

**A RESOLUTION considering a Waiver of Noncompliance for  
a Late-Filed Statement of Benefits Real Estate  
Improvements (Form CF-1/Real Property and CF-1/Personal  
Property) for 613 High Street, Fort Wayne, Indiana 46808  
(CPI Card Group, Inc./Didier Limited Partnership & DNG  
LLC)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 613 High Street for CPI Card Group, Inc./Didier Limited Partnership & DNG LLC (Confirming Resolution R-28-14) 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; and

**WHEREAS**, the original Statement of Benefits and economic revitalization area designation application submitted by CPI Card Group, Inc./Didier Limited Partnership & DNG LLC and approved under Confirming Resolution R-28-14 was for \$1,541,500 in real property improvements and \$1,843,000 in personal property improvements; and

**WHEREAS**, CPI Card Group, Inc./Didier Limited Partnership & DNG LLC's Statement of Benefits for Real and Personal Property Improvements Forms CF-1/Real Property and CF-1/Personal Property for 2019 were not filed in a timely manner with the Allen County Auditor and Allen County Assessor; and

**WHEREAS**, the City has given CPI Card Group, Inc./Didier Limited Partnership & DNG LLC notice to file their CF-1s and to file a waiver of non-compliance of a late-filed CF-1s; and

**WHEREAS**, CPI Card Group, Inc./Didier Limited Partnership & DNG LLC has filed their CF-1s along with a waiver of non-compliance for failure to file their CF-1s with the City; and

**WHEREAS**, the Common Council acknowledges that CPI Card Group, Inc./Didier Limited Partnership & DNG LLC has requested a waiver of non-compliance which the Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5

**WHEREAS**, CPI Card Group, Inc./Didier Limited Partnership & DNG LLC has fulfilled its pledge to complete real property improvements; and

**WHEREAS**, CPI Card Group, Inc./Didier Limited Partnership & DNG LLC has fulfilled its pledge to purchase and install new personal property manufacturing equipment; and

**WHEREAS**, Based on the CF-1s recently submitted, CPI Card Group, Inc./Didier Limited Partnership & DNG LLC has established that they have substantially complied with its approved statement of benefits; and

**WHEREAS**, I.C. 6-1.1-12.1-9.5 permits tax abatement noncompliance events such as the untimely filing of statement of benefits (CF-1) paperwork to be waived; and

**WHEREAS**, if Common Council approves the waiver of non-compliance for the late filed CF-1 compliance paperwork, then Common Council will also determine substantial compliance or non-compliance with statement of benefits; and

**WHEREAS**, and a public hearing of the Common Council has been held on the waiver.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**  
**[OPTION 1]**

**SECTION 1.** That Calico Precision Molding, LLC's request for a waiver of clerical and technical errors and nonconformities with its annual CF-1 abatement compliance filing requirements is hereby denied and as such the abatement granted under Confirming Resolution R-28-14 for real property and personal property manufacturing equipment is terminated.

**SECTION 2.** That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

**[OPTION 2]**

**SECTION 1.** That all clerical and technical errors and nonconformities of CPI Card Group, Inc./Didier Limited Partnership & DNC LLC's annual CF-1 abatement filing requirements that are waivable under State and local law, including without limitation those errors and nonconformities described in I.C. 6-1.1-12.1-9.5, are hereby waived.

**SECTION 2. [OPTION A]** That Common Council finds that the CF-1 form filed by CPI Card Group, Inc./Didier Limited Partnership & DNC LLC with an approved Economic Revitalization Area for 2019 is in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne by virtue of retaining 75% of the 125 full-time jobs or 93 full-time jobs that were stated to be retained and creating 75% of the 14 full-time or 10 full-time that were stated that would be created and retaining 75% of the \$4,843,859 in annual payroll or \$3,632,894 generated by the retained jobs and creating 75% of the \$338,000 in annual payroll or \$253,500 that was stated that would be generated by the created jobs. Therefore, the continuation of CPI Card Group, Inc./Didier Limited Partnership & DNC LLC's abatement is hereby approved. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage, and is instructed to apply the abatement.

**SECTION 2. [OPTION B].** That Common Council finds that the CF-1 form filed by CPI Card Group, Inc./Didier Limited Partnership & DNC LLC with an approved Economic Revitalization Area for 2019 is not in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne for failure to retain 75% of the 45 full-time jobs or 33 full-time jobs that were stated to be retained and create 75% of the 14 full-time or 10 full-time that were stated that would be created and retaining 75% of the \$4,843,859 in annual payroll or \$3,632,894 generated by the retained jobs and creating 75% of the \$338,000 in annual payroll or \$253,500 that was stated that would be generated by the created jobs. CPI Card Group, Inc./Didier Limited Partnership & DNC LLC did make reasonable efforts to substantially comply with the statement of benefits and CPI Card Group, Inc./Didier Limited Partnership & DNC LLC's failure to substantially comply was caused by factors beyond the control of CPI Card Group, Inc./Didier Limited Partnership & DNC LLC. Therefore, the continuation of CPI Card Group, Inc./Didier Limited Partnership & DNC LLC's abatement is hereby approved. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage, and is instructed to apply the abatement.

**SECTION 2. [OPTION C]** That Common Council finds that the CF-1 form filed by CPI Card Group, Inc./Didier Limited Partnership & DNC LLC with an approved Economic Revitalization Area for 2019 is not in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne for failure to retain 75% of the 14 full-time or 10 full-time that were stated that would be created and retaining 75% of the \$4,843,859 in annual payroll or \$3,632,894 generated by the retained jobs and creating 75% of the \$338,000 in annual payroll or \$253,500 that was stated that would be generated by the created jobs. CPI Card Group, Inc./Didier Limited Partnership & DNC LLC did not make reasonable efforts to substantially comply with the statement of benefits and CPI Card Group, Inc./Didier Limited Partnership & DNC LLC's failure to substantially comply was not caused by factors beyond the control of CPI Card Group, Inc./Didier Limited Partnership & DNC LLC. As a result of said failure, the abatement for CPI Card Group, Inc./Didier Limited Partnership & DNC LLC is hereby terminated by Common Council. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage, and is instructed to terminate the abatement real property and personal property manufacturing equipment.

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**SECTION 3.** That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

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Member of Council

APPROVED AS TO FORM AND LEGALITY

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Carol Helton, City Attorney