

BILL NO. R-18-06-18

RESOLUTION NO. R-_____

**A Resolution confirming the approving
order of the Fort Wayne Plan Commission
and Fort Wayne Redevelopment
Commission Resolution 2018-19
concerning establishment of Amendment
Number 1 to the West Highway 30
Economic Development Area**

WHEREAS, pursuant to the provisions of the Redevelopment of Blighted Areas Act of 1981, P.L. 309 and 310 of Acts of 1981 of the General Assembly of the State of Indiana, as amended and supplemented, on April 9, 2018, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution 2018-19, attached hereto as Exhibit A, for the purpose of establishing the Amendment Number 1 to the West Highway 30 Economic Development Area and tax allocation area ("EDA"); and

WHEREAS, on June 18, 2018, the Fort Wayne Plan Commission considered said Declaratory Resolution 2018-19 and the plan for redevelopment of the EDA attached thereto and adopted a Resolution, attached hereto as Exhibit B, whereby said Plan Commission determined that the plan for redevelopment of the EDA conformed to the plan for development of the City of Fort Wayne;

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

Section 1. The approvals of the Fort Wayne Redevelopment Commission and Fort Wayne Plan Commission described herein are hereby approved, ratified and confirmed.

Section 2. The geographic area described in the redevelopment plan attached to Declaratory Resolution 2018-19 is an economic development area as defined at IC 36-7-14 et seq.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval by the Fort Wayne Common Council and by the Mayor of the City of Fort Wayne.

Council Member

APPROVED as to form and legality

Carol Helton, City Attorney

EXHIBIT A

RESOLUTION 2018-19 FORT WAYNE REDEVELOPMENT COMMISSION

DECLARATORY RESOLUTION FOR AMENDMENT NUMBER 1 TO THE WEST HIGHWAY 30 REDEVELOPMENT PROJECT AREA AND ECONOMIC DEVELOPMENT AREA

WHEREAS, on February 26, 2004, the Fort Wayne Redevelopment Commission ("Commission") adopted Confirmatory Resolution 2004-10, establishing the West Highway 30 Economic Development Area and tax allocation area (collectively "EDA"); and

WHEREAS, the Commission has acquired 149± acres of real estate adjoining the EDA, and a private developer has proposed construction of a distribution center on real estate in the same general area as the Commission's real estate, both of which will require extensions of public infrastructure; and

WHEREAS, the Commission has investigated the existing public infrastructure in the vicinity of the Commission and developer real estate, and has prepared a redevelopment plan, attached hereto as Exhibit A, that will construct or reconstruct public infrastructure as necessary to support the Commission's and the private developer's plans, and will also be available to serve additional real estate in the area; and

WHEREAS, the Commission's commitment to development of the real estate described above requires the expansion of the EDA and tax allocation area pursuant to Indiana Code 36-7-14, in order to fund local public improvements that will support the proposed development plans;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission, that:

1. The foregoing recitals are true and are incorporated herein and made a part hereof.
2. The land within the boundaries described in section 2, "Boundary Description, Economic Development Area," of the *Development Plan for the West Highway 30 Amendment 1 Economic Development Area* ("Development Plan"), which Development Plan is attached hereto as Exhibit A and made a part hereof, is a "redevelopment project area" as that term is defined in, and for the purposes of Indiana Code ("IC") 36-7-14 et seq. ("RPA").
3. Pursuant to IC 36-7-14-41(b), the Commission hereby determines that the RPA is also an "economic development area" (collectively the "EDA-1") in that:
 - A. The plan for the EDA-1:
 1. Promotes significant opportunities for the gainful employment of its citizens;
 2. Attracts a major new business enterprise to the City of Fort Wayne ("City");
 3. Retains or expands a significant business enterprise existing in the boundaries of the City; or
 4. Meets other purposes of this section and IC 36-7-14-2.5 and IC 36-7-14-43.
 - B. The plan for the EDA-1 cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under this section and IC 36-7-14-2.5 and IC 36-7-14-43 because of:

1. Lack of local public improvement;
 2. Existence of improvements or conditions that lower the value of the land below that of nearby land;
 3. Multiple ownership of land; or
 4. Other similar conditions.
- C. The public health and welfare will be benefited by accomplishment of the plan for the EDA-1.
- D. The accomplishment of the plan for the EDA-1 will be a public utility and benefit as measured by:
 1. The attraction or retention of permanent jobs;
 2. An increase in the property tax base;
 3. Improved diversity of the economic base; or
 4. Other similar public benefits.
- E. The plan for the EDA-1 conforms to other development and redevelopment plans for the City.
4. The Development Plan is hereby approved, subject to any amendments to it that the Commission may approve in a resolution either confirming or amending and confirming this Resolution.
5. Pursuant to IC 36-7-14-15(a):
 - A. The land area described in the Development Plan is an area in the territory under the Commission's jurisdiction that is in need of redevelopment.
 - B. The public health and welfare will be benefited by the amendment of the existing declaratory resolution and the existing redevelopment plan.
6. Pursuant to IC 36-7-14-15(a)(4) and IC 36-7-14-15(d), the Commission, having prepared the Development Plan for the EDA-1 declares that:
 - A. The amendment is reasonable and appropriate when considered in relation to the existing resolution or plan and the purposes of IC 36-7-14;
 - B. The existing resolution or plan, with the proposed amendment, conforms to the comprehensive plan for the unit;
 - C. It will be of public utility and benefit to amend the existing resolution or plan for the area; and
 - D. Any additional area to be acquired under the amendment is designated as part of the existing redevelopment project area for purposes of IC 36-7-14.
7. The general boundaries of the EDA-1 are described and depicted in the Development Plan.
8. The Commission does not at this time intend to acquire any real estate within the boundaries of the EDA-1 in addition to the real estate already owned by the Commission in the EDA-1; however,

