BILL NO. R-20-08-29

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 5105 Industrial Road, Fort Wayne, Indiana 46825 (Mill Supplies, Inc./L&A Capital, 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 retain 42 full-time and two part-time permanent jobs with a total current payroll of $2,080,500, with the average current, annual salary of $47,329; and

WHEREAS, the total estimated project cost is $800,000; 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 May 1, 2020 and September 30,2020.

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 five 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	80%
3	60%
4	40%
5	20%
6	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.

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Member of Council

APPROVED AS TO FORM AND LEGALITY

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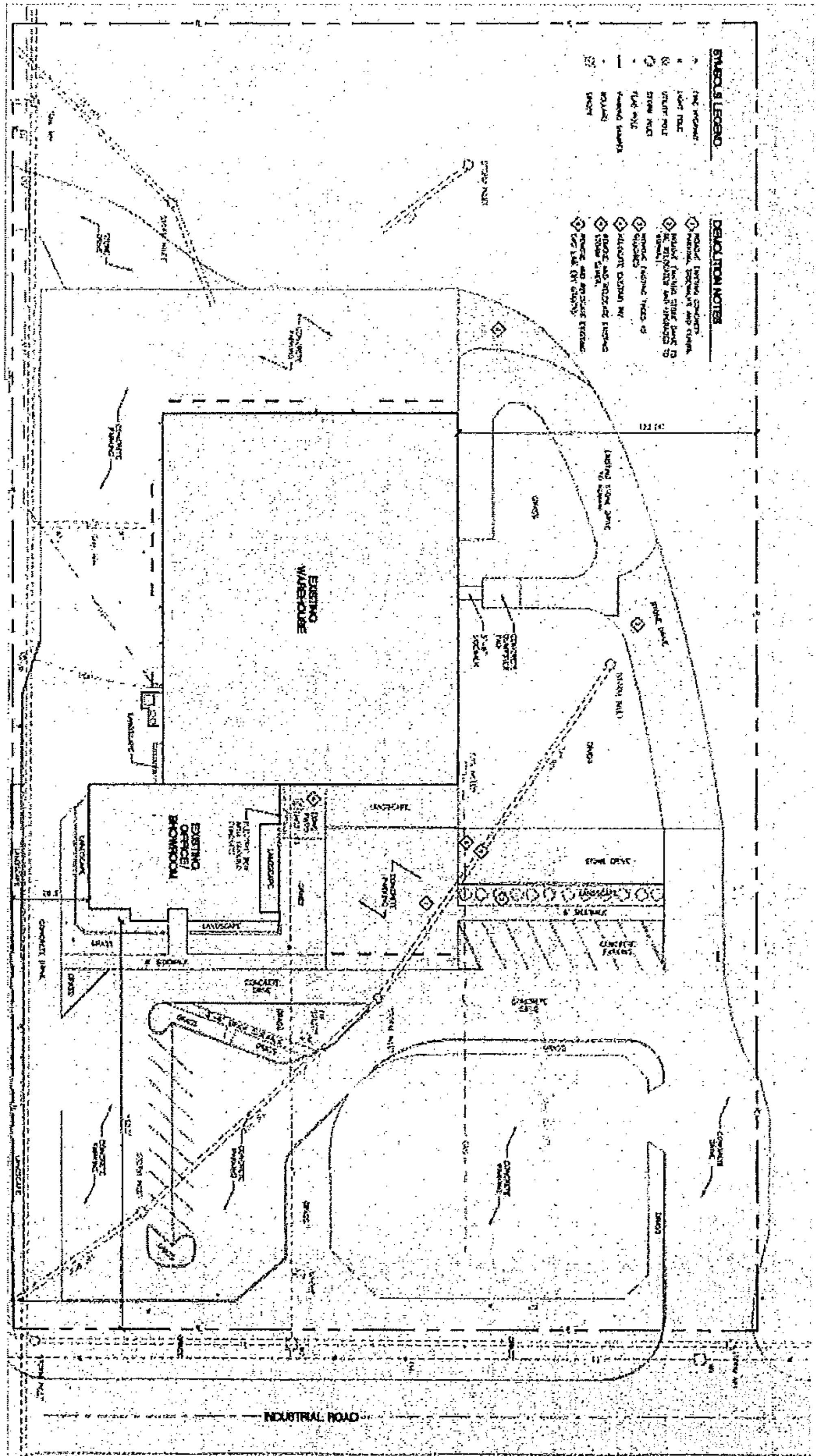
Carol Helton, City Attorney

LEGAL DESCRIPTION (Doc.# 97-6569)

Part of the Northwest Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana, described as follows:

Beginning on the West line of the East half if said North west Quarter at a point situated 30.0 feet North of the Southwest corner of said East half, said point being also the point of intersection of said West line with the North right-of-way line of Ley Road as dedicated in Deed Record 579, pages 398-401, in the Office of the Recorder of Allen County, Indiana, thence North, on and along said West line, a distance of 303.0 feet, thence Easterly, by interior angle of 89 degrees, 43 minutes and parallel to the South line of said East Half, a distance of 5528.4 feet to a point on the West right-of-way line of Industrial Road, said right-ofway line having been established by a dedication recorded in Document No. 79-26742 in the Office of said Recorder; thence southerly, by an interior angle of 90 degrees, 18 minutes, on and along said West right-of-way line as situated 45.0 feet (measured at right angles) West of and parallel to the centerline of said Industrial Road, a distance of 303.0 feet to the point of intersection of said West right-of-way line with the North right-of-way line of Ley Road; thence Westerly, by interior angle of 89 degrees, 42 minutes, on and along said Northerly right-of-way line as situated 30.0 feet (measured at right angles) Northerly of and parallel to the South line of the East Half of said Northeast Quarter, a distance of 528.49 feet to the point of beginning, containing 3.676 acres.

Exhibit A.1



SHOWROOM/OFFICE ADDITION FOR

MSI

MILL SUPPLIES, INC.

5105 INDUSTRIAL ROAD
FORT WAYNE, IN 46825

Exhibit A.2