

RESOLUTION NO. 98-55*

* 98-55 amended by
6-99 Resolution 3/9/99
(30 yrs. - 100%)

TAX INCREMENT FINANCING

A RESOLUTION DECLARING TO BE PUBLIC PURPOSE CERTAIN PUBLIC IMPROVEMENTS WHICH ARE NECESSARY FOR THE FURTHER DEVELOPMENT OF CERTAIN PARCELS WITHIN THE TOWNSHIP AND ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.

WHEREAS, Section 5709.73 et seq. of the Ohio Revised Code authorizes Townships to participate in a financing technique commonly known as tax increment financing; and

WHEREAS, this Board wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the Township in order to meet the needs of the area, including new development and traffic capacity; and

WHEREAS, the Board caused notice to be given to the Lakota Local School District Board of Education, of this Board's intention to consider this Resolution for adoption not less than fourteen (14) days prior to the date hereof;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Union Township, County of Butler, State of Ohio:

SECTION 1. That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, traffic control devices and alterations to existing streets; the planning, design and construction of utilities including but not limited to water, sanitary sewers, gas mains, electric facilities, communication facilities, storm water sewers and detention facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; the creation and / or enhancement of public service facilities and operations; and, the purchase of property rights of way and easements or other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described and illustrated in Exhibit "A" attached to this Resolution (such parcels are hereinafter collectively referred to as the "Union Township TIF Site"), but excluding any and all residential property located within Exhibit "A", which parcels are located in an unincorporated area of the township, and for the creation of jobs, increasing property values and the provision of adequate public services in Union Township.

SECTION 2. That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the parcels in the Union Township TIF Site occurring after the date of this Resolution are exempt from real property taxation commencing on the effective date of this Resolution and ending on the earlier of (1) December 31, 2007 or (2) the date on which the specific public improvements as described in Section 1 above (the "Public Improvements") that will benefit the Union Township TIF Site are paid in full from the Tax Increment Equivalent Fund, as defined in Section 4 hereof. It is hereby determined that (i) a portion of the Improvements shall be exempt from real property taxation, (ii) such portion shall be 75% of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the Union Township TIF Site.

SECTION 3. That pursuant to Section 5709.74 of Ohio Revised Code, the owner or the owners of the Improvements shall be required to make annual service

payments in lieu of taxes (the "Service Payments") to the Butler County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention to enter into such agreements as may be necessary and appropriate to assure the payment of such Service Payments.

SECTION 4. That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Union Township Public Improvement Tax Increment Equivalent Fund (the "Tax Increment Equivalent Fund"), into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvement or to make payments to the Lakota Local School District if said School District and the Township should enter into a Tax Incentive Agreement with respect to the Union Township TIF Site.

SECTION 5. That the Clerk is hereby directed to forward a copy of this Resolution to the County Auditor of Butler County.

SECTION 6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Resolution shall be effective at the earliest date allowed by law.

Adopted the 29th day of December, 1998

Jose Glover Yes

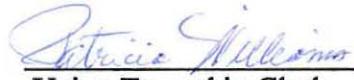
Thomas J. Hayden (abstain)

Catherine Stoker Yes
Township Trustees

Attest: Patricia Williams
Township Clerk

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Union Township Clerk, this 29th day of December, 1998.


Union Township Clerk

CERTIFICATE

I Hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Board of Township Trustees of Union Township, Butler County, Ohio, and was certified to the County Auditor of Butler County and the Lakota School District.


Clerk

Dated: December 29, 1998

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing resolution.


Butler County Auditor

Dated: Jan. 16, 1999

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing resolution.


President, Lakota School District

Dated: March 8, 1999

EXHIBIT A
(Resolution 98-55)

**Proposed Tax Increment Financing (TIF) District
Description**

Situated in Union Township, Butler County, Ohio and being approximately 2,471 acres and being bounded and described as follows:

