

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for multiple addresses as listed on attached Exhibit A, Fort Wayne, Indiana 46802 (Union Parking Company, LLC/Broadway Redevelopment Partners, LLC)

WHEREAS, Petitioner has duly filed its petition dated October 13, 2021 to have the following described properties 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, the total estimated project cost is \$110,000,000; 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 the estimated timeframe of June 1, 2022 and June 30, 2025. Should any delays occur, an updated timeframe will be communicated to the Allen County Assessor and Allen County Auditor by Community Development staff in writing.

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 \$3.2648/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.2648/\$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 \$3.2648/\$100 (the change would be negligible).

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 That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, 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 8. 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 9. That, 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 10. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 11. 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

1 property owner ceases operations at the facility for which the deduction was granted and if the
2 Common Council finds that the property owner obtained the deduction by intentionally providing
3 false information concerning the property owner's plans to continue operation at the facility.

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

6 _____
Member of Council

7
8 APPROVED AS TO FORM AND LEGALITY

9
10 _____
Carol Helton, City Attorney

MEMORANDUM



TO: City Council

FROM: Carman Young, Economic Development Specialist

DATE: October 21, 2021

RE: Request for designation by Union Parking Company, LLC/Broadway Redevelopment Partners, LLC as an ERA for real property improvements.

BACKGROUND

PROJECT ADDRESS:	Multiple Addresses	PROJECT LOCATED WITHIN:	EDTA
PROJECT COST:	\$110,000,000	COUNCILMANIC DISTRICT:	5

COMPANY PRODUCT OR SERVICE:	Union Parking Company, LLC/Broadway Redevelopment Partners, LLC is a real estate development company.
PROJECT DESCRIPTION:	Union Parking Company, LLC/Broadway Redevelopment Partners, LLC will construct a mixed-use development consisting of parking, residential apartments, commercial retail space, fitness center and a childcare center.

CREATED

RETAINED

JOBS CREATED (FULL-TIME):	0	JOBS RETAINED (FULL-TIME):	0
JOBS CREATED (PART-TIME):	0	JOBS RETAINED (PART-TIME):	0
TOTAL NEW PAYROLL:	0	TOTAL RETAINED PAYROLL:	0
AVERAGE SALARY (FULL-TIME NEW):	0	AVERAGE SALARY (FULL-TIME RETAINED):	0

COMMUNITY BENEFIT REVIEW

Yes ☒ No ☐ N/A ☐

Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

Explain: Some of the lots to be designated are currently vacant and undeveloped.

Yes ☒ No ☐ N/A ☐

Real estate to be designated is consistent with land use policies of the City of Fort Wayne?

Explain: Property to be designated is zoned UC, Urban Core. Use of this property is consistent with the land use policies of the City of Fort Wayne.

Yes ☒ No ☐ N/A ☐

Project encourages the improvement or replacement of a deteriorated or obsolete structure?

Explain: Project will replace existing residential, commercial and mix used structures that may be in various states of deterioration or obsolescence.

Yes ☐ No ☐ N/A ☒

Project encourages the improvement or replacement of obsolete manufacturing and/or research and development and/or information technology and/or logistical distribution equipment?

Yes ☐ No ☐ N/A ☒

Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

Yes ☐ No ☐ N/A ☒

Project encourages preservation of a historically or architecturally significant structure?

Yes ☐ No ☒ N/A ☐

Construction will result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes ☒ No ☐ N/A ☐

Construction will use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Yes ☐ No ☒ N/A ☐

ERA designation induces employment opportunities for Fort Wayne area residents?
Explain: Project is located within an Economic Development Target Area (EDTA).

Yes ☒ No ☐ N/A ☐

Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

POLICY

Per the policy of the City of Fort Wayne, the following guidelines apply to this project:

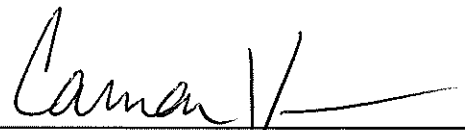
1. The period of deduction for real property improvements located within in an Economic Development Target Area is ten years.

Under Fort Wayne Common Council's tax abatement policies and procedures, Union Parking Company, LLC/Broadway Redevelopment Partners, LLC is eligible for a recommended ten year deduction on real property improvements. Attached is a calculation of property taxes saved/paid with the deduction.

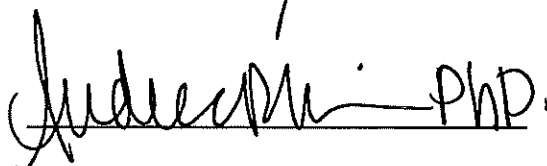
PREVIOUSLY APPROVED PHASE-INS

Union Parking Company, LLC/Broadway Redevelopment Partners, LLC has not previously applied for, or been approved for, a tax phase-in from Fort Wayne Common Council.

Signed:


Economic Development Specialist

Reviewed:


Economic Development Administrator

COMMUNITY DEVELOPMENT DIVISION



CITY OF FT. WAYNE
OCT 13 2021
COMMUNITY DEVELOPMENT

12/2019

ECONOMIC REVITALIZATION AREA APPLICATION CITY OF FORT WAYNE, INDIANA

APPLICATION IS FOR: (Check appropriate box(es))



Real Estate Improvements



Personal Property Improvements



Vacant Commercial or Industrial Building

Total cost of real estate improvements:

\$110,000,000.00

Total cost of manufacturing equipment improvements:

Total cost of research and development equipment improvements:

Total cost of logistical distribution equipment improvements:

Total cost of information technology equipment improvements:

TOTAL OF ABOVE IMPROVEMENTS:

\$110,000,000.00

GENERAL INFORMATION

Real property taxpayer's name: UNION PARKING COMPANY, LLC / BROADWAY REDEVELOPMENT PARTNERS, LLC

Personal property taxpayer's name: N/A

Telephone number: 919-688-9054

Address listed on tax bill: 701 WEST MAIN STREET, SUITE 200, DURHAM, NC 27701

Name of company to be designated, if applicable:

Year company was established: 2021

Address of property to be designated: SEE ATTACHED EXHIBIT A

Real estate property identification number: SEE ATTACHED EXHIBIT A

Contact person name: NICOLE MORRILL

Contact person telephone number: 202-558-8865 Contact email: nmorrill@ancora.re

Contact person address: 701 WEST MAIN STREET, SUITE 200, DURHAM, NORTH CAROLINA 27701

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
JOSHUA M. PARKER OF UNION PARKING COMPANY, LLC	AUTHORIZED AGENT	701 WEST MAIN STREET, SUITE 200 DURHAM, NC 27701	919-688-9054
JOSHUA M. PARKER OF BROADWAY REDEVELOPMENT PARTNERS, LLC	AUTHORIZED AGENT	701 WEST MAIN STREET, SUITE 200 DURHAM, NC 27701	919-688-9054

List all persons or firms having ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE
SEE ATTACHED EXHIBIT B	

