

The Board of Trustees of the Colerain Township, County of Hamilton, Ohio, met in regular session at 6 p.m., on November 18, 2008, at Colerain Township, 4200 Springdale Road, Colerain Township, Ohio, with the following members present:

Bernard A. Fiedeldey, Jr., Jeffrey F. Ritter, and Joseph R. Wolterman

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

**RESOLUTION NO. 78-08**

**A RESOLUTION DECLARING TO BE PUBLIC PURPOSE CERTAIN PUBLIC IMPROVEMENTS WHICH ARE NECESSARY FOR THE FURTHER DEVELOPMENT OF CERTAIN PARCELS OF REAL PROPERTY WITHIN THE TOWNSHIP, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, AUTHORIZING SUCH 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, along with Section 705.10 of Am. Sub. H. B. 562 of the 127<sup>th</sup> General Assembly, in connection with certain improvements in the Township in order to meet the needs of the area, including new development, landscaping upgrades, and traffic capacity; and

WHEREAS, as required by Sections 5709.73 and 5709.83 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 and the Butler Technology & Career Development 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, pursuant to Section 5709.73(B) of the Ohio Revised Code, 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; the installation of landscaping, retaining walls, and public amenities; demolition of existing buildings; the acquisition and construction of parking facilities; and the purchase of

property rights of way and easements or other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described in Exhibit "A" attached to this Resolution (such parcels are hereinafter collectively referred to as the "Northgate TIF Site"), which parcels are located in an unincorporated area of the Township, and for the creation of jobs, increasing property values and the provision of adequate public services in Colerain Township.

**SECTION 2.** That, pursuant to Section 5709.73(B) of the Ohio Revised Code, further improvements to the parcels in the Northgate TIF Site occurring after the date of this Resolution are exempt from real property taxation commencing with tax year 2009 ending on the earlier of (1) December 31, 2018 or (2) the date on which the specific public improvements as described in Section 1 above (the "Public Improvements") that will benefit the Northgate 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 Northgate 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 Northgate 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, Northgate Project (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 as otherwise permitted by Section 5709.75 of the Ohio Revised Code.

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

ADOPTED this 18<sup>th</sup> day of November, 2008 .

Vote Record: Wolterman Aye, Ritter Aye, Fiedelday abstain

BOARD OF TRUSTEES:


Bernard Fiedelday  
W. H. [Signature]  
Walter [Signature]

Attest:

Shirley E. Staulow  
Clerk  
Fiscal Officer

**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Colerain Fiscal Officer, this 18<sup>th</sup> day of November, 2008.



Heather E. Harlow,  
Colerain Township Fiscal Officer

**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.



Heather E. Harlow,  
Colerain Township Fiscal Officer

Dated: 11-18-08

**RECEIPT**

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



Hamilton County Auditor

Dated: NOVEMBER 24, 2008

**RECEIPT**

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

---

President, Northwest Local School District

Dated: \_\_\_\_\_



# Colerain Township

Trustees  
BERNARD A. FIEDELDEY JR.  
JEFFREY F. RITTER  
JOSEPH R. WOLTERMAN  
Fiscal Officer  
HEATHER E. HARLOW  
Administrator  
DAVID L. FOGLESONG

## ADMINISTRATION

4200 Springdale Road • Colerain Township, Ohio 45251-1419  
(513) 385-7500 • FAX (513) 245-6503 • www.coleraintwp.org

Northwest Local School District  
3240 Banning Rd.  
Cincinnati, Ohio 45239  
c/o:

October 31, 2008

### RE: PROPOSED TAX INCREMENT FINANCE EXEMPTION

Dear Honorable Board Members:

This is to give you notice that the Colerain Township Board of Trustees intends to adopt a Resolution to exempt from real property taxes, pursuant to the Tax Increment Finance program (TIF), properties located in Colerain Township, Hamilton County, Ohio as set forth in the attached draft resolution. Please find attached a copy of the draft Resolution and map of the boundaries of the proposed TIF.