Beginning at the northwest corner of Section 10, Town 2, Range 2; thence south one mile and 3,350 feet to the corporation line of the City of Fairfield and Union Township; thence east 1,700 feet along said corporation line to the northeast point of the corporation line of the City of Fairfield in Section 9, Town 2, Range 2; thence south 1,984 feet along said corporation line to the intersection of the City of Fairfield corporation line and the centerline of Muhlhauser Road; thence east 3,720 feet along the centerline of Muhlhauser Road to the centerline of Princeton Glendale Road; thence north 2,300 feet along the centerline of Princeton Glendale Road to the center line of Rialto Road; thence east 2,400 feet along the centerline of Rialto Road to the east property line of Parcel 19 of Section 3, Town 2, Range 2; thence south 738 feet to the southwest corner of parcel 16 of Section 3, Town 2, Range 2; thence east 700 feet along said property line to the northwest corner of parcel 86 of Section 3, Town 2, Range 2; thence south 200 feet to the southwest corner of said parcel; thence east 1,916 feet to the Norfolk and Western Railroad; thence southeast 780 feet along said railroad to the border of Section 33, Town 3, Range 2; thence north 4,370 feet along said section line to the centerline of West Chester Road; thence east one mile and 620 feet along the centerline of West Chester Road to the centerline of Lakota Drive West; thence northwest 3,870 feet along the centerline of Lakota Drive west to the southeast corner of parcel 58, section 34, Town 3, Range 2; thence northwest 986 feet along said parcel line to the centerline of Union Centre Boulevard; thence west 2,074 feet along the centerline of Union Centre Boulevard to the centerline of Beckett Road; thence north 2,680 feet along the centerline of Beckett Road to the northeast corner of Section 4, Town 2, Range 2; thence west one mile along the north boundary of Section 4 to the northeast corner of Section 10, Town 2, Range 2; thence west one mile along the northern boundary of Section 10 to the Point of Beginning.

LEGAL DESCRIPTION
PROPOSED UNION TOWNSHIP T.I.F. DISTRICT

Situated in Sections 3,4,9 and 10, Town 2, Range 2 and Sections 28 and 34, Town 3, Range 2, Union Township, Butler County, Ohio and being more particularly described as follows:

Beginning at the southwest corner of said section 10,

Thence along the west line of said section NORTH $1^{\circ}15'46''$ EAST, 5355.97 feet to the northwest corner of said section 10;

Thence leaving said west line, along the north line of said section 10 NORTH $78^{\circ}00'31''$ EAST, 2700.02 feet;

Thence continuing along said north line NORTH $78^{\circ}40'52''$ EAST, 2833.24 feet to the northeast corner of said section 10 and the northwest corner of said section 4;

Thence leaving said north line, along the north line of said section 4 SOUTH $83^{\circ}52'05''$ EAST, 2021.45 feet;

Thence continuing along said north line SOUTH $83^{\circ}35'27''$ EAST, 469.25 feet;

Thence continuing along said north line SOUTH $83^{\circ}36'38''$ EAST, 2011.55 feet;

Thence continuing along said north line SOUTH $83^{\circ}32'12''$ EAST, 752.18 feet to the northeast corner of said section 4;

Thence leaving said north line, along the east line of said section 4 SOUTH $1^{\circ}48'44''$ WEST, 2684.35 feet to the intersection of Beckett Road and Union Centre Boulevard;

Thence leaving said east line, along the center of said Union Centre Boulevard SOUTH $80^{\circ}47'17''$ EAST, leaving said centerline at 1933.47 feet, for a total distance of 2074.12 feet to a point in the north line of tax parcel M5610 033.000 067;

Thence along said north line on a curve to the left 63.21 feet, said curve having a radius of 985.00 feet and a chord bearing SOUTH $79^{\circ}10'13''$ EAST, 63.20 feet;

Thence continuing along said north line SOUTH $81^{\circ}00'32''$ EAST, 159.81 feet;

Thence continuing along said north line on a curve to the right 252.88 feet, said curve having a radius of 245.00 feet and a chord bearing SOUTH $51^{\circ}26'21''$ EAST, 241.80 feet, to the east line of said tax parcel;

Thence along the east line of said tax parcel and tax parcel M5610-033.000-058 SOUTH $21^{\circ}52'10''$ EAST, 462.74 feet to a point in the east line of said tax parcel M5610-033.000-058;

Thence continuing along said east line on a curve to the left 219.44 feet, said curve having a radius of 635.00 feet and a chord bearing SOUTH 31°46'11" EAST, 218.35 feet;

Thence continuing along said tax parcel SOUTH 41°40'12" EAST, 56.60 feet to a point in the north Right-Of -Way of Lakota Drive West;