- ☐ Yes ☒ No Are any elected officials shareholders or holders of any debt obligation of the applicant or operating business? If yes, who? (name/title) _____
- ☒ Yes ☐ No Is the property for which you are requesting ERA designation totally within the corporate limits of the City of Fort Wayne?
- ☒ Yes ☐ No Do you plan to request state or local assistance to finance public improvements?
- ☒ Yes ☐ No Is the property for which you are requesting ERA designation located in an Economic Development Target Area (EDTA)? (see attached map for current areas)
- ☐ Yes ☒ No Does the company's business include a retail component? If yes, answer the following questions:
 What percentage of floor space will be utilized for retail activities? _____
 What percentage of sales is made to the ultimate customer? _____
 What percentage of sales will be from service calls? _____

What is the percentage of clients/customers served that are located outside of Allen County? 0% _____

What is the company's primary North American Industrial Classification Code (NAICs)? 531 _____

Describe the nature of the company's business, product, and/or service: REAL ESTATE DEVELOPMENT _____

Dollar amount of annual sales for the last three years:

Year	Annual Sales

List the company's three largest customers, their locations and amount of annual gross sales:

Customer Name	City/State	Annual Gross Sales

List the company's three largest material suppliers, their locations and amount of annual purchases:

Supplier Name	City/State	Annual Gross Purchases

List the company's top three competitors:

Competitor Name	City/State

Describe the product or service to be produced or offered at the project site: 311,305 SF PARKING GARAGE TO BE WRAPPED WITH 308,021 SF OF RESIDENTIAL APARTMENTS AND 31,757 SF OF COMMERCIAL SPACE WHICH WILL CONSIST OF A 10,760 SF CHILDCARE CENTER, 12,197 SF FITNESS CENTER, AND 8,800 SF OF NEIGHBORHOOD SERVING RETAIL.

In order to be considered an Economic Revitalization Area (ERA), the area must be within the corporate limits of the City of Fort Wayne and must have become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. It also includes any area where a facility or group of facilities that are technologically, economically, or energy obsolete is located and where the obsolescence may lead to a decline in employment and tax revenues.

How does the property for which you are requesting designation meet the above definition of an ERA?

THE SITE IS SUBSTANTIALLY UNIMPROVED, WHICH EXISTING IMPROVEMENTS HAVE BECOME INCREASINGLY BLIGHTED DUE TO VACANCIES AND GENERAL DETERIORATION OF THE PROPERTIES. APPLICANT IS PLANNING TO DEVELOP THE REAL ESTATE WHICH WILL REVIVE THE PROPERTY FROM ITS CURRENT STATE OF LACK OF DEVELOPMENT, CESSATION OF GROWTH AND GENERAL DETERIORATION.

REAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value for real property improvements.

Describe any structure(s) that is/are currently on the property: SOME SINGLE FAMILY RESIDENCES AND A FEW COMMERCIAL STRUCTURES ON THE PROPERTY EXIST, BUT IN LARGE PART THE REAL ESTATE IS UNDEVELOPED.

Describe the condition of the structure(s) listed above: GENERALLY DETERIORATED.

Describe the improvements to be made to the property to be designated for tax phase-in purposes: 311,305 SF PARKING GARAGE TO BE WRAPPED WITH 308,021 SF OF RESIDENTIAL APARTMENTS AND 31,757 SF OF COMMERCIAL SPACE WHICH WILL CONSIST OF A 10,760 SF CHILDCARE CENTER, 12,197 SF FITNESS CENTER, AND 8,800 SF OF NEIGHBORHOOD SERVING RETAIL.

Projected construction start (month/year): JUNE 2022

Projected construction completion (month/year): JUNE 2025

☐ Yes ☒ No Will construction result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

☒ Yes ☐ No Will construction use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance.

Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner's project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.

PERSONAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value of new manufacturing, research and development, logistical distribution or information technology equipment.

List below the equipment for which you are seeking an economic revitalization area designation.

Manufacturing equipment must be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property at the site to be designated. Research and development equipment consists of laboratory equipment, research and development equipment, computers and computer software, telecommunications equipment or testing equipment used in research and development activities devoted directly and exclusively to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products at the site to be designated. Logistical distribution equipment consists of racking equipment, scanning or coding equipment, separators, conveyors, fork lifts or lifting equipment, transitional moving equipment, packaging equipment, sorting and picking equipment, software for technology used in logistical distribution, is used for the storage or distribution of goods, services, or information. Information technology equipment consists of equipment, including software used in the fields of information processing, office automation, telecommunication facilities and networks, informatics, network administration, software development and fiber optics: (use additional sheets, if necessary)

☐ Yes ☐ No Has the above equipment for which you are seeking a designation, ever before been used for any purpose in Indiana? If yes, was the equipment acquired at an arms length transaction from an entity not affiliated with the applicant? ☐ Yes ☐ No

☐ Yes ☐ No Will the equipment be leased?

Date first piece of equipment will be purchased (month/year): _____

Date last piece of equipment will be installed (month/year): _____

Please provide the depreciation schedule term for equipment under consideration for personal property tax phase-in:

ELIGIBLE VACANT BUILDING INFORMATION

Complete this section of the application if you are requesting a deduction from the current assessed value of a vacant building

☐ Yes ☐ No Has the building for which you are seeking designation for tax phase-in been unoccupied for at least one year? Please provide evidence of occupation. (i.e. certificate of occupancy, paid utility receipts, executed lease agreements)

What year was the structure built? _____

Describe any structure(s) that is/are currently on the property: _____

Describe the condition of the structure(s) listed above: _____

Projected occupancy date (month/year): _____

Describe the efforts of the owner or previous owner in regards to selling, leasing or renting the eligible vacant building during the period the eligible vacant building was unoccupied including how much the building was offered for sale, lease, or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied.

This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance.

Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner's project. Said adherence shall be attested to on the initial tax phase-in application and each annual

Compliance with Statement of Benefits Form.

PUBLIC BENEFIT INFORMATION

EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED

ESTIMATE OF EMPLOYEES AND PAYROLL FOR FORT WAYNE FACILITY REQUESTING ECONOMIC REVITALIZATION AREA DESIGNATION

Please be specific on job descriptions. When listing the occupation codes, please avoid using the "Major Occupational Groupings" (i.e. 11-000, 13-000, 15-000, etc.) which are more general in nature. Instead, use specific occupation codes (i.e. 11-1021, 13-1081, 15-2041 etc) for each created and retained job. To fill out information on occupation and occupation code, use data available through Occupation Employment Statistics for Fort Wayne http://www.bls.gov/oes/current/oes_23060.htm

Any information concerning the cost of the property and specific salaries paid to individual employees is confidential per Indiana Code (I.C. 6-1.1-12.1-5.1)

Current Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll

Retained Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll

Additional Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll

PUBLIC BENEFIT INFORMATION

Current Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Retained Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Additional Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll

Check the boxes below if the existing jobs and the jobs to be created will provide the listed benefits:

- | | | |
|--|---|---|
| ☐ Pension Plan | ☐ Major Medical Plan | ☐ Disability Insurance |
| ☐ Tuition Reimbursement | ☐ Life Insurance | ☐ Dental Insurance |

List any benefits not mentioned above: _____

When will you reach the levels of employment shown above? (month/year): _____

REQUIRED ATTACHMENTS

The following must be attached to the application.

