

A RESOLUTION terminating a designation for “Economic Revitalization Area” and personal property tax phase-in approved under Resolution R-30-10 for property commonly known as 2711 Banks Avenue, Fort Wayne, Indiana 46802 (Brooks Construction Company, Inc.)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 2711 Banks Avenue for Brooks Construction Company, Inc. (Confirming Resolution R-30-10) 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 Brooks Construction Company, Inc. and approved under Confirming Resolution R-30-10 was for \$2,500,000 in personal property manufacturing equipment improvements; and

WHEREAS, Brooks Construction Company, Inc. indicated it would create six full-time jobs with an annual created payroll of \$390,000; and

WHEREAS, Brooks Construction Company, Inc. did not file a 2020 Compliance with Statement of Benefits Personal Property (Form CF-1/Personal Property) with the City or Allen County Assessor; and

WHEREAS, Brooks Construction Company, Inc. has provided communication to the City that they would not file a Compliance with Statement of Benefits Personal Property (Form CF-1/Personal Property); and

WHEREAS, the Common Council acknowledges that Brooks Construction Company, Inc. did not file a 2020 CF-1/Personal Property and did not request 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).

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

SECTION 1. That Brooks Construction Company, Inc. failed to file a Compliance with Statement of Benefits Personal Property (Form CF-1/Personal Property) and failed to file for a waiver of non-compliance for not filing said Compliance with Statement of Benefits Personal Property Improvements (Form CF-1/Personal Property) and as a result of said failure, the tax phase-in for Brooks Construction Company, Inc. under R-30-10 is hereby terminated by Common Council. The Allen County Auditor and Allen County Assessor shall be supplied with a copy of this Resolution, upon passage, and is instructed to terminate the abatement for personal property manufacturing equipment improvements.

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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.

Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney