILL NO. R-17-10-19

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 7127, 7205, 7111 S.
Hanna St., Fort Wayne, Indiana 46816 (Fort Wayne AAL,
LP/Vermilion Development, 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 35 new full-time permanent jobs for a new annual payroll of \$1,539,000, with the average current annual job salary being \$43,971; and

WHEREAS, the total estimated project cost is \$23,000,000; 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.

SECTION 10. The performance report must contain the following information

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

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

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

SECTION 13. That, this Resolution shall be in full force and effect from and after its
23 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

Legal Descriptions

PIN 021225376001000074 - HOME GARDENS ADD LOT 42 SW OF HW (0.12 Acres).

That part of Lot Number Forty-Two (42), in Home Gardens Addition to the City of Fort Wayne, as recorded in Plat Record 8, page 79 in the Office of the Allen County Recorder lying south and west of U.S. Highway #27, as now established; Together with the north half of vacated Sylvia Street lying west of U.S. Highway #27, as vacated by General Ordinance G-33-98 approved September 25, 1998.

And:

PIN 021225376002000074 - LOT 43 & VAC ST ON N HOME GARDEN ADD EX H/W (0.49 Acres).

PIN 021225376003000074 - LOT 48 HOME GARDENS ADD EX H/W (0.80 Acres).

Lots Numbered Forty-Three (43) and Forty Eight (48) in Home Gardens Addition, as recorded in Plat Record 8, page 79 in the Office of the Allen County Recorder, except that part sold off for highway purposes in Deed Record 490, pages 526-527; Together with the south half of vacated Sylvia Street lying west of U.S. Highway #27, as vacated by General Ordinance G-33-98 approved September 25, 1998.

And:

PIN 021225376004000074 - LOT 49 HOME GARDENS ADD (0.96 Acres).

Lot Number Forty-Nine (49) in Home Gardens Addition, as recorded in Plat Record 8, page 79 in the Office of the Allen County Recorder.

And:

PIN 021225376005000074 - LOT 54 HOME GARDENS ADD (0.96 Acres).

Lot 54, Home Gardens Addition to the City of Fort Wayne, according to the plat thereof, as recorded in the Office of the Recorder of Allen County, Indiana, Plat Record 8, page 79.

And:

PIN 021225376006000074 - LOT 55 HOME GARDENS ADD (0.96 acres).

Lot Number 55 in Home Gardens Addition, as recorded in Plat Record 8, page 79 in the Office of the Allen County Recorder

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 Fort Wayne AAL, LP/Vermilion Development, LLC for real property improvements in the amount of \$23,000,000. Fort Wayne AAL, LP/Vermilion Development, LLC will construct a 119 unit affordable assisted living facility.**

EFFECT OF PASSAGE: **Investment of \$23,000,000 and the creation of 35 full-time jobs.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and creation of 35 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**