

RESOLUTION NO. 13-90

AMENDED BY 91-17  
9 JULY 91

BUTLER County, Ohio

Be It Resolved by the Township Trustees of UNION Township,  
that:

The Board of Township Trustees of Union Township, Butler County, Ohio, met in regular session on the 23rd day of April, 1990, at the office of said Board with the following members present:

Mr. MORGENSTERN moved the passage of the following resolution:

RESOLUTION NO. 13-90

DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC IMPROVEMENTS WHICH ARE NECESSARY FOR THE FURTHER DEVELOPMENT OF CERTAIN PARCELS

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 wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the Township; in order to meet the public safety and needs of the area, including new development, traffic capacity and lighting;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF UNION TOWNSHIP, BUTLER COUNTY, OHIO:

Section 1. That this Board hereby finds and declares that certain public improvements, to wit: road improvements on Allen Road, Rialto Road, Beckett Road, Cincinnati Dayton Road, Gano Road, Mills Road, Crescentville Road, Muhlhauser Road, Centre Park Drive, Windisch Road and Interstate 75; utility improvements and relocation, including the replacement of existing overhead utilities with underground utilities on the same roads; and other improvements related thereto, are necessary for the further development of the parcels of land described in Exhibit "A", attached to this Resolution.

Section 2. That this Board therefore declares such public improvements to be a public purpose for a period of thirty (30) years (subject to earlier termination upon the retirement of tax increment debt), commencing on the date of this Resolution.

Section 3. That this Board further finds and declares that the parcels of land described in Exhibit "A" will benefit from such public improvements, and hereby exempts from real property taxation further improvements, occurring after the date of this Resolution, to such parcels.

Adopted the 23rd day of APRIL 19 90

Attest: Patricia Williams  
Township Clerk.

Carl Meyer  
Joseph Coates  
Township Trustees

Section 4. That this Board hereby expresses its intention to enter into such agreements as may be necessary and appropriate to construct such public improvements on the condition and to the extent that it is possible to finance such improvements with service payments in lieu of taxes to be made by the owners of the parcels of land described in Exhibit "A", and further expresses its intention to require such service payments.

Section 5. That the Clerk is hereby directed to forward a copy of this Resolution to the County Auditor of Butler County, Ohio.

Section 6. 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 7. This Resolution shall be effective from and after the date of its adoption.

Mr. CATES seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

PASSED: April 23, 1990.

Patricia Williams  
Clerk, Board of Township  
Trustees, Union Township,  
Butler County, Ohio

Edy Wofford  
Trustee

Carl Mays  
Trustee

Gary J. Cates  
Trustee

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution passed by the Board of Township Trustees of Union Township, Butler County, Ohio, on April 23, 1990.

Patricia Williams  
Clerk, Union Township Trustees

Date: April 23, 1990

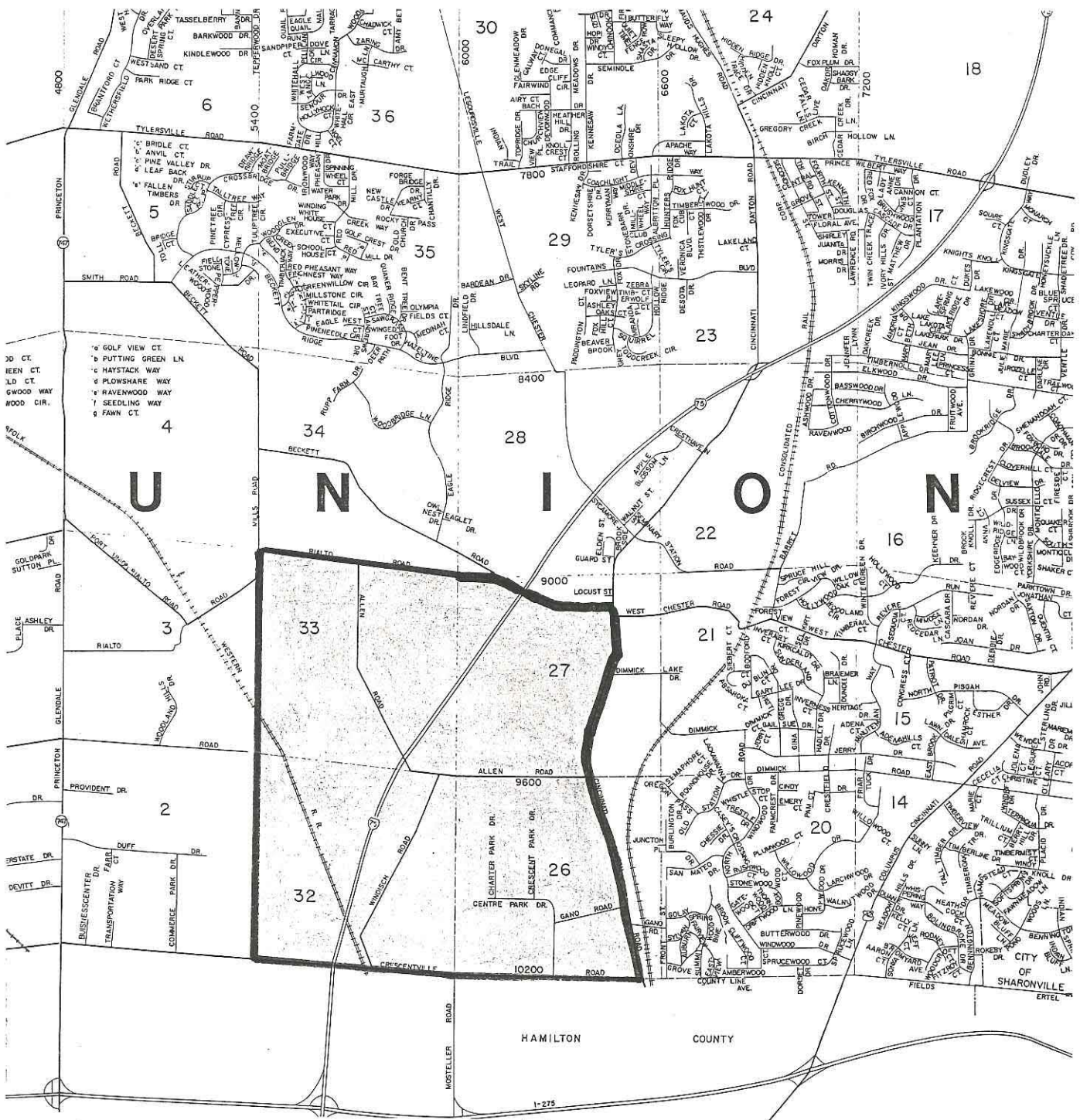
EXHIBIT "A"

