

STATUTORY RESOLUTION NO. 19-2015

RESOLUTION DECLARING TO BE OF PUBLIC PURPOSE CERTAIN PUBLIC IMPROVEMENTS WHICH ARE NECESSARY FOR THE FURTHER DEVELOPMENT OF CERTAIN PARCELS WITHIN THE TOWNSHIP AT OR IN CLOSE PROXIMITY TO THE CAPSTONE BOULEVARD CORRIDOR AND VICINITY (CAPSTONE BOULEVARD TIF) 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 of Trustees (the "Board") wishes to use the authority granted pursuant to such Sections in connection with certain improvements in West Chester Township, Butler County, Ohio (the "Township") in order to meet the needs of the area, including new development and traffic capacity; and,

WHEREAS, this Board has caused notice to be given to the Lakota Local School District ("School District") Board of Education and the Butler Technology and Career Development Schools Board of Education, of this Board's intention to consider this Resolution for adoption in accordance with Ohio Revised Code Section 5709.73(D) and 5709.83, and that this Board and the School District have agreed to enter into a Tax Incentive Agreement providing for compensation to the School District for the property which is exempted under Section 5709.73 of the Ohio Revised Code. The School District has by resolution adopted October 26, 2015, approved the exemption of 100% of the value of the further improvements for up to 30 years for the property described in Exhibit "A" attached hereto.

WHEREAS, this Board will compensate the Butler Technology and Career Development Schools ("Butler Tech") in accordance with Ohio Revised Code Section 5709.73(D) and Butler Tech has waived its right to the forty-five business days' notice prior to the adoption of this Resolution;

NOW THEREFORE, BE IT RESOLVED that the West Chester Township Board of Trustees by unanimous vote does hereby:

SECTION 1. Create, pursuant to Section 5709.73(B) of the Ohio Revised Code, the "Capstone Boulevard TIF Site", the boundaries of which shall be coterminous with the boundaries of the parcels specifically identified and depicted in Exhibit "B" attached hereto, which parcels are located in the unincorporated area of the Township.

SECTION 2. Find and declare that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, bike paths, traffic control devices, landscaping and alterations to existing streets; the planning, design and construction of utilities including but not limited to water, sanitary sewers, gas mains, electric facilities, telecommunication facilities and any infrastructure needed to host or deploy internet, fiber optics, digital, satellite, or cloud based technologies; storm water sewers and

retention/detention facilities; the preparation of plans for land use, economic impacts, or development market analyses in the area; community or educational facilities; park, recreation, performance, cultural, or creative arts improvements and facilities; the creation or enhancement of landscape and buffer areas, including beautification and landscaping, open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities, operations, including police and fire stations, emergency services, and public safety emergency communication/dispatch facilities; land acquisition in and of industry and commerce; 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 (the "Public Improvements"), are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described in Exhibit "B" attached to this Resolution (such parcels are hereinafter collectively referred to as the "West Chester Township CAPSTONE BOULEVARD TIF Site"), and for the creation of jobs, increasing property values and the provision of adequate public services in West Chester Township.

SECTION 3. Declare that, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the parcels in the West Chester Township CAPSTONE BOULEVARD TIF Site occurring after the date of this Resolution (the "Improvements") are hereby declared to be a public purpose and are exempt from real property taxation commencing in tax year 2016 and ending on the earlier of (1) tax year 2045, or (2) the date on which the Public Improvements as described in Section 2 above that will benefit the West Chester Township CAPSTONE BOULEVARD 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 100% of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the West Chester Township CAPSTONE BOULEVARD TIF Site.

SECTION 4. Declare that pursuant to Section 5709.74 of the 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 5. Declare that pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the West Chester 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 and to make payments to the School District and Butler Tech pursuant to a Tax Incentive Agreement between the Township and the School District with respect to the West Chester Township CAPSTONE BOULEVARD TIF Site and pursuant to Section 5709.73(D) for Butler Tech.

SECTION 6. Direct the Township Administrator to forward a copy of this Resolution to the County Auditor of Butler County.

SECTION 7. Find and determine 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

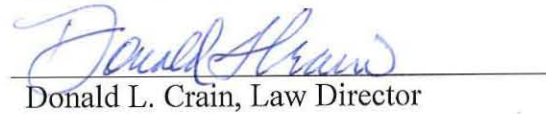
taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.


Adopted this 1st day of December, 2015.

