

STATUTORY RESOLUTION NO. 38- 2016

**AMENDING RESOLUTION NO. 42-2004 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 (CBD TIF)**

WHEREAS, on July 13, 2004, this Board adopted Resolution No. 42-2004 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. 46-2006 amending Resolution No. 42-2004 to add additional Public Improvements defined pursuant to that Resolution; and,

WHEREAS, this Board wishes to include additional Public Improvements, as defined by those resolutions; 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. 42-2004 as amended by Resolution 46-2006, and on November 28, 2016 the Board of Education approved such amendment; and

NOW, THEREFORE, BE IT RESOLVED 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. 42-2004, as amended by Resolution 46-2006, 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 Township CBD 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 Township CBD 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. 42-2004, 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.

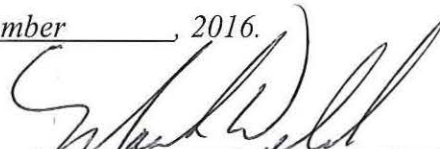
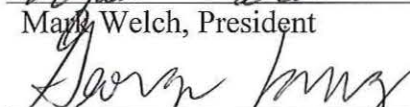
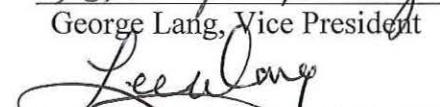
SECTION 3. Direct all sections and provisions of Resolution Nos. 42-2004 and 46-2006 not specifically amended hereby shall remain in full force and effect.

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. Determine this Resolution shall effective at the earliest date allowed by law.


Adopted this 6th day of December, 2016.

 Mary 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 6th 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



CBD TIF

EXHIBIT A



07/18/2018

WEST CHESTER TOWNSHIP
Community Development Department
9577 Beckert Road, Suite 100
West Chester, OH 45699-5014
513-777-4214
513-974-6804 (fax)
www.westchesterohio.org

CBD TIF
DISTRICT

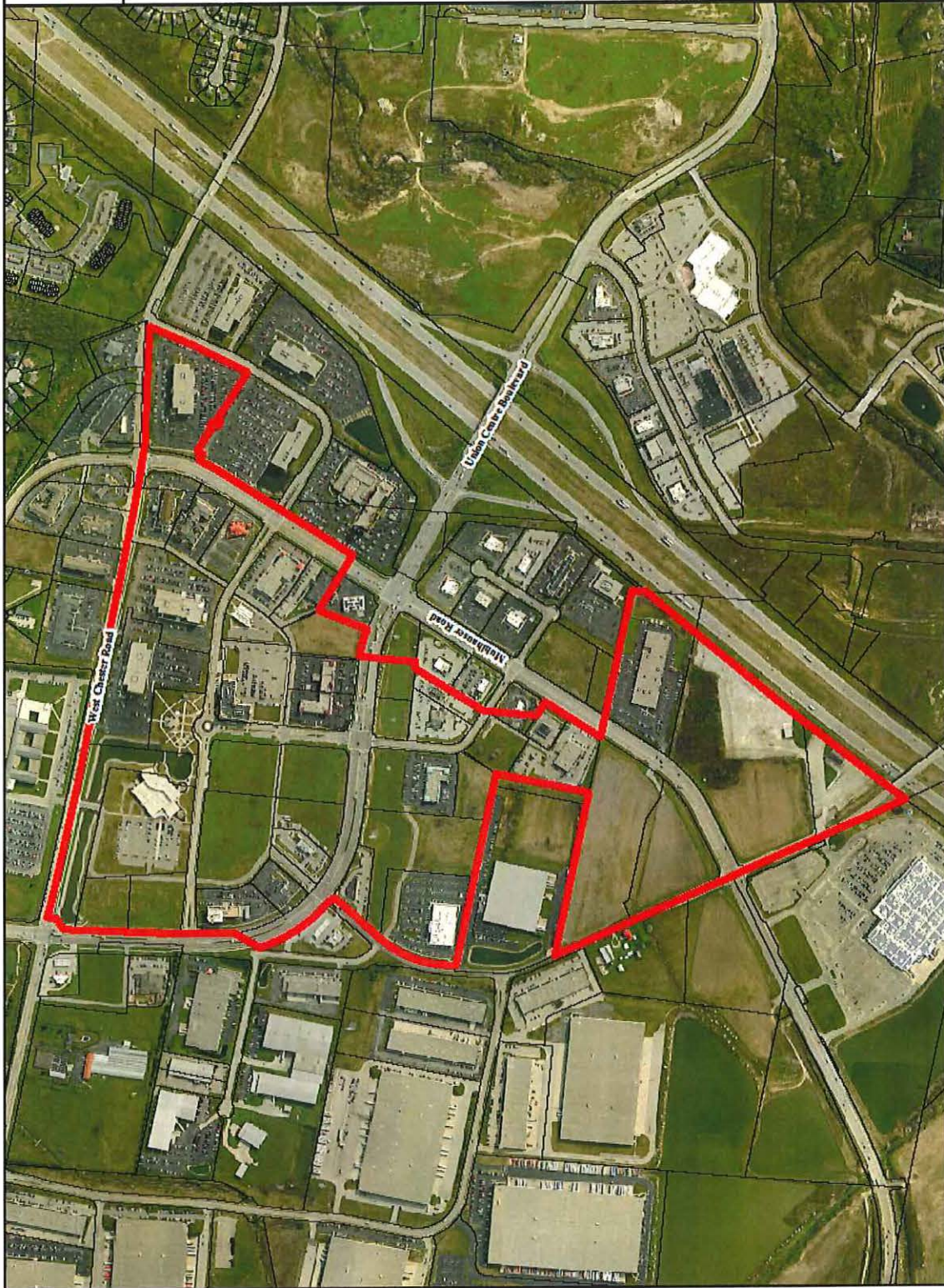


Exhibit A (RES: 38-16)

