

RESOLUTION NO. 29 - 2002

**RESOLUTION DETERMINING THE NECESSITY OF COMMENCING AN ACTION
SEEKING VALIDATION OF PROCEEDINGS TAKEN AND
PROPOSED TO BE TAKEN IN CONNECTION WITH THE ISSUANCE OF
TAX INCREMENT BONDS BY WEST CHESTER TOWNSHIP, BUTLER COUNTY, OHIO
IN THE PRINCIPAL SUM OF APPROXIMATELY THREE MILLION DOLLARS (\$3M),**

WHEREAS, this Board of Township Trustees, by resolutions and proceedings under and pursuant to Chapter 5709, Ohio Revised Code (the "Act"), will adopt a resolution to authorize the issuance of Tax Increment Bonds of the Township of West Chester, Butler County, Ohio in the principal amount of approximately Three Million Dollars (\$3M) for the purpose of acquiring, constructing and equipping Township park facilities constituting public infrastructure improvements under Section 5709.73 of the Ohio Revised Code, and paying certain costs and expenses incurred with respect to the issuance of such bonds; and,

WHEREAS, this Board of Township Trustees has been informed by Peck, Shaffer & Williams LLP, attorneys of Cincinnati, Ohio, bond counsel to the Township, that in order to assure validity of the said bonds, an action should be brought in the Court of Common Pleas of Butler County to obtain an adjudication of the legality of all proceedings taken and proposed to be taken in connection with the issuance of said bonds, to determine whether the park facilities to be constructed are "public improvements" within the meaning of the Act eligible for financing under the Act, which decree would stand as a permanent injunction against contesting the validity of said bonds or the validity of the revenues pledged to pay the interest on and to retire said bonds.


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

SECTION 1. That it is hereby determined to be necessary to commence an action pursuant to Section 133.70, Ohio Revised Code, to obtain an adjudication of the validity of the proceedings taken and proposed to be taken in connection with the issuance of approximately Three Million Dollars (\$3M) Tax Increment Bonds for the purposes of acquiring, constructing and equipping Township park facilities as a "public improvement", each eligible for financing under the Act which decree would stand as a permanent injunction against contesting the validity of said bonds or the validity of revenues pledged to pay the interest on and to retire said bonds.

SECTION 2. That the law firm of Peck, Shaffer & Williams LLP, Cincinnati, Ohio, the Township's bond counsel, be retained to act as special counsel to the Township to file the action referred to in Section 1 on behalf of the Township. Peck, Shaffer & Williams LLP may be assisted by other law firms which it selects to act as co-counsel for this matter in consultation with West Chester's Law Director.

SECTION 3. That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board of Township Trustees, and that all deliberations of this Board of Township Trustees of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law including Section 121.22 of the Ohio Revised Code.

Adopted this 3rd day of December, 2002.



Jose Alvarez



David Tacosik



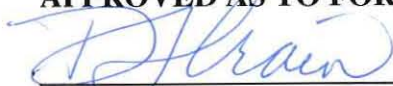
Catherine Stoker

ATTEST:



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

