

RESOLUTION No. 1-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,
that

Whereas Officials of Colerain Township often find it necessary to conduct business outside of the Township and to attend informational seminars presented at the conventions of the Township Trustees' and Clerk's Association held within the State of Ohio, and

Whereas expenses for mileage on personal vehicles, air fare, parking fees, lodging, meals and other expenses are incurred; therefore,

Be It Resolved that Colerain Township reimburse or prepay for mileage at \$.345 per mile as allowed by the Internal Revenue Service; and

Be It Further Resolved that expenses for air fare, parking fees, lodging, meals not to exceed \$30.00 per diem and other necessary costs shall be reimbursed at the rate of the actual amount expended.

Adopted the 9th day of January, 2001

Attest:

Gary Mow

Township Clerk

Diana By-Roberts

Joseph R. Stoltz

Township Trustees

RESOLUTION No. 2-01

.....Hamilton.....County, Ohio

Be It Resolved by the Township Trustees of.....Colerain.....Township,
that

Whereas Officials of Colerain Township often find it necessary to conduct business outside of the Township and to attend informational seminars presented at the conventions of the National Association of Township Trustees and Clerks, held in Washington, D.C, and

Whereas expenses for mileage on personal vehicles, air fare, parking fees, lodging, meals and other expenses are incurred; therefore,

Be It
Resolved that Colerain Township reimburse or prepay said expenses for mileage at \$.345 per mile as allowed by Internal Revenue Service; and

Be It
Further
Resolved that expenses for air fare, parking fees, lodging, meals not to exceed \$45.00 per diem, and other necessary costs shall be reimbursed at the rate of the actual amount expended.

Adopted the 9th day of January 2001

Attest: Garry Mohr
Township Clerk.

Diana L. Kelly
James K. Hall
Township Trustees

RESOLUTION No. 3-01

.....Hamilton.....County, Ohio

Be It Resolved by the Township Trustees of.....County.....Township,
that

Whereas employees and officials of Colerain Township often find it necessary to conduct business outside of the Township and to attend informational seminars presented at the conventions of the Trustees' and Clerk's Association and other such organizations, and

Whereas expenses for mileage on personal vehicles, air fare, parking fees, lodging, meals and other expenses are incurred; therefore,

Be It
Resolved that Colerain Township reimburse or prepay said expenses for mileage at \$.345 per mile as allowed by Internal Revenue Service, and

Be It
Further
Resolved that expenses for air fare, parking fees, lodging, meals and other necessary costs shall be reimbursed at the rate of the actual amount expend.

Adopted the 9th day of January 2001

Attest: Garry Mow
Township Clerk.

[Signature]
[Signature]
[Signature]
Township Trustees

RESOLUTION No. 4-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,
that

Whereas it is deemed that it will serve to benefit the furtherance of the public interest for certain township employees to attend and participate in the activities of certain community and professional organizations, and

Whereas funds have previously been appropriated for the same, now therefore,

Be It Resolved that the following list of memberships in community organizations for certain township employees is hereby approved:

Trustees and Administration

Colerain Business Association	75.00
Ohio City Managers Association	200.00
Western Economic Council	50.00
GCLGMA	100.00
Ohio Development Association	100.00
Ohio & Ham Co Township Assoc	180.00
International City Manager Assoc	1500.00
Center for Local Government	3700.00
Millcreek Watershed Council	150.00
Hillside Trust	35.00
C.L.O.U.T.	200.00
Int'l Personnel Management Association	300.00

Zoning

American Planning Assoc	335.00
AACE	45.00
Planning Partnership	4,000.00
P.A.C.E.	25.00

Adopted the 9th day of January 2001

Attest: Kathy Mow
Township Clerk.

Dean L. Reitz
Joseph R. Stiller
Township Trustees

Police

Northwest Exchange Club	280.00
Int'l Assoc of Chief of Police	130.00
Ohio Assoc of Chief of Police	120.00
Hamilton County Police Association	75.00
Ham Co Police Chief Assoc & Sheriff	50.00
Police Mountain Bike Association	150.00
Ohio D.A.R.E. Officer Association	70.00
Midwest Gang Invest Association	10.00
Ohio School Resource Officer	40.00

Fire

Gr Ohio Fire Safety Association	10.00
BOCA	120.00
National Inst Emer Veh Safety	130.00
Int'l Assoc of Arson Ivesn	50.00
SW Ohio Fire Chief Assoc	5.00
Int'l Assoc of Fire Chief's	120.00
Chiefs for Joint Purchasing	25.00
Int Assoc Bomb Tech & Inves	50.00
IABTI	50.00
FD Safety Officers Assoc	75.00
OAEMS	30.00
Northwest Exchange Club	280.00
SWOBO	25.00
Ohio State Firefighter Assoc	60.00
Ohio Chapter IAAI	10.00
Ham Co Fire Chief's Assoc	80.00
Ohio Fire Chief's Assoc	50.00
Int'l Soc of Fire Serv Inst	75.00
Nat'l Fire Protection Assoc	115.00
Commission on Fire Accred	250.00
HCFA Laboratory Program	100.00
Nat'l Soci of Exec Fire Officers	35.00
Ohio Fire Officials Association	15.00
Ohio Society of Fire Service Inst	10.00
NIOA	60.00
Nat'l Assoc if Fire Investigators	45.00
NSEFO	35.00

Public Works

Ham Co Trustees & Clerk Assoc.	10.00
American Public Works Assoc.	100.00
Ham Co Road Superin Assoc.	50.00
Public Works Officials SWO	40.00
Northwest Exchange Club	340.00
SMSO	25.00

Senior/Services

Rivers Unlimited	20.00
Ohio Parks Recreation Assoc.	250.00
Ohio Sr Center Dir Assoc.	75.00
Nat'l Council on Aging	100.00
Nat'l Institute of Sr Centers	50.00
American Society on Aging	135.00

RESOLUTION AUTHORIZING HIRING OF ADDITIONAL COUNSEL
AND FIXING ATTORNEY FEES

RESOLUTION No. 5-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township,

that

WHEREAS, Ohio Revised Code Section 309.09 authorizes boards of township trustees to hire additional counsel as they may deem necessary and advisable, to represent the township and its officers in their official capacities, and to advise them on legal matters; and

WHEREAS, the Board of Trustees desires to retain James E. Reuter, Attorney-at-law, as such additional counsel.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COLERAIN TOWNSHIP, HAMILTON COUNTY OHIO THAT;

1. James E. Reuter, Attorney-at-law, shall serve as additional legal counsel for Colerain Township, and shall be compensated at a flat hourly rate of \$130.00 per hour, upon the submission of itemized bills therefor.

2. Said attorney shall be reimbursed for the usual and necessary out of pocket expenses incurred in connection with the rendering of such legal services, including, but not necessarily limited to, computer assisted legal research, long distance telephone expenses, costs of copying library and microfilmed public document research materials, and bulk photocopying.

3. This fee arrangement shall become effective upon adoption of this resolution.

Adopted the 9th day of January 2001

Attest: Garry Moore
Township Clerk.

James E. Reuter
James E. Reuter
Joseph R. Colerain
Township Trustees

RESOLUTION SETTING TRUSTEES' AND CLERK'S COMPENSATION FOR 2001

RESOLUTION No. 6-0

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,
that

Whereas O.R.C. §505.24 (C)(2) sets the Annual Compensation of a Township Trustee of a Township having a budget of more than \$6,000,000.00 at \$11,364.00 per year for 2001; and

Whereas O.R.C. §507.09 (D)(2) sets the Annual Compensation of a Township Clerk of a Township having a budget of more than \$6,000,000.00 at \$19,232.00 per year for 2001; now therefore,

Be it Resolved by the Board of Trustees of Colerain Township, Hamilton County, Ohio that:

- 1) The Board hereby approves, journalizes, and adopts the compensation for each Trustee for calendar year 2001 as \$11,364.00 per year, payable in monthly installments, according to law; and
- 2) The Board hereby approves, journalizes, and adopts the compensation for the Township Clerk commencing April 1, 2001 as \$19,232.00 per year, payable in monthly installments, according to law.

Adopted the 9th day of January 2001

Attest: Gary Mohr
Township Clerk.

James L. Ridge
Joseph R. Stalter
Township Trustees

RESOLUTION No. 7-0

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,
that

Whereas Mr. Harley Busam, longtime resident of Colerain Township, serves on the Land Use Planning Advisory Board and is retiring his position after 17 ½ years of service to the Board, and

Whereas Mr. Busam's commitment to the betterment of the Township has shown by his dedication, interest and involvement in the community; and

Whereas Mr. Busam has devoted these years of his life to helping, coordinating, volunteering, and assisting Colerain Township and its residents through our Land Use Advisory Board, now therefore

Be It Resolved that the Colerain Township Board of Trustees, on behalf of the citizens of the community, acknowledges the commitment and volunteerism of Mr. Harley Busam and honors him for his efforts.

Adopted the 9th day of January 2001

Attest: Gary Mohr
Township Clerk.

Joseph R. Holterman
Township Trustees

RESOLUTION No. 8-01

Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain Township,

that

- Whereas The Hamilton County Regional Planning Commission was established in 1929 for the purpose of providing a method of cooperative and representative planning among the various political subdivisions of Hamilton County; and
- Whereas The Hamilton County Regional Planning Commission has recently completed a Strategic Planning process culminating in recommendations for major modifications to its vision, mission and organizational structure in order to meet the diverse needs of Hamilton County communities in the 21st Century and more effectively carry out the duties and functions of a Regional Planning Commission; and
- Whereas the continued economic success of all Hamilton County communities requires multi-jurisdictional coordination and appropriate and efficient use of the county's land, its infrastructure, and its transportation system; and
- Whereas by virtue of the adoption of the attached Resolution of Cooperation by the Board of County Commissioners of Hamilton County and the municipalities and townships in Hamilton County, such participating communities will establish a representative and collaborative long-range planning committee to be known as The Planning Partnership - inclusive of public sector, private sector and civic sector planning organizations; and
- Whereas the specific purpose of the Planning Partnership shall be to facilitate the creation and implementation of local and countywide plans through a collaborative planning relationship with townships and municipalities, and to make related advisory, non-binding recommendations regarding issues related to growth management, land use, open space, transportation, housing, and other long-range multi-jurisdictional planning issues; and
- Whereas the attached Resolution of Cooperation identifies appropriate provisions for the organization, administration, membership, funding and general terms of agreement for reestablishment of the Hamilton County Regional Planning Commission; and
- Whereas Section 713.21 et seq. of the Ohio Revised Code enables political jurisdictions in any county to cooperate with the Board of County Commissioners in the creation and maintenance of a Regional Planning Commission; now therefore,
- Be it Resolved The Colerain Township Board of Trustees hereby adopts this resolution to approve, adopt, and ratify the Resolution of Cooperation for Reestablishment of the Hamilton County Regional Planning Commission and the establishment of The Planning Partnership and resolves that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Hamilton County Regional Planning Commission.

Adopted the 23rd day of January, 2001

Attest:

Garry Mohr
Township Clerk

[Signature]
[Signature]
Joseph R. Holter
Township Trustees

RESOLUTION DECLARING AN EMERGENCY AND
AUTHORIZING DEMOLITION OF DWELLING AT SKYLINE COMMUNITY CENTER

RESOLUTION No. 9-01

Hamilton
County, Ohio

Be it Resolved by the Township Trustees of

Colerain
Township,

that

WHEREAS, the dwelling, garage, and breezeway, (hereinafter referred to collectively as "the dwelling") on the Skyline Community Center grounds located at 8500 Pippin Road are vacant and have fallen into disrepair, and the Board of Trustees has received reports of drug use in said dwelling; and

WHEREAS, because of continuing difficulties with adequately securing the dwelling against trespassers, the Board is concerned that a fire might be set in said dwelling, possibly causing injury to persons and damage to the other adjoining structures; and

WHEREAS, the said dwelling has not been used for any Township purposes for some time, and, in its present condition, has very little value.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO THAT:

1. The Board of Trustees finds that present conditions in and around the said dwelling are incompatible with the mission and operation of the Skyline Community Center, and present a possible danger to the persons who patronize the Skyline Community Center, and others. The Board does hereby declare that a real and present emergency exists in connection with the administration of township services at the Skyline Community Center.

2. In order to remediate the above described conditions, the Board of Trustees hereby authorizes the demolition of the said dwelling on the Skyline Center Property, and authorizes the Township Administrator to enter into a contract for said demolition with Kiefer Excavating Contractor, Inc., consistent with the proposal attached hereto as Exhibit A, at a cost not to exceed \$10,960.00, without bidding or advertising, pursuant to O.R.C. Sec. 505.08.

Adopted the 22nd day of February 2001

Attest:

Gary Mours
Township Clerk

Diana L. Pichay
[Signature]
[Signature]
Township Trustees

RESOLUTION # 10-01

Case No. ZA-2000-07
Colerain Trailer Center

Approval of Application for Zone Change from
"A" Residential District to an "FF" Planned Light Industrial District
and a major amendment to a previously approved Final Development Plan (Case 1-95)

WHEREAS, Walfred A. Mattson, applicant for Colerain Trailer Center, Inc. owned by Charles F. and Eloise M. Jung, filed Case No. ZA-2000-07, an application for amendment of a section of the zoning map from "A" Residential District to an "FF" Planned Light Industrial District and a major amendment to a previously approved Final Development Plan (Case 1-95), for the property located at 3491 Struble Road (Book 510, Page 114, Parcel 23 and Page 113, Parcel 19).

WHEREAS, the Colerain Township Zoning Commission held a public hearing on January 16, 2001 and recommended approval of the proposed change by a unanimous vote with conditions, and

WHEREAS, on February 13, 2001, the Board of Trustees held a public hearing, considered said application and reviewed all pertinent documents and public comment.

WHEREAS, the Board of Trustees upheld the decision of the approval by the Colerain Township Zoning Commission to approve the request for a zone change from "A" Residential District to an "FF" Planned Light Industrial District and a major amendment to a previously approved Final Development. Therefore, the Board believes such action to be in keeping with the spirit and intent of the Colerain Township Zoning Resolution and will not cause any diverse impact on the surrounding area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts and approves the amendment as described above with the conditions described below, for the reason that consistency is established with the "Planned District Regulations" that provides for specific conditions to be imposed to protect and preserve the nature of the surrounding neighborhood. Therefore the Board believes the amendment to be in keeping with good land use planning and is not in conflict with the best interest of the Township and the Public.

BE IT FURTHER RESOLVED that the plan be subject to the conditions and declarations of Article 21 inclusive and Article 26, inclusive and subject further to the following covenants:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:

- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
- B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
- E. the Final Development Plan complies with the following additional requirements or standards:
 - 1. That the proposed prep building not exceed 4,800 square feet in area, that the future service building not exceed 19,920 sq. ft., and that the proposed future office building not exceed 3,200 sq. ft.
 - 2. That off-site signage not be allowed on the property.
 - 3. That all new vehicular use areas (including drives, parking, display, and storage areas) shall be paved.
 - 4. That all lighting shall be directed away from residentially-zoned properties and comply with Article 31 of the Colerain Township Zoning Resolution.
 - 5. That the two parcels be consolidated upon approval of the Final Development Plan.
 - 6. The Final Development Plan shall comply in all other respects with the regulations of the Colerain Township Zoning Resolution.
- F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions is noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:

- A. a Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
- B. construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.

- 2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Final Compliance Documents

- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution as defined in Covenant 1.1, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that required rights-of-way have been dedicated,
 - B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
 - C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely implemented,
 - D. a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan; also noting any deviations and reasons for such deviations,
 - E. a summary report from the Colerain Township Fire Prevention Officer, certifying that the approved plan and specifications for fire prevention have been completely implemented, and
 - F. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

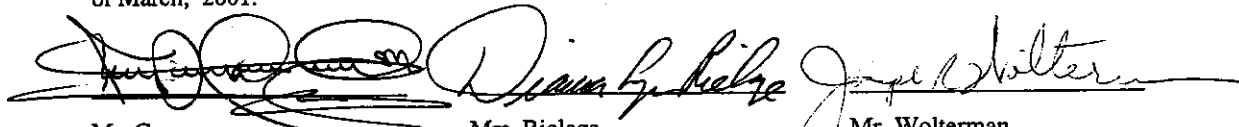
4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, and the Office of the Hamilton County Recorder.

CERTIFICATE OF ADOPTION


This resolution was adopted at a regularly adjourned meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 27th day of February 2001, and shall become effective after the 27th day of March, 2001.


Mr. Corman _____ Mrs. Rielage _____ Mr. Wolterman _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 27th day of February, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 27th day of February, 2001.


Kathy J. Mohr, Clerk
Board of Township Trustees
Colerain Township, Ohio

see: PB 361 PG 59

Case No. ZA2000-06
Bob Evans- Colerain

REBECCA PREM GROPPE
HAMILTON COUNTY RECORDER
Doc #: 1 - 112124 Type: AZR
Filed: 06/28/2001 9:23:35 AM \$ 26.00
Off. Rec.: 8615 2087 F 5 361

Approval of Application for Zone Change from
"B2" Residential District to an "EE" Planned Retail District

WHEREAS, Stacy Cline, applicant for Bob Evans Farms, Inc., owner of Bob Evans Restaurant, filed Case No. ZA-2000-06, an application for amendment of a section of the zoning map from "B2" Residential District to an "EE" Planned Retail District, for the property located at 9940 Colerain Avenue (Book 510, Page 111-63 (Parcels 63, 64, 284 consolidated)).

WHEREAS, the Colerain Township Zoning Commission held a public hearing on January 16, 2001 and recommended approval of the proposed change by a unanimous vote with conditions, and

WHEREAS, on February 13, 2001, the Board of Trustees held a public hearing, continued such hearing on the said amendment on February 27, 2001, considered said application and reviewed all pertinent documents and public comment.

WHEREAS, the Board of Trustees upheld the decision of the approval by the Colerain Township Zoning Commission to rezone the property described above from "B2" Residential District to an "EE" Planned Retail District. Therefore, the Board believes such action to be in keeping with the spirit and intent of the Colerain Township Zoning Resolution and will not cause any diverse impact on the surrounding area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts and approves the amendment as described above with the conditions described below, for the reason that consistency is established with the "Planned District Regulations" that provides for specific conditions to be imposed to protect and preserve the nature of the surrounding neighborhood. Therefore the Board believes the amendment to be in keeping with good land use planning and is not in conflict with the best interest of the Township and the Public.

BE IT FURTHER RESOLVED that the plan be subject to the conditions and declarations of Article 21 inclusive and Article 26, inclusive and subject further to the following covenants:

1. Final Development Plan

1. The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

8615 2087

- 1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:
- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
 - B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
 - C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
 - D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
 - E. the Final Development Plan complies with the following additional requirements or standards:
 - 1. That a detailed photometric plan that meets or exceeds the requirements of the Colerain Township Zoning Resolution shall be submitted as part of the final development review and approval process.
 - 2. That there be no direct ingress/ egress for any vehicles to Colerain Avenue or Hollyridge Court.
 - 3. That plans indicating signage shall be submitted as part of the Final Development Plan review and approval process satisfying the following three provisions:
 - A. That future billboards or off-site advertisement be prohibited on the site.
 - B. That the applicant consolidate pole signs to the existing pole location.
 - C. That directional signage be installed on the existing site as well as striping on the access drive surface to guide motorists to the new facility through the existing site.
 - 4. That the new restaurant be limited to a maximum of 5,578 sq. ft., with a minimum of 78 spaces of parking.
 - 5. That the Final Development Plan shall contain details on landscaping, lighting and photometrics, and signage.
 - 6. That the dumpster be located on the Final Development Plan with required

screening. Dumpster pick-up service shall be allowed only between the hours of 7:00AM to 7:00 PM.

7. The Final Development Plan shall comply in all other respects with the regulations of the Colerain Township Zoning Resolution.

F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions is noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:

- A. a Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
- B. construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.

2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Final Compliance Documents

3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution as defined in Covenant 1.1, and the following documents are received and accepted by the Colerain Township Zoning Inspector:

- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that required rights-of-way have been dedicated,
- B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
- C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and

specifications for sanitary sewer and waste treatment have been completely implemented,

- D. a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan; also noting any deviations and reasons for such deviations,
- E. a summary report from the Colerain Township Fire Prevention Officer , certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- F. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

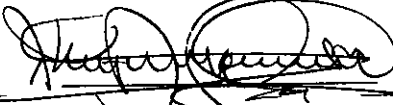
4. Maintenance of Improvements


- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.


BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, and the Office of the Hamilton County Recorder.

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly adjourned meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 27th day of February 2001, and shall become effective after the 27th day of March, 2001.


Mr. Corman _____


Mrs. Rielage _____


Mr. Wolterman _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 27th day of February, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 27th day of February, 2001.

A handwritten signature in cursive script, appearing to read "Kathy Mohr", is written over a horizontal line.

Kathy J. Mohr, Clerk

Board of Township Trustees

Colerain Township, Ohio

A RESOLUTION AMENDING RESOLUTION NO. 23-98 TO RESTRICT THE TRANSFER OF THE BONDS.

WHEREAS, the Board of Township Trustees of Colerain Township, Hamilton County, Ohio (the "Board") previously adopted Resolution No. 23-98 on July 8, 1998 (the "Resolution") authorizing the issuance of not to exceed \$1,050,000 of Tax Increment Revenue Notes, Series 1998;

WHEREAS, the Board has determined it necessary to amend Resolution No. 23-98;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF COLERAIN, COUNTY OF HAMILTON, STATE OF OHIO:

SECTION 1. Section 3(d) which presently reads as follows:

(d) Restrictions on Transfer. The Notes may be sold, transferred and exchanged, but only in Authorized Denominations to investors who are "accredited investors" as defined in Rule 501(a) of Regulation D of the Securities Act of 1933 or "qualified institutional buyer(s)" as that term is defined in SEC Rule 144A or to persons who have an ownership interest in the Developer in proportion to their respective ownership interest.

is hereby amended in its entirety to read as follows:

(d) Restrictions on Transfer. The Notes may be sold, transferred and exchanged, but only in Authorized Denominations to persons who have an ownership interest in the Developer in proportion to their respective ownership interest.

