

3 **A CONFIRMING RESOLUTION designating an "Economic**
4 **Revitalization Area" under I.C. 6-1.1-12.1 for property**
5 **commonly known as 223 West Jefferson Boulevard, Fort**
6 **Wayne, Indiana 46802 (Hampton Inn & Suites Downtown Fort**
7 **Wayne Hotel/HIWAYNE LLC/White Lodging Services**
8 **Corporation)**

9 **WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution
10 the following described property as an "Economic Revitalization Area" under Sections 153.13-153.24 of
11 the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

12 **Attached hereto as "Exhibit A" as if a part herein; and**

13 **WHEREAS**, said project will create 23 full-time, permanent jobs for a total additional annual
14 payroll of \$772,000, with the average new annual job salary being \$33,565 and six part-time jobs with a
15 total new payroll of \$193,000 and an average salary of \$32,166; and

16 **WHEREAS**, the total estimated project cost is \$17,789,500; and

17 **WHEREAS**, a recommendation has been received from the Committee on Finance concerning
18 said Resolution; and

19 **WHEREAS**, notice of the adoption and substance of said Resolution has been published in
20 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
21 Resolution.

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

24 **SECTION 1.** That, the Resolution previously designating the above described property as an
25 "Economic Revitalization Area" is confirmed in all respects.

26 **SECTION 2.** That, the hereinabove described property is hereby declared an "Economic
27 Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this
28 Resolution and shall terminate on December 31, 2021, unless otherwise automatically extended in five
29 year increments per I.C. 6-1.1-12.1-9.

30 **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 improvements and
personal property for new information technology equipment improvements to be made between May 8,
2018 and June 6, 2018.

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 information technology 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 information technology 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 real estate and information technology equipment is not installed, the approximate current year tax rates for this site would be \$3.5721/\$100.
- (e) If the real estate and proposed information technology 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 real estate and proposed personal property for new information technology 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 ten years, and that the deduction from the assessed value of the new information technology equipment shall be for a period of seven 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	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%
11	0%

SECTION 8. The deduction schedule from the assessed value of new personal property information technology equipment 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 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 information technology 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 Auditor's Office, and the City of Fort Wayne's Community Development Division and must be included with the deduction application. For seven 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 ten 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.

- 1 B. The number of employees hired through the end of the preceding calendar year as a result of
2 the deduction.
3 C. The total salaries of the employees hired through the end of the preceding calendar year as a
4 result of the deduction.
5 D. The total number of employees employed at the facility receiving the deduction.
6 E. The total assessed value of the real and/or personal property deductions.
7 F. The tax savings resulting from the real and/or personal property being abated.

8 **SECTION 13.** That, the taxpayer is non-delinquent on any and all property tax due to
9 jurisdictions within Allen County, Indiana.

10 **SECTION 14.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a
11 deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as
12 determined by the county auditor in accordance with section 10 of said chapter if the property owner
13 ceases operations at the facility for which the deduction was granted and if the Common Council finds that
14 the property owner obtained the deduction by intentionally providing false information concerning the
15 property owner's plans to continue operation at the facility.

16 **SECTION 15.** That, this Resolution shall be in full force and effect from and after its passage
17 and any and all necessary approval by the Mayor.

18 _____
19 Member of Council

20 APPROVED AS TO FORM A LEGALITY

21 _____
22 Carol Helton, City Attorney

EXHIBIT "A"

Part of Lots 405, 406 and 407 of Hanna's Addition to the City of Fort Wayne, Indiana, according to the plat thereof, as originally recorded in Plat Book OA, page 16 and recopied in Deed Record C, page 525 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at the northeast corner of Lot 410 of said Hanna's Addition; thence South 79 degrees 01 minute 30 seconds West (assumed basis of bearings) on the northerly line of said Lot 410 and the Northerly line of Lots 409, 408 and 407 of said Hanna's Addition, also being the southerly right-of-way line of West Jefferson Boulevard, a distance of 192.46 feet to a point on the northerly line of said Lot 407 and the northwest corner of real estate described in Document 2009031477 in the Office of the Recorder of Allen County, said point being the POINT OF BEGINNING; thence South 10 degrees 58 minutes 30 seconds East on the west line of said real estate, a distance of 110.42 feet; thence South 79 degrees 01 minute 30 seconds West 7.31 feet; thence South 32 degrees 34 minutes 25 seconds West 20.00 feet; thence on a non-tangent curve to the left having a central angle of 41 degrees 58 minutes 22 seconds, a radius of 60.00 feet, a length of 43.95 feet and a chord of 42.98 feet bearing North 79 degrees 34 minutes 18 seconds West; thence South 79 degrees 01 minute 30 seconds West 65.70 feet; thence North 10 degrees 58 minutes 30 seconds West 109.23 feet to the northeast corner of Tract 1 as described in Document 2008003293 in said Recorder's Office, lying on the northerly line of said Lot 405 in Hanna's Addition and the southerly right-of-way line of West Jefferson Boulevard; thence North 79 degrees 01 minute 30 seconds East on the said northerly line of Lots 405, 406 and 407, being also said southerly right-of-way line of West Jefferson Boulevard, a distance of 126.80 feet to the point of beginning, containing 0.325 acre, more or less.

