

**STATUTORY RESOLUTION NO. 39-2016**

\*\*\*\*\*

**AMENDING RESOLUTION NO. 19-2015 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 (CAPSTONE BOULEVARD TIF)**

**WHEREAS**, on December 21, 2015, this Board adopted Resolution No. 19-2015 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 Improvements, as defined by Resolution No. 19-2015; and

**WHEREAS**, on November 16, 2016, this Board notified the Lakota Local School District ("School District") Board of Education and the Butler Technology and Career Development Schools Board of Education, of its intention to amend Resolution 19-2015 and on November 28, 2016 the School District 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 2 of Resolution No. 19-2015, which reads as follows:

**SECTION 2.** 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 and alterations to existing streets; the planning, design and construction of utilities including but not limited to water, sanitary sewers, gas mains, electric facilities, telecommunication facilities and any infrastructure needed to host or deploy internet, fiber optics, digital, satellite, or cloud based technologies; storm water sewers and retention/detention facilities; the preparation of plans for land use, economic impacts, or development market analyses in the area; community or educational facilities; park, recreation, performance, cultural, or creative arts improvements and facilities; the creation or enhancement of landscape and buffer areas, including beautification and landscaping, open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities, operations, including police and fire stations, emergency services, and public safety emergency communication/dispatch facilities; land acquisition in and of industry and commerce; 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 "B" attached to this Resolution (such parcels are hereinafter collectively referred to as the "West Chester Township CAPSTONE BOULEVARD TIF Site"), 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 2.** 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 CAPSTONE BOULEVARD 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.

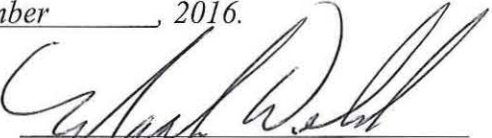
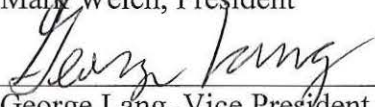
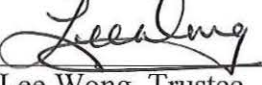
**SECTION 2.** Direct all sections and provisions of Resolution No. 19-2015 not specifically amended hereby shall remain in full force and effect.

**SECTION 3.** Direct the Fiscal Officer to forward a copy of this Resolution to the County Auditor of Butler County.


**SECTION 4.** Find and determine 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.** Determine this Resolution to be effective at the earliest date allowed by law.

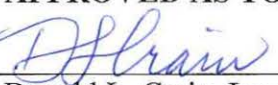
Adopted this 6th day of December, 2016.

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





Capstone Blvd TIF

EXHIBIT A



8/16/2016

WEST CHESTER TOWNSHIP  
Community Development Department  
9577 Beckett Road, Suite 100  
West Chester, OH 48668-5014  
513-777-4214  
www.westchesteroh.org

