

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 6708 Old Trail Road Fort Wayne, Indiana 46809 (Waynedale Ventures, LLC/H&H Leasing, 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, the total estimated project cost is \$500,000; 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 improvements to be made between September 1, 2018 and April 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. 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 \$3.4283/\$100.

(b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$3. 4283/\$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. 4283/\$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 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 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 10. The performance report must contain the following information

- A. The cost and description of real property improvements.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real property deductions.
- 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 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 has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was

granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

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

Member of Council

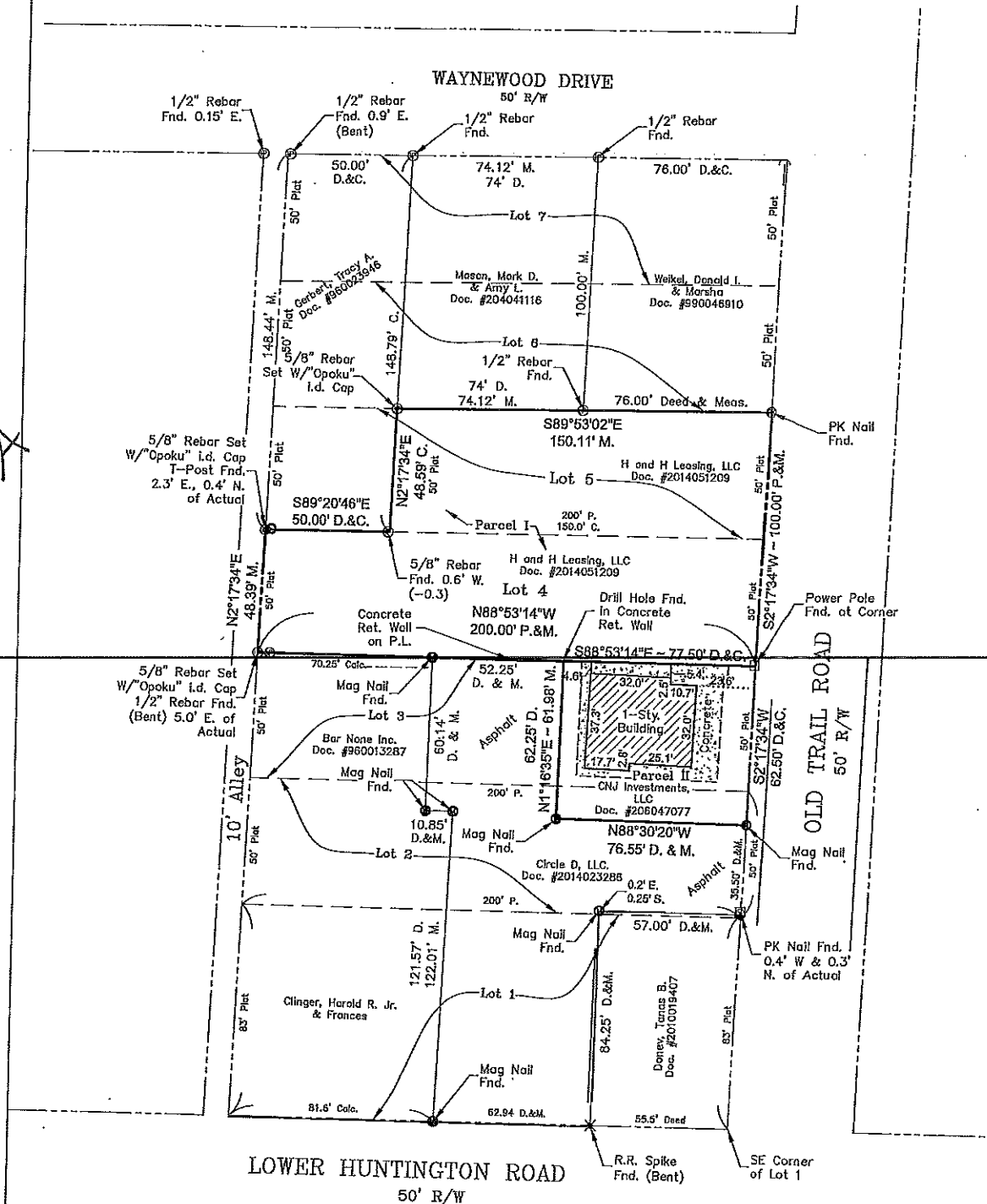
APPROVED AS TO FORM A LEGALITY

Carol Helton, City Attorney

CERTIFICATE OF SURVEY

PAGE 1 OF 3

The undersigned Land Surveyor, registered under the laws of the State of Indiana, hereby certifies that he has made a survey of the real estate depicted below. Measurements were made and monuments perpetuated as shown, in conformance with the record thereof in the office of the recorder of Allen County, Indiana. No encroachments existed. The description of the real estate is as follows, to wit: See Attached