1. **Statement of Benefits Form(s) (first page/front side completed)**
2. **Full legal description of property and a plat map identifying the property boundaries. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
3. **Check for non-refundable application fee made payable to the City of Fort Wayne.**

ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed \$1,000
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed \$1,500
ERA filing fee (vacant commercial or industrial building)	\$500
ERA filing fee in an EDTA	\$200 [CHECK TO CITY OF FTW]
Amendment to extend designation period	\$300
Waiver of non-compliance with ERA filing	\$1,000 + ERA filing fee
4. **Owner's Certificate (if applicant is not the owner of property to be designated)
Should be marked as Exhibit B if applicable.**

CERTIFICATION

I, as the legal taxpayer and/or owner, hereby certify that all information and representations made on this application and its attached exhibits are true and complete and that no Improvement Location Permit or Structural Permit have been filed for construction of improvements, the occupation of the vacant building has not taken place and no manufacturing, research and development, logistical distribution or information technology equipment which is a part of this application been purchased and installed as of the date of filing of this application. I also certify that the taxpayer is not delinquent on any and all property tax due to taxing jurisdictions within Allen County, Indiana. I understand that any incorrect information on this application may result in a rescission of any tax phase-ins which I may receive.

I understand that I must file a correctly completed Compliance with Statement of Benefits Form (CF-1/Real Property for real property improvements, CF-1/PP for personal property improvements, and CF-1/VBD for vacant building deduction) and the Public Benefit Annual Update with the City of Fort Wayne Community Development Division in each year in which I receive a deduction. Further the CF-1/PP form must be filed with the county assessor and the CF-1/Real Property and CF-1/VBD must be filed with the county auditor. Failure to file the CF-1 form with these agencies may result in a rescission of any tax phase-in occurring as a result of this application.

Signature of Taxpayer/Owner

SEE ATTACHED SIGNATURE PAGE

Printed Name and Title of Applicant

Date

Return completed application to Community Development staff at 200 E. Berry Street Suite 320 Fort Wayne, IN 46802

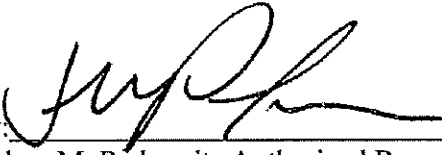
**SIGNATURE PAGE TO ECONOMIC REVITALIZATION AREA APPLICATION
CITY OF FORT WAYNE, INDIANA**

“TAXPAYER/OWNER”

UNION PARKING COMPANY, LLC

By: 
Joshua M. Parker, its Authorized Representative

BROADWAY REDEVELOPMENT PARTNERS, LLC

By: 
Joshua M. Parker, its Authorized Representative

“APPLICANT”

RTM VENTURES, LLC

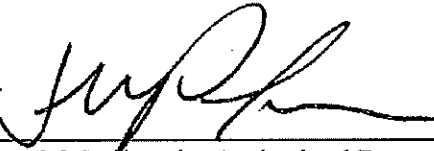
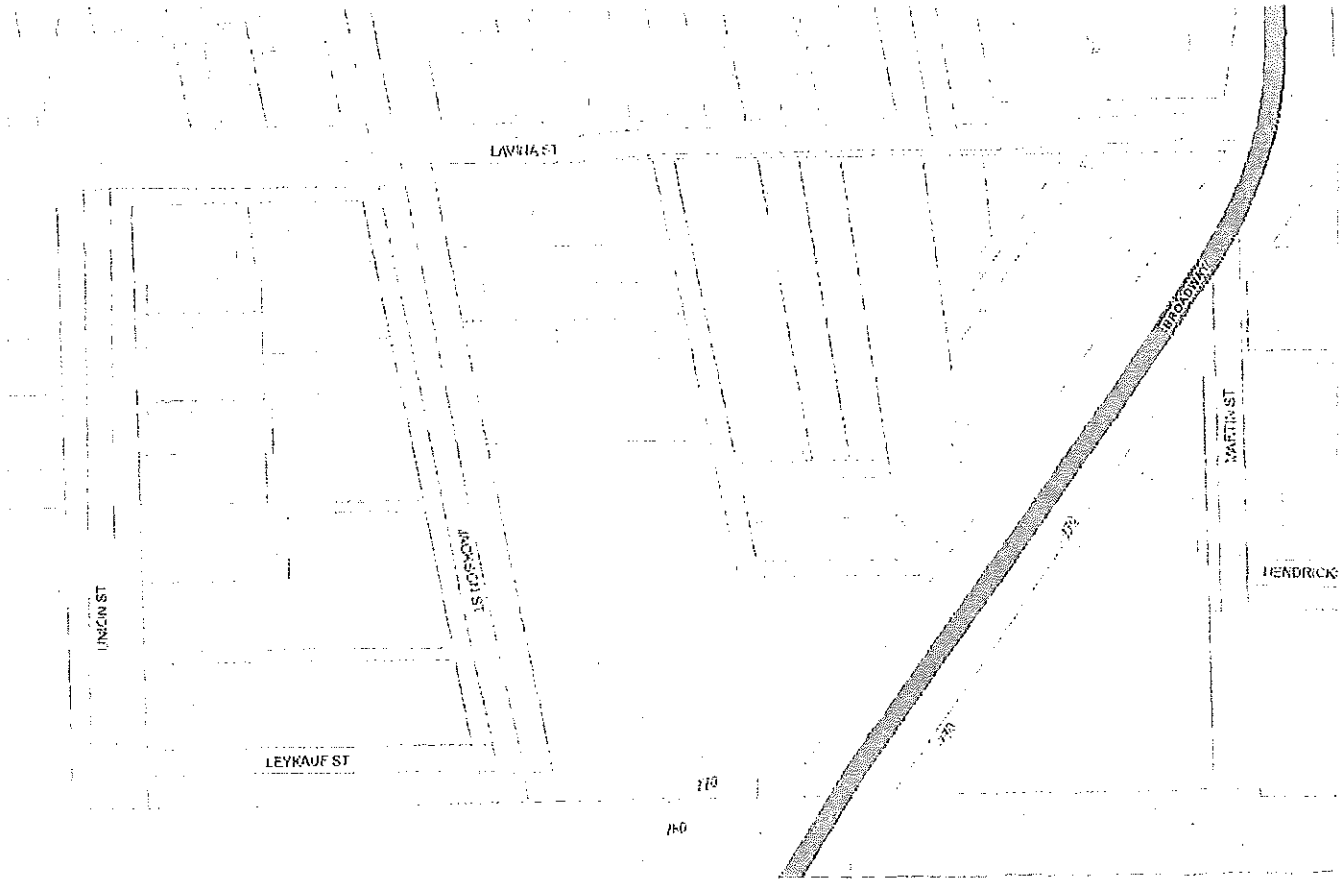
By: 
Joshua M. Parker, its Authorized Representative