the Commission will, through its Department of Redevelopment, acquire additional real estate if required to implement the Development Plan.

9. As provided by IC 36-7-14-39(a), IC 36-7-14-39(b) and IC 36-7-14-43(a)(6), the entire area included in the boundary description in the Development Plan is an allocation area as that term is defined in, and qualifies for the allocation and distribution of property taxes pursuant to IC 36-7-14-39 ("Allocation Area").
10. The adoption of the allocation provision in this Resolution will result in new property taxes in the Allocation Area that would not have been generated but for the adoption of the allocation provision, because the proposed project contemplates the extension and reconstruction of significant public infrastructure, the cost of which cannot be accomplished solely with private-sector funds.
11. Pursuant to IC 36-7-14-39(a)(1), "base assessed value" as used in this Resolution means:
 - A. The net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of the allocation provision of this Resolution, as adjusted under IC 36-7-14-39(h); plus
 - B. To the extent that it is not included in subsection (A), the net assessed value of property that is assessed as residential property under the rules of the Indiana Department of Local Government Finance, as finally determined for any assessment date after the effective date of the allocation provision.
12. Pursuant to IC 36-7-14-39(b), after the date of adoption of a resolution that confirms the establishment of the EDA-1 and the Allocation Area, any property taxes levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the Allocation Area shall be allocated and distributed as follows:
 - A. Except as otherwise provided in this section, the proceeds of the taxes attributable to the lesser of:
 1. The assessed value of the property for the assessment date with respect to which the allocation and distribution is made; or
 2. The base assessed value,shall be allocated to and, when collected, paid into the funds of the respective taxing units.
 - B. The excess of the proceeds of the property taxes imposed for the assessment date with respect to which the allocation and distribution is made that are attributable to taxes imposed after being approved by the voters in a referendum or local public question conducted after April 30, 2010, not otherwise included in subsection (A), shall be allocated to and, when collected, paid into the funds of the taxing unit for which the referendum or local public question was conducted.
 - C. Except as otherwise provided in this section, property tax proceeds in excess of those described in subsections (A) and (B) shall be allocated to the City's redevelopment district and, when collected, paid into the allocation fund established for the Allocation Area that may be used by the Commission only to do one (1) or more of the following:

1. Pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the City's redevelopment district for the purpose of financing or refinancing the redevelopment of the Allocation Area.
2. Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in the Allocation Area.
3. Pay the principal of and interest on bonds payable from allocated tax proceeds in the Allocation Area and from the special tax levied under IC 36-7-14-27.
4. Pay the principal of and interest on bonds issued by the City to pay for local public improvements that are physically located in or physically connected to the Allocation Area.
5. Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in the Allocation Area.
6. Make payments on leases payable from allocated tax proceeds in the Allocation Area under IC 36-7-14-25.2.
7. Reimburse the City for expenditures made by it for local public improvements (which include buildings, parking facilities, and other items described in IC 36-7-14-25.1(a)) that are physically located in or physically connected to the Allocation Area.
8. Reimburse the City for rentals paid by it for a building or parking facility that is physically located in or physically connected to the Allocation Area under any lease entered into under IC 36-1-10.
9. For property taxes first due and payable before January 1, 2009, pay all or a part of a property tax replacement credit to taxpayers in the Allocation Area as determined by the Commission. This credit equals the amount determined under the following STEPS for each taxpayer in a taxing district (as defined in IC 6-1.1-1-20) that contains all or part of the Allocation Area:
 - a. STEP ONE: Determine that part of the sum of the amounts under IC 6-1.1-21-2(g)(1)(A), IC 6-1.1-21-2(g)(2), IC 6-1.1-21-2(g)(3), IC 6-1.1-21-2(g)(4), and IC 6-1.1-21-2(g)(5) (before their repeal) that is attributable to the taxing district.
 - b. STEP TWO: Divide:
 1. That part of each county's eligible property tax replacement amount (as defined in IC 6-1.1-21-2 (before its repeal)) for that year as determined under IC 6-1.1-21-4 (before its repeal) that is attributable to the taxing district; by
 2. The STEP ONE sum.
 - c. STEP THREE: Multiply:
 1. The STEP TWO quotient; times
 2. The total amount of the taxpayer's taxes (as defined in IC 6-1.1-21-2 (before its repeal)) levied in the taxing district that have been allocated during that year to an allocation fund under this section.