LOWER HUNTINGTON ROAD
50' R/W



Parcel I = 0.40 Acres
Parcel II = 0.11 Acres
Total = 0.51 Acres

For: H and H Leasing, LLC
Job No. 14100141
Date of Fieldwork: October 31, 2014

IN WITNESS WHEREOF, I HEREBY PLACE MY HAND AND SEAL THIS
10TH DAY OF NOVEMBER, 2014.

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 965 IAC, Article 1, Rule 12, Section 1 thru 30.



Nana A. Opoku
Nana A. Opoku
Registered Land Surveyor 21200012

APEX CONSULTING & SURVEYING

RECORD DESCRIPTION

Parcel I (Document Number 2014051209)

Lot Number 4 in Elzey's Third Addition to the Original Plat of Waynedale and Lot Number 5 in Elzey's Third Addition to the Original Plat of Waynedale, except 50 feet of even width off the West end thereof, according to the recorded plat thereof in the Office of the Recorder of Allen County, Indiana.

Parcel II (Document Number 206047077)

Parts of Lots Numbered and 3 in Elzey's Third Addition to the Original Plat of Waynedale, as recorded in Plat Record 11, page 12, and more particularly described as follows:

BEGINNING at the Northeast corner of Lot Number 3, in Elzey's Third Addition to the Original Plat of Waynedale; thence Southerly along the East line of Lots Numbered 2 and 3 in said Addition a distance of 62.50 feet; thence Westerly a distance of 76.55 feet; thence Northerly a distance of 62.25 feet to a point on the North line of Lot Number 3 in said Addition; thence Easterly along the North line of said Lot Number 3 a distance of 77.5 feet to the point of beginning, together with the following ingress and egress easement:

An ingress and egress easement over a portion of Lots #2 and 3 in Elzey's Third Addition to the Original Plat of Waynedale and more particularly described as follows:

Commencing at the Northeast corner of Lot #3 in Elzey's Third Addition to the Original Plat of Waynedale; thence South along the East line of Lot #3 and 2 in said Addition a distance of 62.5 feet to the point of beginning.

Beginning at the above described point; thence Westerly a distance of 76.55 feet along the Southern boundary of the above-described real estate; thence South 20 feet; thence East 76.55 feet parallel to the North line of this easement; thence North 20 feet, more or less to the point of beginning.

**Surveyor's Report ~ Lot 4 and Part of Lots 2, 3, & 5 in Elzey's Third Addition to the
Original Plat of Waynedale**

SURVEYOR'S REPORT

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the following opinion is submitted regarding the various uncertainties in the locations of the lines and corners established on this parcel as a result of:

a) Variances in the reference monuments; b) Discrepancies in the record descriptions and plats; c) Inconsistencies in lines of occupation; d) Relative Positional Accuracy;

An electronic total station and data collector were used to collect data for physical location of pavement and lot corner monumentation was accomplished employing the total station using standard radial surveying techniques and dual GPS receivers. The bearing used as basis for this survey was derived by dual frequency GPS receivers connected to INDOT CORS Network.

INTENT: To retrace Lot 4 and parts of Lots 2, 3, & 5 in Elzey's Third Addition to the Original Plat of Waynedale; as described in Document Number 206047077 and 2014051209 all in the Office of the Recorder of Allen County, Indiana.

OCCUPATION: Shown on plat.

MONUMENTS FOUND: Found monuments, record descriptions, and recorded plat were used to establish the subject tract. Existing Lot corners were found as noted, corners not found were set as noted.

AMBIGUITIES: None

VARIATIONS:

Dimensions shown as Meas. (measured) were made by inverting between found monuments. Dimensions shown as Calc. (calculated) were developed with the intent to maintain the geometric relationship of the deed description in correlation to the monuments found.

As a result of the above findings, it is my opinion that the uncertainties in the locations of the lines and corners of this surveyed parcel are as follows:

Due to Variances in reference monuments	See Certificate of Survey
Due to Discrepancies in the record descriptions:	none
Due to Inconsistencies in lines of occupation:	none

The calculated Relative Positional Accuracy due to random errors in measurement of the corners of this survey is within the specifications for a Suburban Survey as defined in IAC 865.

