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4 **A CONFIRMING RESOLUTION designating an “Economic
5 Revitalization Area” under I.C. 6-1.1-12.1 for property
6 commonly known as 4877 Adams Center Road, Fort Wayne,
7 Indiana 46806 (ABF, Inc./Transport Realty, Inc.)**

8 **WHEREAS**, Common Council has previously designated and declared by Declaratory
9 Resolution the following described property as an “Economic Revitalization Area” under Sections
10 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

11 **Attached hereto as “Exhibit A” as if a part herein; and**

12 **WHEREAS**, said project will retain 28 full-time jobs with a total current payroll of
13 \$1,915,031, with the average current, annual salary of \$68,403; and

14 **WHEREAS**, the total estimated project cost is \$4,800,000; and

15 **WHEREAS**, a recommendation has been received from the Committee on Finance; and

16 **WHEREAS**, notice of the adoption and substance of said Resolution has been published
17 in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been
18 conducted on said Resolution.

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

21 **SECTION 1.** That, the Resolution previously designating the above described property
22 as an “Economic Revitalization Area” is confirmed in all respects.

23 **SECTION 2.** That, the hereinabove described property is hereby declared an
24 “Economic Revitalization Area” pursuant to I.C. 6-1.1-12.1, said designation to begin on the
25 effective date of this Resolution and shall terminate on December 31, 2021, unless otherwise
26 automatically extended in five year increments per I.C. 6-1.1-12.1-9.

27 **SECTION 3.** That, said designation of the hereinabove described property as an
28 “Economic Revitalization Area” shall apply to a deduction of the assessed value of real estate
29 improvements to be made between April 1, 2021 and December 31, 2022.

30 **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:

- 1 (a) If the proposed development does not occur, the approximate current year tax rates
2 for this site would be \$3.1709/\$100.
- 3 (b) If the proposed development occurs and no deduction is granted, the approximate
4 current year tax rate for the site would be \$3.1709/\$100 (the change would be
5 negligible).
- 6 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%)
7 is assumed, the approximate current year tax rate for the site would be \$3.1709/\$100
8 (the change would be negligible).

9 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from
10 the assessed value of the real property shall be for a period of seven years.

11 **SECTION 7.** The deduction schedule from the assessed value of the real property
12 pursuant to I.C. 6-1.1-12.1-17 shall look like this:

13

Year of Deduction	Percentage
1	100%
2	85%
3	71%
4	57%
5	43%
6	29%
7	14%
8	0%

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17 **SECTION 8.** The benefits described in the Petitioner's Statement of Benefits can be
18 reasonably expected to result from the project and are sufficient to justify the applicable deductions.

19 **SECTION 9.** For real property, a deduction application must contain a performance report
20 showing the extent to which there has been compliance with the Statement of Benefits form
21 approved by the Fort Wayne Common Council at the time of filing. This report must be submitted
22 to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division
23 and must be included with the deduction application. For subsequent years, the performance
24 report must be updated each year in which the deduction is applicable at the same time the property
25 owner is required to file a personal property tax return in the taxing district in which the property for
26 which the deduction was granted is located. If the taxpayer does not file a personal property tax
27 return in the taxing district in which the property is located, the information must be provided by
28 May 15.

29 **SECTION 10.** The performance report must contain the following information

- 30
- 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

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 eligible real property improvements. ABF, Inc./Transport Realty, Inc. will construct a new 27,600 square foot trucking freight terminal.**

EFFECT OF PASSAGE: **Investment of \$4,800,000, the retention of 28 full-time permanent jobs with an annual payroll of \$1,915,031.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 28 full-time permanent jobs with an annual payroll of \$1,915,031.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Jason Arp and Glynn Hines**