If not all the taxpayers in the Allocation Area receive the credit in full, each taxpayer in the Allocation Area is entitled to receive the same proportion of the credit. A taxpayer may not receive a credit under this section and a credit under IC 36-7-14-39.5 (before its repeal) in the same year.

10. Pay expenses incurred by the Commission for local public improvements that are in the Allocation Area or serving the Allocation Area. Public improvements include buildings, parking facilities, and other items described in IC 36-7-14-25.1(a).
11. Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located:

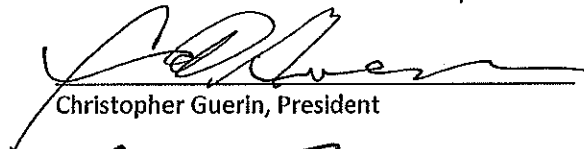
- a. In the Allocation Area; and
 - b. On a parcel of real property that has been classified as industrial property under the rules of the Indiana Department of Local Government Finance;
however, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this section. The reimbursements under this subsection must be made within three (3) years after the date on which the investments that are the basis for the increment financing are made.
12. Pay the costs of carrying out an eligible efficiency project (as defined in IC 36-9-41-1.5) within the City. However, property tax proceeds may be used under this subsection to pay the costs of carrying out an eligible efficiency project only if those property tax proceeds exceed the amount necessary to do the following:
- a. Make, when due, any payments required under subsections (1) through (11) above, including any payments of principal and interest on bonds and other obligations payable under this section, any payments of premiums under this section on the redemption before maturity of bonds, and any payments on leases payable under this section.
 - b. Make any reimbursements required under this section.
 - c. Pay any expenses required under this section.
 - d. Establish, augment, or restore any debt service reserve under this section.
13. Expend money and provide financial assistance as authorized in IC 36-7-14-12.2(a)(27).

D. The allocation fund shall not be used for operating expenses of the Commission.

13. Pursuant to IC 36-7-25-3(a), projects, improvements, or purposes that may be financed by the Commission in redevelopment project areas or economic development areas may be financed if the projects, improvements, or purposes are not located in those areas or the redevelopment district as long as the projects, improvements, or purposes directly serve or benefit those areas.
14. Pursuant to IC 36-7-14-39(b), the allocation provision in this Resolution shall expire on the later of:
- A. Twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds, or lease rentals on leases, payable from tax increment revenues; or
 - B. Twenty-five (25) years after the date of adoption of a resolution confirming or amending and confirming this Resolution.
15. Following adoption of this Resolution, the Executive Director shall deliver a copy of this Resolution and Development Plan to the City's Plan Commission for its review and determination as to whether the Resolution and Development Plan conform to the plan of development for the City, and shall request that the Plan Commission issue its written order approving the Resolution and Development Plan.
16. Following receipt of the Plan Commission's written approving order, the Executive Director shall deliver the approving order together with this Resolution and Development Plan to the City's Common Council, and shall request that the Council issue its written order approving the additional area as part of the existing redevelopment project area and approving the Resolution and Development Plan.

17. Following receipt of the Common Council's written approving order, the Executive Director shall publish notice of the adoption and substance of this Resolution together with notice of a public hearing to be held by the Commission in accordance with IC 5-3-1, IC 36-7-14-17(a) and IC 36-7-14-17(b), and shall mail the notices required by IC 36-7-14-17(c). In the event this resolution amends an existing redevelopment area, the Executive Director shall mail the notices required by IC 36-7-14-17.5(a) and IC 36-7-14-17.5(b) as required.
18. This Resolution shall be effective upon adoption.

FORT WAYNE REDEVELOPMENT COMMISSION


Christopher Guerin, President


Mark D. Becker, Secretary

ADOPTED: 9 April 2018

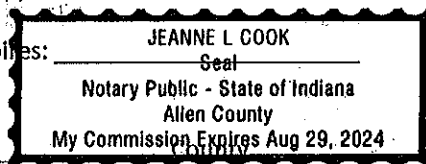
ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

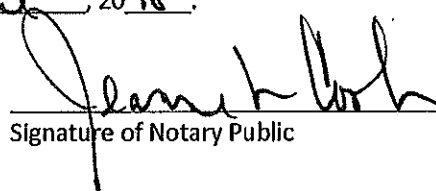
BEFORE ME, a Notary Public in and for said State and County, personally appeared Christopher Guerin and Mark D. Becker, and acknowledged the execution of the foregoing Resolution as a voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and seal this 10 day of April, 2018.

