

RESOLUTION NO. 43 - 2006

**RESOLUTION AMENDING RESOLUTION NO. 29-2004 TO INCLUDE
ADDITIONAL PUBLIC INFRASTRUCTURE IMPROVEMENTS IN AN
EXISTING TAX INCREMENT FINANCING DISTRICT FORMED
PURSUANT TO SECTION 5709.73 OF THE OHIO REVISED CODE,
IN WEST CHESTER TOWNSHIP, BUTLER COUNTY, OHIO AND
DECLARING AN EMERGENCY AND DISPENSING WITH THE SECOND
READING**

WHEREAS, on May 25, 2004, this Board adopted a resolution declaring to be a 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; and,

WHEREAS, this Board wishes to include additional public infrastructure improvements in the Tax Increment Financing District created by that resolution; and,

WHEREAS, on November 15, 2006, this Board notified the Board of Education of the Lakota Local School District of its intention to amend Resolution 29-2004 and on December 1, 2006 the Board of Education approved such amendment.

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

SECTION 1. That Section 1 of Resolution No. 29-2004 which reads as follows:

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 including beautification and landscaping, 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 collectively compose the West Chester Cincinnati-Dayton Road Corridor TIF, and hereinafter referred to as the "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 West Chester Township.

shall be and is hereby amended to read:

SECTION 1. Find and declare that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, 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, communication facilities, storm water sewers and retention/detention facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, including beautification and landscaping, community or educational facilities, parkland acquisition or improvements; recreation and creative arts facilities and open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities, operations, and equipment, including police and fire stations, emergency services and public safety communication facilities; 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 in Exhibit "A" attached to this Resolution (such parcels are hereinafter collectively referred to as the "West Chester Cincinnati-Dayton Road Corridor 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 West Chester Township.

SECTION 2. That all sections and provisions of Resolution No. 29-2004 not specifically amended hereby shall remain in full force and effect.


SECTION 3. That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Butler County.

SECTION 4. 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 5. That this Resolution shall be effective at the earliest date allowed by law.


This resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community and shall become effective at the earliest date permitted by law.

Adopted this 5th day of December, 2006.



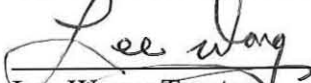
George Lang, President

YES
Yes / No



Catherine Stoker, Vice President

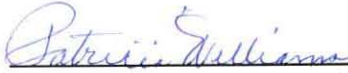
YES
Yes / No



Lee Wong, Trustee


Yes
Yes / No

ATTEST:



Patricia Williams, Township Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the West Chester Township Fiscal Officer, this 5th day of December, 2006.

Patricia Williams
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.

Patricia Williams
West Chester Township Fiscal Officer

12/5/06
Dated

RECEIPT

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



Butler County Auditor

12/8/04

Dated

RECEIPT

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



Lakota Local School District

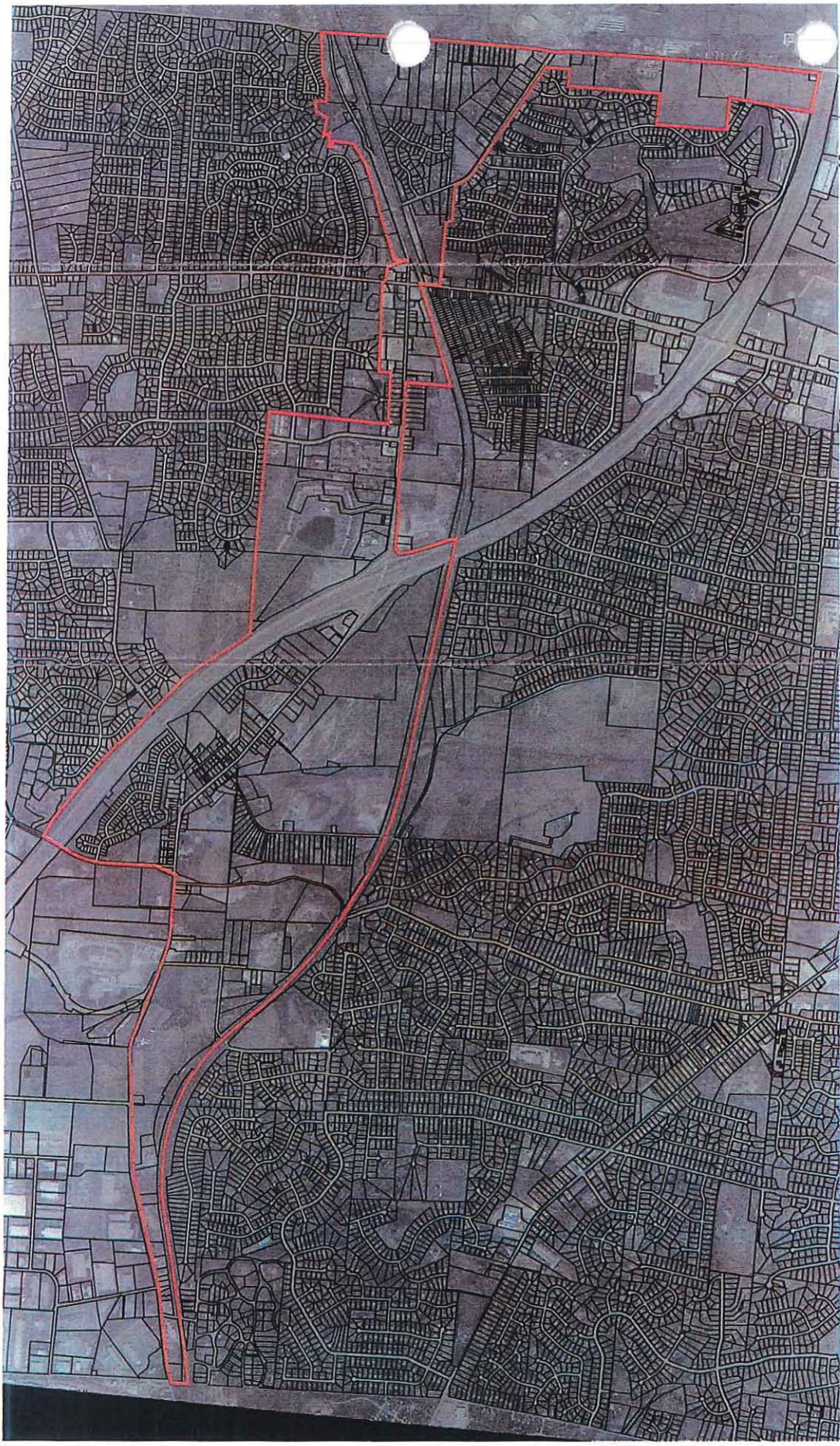
12/8/06

Dated

Exhibit A

WEST CHESTER
TOWNSHIP

Cincinnati-Dayton
Road Corridor
TIF DISTRICT



CERTIFICATE OF PUBLICATION

_____	First Reading
Date	
<u>December 5, 2006</u>	Emergency Reading

Date	
_____	Second Reading
Date	
<u>December 11, 2006 Journal News</u>	First Publication
Date and Newspaper	(After Approval)
<u>December 14, 2006 Pulse Journal</u>	

<u>December 18, 2006 Journal News</u>	Second Publication
Date and Newspaper	(After Approval)
<u>December 21, 2006 Pulse Journal</u>	

<u><i>Patricia Williams, 12/16/07</i></u>	Certificate of Publication
Fiscal Officer Signature & Date	