SECTION 2. All other provisions of Resolution No. 23-98 shall remain in full force and effect.

SECTION 3. Open Meetings Determination. The Issuing Authority hereby finds and determines that all formal actions relative to the adoption of this Authorizing Legislation were taken in an open meeting of this Issuing Authority, and that all deliberations of this Issuing Authority and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

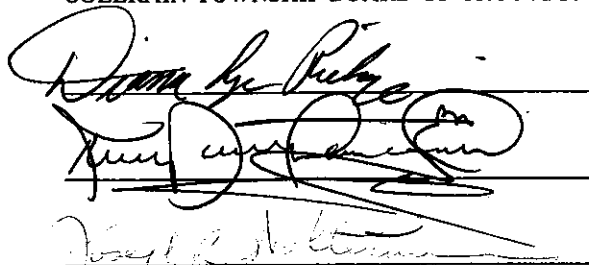
ADOPTED this 27 day of FEBRUARY, 2001.

Vote Record: COLEMAN AYE, WATKINS AYE, REAGAN AYE

COLERAIN TOWNSHIP BOARD OF TRUSTEES

Attest:

_____, Clerk



The Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio met in regular session on the 27 day of FEBRUARY, 2001, in the office of said Board, Cincinnati, Ohio, with the following members present:

Trustee WOLTERMAN moved the adoption of the following resolution:

RESOLUTION NO. 13-01

A RESOLUTION AUTHORIZING THE \$773,000 COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO TAX INCREMENT REVENUE BONDS AS A "REISSUANCE" UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE PROCEEDS OF WHICH SHALL BE USED BY COLERAIN TOWNSHIP TO CURRENTLY REFUND THE OUTSTANDING PRINCIPAL AMOUNT OF ITS \$965,000 COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO TAX INCREMENT REVENUE BONDS IN ORDER TO ADJUST THE SECURITY FOR THE BONDS TO ACCOMMODATE THE REQUEST OF THE BONDHOLDERS; AUTHORIZING A NO-ARBITRAGE CERTIFICATE; AUTHORIZING AN AMENDED AND RESTATED SERVICE AGREEMENT; AUTHORIZING AN AMENDMENT TO THE TRUST AGREEMENT; AUTHORIZING THE REDEMPTION OF BONDS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE REISSUANCE OF SUCH BONDS.

WHEREAS, the Township of Colerain, County of Hamilton, Ohio (the "Issuer"), by virtue of the laws of the State of Ohio, including Chapter 5709 of the Ohio Revised Code and through the guidance of the Internal Revenue Code of 1986, as amended, is authorized and empowered among other things (a) to issue tax increment revenue bonds for refunding the outstanding revenue bonds issued under the Ohio Revised Code, (b) to issue and sell its revenue refunding bonds to provide moneys for such tax increment projects for the purpose of refunding its previously issued \$965,000 Colerain Township Tax Increment Revenue Bonds, Series 1998, dated as of July 1, 1998 (the "Prior Obligations"), (c) to enact this Bond Legislation and (d) to amend and execute and deliver the agreements and instruments hereinafter identified;

WHEREAS, the Issuer issued the Prior Obligations in order to finance road improvements and related infrastructure improvements on Colerain Avenue and Dry Ridge Road in the Township;

WHEREAS, Colerain Associates Ltd., a limited liability company seeks to amend the Service Agreement to eliminate the provisions requiring the obligation to pay minimum service payments from being a covenant running with the land, in order to effectuate a transfer of the property;

WHEREAS, the changes to the Bond documents required to be made to release the covenants create a reissuance and current refunding under the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder; and

WHEREAS, the Issuer and Colerain Associates Ltd. have determined it to be in the best interest of the Issuer to redeem \$96,000 of the outstanding \$965,000 Tax Increment Revenue Bonds; and

WHEREAS, this Board of Township Trustees (the "Legislative Authority") has determined and does hereby confirm that the reissuance and refunding of the Prior Obligations, will not impair the "public purpose" designation of the Project by assisting with the reissuance of revenue refunding bonds in the aggregate principal amount of \$773,000 (the "Bonds"), will be acting in a manner consistent with and in furtherance of the provisions of Section 1001 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder and Article VIII, Section 13 of the Constitution of the State of Ohio.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF THE TOWNSHIP OF COLERAIN, COUNTY OF HAMILTON, OHIO:

Section 1. Determination of the Issuer. Pursuant to the laws of the State of Ohio and under the guidance of the Internal Revenue Code of 1986 Section 103, Sections 141 – 150, Section 1001 and Treasury Regulation Section 1.1001-3 (collectively, the "Internal Revenue Code Provisions"), this Legislative Authority hereby finds and determines that the reissuance and refunding of the Prior Obligations is consistent with the provisions of Section 13 of Article VIII, Ohio Constitution and the aforementioned tax code provisions.

Section 2. Reissuance and Authorization. As a result of a discretionary change in bond terms, more specifically, a change in the security of the Bonds, the Bonds are treated as currently refunding the Prior Obligations for tax purposes. The Prior Obligations are considered reissued in the form of the Bonds in a principal amount that reflects any principal payments made between the date of issuance of the Prior Obligations and the date of issuance of the Bonds, including principal payments made to redeem Bonds. With the exception of the tax documentation for the current reissuance, the amortization schedule, and this Bond Legislation, all bond documents and legislation related to the Prior Obligations not specifically amended as a part of this reissuance will carry through and take effect with the Bonds. There will be no sale or delivery of the Bonds.

It is hereby determined to be necessary to, and the Issuer shall consider the Prior Obligations reissued for tax purposes, thereby currently refunding the Prior Obligations with the Bonds for tax purposes in accordance with the Internal Revenue Code Provisions. Further, Issuer is authorized to enter into the necessary tax documents in order to effectuate the reissuance, including, but not limited to, a No-Arbitrage Certificate and Tax Form 8038. The Bonds shall be designated "Colerain Township Tax Increment Revenue Bonds, Series 2001."

Section 3. Amendment of Documents. The Township Administrator is hereby authorized to execute any and all documents necessary to effectuate a release of the covenants running with the land as they relate to the obligation to make minimum service payments required pursuant to the Service Agreement by and between Colerain Township and Colerain Associates Ltd., dated July 1,

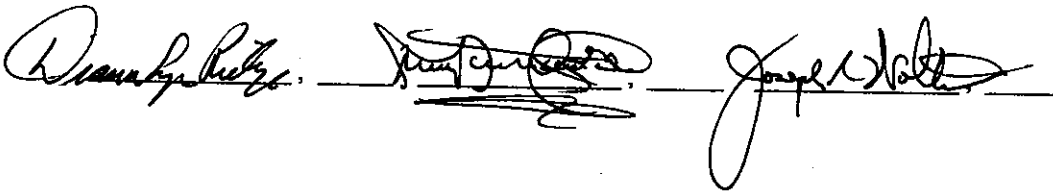
1998, including but not limited to, an amended and Restated Service Agreement by and between Colerain Township, Hamilton County, Ohio and Colerain Associates Ltd.; an amendment to the Trust Agreement by and between Colerain Township, Hamilton County, Ohio and PNC Bank, National Association, Cincinnati, Ohio (now known as The Chase Manhattan Bank), as Trustee, dated July 1, 1998; and a Satisfaction of Release of the Service Agreement by and between Colerain Township, Hamilton County, Ohio and Colerain Associates Ltd., dated July 1, 1998.

Section 4. Redemption of Bonds. The Township Administrator is hereby authorized to take any action and to execute any and all documents necessary to effectuate the redemption of \$96,000 of the Bonds, upon receipt of \$96,000 from Colerain Associates Ltd. to the tax increment financing equivalent fund of Colerain Township, including a revised amortization schedule and a revised Minimum Service Payment.

Section 5. Sunshine Law. This Legislative Authority hereby finds and determines that all formal action relative to the adoption of this Bond Legislation were taken in an open meeting of this Legislative Authority, and that all deliberations of this Legislative Authority and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 6. Effective Date. This Bond Resolution shall take effect and be in force immediately upon its passage.

Trustee CORMAN seconded the motion and the roll being called upon passage of the Resolution, the vote resulted as follows:



PASSED: FEBRUARY 27, 2001

Clerk, Board of Township Trustees

CERTIFICATE

The undersigned, Clerk of the Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio hereby certifies that the foregoing is a true and complete copy of a Resolution passed on the ____ day of _____, 2001, and has not been amended or rescinded as of this date.

Clerk, Board of Township Trustees
Township of Colerain, County of
Hamilton, Ohio

Dated: _____, 2001

RESOLUTION No. 14-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,

that

AUTHORIZING THE PURCHASE OF
FIRE DEPARTMENT
SELF CONTAINED BREATHING APPARATUS (SCBA)

WHEREAS, North College Hill Fire Department, North College Hill, Ohio owns miscellaneous (SCBA) parts and equipment which are scheduled to be sold and retired from service with North College Hill Fire Department; and

WHEREAS, the Colerain Township Fire Department is interested in buying said (SCBA) for its Fire Department; and

WHEREAS, both North College Hill Fire Department and Colerain Township Fire Department desire to take advantage of the provisions of O.R.C. Section 505.101, authorizing sale or purchase of equipment between and among political subdivisions of the State without competitive bidding,

NOW, THEREFORE, be it resolved by the Board of Trustees of Colerain Township, that the purchase of said (SCBA) equipment from North College Hill Fire Department is authorized without competitive bidding, pursuant to a contract not inconsistent with the following terms:

1. The bulk purchase price shall be \$2,500.00
2. The items being purchased include used SCBA air bottles, harnesses, and various new and used parts equipment.
3. Said (SCBA) will be picked up by Colerain Township Fire Department when they are released from service by North College Hill Fire Department.

Adopted the 10th day of April 19 2001

Attest: Gary Mohr
Township Clerk.

Township Trustees

Bruce Smith

From: Frank Cook
Sent: Monday, April 02, 2001 10:06 PM
To: Bruce Smith
Cc: Wayne Kreidenweis
Subject: Used S.C.B.A.

Listed below are the items associated with the used M.S.A. self-contained breathing apparatus for sale by the North College Hill Fire Department:

- 13 - Completed (in-service) units with masks
- 33 - MSA 30 minute bottles
- 7 - Harnesses without regulators
- 15 - Regulators in need of some form of repair
- 28 - Masks (various sizes)
- 2 boxes of assorted repair parts (o-rings, high pressure hoses, diaphragms, etc.....).

These units include all records of history regarding flow test and hydrostat testing.

An offer was made of \$2500.00 for the entire lot as listed above, which was agreed upon by Chief Lotz.

Should you have any questions or comments feel free to contact me.

Thank you.

RESOLUTION SUPPORTING SENATE BILL 5
RESOLUTION No.15-01.....

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain

.....Township,

that

- Whereas Colerain Township, Hamilton County, State of Ohio, supports Senate Bill 5 sponsored by Senator Lynn Wachtmann which would provide reform to Ohio's annexation laws; and
- Whereas Ohio's annexation laws are antiquated and no longer reflect the current makeup of Ohio; and
- Whereas the Ohio Township Association and other interested parties have been discussing and negotiating annexation reform for over 10 years; and
- Whereas Senate Bill 5 is the product of that 10 year negotiation and represents a fair and balanced revision of Ohio's annexation laws; now therefore,
- Be it Resolved that the Colerain Township Board of Trustees, Hamilton County, Ohio supports Senate Bill 5 and the efforts of the Ohio Township Association to reform Ohio's annexation laws and requests that the Ohio House of Representatives favorably pass this legislation.

Adopted the 10th day of April 2001

Attest:

Garry Moore
Township Clerk

Joseph K. Holterm
.....
Township Trustees

RESOLUTION AUTHORIZING PARTICIPATION IN TREE LEGACY JOINT
VENTURE FOR HAMILTON AVENUE & I-275 INTERCHANGE

RESOLUTION No.16-01.....

Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain
.....Township,

that

WHEREAS, the Hamilton Avenue (U.S. 127) exit ramps off I-275 are gateway entrances into Colerain Township, Springfield Township, and the City of Forest Park; and

WHEREAS, the Board of Trustees finds that trees, scrubs, flowers, and landscaping in the infield areas of the Hamilton Avenue and I-275 intersection would enhance the appearance of said interchange, and would promote residents' pride, present a favorable impression to visitors, and would generally reflect well on the communities of Colerain Township, Springfield Township, and the City of Forest Park; and

WHEREAS, the Board of Trustees desires to enter into a joint venture with Springfield Township and the City of Forest Park obligating each community to contribute equally to the initial cost of planting trees, shrubs, flowers, and landscaping in the infield areas of said intersection; to contribute equally to the cost of maintaining said trees, shrubs, flowers, and landscaping; and to dedicate employee manpower and equipment in roughly equal amounts to planting said trees, shrubs, flowers, and landscaping, and subsequently maintaining the same; and

WHEREAS, the Board of Trustees anticipates that Springfield Township Board of Trustees and the Forest Park City Council will adopt a Resolution or Ordinance substantially similar to this one in the immediate future, authorizing an agreement as set forth herein.

NOW, THEREFORE, be it RESOLVED by the BOARD OF TRUSTEES OF COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO, that:

1. The Board of Trustees authorizes and approves a joint venture (to be known as the "Tree Legacy Joint Venture") with Springfield Township and the City of Forest Park for the purpose of planting trees, shrubs, plants, and landscaping in the infield areas of Hamilton Avenue and I-275, and the subsequent maintenance of the same, as set out hereinbelow.

Adopted the24th..... day ofApril..... 2001

Attest:

Danly Moor
Township Clerk

Diana Lynn Kellogg
James R. Holter
Township Trustees

2. For installation of said trees, shrubs, plants, and landscaping, the Board of Trustees authorizes one-time expenditures, according to the following estimates:

<u>Item</u>	<u>Total Cost</u>	<u>Cost per Community</u>
Site preparation, spraying	\$250.00	\$83.00
Digging of holes for trees (37 holes @ \$30 per hole)	1100.00	367.00
Preen (weed control, 8 canisters)	\$195.00	\$85.00
Mowing (one time, if needed)	\$250.00	\$83.00
Watering, day of installation	\$185.00	\$62.00
Sign	<u>3605.00</u>	<u>1202.00</u>
Total Outside Installation Cost: (Paid to contractors)	\$5,585.00	\$1,862.00

3. For installation of said trees, shrubs, plants, and landscaping, the Board of Trustees authorizes contribution of employee man-hours and equipment, according to the following estimates:

<u>Service</u>	<u>Amount</u>	<u>Communit(ies) Contributing</u>
Police	2 hours	All
Paramedic/First Aid	2 hours	All
Fire Department, Watering	1 application	All
Bobcat		Forest Park
Delivery of trees to site		Forest Park
Personnel to transport/spread mulch		All
Shuttle & driver for workers		Colerain
Sign Installation		Colerain

4.. For maintenance of said trees, shrubs, plants, and landscaping, the Board of Trustees authorizes annual expenditures on a continuing basis, according to the following estimates:

<u>Item</u>	<u>Total Cost</u>	<u>Cost per Community With Mulch</u>	<u>Cost per Community Without Mulch</u>
Mowing (6@ \$250 Per session)	\$1,500.00	\$500.00	\$500.00
Replacement of Plant Material (est. two trees per year maximum)	250.00	83.00	83.00
Watering (6 @ \$150 per top watering)	900.00	300.00	300.00
Preen (2 applications @ \$97.48 ea.)	195.00	65.00	65.00
Mulch & Delivery	<u>3,150.00</u>	<u>1,050.00</u>	<u>0.00</u>
Total yearly maintenance Cost	\$5,995.00	\$1,998.00	\$ 948.00
Average yearly maintenance cost:		\$1,473.00	

5. For annual maintenance of said trees, shrubs, plants, and landscaping, the Board of Trustees authorizes the annual contribution of employee man-hours and equipment, on a continuing basis, according to the following estimates:

<u>Service</u>	<u>Amount</u>	<u>Communit(ies) Contributing</u>
Fire Department, watering	4x per year, first two growing seasons only, except in drought	All
Support personnel	2 persons, one time every other year, to spread mulch	All
Bobcat	Every other year, to spread mulch	Forest Park or Springfield

6. The Board of Trustees hereby authorizes the Township Administrator to enter into agreements to carry this Resolution into effect, upon terms and conditions consistent with the estimates, provisions, and intent of the Board as contained and expressed herein, and further authorizes the expenditure of a sum not to exceed \$1,500.00 annually, on a continuing basis, for maintenance of said trees, shrubs, flowers, and landscaping, and replacement as needed.

RESOLUTION No. 17-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,

that

WHEREAS In 1994, The Building Officials Code Administrators International, in cooperation with the Fire Chief's Committee of Southwest Ohio, the Hamilton County Fire Chief's Association and the Southwest Ohio Fire Safety Council updated the Unified Fire Code which was originally established to prescribe minimum requirements and controls to safeguard life, property or public welfare from hazards of fire and/or explosions, and from conditions hazardous to life, property or public welfare; and

WHEREAS Colerain Township currently operates under the 1994 edition of the Unified Fire Code of Southwest Ohio, in which section F-101.1 of the code permits the enforcement of the fire and life safety regulations as they pertain to new and existing building and conditions throughout Colerain Township; and

WHEREAS The 1999 edition of the Unified Fire Code of Southwest Ohio, section F-107.2 and section 505.373 of the Ohio Revised Code allows for the establishment of a fee schedule for inspection of properties and conditions and issuance of permits; now therefore,

BE IT RESOLVED by the Colerain Township Board of Trustees, Hamilton County, Ohio that the use of the 1994 edition of the Unified Fire Code of Southwest Ohio be discontinued and replaced with the 1999 edition of the Unified Fire Code of Southwest Ohio including its amendments; and

BE IT FURTHER
RESOLVED that section F-107.2 permit required of the code be amended to include the following: (fee schedule and amendments attached)

F-107.2.1.1
F-107.2.1.2
F-107.2.1.3
F-107.2.1.4
F-107.2.1.5
F-107.2.1.6
F-107.2.1.7

Adopted the 24th day of April 19 2001

Attest: *Dorothy Moore*
Township Clerk.

James R. Holtermann
Township Trustees

RESOLUTION CONSOLIDATING LAND USE MAP

RESOLUTION No.18-01.....

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

..... Colerain Township,

that

WHEREAS

The Colerain Township Land Use Advisory Board has completed 5- year updates for all six land use sectors and six corridors in Colerain Township; and

WHEREAS

The Colerain Township Land Use Map comprises the following individual sectors and corridor studies: The Colerain Town-Center Concept, the Northeast, South-Central, Southwest, Northwest, North-Central and Southeast Sectors, Blue Rock Road Corridor Study, Harrison Road Corridor Study, Pippin Road Corridor Study, Cheviot Road Corridor Study, Colerain Ave. Corridor Study, and the Struble Road Corridor study.

WHEREAS

Both the Colerain Township Land Use Advisory Board and the Colerain Township Board of Trustees have adopted the findings of these studies; therefore

BE IT RESOLVED

That the Colerain Township Board of Trustees hereby adopts the consolidation of the six land use sectors and six land use corridors into one unified and comprehensive Land Use Plan.

Adopted the 24th day of April 2001

Attest:

Darryl Mow
Township Clerk

Diana Lynn Bietz

James R. Hatten

Joseph R. Hatten
Township Trustees

RESOLUTION No. 19-01

Hamilton

County, Ohio

Be it Resolved by the Township Trustees of

Colerain

Township,

that

Whereas Colerain Township and Obergiesing Germany, through their community partnership, agreed to deepen mutual friendships and support the causes of the citizens for the sake of genuine cooperation and for peace and progress of the people; and

Whereas this Partnership was established not only for social and cultural exchange, but for the exchange of ideas and knowledge; and

Whereas Colerain Township, in this joint venture with Obergiesing, Germany, wishes to share this pride with the community by honoring our Sister City - Obergiesing, now therefore

Be It Resolved that the Colerain Township Board of Trustees does hereby recognize the strong German heritage of our community, appreciates the cooperative effort in bringing our two communities together and honors Obergiesing, Germany by proclaiming Friday, August 11, 2001 as Obergiesing Tag (Day) in Colerain Township as an integral part of our annual Taste of Colerain celebration.

Adopted the 24th day of April 2001

Attest:

Dorothy Moore
Township Clerk

Diana Lynn Beck

James R. Holter

James R. Holter
Township Trustees

The Board of Township Trustees of Colerain Township, Hamilton County, Ohio, met in regular session on the 8th day of May, 2001, at the office of said Board with the following members present:

Mr. Wolterman moved the passage of the following resolution:

RESOLUTION NO. 20-01

DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT
AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY
ADVANCES MADE FOR CAPITAL EXPENDITURES TO BE MADE FROM
SUBSEQUENT BORROWINGS

WHEREAS, Treasury Regulation § 1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require that an Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

WHEREAS, the Reimbursement Regulations provide that an Issuer may delegate the authority for making such Declarations of Official Intent and Allocations to one or more individuals; and

WHEREAS, this Board wishes to ensure compliance with the Reimbursement Regulations;

NOW, THEREFORE, be it resolved by the Board of Township Trustees of Colerain Township, Hamilton County, Ohio (the "Township"):

Section 1. Definitions. That the following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the Township for such payments. "To allocate" means to make such an allocation.

"Authorized Officer" means any Township Trustee, the Township Clerk or the Township Administrator and any persons with authority at the time to exercise functions of those offices.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the Township intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means either a governmental unit that is reasonably expected to issue Obligations or any governmental entity or 501(c)(3) organization that is reasonably expected to borrow funds from the actual issuer of the Obligations.

"Reimbursement" means the restoration to the Township of money temporarily advanced from other funds, including moneys borrowed from other sources, of the Township to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures.