My Commission Expires:



Resident of _____

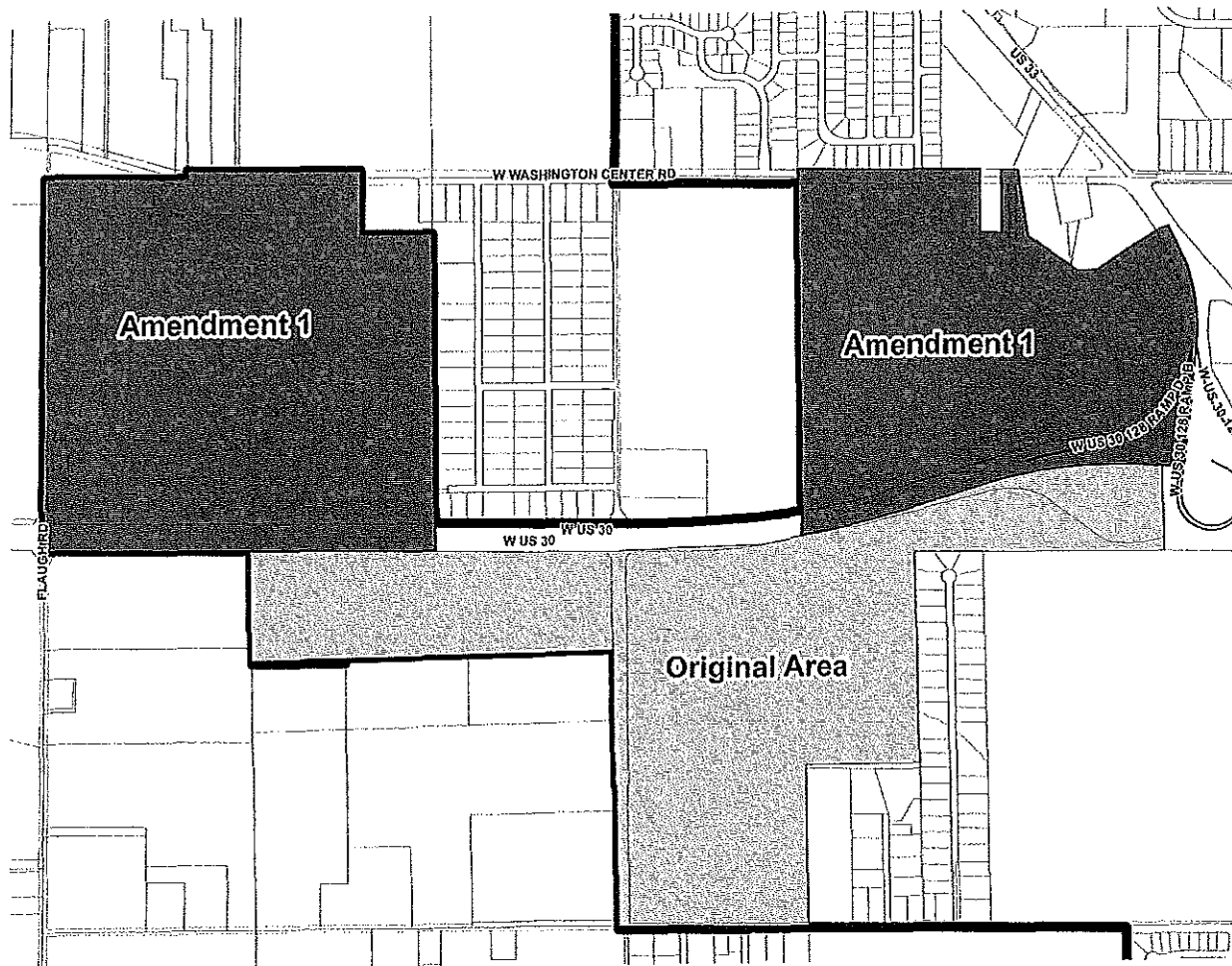

Signature of Notary Public

Printed Name

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig Berndt.

*This Instrument prepared by Craig Berndt, Community Development Administrator,
Department of Redevelopment, 200 East Berry Street, Suite 320, Fort Wayne, Indiana 46802.*

**REDEVELOPMENT PLAN
FOR THE
WEST HIGHWAY 30 ECONOMIC DEVELOPMENT AREA
AMENDMENT 1**



April 9, 2018

1. OVERVIEW

- A. The West Highway 30 Economic Development Area Amendment 1 ("EDA-1") encompasses 294.64 acres of land that includes approximately 35.0 acres of public road rights-of-way and 260.0 acres of potentially developable public and private real estate.
- B. The potentially developable real estate includes 149.63 acres owned by the City of Fort Wayne Redevelopment Commission ("Commission") that comprises the West Section, and two privately-owned tracts of 27.0 acres and 83.44 acres that comprise the East Section.
- C. Approximately 5,450 linear feet of EDA-1 boundary is contiguous to the boundary of the existing West Highway 30 Economic Development Area.
- D. The estimated cost for public infrastructure improvements outlined herein is \$12.35-million in 2018 dollars.

