



RESOLUTION G2014-27

**RESOLUTION AUTHORIZING EXECUTION OF EASEMENTS
AND RELATED AGREEMENTS WITH “HORTER INVESTMENT
MANAGEMENT, LLC ”**

WHEREAS, Horter Investment Management, LLC is the owner of property located at 11800 Mason Road (the west corner of the intersection of Montgomery and Mason Montgomery Roads), upon which a substantial economic development project is taking place in the form of a new headquarters office building; and

WHEREAS, to develop the property certain sanitary, storm water and construction easements are necessary and reasonable, and would in part improve storm water flow over the adjacent Seven Gables Park Property which lies downstream; and

WHEREAS, Symmes Township has undertaken an analysis to determine the fair value of the proposed easements.

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

Section 1. The Township Administrator is authorized to execute and grant storm water and sanitary easements on behalf of Symmes Township to Horter Investment Management, LLC (or affiliated company) consistent with the site plan contained in Exhibit “A” hereto, provided that no easements shall be granted absent the simultaneous payment to Symmes Township in the amount of four-thousand, two-hundred (\$4,200.00) dollars in consideration of said easements.

Section 2. The Township Administrator is further authorized to grant construction easements to allow for the installation of the storm water and sanitary structures within said easement areas in Section 1, above.

Section 3. The Township Administrator is further authorized to grant certain construction easements to Horter Investment Management, LLC (or affiliated company) to allow for the clearing of underbrush along the common property line with Seven Gables Park, including partially within the boundaries of Seven Gables Park, provided that a suitable replacement landscaping plan has been submitted to and approved by the Administrator and Zoning Inspector as necessary.

Section 4. Easements granted shall be conditioned upon the installation and upkeep in

good condition of the landscaping referenced in Section 3, above, which landscaping shall be installed and maintained on the Horter Investment Management, LLC property.

Section 5. Prior to the execution of the easements referenced in Sections 1-3 above, they shall first be reviewed and approved by the Township Law Director.

Section 6. Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

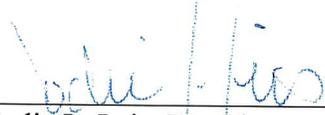
Section 7. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

Section 8. Finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without limitation) Ohio Revised Code §121.22, except as otherwise permitted thereby.

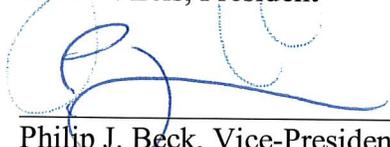
ADOPTED DECEMBER 9, 2014

Vote Record: Mrs. Leis ayf Mr. Beck AYE Mr. Bryant Aye

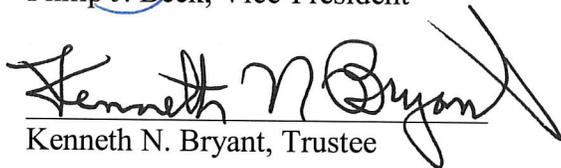
BOARD OF TRUSTEES:



Jodie L. Leis, President



Philip J. Beck, Vice-President



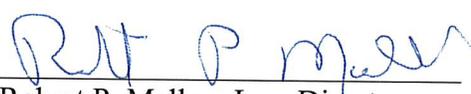
Kenneth N. Bryant, Trustee

ATTEST:



Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:



Robert P. Malloy, Law Director