EXHIBIT A



- | | |
|--|--|
| 1. 02-12-11-118-004.000-074 / 1309 Union Street | 16. 02-12-11-119-024.000-074 / 1434 Broadway |
| 2. 02-12-11-118-005.000-074 / 1311 Union Street | 17. 02-12-11-119-007.000-074 / 815 Lavina Street |
| 3. 02-12-11-118-006.000-074 / 1315 Union Street | 18. 02-12-11-119-008.000-074 / 811 Lavina Street |
| 4. 02-12-11-118-007.000-074 / 1317 Union Street | 19. 02-12-11-119-009.000-074 / 809 Lavina Street |
| 5. 02-12-11-118-011.000-074 / 1326 Jackson Street | 20. 02-12-11-119-010.000-074 / 803 Lavina Street |
| 6. 02-12-11-118-011.000-074 / 1326 Jackson Street | 21. 02-12-11-119-011.000-074 / 719 Lavina Street |
| 7. 02-12-11-118-010.000-074 / 1314 Jackson Street | 22. 02-12-11-119-012.000-074 / 715 Lavina Street |
| 8. 02-12-11-118-011.000-074 / 1326 Jackson Street | 23. 02-12-11-119-013.000-074 / 1404 Broadway |
| 9. 02-12-11-119-001.000-074 / 1301 Jackson Street | 24. 02-12-11-119-014.000-074 / 1406 Broadway |
| 10. 02-12-11-119-002.000-074 / 1305 Jackson Street | 25. 02-12-11-119-015.000-074 / 1412 Broadway |
| 11. 02-12-11-119-003.000-074 / 1307 Jackson Street | 26. 02-12-11-119-016.000-074 / 1414 Broadway |
| 12. 02-12-11-119-004.000-074 / 1311 Jackson Street | 27. 02-12-11-119-017.000-074 / 1418 Broadway |
| 13. 02-12-11-119-005.000-074 / 1315 Jackson Street | 28. 02-12-11-119-019.000-074 / 1420 Broadway |
| 14. 02-12-11-119-005.001-074 / 1317 Jackson Street | 29. 02-12-11-119-023.000-074 / 1430 Broadway |
| 15. 02-12-11-119-006.000-074 / 1319 Jackson Street | 30. 02-12-11-118-009.002-074 / 0000 Jackson Street |

1. **TAX KEY NO.: 02-12-11-118-004.000-074**

All that part of Lots 2 and 3 in Ayres Addition to the City of Fort Wayne, according to the plat thereof, recorded in Deed Record "Q", page 215, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows, to-wit: Commencing on the West line of said Lot 2 at a point 44 feet South of the Northwest corner thereof; thence on the West boundary line of said Lots 2 and 3, South 32 feet; thence East parallel with the dividing line between said Lots 2 and 3, 85 feet; thence North parallel with the West line of said Lots 2 and 3, 32 feet; thence West parallel with the dividing line between said Lots 2 and 3, 85 feet to the place of beginning. Together with the North 1/2 of the West 85 feet of the vacated alley adjoining said Lot 3 on the South, as vacated by General Ordinance No. G-22-17 and recorded as Document Number 2020014342.

Commonly known as 1309 Union Street, Fort Wayne, Indiana.

2. **TAX KEY NO.: 02-12-11-118-005.000-074**

The South 16 feet of the West 90 feet of Lot Number 3 and the North 16 feet of the West 90 feet of Lot Number 4 in Ayres Addition to the City of Fort Wayne, according to the plat thereof recorded in Deed Record Q, page 215, in the Office of the Recorder of Allen County, Indiana. Together with the South 1/2 of the West 85 feet of the vacated alley adjoining said Lot 4 on the North, as vacated by General Ordinance No. G-22-17 and recorded as Document Number 2020014342.

Commonly known as 1311 Union Street, Fort Wayne, Indiana.

3. **TAX KEY NO.: 02-12-11-118-006.000-074**

The South Thirty-two (32) feet of the West Eighty-five (85) feet of Lot Numbered Four (4) in Ayres Addition to the City of Fort Wayne, Indiana, according to the plat thereof as recorded in Deed Record "Q", page 215, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1315 Union Street, Fort Wayne, Indiana.

4. **TAX KEY NO.: 02-12-11-118-007.000-074**

The following part of Lot 5 in Ayres Addition to the City of Fort Wayne, Allen County, Indiana, described as follows, to wit: Commencing at the Southwest corner of said Lot and running East along the South line of said Lot, 100 feet; thence North on a line parallel with the West line of said Lot 44 feet, thence West on a line parallel with the South line of said Lot, 100 feet, to the West line of said Lot to Hood Street, now Union Street; thence South 44 feet on Hood Street now Union Street, to the place of beginning.

Commonly known as 1317 Union Street, Fort Wayne, Indiana 46802.

5. **TAX KEY NO.: 02-12-11-118-011.000-074**

Lots Number 6 and 7 in Ayres Addition to the City of Fort Wayne, Indiana as per recorded plat thereof, recorded in Deed Record Q, page 215 in the Office of the Recorder of Allen County, Indiana, Except 4 feet off the south side of Lot 6 used as an alley,

ALSO

That part of Lots Number Three (3) and Four (4) in Ayres Addition to the Town (now City) of Fort Wayne, Indiana, described as follows:

Commencing at a point on the west line of Jackson Street 16 feet North of the southeast corner of said Lot Three (3); thence West 90 feet on a line parallel with the north line of said Lot Three (3);

thence South on a line parallel with Mood Street, now Union Street, 64 feet, more or less, to an alley; thence East 105 feet on a line parallel with the north line of said Lot Four (4) and along said alley to the west line of Jackson Street; thence North on said west line of said Jackson Street, 64 feet, more or less, to the Place of Beginning.

ALSO

Commencing at the southeast corner of Lot Number Five (5) in Ayres Addition to the City of Fort Wayne, Indiana; thence North on Jackson Street 44 feet; thence West parallel to the south line of said Lot a distance of 102 feet; thence South and parallel with Jackson Street 44 feet to the south line of said Lot; thence East on said south line a distance of 102 feet to the Place of Beginning.

Commonly known as 1326 Jackson Street, Fort Wayne, Indiana.

6. **TAX KEY NO.: 02-12-11-118-011.000-074**

Lots Number 6 and 7 in Ayres Addition to the City of Fort Wayne, Indiana as per recorded plat thereof, recorded in Deed Record Q, page 215 in the Office of the Recorder of Allen County, Indiana, Except 4 feet off the south side of Lot 6 used as an alley,

ALSO

That part of Lots Number Three (3) and Four (4) in Ayres Addition to the Town (now City) of Fort Wayne, Indiana, described as follows:

Commencing at a point on the west line of Jackson Street 16 feet North of the southeast corner of said Lot Three (3); thence West 90 feet on a line parallel with the north line of said Lot Three (3); thence South on a line parallel with Mood Street, now Union Street, 64 feet, more or less, to an alley; thence East 105 feet on a line parallel with the north line of said Lot Four (4) and along said alley to the west line of Jackson Street; thence North on said west line of said Jackson Street, 64 feet, more or less, to the Place of Beginning.

ALSO

Commencing at the southeast corner of Lot Number Five (5) in Ayres Addition to the City of Fort Wayne, Indiana; thence North on Jackson Street 44 feet; thence West parallel to the south line of said Lot a distance of 102 feet; thence South and parallel with Jackson Street 44 feet to the south line of said Lot; thence East on said south line a distance of 102 feet to the Place of Beginning.

Commonly known as 1326 Jackson Street, Fort Wayne, Indiana.

7. **TAX KEY NO.: 02-12-11-118-010.000-074**

The East part of Lot Numbered 3 in Ayres Addition to the City of Fort Wayne, described as follows: Commencing at the northeast corner of said lot and running south on Jackson Street 26 ¼ feet; thence west parallel with the north line of said lot 90 feet; thence north parallel with the west line of said lot, 26 ¼ feet to the north line of said lot; thence east along said north line of said lot, 90 feet to the place of beginning.