"To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the Township for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the Township.

"Reimbursement Regulations" means Treasury Regulation § 150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the Township for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

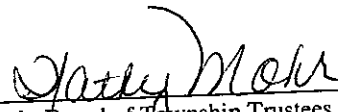
Section 2. Authorization to Make of Declarations of Official Intent and Allocations. Each Authorized Officer is hereby authorized to make Declarations of Official Intent, which satisfy the Reimbursement Regulations, on behalf of the Township, with respect to Capital Expenditures for park projects, fire department projects, and public building projects made during fiscal years 2001 and 2002 to be paid from moneys temporarily available that are reasonably expected to be reimbursed (in accordance with applicable authorizations, policies and practices) from the proceeds of Reimbursement Bonds and to make timely Allocations, which satisfy the Reimbursement Regulations, of the proceeds of such Reimbursement Bonds to reimburse prior Capital Expenditures, and to take or cause to be taken any other actions that may be appropriate to satisfy the requirements of the Reimbursement Regulations, or any other Treasury Regulations, so that proceeds used for reimbursement will be treated as "spent" on the prior Capital Expenditures for purposes of Sections 103 and 141 to 150 of the Code. All

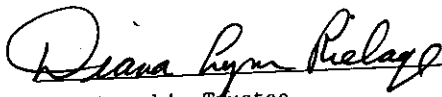
Declarations of Official Intent and Allocations heretofore made on behalf of the Township are hereby ratified and adopted.

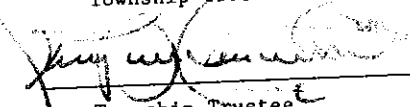
Section 3. Open Meeting. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

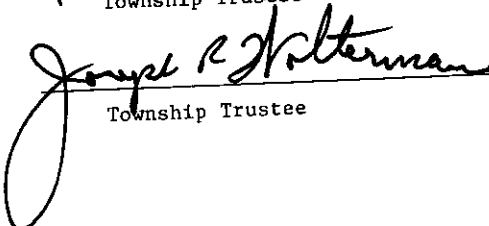
Mr. Corman seconded the resolution, and the roll being called upon its passage, the vote resulted as follows:

PASSED this 8th day of May, 2001.


Clerk, Board of Township Trustees,
Colerain Township, Hamilton County, Ohio


Township Trustee


Township Trustee


Township Trustee

DECLARATION OF OFFICIAL INTENT TO REIMBURSE

The undersigned has been authorized by Resolution No. _____, adopted by the Board of Township Trustees of Colerain Township, Hamilton County, on _____, 2001, to make this declaration.

The Township is, or will be, proceeding with the project described below (the "Project"). In connection with the Project, the Township expects to make capital expenditures in the amount set forth below and expects to advance from its own funds money to pay for some or all of such capital expenditures.

The Township reasonably expect to issue its notes or bonds to pay for such capital expenditures, and reasonably expects to reimburse itself from the proceeds of such issue for moneys advanced by it.

<u>Project</u>	<u>Estimated Capital Expenditures</u>
Purchase of land for Park development	\$

COLERAIN TOWNSHIP, HAMILTON
COUNTY, OHIO

Dated: _____, 2001

By _____

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The undersigned has been authorized by Resolution No. _____, adopted by the Board of Township Trustees of Colerain Township, Hamilton County, on _____, 2001, to make this declaration.

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The Township reasonably expect to issue its notes or bonds to pay for such capital expenditures, and reasonably expects to reimburse itself from the proceeds of such issue for moneys advanced by it.

<u>Project</u>	<u>Estimated Capital Expenditures</u>
Park development	\$

COLERAIN TOWNSHIP, HAMILTON
COUNTY, OHIO

Dated: _____, 2001

By _____

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The Township reasonably expect to issue its notes or bonds to pay for such capital expenditures, and reasonably expects to reimburse itself from the proceeds of such issue for moneys advanced by it.

<u>Project</u>	<u>Estimated Capital Expenditures</u>
Fire Station	\$

COLERAIN TOWNSHIP, HAMILTON
COUNTY, OHIO

Dated: _____, 2001

By _____

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The Township reasonably expect to issue its notes or bonds to pay for such capital expenditures, and reasonably expects to reimburse itself from the proceeds of such issue for moneys advanced by it.

<u>Project</u>	<u>Estimated Capital Expenditures</u>
Fire Equipment	\$

COLERAIN TOWNSHIP, HAMILTON
COUNTY, OHIO

Dated: _____, 2001

By _____

DECLARATION OF OFFICIAL INTENT TO REIMBURSE

The undersigned has been authorized by Resolution No. _____, adopted by the Board of Township Trustees of Colerain Township, Hamilton County, on _____, 2001, to make this declaration.

The Township is, or will be, proceeding with the project described below (the "Project"). In connection with the Project, the Township expects to make capital expenditures in the amount set forth below and expects to advance from its own funds money to pay for some or all of such capital expenditures.

The Township reasonably expect to issue its notes or bonds to pay for such capital expenditures, and reasonably expects to reimburse itself from the proceeds of such issue for moneys advanced by it.

<u>Project</u>	<u>Estimated Capital Expenditures</u>
Public Building	\$

COLERAIN TOWNSHIP, HAMILTON
COUNTY, OHIO

Dated: _____, 2001

By _____

RESOLUTION ACCEPTING GIFT OF REAL PROPERTY
FROM TASTE OF COLERAIN COMMITTEE

RESOLUTION No.21-01.....

Hamilton
..... County, Ohio

Be it Resolved by the Township Trustees of Colerain
.....Township,
that

WHEREAS, the Township conducts or hosts special outdoor events on the grounds of the Township Government Complex from time to time, and the booths and stages erected for such events frequently require auxiliary electrical service; and

WHEREAS, the Township has determined that, for safety reasons, it is desirable that permanent electrical service be installed on the Government Complex Grounds to serve such outdoor events; and

WHEREAS, the Taste of Colerain has offered to pay for the installation of the part of such auxiliary outdoor electrical service described on the quote from Frey Electric, Inc., described on Exhibit A, attached hereto; and

WHEREAS, upon installation, such equipment will become permanent fixtures, and therefor part of the Real Property owned by the Board of Trustees; and

WHEREAS, O.R.C. Section 505.10 authorizes Boards of Township Trustees to accept donations, bequests, devises, and gifts. Now therefore,

**BE IT
RESOLVED** by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Board of Trustees hereby accepts from the Taste of Colerain Committee the donation of the outdoor electrical service described on Exhibit A, to be installed by Frey Electric, Inc. on the Township Government Complex property, and acknowledges, with gratitude the generosity and civic spirit of the Taste of Colerain Committee.

Adopted the22nd..... day of May..... 2001

Attest:

Nancy Mohr
Township Clerk

Donna L. Kelley
James W. (unclear)
Joseph R. Holterman
Township Trustees



Frey Electric, Inc.

REVISED QUOTATION

May 11, 2001

Taste of Colerain

RE: Festival receptacles
#0247-01

The following is the cost of labor and material to provide and install each item as listed:

Festival receptacles:	
600 amp raintight panel board:	\$ 2,985.00
Two 200 amp breakers located in above panel board:	\$ 2,575.00
Seven 100 amp 20 circuit 120/208 volt rain tight panels:	\$ 379.00
One hundred twenty six receptacles (each receptacle is a separate circuit:	\$ 6,038.00
Seventy two rain tight 2 gang receptacle plug plates:	
Seven panel mounting brackets:	\$ 430.00
Seven piers 24" in diameter (see following pages):	\$ 510.00
Necessary trenching:	\$ 845.00
Labor:	\$ 1,288.00
Plan Review:	\$ 900.00
Total:	\$15,950.00

We are currently scheduling 15 working days in advance. To accept the quotation and schedule work, fax a signed copy to 385-0703.

Thank you for inviting Frey Electric, Inc. to submit this proposal for electrical wiring. We believe QUALITY is never an exception, but always a rule. We are confident that our highly qualified staff managers, designers, lighting specialist, and field installers can provide the necessary technical assistance to you/or this project. They would be pleased to meet and discuss with you pertinent aspects of this quotation. Our showroom and lighting specialist is available daily and by appointment for your lighting needs. If you have any questions regarding this bid, please contact Tom Frey at 385-0700. We look forward to working with you.

QUOTATION VALID FOR 30 DAYS

Approved By Taste of Colerain
Steve Beckman *[Signature]* Date 5/15/01
Kevin Fleckenstein *[Signature]* Date 5-15-01

PO BOX 53785 • CINCINNATI, OHIO 45253 • (513) 385-0700 • Fax 385-0703 • WWW.FREYELECTRIC.COM

RESOLUTION No. 22-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of..... Township, that

- Whereas Sister Elizabeth Kelemen, C.D.P., has been serving as a teacher at St. John the Baptist School, Dry Ridge, for 24 years; and
- Whereas her tenure as educator of St. John the Baptist School will come to an end on or about May 31, 2001, and she will thereafter be given a new assignment by the School; and
- Whereas during her 24 years as teacher of St. John the Baptist School, Sr. Elizabeth Kelemen has served the community with dedication, energy, and wisdom; and
- Whereas the Board of Trustees recognizes that strong schools play a vital role in the life of the community, yet the dedication and effort of many teachers and school leaders, who tirelessly but quietly labor in their teachings, often go unnoticed and unappreciated; and
- Whereas in the instant matter, the Board of Trustees finds that is fitting that the service and contributions of Sister Elizabeth Kelemen be appropriately recognized, now therefore,
- Be It Resolved that the Colerain Township Board of Trustees hereby acknowledges with sincere gratitude the 24 years of service by Sister Elizabeth Kelemen as teacher of St. John the Baptist School and her significant contribution to the general welfare of this township community
- Be It Further Resolved that on behalf of all citizens of Colerain Township, the Board of Trustees wishes her continued success in her new assignment and proclaims May 31, 2001 as Sister Elizabeth Kelemen day in Colerain Township.

Adopted the 22nd day of May, 2001

Attest: Dorothy Mann
Township Clerk

Diana Lynn Pelagatti
sv.
Joseph C. Katter
Township Trustees

RESOLUTION No. 23-01

Hamilton

..... County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township, that

- Whereas Mr. Robert Muehlenhard, lifelong resident of Colerain Township and member of the Colerain Township Historical Society has been involved in preserving the history of the Township, and
- Whereas Mr. Muehlenhard has preserved this history by dedicating numerous hours to researching, studying, and compiling information to be used to replicate the first settlement area of Colerain Township, Ft. Coleraine, and
- Whereas Mr. Muehlenhard's commitment to Colerain Township and the Colerain Township Historical Society goes above and beyond and is recognized by the Township as well as other organizations, and
- Whereas Mr. Muehlenhard has been awarded the Griffin Yeatman Award 2000 by the Office of the Hamilton County Recorder for his excellence in historical preservation; now therefore
- Be It Resolved that the Colerain Township Board of Trustees on behalf of the citizens of the community acknowledges the commitment and volunteerism of Mr. Robert Muehlenhard and honors him for his efforts by proclaiming Saturday, June 9, 2001 as Mr. Robert Muehlenhard Day in Colerain Township.

Adopted the day of

Attest: Gary Mohr
Township Clerk

[Signature]
[Signature]
Joseph R. Holter
Township Trustees

RESOLUTION No. 24-01

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain

..... Township,

that

WHEREAS

Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel Nos.

3193 Elkhorn	510-52-478
7190 Broadmore	510-350-82
9490 Loralinda	510-52-259
2306 Miles	510-51-153
9936 Grasscreek	510-44-272
2450 Chesterhill	510-22-58
9311 Comstock	510-53-485

WHEREAS

Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS

In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

BE IT RESOLVED

Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

Adopted the 12th day of June 2001

Attest:

Opatty Moer

Township Clerk

Diana Lynn Phelan
[Signature]
Joyce [Signature]
Township Trustees

RESOLUTION No. 25-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,

that

AUTHORIZING SALE OF FIRE DEPARTMENT
WATERCRAFT TRAILER

WHEREAS, Colerain Township, Hamilton County, Ohio, owns one (1) Shorlander Twin Personal Watercraft trailer model 980-2, which is scheduled to be replaced and retired from service with the Colerain Township Fire Department; and

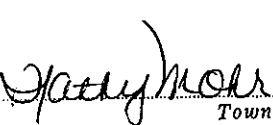
WHEREAS, the Miami Township Fire Department, Hamilton County, Ohio is interested in buying said watercraft trailer for its Fire Department, and

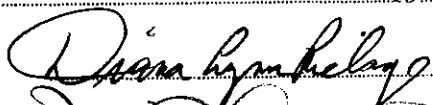

WHEREAS, both Colerain Township and Miami Township desire to take advantage of the provisions of O.R.C. Section 505.101, authorizing sale or purchase of equipment between and among political subdivisions of the State without competitive bidding,

NOW, THEREFORE, be it RESOLVED by the Board of Trustees of Colerain Township, that the sale of said watercraft trailer to the Miami Township Fire Department is authorized without competitive bidding, pursuant to a contract not inconsistent with the following terms:

1. The purchase price shall be \$800.00.
2. The watercraft trailer, is sold "as is" without any warranty or guarantee by Seller, and Buyer is relying solely upon its own inspection of watercraft trailer for its soundness, and fitness for Buyers intended use, and not relying upon any representation of the Seller.
3. Said watercraft trailer shall be picked up by Miami Township Fire Department when they are released from service by the Colerain Township Fire Department.

Adopted the 10th day of July 2001

Attest: 
Township Clerk.



Township Trustees

RESOLUTION No.26-01.....

Hamilton County, Ohio

Be it Resolved by the Township Trustees of

ColerainTownship,

that

WHEREAS Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel Nos.

3381 Banning	510-81-416
2639 Barthas	510-61-360
9486 Coogan	510-51-433
2391 Deblin	510-73-56
3128 Deshler	510-52-484
2537 Haverknoll	510-11-280
9703 Manhattan	510-52-50
5123 Pebblevalley	510-184-113
3020 Shadycrest	510-71-419
6441 Springdale	510-350-387

WHEREAS Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

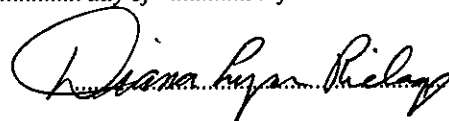
BE IT RESOLVED Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

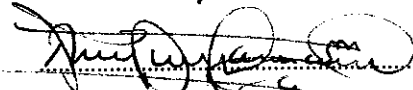
That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

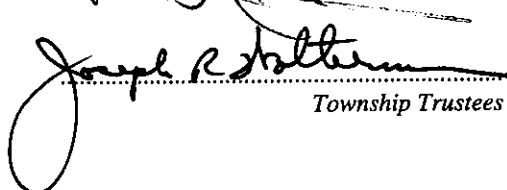
Adopted the10th day ofJuly..... 2001

Attest:


Township Clerk






Township Trustees

RESOLUTION No. 27-01

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain
..... Township,

that

WHEREAS Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel No.

9691 Dunraven Dr.

510-41-245

WHEREAS Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

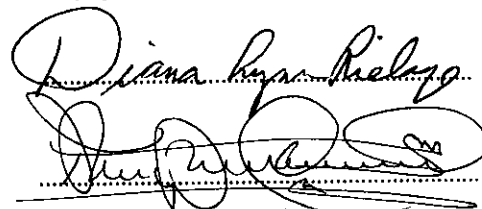
BE IT RESOLVED Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

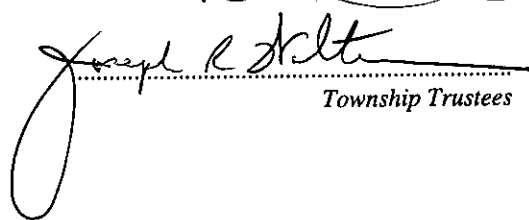
That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

Adopted the 25th day of July 2001

Attest:


Township Clerk




Township Trustees

RESOLUTION No.28-01.....

Hamilton

County, Ohio

Be it Resolved by the Township Trustees of

Colerain

Township,

that

FOX RUN ESTATES LIGHTING DISTRICT

A hearing having been had upon a petition praying that the Board of Township Trustees of this Township take all lawful and proper proceedings to light artificially the street and public way in an unincorporated district in this Township, following notice and actual view taken, and the Township Trustees finding for Fox Run Estates Subdivision, including Wincanton Dr. and Kittrun Ct.,

1. that the petition was filed with the Township Clerk on July 25, 2001, and
2. that the petition was signed by owners of more than one half of the feet front of the lots and lands abutting on the street and public way of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the street and public way in such district; and
3. that due notice of a hearing before said Board of Trustees on said petition for Fox Run Estates Lighting, was duly and timely served on all lot owners and corporation affected by said proposed improvement pursuant to RC 515.04, and was duly and timely published as against non-residents pursuant to RC 515.04, and return of due service and publication was made accordingly to law; now therefore, the Board of Township Trustees hereby does

Resolve, to determine, and it hereby does determine, that the proposed improvement to light artificially the street and public way in the district is necessary, and accordingly grants the petition; that the number of lights necessary to light properly the said street and public way is thirteen (13); that the lights shall be of the nature and configuration described within the attached specifications of this Resolution.

Adopted the 18th day of August 2001

Attest:

Dan Mohr

Township Clerk

Diana Lynn Pellego

Joseph R. Halter

Township Trustees

RESOLUTION No. 29-01

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of Colerain Township,

that

Whereas September 17, 2001 marks the Two Hundredth and Fourteenth anniversary of the adoption of the Constitution of the United States of America by the Constitutional Convention; and

Whereas to accord official recognition to this memorable anniversary, and to the patriotic exercise that will form a noteworthy feature of the occasion, seems fitting and proper; and

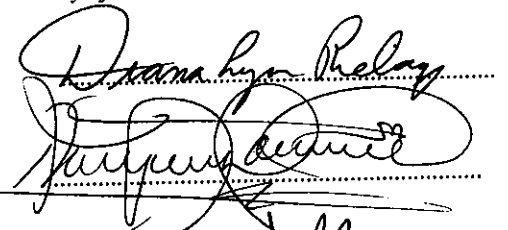
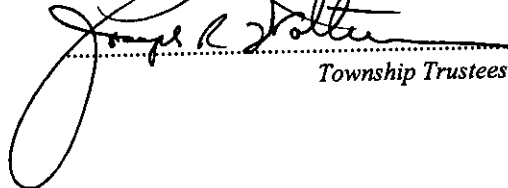
Whereas Public Law No. 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; now therefore,

Be it resolved, that the Colerain Township Board of Trustees does hereby proclaim the week of September 17 through 23, 2001 as Constitution Week in the Township of Colerain and urges all Township citizens to pay special attention that week to our Federal Constitution and the advantages of American Citizenship.

Adopted the 14th day of August 2001

Attest:


Township Clerk



Township Trustees

RESOLUTION No. 30-01

..... Hamilton County, Ohio

Be it Resolved *by the Township Trustees of*

Colerain

..... Township,

that

WHEREAS

Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel Nos.

Colerain Ave	510-70-32
3218 Lapland Dr.	510-81-70
8401 Lyness Dr.	510-61-87
9122 Neil Dr.	510-53-283
3876 Poole Rd.	510-192-3

WHEREAS

Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS

In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

BE IT RESOLVED

Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

Adopted the 14th day of August 2001

Attest:

Garry Mohr

Township Clerk

Richard H. Peltz

James R. Holterman

Township Trustees

RESOLUTION No. 31-01 A

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain

..... Township,

that

Whereas the community of Colerain Township represents a strong German ancestry; and

Whereas Colerain Township takes great pride in being part of the many organizations, clubs and groups which support the German heritage; and

Whereas our community celebrates this heritage at the Germania Society's 31st annual Oktoberfest, the originator and first regional Cincinnati Oktoberfest; and

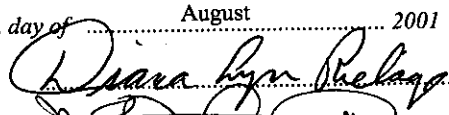
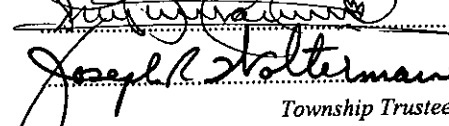
Whereas we are honored to support the Germania Society and other community groups annually celebrating their heritage; now therefore,

Be it Resolved that the Colerain Township Board of Trustees recognizes the significant contribution the Germania Society has made for the community of Colerain Township and does hereby proclaim August 25th **Germania Society Day** in Colerain Township.

Adopted the 21st day of August 2001

Attest:


Township Clerk



Township Trustees

The Board of Trustees of the Township of Colerain, County of Hamilton, Ohio,
met SPECIAL session at 7:30 A.m., on AUGUST 16, 2001, at
4200SPRINGDALE ROAD, COLERAIN TOWNSHIP, Ohio, with the following members present:

MR. WOLTERMAN introduced the following resolution and
moved its adoption:

TOWNSHIP OF COLERAIN

RESOLUTION NO. 31-01

**RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$1,200,000 OF
BUILDING IMPROVEMENT REFUNDING BONDS.**

WHEREAS, the Township of Colerain, Ohio (the "Township") has previously
issued its \$~~1,777,776~~ Building Improvement Notes, Series 1997, dated as of September 2, 1997
(the "Prior Notes") of which there are \$1,117,776 of the Prior Notes outstanding which mature
on September 2, 2001; and

WHEREAS, the Township desires to currently refund the Prior Notes, in order to
provide for the orderly refinancing of outstanding notes about to mature; and

WHEREAS, the Clerk of the Township has certified that the estimated life of the
improvements constructed with the proceeds of the Prior Notes was at least five (5) years, and
that the maximum maturity of the refunding Bonds is twenty (20) years and the Township Clerk
has certified in connection with the issuance of the bonds hereafter authorized that the remaining
estimated life of such improvements is twenty (20) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Township Trustees
(the "Board") of the Township of Colerain, Ohio:

SECTION 1. That it is necessary to issue and sell bonds (the "Refunding
Bonds") of the Township of Colerain, Ohio in the principal sum of not to exceed \$1,200,000 for
the purpose of (1) refunding the Prior Notes and (2) paying certain costs related to the issuance of
the Refunding Bonds, together with other permissible costs under the Ohio Revised Code,
including financing costs, costs of municipal bond insurance (if any), the costs of printing the
Refunding Bonds or other evidences of indebtedness, expense of delivery of bonds, the costs and
expenses of The Depository Trust Company, service charges of the paying agent, legal services
and obtaining an approving legal opinion and other permissible costs.

