

**A Resolution confirming the approving
order of the Fort Wayne Plan Commission
and Fort Wayne Redevelopment
Commission Resolution 2022-04
concerning repeal of the North River Urban
Renewal Area**

WHEREAS, pursuant to the provisions of the Redevelopment of Blighted Areas Act of 1981, P.L. 309 and 310 of Acts of 1981 of the General Assembly of the State of Indiana, as amended and supplemented, on January 24, 2022, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution 2022-04, attached hereto as Exhibit A, for the purpose of repealing the North River Urban Renewal Area and tax allocation area ("URA"); and

WHEREAS, on August 15, 2022, the Fort Wayne Plan Commission considered said Declaratory Resolution 2022-04 and issued its Findings of Fact and Resolution, attached hereto as Exhibit B, whereby said Plan Commission determined that repeal of the URA conformed to the plan for development of the City of Fort Wayne;

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

Section 1. The approvals of the Fort Wayne Redevelopment Commission and Fort Wayne Plan Commission described herein are hereby approved, ratified and confirmed.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval by the Fort Wayne Common Council and by the Mayor of the City of Fort Wayne.

Council Member

APPROVED as to form and legality

Malak Heiny, City Attorney

RESOLUTION 2022-04
FORT WAYNE REDEVELOPMENT COMMISSION

DECLARATORY RESOLUTION REPEALING THE
NORTH RIVER URBAN RENEWAL AREA

WHEREAS, on November 18, 2002, the Fort Wayne Redevelopment Commission ("Commission") adopted Declaratory Resolution 2002-50 establishing the North River Urban Renewal Area in the area depicted in attached Exhibit A (the "URA"); and

WHEREAS, on December 23, 2002, the Commission adopted Confirmatory Resolution 2002-64, confirming establishment of the URA; and

WHEREAS, pursuant to Resolution 2002-64, the tax allocation provision of the URA will expire on November 18, 2032; and

WHEREAS, many of the purposes initially prompting establishment of the URA have been completed, including the acquisition of real estate within the URA and the demolition of deteriorating or functionally obsolete structures; and

WHEREAS, the Commission has determined that the URA should be repealed: (i) to ensure that the goals of the URA do not conflict with the goals of current economic development areas, urban renewal areas and/or other existing or proposed plans within the boundaries of the URA, and (ii) due to the limited number of remaining years in the tax allocation provision of the URA; and

WHEREAS, there are no remaining funds, obligated or unobligated, in any account related to the URA, and there are no pending, incomplete or outstanding obligations of the Commission or the City of Fort Wayne with respect to the URA;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission that:

1. The foregoing recitals are true and are incorporated herein and made a part hereof.
2. Declaratory Resolution 2002-50 and Confirmatory Resolution 2002-64, which resolutions established the URA, are hereby rescinded, and the URA is hereby repealed.
3. Following adoption of this Resolution, the Executive Director shall deliver a copy of this Resolution to the City's Plan Commission for its review and determination as to whether repealing the URA conforms to the plan of development for the City, and shall request that the Plan Commission issue its written order approving the Resolution.
4. Following receipt of the Plan Commission's written approving order, the Executive Director shall deliver the Plan Commission's approving order together with this Resolution to the City's Common Council, and shall request that the Council issue its written order approving the Resolution.
5. Following receipt of the Common Council's written approving order, the Executive Director shall publish notice of the adoption and substance of this Resolution together with notice of a public hearing to be held by the Commission in accordance with IC 5-3-1, IC 36-7-14-17(a) and IC 36-7-14-

17(b), and shall mail the notices required by IC 36-7-14-17(c).

6. This Resolution shall be effective upon adoption.

FORT WAYNE REDEVELOPMENT COMMISSION

[Signature], President

[Signature], Secretary

ADOPTED: 24 January 2022

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

BEFORE ME, a Notary Public in and for said State and County, personally appeared Christopher Overin and Nathan Hartman respectively President and Secretary of Fort Wayne Redevelopment Commission, and acknowledged the execution of the foregoing Resolution as a voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and seal this 14 day of February, 2022.

My Commission Expires: 8/29/2024

Resident of Allen County

[Signature]
Signature of Notary Public

Jeannette Cook
Printed Name



#690084

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Joseph R. Giant.