Thence leaving said tax parcel and said north Right-Of-Way SOUTH 37°49'55" EAST, 222.93 feet to a point in the centerline of Lakota Drive West;

Thence along said centerline SOUTH 41°40'26" EAST, 433.36 feet;

Thence continuing along said centerline on a curve to the left 289.03 feet, said curve having a radius of 800.00 feet and a chord bearing SOUTH 52°01'27" EAST, 287.46 feet;

Thence continuing along said centerline SOUTH 62°22'28" EAST, 1581.87 feet;

Thence continuing along said centerline SOUTH 62°26'55" EAST, 473.24 feet;

Thence continuing along said centerline SOUTH 59°02'50" EAST, 325.71 feet;

Thence leaving said centerline SOUTH 30°57'10" WEST, 50.00 feet to a point in the north line of tax parcel M5610-028.000-042;

Thence along said north line SOUTH 59°02'50" EAST, 271.04 feet;

Thence continuing along said north line on a curve to the right 241.90 feet, said curve having a radius of 420.00 feet and a chord bearing SOUTH 42°32'50" EAST, 238.57 feet, to a point in the east line of said tax parcel;

Thence along said east line on a curve to the right 128.72 feet, said curve having a radius of 290.00 feet and a chord bearing SOUTH 13°19'51" EAST, 127.67 feet;

Thence continuing along said east line SOUTH 0°37'01" EAST, 61.11 feet to a point in the centerline of West Chester Road and the south line of said section 28;

Thence along said centerline and said south section line SOUTH 89°22'59" WEST, 620.28 feet to the southwest corner of said section 28 and the southeast corner of said section 34 in the centerline of said West Chester Road;

Thence along the south line of said section 34 and continuing along said centerline NORTH 81°29'23" WEST, 2719.24 feet;

Thence continuing along said south section line and said centerline NORTH 81°27'25" WEST, 2732.10 feet to the southwest corner of said section 34 and the northeast corner of said section 3, said point also being the intersection of said West Chester Road and Beckett Road;

Thence along the east line of said section 3 and the centerline of said Beckett Road SOUTH $1^{\circ}41'12''$ WEST, 801.90 feet;

Thence leaving said centerline and continuing along said east section line SOUTH $1^{\circ}22'31''$ WEST, 3492.97 feet to a point in the east line of Norfolk and Western Railroad;

Thence leaving said east section line and along said east line of Norfolk and Western Railroad NORTH $30^{\circ}27'34''$ WEST, 638.05 feet;

Thence leaving said east line, along the south line of tax parcels M5610-002.000-068, 069, 070 and 086 NORTH $89^{\circ}03'43''$ WEST, 2055.43 feet to the southwest corner of tax parcel M5610-002.000-086;

Thence leaving said tax parcels, along the west line of said tax parcel M5610-002.000-086 NORTH $0^{\circ}56'15''$ EAST, 200.00 feet to the northwest corner of said tax parcel M5610-002.000-086;

Thence leaving said tax parcel, along the south line of tax parcel M5610-002.000-016 NORTH $89^{\circ}03'45''$ WEST, 429.57 feet to the southwest corner of said tax parcel M5610-002.000-016;

Thence leaving said south line, along the west line of tax parcels M5610-002.000-016, 081 and 018 NORTH $1^{\circ}03'33''$ EAST, 737.70 feet to a point in the centerline of Rialto Road;

Thence along the centerline of said Rialto Road NORTH $89^{\circ}05'35''$ WEST, 2407.54 feet to the intersection of said Rialto Road and Princeton-Glendale Road;

Thence along the centerline of said Princeton-Glendale Road SOUTH $1^{\circ}43'25''$ WEST, 2319.40 feet to the intersection of said Princeton-Glendale Road and Muhlhauser Road, said point also being the southeast corner of section 9, town 2, range 2;

Thence along the centerline of said Muhlhauser Road and the south line of said section 9 SOUTH $81^{\circ}39'25''$ WEST, 2587.81 feet;

Thence continuing along said centerline and south line of said section SOUTH $81^{\circ}40'56''$ WEST, 1121.43 feet;

Thence leaving said centerline and south line of said section, along the west line of tax parcels M5610-007.000-055 and 021 NORTH $1^{\circ}19'08''$ EAST, 1983.72 feet to a point in the south line of Neyer Properties Subdivision;