SECTION 2. That Refunding Bonds of the Township of Colerain, Ohio shall

be issued in said principal sum of not to exceed \$1,200,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Section 505.262 of the Ohio Revised Code. Said Refunding Bonds shall be dated as set forth in the Bond Purchase Agreement, shall be issued as fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The Refunding Bonds shall bear interest at the rates payable semiannually on each June 1 and December 1 (each an "Interest Payment Date"), commencing December 1, 2001, until maturity, and shall mature on the first day of December as set forth in Appendix A to the Bond Purchase Agreement executed and delivered in connection with the issuance of the Refunding Bonds (the "Bond Purchase Agreement") between the Township and the purchaser. Interest shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Refunding Bonds shall be subject to both optional and mandatory sinking fund redemption as set forth in the Bond Purchase Agreement.

That the Township Administrator is hereby authorized and directed, without further action by this Board, to execute and deliver the Bond Purchase Agreement which sets forth certain conditions to the Underwriter's purchase of the Refunding Bonds, including, but not limited to, the purchase price and reoffering price of the Refunding Bonds, in the form currently on file with the Clerk of the Board with only those changes not materially adverse to the Township as determined by the officials of the Township who have executed the Bond Purchase Agreement, the execution of the Bond Purchase Agreement by such officials or official being conclusive evidence of the approval of any such changes.

SECTION 3. Said Refunding Bonds shall be designated "Building Improvement Refunding Bonds". The Refunding Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Refunding Bonds shall be in fully registered form and shall be initially in "book-entry only" form. The Refunding Bonds shall bear the signatures of the members of this Board of Trustees and of the Township Clerk, which may be facsimile signatures, provided that the Refunding Bonds shall bear the manual authenticating signature of an authorized representative of the bank or trust company named in the Bond Purchase Agreement to serve as the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Refunding Bonds. The principal amount of each Refunding Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Refunding Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Refunding Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and

Registrar. Upon such transfer, a new Refunding Bond or Refunding Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Refunding Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. The full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Refunding Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Refunding Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all other taxes, a direct tax annually during the period said Refunding Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Refunding Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Refunding Bonds at maturity.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Refunding Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds, including Service Payments in Lieu of Taxes, are appropriated and applied to the payment of the principal and interest of said Refunding Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

SECTION 5. Bonds shall be sold by the administrator or clerk at public or private sale, at the discretion of such officer and awarded by such officer without further action by this board, at not less than the par value of such bonds together with interest thereon, if any, as specified on Section 2 of this ordinance at the price or prices as set forth in the Bond Purchase Agreement. The proceeds from the sale of said Refunding Bonds, except the premium and accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose and for which purpose said money is hereby appropriated and the accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of said Refunding Bonds in the manner provided by law and any premium shall be used to pay costs of issuance of the Refunding Bonds.

SECTION 6. All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such financing statements and other instruments or agreements, including an Official Statement of the Township prepared in connection with the

Refunding Bonds, which are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

The Township Administrator is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the Bonds in form and content satisfactory to him, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rules 15c2-12. The members of the Board of Trustees are also hereby authorized and directed to execute and deliver such official statement. The execution of the final official statement by such officers shall be conclusive evidence of its authorization and approval.

SECTION 7. That this Board of Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate in connection with the issuance of the Refunding Bonds. The Township Administrator is authorized and directed to execute and deliver the Continuing Disclosure Certificate dated as of the dated date of the Bonds (the "Continuing Disclosure Certificate") substantially in the form to the draft presently on file with the Clerk of the Board of Trustees, with only such changes as are approved by those officers of the Township who execute the Continuing Disclosure Certificate, execution of the Continuing Disclosure Agreement being conclusive evidence of approval of any such changes. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Refunding Bonds; however, any holder of the Refunding Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

SECTION 8. The Township Administrator is authorized to execute and deliver the Bond Registrar and Paying Agency Agreement dated as of the dated date of the Bonds (the "Bond Registrar and Paying Agency Agreement") with the Paying Agent and Registrar.

SECTION 9. The Township is hereby authorized to purchase a municipal bond insurance policy (the "Municipal Bond Insurance Policy"), which policy will insure the payment when due of the principal of and interest on the Refunding Bonds as provided therein, if such purchase financially benefits the Township and any member of the Board of Township Trustees, the Clerk or the Township Administrator is authorized to execute any documentation required in connection therewith.

SECTION 10. The Township covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Refunding Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Refunding Bonds or any other funds of the Township, or take or omit to take any action that would cause the Refunding Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Refunding Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 8 it is necessary to restrict or limit the yield on the

investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Refunding Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Refunding Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of the Township an IRS Form 8038-G in connection with the issuance of the Refunding Bonds. These Refunding Bonds are designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 11. That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 12. The Clerk of this Board is hereby directed to forward a copy of this resolution to the County Auditor.

Mrs. RIELAGE seconded the motion, and the roll being called upon the question of adoption of the resolution, the vote resulted as follows:

AYE: MR WOLTERMAN , Mrs. RIELAGE

NAY: —

ADOPTED: AUGUST 16, 2001.


Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on the 16 day of AUGUST, 2001, and that on AUGUST 16, 2001, I filed a certified copy of said resolution with the county auditor.


Clerk

RECEIPT

Received this day a certified copy of the foregoing resolution.

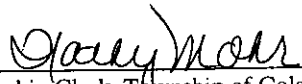
County Auditor, County of Hamilton, Ohio

Dated: _____, 2001

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

Based upon information provided by and in reason to the request of the Board of Trustees of the Township of Colerain, the Township Clerk of the Township of Colerain, Ohio, being the fiscal officer of the Township of Colerain, Ohio, within the meaning of Section 505.262 of the Ohio Revised Code, hereby certifies to the Board of Township Trustees, that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$1,200,000 of Building Improvement Refunding Bonds, for the purpose of refunding the Prior Notes in order to provide for the orderly refinancing of outstanding notes about to mature, is at least five (5) years and that the maximum maturity of said bonds, calculated in accordance with Sections 505.262 and 133.20 of the Ohio Revised Code, is twenty (20) years and notes issued in anticipation thereof is twenty (20) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of
August, 2001.



Township Clerk, Township of Colerain,
Ohio

CERTIFICATE OF MEMBERSHIP

The undersigned, Clerk of the Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio, hereby certifies the following to be the officers of said township during the period proceedings were taken authorizing the issuance of not to exceed \$1,200,000 Building Improvement Refunding Bonds, dated as of the date of their issuance, and maturing not more than twenty years from the date of their issuance:

Trustee	<u>Diana Lynn Rielage</u>
Trustee	<u>Keith N. Corman</u>
Trustee	<u>Joseph R. Wolterman</u>
Clerk	<u>Kathy J. Mohr</u>
Administrator	<u>David L. Foglesong</u>
	<u><i>Kathy Mohr</i></u> Clerk

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of the Board of Township Trustees of said township, hereby certifies that the attached is a true and complete transcript of all proceedings relating to the issuance of the above-identified obligations.

Kathy Mohr
Clerk

Case No. ZA-2001-02

02 AUG - 1 PM Olde Savannah- Major Amendment to FDP

Approval of Application for a Major Change to a Previously Approved Final Development Plan
A Zone Change from
"B" Residential District to an "DD" Planned Multi-Family Residence District (Case ZA1998-06)

WHEREAS, Ralph Meierjohan, Ameritek Custom Homes, filed Case No. ZA-2001-02, Olde Savannah, an application for a major amendment to a previously approved Final Development Plan (Case ZA1998-06), for the property located at 4046 Blue Rock Road (Book 510, Page 212, Parcel 19).

WHEREAS, the major amendment proposed is that the gazebo shown on the original Final Development Plan be moved to another location, and also that the requirement of a landscaped mound with 6' to 8' evergreen trees be eliminated, and 12' to 14' evergreen trees be substituted in place of said landscaped mound; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on June 19, 2001 and recommended approval of the proposed change by a 4-1 vote with conditions, and

WHEREAS, on August 14, 2001, the Board of Trustees held a public hearing, continued such hearing on August 30, 2001, considered said application and reviewed all pertinent documents and public comment.

WHEREAS, at the meeting on August 30, 2001, Jeanne Bernard, and her attorney, Michael Florez, and the developer, Ralph Meierjohan, and his attorney, Jack Scott, presented a settlement agreement to the Board of Trustees, which agreement is incorporated in this resolution, and

WHEREAS, the Board of Trustees determined that the decision of the Colerain Township Zoning Commission approving the request for a major amendment to a previously approved Final Development Plan be modified to contain the conditions set forth herein. The Board believes such action to be in keeping with the spirit and intent of the Colerain Township Zoning Resolution and will not adversely affect the surrounding area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts and approves the amendment as described above with the conditions described below, for the reason that consistency is established with the "Planned District Regulations" that provides for specific conditions to be imposed to protect and preserve the nature of the surrounding neighborhood. Therefore the Board believes the amendment to be in keeping with good land use planning and is not in conflict with the best interest of the Township and the Public.

Rebecca Prem Groppe
Hamilton County Recorders Office
Doc #: 02-0153245 Type: AZR
Filed: 08/01/02 02:04:06 PM \$26.00
Off.Rec.: 08984 03482 F 5 717

8984 3482

BE IT FURTHER RESOLVED that the plan be subject to the conditions and declarations of Article 21 inclusive and Article 26, inclusive and subject further to the following covenants:

1. Final Development Plan

1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:

- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
- B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
- E. the Final Development Plan complies with the following additional requirements or standards:

1. In the area known as landscape mound (identified as Area A on the attached plat), the applicant shall plant 10- 7' to 8' Emerald Arborvitae spaced 3' on center (+ or - one or two trees).

2. That the location of the following described 20 trees shall be selected by Ms. Bernard, to be coordinated by the Zoning Administrator, and shall be planted within 60 days after the effective date of this resolution:

8 ea. - 6' to 8' White Pine

8 ea. - 8'- 10' White Pine

2 ea. - 1 ½" Deciduous Hardwood and

2 ea. - 2" to 3" Deciduous Hardwood.

- F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions is noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

- 2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:
 - A. a Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
 - B. construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.
- 2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Final Compliance Documents

- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution as defined in Covenant 1.1, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
 - A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that required rights-of-way have been dedicated,
 - B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
 - C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely

implemented,

- D. a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan; also noting any deviations and reasons for such deviations,
- E. a summary report from the Colerain Township Fire Prevention Officer , certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- F. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

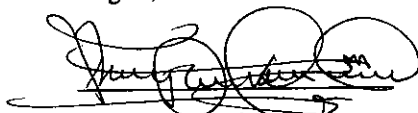
4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

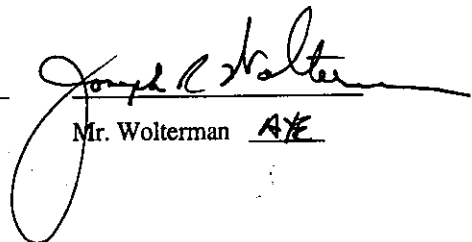
BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, and the Office of the Hamilton County Recorder.

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly adjourned meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 30th day of August 2001, and shall become effective after the 30th day of August, 2001.


Mr. Corman Aye

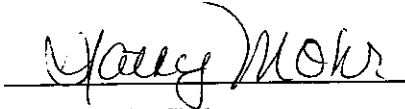
Mrs. Rielage _____


Mr. Wolterman Aye

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 30th day of August, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 30th day of August, 2001.

A handwritten signature in cursive script, reading "Kathy J. Mohr", is written over a horizontal line.

Kathy J. Mohr, Clerk

Board of Township Trustees

Colerain Township, Ohio

RESOLUTION No. 33-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,
that

WHEREAS

Colerain Township has the opportunity to apply in 2001 for SCIP/LTIP funds from the State of Ohio for Round 16 for reconstruction on various streets in Colerain Township as noted on the attached list; and

WHEREAS

A Chief Executive Officer, a Financial Officer, and a Contact Person must be appointed to enter into a contract with the Ohio Public Works Commission; now therefore

BE IT
RESOLVED

that the Colerain Township Board of Trustees hereby appoints Colerain Township Administrator David L. Foglesong as Chief Executive Officer; Colerain Township Clerk Kathy Mohr as Financial Officer, and Colerain Township Public Works Director Dennis B. Chapman as Project Manager.

Adopted the 18th day of September 2001

Attest:

Kathy Mohr
Township Clerk.

Diana Lynn Kelso
Joseph L. Holtermann
Township Trustees

RESOLUTION No.34-01.....

.....Hamilton..... County, Ohio

Be it Resolved by the Township Trustees of

Colerain

.....Township,

that

WHEREAS

Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel Nos.

8400 Lyness	510-61-104
8407 Lyness	510-61-88
9879 Pinedale	510-44-248
2870 Honesdale	510-41-388
10267 October	510-113-170
2912 Wheatfield	510-41-328
9311 Cornstock	510-53-485
7230 Memory	510-72-245

WHEREAS

Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS

In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

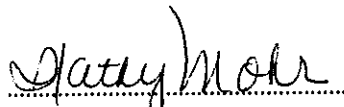
BE IT RESOLVED

Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

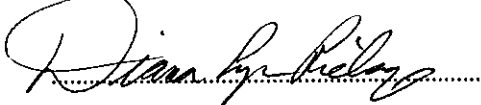
That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

Adopted the18th day ofSeptember..... 2001

Attest:



Township Clerk





Township Trustees

RESOLUTION No. 35-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township, that

Whereas the community of Colerain Township represents a strong German ancestry and takes great pride in being part of the many organizations, clubs and groups which support the German heritage; and

Whereas traditionally, we as a community, celebrate this heritage at the annual Donauschwaben Oktoberfest, held during the month of October; and

Whereas we are honored to support the Donauschwaben Society and other community groups annually celebrating their heritage with Colerain Township; now therefore,

Be it Resolved that the Colerain Township Board of Trustees recognizes the significant contribution the Donauschwaben Society has made for the community of Colerain Township and does hereby proclaim October 6th, 2001 as **Donauschwaben Society Day** in Colerain Township.

Adopted the 25th day of September 2001

Attest: Garry Molar
Township Clerk

Diana Lynn Peluso
[Signature]
George R. Holter
Township Trustees

RESOLUTION No. 36-01

Hamilton

County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,
that

AUTHORIZING EMERGENCY MEDICAL SERVICE NON-RESIDENT BILLING
BY THE COLERAIN TOWNSHIP DEPARTMENT OF FIRE AND EMS

WHEREAS, the Board of Trustees accepted the 10 year master plan submitted by the fire department in 2000 and, whereas, the master plan contained a funding plan for fire and emergency medical service (EMS),

WHEREAS, the funding plan of the fire department recommended that non-township residents be billed for EMS transports to help offset the costs of emergency services to the residents of Colerain Township,

NOW, THEREFORE, be it resolved the Colerain Township Board of Trustees does hereby establish the practice of billing non-township residents for emergency medical service transports, and be it further resolved that G. Bruce Smith, Fire Department Director & Chief on behalf of the Township, is hereby authorized to enter into an agreement with Medicount Management, Inc. for the purpose of receiving EMS billing services, a copy of which is attached hereto as Exhibit A.

Adopted the 25th day of September 19 2001

Attest: Gatty Molar
Township Clerk.

Diana Lynn Delage
Joseph R. Holter
Township Trustees

RESOLUTION No. 37-01

Hamilton

..... County, Ohio

Colerain

Be It Resolved by the Township Trustees of..... Township, that

GARDENIA LANE LIGHTING DISTRICT

A hearing having been had upon a petition praying that the Board of Township Trustees of this Township take all lawful and proper proceedings to light artificially the street and public way in an unincorporated district in this Township, following notice and actual view taken, and the Township Trustees finding for Gardenia Lane,

1. that the petition was filed with the Township Clerk on August 31, 2001, and
2. that the petition was signed by owners of more than one half of the feet front of the lots and lands abutting on the street and public way of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the street and public way in such district; and
3. that due notice of a hearing before said Board of Trustees on said petition for Gardenia Lane Lighting, was duly and timely served on all lot owners and corporation affected by said proposed improvement pursuant to RC 515.04, and was duly and timely published as against non-residents pursuant to RC 515.04, and return of due service and publication was made accordingly to law; now therefore, the Board of Township Trustees hereby does

Resolve, to determine, and it hereby does determine, that the proposed improvement to light artificially the street and public way in the district is necessary, and accordingly grants the petition; that the number of lights necessary to light properly the said street and public way is one (1); that the light shall be of the nature and configuration described within the attached specifications of this Resolution.

Adopted the 25th day of September 2001

Attest: Garry Mohr
Township Clerk

Diana Lynn Pelago
[Signature]

James R. Holterm
Township Trustees

RESOLUTION No. 38-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township, that

HIGHGROVE COURT LIGHTING DISTRICT

A hearing having been had upon a petition praying that the Board of Township Trustees of this Township take all lawful and proper proceedings to light artificially the street and public way in an unincorporated district in this Township, following notice and actual view taken, and the Township Trustees finding for Highgrove Court,

1. that the petition was filed with the Township Clerk on September 4th, 2001, and
2. that the petition was signed by owners of more than one half of the feet front of the lots and lands abutting on the street and public way of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the street and public way in such district; and
3. that due notice of a hearing before said Board of Trustees on said petition for Highgrove Court Lighting, was duly and timely served on all lot owners and corporation affected by said proposed improvement pursuant to RC 515.04, and was duly and timely published as against non-residents pursuant to RC 515.04, and return of due service and publication was made accordingly to law; now therefore, the Board of Township Trustees hereby does

Resolve, to determine, and it hereby does determine, that the proposed improvement to light artificially the street and public way in the district is necessary, and accordingly grants the petition; that the number of lights necessary to light properly the said street and public way is two (2); that the lights shall be of the nature and configuration described within the attached specifications of this Resolution.

Adopted the 25th day of September 2001

Attest:

Danay Mohr
Township Clerk

Diana Lynn Reitz

Joseph R. Holterm

Township Trustees

RESOLUTION No. 39-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township, that

Whereas Chief Edmund (Ed) A. Phillips is retiring from Colerain Township Police Department after an illustrious and devoted career serving the citizens and our community as Police Chief for over 14 years; and

Whereas Chief Phillips built the Colerain Township Police Department from three sworn officers in 1987 to the current compliment of 24 sworn officers and 3 civilians; and

Whereas Chief Phillips initiated or approved several programs during his tenure to include the K-9 unit, bike patrols, and the citizen police academy; and

Whereas Chief Phillips is a true example of a person dedicated to community service and community spirit as exemplified in his 37 year police career; now therefore,

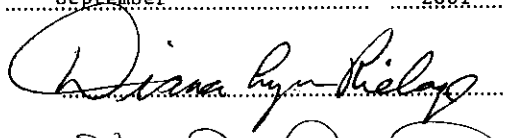
Be It Resolved that the Colerain Township Board of Trustees does publicly thank Chief Phillips and declares October 2, 2001 as

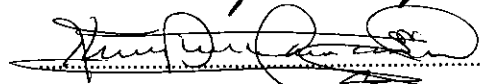
Chief Edmund A. Phillips Day

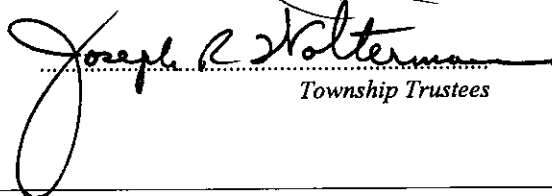
and we call upon the citizens of Colerain Township to show just honor to Chief Phillips for his many accomplishments and extraordinary service he has provided to our community. We further thank him and his family for the many years of service and wish him and Janet all the joys and happiness of a well-deserved retirement.

Adopted the 25th day of September 2001

Attest:
Township Clerk






Township Trustees

RESOLUTION No. 40-01

Hamilton

.....County, Ohio

Colerain

Be It Resolved by the Township Trustees of..... Township, that

PINWOOD LANE LIGHTING DISTRICT

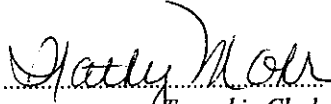
A hearing having been had upon a petition praying that the Board of Township Trustees of this Township take all lawful and proper proceedings to light artificially the street and public way in an unincorporated district in this Township, following notice and actual view taken, and the Township Trustees finding for Pinwood Lane and Pin Court,

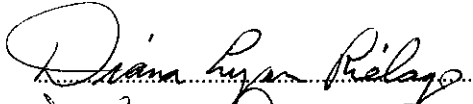
1. that the petition was filed with the Township Clerk on August 30, 2001, and
2. that the petition was signed by owners of more than one half of the feet front of the lots and lands abutting on the street and public way of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the street and public way in such district; and
3. that due notice of a hearing before said Board of Trustees on said petition for Pinwood Lane Lighting, was duly and timely served on all lot owners and corporation affected by said proposed improvement pursuant to RC 515.04, and was duly and timely published as against non-residents pursuant to RC 515.04, and return of due service and publication was made accordingly to law; now therefore, the Board of Township Trustees hereby does

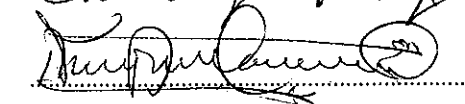
Resolve, to determine, and it hereby does determine, that the proposed improvement to light artificially the street and public way in the district is necessary, and accordingly grants the petition; that the number of lights necessary to light properly the said street and public way is two (2) new and one (1) replacement; that the lights shall be of the nature and configuration described within the attached specifications of this Resolution.