REFERENCES:

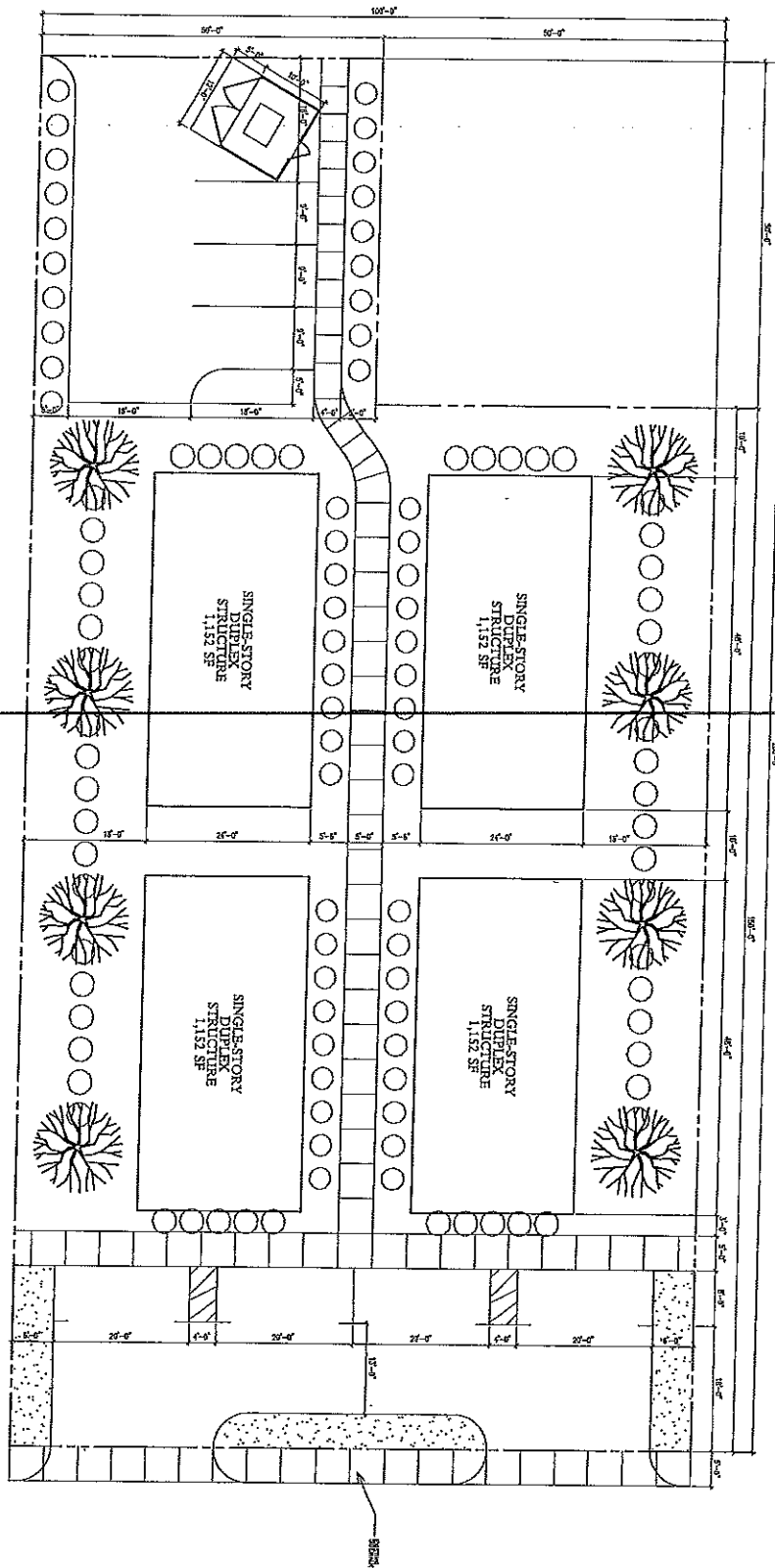
The opinion of this survey is based on the evidence extant at the date of this survey. A commitment for title insurance was not provided to this surveyor at the time of this report. An abstract or title search may reveal additional information affecting the property.