Thence along said south line SOUTH $81^{\circ}06'25''$ WEST, 989.94 feet;

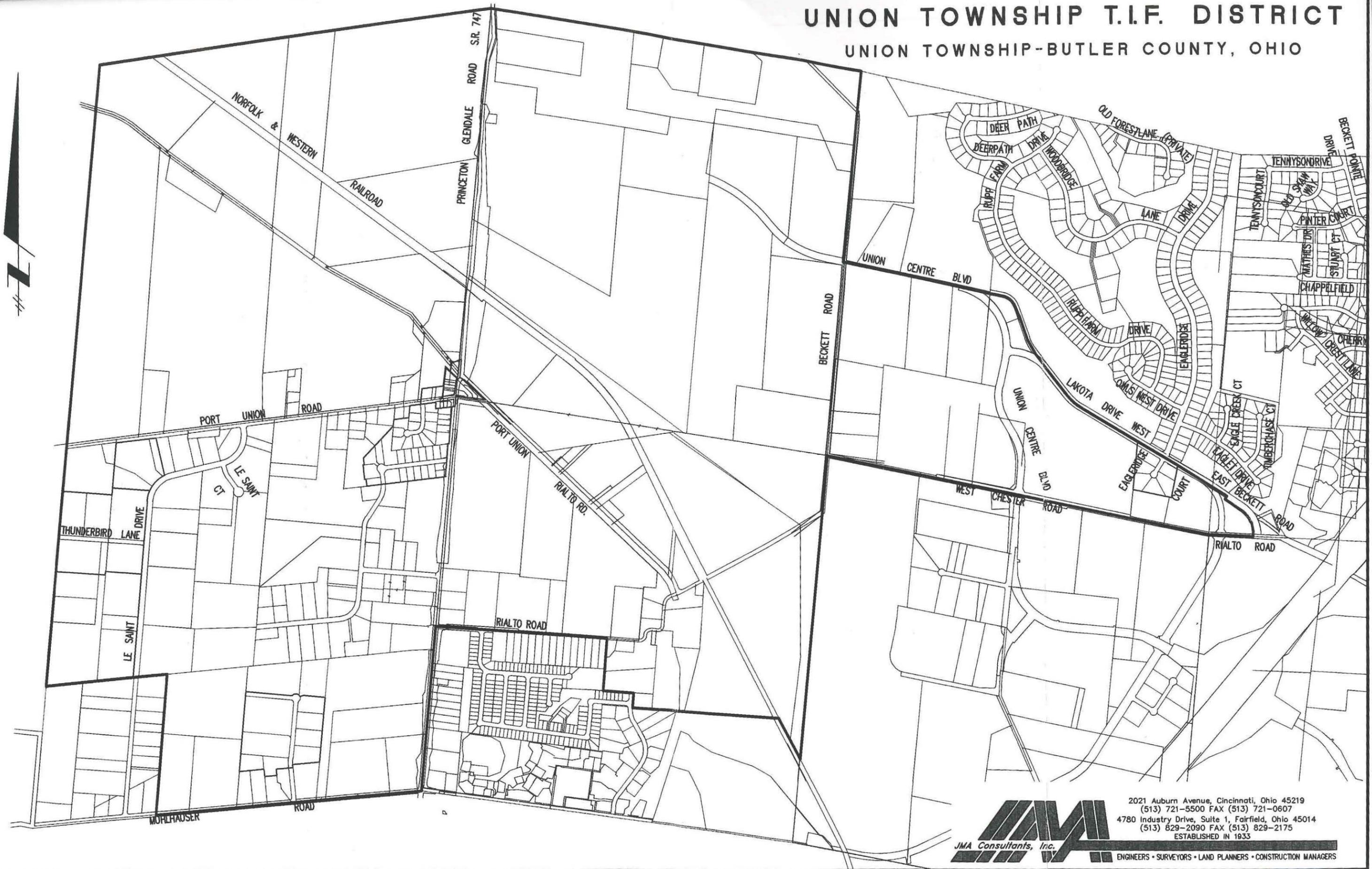
Thence continuing along said south line SOUTH $81^{\circ}29'25''$ WEST, 710.79 feet to a point in the west line of section 9;