Adopted the 9th day of October 2001

Attest:


Township Clerk






Township Trustees

RESOLUTION No. 41-01

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain
..... Township,

that

WHEREAS Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel Nos.

12079 Westerly	510-11-351
9490 Loralinda	510-52-259
3128 Deshler	510-52-484
3227 Niagara	510-102-92
8288 Sheed	510-204-76
7190 Broadmore	510-350-82
6279 Mullen	510-350-111

WHEREAS Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

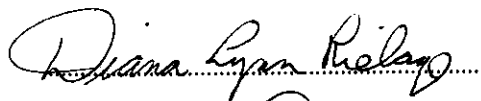
BE IT RESOLVED Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

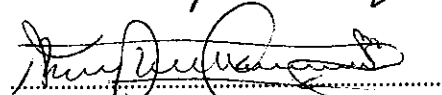
That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

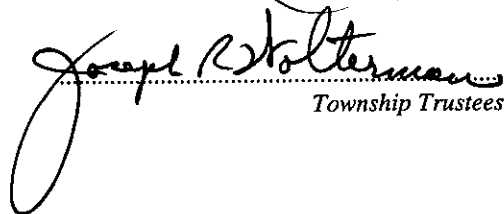
Adopted the9th day ofOctober..... 2001

Attest:


Township Clerk






Township Trustees

RESOLUTION # 42-01

Case No. Colerain ZA2001-03
Wayne Buildings

REBECCA PREM GROPPE
HAMILTON COUNTY RECORDER
Doc #: 1 - 218872 Type: ~~FF~~ *H2R*
Filed: 11/29/2001 3:02:28 PM \$ 18.00
Off. Rec.: 8756 5750 F 3 777

Approval of an Application for a Zone Amendment from
an "A" Single-Family Residence District to an "F" Light Industrial District

WHEREAS, Russell Wayne, Owner & Applicant filed Case No. Colerain ZA2001-03, an application for a Zone Amendment from an "A" Single-Family Residence District to an "F" Light Industrial District, for the property located at 6770 Kepler Road (Book 510, Page 440, Parcels 63 and 122).

WHEREAS, the Hamilton County Regional Planning Commission held a public hearing on July 5, 2001 and recommended approval of the proposed amendment, and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on August 21, 2001 and recommended approval of the proposed amendment on a site containing 1.5 gross acres, and

WHEREAS, on October 9, 2001 the Board of Trustees held a public hearing on said amendment and reviewed all pertinent documents and public comment,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts the recommendation of approval by the Colerain Township Zoning Commission and approves the amendment for the reason that the amendment would be in the best interest of the Township and the public. Therefore the Board believes the amendment to be in keeping with good land use planning.

BE IT FURTHER RESOLVED that the plan be subject to the regulations and declarations of Article 15 ("F" Light Industrial Zone District) and other applicable sections of the Colerain Township Zoning Resolution, regarding area regulations such as building setbacks, streetscape, landscaping, buffering and screening, signage, lighting, and parking lot standards inclusive and subject further to the following covenants:

1. Construction Permits

- 1.1 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Inspector upon receipt of the required detailed site plan and construction documents.

1

TRANSFER NOT NECESSARY

OC
DUSTY RHODES
COUNTY AUDITOR

8756 5750

01 NOV 29 PM 2:59

01 NOV 29 PM 2:59

HAMILTON COUNTY OHIO

2. Final Compliance Documents

2.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution, and the following documents are received and accepted by the Colerain Township Zoning Inspector:

- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and
- B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
- C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely implemented,
- D. a summary report from the Colerain Township Fire Prevention Officer, certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- E. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

3. Maintenance of Improvements

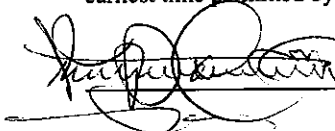
3.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office


of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

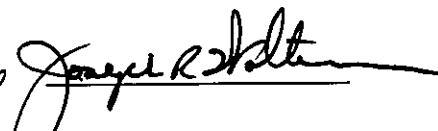
BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the Colerain Township Board of Zoning Appeals, the County Engineer Permit Department, and the Metropolitan Sewer District.

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly scheduled meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 23rd day of October, 2001 and shall become effective at the earliest time permitted by law.


Mr. Corman Aye

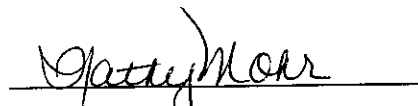

Mrs. Rielage Aye


Mr. Wolterman Aye

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 23rd day of October, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 23rd day of October, 2001.


Kathy Mohr, Clerk
Board of Township Trustees
Colerain Township, Ohio

RESOLUTION No. 43-01

..... Hamilton County, Ohio

Be it Resolved by the Township Trustees of

Colerain

..... Township,

that

WHEREAS

Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel No.

11435 Hamilton

510-21-442

WHEREAS

Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS

In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

BE IT RESOLVED


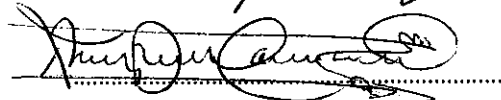
Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

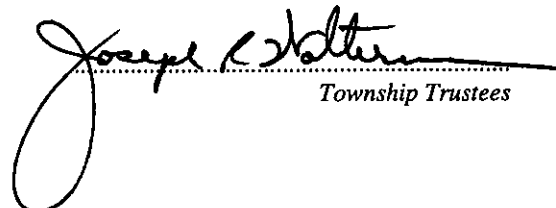
That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

Adopted the23rd day ofOctober..... 2001

Attest:


Township Clerk


Township Trustees

COPY

original @ Recorder

RESOLUTION # 44-01

Case No. ZA-2001-05

Colerain Circle - Struble Road

Approval of Application for Zone Change from an

"A" Single-Family Residential District to an "FF" Planned Light Industrial District

WHEREAS, Raymond Schneider, Applicant, filed Case No. Colerain ZA2001-05, an application for a Zone Amendment from an "A" Single-Family Residence District to an "F-F" Planned Light Industrial District, for the two parcels on Struble Road, east of the intersection of Struble Road, Colerain Avenue, and US Highway 27 (Book 510, Page 114, Parcels 24 and 96), said site containing 12.59 gross acres, and owned by George Buescher, Walter Buescher, and Joyce Buescher; and

WHEREAS, the Hamilton County Regional Planning Commission held a public hearing on August 2, 2001 and recommended approval of the proposed amendment; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on August 21, 2001 and recommended denial of the proposed amendment; and

WHEREAS, on October 9, 2001 the Board of Trustees held a public hearing on said amendment and reviewed all pertinent documents and received public comment, and continued such hearing to its regularly scheduled meeting on October 23, 2001.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees rejects the recommendation by the Colerain Township Zoning Commission that the application for zone amendment be denied, and the Board of Trustees approves the said amendment, with the modifications contained in this Resolution, for the reason that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

BE IT FURTHER RESOLVED that the plan be subject to the regulations and declarations of Article 22 ("F-F" Light Industrial Zone District) and other applicable sections of the Colerain Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, streetscape, landscaping, buffering and screening, signage, lighting, and parking lot standards, and subject further to the following covenants:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

- 1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:
- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
 - B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
 - C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
 - D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
 - E. the Final Development Plan complies with the following additional requirements or standards:
 - 1. That the uses of the property be only those specified on the Preliminary Development Plan, and change from those uses shall require approval of a further zone change application.
 - 2. That the site plan be modified to comply with Section 22.5.2 of the Colerain Township Zoning Resolution regarding parking setbacks.
 - 3. That the site plan be redesigned to create a more direct access for users of the self-storage portion of the development such that the office parking lot areas are separated from the access to the self-storage area.
 - 4. That a detailed landscaping plan shall be submitted and approved, to buffer the public streets and residential property to the west, and that such plans shall meet or exceed the requirements of the Colerain Township Zoning Resolution.
 - 5. That the trash dumpster shall be located away from the adjacent residents and be enclosed by a solid wood fence.
 - 6. That dumpster pick-up be restricted between the hours of 7:00 AM and 7:00 PM
 - 7. That the plans indicating lighting, landscaping, and signage shall be submitted as part of the Final Development Plan review and approval process.

8. That no off-premise signage be permitted on the site.
9. That outside storage be prohibited
10. That the area of the storage buildings be limited to 96,000 square feet.
11. That the existing residential structures be demolished.

F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions shall be noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

- 2.1 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Inspector upon receipt of the required detailed site plan and construction documents.

3. Final Compliance Documents

- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and
 - B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
 - C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan

and specifications for sanitary sewer and waste treatment have been completely implemented,

- D. a summary report from the Colerain Township Fire Prevention Officer, certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- E. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

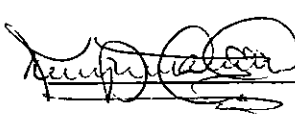
4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

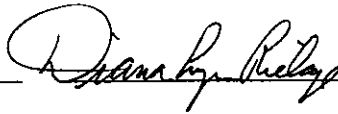
BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the County Engineer Permit Department, and the Metropolitan Sewer District.

CERTIFICATE OF ADOPTION

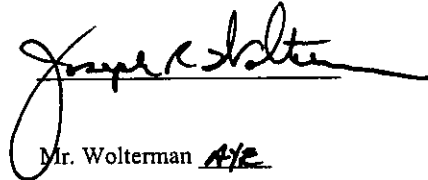
This resolution was adopted at a regularly scheduled meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 23rd day of October, 2001 and shall become effective at the earliest time permitted by law.



Mr. Corman Aye



Mrs. Rielage Aye




Mr. Wolterman Aye

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 23rd day of October, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 23rd day of October, 2001.



Kathy Mohr, Clerk

Board of Township Trustees

Colerain Township, Ohio

COPIES FOR TRANS

01 NOV 29 PM 2:59

HAMILTON COUNTY OHIO

see PB 364 PG 91

37
168-K

RESOLUTION # 44-01

Case No. ZA-2001-05
Colerain Circle - Struble Road

REBECCA PREM GROPPE
HAMILTON COUNTY RECORDER
Doc #: 1 - 218873 Type: AZR
Filed: 11/29/2001 3:03:50 PM \$ 26.00
Off. Rec.: 8756 5753 F 5 778

Approval of Application for Zone Change from an
"A" Single-Family Residential District to an "FF" Planned Light Industrial District

WHEREAS, Raymond Schneider, Applicant, filed Case No. Colerain ZA2001-05, an application for a Zone Amendment from an "A" Single-Family Residence District to an "F-F" Planned Light Industrial District, for the two parcels on Struble Road, east of the intersection of Struble Road, Colerain Avenue, and US Highway 27 (Book 510, Page 114, Parcels 24 and 96), said site containing 12.59 gross acres, and owned by George Buescher, Walter Buescher, and Joyce Buescher; and

WHEREAS, the Hamilton County Regional Planning Commission held a public hearing on August 2, 2001 and recommended approval of the proposed amendment; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on August 21, 2001 and recommended denial of the proposed amendment; and

WHEREAS, on October 9, 2001 the Board of Trustees held a public hearing on said amendment and reviewed all pertinent documents and received public comment, and continued such hearing to its regularly scheduled meeting on October 23, 2001.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees rejects the recommendation by the Colerain Township Zoning Commission that the application for zone amendment be denied, and the Board of Trustees approves the said amendment, with the modifications contained in this Resolution, for the reason that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

BE IT FURTHER RESOLVED that the plan be subject to the regulations and declarations of Article 22 ("F-F" Light Industrial Zone District) and other applicable sections of the Colerain Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, streetscape, landscaping, buffering and screening, signage, lighting, and parking lot standards, and subject further to the following covenants:

1. Final Development Plan
 - 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

8756 5753

TRANSFER NOT NECESSARY

CC
DUSTY RHODES
COUNTY AUDITOR

1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:

- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
- B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
- E. the Final Development Plan complies with the following additional requirements or standards:
 - 1. That the uses of the property be only those specified on the Preliminary Development Plan, and change from those uses shall require approval of a further zone change application.
 - 2. That the site plan be modified to comply with Section 22.5.2 of the Colerain Township Zoning Resolution regarding parking setbacks.
 - 3. That the site plan be redesigned to create a more direct access for users of the self-storage portion of the development such that the office parking lot areas are separated from the access to the self-storage area.
 - 4. That a detailed landscaping plan shall be submitted and approved, to buffer the public streets and residential property to the west, and that such plans shall meet or exceed the requirements of the Colerain Township Zoning Resolution.
 - 5. That the trash dumpster shall be located away from the adjacent residents and be enclosed by a solid wood fence.
 - 6. That dumpster pick-up be restricted between the hours of 7:00 AM and 7:00 PM
 - 7. That the plans indicating lighting, landscaping, and signage shall be submitted as part of the Final Development Plan review and approval process.

8756 5754

8. That no off-premise signage be permitted on the site.
 9. That outside storage be prohibited
 10. That the area of the storage buildings be limited to 96,000 square feet.
 11. That the existing residential structures be demolished.
 - F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions shall be noted on the Final Development Plan and accepted by the Township Zoning Administrator.
2. Construction Permits
- 2.1 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Inspector upon receipt of the required detailed site plan and construction documents.
3. Final Compliance Documents
- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
 - A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and
 - B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
 - C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan

and specifications for sanitary sewer and waste treatment have been completely implemented,

- D. a summary report from the Colerain Township Fire Prevention Officer, certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- E. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

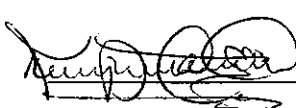
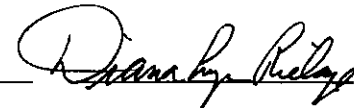
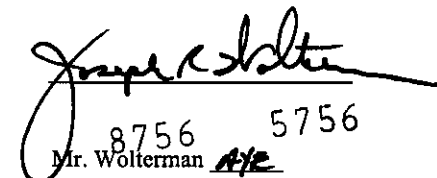
4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the County Engineer Permit Department, and the Metropolitan Sewer District.

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly scheduled meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 23rd day of October, 2001 and shall become effective at the earliest time permitted by law.

		
Mr. Corman <u>Aye</u>	Mrs. Rielage <u>Aye</u>	Mr. Wolterman <u>Aye</u>

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 23rd day of October, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 23rd day of October, 2001.

A handwritten signature in cursive script, appearing to read "Kathy Mohr", is written over a horizontal line.

Kathy Mohr, Clerk

Board of Township Trustees

Colerain Township, Ohio

8756 5757

RESOLUTION No. 45-01

Hamilton

County, Ohio

Be It Resolved by the Township Trustees of Colerain Township, that

Whereas Sergeant Clyde Banks service to Colerain Township Police Department has come to an end after an illustrious and devoted career serving the citizens and our community for 10 years; and

Whereas Sergeant Banks is a true example of a person dedicated to community service and community spirit as exemplified in his police career that spanned over a decade; now therefore,

Be It Resolved that the Colerain Township Board of Trustees does publicly thank Sergeant Banks and declares November 13, 2001 as

Sergeant Clyde Banks Day

and we call upon the citizens of Colerain Township to show just honor to Sergeant Banks for his many accomplishments and extraordinary service he has provided to our community. We further thank him and his family for the many years of service and wish him and his wife all the joys and happiness in their lives to come.

Adopted the 13th day of November 2001

Attest:

Garry Mohr
Township Clerk

James A. Holt
Township Trustees

The Board of Trustees of the Township of Colerain, County of Hamilton, Ohio,
met regular session at 7 p.m., on Nov. 13, 2001, at 4200 Springdale Rd
Colerain Township Ohio, with the following members present:

M.P. Wolterman introduced the following resolution and
moved its adoption:

TOWNSHIP OF COLERAIN

RESOLUTION NO. 46-01

**RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$3,150,000 OF
FIRE DEPARTMENT BONDS.**

WHEREAS, the Clerk of the Township has certified that the estimated life of the improvements constructed with the proceeds of the Bonds is at least five (5) years, and that the maximum maturity of the Bonds is twenty (20) years and the Township Clerk has certified in connection with the issuance of the bonds hereafter authorized that the estimated life of such improvements is twenty (20) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Township Trustees (the "Board") of the Township of Colerain, Ohio:

SECTION 1. That it is necessary to issue and sell bonds (the "Bonds") of the Township of Colerain, Ohio in the principal sum of not to exceed \$3,150,000 for the purpose of (1) acquiring, constructing, and equipping a new fire station, (2) purchasing fire trucks for the department (3) renovating and repairing an existing fire station (4) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Ohio Revised Code, including financing costs, costs of municipal bond rating and insurance (if any), the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, the costs and expenses of The Depository Trust Company, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs.

SECTION 2. That Bonds of the Township of Colerain, Ohio shall be issued in said principal sum of not to exceed \$3,150,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Section 505.37 of the Ohio Revised Code. Said Bonds shall be dated as set forth in the Bond Purchase Agreement, shall be issued as fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The Bonds shall bear interest at the rates payable semiannually on each June 1 and December 1 (each an "Interest Payment Date"), commencing June 1, 2002, until maturity, and shall mature on the first day of December as set forth in Appendix A to the Bond Purchase Agreement executed and

delivered in connection with the issuance of the Bonds (the "Bond Purchase Agreement") between the Township and the purchaser. Interest shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Bonds shall be subject to both optional and mandatory sinking fund redemption as set forth in the Bond Purchase Agreement.

That the Township Administrator is hereby authorized and directed, without further action by this Board, to execute and deliver the Bond Purchase Agreement which sets forth certain conditions to the Underwriter's purchase of the Bonds, including, but not limited to, the purchase price and reoffering price of the Bonds, in the form currently on file with the Clerk of the Board with only those changes not materially adverse to the Township as determined by the officials of the Township who have executed the Bond Purchase Agreement, the execution of the Bond Purchase Agreement by such officials or official being conclusive evidence of the approval of any such changes.

SECTION 3. Said Bonds shall be designated "Fire Department Bonds". The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form and shall be initially in "book-entry only" form. The Bonds shall bear the signatures of the members of this Board of Trustees and of the Township Clerk, which may be facsimile signatures, provided that the Bonds shall bear the manual authenticating signature of an authorized representative of the bank or trust company named in the Bond Purchase Agreement to serve as the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. The full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds, including Service Payments in Lieu of Taxes, are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

SECTION 5. Bonds shall be sold by the administrator or clerk at public or private sale, at the discretion of such officer and awarded by such officer without further action by this board, at not less than the par value of such bonds together with interest thereon, if any, as specified on Section 2 of this resolution at the price or prices as set forth in the Bond Purchase Agreement. The proceeds from the sale of said Bonds, except the premium and accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose and for which purpose said money is hereby appropriated and the accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of said Bonds in the manner provided by law and any premium shall be used to pay costs of issuance of the Bonds.

SECTION 6. All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such financing statements and other instruments or agreements, including an Official Statement of the Township prepared in connection with the Bonds, which are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

The Township Administrator is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the Bonds in form and content satisfactory to him, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rules 15c2-12. The members of the Board of Trustees are also hereby authorized and directed to execute and deliver such official statement. The execution of the final official statement by such officers shall be conclusive evidence of its authorization and approval.

SECTION 7. That this Board of Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate in connection with the issuance of the Bonds. The Township Administrator is authorized and directed to execute and deliver the Continuing Disclosure Certificate dated as of the dated date of the Bonds (the "Continuing Disclosure Certificate") substantially in the form to the draft presently on file with the Clerk of the Board of Trustees, with only such changes as are approved by those officers of the Township who execute the Continuing Disclosure Certificate, execution of the Continuing Disclosure Agreement being conclusive evidence of approval of any such changes. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

SECTION 8. The Township Administrator is authorized to execute and deliver the Bond Registrar and Paying Agency Agreement dated as of the dated date of the Bonds (the "Bond Registrar and Paying Agency Agreement") with the Paying Agent and Registrar.

SECTION 9. The Township is hereby authorized to purchase a municipal bond insurance policy (the "Municipal Bond Insurance Policy"), which policy will insure the payment when due of the principal of and interest on the Bonds as provided therein, if such purchase financially benefits the Township and any member of the Board of Township Trustees, the Clerk or the Township Administrator is authorized to execute any documentation required in connection therewith.

The Township Administrator is further authorized to apply for a municipal bond rating to any rating agency or agencies he deems appropriate and execute any and all documents required by such agency or agencies in order to obtain a rating on the Bonds.

SECTION 10. The Township covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the Township, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 8 it is necessary to restrict or limit the yield on the investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of

the Township an IRS Form 8038-G in connection with the issuance of the Bonds. These Bonds are designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 11. That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 12. The Clerk of this Board is hereby directed to forward a copy of this resolution to the County Auditor.

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

AYE: Mr. Wolterman
Mr. Corman
Mrs. Relage
NAY:

ADOPTED: Nov. 13, 2001.

Garry Mon
Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on the 13th day of Nov, 2001, and that on _____, 2001, I filed a certified copy of said resolution with the county auditor.


Clerk

RECEIPT

Received this day a certified copy of the foregoing resolution.


County Auditor, County of Hamilton, Ohio

Dated: November 29, 2001

CERTIFICATE OF MEMBERSHIP

The undersigned, Clerk of the Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio, hereby certifies the following to be the officers of said township during the period proceedings were taken authorizing the issuance of not to exceed \$3,150,000 Fire Department Bonds, dated as of the date of their issuance, and maturing not more than twenty years from the date of their issuance:

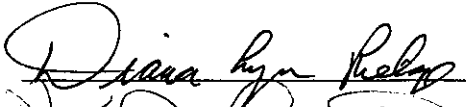
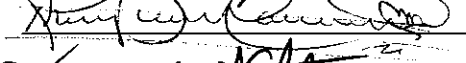
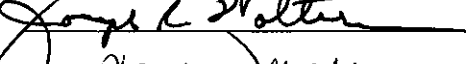
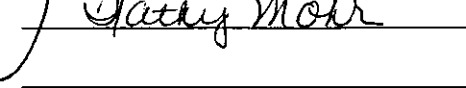
TRUSTEE

TRUSTEE

TRUSTEE

CLERK

ADMINISTRATOR

Clerk

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of the Board of Township Trustees of said township, hereby certifies that the attached is a true and complete transcript of all proceedings relating to the issuance of the above-identified obligations.