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Survey No. 14100141
APEX Consulting & Surveying
October 31, 2014

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ARCHITECTURAL SITE PLAN



A1.1

19009

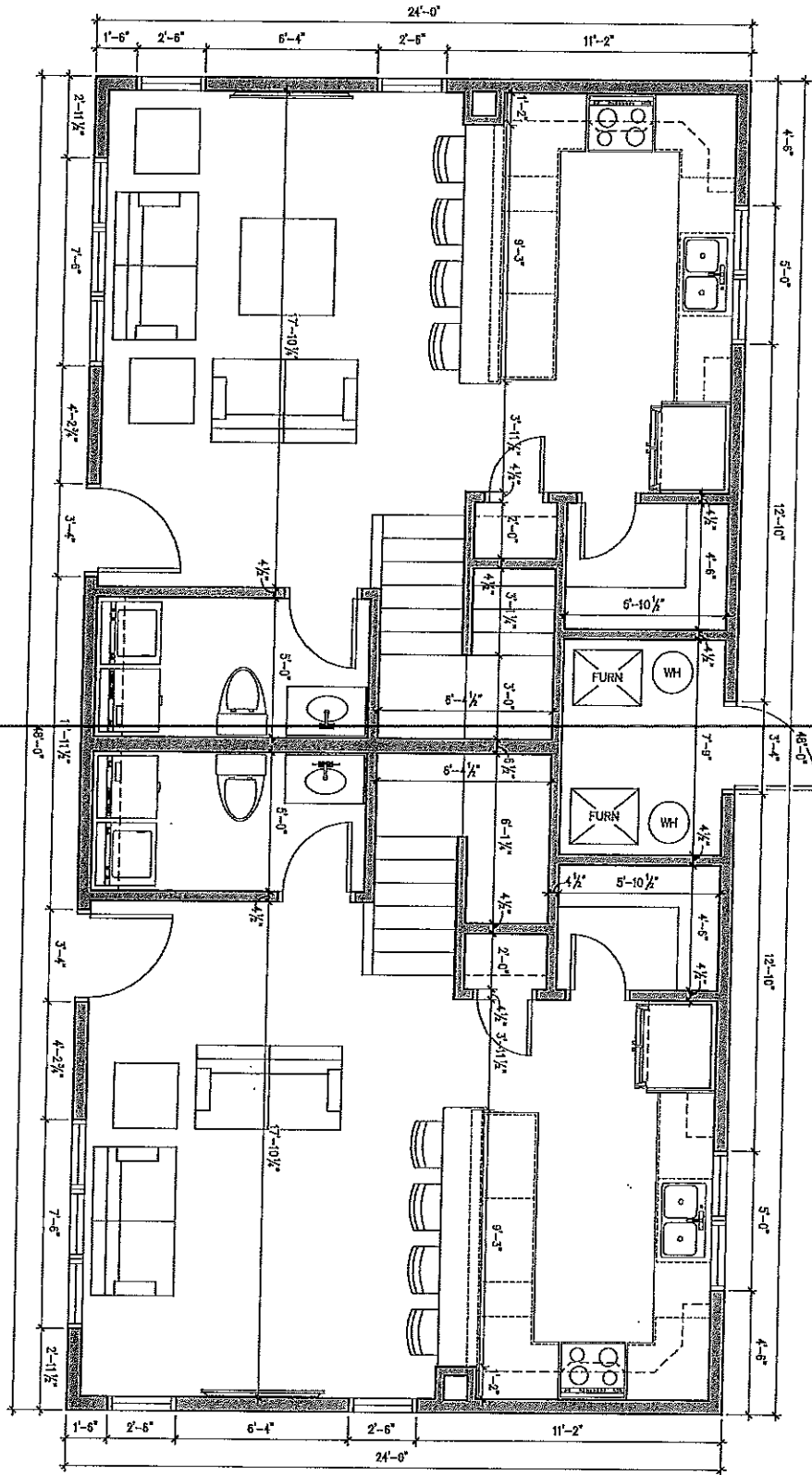
March 7, 2019

FOR THE
CONSTRUCTION
PERMIT

6708 OLD TRAIL ROAD
DUPLEX DEVELOPMENT

ARCHITECTURAL SITE PLAN

KELTY TAPPY DESIGN, INC.
ARCHITECTURE • PLANNING • URBAN DESIGN
1216 East Wacker Drive, Suite 200
Chicago, IL 60601
Phone: 773.462.4164
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www.keltytappy.com

