



**RESOLUTION G2017-51**

**A RESOLUTION LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE TOWNSHIP OF SYMMES, HAMILTON COUNTY, OHIO, IN COOPERATION WITH THE SUBURBAN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY**

**WHEREAS**, this Board of Township Trustees (the “Board of Trustees”) of the Township of Symmes, Hamilton County, Ohio (“Symmes Township”), duly adopted Resolution No. 2017-49 on August 1, 2017 (the “Resolution of Necessity”), and declared the necessity of acquiring, constructing, improving and installing energy efficiency improvements on its real property, including, without limitation, high-efficiency LED lighting, HVAC controls, solar photovoltaic improvements, high-efficiency insulation, and related improvements (the “Project”), as described in the Resolution of Necessity and as set forth in the Petition requesting those improvements; and

**WHEREAS**, this Board of Trustees duly adopted Resolution No. 2017-50 on August 1, 2017 and determined to proceed with the Project and adopted the estimated Special Assessments (as defined in the Resolution of Necessity) filed with the Board of Trustees and the Township Fiscal Officer pursuant to the Resolution of Necessity; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Symmes Township, State of Ohio:

**SECTION 1.** Each capitalized term used in this Resolution where the rules of grammar would otherwise not require and not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

**SECTION 2.** The list of Special Assessments to be levied and assessed on the Property in an amount sufficient to pay the costs of the Project, which is \$1,524,073.29, including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to provide a loan to the District or otherwise to pay costs of the Authorized Improvements in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations

so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, which costs were set forth in the Petition and previously reported to this Board of Trustees and are now on file in the offices of the Board of Trustees and the Township Fiscal Officer, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Property. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by Symmes Township.

The Special Assessments are assessed against the Property commencing in tax year 2017 for collection in 2018 and shall continue through tax year 2033 for collection in 2034. The annual installment of the Special Assessments shall be collected in each calendar year equal to a maximum annual amount of Special Assessments as shown in Exhibit A, attached to and incorporated into this Resolution.

All Special Assessments shall be certified by the Township Fiscal Officer to the Auditor of Hamilton County, Ohio (the "County Auditor"), pursuant to the Petition and Ohio Revised Code Chapter 727.33 to be placed on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

The Special Assessments shall be allocated among the parcels constituting the Property as set forth in the Petition and the List of Special Assessments attached to and incorporated into this Resolution as Exhibit A.

**SECTION 3.**

This Board of Trustees finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

**SECTION 4.**

The Owner has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be certified by the Township Fiscal Officer to the Auditor of Hamilton County, Ohio, as provided by the Petition and Ohio Revised Code Section 727.33 to be placed by him or her on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

**SECTION 5.**

The Special Assessments will be used by Symmes Township to provide the Authorized Improvements in cooperation with the District in any manner, including assigning the Special Assessments actually received by Symmes Township to the District or to another party Symmes Township deems appropriate, and the Special Assessments are appropriated for such purposes.

**SECTION 6.**

The Township Fiscal Officer shall keep the Special Assessments on file in the Office of the Township Fiscal Officer.

**SECTION 7.**

In compliance with Ohio Revised Code Section 319.61, the Township Fiscal Officer is directed to deliver a certified copy of this Resolution to the County Auditor within 20 days after its passage.

**SECTION 8.**

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 of Trustees, and that all deliberations of this Board of Trustees that resulted in such formal action were in meetings open to the public in compliance with the law.

**SECTION 9.**

The Board of Trustees upon at least a majority vote do hereby dispense with any requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

**SECTION 10.**

This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of Symmes Township and for the further reason that this Resolution is required to be immediately effective in order to allow the District to take advantage of financing available to it for a limited time. Therefore, this Resolution shall be in full force and effect immediately upon its adoption and certification.

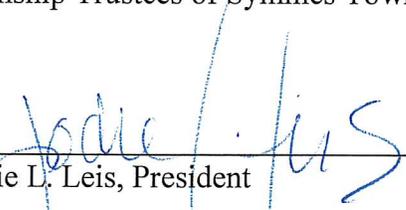
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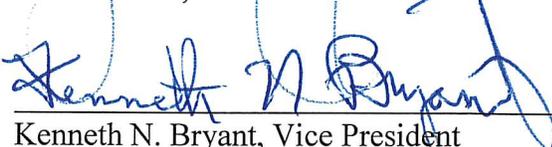
**ADOPTED AUGUST 1, 2017 – RESOLUTION G2017-51**

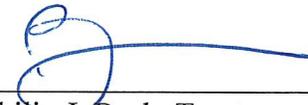
**VOTE RECORD:**

Ms. Leis Aye      Mr. Bryant Aye      Mr. Beck Aye

Passed at a meeting of the Board of Township Trustees of Symmes Township this 1st day of August, 2017.

  
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Jodie L. Leis, President

  
\_\_\_\_\_  
Kenneth N. Bryant, Vice President

  
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Philip J. Beck, Trustee

**AUTHENTICATION**

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Symmes Township this 1st day of August, 2017.

  
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Carol A. Sims, Fiscal Officer  
Symmes Township, Ohio

**APPROVED AS TO FORM:**

  
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Kevin McDonough, Law Director