Clerk

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

Based upon information provided by and in reason to the request of the Board of Trustees of the Township of Colerain, the Township Clerk of the Township of Colerain, Ohio, being the fiscal officer of the Township of Colerain, Ohio, within the meaning of Section 505.37 of the Ohio Revised Code, hereby certifies to the Board of Township Trustees, that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$3,150,000 of Fire Department Bonds, for the purpose of acquiring, constructing, and equipping a new fire station, purchasing fire trucks, renovating and repairing an existing fire station, is at least five (5) years and that the maximum maturity of said bonds, calculated in accordance with Sections 505.37 and 133.20 of the Ohio Revised Code, is twenty (20) years and notes issued in anticipation thereof is twenty (20) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of Nov., 2001.

Natly Mohr
Township Clerk, Township of Colerain, Ohio

The Board of Trustees of the Township of Colerain, County of Hamilton, Ohio,
met Regular session at 7 p.m., on Nov 13, 2001, at 4200 Springdale Rd
Colerain Township, Ohio, with the following members present:

Ms. Waltman introduced the following resolution and
moved its adoption:

TOWNSHIP OF COLERAIN

RESOLUTION NO. 47-01

**RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$4,000,000 OF
TOWNSHIP PARK BONDS.**

WHEREAS, the Clerk of the Township has certified that the estimated life of the improvements constructed with the proceeds of the Bonds is at least five (5) years, and that the maximum maturity of the Bonds is thirty (30) years and the Township Clerk has certified in connection with the issuance of the bonds hereafter authorized that the estimated life of such improvements is thirty (30) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Township Trustees (the "Board") of the Township of Colerain, Ohio:

SECTION 1. That it is necessary to issue and sell bonds (the "Bonds") of the Township of Colerain, Ohio in the principal sum of not to exceed \$4,000,000 for the purpose of (1) acquiring, developing, renovating and equipping township parks and (2) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Ohio Revised Code, including financing costs, costs of municipal bond ratings and insurance (if any), the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, the costs and expenses of The Depository Trust Company, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs.

SECTION 2. That Bonds of the Township of Colerain, Ohio shall be issued in said principal sum of not to exceed \$4,000,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Section 505.261 of the Ohio Revised Code. Said Bonds shall be dated as set forth in the Bond Purchase Agreement, shall be issued as fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The Bonds shall bear interest at the rates payable semiannually on each June 1 and December 1 (each an "Interest Payment Date"), commencing June 1, 2002, until maturity, and shall mature on the first day of December as set forth in Appendix A to the Bond Purchase Agreement executed and

delivered in connection with the issuance of the Bonds (the "Bond Purchase Agreement") between the Township and the purchaser. Interest shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Bonds shall be subject to both optional and mandatory sinking fund redemption as set forth in the Bond Purchase Agreement.

That the Township Administrator is hereby authorized and directed, without further action by this Board, to execute and deliver the Bond Purchase Agreement which sets forth certain conditions to the Underwriter's purchase of the Bonds, including, but not limited to, the purchase price and reoffering price of the Bonds, in the form currently on file with the Clerk of the Board with only those changes not materially adverse to the Township as determined by the officials of the Township who have executed the Bond Purchase Agreement, the execution of the Bond Purchase Agreement by such officials or official being conclusive evidence of the approval of any such changes.

SECTION 3. Said Bonds shall be designated "Township Park Bonds". The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form and shall be initially in "book-entry only" form. The Bonds shall bear the signatures of the members of this Board of Trustees and of the Township Clerk, which may be facsimile signatures, provided that the Bonds shall bear the manual authenticating signature of an authorized representative of the bank or trust company named in the Bond Purchase Agreement to serve as the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. The full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds, including Service Payments in Lieu of Taxes, are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

SECTION 5. Bonds shall be sold by the administrator or clerk at public or private sale, at the discretion of such officer and awarded by such officer without further action by this board, at not less than the par value of such bonds together with interest thereon, if any, as specified on Section 2 of this resolution at the price or prices as set forth in the Bond Purchase Agreement. The proceeds from the sale of said Bonds, except the premium and accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose and for which purpose said money is hereby appropriated and the accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of said Bonds in the manner provided by law and any premium shall be used to pay costs of issuance of the Bonds.

SECTION 6. All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such financing statements and other instruments or agreements, including an Official Statement of the Township prepared in connection with the Bonds, which are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

The Township Administrator is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the Bonds in form and content satisfactory to him, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rules 15c2-12. The members of the Board of Trustees are also hereby authorized and directed to execute and deliver such official statement. The execution of the final official statement by such officers shall be conclusive evidence of its authorization and approval.

SECTION 7. That this Board of Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate in connection with the issuance of the Bonds. The Township Administrator is authorized and directed to execute and deliver the Continuing Disclosure Certificate dated as of the dated date of the Bonds (the "Continuing Disclosure Certificate") substantially in the form to the draft presently on file with the Clerk of the Board of Trustees, with only such changes as are approved by those officers of the Township who execute the Continuing Disclosure Certificate, execution of the Continuing Disclosure Agreement being conclusive evidence of approval of any such changes. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

SECTION 8. The Township Administrator is authorized to execute and deliver the Bond Registrar and Paying Agency Agreement dated as of the dated date of the Bonds (the "Bond Registrar and Paying Agency Agreement") with the Paying Agent and Registrar.

SECTION 9. The Township is hereby authorized to purchase a municipal bond insurance policy (the "Municipal Bond Insurance Policy"), which policy will insure the payment when due of the principal of and interest on the Bonds as provided therein, if such purchase financially benefits the Township and any member of the Board of Township Trustees, the Clerk or the Township Administrator is authorized to execute any documentation required in connection therewith.

The Township Administrator is further authorized to apply for a municipal bond rating to any rating agency or agencies he deems appropriate and execute any and all documents required by such agency or agencies in order to obtain a rating on the Bonds.

SECTION 10. The Township covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the Township, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 8 it is necessary to restrict or limit the yield on the investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of

the Township an IRS Form 8038-G in connection with the issuance of the Bonds. These Bonds are designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 11. That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 12. The Clerk of this Board is hereby directed to forward a copy of this resolution to the County Auditor.

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

AYE: Mr. Wolterman
Mr. Corman
Mrs. Rielag

NAY:

ADOPTED: Nov 13, 2001.

Garry Morr
Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on the 13th day of Nov, 2001, and that on _____, 2001, I filed a certified copy of said resolution with the county auditor.

Sally Mohr
Clerk

RECEIPT

Received this day a certified copy of the foregoing resolution.

Doug Rader
County Auditor, County of Hamilton, Ohio

Dated: November 27, 2001

CERTIFICATE OF MEMBERSHIP

The undersigned, Clerk of the Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio, hereby certifies the following to be the officers of said township during the period proceedings were taken authorizing the issuance of not to exceed \$4,000,000 Township Park Bonds, dated as of the date of their issuance, and maturing not more than thirty years from the date of their issuance:

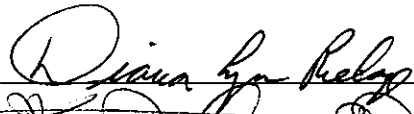
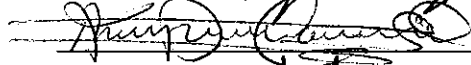
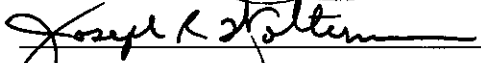
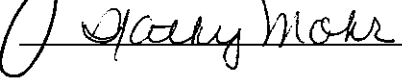
TRUSTEE

TRUSTEE

TRUSTEE

CLERK

ADMINISTRATOR

Clerk

TRANSCRIPT CERTIFICATE

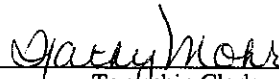
The undersigned, Clerk of the Board of Township Trustees of said township, hereby certifies that the attached is a true and complete transcript of all proceedings relating to the issuance of the above-identified obligations.


Clerk

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

Based upon information provided by and in reason to the request of the Board of Trustees of the Township of Colerain, the Township Clerk of the Township of Colerain, Ohio, being the fiscal officer of the Township of Colerain, Ohio, within the meaning of Section 505.261 of the Ohio Revised Code, hereby certifies to the Board of Township Trustees, that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$4,000,000 of Township Park Bonds, for the purpose of acquiring, developing, renovating and equipping township parks is at least five (5) years and that the maximum maturity of said bonds, calculated in accordance with Sections 505.261 and 133.20 of the Ohio Revised Code, is thirty (30) years and notes issued in anticipation thereof is twenty (20) years.

Nov. IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of
Nov., 2001.



Township Clerk,
Township of Colerain, Ohio

The Board of Trustees of the Township of Colerain, County of Hamilton, Ohio,
met regular session at 7 p.m., on Nov 13, 2001, at 4200 Springdale Rd.
Colerain Township Ohio, with the following members present:

Mr. Twettenman introduced the following resolution and
moved its adoption:

TOWNSHIP OF COLERAIN

RESOLUTION NO. 48-01

**RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$2,800,000 OF
BUILDING IMPROVEMENT BONDS.**

WHEREAS, the Clerk of the Township has certified that the estimated life of the improvements constructed with the proceeds of the Bonds is at least five (5) years, and that the maximum maturity of the Bonds is thirty (30) years and the Township Clerk has certified in connection with the issuance of the bonds hereafter authorized that the estimated life of such improvements is thirty (30) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Township Trustees (the "Board") of the Township of Colerain, Ohio:

SECTION 1. That it is necessary to issue and sell bonds (the "Bonds") of the Township of Colerain, Ohio in the principal sum of not to exceed \$2,800,000 for the purpose of (1) acquiring, constructing, renovating and equipping a township building for use by the public works department and (2) paying certain costs related to the issuance of the Bonds, together with other permissible costs under the Ohio Revised Code, including financing costs, costs of municipal bond rating and insurance (if any), the costs of printing the Bonds or other evidences of indebtedness, expense of delivery of bonds, the costs and expenses of The Depository Trust Company, service charges of the paying agent, legal services and obtaining an approving legal opinion and other permissible costs.

SECTION 2. That Bonds of the Township of Colerain, Ohio shall be issued in said principal sum of not to exceed \$2,800,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Section 505.262 of the Ohio Revised Code. Said Bonds shall be dated as set forth in the Bond Purchase Agreement, shall be issued as fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The Bonds shall bear interest at the rates payable semiannually on each June 1 and December 1 (each an "Interest Payment Date"), commencing June 1, 2002, until maturity, and shall mature on the first day of December as set forth in Appendix A to the Bond Purchase Agreement executed and

delivered in connection with the issuance of the Bonds (the "Bond Purchase Agreement") between the Township and the purchaser. Interest shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Bonds shall be subject to both optional and mandatory sinking fund redemption as set forth in the Bond Purchase Agreement.

That the Township Administrator is hereby authorized and directed, without further action by this Board, to execute and deliver the Bond Purchase Agreement which sets forth certain conditions to the Underwriter's purchase of the Bonds, including, but not limited to, the purchase price and reoffering price of the Bonds, in the form currently on file with the Clerk of the Board with only those changes not materially adverse to the Township as determined by the officials of the Township who have executed the Bond Purchase Agreement, the execution of the Bond Purchase Agreement by such officials or official being conclusive evidence of the approval of any such changes.

SECTION 3. Said Bonds shall be designated "Building Improvement Bonds". The Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form and shall be initially in "book-entry only" form. The Bonds shall bear the signatures of the members of this Board of Trustees and of the Township Clerk, which may be facsimile signatures, provided that the Bonds shall bear the manual authenticating signature of an authorized representative of the bank or trust company named in the Bond Purchase Agreement to serve as the Paying Agent and Registrar (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and Registrar and interest thereon shall be payable on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for each June 1 and December 1 interest payment date, respectively) on the bond registration records as the registered owner thereof, by check or draft mailed to such registered owner's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Township and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The Township and the Paying Agent and Registrar may deem and treat the registered owner of the Bonds as the absolute owner thereof for all purposes, and neither the Township nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. The full faith, credit and revenues of the Township are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Township, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided, however, to the extent that in each year other available funds, including Service Payments in Lieu of Taxes, are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

SECTION 5. Bonds shall be sold by the administrator or clerk at public or private sale, at the discretion of such officer and awarded by such officer without further action by this board, at not less than the par value of such bonds together with interest thereon, if any, as specified on Section 2 of this resolution at the price or prices as set forth in the Bond Purchase Agreement. The proceeds from the sale of said Bonds, except the premium and accrued interest thereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose and for which purpose said money is hereby appropriated and the accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of said Bonds in the manner provided by law and any premium shall be used to pay costs of issuance of the Bonds.

SECTION 6. All appropriate officers of the Township are further authorized to make, execute, acknowledge and deliver such financing statements and other instruments or agreements, including an Official Statement of the Township prepared in connection with the Bonds, which are, in the opinion of bond counsel, necessary to carry out the purposes of this resolution.

The Township Administrator is hereby authorized to prepare and cause to be circulated a preliminary official statement with respect to the Bonds in form and content satisfactory to him, and to prepare, execute and deliver to the original purchaser of the bonds a reasonable number of copies of an official statement which shall be deemed to be final for purposes of SEC Rules 15c2-12. The members of the Board of Trustees are also hereby authorized and directed to execute and deliver such official statement. The execution of the final official statement by such officers shall be conclusive evidence of its authorization and approval.

SECTION 7. That this Board of Trustees hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate in connection with the issuance of the Bonds. The Township Administrator is authorized and directed to execute and deliver the Continuing Disclosure Certificate dated as of the dated date of the Bonds (the "Continuing Disclosure Certificate") substantially in the form to the draft presently on file with the Clerk of the Board of Trustees, with only such changes as are approved by those officers of the Township who execute the Continuing Disclosure Certificate, execution of the Continuing Disclosure Agreement being conclusive evidence of approval of any such changes. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Trustees to comply with its obligations under this section and the Continuing Disclosure Certificate.

SECTION 8. The Township Administrator is authorized to execute and deliver the Bond Registrar and Paying Agency Agreement dated as of the dated date of the Bonds (the "Bond Registrar and Paying Agency Agreement") with the Paying Agent and Registrar.

SECTION 9. The Township is hereby authorized to purchase a municipal bond insurance policy (the "Municipal Bond Insurance Policy"), which policy will insure the payment when due of the principal of and interest on the Bonds as provided therein, if such purchase financially benefits the Township and any member of the Board of Township Trustees, the Clerk or the Township Administrator is authorized to execute any documentation required in connection therewith.

The Township Administrator is further authorized to apply for a municipal bond rating to any rating agency or agencies he deems appropriate and execute any and all documents required by such agency or agencies in order to obtain a rating on the Bonds.

SECTION 10. The Township covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Bonds under Section 103(a) of the Code. The Township will not directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the Township, or take or omit to take any action that would cause the Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the Township will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Bonds. In the event that at any time the Township is of the opinion that for purposes of this Section 8 it is necessary to restrict or limit the yield on the investment of any moneys the Township shall take such action as may be necessary. The Board of Trustees of the Township or, any other officer having responsibility with respect to the issuance of the Bonds, is authorized and directed to give an appropriate certificate on behalf of the Township, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder, and to execute and deliver on behalf of

the Township an IRS Form 8038-G in connection with the issuance of the Bonds. These Bonds are designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 11. That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board; and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 12. The Clerk of this Board is hereby directed to forward a copy of this resolution to the County Auditor.

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

AYE: Mr. Wolterman
Mr. Corman
Mrs. Rutledge

NAY:

ADOPTED: Nov 13, 2001.

Garry Mork
Clerk

CERTIFICATE OF MEMBERSHIP

The undersigned, Clerk of the Board of Township Trustees of the Township of Colerain, County of Hamilton, Ohio, hereby certifies the following to be the officers of said township during the period proceedings were taken authorizing the issuance of not to exceed \$2,800,000 Building Improvement Bonds, dated as of the date of their issuance, and maturing not more than thirty years from the date of their issuance:

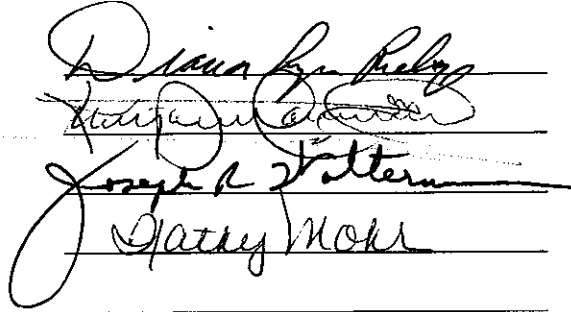
TRUSTEE

TRUSTEE

TRUSTEE

CLERK

ADMINISTRATOR

The block contains four handwritten signatures, each written over a horizontal line. From top to bottom, the signatures are: 1. A cursive signature that appears to be 'Diana B. Kelly'. 2. A cursive signature that appears to be 'Joseph A. Statterman'. 3. A cursive signature that appears to be 'Garry Mohr'. 4. A blank line.

Clerk

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of the Board of Township Trustees of said township, hereby certifies that the attached is a true and complete transcript of all proceedings relating to the issuance of the above-identified obligations.

The block contains a single handwritten signature, 'Garry Mohr', written in cursive over a horizontal line. Below the signature, the word 'Clerk' is printed.

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

Based upon information provided by and in reason to the request of the Board of Trustees of the Township of Colerain, the Township Clerk of the Township of Colerain, Ohio, being the fiscal officer of the Township of Colerain, Ohio, within the meaning of Section 505.262 of the Ohio Revised Code, hereby certifies to the Board of Township Trustees, that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$2,800,000 of Building Improvement Bonds, for the purpose of acquiring, constructing, renovating and equipping a building for the public works department, is at least five (5) years and that the maximum maturity of said bonds, calculated in accordance with Sections 505.262 and 133.20 of the Ohio Revised Code, is thirty (30) years and notes issued in anticipation thereof is twenty (20) years.

Nov IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of
_____, 2001.



Township Clerk, Township of Colerain, Ohio

CERTIFICATE OF REVENUE SUFFICIENCY

The undersigned County Auditor of the County of Hamilton, Ohio, hereby certifies pursuant to Section 505.262(B) of the Ohio Revised Code that the debt service charges in the first year (2002) on the issue of \$2,800,000 Building Improvement Bonds, of the Township of Colerain, Ohio, dated December 1, 2001, together with the debt service charges for the year 2002 for all other bonds or notes outstanding issued pursuant to Section 505.262(A) of the Ohio Revised Code do not exceed one-tenth of the total revenues from all sources for said township in calendar year 2001.

Dated: 11/27, 2001



County Auditor
County of Hamilton, Ohio

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on the 13th day of Nov, 2001, and that on _____, 2001, I filed a certified copy of said resolution with the county auditor.

Gatly Mohr
Clerk

RECEIPT

Received this day a certified copy of the foregoing resolution.

County Auditor, County of Hamilton, Ohio

Dated: _____, 2001

Case No. ZA-2001-04
Hunters Ridge - Part I
Approval of Application for Zone Change from
"AA" Residential District to an "EE" Retail District

WHEREAS, Karri K. Haffner, Attorney for applicant Decker Investments, filed Case No. ZA-2001-04 (Part I) , an application for amendment of a section of the zoning map from "AA" Residential District to an "EE" Planned Retail District, for the property located at the Northeast Corner of Harrison Ave. and E. Miami River Road, (Book 510, Page 440, Parcel 97, and Parcel 266), owned by D&D Properties, and shown as "Area I" on the Preliminary Development Plan dated November 1, 2001; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on July 17, 2001 and recommended denial of the proposed change by a unanimous vote, and

WHEREAS, on September 25, 2001, October 9, 2001 and October 23, 2001 the Board of Trustees held a public hearing, and considered said application and reviewed all pertinent documents and received extensive public comment; and continued such public hearing to November 13, 2001; and

WHEREAS, the Board of Trustees has determined to reject the recommendation of the Colerain Township Zoning Commission that the request for a zone change from "AA" Residential District to an "EE" Planned Retail District be denied, and the Board has determined that the Application as to Area I be adopted with certain modifications and conditions; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts and approves the amendment changing the zoning for Area I on the Preliminary Development Plan dated November 1, 2001 from "AA" to "EE" Planned Retail, with the conditions described below, for the reason that consistency is established with the "Planned District Regulations" that provides for specific conditions to be imposed to protect and preserve the nature of the surrounding neighborhood. Further, the Board finds that such plan is consistent with the spirit and intent of the Colerain Township Zoning Resolution. Therefore the Board believes the amendment to be in keeping with good land use planning and is not in conflict with the best interest of the Township and the Public.

BE IT FURTHER RESOLVED that the plan be subject to the conditions and declarations of Article 21 inclusive and Article 26, inclusive and subject further to the following covenants:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this

Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:

- A. detailed plans for grading, landscaping (indicating type, quantity, and location of landscaping materials and berms), exterior lighting and freestanding signs are submitted,
- B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
- E. the Final Development Plan complies with the following additional requirements or standards:
 - a. that a clearing limits plan be submitted depicting existing trees to preserved and new trees to be added,
 - b. that the building be restricted to a maximum area of 2,000 square feet restaurant, and a 4,500 square feet convenience store.
 - c. that a detailed landscaping, signage and lighting plan must be submitted during the Final Development Plan process,
 - d. that a dumpster be shown on the plan in the rear yard, screened with a 6-foot high privacy fence or landscaping,
 - e. that any outside storage of seasonal merchandise and equipment, tools, and materials be prohibited,
 - f. That the a minimum of 63 parking spaces be provided for the retail uses.
 - g. That traffic control devices and markings on the driveways connecting the development to Harrison Avenue and East Miami River Road, as shown on the Preliminary Development Plan, be designed and established in accordance with the recommendations of the Hamilton County Engineer, including, without limitation, lane markings, islands and curbs, and restrictions on turning

movements in and out of the development, as deemed necessary by the Hamilton County Engineer to protect the safety of the traveling public .

