

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5510 Flaugh Road Fort Wayne, Indiana 46818 (Project Mastodon Ft Wayne 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, said project will create 1,000 full-time, permanent jobs for a total additional annual payroll of \$30,000,000, with the average additional, annual job salary being \$30,000; and

WHEREAS, the total estimated project cost is \$100,000,00,000; 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 April 1, 2021 and December 31, 2022.

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 \$3.2510/\$100.

(b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$3.2510/\$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 \$3.2510/\$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.

- 1 C. The total salaries of the employees hired through the end of the preceding calendar
2 year as a result of the deduction.
3 D. The total number of employees employed at the facility receiving the deduction.
4 E. The total assessed value of the real property deductions.
5 F. The tax savings resulting from the real property being abated.

6 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due to
7 jurisdictions within Allen County, Indiana.

8 **SECTION 12.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has
9 received a deduction under section 3 or 4.5 of this chapter may be required to repay the
10 deduction amount as determined by the county auditor in accordance with section 12 of said
11 chapter if the property owner ceases operations at the facility for which the deduction was
12 granted and if the Common Council finds that the property owner obtained the deduction by
13 intentionally providing false information concerning the property owner's plans to continue
14 operation at the facility.

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

17 _____
18 Member of Council

19 APPROVED AS TO FORM A LEGALITY

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21 Carol Helton, City Attorney
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Legal Description

The North $\frac{1}{2}$ of the fractional Northwest $\frac{1}{4}$ of Section 19, Township 31 North, Range 12 East, in Allen County, Indiana; ALSO the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, except the North 315 feet of the East 100 feet of Section 19, Township 31 North, Range 12 East, in Allen County, Indiana; ALSO the South $\frac{1}{2}$ of the fractional North $\frac{1}{2}$ of Section 19, Township 31 North, Range 12 East, except therefrom that part lying South of the North right of way line of highway, and except therefrom the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, in Allen County, Indiana.

EXCEPTING THEREFROM: (Doc. No. 990000445)

Part of the Northwest Quarter of the Northeast Quarter of Section 19, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section 19; thence North 89 degrees 07 minutes 00 seconds West, on the North line of said Northeast Quarter 1326.80 feet to the Northeast corner of real estate described in Document 88-41390 as found in the Office of the Recorder of Allen County, Indiana, said corner also being the Northwest corner of Kruse Homestead Addition as recorded in Plat Record 25, page 144; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing), on the West line of said Kruse Homestead Addition and on the East line of said real estate described in Document 88-41390, a distance of 315.00 feet to the Southeast corner thereof and the POINT OF BEGINNING; thence continuing South 00 degrees 00 minutes 00 seconds West, 85.00 feet; thence North 89 degrees 07 minutes 00 seconds West, parallel with the North line of said Northeast Quarter, 514.41 feet; thence North 00 degrees 00 minutes 00 seconds East, parallel with the West line of said Kruse Homestead Addition, 400.00 feet to the North line of said Northeast Quarter; thence South 89 degrees 07 minutes 00 seconds East, on said North line, 414.41 feet to the Northwest corner of said real estate described in Document 88-41390; thence South 00 degrees 00 minutes 00 seconds West, on the West line thereof, 315.00 feet to the Southwest corner thereof; thence South 89 degrees 07 minutes 00 seconds East, on the South line thereof, to the POINT OF BEGINNING, containing 4.00 acres, more or less.

REDESCRIBED AS FOLLOWS:

Part of the North half of, fractional Section 19, Township 31 North, Range 12 East, Allen County, Indiana, in particularly described as follows, to-wit:

Commence at a stone found at the Northwest corner of fractional Section 19; thence South 89 degrees 19 minutes 16 seconds East (bearings based upon autonomous gps position) along the North line of the fractional Section 19, a distance of 776.39 feet to the South 50 foot right of way of a public road known as the Washington Center Road, as situated 50 feet radially distant South of the centerline thereof as established in accordance with construction plans for U.S. Highway No. 30 District 7 FA Project No. 66 dated 1935; thence Southeasterly along a circular curve to the left having a radius of 2341.83 feet, a distance of 498.38 feet, the chord of which bears South 83 degrees 18 minutes 23 seconds East to a point of tangent at plan station 1821+93.5; thence South 89 degrees 24 minutes 12 seconds East and continuing along said right of way, a distance of 970.40 feet to the West line of a 4.00 Acre sale off as recorded in Document Number 990000445; thence South 00 degrees 19 minutes 32 seconds East along the line aforesaid, a distance of 348.32 feet to the Southwest corner of said 4.00 Acres; thence South 89 degrees 21 minutes 50 seconds East along the South line of said 4.00 Acres, a distance of 514.41 feet to the West line of the plot of Kruse Homestead Addition as recorded in Plat Book 25, Page 144, said West line being also the East line of the West one half of the Northeast Quarter of said Section 19; thence South 00 degrees 19 minutes 32 seconds East along the lines aforesaid, a distance of 2047.16 feet to the North right of way of U.S Highway No. 30 a situated 100 feet normally distant North of the centerline as established by INDOT plans for Project 870 (13) 1959; thence North 89 degrees 09 minutes 37 seconds West along said right of way, parallel with and 100 feet normally distant North of said centerline, a distance of 784.55 feet to plan station 946+00; thence South 88 degrees 21 minutes 30 seconds West and continuing along said right of way, a distance of 300.28 feet to plan station 943+00 as situated 87 feet normally distant North of said centerline; thence North 89 degrees 09 minutes 37 seconds West and continuing along said right of way, parallel with and 87 feet normally distant North of said centerline; a distance of 1609.00 feet to plan station 926+91; thence North 36 degrees 04 minutes 47 seconds West and continuing along said right of way, a distance of 116.50 feet to a point situated 30 feet East of the West line of the fractional Northwest Quarter of said Section 19; thence North 00 degrees 34 minutes 02 seconds East and parallel with the West line of the fractional Northwest Quarter, a distance of 35.00 feet; thence North 89 degrees 25 minutes 58 seconds West, a distance of 30.00 feet to the West line of the fractional Northwest Quarter of said Section 19; thence North 00 degrees 34 minutes 02 seconds East along said West line as coincident with the centerline of a public road known as the Flaugh Road, a distance of 2322.62 feet to the POINT OF BEGINNING, containing 149.6253 Acres of land, more or less.

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 eligible real property improvements. Project Mastodon Ft Wayne LLC will construct a 634,000 square foot distribution facility.**

EFFECT OF PASSAGE: **Investment of \$100,000,000 and the creation of 1,000 new full-time permanent jobs with a total annual payroll of \$30,000,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and the creation of 1,000 new full-time permanent jobs with a total annual payroll of \$30,000,000.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Jason Arp and Glynn Hines**