

The Board of the Colerain Township, Hamilton County CIC, Inc. met in a special session at 6:37 p.m. on the 14th day of April, 2015, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr./Ms. Dennis Deters introduced the following resolution and moved its adoption:

RESOLUTION NO. 1-15

RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO ACCEPT AND ACQUIRE PROPERTY IN COLERAIN TOWNSHIP AND TO TRANSFER PROPERTY TO THE KROGER CO.

WHEREAS, the Colerain Township, Hamilton County, CIC, Inc. hereinafter referred to as "Colerain CIC", has been established to facilitate the goals and desires of Colerain Township by acting as its agency and instrumentality for economic development, creating jobs and for industrial, commercial, distribution and research development in the Township; and

WHEREAS, Colerain CIC desires to acquire and/or accept certain properties in Colerain Township in accordance with and pursuant to Section 1724.02 of the Ohio Revised Code; and

WHEREAS, Colerain CIC desires to acquire or accept the property real property located in Colerain Township, Hamilton County, Ohio, presently owned by the Colerain Township located at 3618 Springdale Road which is 3.148 acres presently part of permanent parcel number 510-0103-0018-00, and is the parking lot of that parcel, ("the parcel"), and

WHEREAS, Colerain CIC desires, once the parcel has been acquired to transfer the property to The Kroger Co. or its designated assignee, for purpose of facilitating economic development, creating jobs and for industrial, commercial, distribution and research development in the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Colerain Township, Hamilton County CIC, Inc. as follows:

1. Colerain CIC hereby authorizes Frank Birkenhauer, as Executive Director, to acquire and/or accept the property located at 3618 Springdale Road which is part of permanent parcel number 510-0103-0018-00, and is the parking lot of that parcel; and
2. Colerain CIC hereby authorizes Frank Birkenhauer, as Executive Director, to transfer the property located at 3618 Springdale Road which is part of permanent parcel number 510-0103-0018-00, and is the parking lot of that parcel, to The Kroger Co., or its designated assignee, for purpose of facilitating economic development, creating jobs and for industrial, commercial, distribution and research development in the Township; and


3. That 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 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 §121.22 of the Ohio Revised Code; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr./Ms. Ritter seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Deters: yes; Mr. Ritter: yes; Ms. Rinehart: yes
Mr. Birkenhauer: yes; Mr. Milz: yes; Mr. Eckoff: yes

ADOPTED this 14th day of April, 2015.

COLERAIN TOWNSHIP, HAMILTON COUNTY CIC, INC.



Executive Director

GENERAL WARRANTY DEED*

KNOW ALL MEN BY THESE PRESENTS;

That:

Colerain Township, Hamilton County, CIC, Inc., an Ohio not-for-profit corporation, *for valuable consideration paid, grant, with general warranty covenants*, to **The Kroger Co.**, an Ohio Corporation, *whose tax-mailing address is*

**The Kroger Co.
Property Tax Department
1014 Vine Street
Cincinnati, OH 45202**

the following **REAL PROPERTY**:


See Attached Exhibit "A".

Prior instrument Reference:

Book 510, Page 0103, of the Deed Records of Hamilton County, Ohio.
Hamilton County Auditor's Parcel Number 0018-00.

Witness my hand this 14th day of April, 2015.

**Colerain Township, Hamilton County, CIC, Inc.,
an Ohio not-for-profit corporation**



Frank Birkenhauer, Executive Director

STATE OF OHIO)
COUNTY OF HAMILTON) SS:

BE IT REMEMBERED, That on this 15th day of April, 2015, *before me, the subscriber, a Notary Public in and for said county, personally came*, Frank Birkenhauer, the Executive Director of Colerain Township, Hamilton County, CIC, Inc., *the Grantor in the foregoing Deed, and who after first being duly sworn and cautioned, acknowledged the signing thereof to be his voluntary act and deed on its behalf.*

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal
on this day and year aforesaid:


NOTARY PUBLIC

This instrument was prepared by:
Christopher L. Moore, Esq.
Schroeder, Maundrell, Barbiere & Powers
5300 Socialville-Foster Rd., Suite 200
Cincinnati, Ohio 45040
(513) 583-4217



DEBORAH A. FALES
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES SEPT 21, 2019

* See sections 5302.05 & 5302.17 Ohio Revised Code

EXHIBIT "A"

March 12, 2015

Legal Description: (3.148 Acre Tract)

Situated in Part of Section 9, Town 2, Entire Range 1, Colerain Township, Hamilton County, Ohio and being more particularly described as follows:

Commencing at the northeast corner of Lot 13 of Dornbusch First Subdivision, Block A, as recorded in Plat Book 64, Page 51 of the records of Hamilton County, Ohio; thence North 42° 44' 00" West, 30.00 feet to a set iron pin and the point of beginning of the tract herein described; thence North 42° 44' 00" West, 151.63 feet to a set iron pin; thence North 47° 35' 04" East, 191.30 feet to a set nail; thence North 85° 25' 58" East, 349.42 feet to a set nail; thence South 42° 43' 32" East, 184.65 feet to a set nail on the northerly right-of-way line of Springdale Road; thence along the said northerly right-of-way line of Springdale Road, South 47° 16' 00" West, 386.00 feet to a set nail; thence departing the said northerly right-of-way line of Springdale Road, North 42° 44' 00" West, 250.00 feet; thence South 47° 16' 00" West, 80.00 feet to the point of beginning.

The above described tract of land contains 3.148 Acres of land and is subject to all easements, restrictions, and legal Right-of-Ways of record.

This description was prepared by Robert W. Trenkamp, Registered Land Surveyor in Ohio #6452 and is based on a survey made by Thomas Graham Associates, Inc. dated March 12, 2015.