

First Reading: December 7, 2017
Second Reading: dispensed

RESOLUTION NO. 2017- 133

A RESOLUTION 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, Keller Road Realty Co., LLC (the “Owner”), as the owner of certain real property located within the Township of Sycamore, Hamilton County, Ohio (“Sycamore Township”), has identified certain real property located at 7450 Keller Road, Cincinnati, Ohio, 45249, within Sycamore Township (the “Project Site”), as an appropriate property for a special energy improvement project 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 (“Board of 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 Board of 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, the Owner has determined to submit to the Board of Trustees (“Board of Trustees”) of Sycamore Township a *Petition for Special Assessments for Special Energy Improvement Projects* (the “Petition”), together with a *Suburban Communities Energy Special Improvement District Plan Supplement to Plan for 7450 Keller Road, Sycamore Township, Ohio Project* (the “Plan”), all in accordance with Ohio Revised Code Section 1710.02, each of which are now on file with the Board and the Fiscal Officer of Sycamore Township; and

WHEREAS, the Petition and the Plan request that Sycamore Township levy special assessments on the Project Site to pay the costs of a special energy improvement project to be provided on the Project Site, all as described more particularly in the Petition and the 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 2o 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 1710.06, 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 Plan.

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

SECTION 1. This Board of Trustees approves the Petition and the Plan now on file with the Board of Trustees.

SECTION 2. 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 3. 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 4. 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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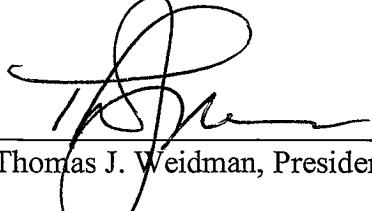
VOTE RECORD:

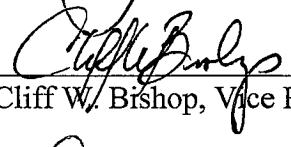
Mr. Bishop Aye

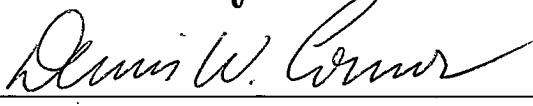
Mr. Connor Aye

Mr. Weidman Aye

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 7th day of December, 2017.


Thomas J. Weidman, President


Cliff W. Bishop, Vice President


Dennis W. Connor, Trustee

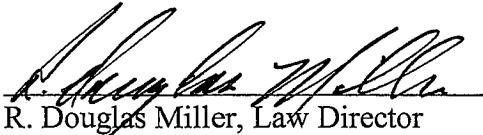
AUTHENTICATION

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 7th day of December, 2017.



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

APPROVED AS TO FORM:


R. Douglas Miller, Law Director