Capstone Blvd TIF

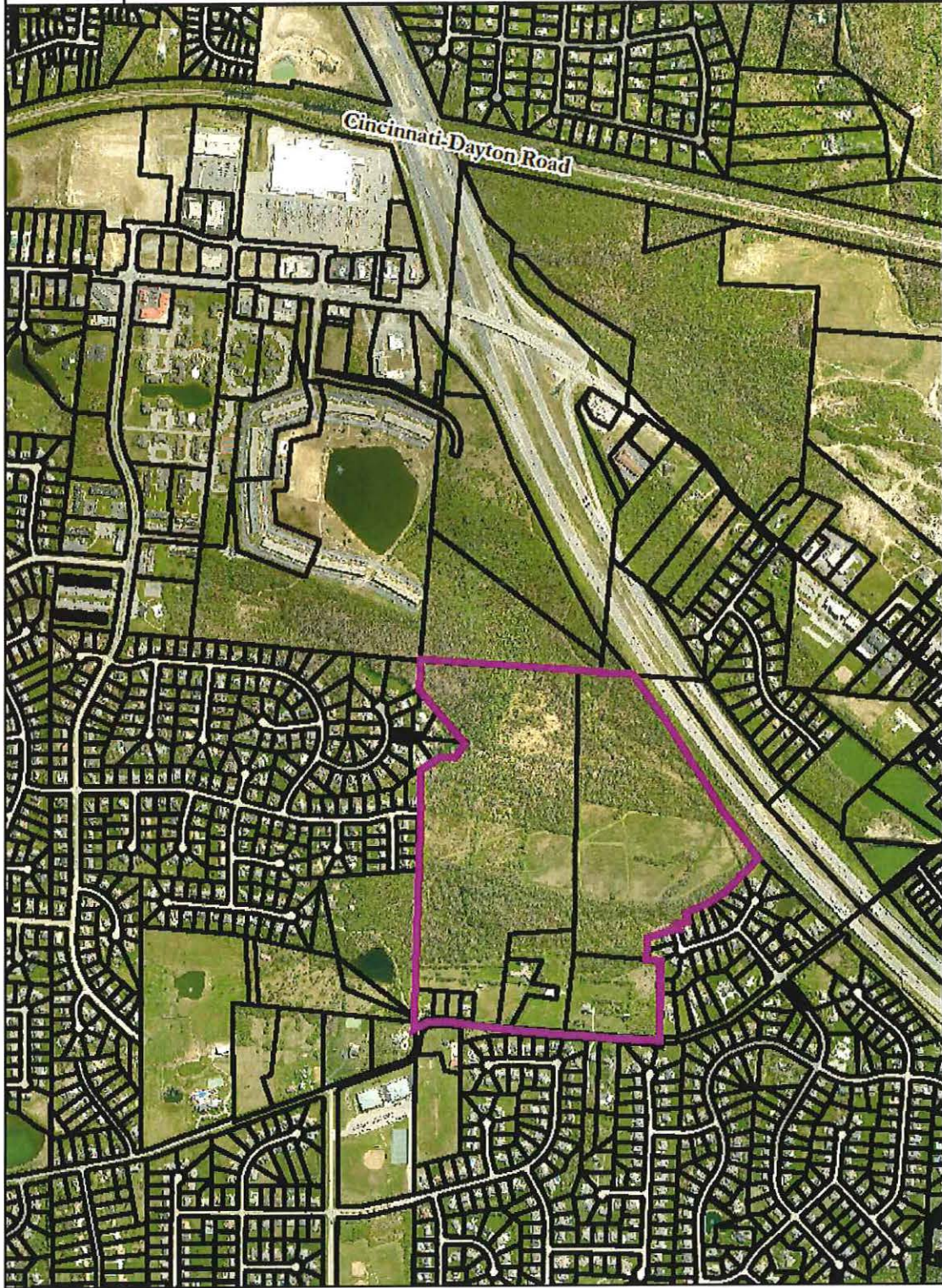


Exhibit A (RES: 39-16)



WEST CHESTER TOWNSHIP  
TIF DISTRICT PARCELS  
CAPSTONE BOULEVARD  
12.06.2016

| PARCEL         | OWNER   | LOCATION                           |
|----------------|---|------------------------------------|
| M5610028000001 | LYONS KATHERINE H TR ETAL                       | 8470 LESOURDSVILLE WEST CHESTER RD |
| M5610028000002 | SCHNIER JAMES R TR OF THE JAMES R SCHNIER TRUST | 8508 LESOURDSVILLE WEST CHESTER RD |
| M5610028000003 | ROBERT DAVID LYONS LIVING TR                    | LESOURDSVILLE WEST CHESTER RD      |
| M5610028000057 | LYONS KATHERINE H LIV TR DTD 12 16 88           | LESOURDSVILLE WEST CHESTER RD      |
| M5610028000080 | LYONS KATHERINE H LIV TR DTD 12 16 88           | 8470 LESOURDSVILLE WEST CHESTER RD |
| M5620138000001 | KELLOGG JULIE                                   | 8412 LESOURDSVILLE WEST CHESTER RD |
| M5620138000002 | LYONS KATHERINE H LIV TR DTD 12 16 88           | LESOURDSVILLE WEST CHESTER RD      |
| M5620138000003 | LYONS KATHERINE H LIVING TR DTD 12 16 88        | LESOURDSVILLE WEST CHESTER RD      |
| M5620138000004 | SMITH MARC                                      | 8466 LESOURDSVILLE WEST CHESTER RD |