Commonly known as 1314 Jackson Street, Fort Wayne, Indiana 46802.

8. **TAX KEY NO.: 02-12-11-118-011.000-074**

Lots Number 6 and 7 in Ayres Addition to the City of Fort Wayne, Indiana as per recorded plat thereof, recorded in Deed Record Q, page 215 in the Office of the Recorder of Allen County, Indiana, Except 4 feet off the south side of Lot 6 used as an alley,

ALSO

That part of Lots Number Three (3) and Four (4) in Ayres Addition to the Town (now City) of Fort Wayne, Indiana, described as follows:

Commencing at a point on the west line of Jackson Street 16 feet North of the southeast corner of said Lot Three (3); thence West 90 feet on a line parallel with the north line of said Lot Three (3); thence South on a line parallel with Mood Street, now Union Street, 64 feet, more or less, to an alley; thence East 105 feet on a line parallel with the north line of said Lot Four (4) and along said alley to the west line of Jackson Street; thence North on said west line of said Jackson Street, 64 feet, more or less, to the Place of Beginning.

ALSO

Commencing at the southeast corner of Lot Number Five (5) in Ayres Addition to the City of Fort Wayne, Indiana; thence North on Jackson Street 44 feet; thence West parallel to the south line of said Lot a distance of 102 feet; thence South and parallel with Jackson Street 44 feet to the south line of said Lot; thence East on said south line a distance of 102 feet to the Place of Beginning.

Commonly known as 1326 Jackson Street, Fort Wayne, Indiana.

9. **TAX KEY NO.: 02-12-11-119-001.000-074**

The North 29 feet of Lot 10 in Chipman's Addition, an Addition to the City of Fort Wayne, according to the plat thereof, recorded in Deed Record N, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1301 Jackson Street, Fort Wayne, Indiana.

10. **TAX KEY NO.: 02-12-11-119-002.000-074**

The North 5 feet of Lot Number 9 and the South 24 feet of Lot Number 10 in Chipman's Addition to the City of Fort Wayne, Allen County, Indiana, according to the plat thereof, recorded in Deed Record N, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1305 Jackson Street, Fort Wayne, Indiana.

11. **TAX KEY NO.: 02-12-11-119-003.000-074**

The North 25 feet of the South 50 feet of Lot Number 9 in Chipman's Addition to the City of Fort Wayne, as recorded in Deed record "N", page 475 in Allen County, Indiana.

Commonly known as 1307 Jackson Street, Fort Wayne, Indiana.

12. **TAX KEY NO.: 02-12-11-119-004.000-074**

The South twenty-five (25) feet of Lot Numbered nine (9) in Chipman's Addition to the City of Fort Wayne, as recorded in Deed Record N, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1311 Jackson Street, Fort Wayne, Indiana.

13. **TAX KEY NO.: 02-12-11-119-005.000-074**

The North one-half (1/2) of Lot Number 8 in Chipman's Addition to the City of Fort Wayne, as recorded in Deed Record N, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1315 Jackson Street, Fort Wayne, Indiana.

14. **TAX KEY NO.: 02-12-11-119-005.001-074**

The South one-half (1/2) of Lot Number 8 in Chipman's Addition to the City of Fort Wayne, as recorded in Deed Record N, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1317 Jackson Street, Fort Wayne, Indiana.

15. **TAX KEY NO.: 02-12-11-119-006.000-074**

The North One-half (1/2) of Lot Number 7 in Chipman's Addition, an addition to the City of Fort Wayne, according to the plat thereof, recorded in Deed Record 14, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1319 Jackson Street, Fort Wayne, Indiana.

16. **TAX KEY NO.: 02-12-11-119-024.000-074**

Lots 3 to 6, Inclusive, in Chipman's Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in Deed Book N, page 475 in the Office of the Recorder of Allen County, Indiana.

ALSO

All that part of the East Half of Lot 2 in Chipman's Addition to the City of Fort Wayne, Indiana, lying North of a line that is 6 feet South of and parallel to the south face of the brick wall of the house at present located upon the North part of said Lot 2 more specifically described as follows:

Commencing at the northeast corner of said Lot 2; thence Southwest along the west line of Broadway 43 one-third feet; thence Northwest to a point about 19 feet South of the northwest corner of the East Half of said Lot; thence North 19 feet; thence East 109 feet to the Place of Beginning.

ALSO

The South Half of Lot 7 in Chipman's Addition to the City of Fort Wayne, Indiana, as per plat thereof recorded in Deed Book N, page 475 in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1434 Broadway, Fort Wayne, Indiana.

17. **TAX KEY NO.: 02-12-11-119-007.000-074**

Lot numbered 11 in Chipman's Addition to the City of Fort Wayne, in Allen County, Indiana, EXCEPT the South 12 feet thereof.

Commonly known as 815 Lavina Street, Fort Wayne, Indiana.

18. **TAX KEY NO.: 02-12-11-119-008.000-074**

The West 1/2 of Lot 12 in Chipman's Addition, excepting therefrom the South 12 feet thereof, as recorded in Deed Record N, page 475, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 811 Lavina Street, Fort Wayne, Indiana.

19. **TAX KEY NO.: 02-12-11-119-009.000-074**

The East Half of Lot 12, except the South 12 feet for alley, in Chipman's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.

Commonly known as 809 Lavina Street, Fort Wayne, Indiana.

20. **TAX KEY NO.: 02-12-11-119-010.000-074**

Lot Number Thirteen (13) in Chipman's Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, except that portion of said lot described as follows, to-wit:

Beginning at the Southwest corner of said lot number Thirteen (13); thence North on the West line thereof 67.8 feet; thence East 52.4 feet to a point on the East line of said lot situated 68.2 feet North of the Southeast corner thereof; thence South along the East line of said lot, a distance of 68.2 feet to the Southeast corner thereof; thence West on the South line of said lot, a distance of 51 feet to the place of beginning.

Commonly known as 803 Lavina Street, Fort Wayne, Indiana.

21. **TAX KEY NO.: 02-12-11-119-011.000-074**

W PT Lot 1 McMakens Addition to the City of Fort Wayne according to the plat thereof, recorded in Book "Y," page 505 of the Deeds Records of Allen County, Indiana.

EXCEPT:

COMMENCING at a point on the south line of Lavina Street in said city at the Northeast corner of said lot; thence southwesterly along the east line of said lot, being the west line of the alley bounding said lot on the East Ninety seven and Six-tenths (97.6) feet to a stake; thence at right angles to the said line of said alley in a Northwesterly direction, Nine and Eight-tenths (9.8) feet to a stake; thence in a northeasterly direction, parallel with the aforesaid line of said alley Twenty-four and Five-tenths (24.5) feet to a stake; thence in a northerly direction, Fifty-four (54) feet to a stake situated on the South line of Lavina Street and which said stake is situated Fifty seven (57) feet west of the place of beginning; thence from said stake east on the south line of said Lavina Street, Fifty-seven (57) feet to the place of beginning.

Commonly known as 719 Lavina Street, Fort Wayne, Indiana.

