

**A RESOLUTION terminating a designation for “Economic Revitalization Area” and real property tax phase-in approved under Resolution R-24-10 for property commonly known as 927 S. Harrison Street, Fort Wayne, Indiana 46802 (927 S. Harrison, LLC/Midtowne Real Estate, LLC)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 927 S. Harrison Street for 927 S. Harrison, LLC/Midtowne Real Estate, LLC (Confirming Resolution R-24-10) 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 927 S. Harrison, LLC/Midtowne Real Estate, LLC and approved under Confirming Resolution R-24-10 was for \$600,000 in real property improvements; and

**WHEREAS**, 927 S. Harrison, LLC/Midtowne Real Estate, LLC indicated it would create four full-time jobs with an annual created payroll of \$140,000; and

**WHEREAS**, 927 S. Harrison, LLC/Midtowne Real Estate, LLC did not file a 2020 Compliance with Statement of Benefits Real Property (Form CF-1/Real Property) with the City or Allen County Auditor; and

**WHEREAS**, 927 S. Harrison, LLC/Midtowne Real Estate, LLC) did not respond to communication and notice from the City that a CF-1 Real Property was not filed with either the City or Allen County Auditor and that for the tax phase-in to continue, a CF-1 Real Property would need to be filed with the City and Allen County Auditor and that a waiver of non-compliance for failure to file would need to be submitted to the City; and

**WHEREAS**, Common Council acknowledges that 927 S. Harrison, LLC/Midtowne Real Estate, LLC did not file a 2020 CF-1/Real Property and did not apply for 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 927 S. Harrison, LLC/Midtowne Real Estate, LLC failed to file a Compliance with Statement of Benefits Real Property (Form CF-1/Real Property) and failed to submit an application for a waiver of non-compliance for not filing said Statement of Benefits Real Property Improvements (Form CF-1/Real Property) and as a result of said failure, the tax phase-in for 927 S. Harrison, LLC/Midtowne Real Estate, LLC 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

1 this Resolution, upon passage, and is instructed to terminate the abatement for personal property  
2 manufacturing equipment improvements.

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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Member of Council

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8 APPROVED AS TO FORM AND LEGALITY

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Carol Helton, City Attorney