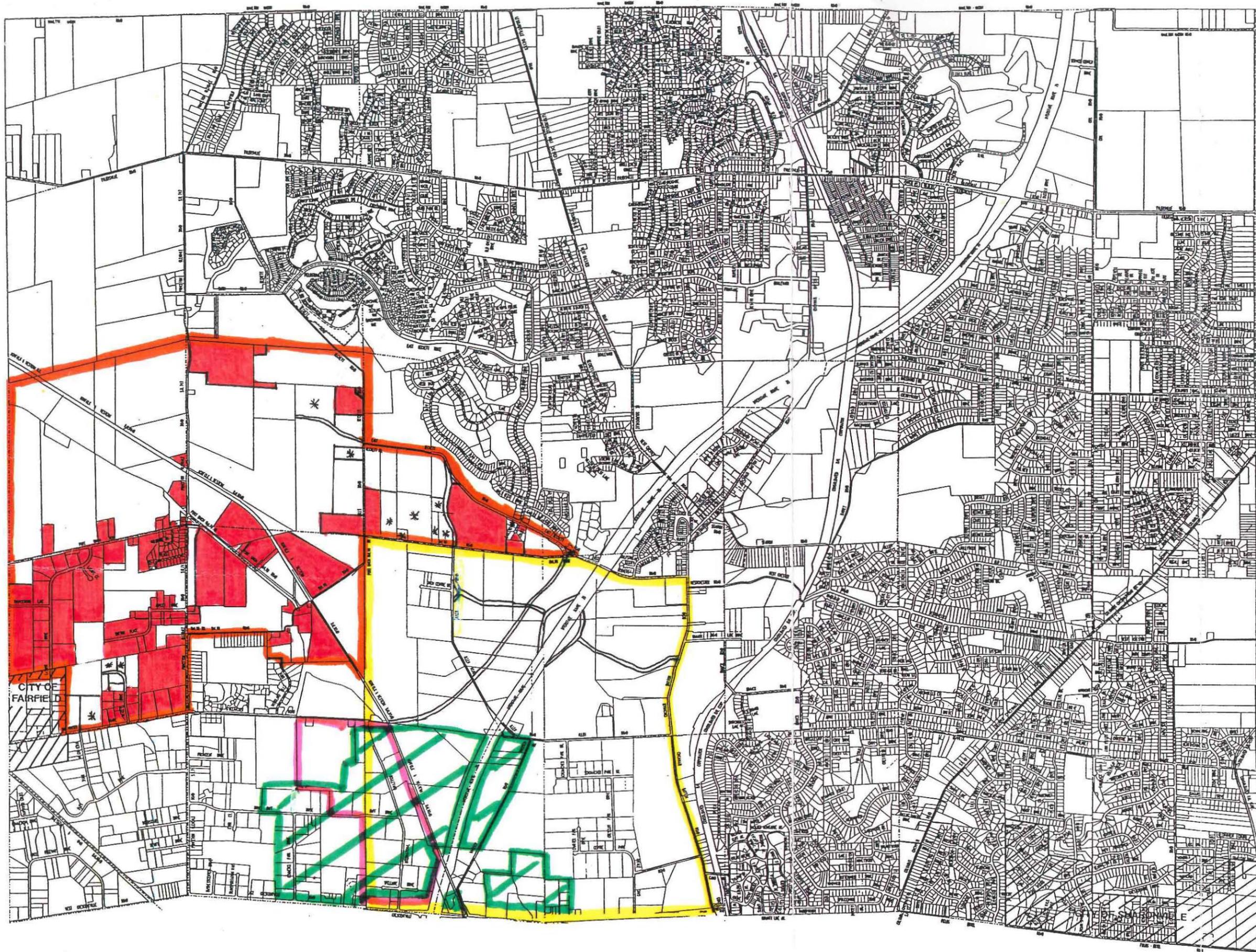
Thence along said west line NORTH 1°27'55" EAST, 3362.86 feet to the point of beginning, containing 2585 acres of land more or less.

Description prepared by JMA Consultants, Inc. and is based on a best fit of deeds of record and no field survey was performed.

UNION TOWNSHIP T.I.F. DISTRICT

UNION TOWNSHIP-BUTLER COUNTY, OHIO





UNION TOWNSHIP

BUTLER COUNTY, OHIO

Proposed TIF District

-  : Resolution #13-90
-  : Resolution #91-17
-  : Princeton School District
-  : Study Area of Proposed TIF District
-  : Developed parcels within the proposed TIF District