1. Butler County, Ohio  
Union Township Plat  
Section 32, Town 3, Range 2  
Parcels 1-58, inclusive
2. Butler County, Ohio  
Union Township Plat  
Section 33, Town 3, Range 2  
Parcels 1-27, inclusive
3. Butler County, Ohio  
Union Township Plat  
Section 27, Town 3, Range 2  
Parcels 1-35, inclusive
4. Butler County, Ohio  
Record Plat - Schumacher Commerce Park, recorded 3/4/86  
Union Township Plat  
Section 26, Town 3, Range 2  
Parcels 1-21, inclusive
5. Butler County, Ohio  
Record Plat - Schumacher Commerce Park (Phase 2), recorded 3/18/87  
Union Township Plat  
Section 26, Town 3, Range 2  
Parcels 22-25, inclusive
6. Butler County, Ohio  
Record Plat-Schumacher Commerce Park (Phase 3), recorded 7/29/88  
Union Township Plat  
Section 26, Town 3, Range 2  
Parcels 28-49, inclusive
7. See Attached Legal Description
8. See Attached Legal Description
9. See attached map, those parcels contained within  
Union Township, Butler County, Ohio  
Section 32, Town 3, Range 2  
depicted thereon inclusive

*Money*  
*Co. Eng. - up front for eng.*  
*- Pay back as Money*  
*comes in*  
*- for Allen Rd. may accum-*  
*ulate for period of time*

EXHIBIT "A"

[Description of parcels of land benefiting from public improvements]



SITUATED in Section 26; Town 3; Range 2; Union Township, Butler County, Ohio and being 82.300 Acres part of an original 150.37 Acre Tract as described in Deed Book 773; Page 21; Butler County Deed Records; said 82.300 Acre Tract being bounded and described as follows:

BEGINNING at a point on the centerline of Allen Road the same being the northerly line of Section 26 said point also being the northeasterly corner of a 97.50 Acre Tract (Deed Book 879, Page 344; B.C.D.R.) said point of beginning being NORTH 87° 32' 43" EAST 2689.24 feet from the northwesterly corner of said Section 26;

THENCE from said point of beginning and along the centerline of said road and said section line NORTH 87° 40' 27" EAST 1120.89 feet to the point of intersection of the centerline of Cincinnati-Dayton Road with the centerline of said Allen Road; THENCE along the centerline of Cincinnati-Dayton Road the following courses:

- (1) SOUTH 5° 39' 16" EAST 1143.26 feet
- (2) southeastwardly on a curve to the left an arc distance of 407.00 feet; said curve having a radius of 1888.87 feet and a chord which bears SOUTH 11° 49' 38" EAST 406.21 feet
- (3) SOUTH 18° 00' 00" EAST 1203.66 feet to the southeasterly corner of the herein described tract on the southerly line of the aforesaid original 150.37 Acre Tract, the same being the northerly line of a 46.53 Acre Tract (Deed Book 525; Page 104; B.C.D.R.);

Situate in the State of Ohio, County of Butler, Township of Union, being in Section 26, Town 3, Range 2, and more particularly described as follows:

Commencing at the southeast corner of Section 26, said corner being found as a Stone encased in a corrugated metal pipe approximately 3 feet deep; thence with the south line of said section N 86° 37' 08" W, 2438.10 feet to a point; thence N 3° 22' 52" E, 60.70 feet to an Existing Concrete Monument, being 30 feet left of the Centerline of CRESCENTVILLE ROAD at P. T. STATION 7+39.25 as shown in Deed Book 911, page 45, said Concrete Monument being in the north Right-of-Way for said Road, also being the TRUE POINT OF BEGINNING for the herein described parcel of land; thence with the north Right-of-Way line for CRESCENTVILLE ROAD along a curve to the left having an ARC length of 176.75 feet with a Radius of 1939.86 feet (Chord Bearing N 89° 12' 24" W, 176.69 feet) to a point; thence along a curve to the right having an ARC length of 62.70 feet with a Radius of 37.19 feet (Chord Bearing N 43° 30' 52" W, 55.53 feet) to a point; thence N 85° 12' 40" W, 22.17 feet to a point in the Grantor's west line as defined by Deed Book 1672, page 182, said point being in CENTRE PARK DRIVE (formerly GANO ROAD); thence with the Grantor's west line N 5° 04' 43" E, 29.26 feet to an Existing R. R. Spike (found); thence N 5° 09' 41" E, 291.73 feet to an Existing R. R. Spike (found), being the Grantor's northwest corner, also being the southwest corner of a 10.2469 acre tract of land of MARK H. BERLIANT, Trustee as recorded in Deed Book 1512, page 246; thence along the Grantor's north line and BERLIANT'S south line, S 84° 56' 47" E, 380.00 feet to an Iron Re-bar (set), being the northeast corner of the herein described parcel; thence along a new line S 5° 09' 41" W, 340.48 feet to an Iron Re-bar (set) in the north Right-of-Way line of CRESCENTVILLE ROAD; thence with said line N 86° 35' 47" W, 139.98 feet to the true point of beginning, containing 3.0140 acres, subject to legal Easements or Restrictions of record.

THENCE along said line SOUTH 87° 50' 32" WEST 1676.29 feet to the northwesterly corner of said 46.53 Acre Tract on the easterly line of a 91.865 Acre Tract (Deed Book 1352, Page 569, B.C.D.R.); THENCE along the easterly line of said 91.865 Acre Tract NORTH 0° 10' 23" WEST 356.31 feet; THENCE along the westerly line of said original tract NORTH 1° 09' 21" WEST 766.70 feet to the southeasterly corner of the aforesaid 97.50 Acre Tract; AND THENCE along the easterly line of said 97.50 Acre Tract, the same being a westerly line of the herein described tract NORTH 0° 08' 20" EAST 1574.82 feet to the point of beginning CONTAINING 82.300 Acres according to a Survey (Drawing C-7388) by Duane, Hasselbring, Kuhlman & Associates, Ohio Professional Surveyors, Middletown, Ohio, November 1979.

This description prepared by V. Frederic Duane, Ohio Professional Surveyor #4494 of Duane - Daley & Assoc., Inc., Middletown, Ohio, June, 1989.

SAID land being subject to all rights-of-way, easements and restrictions of record heretofore granted which are applicable to and effective against said land.

Reference: Volume \_\_\_\_\_, Plat No. \_\_\_\_\_  
Butler County Engineer's Record of Land  
Division.

EASEMENT FOR SIGN PURPOSES

EXHIBIT "A"

Number 8

There is reserved an Easement in the southwest corner of the above described Parcel of land, for the purpose of construction and maintenance of a sign by the Grantor. The Easement is approximately thirty (30) feet wide and is more completely described as follows:

Commencing at an existing concrete monument in the north Right-of-Way line for CRESCENTVILLE ROAD, said monument being N 86° 35' 47" W, 139.98 feet from the southeast corner of the herein conveyed Parcel of land; thence along the long chord of the Right-of-Way line N 89° 12' 24" W, a distance of 134.69 feet to a point, said point being the TRUE POINT OF BEGINNING for the herein described Easement; thence continuing with the long chord of the Right-of-Way line N 89° 12' 24" W, 11.18 feet to a point; thence N 48° 19' 23" W, 80.40 feet to a point in the east Right-of-Way line of CENTRE PARK DRIVE; thence with said line N 5° 04' 43" E, 11.38 feet to a point; thence along new Easement lines S 84° 55' 17" E, 35 feet to a point; thence S 48° 19' 23" E, 47.91 feet; thence S 0° 47' 36" W, 30.00 feet to the true point of beginning, containing 0.0526 acre. Subject to the Right-of-Way for CRESCENTVILLE ROAD and Utility Easements of record.

Being part of the lands of Schumacher-Dugan Construction, Inc., an Ohio corporation, as Grantor claims title by Instrument of Record in Deed Vol. 1671, page 465, and Deed Vol. 1672, page 182.

This description was prepared by DSD Consultants, Inc., under the direct supervision of M. David Damron, P.E., P.S., Registered Surveyor No. 7056, and a copy of the SURVEY is recorded in Survey Plat Vol. 21, page 192.