The purpose of the Resolution is to declare certain public improvements to be for a public purpose, pursuant to the Ohio Revised Code, Section 5709.73(B). The public improvements are necessary for the further development of the parcels of land identified on the attached map, including the property known as the Northgate Mall. The public improvements will consist of demolition of an existing building; property acquisition; and construction of a Towne Square including streetscape improvements, burying of utilities, landscaping, water features, a clock tower, fresco façade on the retaining wall, installation of pavers, and parking facilities with an estimated construction cost of \$2,500,000.

The improvements to be exempted consist of renovations to the existing Northgate Mall retail development with an estimated value of \$25,000,000.

In addition, the Resolution states that improvements within the proposed TIF shall be exempted from taxation for ten (10) years, up to seventy-five percent (75%).

The Colerain Township Board of Trustees meeting is scheduled for November 18, 2008 at 7 p.m., at the Township offices, 4200 Springdale Rd., Cincinnati, Ohio but may be held at a later date.

Colerain School District

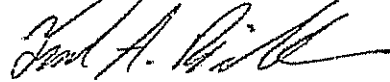
\_\_\_\_\_, 2008

Page Two

If you have any questions prior to the November 18, 2008 meeting, please feel free to contact me at the referenced telephone number.

Sincerely,

**ASSISTANT ADMINISTRATOR**



Frank A. Birkenhauer

EXHIBIT A

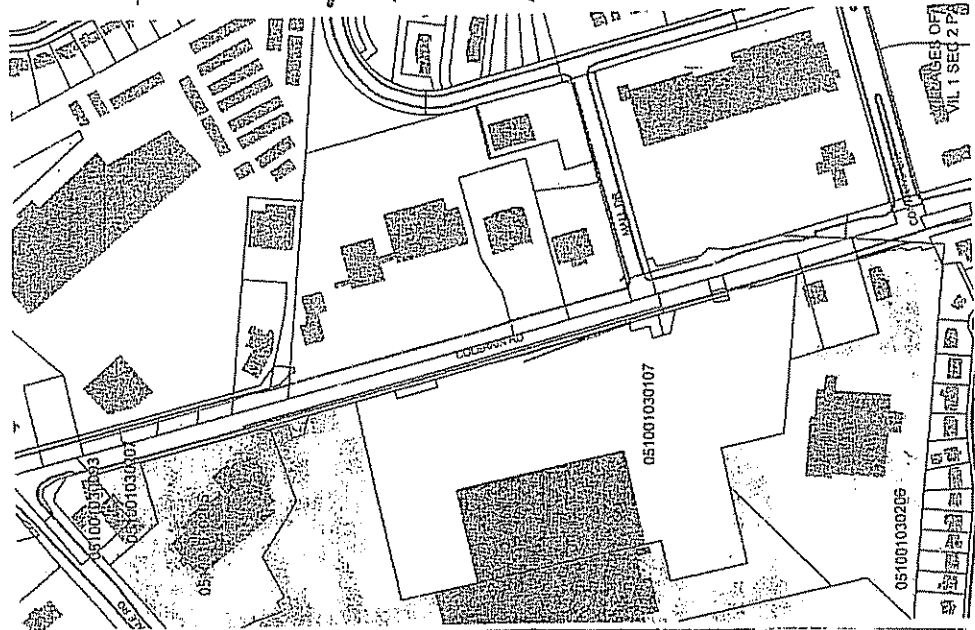
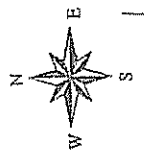
NORTHGATE MALL TIF RESOLUTION *NOVEMBER 18, 2008*

LIST OF PARCELS SUBJECT TO TIF

510-0103-0094-00	9501 COLERAIN AVE
510-0103-0165-00	COLERAIN AVE
510-0103-0205-00	COLERAIN AVE
510-0103-0206-00	COLERAIN AVE
510-0103-0208-00	SPRINGDALE RD
510-0103-0207-00	SPRINGDALE RD



# Exhibit "A"



0.4 Miles

0.2



0.2

0