

RESOLUTION NO. 26 - 2020

Resolution declaring the method of apportioning and paying the compensation, damages, and costs of the maintenance for the landscape and beautification improvements for the Cincinnati Dayton Road Landscape Improvement and Maintenance District

WHEREAS, the West Chester Township Board of Trustees is permitted by Ohio Revised Code (ORC) §5573.21 to create and include portions of an unincorporated area into a road district for the purpose of constructing, reconstructing, resurfacing, or improving the public roads within such district; and,

WHEREAS, as part of improving or maintaining any road district, the West Chester Township Board of Trustees may provide for landscape and beautification improvements and maintenance projects along the road as provided in Ohio Revised Code §5571.10 and provide for the cost of the improvements and projects by any method provided in ORC §5573.07, namely section (A) assessed against the real estate; and,

WHEREAS, in order to maintain the landscape and beautification improvements and preserve the economic vitality and marketability of the area, the West Chester Board of Trustees contemplated the need to extend the method of apportioning and paying the compensation, damages, and costs for the landscape and beautification improvements and maintenance and conducted a public hearing on July 14, 2020 to accept comments from affected property owners; and,

WHEREAS, after contemplating the proposed cost to continue the maintenance of the landscape and beautification improvements, after identifying the continued maintenance of the landscape and beautification improvements preserve the economic vitality and marketability of the area, and after receiving comments from affected property owners, the West Chester Board of Trustees declares the necessity and the method of apportioning and paying the compensation, damages, and costs for the landscape and beautification improvements and maintenance for the Cincinnati Dayton Road Landscape Improvement and Maintenance for the public convenience and welfare.

NOW THEREFORE, BE IT RESOLVED the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Declare the necessity for the Cincinnati Dayton Road Landscape Improvement and Maintenance District, as illustrated in attached Exhibit A.

SECTION 2. Declare the method of apportioning and paying the compensation, damages, and costs of the maintenance for the landscape and beautification improvements to preserve the economic vitality and marketability of Cincinnati Dayton Road for the public convenience and welfare.

SECTION 3. Approve and authorize the apportionment of said district improvement and maintenance costs, as presented in attached Exhibit B, pursuant to ORC §5573.07 to §5573.10 that shall be applied to the affected real estate which may change from year to year.

SECTION 4. Authorize the certification of said assessment for applicable real estate to the Butler County Auditor pursuant to ORC §5573.11, payable in not more than twenty (20) semiannual installments, extending over a period of not more than ten (10) years.

SECTION 5. Authorize the Fiscal Officer to establish special assessment fund entitled "CinDay Landscape Improvement Fund" to account for all financial transactions related to the collection of Special Assessment and for expenditures related to the District.

Adopted this 28th day of July, 2020



Ann Becker, Chair No
Yes/No


Lee Wong No
Yes/No


Mark S. Welch No
Yes/No

ATTEST:

Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:

Donald L. Crain, Law Director