

**A RESOLUTION considering a Waiver of Noncompliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) and Statement of Benefits (CF-1) for 4725 Arden Drive, Fort Wayne, Indiana 46809 (Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc.)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 4725 Arden Drive for Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc. (Confirming Resolution R-60-17) 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 Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc. and approved under Confirming Resolution R-60-17 was for \$2,000,000 in real property improvements and \$2,000,000 in personal property improvements; and

**WHEREAS**, construction of the real property improvements and instillation of personal property improvements for Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc. are in progress and the applicant is working towards completing its pledge to construct the real property improvements and install personal property equipment; and

**WHEREAS**, Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc.'s application for deduction from assessed valuation of structures in economic revitalization areas (322/RE) and Statement of Benefits (CF-1) for 2019 were not filed in a timely manner with the Allen County Auditor; and

**WHEREAS**, Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc. has requested a waiver of noncompliance which the Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3; and

**WHEREAS**, Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc. did file its CF-1 paperwork timely with the City of Fort Wayne and, per the information provided, Common Council found Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc. in substantial compliance with their previously filed Statement of Benefits on June 25, 2019 under Resolution R-23-19; and

**WHEREAS**, I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3 permits tax abatement noncompliance events such as the untimely filing of deduction application paperwork to be waived; and

**WHEREAS**, 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:**

**SECTION 1. OPTION A** That Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc.'s request for a waiver of clerical and technical errors and nonconformities with its annual deduction compliance filing requirements is hereby denied and as such the previously approved deduction real property is terminated. This termination shall have no impact on the personal property for manufacturing, research and development, and information technology equipment property abatement approved under Confirming Resolution R-60-17, said personal property phase-in for manufacturing, research and development, and information technology equipment shall continue.

**SECTION 1. OPTION B** That all clerical and technical errors and nonconformities of Paul A. Walters LLC/Quality Engineering, Inc./PAW International, Inc.'s annual deduction compliance 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 and I.C. 6-1.1-12.1-11.3, are hereby

1 waived. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage,  
2 and is instructed to apply the deduction.

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

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6 Member of Council

7 APPROVED AS TO FORM AND LEGALITY

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9 Carol Helton, City Attorney

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