BILL NO. R-20-07-17

CONFIRMING RESOLUTION NO. R-________

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1627 Laverne Avenue, Fort Wayne, Indiana 46805 (G&L Land Development, 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 two part-time, permanent jobs for a total additional annual payroll of $25,750, with the average additional, annual job salary being $12,875; and

WHEREAS, the total estimated project cost is $2,375,454; 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 June 1, 2021 and September 1, 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 $3.2602/$100.

(b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be $3.2602/$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 $3.2602/$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.

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 property deductions.

F. The tax savings resulting from the real property being abated.

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

SECTION 12. 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 13. 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

1627 Laverne Avenue

Part of Lots Numbered 7, 8, 9, 10, 11 and 12 of the J.H. Feichter's Garden View Addition to Fort Wayne, Allen County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 11011573_2020, dated May 18, 2020 and being more particularly described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southwest Quarter of Section 32, Township 31 North, Range 13 East, St. Joseph Township, Allen County, Indiana; thence South 87 degrees 27 minutes 42 seconds West (Indiana East SPC, 1983 bearing and basis of bearings to follow), a distance of 18.00 feet to the West right-of-way line of Laverne Avenue; thence South 02 degrees 36 minutes 40 seconds East, a distance of 626.95 feet along the West right-of-way line of Laverne Avenue, also being parallel with and 18.00 feet West of the East line of said Lot Numbered 12 to a 5/8" steel rebar with

a "Miller Firm #0095" identification cap on the South line of an existing 6.273 acre tract described in Document

Number 2012033394 in the Office of the Recorder of Allen County, Indiana, said point also being the POINT OF BEGINNING of the herein described tract; thence continuing South 02 degrees 36 minutes 40 seconds East, a distance of 134.45 feet along said right-of-way line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the North line of an existing tract described in Document Number 2019010991 in the Office of the Recorder of Allen County, Indiana; thence South 87 degrees 43 minutes 08 seconds West, a distance of 312.00 feet along said North line to a point on the West line said Lot Number 11, said point being referenced by a ½" steel rebar 0.26 feet North and 0.09 feet West; thence South 02 degrees 36 minutes 40 seconds East, a distance of 36.80 feet along said West line to a point on the North line of an existing tract described in Document Number 980050488 in the Office of the Recorder of Allen County, Indiana, said point being referenced by a 3/8" steel

rebar 0.33 feet North and 1.25 feet West; thence South 87 degrees 30 minutes 50 seconds West, a distance of 165.00 feet along said North line to a point on the West line of said Lot Number 10, said point being referenced by a ½" steel rebar 0.97 feet North and 1.08 feet West; thence North 02 degrees 36 minutes 40 seconds West, a distance of 59.80 feet along said West line to a point on the North line of an existing tract described in Document Number 980050488 in the Office of the Recorder of Allen County, Indiana, said point being referenced by a ½" steel rebar 1.13 feet South 0.37 feet West; thence

South 87 degrees 39 minutes 10 seconds West, a distance of 165.00 feet to a point on the West line of said Lot Number 9, said point being referenced by a ½" steel rebar 0.94 feet South and 0.09 feet East; thence South 87 degrees 27 minutes 42 seconds West, a distance of 165.00 feet along the North line of said Document Number 980050488 to a point on the West line of said Lot Number 8, said point being referenced by a ½" steel rebar 0.38 feet North and 0.34 feet East; thence

South 02 degrees 36 minutes 40 seconds East, a distance of 4.00 feet along said West line to the North line of an existing tract described in Document Number 2019034731 in the Office of the Recorder of Allen County, Indiana; thence South 87 degrees 34 minutes 28 seconds West, a distance of 165.00 feet along said North line to a ½" steel rebar with a "0027" identification cap on the West line of said Lot Number 7; thence North 02 degrees 36 minutes 40 seconds West, a distance of 739.98 feet along said West line to a point on the North line of said Lot Number 7, said point being referenced by a ½" steel rebar 0.19 feet North and 0.60 feet East; thence North 87 degrees 27 minutes 42 seconds East, a distance of 546.12 feet along said North line and also along the North lines of Lots Numbered 8, 9 and 10 to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the West line of said 6.273 acre tract; thence South 03 degrees 09 minutes 02 seconds East, a distance of 669.71 feet along said West line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the South line of said 6.273 acre tract; thence North 86 degrees 50 minutes 58 seconds East, a distance of 164.21 feet along said South line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap; thence North 46 degrees 50 minutes 58 seconds East, a distance of 59.48 feet along said South line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap; thence North 86 degrees 50 minutes 58 seconds East, a distance of 210.18 feet along said South line to the Point of Beginning. Containing 10.576 acres, more or less. Subject to the Baldwin Legal Open Drain and subject to easements of record.

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 G&L Land Development, LLC for eligible real property improvements. G&L Land Development, LLC will construct 13 duplexes with outside common areas and infrastructure. These apartments will be made available to those at 60% or less of the annual area median income.**

EFFECT OF PASSAGE: **Investment of $2,375,454, the creation of two part-time jobs with an annual payroll of $25,750.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the creation of two part-time jobs with an annual payroll of $25,750.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Jason Arp and Sharon Tucker**