WEST CHESTER TOWNSHIP
TIF DISTRICT PARCELS
CENTRAL BUSINESS DISTRICT (CBD)
12.06.2016

PARCEL	OWNER	LOCATION
M5610027000032	WC III LLC	MUHLHAUSER RD
M5610027000065	SUBURBAN CINCINNATI OFFICE PORTFOLIO LLC	9025 CENTRE POINTE DR
M5610027000076	WC IV LLC	MUHLHAUSER RD
M5610032000005	BEAVER CREEK PARTNERS LLC	ALLEN RD
M5610032000025	HESSE HANS	9494 ALLEN RD
M5610032000028	WEST CHESTER 75 INC	UNION CENTRE BLVD
M5610032000031	UNION CENTRE HOLDINGS LLC	CENTRE LOOP DR
M5610032000085	DUCK SHACK REAL ESTATE PARTNERS	9244 FLOER DR
M5610032000086	KANE HOSPITALITY LLC	9183 CENTRE POINTE DR
M5610032000090	HUNTINGTON NATIONAL BANK	9155 ALLEN RD
M5610032000093	ALLEN ROAD CENTER LLC	9220 ALLEN RD
M5610032000094	FIRST FINANCIAL BANK NA	9120 UNION CENTRE BLVD
M5610032000103	PIZZA BAKERS OF CINCY NORTH LLC	9238 FLOER DR
M5610032000107	WC III LLC	6250 MUHLHAUSER RD
M5610032000108	WC IV LLC	6240 MUHLHAUSER RD
M5610032000110	SUBURBAN CINCINNATI OFFICE PORTFOLIO LLC	9277 CENTRE POINTE DR
M5610032000112	CHESTERONALD LLC	9160 ALLEN RD
M5610032000113	CENTRE PLACE RETAIL LLC	9032 UNION CENTRE BLVD
M5610032000121	BOARD OF TRUSTEES OF WEST CHESTER TWP	CENTRE POINTE DR
M5610032000122	BOARD OF TRUSTEES OF WEST CHESTER TWP	WEST CHESTER RD
M5610032000124	FSP CENTRE POINTE V LLC	9227 CENTRE POINTE DR
M5610032000125	BOARD OF TRUSTEES OF WEST CHESTER TWP	9363 UNION CENTRE BLVD
M5610032000130	CENTRE PARK LLC	ALLEN RD
M5610032000131	TOWN CENTRE I LLC	CENTRE POINTE DR
M5610032000133	CENTRE PLACE RETAIL LLC	9078 UNION CENTRE BLVD
M5610032000135	UNION CENTRE INNKEEPERS LLC	MUHLHAUSER RD
M5620416000017	REALTY INCOME CORP	5900 MUHLHAUSER RD
M5620416000021	WOESTE INVESTMENTS LTD	9259 FLOER DR
M5620416000022	SCHUMACHER DUGAN CONSTRUCTION INC	FLOER DR
M5620417000003	WOESTE INVESTMETNS LTD	5890 MUHLHAUSER RD
M5620417000007	DLP WEST CHESTER LLC	5897 MUHLHAUSER RD
M5620450000001	CENTRE PARK PROPERTIES LLC	9316 UNION CENTRE BLVD
M5620450000002	TYCIN LLC	9332 UNION CENTRE BLVD
M5620450000003	UNION CENTRE RETAIL #3 LLC	CENTRE LOOP DR
M5620450000004	BK ECKERSON LLC	6184 CENTRE LOOP DR
M5620450000009	UNION CENTRE HOLDINGS LLC	CENTRE LOOP DR
M5620450000010	LOOP DRIVE VENTURES LLC	9228 CENTRE POINTE DR
M5620450000011	TOWNE CENTRE SQUARE PARTNERS LLC	9100 WEST CHESTER TOWNE CENTRE DR
M5620450000012	TOWN CENTRE I LLC	WEST CHESTER TOWNE CENTRE DR
M5620450000013	HUC DEVELOPMENT CO LLC	6190 MUHLHAUSER RD
M5620452000001	UNION CENTRE HOLDINGS LLC	FLOER DR
M5620452000005	TERRAZA 7 LLC	9282 ALLEN RD
M5620452000007	DAUPHINE OHIO LLC & MAOV OHIO LLC	9225 FLOER DR
M5620452000008	UNION CENTRE HOLDINGS LLC	ALLEN RD