



RESOLUTION G2017-48

**APPROVING A PETITION FOR SPECIAL ASSESSMENTS
FOR SPECIAL ENERGY IMPROVEMENT PROJECTS
AND A PLAN FOR PUBLIC IMPROVEMENTS, AND
DECLARING AN EMERGENCY**

WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (“ESIDs”) upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and

WHEREAS, Corporex Realty Acquisitions LLC (the “Owner”), as the owner of certain real property located within the Township of Symmes, Hamilton County, Ohio (the “Township”), has identified certain real property located at 11820 Snider Road, Cincinnati, Ohio (the “Project Site”), as an appropriate property for special energy improvement projects pursuant to Ohio Revised Code Chapter 1710; and

WHEREAS, the Suburban Communities Energy Special Improvement District (the “District”) was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 2017-18 of the Board of Township Trustees of Sycamore Township, Hamilton County, Ohio (the “Sycamore Township Trustees”) approved on March 2, 2017 (the “Creation Resolution”); and

WHEREAS, by the Creation Resolution and under Ohio Revised Code Section 1710.02, articles of incorporation (the “Articles of Incorporation”) for a nonprofit corporation, the board of directors of which governs the District, were approved and filed with the Ohio Secretary of State; and

WHEREAS, by Resolution No. 2017-24 of the Sycamore Township Trustees and under Ohio Revised Code Section 1710.06, the District’s Suburban Communities Energy Special Improvement District Project Plan (as duly amended and supplemented from time to time, the “Plan”) was approved as a plan for public improvements and public services for the District; and

WHEREAS, as permitted under Ohio Revised Code Section 1710.02, the Plan and the Articles of Incorporation allow for the addition of real property within any “participating political subdivision” of the District or within any municipal corporation or township which is adjacent to any participating political subdivision of the District to the territory of the District by the approval of the municipal corporation or township in which that real property is located; and

WHEREAS, the Owner has determined to submit to the Board of Township Trustees of the Township (the "Board of Trustees") a Petition for Special Assessments for Special Energy Improvement Projects (the "Petition"), together with a Suburban Communities Energy Special Improvement District Project Plan Supplement to Plan for 11820 Snider Road, Cincinnati, Ohio Project (the "Supplemental Plan"), all in accordance with Ohio Revised Code Section 1710.02, each of which are now on file with the Board of Trustees and the Fiscal Officer of the Township; and

WHEREAS, the Petition and the Supplemental Plan request that the Project Site be added to the District and that the Township levy special assessments on the Project Site to pay the costs of special energy improvement projects to be provided on the Project Site, all as described more particularly in the Petition and the Supplemental Plan (the "Project"); and

WHEREAS, the Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 20 of Article VIII of the Ohio Constitution, including, without limitation, the Project, and further, the Petition identifies the amount and length of the special assessments to be imposed with respect to the Project; and

WHEREAS, this Board of Trustees, as mandated by Ohio Revised Code Section 1710.02, must approve or disapprove the Petition within 60 days of the submission of the Petition; and

WHEREAS, this Board of Trustees has determined to approve the Petition, together with the Supplemental Plan; and

WHEREAS, it is necessary for the immediate preservation of public peace, property, health and safety that this Resolution take effect at the earliest possible date in order to allow the Owner to begin work on the special energy improvement project on the Property and the District to take advantage of financing available to it for a limited time.

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

SECTION 1. This Board of Trustees approves the Petition and the Supplemental Plan now on file with the Board of Trustees and the Fiscal Officer. Under the Creation Resolution, Plan, and the Articles of Incorporation, the Project Site is added to the territory of the District.

SECTION 2. This Board of Trustees approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township which is contiguous to the municipal corporations or townships in which a portion of the territory the District is located; (ii) the addition of the municipal corporation or township in which such real property is located as a "participating political subdivision," as defined in Ohio Revised Code Section 1710.01(E), of the

District; and (iii) any amendment to the Articles of Incorporation necessary to recognize and effect such addition.

SECTION 3.

This Board of Trustees finds and determines that all formal actions of this Board of Trustees concerning and relating to the passage of this legislative resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

SECTION 4.

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 5.

For the reasons stated in the preambles to this Resolution, this Resolution is declared to be an emergency measure and shall take effect immediately upon its adoption.

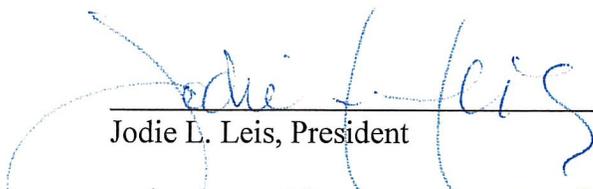
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ADOPTED AUGUST 1, 2017 – RESOLUTION G2017-48

VOTE RECORD:

Ms. Leis ay Mr. Bryant AYE Mr. Beck AYE

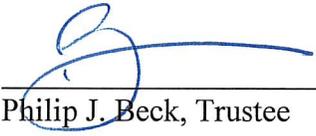
Passed at a meeting of the Board of Township Trustees of Symmes Township this 1st day of August, 2017.



Jodie L. Leis, President



Kenneth N. Bryant, Vice President



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.



Carol A. Sims, Fiscal Officer
Symmes Township, Ohio

APPROVED AS TO FORM:



Kevin McDonough, Law Director