2. BOUNDARY DESCRIPTION, ECONOMIC DEVELOPMENT AREA

- A. West Section. A part of the of North Half of Section 19, Township 31 North, Range 12 East, Washington Township, in the City of Fort Wayne, Allen County, Indiana, and more particularly described as follows:

Beginning at a point on the south right-of-way line of US Highway 30 that is directly south of the southwest corner of a tract of real estate owned by the City of Fort Wayne Department of Redevelopment and recorded at document 2015051677 in the office of the recorder of Allen County, Indiana ("Redevelopment Tract"); thence northerly along the west line of said Redevelopment Tract a distance of approximately 2,630 feet to the northwest corner thereof; thence easterly along the north line of said Redevelopment Tract a distance of approximately 1,010 feet to a corner in the City's corporate limit line; thence north along the corporate limit line a distance of approximately 55 feet to the north right-of-way line of Washington Center Road; thence easterly along said north right-of-way and corporate limit line a distance of approximately 1,230 feet to a point directly north of a corner of said Redevelopment Tract; thence south along the boundary line of said Redevelopment Tract a distance of approximately 450 feet to a corner thereof; thence easterly along the boundary line of said Redevelopment Tract a distance of approximately 520 feet to the northeast corner thereof; thence southerly along the east line of said Redevelopment Tract and across US Highway 30 a distance of approximately 2,245 feet to the south right-of-way line of said US Highway 30, said point also being a point on the north line of the existing West Highway 30 EDA; thence westerly along said south right-of-way line and said West Highway 30 EDA line a distance of approximately 2,800 feet to the point of beginning, containing 165.25 acres more or less and as depicted on the map attached hereto as Enclosure A.

- B. East Section. A part of the of North Half of Section 20, Township 31 North, Range 12 East, Washington Township, in the City of Fort Wayne, Allen County, Indiana, and more particularly described as follows:

Beginning at a point on the south right-of-way line of US Highway 30 that is directly south of the southwest corner of a tract of real estate owned by Stanley Authenrieth Auction Group, LLC, and recorded at document 2007050302 in the office of the recorder of Allen County, Indiana ("Auction Tract"); thence northerly across US Highway 30 along the west line of said Auction tract and along the west line of a tract of real estate owned by AALCO Distributing Company, Inc., and recorded at document 2008011453 in the office of the recorder of Allen County, Indiana ("AALCO Tract"), a distance of approximately 2,600 feet to the north right-of-

way line of Washington Center Road; thence easterly along said north right-of-way line of said AALCO and Auction Tracts a distance of approximately 1,310 feet to a point north of a corner of said Auction Tract; thence south across Washington Center Road and along the boundary line of said Auction Tract a distance of approximately 445 feet to a corner of said Auction Tract; thence east, north, east, southeasterly and northeasterly along the boundary of said Auction Tract a distance of approximately 2,245 feet to the center of the Goshen Road right-of-way; thence southerly along said Goshen Road centerline a distance of approximately 1,740 feet to a point east of the northeast corner of a tract of real estate owned by the State of Indiana and recorded at document 2015061178 in the office of the recorder of Allen County, Indiana, said corner also being a corner in the south right-of-way line of US Highway 30; thence westerly across Goshen Road and along said south right-of-way line of US Highway 30, also being the north line of the existing West Highway 30 EDA, a distance of approximately 2,650 feet to the point of beginning, containing 129.40 acres more or less and as depicted on the map attached hereto as Enclosure A.

3. BOUNDARY DESCRIPTION, TAX ALLOCATION AREA

The boundary of the tax allocation area, as that term is defined in IC 36-7-14-39 ("Allocation Area"), is coterminous with the boundary of the EDA-1 described in Section 2 above and depicted on the attached Enclosure A.

4. REAL ESTATE IN THE ECONOMIC DEVELOPMENT AREA AND TAX ALLOCATION AREA

Parcels of real estate and highway rights-of-way within the boundaries of the EDA-1 and the Allocation Area are identified in Enclosure B.

5. POTENTIAL REDEVELOPMENT PROJECTS

A. Potential public improvements that will serve the West Section of EDA-1:

1. Extension of public sanitary sewer, potable water and stormwater facilities to the area.
2. Widening and paving Flaugh Rd. from US Highway 30 to Washington Center Rd.
3. Signalization of the US Highway 30-Flaugh Rd. intersection.
4. Widening, repaving, accel/decel lanes and related improvements on Washington Center Rd.

B. Potential public improvements that will serve the East Section of EDA-1:

1. Widening, repaving and construction of accel/decel lanes and related improvements on Washington Center Rd. between Goshen Rd. and Kroemer Rd.
2. Relocation of the public natural drain that crosses the AALCO and Auction tracts.
3. Construction and reconstruction of public sanitary sewer, potable water and stormwater facilities.

6. PROPERTY TO BE ACQUIRED

The City of Fort Wayne owns Washington Center Rd. and Flaugh Rd. where they adjoin the EDA-1. Both are public roads that are in and serve the EDA-1. The Commission owns a 149.63 acre tract of real estate in the West Section in Subsection 2(A) above. The Commission does not propose to acquire any additional real estate except as may be necessary to construct proposed public road and public utility facility improvements to implement this Redevelopment Plan.

