

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 4030 Piper
Drive, Fort Wayne, Indiana 46809 (Advanced
Cutting Systems, 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 12 full-time, permanent jobs for a total new, annual payroll of \$355,000, with the average new annual job salary being \$29,583 and retain 40 full-time, permanent jobs for a current annual payroll of \$1,500,000, with the average current annual job salary being \$37,500; and

WHEREAS, the total estimated project cost is \$784,000; and

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

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**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 personal

property for new manufacturing equipment improvements to be made between July 1, 2018 and December 31, 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 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 installation 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 new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$3.4132/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.4132/\$100 (the change would be negligible).
- (c) If the proposed 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 \$3.4132/\$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 new manufacturing equipment shall be for a period of five years.

SECTION 7. The deduction schedule from the assessed value of new 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 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.

1 **SECTION 9.** For new manufacturing equipment, a deduction application must
2 contain a performance report showing the extent to which there has been compliance with
3 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
4 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
5 Wayne's Community Development Division and must be included with the deduction
6 application. For subsequent years, the performance report must be updated and submitted
7 along with the deduction application at the time of filing.

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

- 9 (a) The cost and description of real property improvements and/or new
10 manufacturing equipment acquired.
11 (b) The number of employees hired through the end of the preceding calendar year
12 as a result of the deduction.
13 (c) The total salaries of the employees hired through the end of the preceding
14 calendar year as a result of the deduction.
15 (d) The total number of employees employed at the facility receiving the deduction.
16 (e) The total assessed value of the real and/or personal property deductions.
17 (f) The tax savings resulting from the real and/or personal property being abated.

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

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

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

29
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Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

EXHIBIT A - LEGAL DESCRIPTION

Part of the Southeast Quarter of the Southeast Quarter in Section 5, Township 29 North, Range 12 East, in Allen County, Indiana, described as follows, to-wit:

BEGINNING at a point on the North line of the Southeast Quarter of the Southeast Quarter of Section 5, Township 29 North, Range 12 East, in Allen County, Indiana, said point being situated 480.0 feet North 89 degrees 13 minutes East assumed bearing and basis for all bearing of this description from the Northwest corner of the said Southeast Quarter of the Southeast Quarter of Section 5; thence North 89 degrees 13 minutes East 300.0 feet along the said North line of the Southeast Quarter of the Southeast Quarter of Section 5; thence South 01 degrees 36 minutes 11 seconds East (South 01 degrees 41 minutes East, recorded), 651.60 feet (652.7 feet, recorded) to the centerline of "C" Street in the said Southeast Quarter of the Southeast Quarter of Section 5; thence South 88 degrees 20 minutes 17 seconds West (South 88 degrees 11 minutes West, recorded), 300.0 feet along the said centerline of "C" Street; thence North 01 degrees 36 minutes 01 seconds West (North 01 degrees 41 minutes West, recorded), 656.2 feet (658.1 feet, recorded) on a line parallel to the West line of the said Southeast Quarter of the Southeast Quarter of Section 5 to the place of beginning, containing 4.514 acres of land, more or less.

EXCEPTING therefrom that part sold off to County of Allen in Document Number 81-17423 as shown at Item Number 121 and described as follows:

Part of the Southeast Quarter of the Southeast Quarter, Section 5, Township 29 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at a point on the North line of the Southeast Quarter of Section 5, Township 29 North, Range 12 East, said point being situated 780.0 feet North 89 degrees 13 minutes East from the Northwest corner of said Southeast Quarter of the Southeast Quarter; thence South 01 degrees 36 minutes 11 seconds East (South 01 degrees 41 minutes East, recorded), 626.6 feet (627.7 feet, recorded) to the point of beginning; thence continuing on South and parallel to said West line, a distance of 25.0 feet to the centerline of Piper Drive, formerly "C" Street; thence South 88 degrees 20 minutes 17 seconds West (South 88 degrees 11 minutes West, recorded) 300.0 feet along said centerline of Piper Drive; thence North 01 degrees 36 minutes 01 seconds West, (North 01 degrees 41 minutes West, recorded) on a line parallel to said West line, a distance of 25.0 feet; thence East parallel to and 25.0 feet North of said centerline of Piper Drive, a distance of 300.0 feet to the point of beginning, containing 0.17 acres of land, more or less.

END OF EXHIBIT A

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 Advanced Cutting Systems, Inc. who will purchase and install \$784,000 in new personal property manufacturing equipment that will support increased customer production requirements.**

EFFECT OF PASSAGE: **Investment of \$748,000, retention of 40 full-time jobs with an annual payroll of \$1,500,000 and create 12 new full-time jobs with an annual payroll of \$355,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, retention of 40 full-time jobs with an annual payroll of \$1,500,000 and creation of 12 new full-time jobs with an annual payroll of \$355,000.**

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

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