22. **TAX KEY NO.: 02-12-11-119-012.000-074**

The East part of Lot Numbered 1 in the McMakens Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat thereof, recorded in Book "Y", page 505 of the Deed Records of said Allen County, described as follows, to-wit: Commencing at a point on the South line of Lavina Street, in said City at the Northeast corner of said lot; thence Southwesterly along the east line of said lot, being at the West line of the alley bounding said lot on the East 97.6 feet to a stake; thence at right angles of the said line of said alley in a northwesterly direction 9.8 feet to a stake; thence in a Northeasterly direction, parallel with the aforesaid line of said alley 24.5 feet to a stake; thence in a Northerly direction 54 feet to a stake situated on the South line of Lavina Street in which said stake is situated 57 feet West of the place of beginning; thence from said stake East on the South line of Lavina Street, 57 feet to the place of beginning.

Commonly known as 715 Lavina Street, Fort Wayne, Indiana 46802.

23. **TAX KEY NO.: 02-12-11-119-013.000-074**

ALL LOT 2 & NW FRL LOT 3 MCMAKINS ADD LOT 3 MCMAKINS ADD

Commonly known as 1404 Broadway, Fort Wayne, Indiana.

24. **TAX KEY NO.: 02-12-11-119-014.000-074**

The North Half of Lot 4 in McMaken's Addition to the City of Fort Wayne, Indiana, according to the recorded plat of said Addition, recorded in Book Y, page 505 of the deed records in the Recorder's Office of said Allen County, said North Half of Lot 4 being more particularly described as follows:

Commencing at a point where the North line of said Lot 4 intersects the West line of Broadway in said City; thence Northwesterly along the North line of said Lot 4 to the alley; thence Southwesterly on the East line of said alley 12 1/2 feet to a point; thence Southeasterly parallel with the North line of said Lot to a point on the West line of Broadway, which point is 12 1/2 feet from the place of beginning; thence Northeasterly along the West line of Broadway to the place of beginning.

Also, Lot 3 in said McMaken's Addition to the City of Fort Wayne, Indiana, excepting from said Lot 3 the following described parcel thereof, which said exempted parcel is more particularly described as follows, to wit:

Commencing at the North West corner of said Lot 3, said point being at the intersection of the East line of the alley in the rear of said Lot 3 and the South line of Lavina Avenue in said City; thence in a Southwesterly direction along the East line of said alley, being the West line of Lot 3 aforesaid, 10 feet; thence Easterly 26.8 feet to a point on the North line of Lot 3 aforesaid, which point is 25 feet South East of the place of beginning; thence Northwesterly along the North line of Lot 3 aforesaid to the place of beginning.

Commonly known as 1406 Broadway, Fort Wayne, Indiana.

25. **TAX KEY NO.: 02-12-11-119-015.000-074**

Lot Number 5 and the South 1/2 of Lot Number 4 in McMaken's Addition to Fort Wayne, according to the plat thereof, recorded in Deed Record Y, page 505, being all of Lot 4 except that part conveyed by deed dated June 8, 1903, by Elizabeth Hageman to Henry w Hageman, recorded in Deed Record 173, page 484, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1412 Broadway, Fort Wayne, Indiana.

26. **TAX KEY NO.: 02-12-11-119-016.000-074**

Lots 6 and 7 in McMaken's Addition to the City of Fort Wayne, according to the plat thereof, recorded in Deed Record Y, page 505, in the Office of the Recorder of Allen County, Indiana.

Commonly known as 1414 Broadway Avenue, Fort Wayne, Indiana 46802.

27. **TAX KEY NO.: 02-12-11-119-017.000-074**

Lot Numbered Eight (8) in McMaken's Addition to the City of Fort Wayne, Allen County, Indiana.

Commonly known as 1418 Broadway, Fort Wayne, Indiana 46802-3308.

28. **TAX KEY NO.: 02-12-11-119-019.000-074**

TRACT I:

Parts of Lots #9 and #10 in McMaken's Addition and Lots #13 and #14 in Chipman's Addition, both as recorded in the plats thereof in the Office of the Recorder of Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the East corner of said Lot #9; thence Northwesterly on and along the Northeast Line of said Lot #9, a distance of 61.2 feet to a P.K. nail found; thence Westerly, a distance of 63.8 feet to an iron pipe found on the West Line of said Lot #13, said pipe being situated 67.8 feet Northerly from the Southwest corner of said Lot #13; thence Southerly along the West Line of said Lot #13, a distance of 48.3 feet to a farm fence post found, said farm fence post being situated 19.5 feet Northerly from the Southwest corner of said Lot #13; thence Southeasterly, a distance of 77.5 feet to an iron pipe found on the East Line of said Lot #10 (said Line being coincident with the West Line of Broadway), said pipe being situated 9.0 feet Southwesterly from the East corner of said Lot #10; thence Northeasterly on and along the West Line of Broadway, a distance of 57.0 feet to the point of beginning.

TRACT II:

North Triangular 16.8 Fractional Part of Lot numbered nine (9) McMaken's Addition, according to the plat thereof as recorded in the Office of the Recorder of Allen County, Indiana.

TRACT III:

Parts of Lots 13 and 14 Chipman's Addition as recorded in Deed Record N, page 475 and of Lot 10 McMaken's Addition as recorded in Deed Record Y, page 504 described as follows:

Commencing on the West line of Broadway at a point situated 11.0 feet Northeasterly of the Southeast corner of said Lot 14 of Chipman's Addition; thence Northeast on the West line of Broadway, 45.5 feet to a point situated 9.0 feet Southwesterly from the East corner of Lot 10 of said McMaken's Addition; thence Northwesterly a distance of 73.9 feet on a line terminating in the West line of Lot 13 of said Chipman's Addition at a point situated 19.5 feet distant Northwesterly from the Southwest corner of said lot; thence Southerly on the West line of said Lot 13, a distance of 19.5 feet to the Southwest corner thereof; thence West on the North line of Lot 14 of said Chipman's Addition to the Northwest corner thereof; thence Southeasterly on the West line of said Lot 14, a distance of 30.5 feet to a point situated 27.5 feet distant Northwesterly from the Southwest corner thereof; thence Eastward a distance of 100.3 feet to a point situated within said lot at a distance of 27.5 feet North of the South line thereof; thence Southeasterly a distance of 14.8 feet to a point situated within the said lot, at a distance of 17.0 feet North of the South line thereof; thence Southeasterly 31.6 feet to the point of beginning on the West line of Broadway, in Allen County, Indiana.

Commonly known as 1420 Broadway, Fort Wayne, Indiana.

29. **TAX KEY NO.: 02-12-11-119-023.000-074**

Part of Lot 14 Chipman's Addition, described as follows: Commencing at the Southeast corner of Lot Number 14 Chipman's Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat thereof; thence west on the south line of said Lot 129.0 feet to the southwest corner thereof; thence northwesterly on the west line thereof, 27.5 feet; thence eastward a distance of 100.3 feet to a point situated within said lot at a distance of 27.5 feet north of the south line thereof; thence southeasterly a distance of 14.3 feet to a point situated within the said lot at a distance of 17.0 feet north of the south line thereof; thence southeasterly 31.6 feet to the west line of Broadway a point situated 11.0 feet northeastward of the southeast corner of said lot; thence southwesterly along the west line of Broadway 11.0 feet to the point of beginning.

Commonly known as 1430 Broadway, Fort Wayne, Indiana 46802.

