

First Reading: October 1, 2009  
Second Reading: Dispensed

**RESOLUTION NO. 2009 - 120**

**A RESOLUTION DETERMINING TO ADJUST SPECIAL ASSESSMENTS LEVIED  
FOR THE PURPOSE OF CONSTRUCTING CERTAIN IMPROVEMENTS,  
DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to a Petition filed by the owners of benefitted properties dated December 13, 2009 (the "Petition"), this Board of Township Trustees ("Board") of Sycamore Township, Hamilton County, Ohio (the "Township") by Resolution No. 2007-101 adopted December 14, 2007, has declared the necessity of acquiring and constructing the improvements described in such Resolution and has adopted the assessments with respect to such improvements prepared and filed with the Fiscal Officer of the Township by Resolution No. 2007-14 adopted on December 18, 2007, determining to proceed with said improvement; and

**WHEREAS**, in accordance with the petition, the improvements identified in such Resolutions (hereinafter called the "Improvements") were acquired and constructed on behalf of the Township; and

**WHEREAS**, this Board by Resolution No. 2007-104 adopted December 18, 2007, levied special assessments for the Improvements against benefitted properties in the Township and certified said assessments to the Hamilton County Auditor; and

**WHEREAS**, pursuant to the Petition, the assessments to be certified for collection in each year are to be adjusted in accordance with the Tax Increment Service Agreement (the "Service Agreement") entered into by and among the Township, and Kenwood High Development, LLC dated June 26, 2007; and

**WHEREAS**, the Service Agreement requires the Township to estimate and collect special assessments to be certified for collection with the Hamilton County Auditor; and

**WHEREAS**, the Township has determined the amount of special assessments that are assessed and levied against the benefitted properties as set forth in the Petition; and

**WHEREAS**, this Board determines that the assessments previously levied shall be adjusted for collection year 2009 and subsequent years in accordance with the Township schedule of debt service to be paid on the bonds issued for the construction of the Improvements.

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

**SECTION 1.** The assessments of the costs and expense of the Improvements plus

administrative expenses, which were previously certified by this Board to the Hamilton County Auditor's Office in the amounts set forth in the previous Resolution shall be adjusted and shall be levied and collected for collection year 2009 and all subsequent years for Hamilton County Auditor's Parcel Number 600-0211-0617-00 in the amounts set forth on Exhibit A attached hereto.

**SECTION 2.**

The Fiscal Officer of the Township is hereby directed to deliver a certified copy of this Resolution to the Hamilton County Auditor within twenty (20) days of its adoption.

**SECTION 3.**

It is hereby 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 have resulted in such formal action, or in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 4.**

By unanimous vote of the Board, any requirement that this Resolution be read on two separate days is hereby waived.

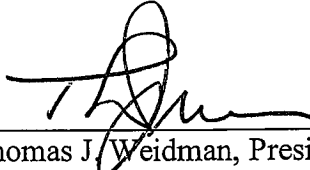
**SECTION 5.**

This Resolution is hereby declared to be an emergency measure necessary for immediate preservation of the public peace, health, safety and welfare of Sycamore Township. The reason for the emergency is that the immediate adoption of this Resolution is necessary for the orderly certification of the assessments.

**VOTE RECORD:**

Mr. Bishop YES Mr. Kent YES Mr. Weidman YES

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 1<sup>st</sup> day of October, 2009.

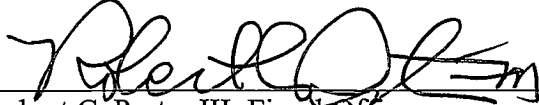
  
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Thomas J. Weidman, President

  
\_\_\_\_\_  
Cliff W. Bishop, Vice President

  
\_\_\_\_\_  
Richard C. Kent, Trustee


**AUTHENTICATION**

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 1<sup>st</sup> day of October, 2009.



Robert C. Porter III, Fiscal Officer  
Sycamore Township, Ohio

**APPROVED AS TO FORM:**

  
R. Douglas Miller, Law Director

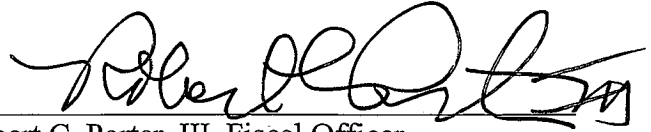
## EXHIBIT A

The following table presents the assessments for each year to be collected in thirty (30) annual payments each year. The assessments shall be levied against Hamilton County Auditor's Parcel Number 600-0211-0617-00:

<u>Tax Year</u>	<u>Collection Year</u>	<u>Total</u>
2009	2010	470,287.50
2010	2011	470,087.50
2011	2012	469,687.50
2012	2013	469,087.50
2013	2014	468,287.50
2014	2015	472,287.50
2015	2016	470,487.50
2016	2017	468,475.00
2017	2018	471,250.00
2018	2019	472,250.00
2019	2020	472,750.00
2020	2021	472,750.00
2021	2022	472,250.00
2022	2023	471,250.00
2023	2024	469,750.00
2024	2025	472,750.00
2025	2026	470,000.00
2026	2027	471,750.00
2027	2028	467,750.00
2028	2029	468,975.00
2029	2030	469,487.50
2030	2031	469,287.50
2031	2032	468,375.00
2032	2033	471,750.00
2033	2034	468,250.00
2034	2035	469,000.00
2035	2036	468,750.00
2036	2037	<u>472,500.00</u>
<b>TOTAL</b>		<b>\$13,169,562.50</b>

**PROOF OF PUBLICATION**

I hereby certify that I have published this Resolution on October 5, 2009 by posting in the five most public places as established by the Board of Township Trustees such places being the Township Hall, Bob Meyer Park, Bechtold Park, North Sycamore Recreational Facility, and the North Fire Station, Station 93.



Robert C. Porter, III, Fiscal Officer,  
Sycamore Township