*This instrument prepared by Joseph R. Giant, Redevelopment Manager,
Department of Redevelopment, 200 East Berry Street, Suite 320, Fort Wayne, Indiana 46802.*

Boundary of the NorthRiver Urban Renewal Area (the "URA")

[illegible]

**RESOLUTION AND APPROVING ORDER
CITY OF FORT WAYNE PLAN COMMISSION**

**APPROVING REDEVELOPMENT COMMISSION
DECLARATORY RESOLUTION 2022-04
REPEALING THE NORTH RIVER
URBAN RENEWAL AREA**

WHEREAS, on January 24, 2022, the Fort Wayne Redevelopment Commission ("Redevelopment Commission") adopted Declaratory Resolution 2022-04, for the purpose of repealing the North River Urban Renewal Area; and

WHEREAS, pursuant to IC 36-7-14-16, the Redevelopment Commission submitted the Declaratory Resolution to the Fort Wayne Plan Commission ("Plan Commission") for the Plan Commission's consideration; and

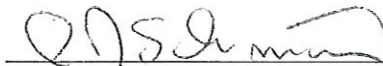
WHEREAS, after having been duly considered, the Plan Commission determined that the Declaratory Resolution conforms to the plan of development for the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED by the City of Fort Wayne Plan Commission that:

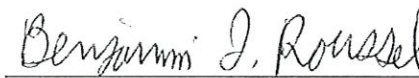
1. Redevelopment Commission Declaratory Resolution 2022-04 conforms to the plan of development for the City of Fort Wayne and is hereby approved.
2. The Secretary of the Plan Commission is authorized to deliver to the Redevelopment Commission and to the City of Fort Wayne Common Council a copy of this fully executed Resolution, which shall constitute the approving order of the Plan Commission.

APPROVED AND ADOPTED by the Plan Commission at its Business Meeting on August 15 2022.

CITY OF FORT WAYNE PLAN COMMISSION



Donald J. Schmidt, Vice President



Benjamin J. Roussel, Secretary

DIGEST SHEET

TITLE OF RESOLUTION. A Resolution confirming the approving order of the Fort Wayne Plan Commission and Fort Wayne Redevelopment Commission Resolution 2022-04 concerning repeal of the North River Urban Renewal Area

DEPARTMENT REQUESTING RESOLUTION. Redevelopment Commission.

SYNOPSIS OF RESOLUTION. Repeals the existing North River Urban Renewal Area and allocation area (TIF District encompassing the North River property). The Redevelopment Commission must publish notice and conduct a public hearing prior to taking final action on this amendment.

EFFECT OF PASSAGE. The North River Urban Renewal Area ("URA") was established in 2002. Many of the purposes initially prompting establishment of the URA have been completed, including the acquisition of real estate within the URA and the demolition of deteriorating or functionally obsolete structures.

Accordingly, the Redevelopment Commission has determined that the URA should be repealed: (i) to ensure that the goals of the URA do not conflict with the goals of current economic development areas, urban renewal areas and/or other existing or proposed plans within the boundaries of the URA, (ii) due to the limited number of remaining years in the tax allocation provision of the URA, and (iii) to avoid overlapping tax allocation areas, which would occur if the Lima-Wells-Fernhill Economic Development Area is extended to encompass this real estate.

EFFECT OF NON-PASSAGE. Non-passage would severely complicate redevelopment efforts of the North River property, especially in conjunction with a failure to pass the amendment to the Lima-Wells-Fernhill Economic Development Area. The limited number of years and the absence of tax increment in the URA effectively eliminate tax increment financing as a potential tool for addressing infrastructure deficiencies at this key site.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS). None. The URA does not generate revenue.

ASSIGNED TO COMMITTEE (PRESIDENT). _____



COMMUNITY DEVELOPMENT REDEVELOPMENT

Thomas C. Henry, Mayor

City of Fort Wayne
Community Development
200 East Berry Street, Suite 320
Fort Wayne, IN 46802
260-427-2150 fwcommunitydevelopment.org

August 18, 2022

MEMO

To: City of Fort Wayne Common Council
Copy: City of Fort Wayne Redevelopment Commission
From: Jonathan Leist, Redevelopment Director, 427-1323
Re: **Repeal of the North River Urban Renewal Area**

The Redevelopment Commission hereby requests that the Common Council consider and approve the approvals of the Fort Wayne Redevelopment Commission and Fort Wayne Plan Commission regarding the repeal of the North River Urban Renewal Area ("North River URA").

Accordingly, pursuant to IC 36-7-14-16 and IC 36-7-14-41, please find enclosed herewith:

1. Fort Wayne Redevelopment Commission Declaratory Resolution 2022-04, approved by the Redevelopment Commission on January 24, 2022, for the purpose of repealing the North River URA; and
2. The Fort Wayne Plan Commission's Findings of Fact and Resolution dated August 15, 2022, wherein the Plan Commission determined that Declaratory Resolution 2022-04 and the proposal to repeal the North River URA conform to the plan of development of the City of Fort Wayne.
3. A proposed Common Council resolution approving the aforementioned approvals and approving the repeal of the North River URA.

Please note that a second Council resolution proposing expansion of the Lima-Wells-Fernhill TIF District to include the area currently encompassed in the North River URA will be introduced and presented alongside this resolution.

Following the Common Council's consideration and approval, the Redevelopment Commission will conduct a public hearing on both the repeal of the North River URA and the expansion of the Lima-Wells-Fernhill TIF District, and will take appropriate action to confirm the respective Declaratory Resolutions.

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