

RESOLUTION NO. 2022- 027

**A RESOLUTION DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE TOWNSHIP OF SYCAMORE, HAMILTON COUNTY, OHIO, IN COOPERATION WITH THE SUBURBAN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Board of Township Trustees (the “Board of Trustees”) of the Township of Sycamore, Hamilton County, Ohio (“Sycamore Township”), duly adopted Resolution No. 2022-026 on April 5, 2022 (the “Resolution of Necessity”), (i) declaring the necessity of acquiring, constructing, and improving energy efficiency improvements, including, without limitation, building envelope improvements, and related improvements (the “Project”, as more fully described in the Petition referenced in this Resolution) located on real property owned by CPX Kenwood, LLC, (the “Owner”) at 7901 Kenwood Road within Sycamore Township (the “Property”, as more fully described in Exhibit A to the Petition); (ii) providing for the acquisition, construction, and improvement of the Project by the Owner, as set forth in the Owner’s *Petition for Special Assessments for Special Energy Improvement Projects* (the “Petition”) and the *Suburban Communities Energy Special Improvement District Program Plan Supplement to Plan for 7901 Kenwood Road Project* (the “Plan”) including by levying and collecting special assessments to be assessed upon the Property (the “Special Assessments”) in an amount sufficient to pay the costs of the Project, which is estimated to be \$8,997,653.10, and which include other related costs of financing the Project, which include, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and Suburban Communities Energy Special Improve District (“District”) administrative fees and expenses; and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by Sycamore Township and the District; and

**WHEREAS**, the claims for damages alleged to result from and objections to the Project have been waived by 100% of the affected property owners and no claims for damages have been filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Sycamore 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 to the County Auditor within 15 days after the date of its passage.

**SECTION 6.**

All contracts for the construction of the Project will be let in the manner provided by law, subject to the provisions of the Ohio Revised Code, the Petition, and the Plan, and the costs of the Project shall be financed as provided in the Resolution of Necessity.

**SECTION 7.**

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 8.**

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 9.**

This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of Sycamore 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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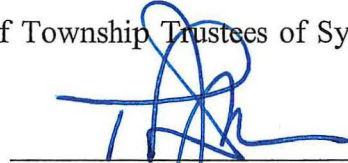
**VOTE RECORD:**


Mr. James Aye


Ms. Schwegmann Aye

Mr. Weidman Aye

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 5<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Thomas J. Weidman, Chairman

  
\_\_\_\_\_  
Tracy Schwegmann, Vice Chairman

  
\_\_\_\_\_  
Thomas C. James, Trustee

**AUTHENTICATION**

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 5<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Robert C. Porter, III  
Fiscal Officer

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Lawrence Barbieri, Interim Law Director

RECEIPT

Received this day a certified copy of the foregoing Resolution.

*Sue Hershe*  
County Auditor, County of Hamilton, Ohio

Dated: 4/12, 2022