

***STATUTORY RESOLUTION NO. 17 - 2014***

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**RESOLUTION DETERMINING TO PROCEED WITH THE CONSTRUCTION OF  
CAPSTONE BOULEVARD, A CERTAIN ROAD IMPROVEMENT,  
COMMENCING AT CINCINNATI-DAYTON ROAD AND HIGHLAND GREENS  
DRIVE AND TRAVELLING WESTERLY AND SOUTHWESTERLY TO A  
DEVELOPABLE SITE TO PROMOTE ECONOMIC DEVELOPMENT IN  
WEST CHESTER TOWNSHIP, BUTLER COUNTY, OHIO, AS DESCRIBED IN  
WEST CHESTER BOARD OF TRUSTEES RESOLUTION 13-2014 AND  
AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO TAKE ALL  
NECESSARY ACTIONS AND EXECUTE ALL DOCUMENTS TO FACILITATE  
AND IMPLEMENT THIS RESOLUTION**

**WHEREAS**, on June 10, 2014, the Butler Technology and Career Development Schools (“the Petitioner”) submitted to the Board of Township Trustees (the “Board”) of West Chester Township, Butler County, Ohio (“the Township”) a petition, requesting the construction of a new road and requesting special assessments be levied to pay the cost of such improvement pursuant to Ohio Revised Code Section 5571.07; and,

**WHEREAS**, the Board received and accepted the petition and performed all statutory requirements to duly adopt Resolution 13-2014 on July 8, 2014, declaring the necessity of constructing improvements to Township roads by constructing the new road located at Cincinnati-Dayton Road and Highland Greens Drive (herein the “Improvements”) in certain described property in this township; and,

**WHEREAS**, the Board authorized and directed to cause the Butler County Engineer or an independent engineer to prepare plans, specifications, profiles, and estimate of cost of the improvement pursuant to Ohio Revised Code section 5573.01; and,

**WHEREAS**, plans, specifications, and estimate of costs were filed and made available for public inspection on July 28, 2014; and,

**WHEREAS**, the Board legally advertised and noticed all affected property owners of and conducted a public hearing on August 12, 2014 to receive any objections to the project or the estimated assessments; and,

**WHEREAS**, the Board conducted the public hearing and no claims for damages alleged to result from or objections to said Improvements were filed or voiced within the period provided by law for filing such claims or objections by any specially benefitted or affected property owners; and

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

**SECTION 1.** Declare the intention to proceed with the improvement of Cincinnati-Dayton Road and Highland Greens Drive after all conditions, obligations, and requirements are met by the Petitioner including but not limited to subordination and acquisition of necessary easements or rights-of-way, and acquisition of allocated improvements by constructing the Improvements, the nature of which Improvements and which such road, easements, or parts thereof, are described in Resolution 13-2014 duly adopted by this Board on July 8, 2014.

**SECTION 2.** Determine and declare the Improvements shall be made in accordance with the provisions of said Resolution 13-2014, and in accordance with the plans, specifications, profiles and estimate of cost of the Improvements, prepared and modified pursuant to said Resolution, which are hereby approved with reasonable modifications as lawfully permitted and now on file in the Township offices.

**SECTION 3.** Acknowledge and authorize the assessable portion of the cost of the Improvements shall be assessed on the benefited properties, in the manner and in the number of annual installments as provided in Sections 6 and 9 of said Resolution 13-2014.

**SECTION 4.** Acknowledge the estimated assessments heretofore prepared and filed in the Township office, in accordance with said Resolution, be and the same are hereby adopted with reasonable modifications as lawfully permitted.

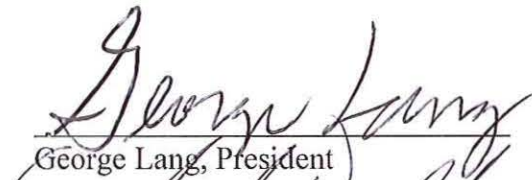
**SECTION 5.** Authorize and direct the Fiscal Officer in compliance with Section 319.61 of the Ohio Revised Code, to deliver a certified copy of this Resolution to the County Auditor within fifteen (15) days after the date of adoption hereof.

**SECTION 6.** Acknowledge and authorize a contract for the construction of the Improvements shall be let in the manner provided by law, subject to the provisions of the Ohio Revised Code, and the cost of the Improvements shall be financed as provided in said Resolution.

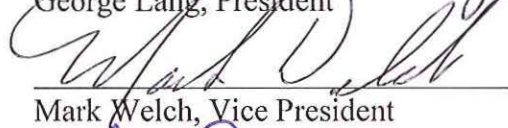
**SECTION 7.** Determine and find all formal actions of this Board concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 8.** Acknowledge and adopt this Resolution shall take effect at the earliest date permitted by law.

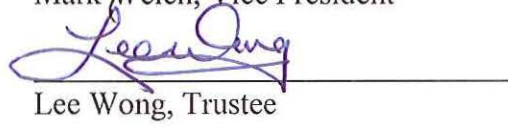
*Adopted this* 26th *day of* August, 2014.

  
George Lang, President

YES  
Yes / No

  
Mark Welch, Vice President

YES  
Yes / No

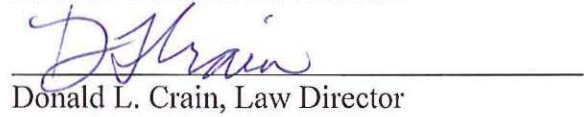
  
Lee Wong, Trustee

yes  
Yes / No

**ATTEST:**

  
Bruce Jones, Township Fiscal Officer

**APPROVED AS TO FORM:**

  
Donald L. Crain, Law Director

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a Resolution adopted on the day 26th of August, 2014, and that on the 3rd day of September, 2014, a date within fifteen (15) days of the adoption of the foregoing Resolution, a true and correct copy of such Resolution was filed with the County Auditor.

  
Fiscal Officer

RECEIPT

The undersigned hereby acknowledges receipt of the foregoing Resolution.

  
Butler County Auditor

Dated: 9/3/14