7. RELOCATION OF RESIDENTS AND BUSINESSES

No relocation of residents or businesses has been completed or is required for implementation of this Redevelopment Plan.

8. ENVIRONMENTAL

- A. West Section. The West Section of EDA-1, owned in its entirety by the Commission, has never been developed and there is no evidence that prior or existing uses of real estate in that section have caused adverse environmental impacts. A phase 1 environmental site assessment has been conducted and no adverse conditions were discovered. Additional assessments will only be conducted if unforeseen conditions are discovered during site development that warrant further investigation.
- B. East Section. The environmental status in the East Section of EDA-1 is unknown, but there are no indications of adverse environmental conditions.

9. ZONING, LAND USE, COMPREHENSIVE PLAN

The zoning classifications in EDA-1 are:

- A. West Section. Currently zoned R1 Single Family Residential, which, as defined in section 157.206 of the City's zoning ordinance is "intended to create and maintain areas for single family residential uses on individual lots or tracts and to provide for a variety of areas for single family neighborhoods, along with certain additional uses." R1 zoning does not permit the uses proposed on this land. Rezoning to the appropriate commercial and/or industrial uses has been discussed with the Department of Planning Services ("DPS") is anticipated.
- B. East Section, AALCO Tract. Currently zoned I2 General Industrial, which, as defined in section 157.223 of the City's zoning ordinance "is intended to provide areas for assembly, distribution, fabricating, manufacturing, and processing industries where the operation is enclosed within a building and conducted in such a manner that no adverse impacts are created or emitted outside of the building(s)." The development proposed on this tract complies with the I2 zoning requirements.
- C. East Section, Auction Tract. Currently zoned C3 General Commercial, which, as defined in section 157.216 of the City's zoning ordinance is "intended to provide areas for a variety of commercial uses including certain high intensity uses not permitted in C1 and C2 districts. Uses typically found within this district include moderate intensity general business, community, office, personal service, and retail uses, along with certain residential facilities. Commercial uses in this district often serve the general public and therefore are usually located along arterial or collector roadways." The current use of this tract complies with the C3 zoning requirements.
- D. There are no historic overlay districts or historically designated properties in the EDA-1.

10. EXISTING PUBLIC UTILITY FACILITIES AND PUBLIC HIGHWAYS

- A. West Section.
 - 1. City potable water is available in Washington Center and Kroemer Rds., and sanitary sewer is available in Washington Center and Flaugh Rds., all of which can be extended to and into the West Section as required to serve proposed development. Stormwater

will be detained on-site pursuant to City regulations, and discharged into the City's stormwater conveyance system or into the county-regulated drain on the west side of the West Section, as required.

2. Washington Center Rd. is a paved two-lane highway in very good condition that borders the north side of the West Section. Flaugh Rd. along the west border of the section is a narrow two-lane gravel road that would not be able to adequately serve the site without full reconstruction. US-30 on the south side of the site is a limited access highway that cannot provide direct access to the site.

B. East Section.

1. City potable water, sanitary sewer and stormwater facilities are available in Washington Center Rd. adjoining both parcels in the East Section. Extensions of these utilities are not presently anticipated. Stormwater will be detained on-site pursuant to City regulations, and discharged into the City's stormwater conveyance system. A public natural drain that crosses part of the East Section will be partially relocated for development.
2. Washington Center Rd. is a paved two-lane highway in very good condition that borders the north side of the East Section. US-33 and US-30, which border the east and south sides of the East Section respectively, are a limited access highways that cannot provide direct access to the section.

11. FLOODPLAINS AND WETLANDS

- A. No part of the EDA-1 is in or adjoining the 100 year floodplain. The nearest 100 year floodplain is 3,600 feet (.68-mile) west of the west boundary of the EDA-1. Reference FEMA FIRM 18003C0165G.
- B. A wetland delineation has been completed on the West Section of the EDA-1. Statutory wetland areas have been identified and will be protected or replaced through an approved wetland mitigation plan. No known delineation has been completed in the East Section. GIS shows a statutory wetland on the Auction Tract, but it coincides with a constructed stormwater detention basin.

12. PROPOSED IMPROVEMENTS AND ESTIMATED EXPENSES

A. New Public Infrastructure

1. Potable Water Facilities.

- a. West Section, Off-Site. A public water main will need to be extended 1,320 lineal ft. in Wald St. from Kroemer Rd. west to the east boundary of the West Section. The estimated cost for design, easements and construction, excluding contingencies, is \$217,400 in 2018 dollars.
- b. West Section, On-Site. Public water facilities will be extended throughout the West Section. Preliminary plans have an estimated cost of \$1.32-million in 2018 dollars for design, easements, construction and contingencies.

- c. East Section. Public potable water extensions are not contemplated at this time but will be included as eligible projects if required to serve new developments in or adjoining the EDA-1.