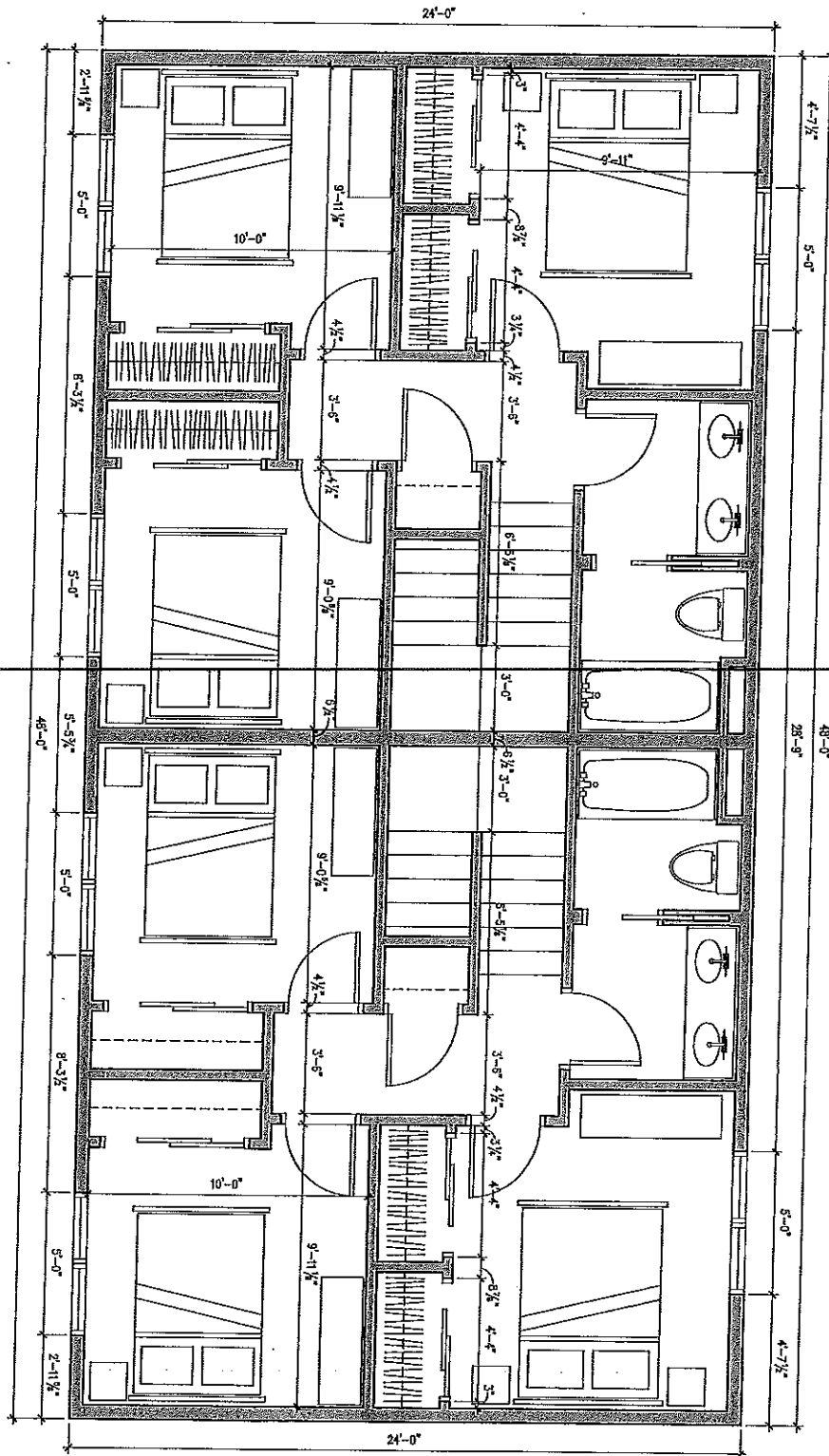


A2.1

19009

Mar. 26, 2019

KELTY TAPPY DESIGN, INC.
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A2.2

13009

Mar. 26, 2019

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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 Waynedale Ventures, LLC/H&H Leasing, LLC for eligible real property improvements. Waynedale Ventures, LLC/H&H Leasing, LLC will construct four duplex apartment buildings resulting in eight new apartments.**

EFFECT OF PASSAGE: **Investment of \$500,000 and eight new apartments.**

EFFECT OF NON-PASSAGE: **Potential loss of investment.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Russ Jehl and Jason Arp**