- h. that offsite bill board advertisement be prohibited on site.
- i. that a geotechnical survey be submitted with the Final Development Plan confirming that the proposed excavation and construction on the site will not result in erosion or slippage of the hillside areas within or adjacent to the development.

F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions is noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:

- A. a Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
- B. construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.

2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Final Compliance Documents

3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution as defined in Covenant 1.1, and the following documents are received and accepted by the Colerain Township Zoning Inspector:

- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that required rights-of-way have been dedicated,
- B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the

approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,

- C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely implemented,
- D. a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan; also noting any deviations and reasons for such deviations,
- E. a summary report from the Colerain Township Fire Prevention Officer , certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- F. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

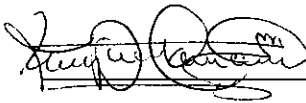
4. Maintenance of Improvements

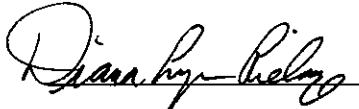
- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

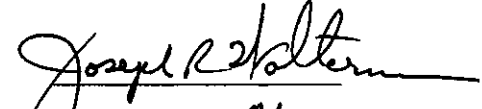
BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, and the Office of the Hamilton County Recorder.

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly adjourned meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 13th day of November, 2001, and shall become effective at the earliest time permitted by law.


Mr. Corman Aye

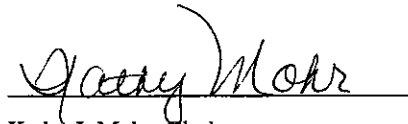

Mrs. Rielage _____


Mr. Wolterman A/E

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 13th day of November, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 13th day of November, 2001.



Kathy J. Mohr, Clerk
Board of Township Trustees
Colerain Township, Ohio

Case No. ZA-2001-04
Hunters Ridge - Part II
Approval of Application for Zone Change from
"AA" Residential District to a "OO" Planned Office District

WHEREAS, Karri K. Haffner, Attorney for applicant Decker Investments, filed Case No. ZA-2001-04 (Part II), an application for an amendment of a section of the zoning map from "AA" Residential District to a "DD" Planned Multifamily Residential District, for the property located at the Northeast Corner of Harrison Ave. and E. Miami River Road, (Book 510, Page 440, Parcel 43, 44, and 266), owned by D&D Properties, and shown as "Area II" on the Preliminary Development Plan dated November 1, 2001; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on July 17, 2001 and recommended denial of the proposed change by a unanimous vote, and

WHEREAS, on September 25, 2001, October 9, 2001, and October 23, 2001 the Board of Trustees held a public hearing, considered said application and reviewed all pertinent documents, and received extensive public comment, and continued such public hearing to November 13, 2001; and

WHEREAS, the Board of Trustees in discussion during the public hearing, indicated that it would accept the recommendation by the Colerain Township Zoning Commission to deny the request for a zone change from "AA" Residential District to a "DD" Planned Multi-Family Residence District, and the Applicant proposed that the application be modified to request a zone change from said Area II to "OO" Planned Office only; and

WHEREAS, the Board of Trustees under the powers given by Section 519.12 of the Ohio Revised Code, considered the Applicant's proposal that the application be modified to request a zone change from "AA" Residential District to an "OO" Planned Office District, and believes such action to be in keeping with the spirit and intent of the Colerain Township Zoning Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees adopts and approves the amendment changing the zoning for Area II on the Preliminary Development Plan from "AA" to "OO" Planned Office, with the conditions described below, for the reason that consistency is established with the "Planned District Regulations" that provides for specific conditions to be imposed to protect and preserve the nature of the surrounding neighborhood, and such plan is consistent with the spirit and intent of the Colerain Township Zoning Resolution. Therefore the Board believes the amendment to be in keeping with good land use planning and is not in conflict with the best interest of the Township and the Public.

BE IT FURTHER RESOLVED that the plan be subject to the conditions and declarations of Article 21 inclusive and Article 26, inclusive and subject further to the following covenants:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.
- 1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:
- A. detailed plans for grading, landscaping (indicating type, quantity, and location of landscaping materials and berms), exterior lighting and freestanding signs are submitted,
 - B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
 - C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
 - D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
 - E. the Final Development Plan complies with the following additional requirements or standards:
 - a. that a clearing limits plan be submitted prior to the Final Development Plan Approval depicting existing trees to remain and new trees to be added,
 - b. that a detailed landscaping, signage and lighting plan must be submitted during the Final Development Plan process,
 - c. that dumpsters be shown on the plan that are screened with 6-foot high privacy fences or landscaping,
 - d. that any outside storage be prohibited,
 - e. that the use of the premises and buildings be restricted to office uses only, and any change of use from office necessitate a new zone amendment application,
 - f. That the labeled portion of the development between Area II and Area IV identified as "Open Green Space" and remain as undisturbed green space and be clearly identified on a clearing limits plan prior to the approval of the Final Development Plan,

- g. that an opaque landscape buffer be shown on the Final Development Plan and installed on the 60 ft. "Green Space" area shown on the Preliminary Development Plan between the proposed development and the residences to the north along East Miami River Road, sufficient to buffer and shield said residences from the development;
 - h. that all lighting shall be directed away from residentially-zoned properties and comply with Article 31 of the Colerain Township Zoning Resolution.
 - i. That the following maximum square footage area for each office building be satisfied as follows:
 - Building 1 @ 24,000 Sq. ft
 - Building 2 @ 24,000 Sq. ft.
 - Building 3 @ 6,000 Sq. ft.
 - Building 4 @ 15,000 Sq. ft.
 - Building 5 @ 15,000 Sq. ft.
 - j. That traffic control devices and markings on the driveways connecting the development to Harrison Avenue and East Miami River Road, as shown on the Preliminary Development Plan, be designed and established in accordance with the recommendations of the Hamilton County Engineer, including, without limitation, lane markings, islands and curbs, and restrictions on turning movements in and out of the development, as deemed necessary by the Hamilton County Engineer to protect the safety of the traveling public.
 - k. That the existing structures in Area II be razed and removed upon the start of construction in any part of Area II.
 - l. That offsite bill board advertisement be prohibited on site.
 - m. that a geotechnical survey be submitted with the Final Development Plan confirming that the proposed excavation and construction on the site will not result in erosion or slippage of the hillside areas within or adjacent to the development.
- F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions is noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

- 2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:
- A. a Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
 - B. construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.
- 2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Final Compliance Documents

- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution as defined in Covenant 1.1, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that required rights-of-way have been dedicated,
 - B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
 - C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely implemented,
 - D. a summary report from the registered landscape architect who prepared the plan,

certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan; also noting any deviations and reasons for such deviations,

- E. a summary report from the Colerain Township Fire Prevention Officer , certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- F. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

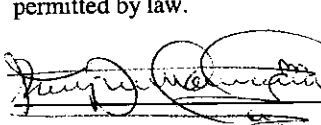

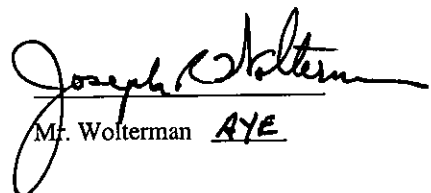
4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, and the Office of the Hamilton County Recorder.

CERTIFICATE OF ADOPTION

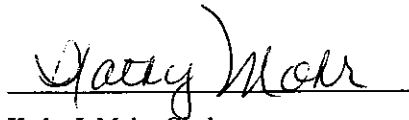
This resolution was adopted at a regularly adjourned meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 13th day of November 2001, and shall become effective at the earliest time permitted by law.

		
Mr. Corman <u>Aye</u>	Mrs. Rielage <u> </u>	Mr. Wolterman <u>AYE</u>

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 13th day of November, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 13th day of November, 2001.

A handwritten signature in cursive script, reading "Kathy Mohr", is written over a horizontal line.

Kathy J. Mohr, Clerk
Board of Township Trustees
Colerain Township, Ohio

RESOLUTION No. 51-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,

that WHEREAS, snowfall is anticipated in Colerain Township, which may result in an accumulation of snow and/or ice on streets and roadways within the township; and

WHEREAS, certain streets within the township on which the citizens travel and/or reside are dedicated to public use, but not yet accepted by Hamilton County commissioners; and

WHEREAS, O.R.C. Section 505.82 requires that certain procedures be followed for the removal of snow and ice from an undedicated or unaccepted street, where the owner does not cause such snow and ice to be removed from such streets;

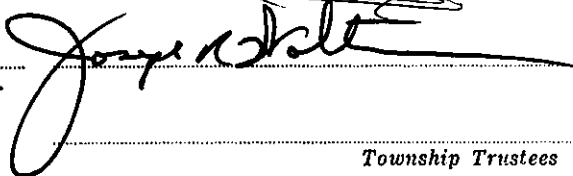
NOW, THEREFORE, be it RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that:

1. By reason of possible accumulation of snow and ice on the dedicated but unaccepted streets in Colerain Township on which citizens of the township reside and/or travel. An emergency may exist, causing threat of life and property, and the Board hereby so declares.
2. The Colerain Township Public Works Department is hereby ordered to remove the snow and/or ice from the said streets, listed on attachment "A", upon which the owners have not caused the removal of such snow and/or ice.
3. Prior to such removal, the Public Works Department shall give, or make a good faith attempt to give, oral notice to the owner of the subject street(s) of the intent by the Trustees to clear the streets, and to impose a charge for this service.
4. The Public Works Department shall establish just and equitable service charges for such removal, which shall be paid by the owners of said streets. Failure by the owner to promptly pay the charges shall result in certification of such charges to the Hamilton County Auditor to be included on the owner's tax bill and collected as a lie on the property.
5. The emergency declared herein shall expire one-month after the date hereof pursuant to O.R.C. Section 505.82.

Adopted the 27th day of November 2001.

Attest:


Township Clerk.


Township Trustees

ATTACHMENT "A"
SUBDIVISIONS AND STREETS
FOR EMERGENCY SNOW REMOVAL RESOLUTION
November 27, 2001

<u>SUBDIVISION</u>	<u>STREETS</u>
1) Kittywood Addition	Kittywood Drive
2) Joshua's Run	Darbi Dew Lane
3) Houston Park	Dallas Blvd.

RESOLUTION CONSENTING TO TRANSFER OF LOWE'S PROPERTY

RESOLUTION No. 52-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township,

that

WHEREAS, the Board of Trustees on December 9, 1997 adopted a Resolution establishing a Tax Increment Financing Plan for the property located at the northwest corner of Colerain Avenue and Dry Ridge Roads; and

WHEREAS, in connection with the said Tax Increment Financing Plan, the Board of Trustees and the Developer executed a Service Agreement dated as of July 1, 1998, which Service Agreement was amended by the "Amended and Restated Service Agreement" dated as of July 1, 2001, and recorded in Hamilton County O.R. Book 8656 page 2748 on August 9, 2001; and

WHEREAS, the current owners of said property, Randall I. Gunlock, Glenn C. Gunlock, and SPM Real Estate Colerain LLC, an Ohio Limited Liability Company, and Scott Samuelson, through their attorney, April Jordan, by letter dated November 15, 2001 requested that the Board of Trustees consent to the transfer of said real property to LOW1, LLC, a Delaware Limited Liability Company, subject to the terms of the "Amended and Restated Service Agreement" dated as of July 1, 2001; and

WHEREAS, the owners have presented to the Board a copy of the proposed deed (attached hereto as Exhibit A), which includes a statement indicating that the transfer is subject to the terms and conditions of the said Amended and Restated Service Agreement dated as of July 1, 2001, as required by Section 3 of said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that:

The Board hereby consents to the transfer of the Real Property at the northwest corner of Colerain Avenue and Dry Ridge Road, (which is more fully described in the said Amended and Restated Service Agreement dated as of July 1, 2001), by Randall I. Gunlock, Glenn C. Gunlock, and SPM Real Estate Colerain LLC, an Ohio Limited Liability Company, and Scott Samuelson, to LOW1, LLC, a Delaware Limited Liability Company, by means of the deed prepared by the present owners, a copy of which is attached hereto as Exhibit A.

Adopted the 27th day of November 10, 2001 in regular session.

Keith N. Cormier, Trustee

Joseph R. Wolterman, Trustee

Attest: Kathy J. Mohr, Township Clerk.

Township Trustees

EXHIBIT

A

GENERAL WARRANTY DEED

RANDALL L. GUNLOCK, married, as to his undivided 67.5% interest, GLENN C. GUNLOCK, married, as to his undivided 5% interest, SPM REAL ESTATE COLERAIN LLC, an Ohio limited liability company, as to its undivided 22.5% interest, and SCOTT SAMUELSON, married, as to his undivided 5% interest (collectively, "Grantor"), for valuable consideration paid, grant with general warranty covenants, to LOW1, LLC, a Delaware limited liability company, whose address is 865 South Figueroa Street, Suite 3500, Los Angeles, California 90017 ("Grantee"), the property described on Exhibit A attached hereto and made a part hereof, subject to those Permitted Exceptions as described on Exhibit B attached hereto and made a part hereof.

This property is conveyed to Grantee further subject to the terms and conditions contained in an Amended and Restated Service Agreement dated as of July 1, 2001, recorded in Official Records Volume 8656, Page 2748 of the Hamilton County, Ohio Records. Grantee, by its acceptance of this Deed, agrees to be bound by said Agreement.

Prior instrument reference: Official Record Book 8497, Page 1505, and Official Record Book 8540, Page 740 of the Hamilton County, Ohio Deed Records.

The undersigned, Vicki S. Gunlock, wife of Randall L. Gunlock, Mary H. Gunlock, wife of Glenn C. Gunlock, and Pamela Moss-Samuelson, wife of Scott Samuelson, hereby release any and all rights of dower therein.

IN WITNESS WHEREOF, the undersigned have executed the foregoing instrument this _____ day of November, 2001.

Signed in the presence of:

Name: _____

Randall L. Gunlock

Name: _____

Name: _____

Vicki S. Gunlock

Name: _____

Name: _____

Glenn C. Gunlock

Name: _____

Name: _____

Mary H. Gunlock

Name: _____

Name:

Scott Samuelson

Name:

Name:

Pamela Moss-Samuelson

Name:

SPM REAL ESTATE COLERAIN LLC
an Ohio limited liability company

Name:

By:
Steven P. Miller, Manager

Name:

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this ____ day of November, 2001, by
Randall L. Gunlock and Vicki S. Gunlock.

Notary Public

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this ____ day of November, 2001, by
Glenn C. Gunlock and Mary H. Gunlock.

Notary Public

STATE OF OHIO)
) SS:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of November, 2001, by
Pamela Moss-Samuelson and Scott Samuelson.

Notary Public

STATE OF OHIO)
) SS:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of November, 2001, by
Steven P. Miller, the Manager of SPM Real Estate Colerain LLC, an Ohio limited liability company,
on behalf of the company.

Notary Public

RESOLUTION No. 53-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of Township, that

- Whereas Mr. Kenneth (Ken) J. Dirr's service to the Northwest Local School District, Colerain Township, has come to an end after an illustrious and devoted career serving the children of our schools and our community for 33 years; and
- Whereas Ken is a true example of a person dedicated to community service and community spirit as exemplified in his career that included many positions such as teaching, coaching, serving as both Assistant Principal and Principal, Director of Personnel, Assistant Superintendent and Superintendent, as well as serving on many community/service related organizations; and
- Whereas while serving as Superintendent, Ken formed a relationship with Colerain Township by coordinating the 1st joint meeting with the Northwest Local School District and the Township Trustees which led to the joint Northwest Local School District and Colerain Township project for the renovation of Colerain Park; now therefore,
- Be It Resolved that the Colerain Township Board of Trustees does publicly thank Ken for all he has done for the community of Colerain Township and declares December 16, 2001 as

Kenneth J. Dirr Day

and we call upon the citizens of Colerain Township to show just honor to Ken for his many accomplishments and extraordinary service he has provided to our community. We further thank him and his family for the many years of service and wish him and his wife all the joys and happiness in their lives to come.

Adopted the 11th day of December 2001

Attest: Wally Mohr
Township Clerk

Diana Lynn Philage
Theresa J. [unclear]
Joseph R. Tolterman
Township Trustees

RESOLUTION No. 54-01

Hamilton County, Ohio

Be It Resolved by the Township Trustees of Colerain Township,

that

WHEREAS, snowfall is anticipated in Colerain Township, which may result in an accumulation of snow and/or ice on streets and roadways within the township; and

WHEREAS, certain streets within the township on which the citizens travel and/or reside are dedicated to public use, but not yet accepted by Hamilton County commissioners; and

WHEREAS, O.R.C. Section 505.82 requires that certain procedures be followed for the removal of snow and ice from an undedicated or unaccepted street, where the owner does not cause such snow and ice to be removed from such streets;

NOW, THEREFORE, be it RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that:

1. By reason of possible accumulation of snow and ice on the dedicated but unaccepted streets in Colerain Township on which citizens of the township reside and/or travel. An emergency may exist, causing threat of life and property, and the Board hereby so declares.
2. The Colerain Township Public Works Department is hereby ordered to remove the snow and/or ice from the said streets, listed on attachment "A", upon which the owners have not caused the removal of such snow and/or ice.
3. Prior to such removal, the Public Works Department shall give, or make a good faith attempt to give, oral notice to the owner of the subject street(s) of the intent by the Trustees to clear the streets, and to impose a charge for this service.
4. The Public Works Department shall establish just and equitable service charges for such removal, which shall be paid by the owners of said streets. Failure by the owner to promptly pay the charges shall result in certification of such charges to the Hamilton County Auditor to be included on the owner's tax bill and collected as a lie on the property.
5. The emergency declared herein shall expire one-month after the date hereof pursuant to O.R.C. Section 505.82.

Adopted the 11th day of December 2001.

Attest:

Stacy M. Orr
Township Clerk.

[Signature]
[Signature]
[Signature]
Township Trustees

ATTACHMENT "A"
SUBDIVISIONS AND STREETS
FOR EMERGENCY SNOW REMOVAL RESOLUTION
December 11, 2001

<u>SUBDIVISION</u>	<u>STREETS</u>
1) Kittywood Addition	Kittywood Drive
2) Joshua's Run	Darbi Dew Lane

RESOLUTION AUTHORIZING CONTRACT CONTINUING EMPLOYMENT
OF TOWNSHIP ADMINISTRATOR

RESOLUTION No. 55-01

Hamilton

Colerain County, Ohio

Be It Resolved by the Township Trustees of Township,
that

WHEREAS, David L. Foglesong has been serving as Township Administrator since April 10, 1990, the date of his initial hire by the Board of Trustees; and

WHEREAS, the since Mr. Foglesong's date of initial hire, the Board has, by its resolutions, approved annual compensation rates, and by an initial Employment Agreement executed on or about April 10, 1990, established other terms and conditions of employment; and

WHEREAS, the Board is satisfied with the services rendered to the Township by Mr. Foglesong, and Mr. Foglesong and the Board desire that the terms and conditions of Mr. Foglesong's employment again be confirmed by agreement.

NOW, THEREFORE, be it RESOLVED by the BOARD OF TRUSTEES OF COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO, THAT:

1. The Board hereby establishes Mr. Foglesong's annual rate of compensation at \$ 98,404.80 per annum, with an effective date of October 1, 2001.
2. The Board hereby authorizes an employment contract with Mr. Foglesong upon mutually agreeable terms and conditions permitted by law and not inconsistent with this Resolution.

Adopted the 11TH day of DECEMBER, 2001 19

Attest:

Township Clerk.

Township Trustees

RESOLUTION AUTHORIZING CONTRACT CONTINUING EMPLOYMENT OF
ASSISTANT TOWNSHIP ADMINISTRATOR/ECON. DEVELOPMENT DIRECTOR

RESOLUTION No. 56-01

Hamilton

County, Ohio

Be It Resolved by the Township Trustees of Colerain Township, that

WHEREAS, Frank A. Birkenhauer has been serving as Assistant Township Administrator/Economic Development Director since August 7, 1995, the date of his initial hire by the Board of Trustees; and

WHEREAS, the since Mr. Birkenhauer's date of initial hire, the Board has, by its resolutions, approved annual compensation rates, and other benefits; and

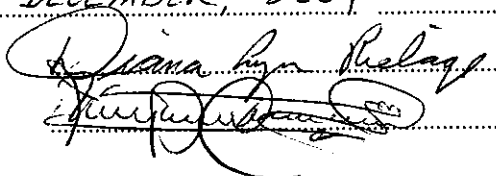
WHEREAS, the Board is satisfied with the services rendered to the Township by Mr. Birkenhauer, and Mr. Birkenhauer and the Board desire that the terms and conditions of Mr. Birkenhauer's employment be confirmed by agreement.

NOW, THEREFORE, be it RESOLVED by the BOARD OF TRUSTEES OF COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO, THAT:

1. The Board hereby establishes Mr. Birkenhauer's annual rate of compensation at \$70,000.00 per annum, with an effective date of December 1, 2001.
2. The Board hereby authorizes an employment contract with Mr. Birkenhauer upon mutually agreeable terms and conditions permitted by law and not inconsistent with this Resolution.