30. **TAX KEY NO.: 02-12-11-118-009.002-074**

Frl S 9.08 ft of Frl E 88.67' Lot 2 Ayres Addition

Commonly known as 0000 Jackson Street, Fort Wayne, Indiana.

EXHIBIT B

UNION PARKING COMPANY, LLC 86-2136056

Investor

Broadway Redevelopment Partners, LLC	<u>100%</u>
	100%

BROADWAY REDEVELOPMENT PARTNERS, LLC 82-1235390

Investor

RTM Ventures, LLC	25.77%
RSMA Properties, LLC	8.90%
BWP Investments, LLC	13.95%
Tall Tree Properties, LLC	5.15%
Madison Trust Company, Custodian FBO Tin	1.62%
West Central Investment Group, LLC	1.55%
James G. Hukabee (Emily Huckabee)	1.10%
Loren Troyer	2.68%
Steve Lehman	6.44%
Figures Capital, LLC	23.19%
Patrick Alderdice	6.44%
TMG Electric, LLC (Model Group)	<u>3.22%</u>
	100.00%



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R7 / 1-21)

Prescribed by the Department of Local Government Finance

CITY OF F.T. WAYNE
OCT 13 2021
COMMUNITY DEVELOPMENT

20 ____ PAY 20 ____

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the county auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between January 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the county auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1		TAXPAYER INFORMATION			
Name of taxpayer UNION PARKING COMPANY, LLC / BROADWAY REDEVELOPMENT PARTNERS, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 701 WEST MAIN STREET, SUITE 200, DURHAM, NORTH CAROLINA 27701					
Name of contact person NICOLE MORRILL		Telephone number (202) 558-8865		E-mail address nmorrill@ancora.re	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body COMMON COUNCIL CITY OF FORT WAYNE		Resolution number			
Location of property SEE ATTACHED		County ALLEN		DLGF taxing district number 74	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) 311,305 SF PARKING GARAGE TO BE WRAPPED WITH 308,021 SF OF RESIDENTIAL APARTMENTS AND 31,757 SF OF COMMERCIAL SPACE WHICH WILL CONSIST OF A 10,760 SF CHILDCARE CENTER, 12,197 SF FITNESS CENTER, AND 8,800 SF OF NEIGHBORHOOD SERVING RETAIL.				Estimated start date (month, day, year) JUNE 1, 2022	
				Estimated completion date (month, day, year) JUNE 1, 2025	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current Number 0.00	Salaries \$0.00	Number Retained 0.00	Salaries \$0.00	Number Additional	Salaries
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values					
Plus estimated values of proposed project		110,000,000.00			
Less values of any property being replaced					
Net estimated values upon completion of project		110,000,000.00			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
Estimated solid waste converted (pounds) _____		Estimated hazardous waste converted (pounds) _____			
Other benefits CURRENT COMBINED STORM SEWER TO BE REPLACED WITH SEPARATE FACILITIES WHICH WILL SERVICE THE SITE.					
SECTION 6		TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) 07/26/2021	
Printed name of authorized representative JOSHUA M. PARKER				Title AUTHORIZED REPRESENTATIVE	

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed calendar years* (see below). The date this designation expires is December 31, 2021. NOTE: This question addresses whether the resolution contains an expiration date for the designated area.

B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements ☒ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☒ No

C. The amount of the deduction applicable is limited to \$ unlimited.

D. Other limitations or conditions (specify) N/A

E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☒ Year 10

F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?

☒ Yes ☐ No

If yes, attach a copy of the abatement schedule to this form.

If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. Except as provided in IC 6-1.1-12.1-18, the deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" and approving a waiver of non-compliance under I.C. 6-1.1-12. For multiple properties as listed on attached Exhibit A, Fort Wayne, Indiana 46802, (Union Parking Company, LLC/Broadway Redevelopment Partners, 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 \$110,000,000; and

WHEREAS, representatives of Union Parking Company, LLC/Broadway Redevelopment Partners, LLC informed Common Council applications for demolition permits were submitted to the Allen County Building Department on September 20, 2021, September 27, 2021 and September 28, 2021; and

WHEREAS, Union Parking Company, LLC/Broadway Redevelopment Partners, LLC has submitted a written request for a waiver of non-compliance under I.C. 6-1.1-12.1-11.3; and

WHEREAS, I.C. 6-1.1-12.1-11.3 permits non-compliance events such as the untimely filing of an application, statement of benefits, or another document required to be filed under I.C. 6-1.1-12.1; and

WHEREAS, the Common Council acknowledges that Union Parking Company, LLC/Broadway Redevelopment Partners, LLC has requested a waiver of non-compliance which the Common Council has the power and authority to approve under I.C. 6-1.1-12.1-11.3; and

WHEREAS, Common Council finds that Union Parking Company, LLC/Broadway Redevelopment Partners, LLC did not comply with I.C. 6-1.1-12.1 by failure to submit the completed statement of benefits form to the Common Council before initiation of redevelopment or rehabilitation,

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, I.C. 6-1.1-12.1-11.3(c) and I.C. 5-3-1 and a public hearing has been conducted on said Resolution and waiver.

WHEREAS, representatives of Union Parking Company, LLC/Broadway Redevelopment Partners, LLC were in attendance and presented testimony on why a waiver should be granted; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning said Resolution; and

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

SECTION 1. That, Common Council hereby adopts a waiver of non-compliance with I.C. 6-1.1-12.1-11.3 regarding the failure to submit the completed statement of benefits form to the common council before initiation of redevelopment or rehabilitation, and for which Union Parking Company, LLC/Broadway Redevelopment Partners, LLC desires to claim an Economic Revitalization Area deduction.

SECTION 2. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 3. 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 4. 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 the estimated timeframe of June 1, 2022 and June 30, 2025. Should any delays occur, an updated timeframe will be communicated to the Allen County Assessor and Allen County Auditor by Community Development staff in writing.

SECTION 5. 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 6. 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 \$3.2648/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.2648/\$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 \$3.2648/\$100 (the change would be negligible).

SECTION 7. That, 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 8. 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 9. That, 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 10. 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 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 in 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 11. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or new manufacturing, logistical distribution and information technology equipment acquired.
- 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 and/or personal property deductions.
- F. The tax savings resulting from the real and/or personal property being abated.

F. The tax savings resulting from the real and/or personal property being abated.

SECTION 12. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 13. 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.