2. Sanitary Sewer Facilities.

- a. West Section, Off-Site. A public sanitary sewer will need to be extended 2,750 lineal ft. along Flaugh Rd., from a pump station south of US-30, north to the midpoint of the West Section. The estimated cost for design, easements and construction, excluding contingencies, is \$771,500 in 2018 dollars.
- b. West Section, On-Site. Public sanitary sewer facilities will be extended throughout the West Section. Preliminary plans have an estimated cost of \$890,000 in 2018 dollars for design, easements, construction and contingencies.
- c. East Section. Public sanitary sewer extensions are not contemplated at this time but will be included as eligible projects if required to serve new developments in or adjoining the EDA-1.

3. Stormwater Facilities.

- a. West Section, Off-Site. Approximately 4,200 lineal ft. of the Hitzeman Branch 1 drainageway that drains most of the West Section must be reconstructed, running southwesterly from Flaugh Rd. to the Hitzeman Drain. The estimated cost for design, easements and construction is \$505,000 in 2018 dollars.
- b. West Section, On-Site. Public stormwater facilities will be constructed throughout the West Section, including stormwater detention basins and pipes. Preliminary plans have an estimated cost of \$884,400 in 2018 dollars for design, easements, construction and contingencies.
- c. East Section. Approximately 1,200 lineal ft. of a public natural drain crossing the East Section must be reconstructed, running southeasterly from Washington Center Rd. toward US-30. The estimated cost for design, easements and construction is \$217,000 in 2018 dollars. The remaining part of this drain located in and adjoining the EDA-1 that is not to be reconstructed at this time, about 3,000 lineal ft., will be an eligible expense if reconstruction is required in the future.

4. Highways, Trails, Sidewalks and Related Facilities.

West Section, Off-Site and On-Site. Flaugh Rd. will be widened, reconstructed and paved from US-30 to Washington Center Rd., a distance of approximately 2,700 lineal ft. A new traffic signal will be installed at the Flaugh-US-30 Intersection. Accel/decel lanes and associated curbs, gutters, sidewalks and stormwater drainage improvements will be constructed on Flaugh Rd. and on Washington Center Rd. New streets with curbs, gutters, trails, sidewalks and stormwater drainage improvements will be constructed within the site. The estimated cost for on-site and off-site clearing, site preparation and earthwork, design, right-of-way acquisition and construction of all West Section roadwork, trails, sidewalks and related facilities is \$7.3-million in 2018 dollars.

East Section. The Commission will construct accel/decel and passing lanes and related stormwater drainage improvements, along the AALCO Tract frontage on Washington

Center Rd. The estimated cost for design, right-of-way acquisition and construction is \$200,000 in 2018 dollars.

B. Additional Public Infrastructure

In addition to the public infrastructure listed in this Redevelopment Plan, and as permitted by IC 36-7-25-3(a) and IC 36-7-14-39(b), the actual costs incurred by the City or Commission in demolishing, constructing or reconstructing additional public infrastructure in and serving the EDA-1, including related design, property or right-of-way acquisition, construction and other fees, are eligible Allocation Area expenses. The Commission reserves the right at its sole discretion to add eligible public infrastructure projects to the list of projects in this Redevelopment Plan.

13. **FUNDING PRIORITIES**

The Commission will at its sole discretion determine project funding priorities based on Allocation Area revenue, other resources, and specific project requirements, among other considerations.

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ENCLOSURE A

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Created Dec. 8, 2011
PW: CDO: GKS-(your initials)

omission in this map.
North American Datum 1983
State Plane Coordinate System, Indiana East

February 28, 2018
Page 1 of 1

EXHIBIT B

RESOLUTION AND APPROVING ORDER CITY OF FORT WAYNE PLAN COMMISSION

APPROVING REDEVELOPMENT COMMISSION DECLARATORY RESOLUTION 2018-19 AND ESTABLISHMENT OF AMENDMENT NUMBER 1 TO THE WEST HIGHWAY 30 ECONOMIC DEVELOPMENT AREA

WHEREAS, on April 9, 2018, the Fort Wayne Redevelopment Commission ("Redevelopment Commission") adopted Declaratory Resolution 2018-19, for the purpose of establishing Amendment 1 to the West Highway 30 Economic Development Area and tax allocation area; and

WHEREAS, pursuant to IC 36-7-14-16, the Redevelopment Commission submitted the Declaratory Resolution together with the redevelopment plan and related support documents to the Fort Wayne Plan Commission ("Plan Commission") for the Plan Commission's consideration; and

WHEREAS, after having been duly considered, the Plan Commission determined that the Declaratory Resolution, redevelopment plan and related support documents conform to the plan of development for the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED by the City of Fort Wayne Plan Commission that:

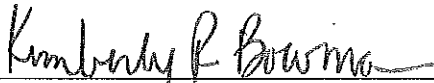
1. Redevelopment Commission Declaratory Resolution 2018-19, together with the redevelopment plan and related support documents attached thereto, conform to the plan of development for the City of Fort Wayne, and are hereby approved.
2. The Secretary of the Plan Commission is authorized to deliver to the Redevelopment Commission and to the City of Fort Wayne Common Council a copy of this fully executed Resolution, which shall constitute the approving order of the Plan Commission.