Adopted the 11th day of DECEMBER, 2001

Attest: _____
Township Clerk



Township Trustees

RESOLUTION # 57-01

Case No. ZA2001-07
Civic Center Drive Day Care Center
Approval of Application for Zone Change from a
"B-2" Single-Family Residential District to an "E" Retail Business District

WHEREAS, The Hamilton County Board of Commissioners, Applicant, filed Case No. Colerain ZA2001-07, an application for a Zone Amendment from a "B-2" Single-Family Residential District to an "E" Retail Business District, for the a parcel of land on Civic Center Drive, between Pippin Road and Hamilton Avenue (Book 510, Page 31, Parcel 1), said site containing 2.41 gross acres, and owned by The Hamilton County Board of Commissioners; and

WHEREAS, the Hamilton County Regional Planning Commission held a public hearing on November 1, 2001 and recommended approval of the proposed amendment; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on November 20, 2001 and recommended approval of the proposed amendment; and

WHEREAS, on December 11, 2001 the Board of Trustees held a public hearing on said amendment and reviewed all pertinent documents and received comments from the developer,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation by the Colerain Township Zoning Commission that the application for zone amendment be approved, and the Board of Trustees approves the said amendment, with the stipulations contained in this Resolution, for the reason that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

BE IT FURTHER RESOLVED that the plan be subject to the regulations and declarations of Article 14 ("E" Retail Business District Regulations) and other applicable sections of the Colerain Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, streetscape, landscaping, buffering and screening, signage, lighting, and parking lot standards.

1. Construction Permits

- 1.1 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Inspector upon receipt of the required detailed site plan, landscaping and lighting plans, and construction documents.

2. Maintenance of Improvements

- 2.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

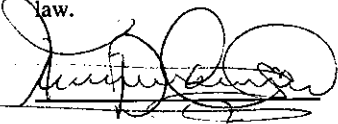
3.0 Condition of Approval:


- 3.1 The approval of the zone change herein is conditioned upon the recording of the deed covenants restricting the use of the subject property for day-care uses as presented in the application.

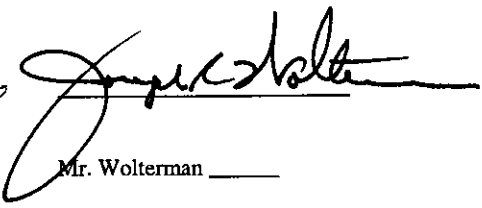
BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the County Engineer Permit Department, and the Metropolitan Sewer District.

CERTIFICATE OF ADOPTION

This resolution was adopted at a special meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 14th day of December, 2001 and shall become effective at the earliest time permitted by law.


Mr. Corman _____

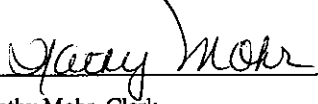

Mrs. Rielage _____


Mr. Wolterman _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 14th day of December, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 14th day of December, 2001.

A handwritten signature in cursive script, appearing to read "Kathy Mohr", is written over a horizontal line.

Kathy Mohr, Clerk

Board of Township Trustees

Colerain Township, Ohio

37-166-B#5

37-166-C#5

TRANSFER NOT NECESSARY

CB

02 AUG -1 PM 1:47

RESOLUTION # 58-01

DUSTY RHODES

DUSTY RHODES
AUDITOR

HAMILTON COUNTY OHIO

Case No. ZA-2001-08

Jeff Wyler Honda Parking Lot

Approval of Application for Zone Change from a

"B-2" Single-Family Residential District to an "E-E" Planned Retail Business District

Rebecca Prentiss
Hamilton County Recorders Office
Doc #: 02-0153256 Type: AZR
Filed: 08/01/02 02:09:48 PM \$22.00
Off. Rec.: 08984 03572 F 4 727

All PB 365 P443

WHEREAS, Jeff Wyler Colerain, Inc., Applicant, filed Case No. Colerain ZA2001-08, an application for a Zone Amendment from a "B-2" Single-Family Residence District to an "E-E" Planned Retail Business District, for a one-acre portion of a parcel on Colerain Avenue, south of Sunnyside Drive (Book 510, Page 93, Parcel 14), said site containing 1.0634 gross acres, and owned by The Loyal Order of Moose; and

WHEREAS, the Hamilton County Regional Planning Commission held a public hearing on November 1, 2001 and recommended approval of the proposed amendment; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on November 20, 2001 and recommended approval of the proposed amendment; and

WHEREAS, on December 11, 2001 the Board of Trustees held a public hearing on said amendment and reviewed all pertinent documents and received public comment,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation by the Colerain Township Zoning Commission that the application for zone amendment be accepted, and the Board of Trustees approves the said amendment, with the modifications contained in this Resolution, for the reason that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

BE IT FURTHER RESOLVED that the plan be subject to the regulations and declarations of Article 21 ("E-E" Planed Retail Business District) and other applicable sections of the Colerain Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, streetscape, landscaping, buffering and screening, signage, lighting, and parking lot standards, and subject further to the following covenants:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.
- 1.2 No Final Development Plan shall be approved by the Colerain Township Zoning

Commission before:

- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
- B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
- E. the Final Development Plan complies with the following additional requirements or standards and the following variances from the Colerain Township Zoning Resolution:

Conditions:

- 1. That a detailed landscaping plan be submitted for the property, and that the landscape plan include buffers along the northern property line that will achieve 73 percent opacity within two years,
- 2. That no off-premise signage be allowed on the property,
- 3. That the Final Development Plan shall comply in all other respects with the regulations of the Zoning Resolution,
- 4. That unloading of inventory including vehicles be done on the project site only.

Variances:

- 1. That a variance be granted from Table 28, such that two of the parking aisles be 22 feet in width where 24 feet is required,
 - 2. That a variance be granted from Sec. 28.6.1 for nine parking spaces at the western section of the parcel, such that access to a parking aisle shall not be required for those nine spaces.
- F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions shall be noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

- 2.1 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Inspector upon receipt of the required detailed site plan and construction documents.

3. Final Compliance Documents

- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and
 - B. a summary report from the applicant's registered engineer or surveyor as required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,
 - C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely implemented,
 - D. a summary report from the Colerain Township Fire Prevention Officer, certifying that the approved plan and specifications for fire prevention have been completely implemented, and
 - E. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.

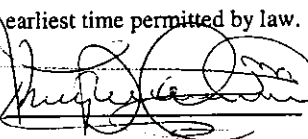
4. Maintenance of Improvements

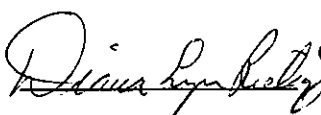
- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

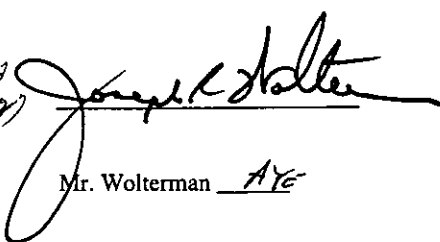
BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the County Engineer Permit Department, and the Metropolitan Sewer District.

CERTIFICATE OF ADOPTION

This resolution was adopted at a special scheduled meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 14th day of December, 2001 and shall become effective at the earliest time permitted by law.


Mr. Corman AYE


Mrs. Rielage AYE


Mr. Wolterman AYE

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 14th day of December, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 14th day of December, 2001.


Kathy Mohr, Clerk

11/16/01 11:07

Case No. ZA-2001-09

Target Stores

Approval of Application for Zone Change from a
"B-2" Single-Family Residential District, "E" Retail Business District and an "E-E" Planned
Retail District to an "E-E" Planned Retail Business District

WHEREAS, Target Stores, Inc., Applicant, filed Case No. Colerain ZA2001-09, an application for a Zone Amendment from a "B-2" Single-Family Residence District, "E" Retail Business District, and "E-E" Planned Retail District to an "E-E" Planned Retail District, for the parcels on the east side of Colerain Avenue, between Compton and Poole Roads (Book 510, Page 93, Parcels 7, 8, and 10, and Page 104, Parcels 96-100, 108-111 and 191), said site containing 16.06 gross acres, and owned by Charles Wood, Jerry & Nancy Wood, Paul Pitzer, Christ Lutheran Church of Groesbeck, C.W. Wood Mfg., Inc., Joseph & Stanford Stillpass-Trustees, Kenneth & Jane Hebel and David & Thomas Schon.

WHEREAS, the Hamilton County Regional Planning Commission held a public hearing on November 1, 2001 and recommended denial of the proposed amendment; and

WHEREAS, the Colerain Township Zoning Commission held a public hearing on November 20, 2001 and recommended approval of the proposed amendment; and

WHEREAS, on December 11, 2001 the Board of Trustees held a public hearing on said amendment and reviewed all pertinent documents and received public comment; and

WHEREAS, in the said public hearing, on December 11, 2001, James Hargreaves appeared personally and through his attorney, Robert E. Manley, and objected to the proposed Amendment and the proceedings thereon; and

WHEREAS, Mr. Manley and Mr. Hargreaves' objections included the statement that Mr. Hargreaves' property (Hamilton County Auditor Parcel No. 510-93-0009) was included by the Applicant in the Application for Zone Change without his consent; and

WHEREAS, after considering the statements of the Zoning Administrator made in said public hearing, the Board is satisfied that the Applicant corrected the Application by removing the Hargreaves' parcel from the Application by letter received by the Administrator prior to the start of the hearing on the Application before the Zoning Commission, the Board finds that the no rights of any interested party were prejudiced by the error.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees approves the recommendation by the Colerain Township Zoning Commission that the application for zone amendment be approved, and the Board of Trustees does hereby approve the said amendment, with the modifications contained in this

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FILED: 08/20/2002 11:12:32 AM
Off. Rec.: 9003 2552 F
REBECCA PREM BRIDGEMAN
HAMILTON COUNTY RECORDER
\$ 26.00
5 462

pl BK 369
pages 83 thru 84

Resolution, for the reason that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

BE IT FURTHER RESOLVED that the plan be subject to the regulations and declarations of Article 21 ("E-E"Planned Retail Business District) and other applicable sections of the Colerain Township Zoning Resolution, including but not necessarily limited to area regulations, building setbacks, streetscape, landscaping, buffering and screening, signage, lighting, and parking lot standards, and subject further to the following covenants:

1. Final Development Plan

1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution amending the zone map are to be considered complimentary and what is required by any one shall be as binding as if required by all.

1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:

- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted,
- B. all other "Requirements For Submission" of Final Development Plans have been satisfactorily met,
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents,
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies,
- E. the Final Development Plan complies with the following additional requirements or standards:

- 1. That all parcels listed in this resolution and included in this request be consolidated prior to the release of any Zoning permits,
- 2. That plans indicating signage shall be submitted as part of the Final Development Plan review and approval process,
- 3. That one pole sign be erected at the intersection of Colerain Avenue and Poole Road, that two ground signs be erected at the remaining two frontages, and that directional signs be erected as permitted by the Zoning Resolution,

9003 2553

4. That no off-premise signage be allowed on the property,
5. That a landscaped buffer with a width of at least 20 feet from the property line that abuts single-family residential districts to the north be maintained,
6. That a clearing limits plan be submitted that preserves the old-growth trees as shown on the plan, including a restoration plan if clearing limits are exceeded,
7. That a variance be granted from Table 28 and that no fewer than 603 parking spaces be allowed on the property,
8. The Final Development Plan shall comply in all other respects with the regulations of the Zoning Resolution,
9. That outdoor seasonal storage be prohibited on the site.

F. the methodology and criteria for effectuating and evaluating compliance with performance related covenants and conditions shall be noted on the Final Development Plan and accepted by the Township Zoning Administrator.

2. Construction Permits

- 2.1 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Inspector upon receipt of the required detailed site plan and construction documents.

3. Final Compliance Documents

- 3.1 No Final Zoning Inspection Certificate shall be issued by the Colerain Township Zoning Inspector before the development complies with all requirements in this Resolution, and the following documents are received and accepted by the Colerain Township Zoning Inspector:
- A. a summary report from the Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and
 - B. a summary report from the applicant's registered engineer or surveyor as

required by and addressed to the Director of Hamilton County Public Works certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; The Director of the Hamilton County Public Works shall inform the Colerain Township Zoning Inspector when such letter is received and accepted,

- C. a summary report from Metropolitan Sewer District, County Board of Health or the Ohio Environmental Protection Agency certifying that the approved plan and specifications for sanitary sewer and waste treatment have been completely implemented,
- D. a summary report from the Colerain Township Fire Prevention Officer, certifying that the approved plan and specifications for fire prevention have been completely implemented, and
- E. a summary report from the applicant's registered engineer or surveyor or attorney certifying that required easements for access, utilities or other purpose have been recorded in the Office of the Hamilton County Recorder.
- F. evidence that the Poole Road extension has been established and dedicated as a public road.

4. Maintenance of Improvements

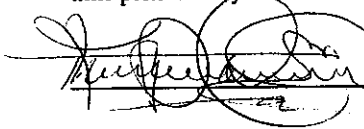
- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Clerk of Colerain Township to the Applicant and his Agent for this Amendment, to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the County Engineer Permit Department, and the Metropolitan Sewer District.

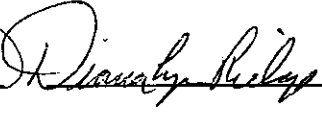
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CERTIFICATE OF ADOPTION

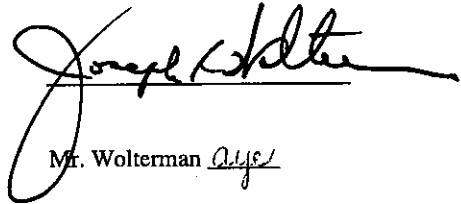
This resolution was adopted at a special meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 14th day of December, 2001 and shall become effective at the earliest time permitted by law.



Mr. Corman ajc



Mrs. Rielage ajc

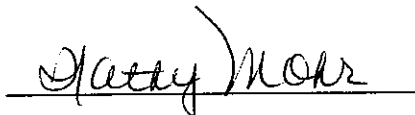


Mr. Wolterman ajc

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 14th day of December, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 14th day of December, 2001.



Kathy Mohr, Clerk

Board of Township Trustees

Colerain Township, Ohio

9003⁵ 2556

RESOLUTION No.60-01.....

Hamilton

County, Ohio

Be it Resolved by the Township Trustees of

Colerain

Township,

that

WHEREAS

Uncontrolled vegetation growth and/or refuse and debris were reported at the properties listed below, and

Book-Page-Parcel Nos.

9071 Coogan Dr.

510-0053-0050

WHEREAS

Notice was served via certified mail to the property owners and/or lien holders, and via publication of notice in the Cincinnati Enquirer when certified mail could not be delivered or was unclaimed to have the nuisance abated; and

WHEREAS

In accordance with Ohio Revised Code Sections 505.86 and 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

BE IT RESOLVED

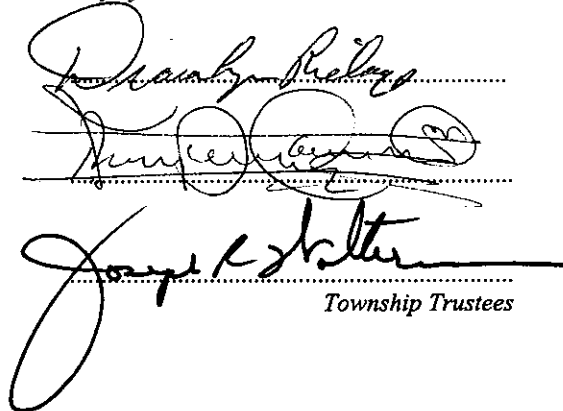
Uncontrolled vegetation growth and/or refuse and debris are a nuisance, within the meaning of Ohio Revised Code Sections 505.86 and 505.87.

That the Colerain Township Board of Trustees hereby orders the nuisances to be abated within seven (7) days, after which the Zoning Inspector shall cause the nuisance to be removed and to cause the Township Clerk to notify the County Commissioners to assess such cost plus administrative services to the property tax bills.

Adopted the14th day ofDecember..... 2001

Attest:


Township Clerk


Township Trustees

The Board of Trustees of the Colerain Township, County of Hamilton, Ohio, met in Special session at 5 p.m., on December 14, 2001, at Colerain Township, 4200 Springdale Road, Cincinnati, Ohio, with the following members present: Keith N. Corman, Diana L. Rielage, and Joseph R. Wolterman.

MR. WOLTERMAN introduced the following resolution and moved its adoption:

RESOLUTION NO. 61-01

A RESOLUTION DECLARING TO BE PUBLIC PURPOSE CERTAIN PUBLIC IMPROVEMENTS WHICH ARE NECESSARY FOR THE FURTHER DEVELOPMENT OF CERTAIN PARCELS WITHIN THE TOWNSHIP, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY AND ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.

WHEREAS, Sections 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 needs of the area, including new development and traffic capacity; and

WHEREAS, as required by Section 5709.73 of the Ohio Revised Code, not less than fourteen days prior to the date hereof the Board caused notice to be given to the Northwest Local School District Board of Education, of this Board's intention to consider this Resolution for adoption exempting from real property taxes for ten (10) years up to 75% of the further improvements on the property described in Exhibit "A" attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Colerain Township, County of Hamilton, State of Ohio:

SECTION 1. That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, traffic control devices 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 detention facilities; the creation or enhancement of buffer areas and open areas necessary for

ensuring the compatibility of adjacent land uses; 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 "Target 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 Colerain Township.

SECTION 2. That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the parcels in the Target TIF Site occurring after the date of this Resolution are exempt from real property taxation commencing on the effective date of this Resolution and ending on the earlier of (1) December 31, 2011 or (2) the date on which the specific public improvements as described in Section 1 above (the "Public Improvements") that will benefit the Target TIF Site are paid in full from the Tax Increment Equivalent Fund, as defined in Section 4 hereof. It is hereby determined that (i) a portion of the Improvements shall be exempt from real property taxation, (ii) such portion shall be 75% of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the Target TIF Site.

SECTION 3. That pursuant to Section 5709.74 of the Ohio Revised Code, the owner or the owners of the Improvements shall be required to make annual service payments in lieu of taxes (the "Service Payments") to the Hamilton County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention and authorizes the Township Trustees or the President of the Board of Township Trustees to enter into such agreements as may be necessary and appropriate to assure the payment of such Service Payments including Service Agreements by and between the Township and owners of property within the Target TIF Site.

SECTION 4. That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Colerain Township Public Improvement Tax Increment Equivalent Fund (the "Tax Increment Equivalent Fund"), into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvements or to make payments to the Northwest Local School District, if required.

SECTION 5. That the Clerk is hereby directed to forward a copy of this Resolution to the County Auditor of Hamilton County.

SECTION 6. 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 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.

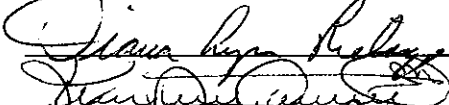
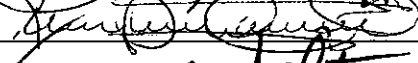
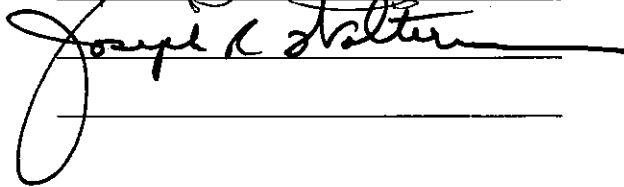
SECTION 7. That this Resolution shall be effective at the earliest date allowed by law.

MR. CORMAN seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

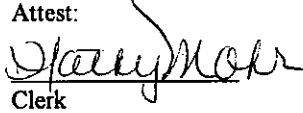
ADOPTED this 14th day of December, 2001.

Vote Record: MR. CORMAN AYE, MRS. RIGLAGE AYE, MR. WOLTERMAN, AYE

BOARD OF TRUSTEES:

Attest:


Clerk

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Clerk, this 14~~th~~ day of Dec., 2001.

Mary Mah
Colerain Township Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Board of Township Trustees of Colerain Township, Hamilton County, Ohio, and was certified to the County Auditor of Hamilton County, and the Northwest Local School District.

Mary Mah
Clerk

Dated: 12/14/01

RECEIPT

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

Dave Reed
Hamilton County Auditor

Dated: 1/4/02

RESOLUTION ESTABLISHING TRUSTEES' AND CLERK'S COMPENSATION

RESOLUTION No. 62-01

Hamilton

County, Ohio

Colerain

Be It Resolved by the Township Trustees of..... Township, that

WHEREAS, the Ohio General Assembly, by House Bill 94, amended Ohio Revised Code Section 505.24 and Section 507.09, both effective September 5, 2001, to change the rates and methods by which the maximum permissible compensation of a Township Trustee and Township Clerk, respectively, are calculated; and

WHEREAS, the Ohio Attorney General, in Opinion 2000-043, dated December 29, 2000, has opined that Township Boards of Trustees may adopt a "generalized" compensation resolution, which does not contain a specified dollar amount, to approve and establish the amounts set out in O.R.C. Sections 505.24 and 507.09 as the annual compensation to be paid to a Township Trustee and Township Clerk, respectively, without violation of Article II section 20 of the Ohio Constitution; and

WHEREAS, the practice of the Board of Trustees for years has been to adopt by reference the compensation schedules created by the General Assembly in O.R.C. Sections 505.24 and 507.09 as the annual compensation for each Township Trustee and the Township Clerk, and the Board of Trustees, now desires to continue that practice in strict conformity with the Ohio Attorney General Opinion 2000-043.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that:

1. The Board hereby adopts and establishes as the compensation for each member of the Board of Trustees the maximum compensation set out in, and permitted by O.R.C. Section 505.24, and as the same may be amended from time to time, or in such other statutes by which the Legislature may establish the maximum amount of compensation for a township trustee.
2. The Board hereby adopts and establishes as the compensation for the Township Clerk the maximum compensation set out in, and permitted by O.R.C. Section 507.09, and as the same may be amended from time to time, or in such other statutes by which the Legislature may establish the maximum amount of compensation for a township clerk.
3. The Board hereby makes available to each Trustee and the Township Clerk the same health and dental insurance benefits and coverages, and life insurance benefits which are available to all full time township employees, upon the same terms and conditions as such coverages are available to all full time township employees.
4. The Board hereby adopts the annual salary method of compensation pursuant to O.R.C. Section 505.24 (C), to be paid in equal monthly payments.

Adopted the 27TH day of DECEMBER, 2001 IN SPECIAL SESSION.

Attest:

Patricia Mohr
Township Clerk

Diana Lynn Belsky
.....
.....
.....

Township Trustees