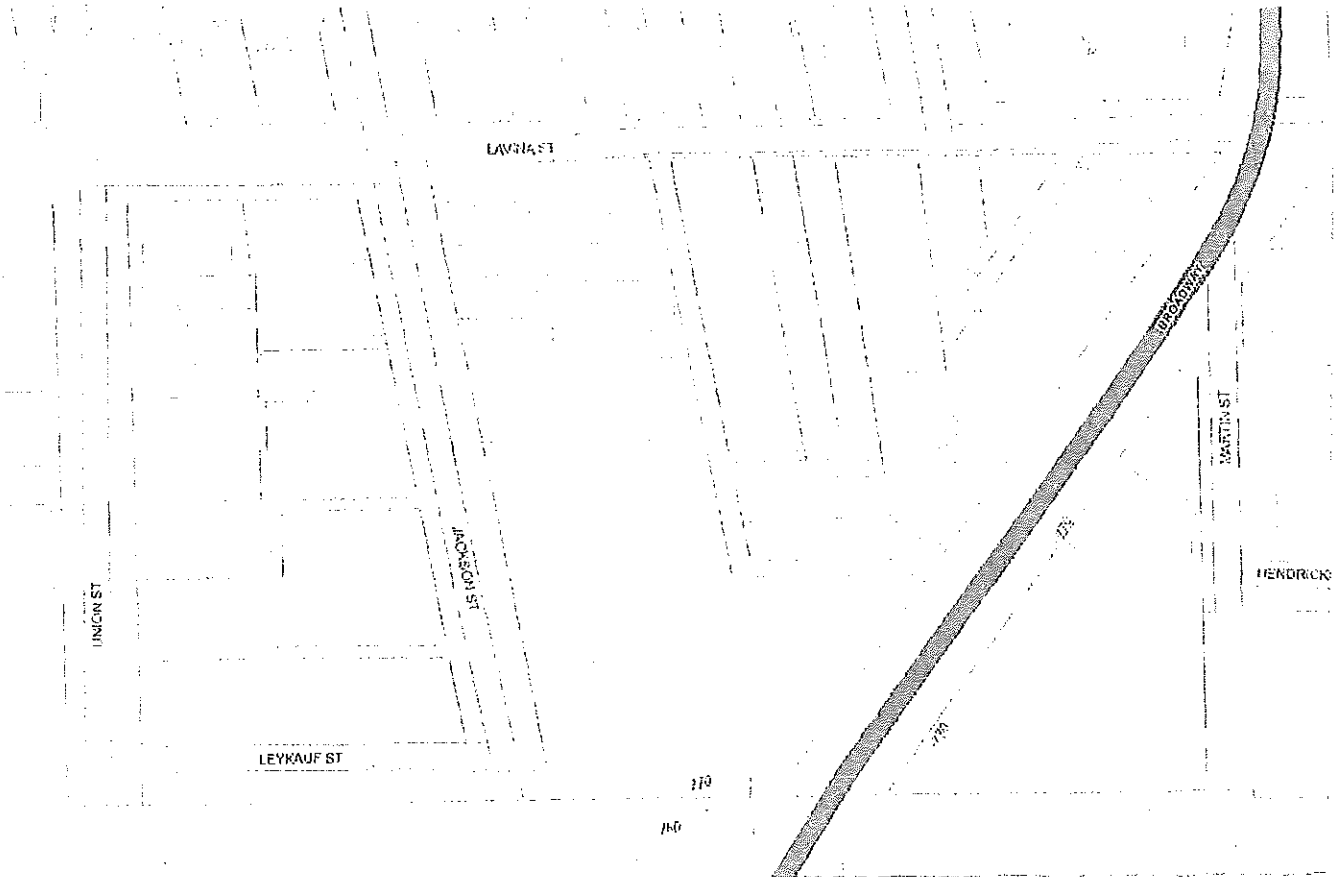
SECTION 14. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM A LEGALITY

Carol Helton, City Attorney

EXHIBIT A



1. 02-12-11-118-004.000-074 / 1309 Union Street
2. 02-12-11-118-005.000-074 / 1311 Union Street
3. 02-12-11-118-006.000-074 / 1315 Union Street
4. 02-12-11-118-007.000-074 / 1317 Union Street
5. 02-12-11-118-011.000-074 / 1326 Jackson Street
6. 02-12-11-118-011.000-074 / 1326 Jackson Street
7. 02-12-11-118-010.000-074 / 1314 Jackson Street
8. 02-12-11-118-011.000-074 / 1326 Jackson Street
9. 02-12-11-119-001.000-074 / 1301 Jackson Street
10. 02-12-11-119-002.000-074 / 1305 Jackson Street
11. 02-12-11-119-003.000-074 / 1307 Jackson Street
12. 02-12-11-119-004.000-074 / 1311 Jackson Street
13. 02-12-11-119-005.000-074 / 1315 Jackson Street
14. 02-12-11-119-005.001-074 / 1317 Jackson Street
15. 02-12-11-119-006.000-074 / 1319 Jackson Street
16. 02-12-11-119-024.000-074 / 1434 Broadway
17. 02-12-11-119-007.000-074 / 815 Lavina Street
18. 02-12-11-119-008.000-074 / 811 Lavina Street
19. 02-12-11-119-009.000-074 / 809 Lavina Street
20. 02-12-11-119-010.000-074 / 803 Lavina Street
21. 02-12-11-119-011.000-074 / 719 Lavina Street
22. 02-12-11-119-012.000-074 / 715 Lavina Street
23. 02-12-11-119-013.000-074 / 1404 Broadway
24. 02-12-11-119-014.000-074 / 1406 Broadway
25. 02-12-11-119-015.000-074 / 1412 Broadway
26. 02-12-11-119-016.000-074 / 1414 Broadway
27. 02-12-11-119-017.000-074 / 1418 Broadway
28. 02-12-11-119-019.000-074 / 1420 Broadway
29. 02-12-11-119-023.000-074 / 1430 Broadway
30. 02-12-11-118-009.002-074 / 0000 Jackson Street

October 21, 2021

VIA HAND DELIVERY

Andrea Robinson
City of Fort Wayne Redevelopment Commission
Community Development Division
200 East Berry Street - Suite 320
Fort Wayne, Indiana 46802

Re: Electric Works Phase II Project
Our File No. 50716-21002

Dear Andrea:

I am writing to you on behalf of RTM Ventures, LLC ("RTM"), the Developer of the Electric Works Phase II Project, to request a Waiver of Non-Compliance pursuant to Ind. Code §1.1-12.1-11.3 and City of Fort Wayne Municipal Code §153 for the following reasons:

RTM has filed its Application for Tax Abatement (Phase-In) pursuant to its having finalized an Economic Development Agreement with the City Department of Redevelopment, which Economic Development Agreement was approved by the City Redevelopment Commission on October 18, 2021, after many months of discussion. At the City's request, RTM did not file its site plans and specifications in order to begin construction until after the Economic Development Agreement was finalized and RTM was given approval by the Department of Redevelopment to file the plans. In order to have the Phase II site ready for the commencement of construction, RTM received approval from the Building Department to begin demolishing certain houses within the Phase II site, and those demolition permits were issued prior to the filing of the Tax Abatement Application.

That being the case, RTM is requesting a waiver of the requirements set forth in IC §1.1-12.1-11.3 and Municipal Code §153.14(G). It is RTM's position that it is unclear whether or not a demolition permit constitutes the kind of permit contemplated by the State Statute and the Municipal Ordinance; however, out of an abundance of caution, and pursuant to one interpretation of the statute and ordinance, we are requesting this Waiver.

October 21, 2021

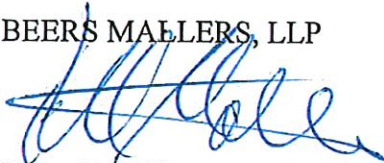
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The granting of the Waiver will not adversely affect City Council's review of the Application or cause an undue hardship or any other impediment in the abatement/phase-in approval process. In addition, granting the waiver will allow the Phase II Project to proceed on schedule, which will result in a \$126 Million investment of development and construction costs into the community.

Thank you for your attention to this.

Very truly yours,

BEERS MALLERS, LLP



Peter G. Mallers

PGM:kam/39E9062