

DECLARATORY RESOLUTION NO. R-_____

**A DECLARATORY RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1 for
property commonly known as 3850 Concept Court, Fort
Wayne, Indiana 46808 (Rogers Markets, Inc.)**

WHEREAS, Petitioner has duly filed its petition dated May 30, 2018 to have the following described property designated and declared 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 result in a 60,000 square foot speculative building; and

WHEREAS, the total estimated project cost is \$3,800,000; and

WHEREAS, projects involving the redevelopment or rehabilitation of a speculative building are eligible to receive a ten-year phase-in without adhering to the City's Review System; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

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

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 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 2. That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an "Economic Revitalization Area";

(c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an "Economic Revitalization Area" for public hearing.

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 to be made between July 1, 2018 and June 30, 2019.

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. That, 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 \$3.4092/\$100.

(b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.4092/\$100 (the change would be negligible).

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2 (c) If the proposed development occurs and a deduction percentage of fifty percent
3 (50%) is assumed, the approximate current year tax rate for the site would be
4 \$3. 4092/\$100 (the change would be negligible).

5 **SECTION 6.** That, this Resolution shall be subject to being confirmed, modified
6 and confirmed, or rescinded after public hearing and receipt by Common.Council of the
7 above described recommendations and resolution, if applicable.

8 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
9 deduction from the assessed value of the real property shall be for a period of ten years.

10 **SECTION 8.** The deduction schedule from the assessed value of the real
11 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%

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13 **SECTION 9.** That, the benefits described in the Petitioner's Statement of Benefits
14 can be reasonably expected to result from the project and are sufficient to justify the
15 applicable deductions.

16 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due
17 to jurisdictions within Allen County, Indiana.

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

25 **SECTION 12.** That, this Resolution shall be in full force and effect from and after
26 its passage and any and all necessary approval by the Mayor.

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Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney