

**STATUTORY RESOLUTION NO. 36-2016**

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**AMENDING RESOLUTION NO. 7-99 TO INCLUDE ADDITIONAL PUBLIC INFRASTRUCTURE IMPROVEMENTS FOR AN EXISTING TAX INCREMENT FINANCING EXEMPTION IN WEST CHESTER TOWNSHIP, BUTLER COUNTY, OHIO, GRANTED PURSUANT TO SECTION 5709.73 OF THE OHIO REVISED CODE (TYLERSVILLE ROAD TIF)**

**WHEREAS**, on March 9, 1999, this Board adopted Resolution No. 7-99, 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**, on December 5, 2006, this Board adopted Resolution No. 42-2006, amending Resolution No. 7-99 to add additional Public Improvements defined pursuant to that Resolution; and,

**WHEREAS**, this Board wishes to include additional Public Improvements, as defined by Resolution No. 7-99, as amended; and,

**WHEREAS**, on November 16, 2016, this Board notified the Board of Education of the Lakota Local School District of its intention to amend Resolution No. 7-99, as amended, and on November 28, 2016 the Board of Education approved such amendment; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of West Chester Township, County of Butler, State of Ohio, hereby agrees to:

**SECTION 1.** Declare Section 1 of Resolution No. 7-99, as amended by Resolution No. 42-2006, which reads as follows:

**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 Tylersville Road 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, bike paths, traffic control devices, landscaping, irrigation, and alterations to existing streets; the planning, design and construction of public parking structures and facilities; the planning, design and construction of utilities including but not limited to water, sanitary sewers, gas mains, electric facilities, storm water sewers and retention/detention facilities, telecommunication facilities and any infrastructure needed to host or deploy internet, fiber optics, digital, satellite, or cloud based technologies or any other technology medium determined to be a public improvement; the preparation of plans for land use, economic impacts, or development market analyses in the area; community or educational facilities; parkland acquisition and/or improvements; park, recreation, performance, cultural, or creative arts improvements and facilities; the creation or enhancement of landscape and buffer areas, including beautification and landscaping, 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 emergency communication/dispatch facilities; land, property, or building, including acquisition in aid of industry and commerce; land, property, or building demolition, reconstruction, or gentrification in aid of industry or commerce, including demolition on private property when determined necessary for economic development purposes; environmental remediation; storm water and flood remediation projects, including such projects on private property when determined to be necessary for public health safety or welfare; 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 "A" attached to this Resolution (such parcels are hereinafter collectively referred to as the "West Chester TYLERSVILLE ROAD TIF Site") 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.** Add Section 4A to Resolution No. 7-99, which shall read as follows:

**SECTION 4A.** Declare this Board shall comply with the provisions of Ohio Revised Code Section 5709.73(D) and authorize and direct the Township

Administrator to make compensation payments to the Butler Technology and Career Development Schools in an amount complying with the provisions of Ohio Revised Code Section 5709.73(D). Such compensation payments shall be made from funds in the Tax Increment Equivalent Fund and such moneys are hereby authorized to be used for such purpose.

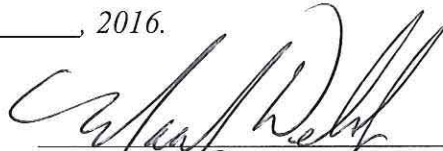
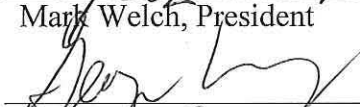
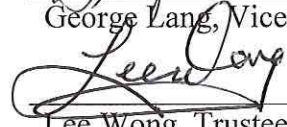
**SECTION 3.** Declare all sections and provisions of Resolution Nos. 7-99 and 42-2006 not specifically amended hereby shall remain in full force and effect.

**SECTION 4.** Direct the Fiscal Officer to forward a copy of this Resolution to the County Auditor of Butler County.

**SECTION 5.** 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.

**SECTION 6.** Declare this Resolution shall be effective at the earliest date allowed by law.


Adopted this 6<sup>th</sup> day of December, 2016.

 _____ Mark Welch, President	<u>YES</u> Yes/No
 _____ George Lang, Vice President	<u>YES</u> Yes/No
 _____ Lee Wong, Trustee	<u>Yes</u> Yes/No

**ATTEST:**

  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer

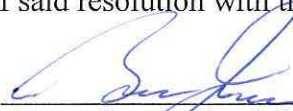
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Donald L. Crain, Law Director



**CERTIFICATE**

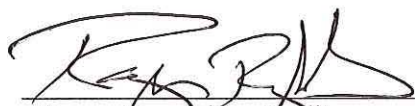
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the West Chester Township Board of Trustees on the 6<sup>th</sup> day of December, 2016, and that on 12/7, 2016, I filed a certified copy of said resolution with the county auditor.

  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer

Dated: 12/7, 2016

**RECEIPT**

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

  
\_\_\_\_\_  
Roger Reynolds, Auditor  
County of Butler, Ohio

Dated: 12/7, 2016





Tylersville Road TIF

EXHIBIT A



8/16/2016

WEST CHESTER TOWNSHIP  
Community Development Department  
9577 Beckett Road, Suite 100  
West Chester, OH 49369-5014  
513-777-4214  
www.westchesteroh.org

Tylersville Road TIF

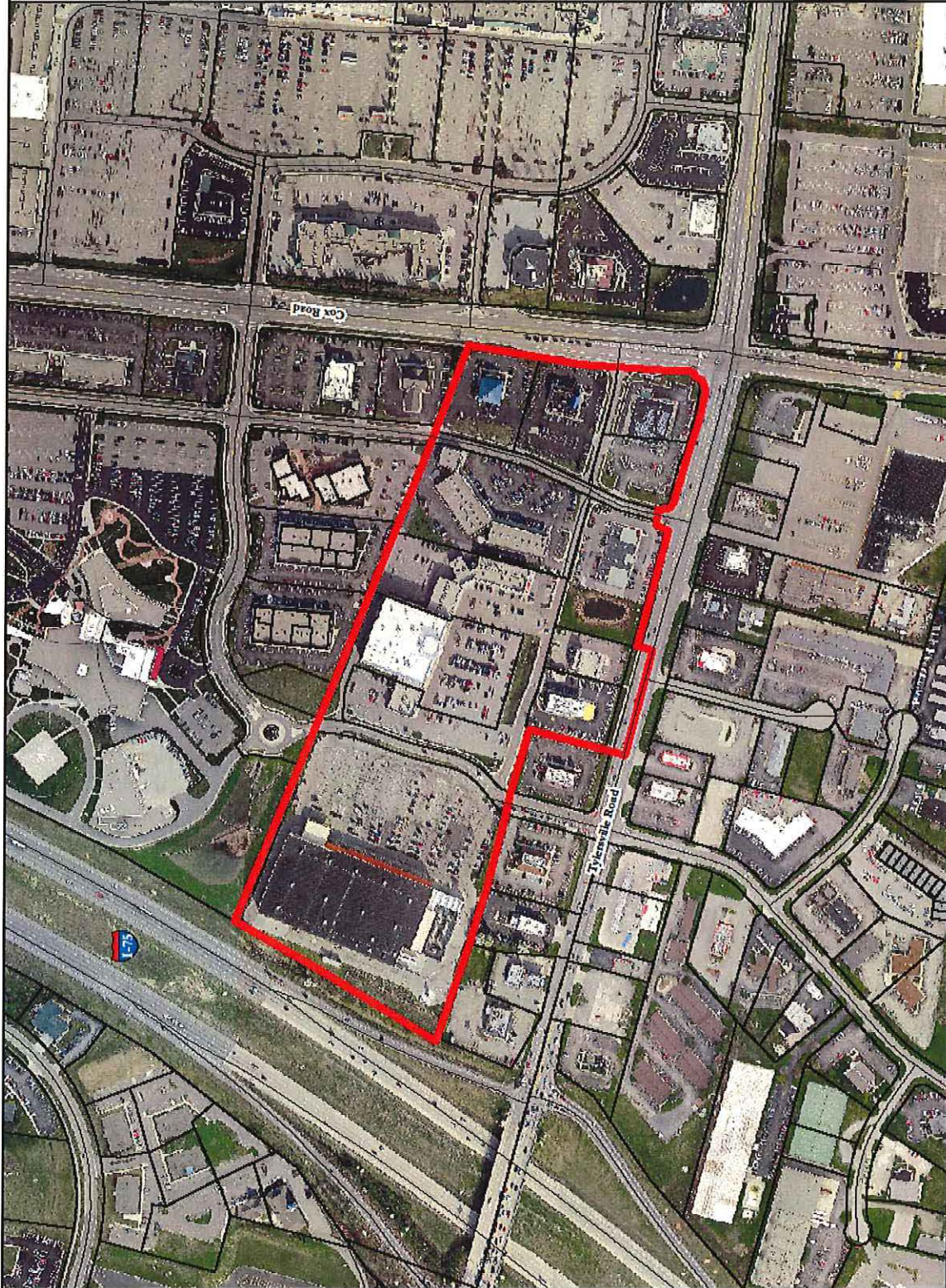


Exhibit A (RES: 36-16)



WEST CHESTER TOWNSHIP  
TIF DISTRICT PARCELS  
TYLERSVILLE ROAD  
12.06.2016

PARCEL	OWNER	LOCATION
M5610020000144	HD DEVELOPMENT OF MARYLAND INC	7749 DUDLEY DR
M5620458000001	BANK ONE NA	7722 COX LN
M5620458000002	CAVALLARO LEONARDO TR ETAL	7748 COX LN
M5620458000003	FAMILY CONSOLIDATED ENTERPRISES LLC	COX LN
M5620458000004	DUDLEY HOLDING COMPANY LTD	7776 COX LN
M5620458000005	DOWNTOWN PROPERTY MANGEMENT INC	7781 COX LN
M5620458000006	TYLERSVILLE DYNASTY LLC	7721 COX LN
M5620458000007	KOKOSIOULIS THEODORA F TR OF HER REV TRUST 2-2-88	7679 DOC (PRIVATE) DR
M5620458000008	DAHLEM TYLERSVILLE LLC	7685 DOC (PRIVATE) DR
M5620458000010	COLE LA WEST CHESTER OH LLC	7730 DUDLEY DR
M5620458000011	DAHLEM TYLERSVILLE LLC	7716 DUDLEY DR