ATTEST:

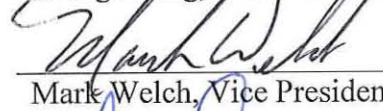

Bruce Jones, Township Fiscal Officer

APPROVED AS TO FORM:

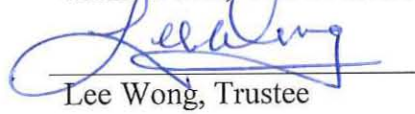

Donald L. Crain, Law Director


George Lang, President

YES
Yes/No


Mark Welch, Vice President

YES
Yes/No


Lee Wong, Trustee

Yes
Yes/No

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the West Chester Township Fiscal Officer this first day of December, 2015.



West Chester Township Fiscal Officer

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Board of Township Trustees of West Chester Township, Butler County, Ohio, and was certified to the County Auditor of Butler County and the Lakota School District and Butler Technology and Career Development Schools.



West Chester Township Fiscal Officer

12/1/2015

Dated

RECEIPT

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



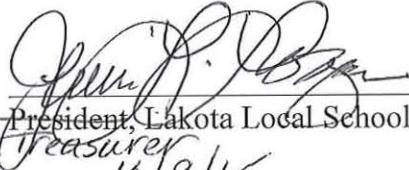
Butler County Auditor

12/02/2015

Dated

RECEIPT

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




President, Lakota Local School District
Treasurer
12/8/15

Dated

RECEIPT

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

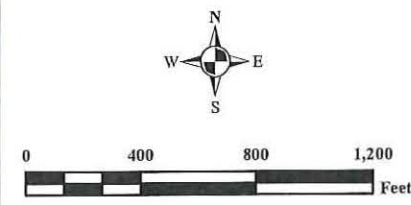
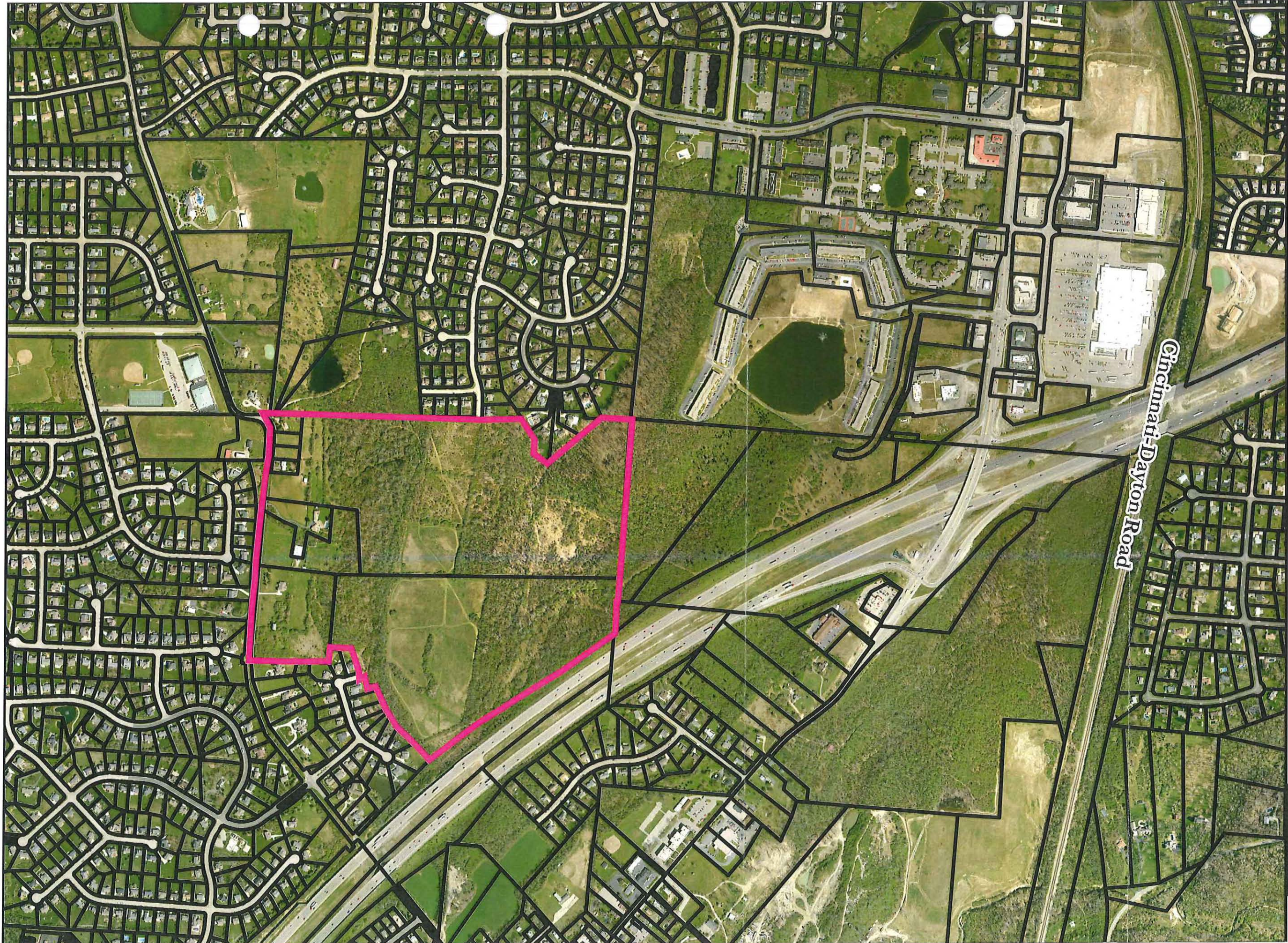