APPROVED AND ADOPTED by the Plan Commission at its Business Meeting on June 18, 2018.

CITY OF FORT WAYNE PLAN COMMISSION



Connie Haas Zuber, President



Kimberly R. Bowman, Secretary



REDEVELOPMENT COMMISSION

City of Fort Wayne
Community Development
200 East Berry Street, Suite 320
Fort Wayne IN 46802
260.427.1127 • 311

www.fwcommunitydevelopment.org

June 20, 2018

MEMO

To: City of Fort Wayne Common Council
Copy: City of Fort Wayne Redevelopment Commission
From: Craig Berndt, Community Development Administrator, Redevelopment Department, 427-2162 *CB*
Re: **Amendment Number 1 to the West Highway 30 Economic Development Area**

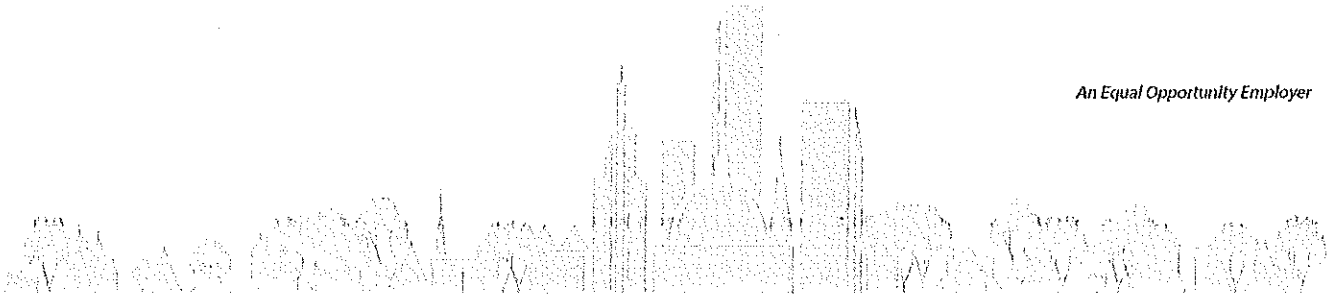
Pursuant to IC 36-7-14-16 and IC 36-7-14-41, please find enclosed herewith:

1. Fort Wayne Redevelopment Commission Declaratory Resolution 2018-19, together with the associated redevelopment plan and related documents that were approved by the Redevelopment Commission on April 9, 2018, for the purpose of establishing Amendment Number 1 to the West Highway 30 Economic Development Area; and
2. The Fort Wayne Plan Commission's Resolution dated June 18, 2018, wherein the Plan Commission determined that Declaratory Resolution 2018-19 and the redevelopment plan conform to the plan of development of the City of Fort Wayne.

The Redevelopment Commission hereby requests that the Common Council consider and approve the approvals of the Fort Wayne Redevelopment Commission and Fort Wayne Plan Commission, and that the Common Council determine that the geographic area described in Declaratory Resolution 2018-19 is an economic development area.

Following the Common Council's consideration and approval, the Redevelopment Commission will conduct a public hearing on establishment of the proposed urban renewal area, and will take appropriate action to confirm the Declaratory Resolution and redevelopment plan.

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DIGEST SHEET

TITLE OF RESOLUTION. A Resolution confirming the approving order of the Fort Wayne Plan Commission and Fort Wayne Redevelopment Commission Resolution 2018-19 concerning establishment of Amendment Number 1 to the West Highway 30 Economic Development Area.

DEPARTMENT REQUESTING RESOLUTION. Redevelopment Commission.

SYNOPSIS OF RESOLUTION. Approves establishment of the Amendment No.1 to the West Highway 30 Economic Development Area ("EDA"). The Redevelopment Commission must publish notice and conduct a public hearing prior to taking final action on amendment of the EDA.

EFFECT OF PASSAGE. Amendment No.1 to the West Highway 30 Economic Development Area contains approximately 260 acres of land exclusive of roads, bounded generally by Goshen Rd., Washington Center Rd., Flaugh Rd. and US-30. About 67% of the land has not been previously developed. Creation of the EDA will provide significant support for the extension of public utilities and preparation of the land for commercial and industrial developments. When completed, the EDA will increase the City's property tax base, increase employment opportunities, and give impetus to additional redevelopment and economic development.

EFFECT OF NON-PASSAGE. The public infrastructure improvements that are required to support redevelopment of the EDA will not occur within the timeframe necessary to support the goals in the development plan for the EDA. Businesses seeking land for new facilities will need to locate elsewhere, resulting in some cases in lost employment and lost real estate tax revenue.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS). Expenses of approximately \$12.3 million for public infrastructure improvements will be funded in part by tax increment generated through redevelopment and new development in the EDA.

ASSIGNED TO COMMITTEE (PRESIDENT). _____