Butler Technology and Career Development
Schools
12.10.15

Dated



Capstone Blvd TIF



WEST CHESTER TOWNSHIP
Community Development Department
9577 Beckett Road Suite 100
West Chester, OH 45069-5014
513-777-4214
513-874-6804 (fax)
www.westchesteroh.org

Capstone Blvd TIF

West Chester CAPSTONE BLVD TIF

PARCEL #	PROPERTY OWNER NAME	PROPERTY ADDRESS	ACRES	OWNER'S MAIL NAME	OWNER'S MAIL ADDRESS	OWNER'S MAIL CITY/STATE/ZIP	2015 VALUE
M5610028000001	LYONS KATHERINE H TR ETAL	8470 LESOURDSVILLE WEST CHESTER RD	58.4860	KATHERINE H LYONS TR ETAL	8470 LESOURDSVILLE WEST CHE RD	WEST CHESTER OH 45069 1929	\$917,690
M5610028000002	SCHNIER JAMES R TR OF THE JAMES R SCHNIER TRUST	8508 LESOURDSVILLE WEST CHESTER RD	9.1790	JAMES R SCHNIER	8508 LESOURDSVILLE WEST CHESTER RD	WEST CHESTER OH 45069	\$347,990
M5610028000003	ROBERT DAVID LYONS LIVING TR	LESOURDSVILLE WEST CHESTER RD	56.9280	ROBERT DAVID LYONS LIVING TRUST	8310 PRINCETON GLENDALE RD	WEST CHESTER OH 45069 5879	\$687,310
M5610028000057	LYONS KATHERINE H LIV TR DTD 12 16 88	LESOURDSVILLE WEST CHESTER RD	5.7300	KATHERINE H LYONS	8470 LESOURDSVILLE WEST CHE RD	WEST CHESTER OH 45069 1929	\$91,680
M5610028000080	LYONS KATHERINE H LIV TR DTD 12 16 88	8470 LESOURDSVILLE WEST CHESTER RD	2.5490	KATHERINE H LYONS	8470 LESOURDSVILLE WEST CHE RD	WEST CHESTER OH 45069 1929	\$309,490
M5620138000001	LOGAN CLARE M	8412 LESOURDSVILLE WEST CHESTER RD	0.0000	CLARE M LOGAN	8412 LESOURDSVILLE W CHESTE RD	WEST CHESTER OH 45069 1929	\$109,430
M5620138000002	LYONS KATHERINE H LIV TR DTD 12 16 88	LESOURDSVILLE WEST CHESTER RD	0.4590	KATHERINE H LYONS	8470 LESOURDSVILLE WEST CHE RD	WEST CHESTER OH 45069 1929	\$37,120
M5620138000003	LYONS KATHERINE H LIVING TR DTD 12 16 88	LESOURDSVILLE WEST CHESTER RD	0.4590	KATHERINE H LYONS	8470 LESOURDSVILLE WEST CHE RD	WEST CHESTER OH 45069 1929	\$37,120
M5620138000004	SMITH MARC	8466 LESOURDSVILLE WEST CHESTER RD	0.0000	MARC SMITH	8466 LESOURDSVILLE WEST CHE RD	WEST CHESTER OH 45069	\$113,330