

**SUGARCREEK TOWNSHIP  
GREENE COUNTY, OHIO**

**RESOLUTION NO. 2016.11.02.04**

**DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY  
LOCATED IN SUGARCREEK TOWNSHIP, OHIO TO BE A PUBLIC PURPOSE  
UNDER SECTION 5709.73(B) OF THE OHIO REVISED CODE, EXEMPTING  
SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION,  
ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.**

WHEREAS, Section 5709.73 et seq. of the Ohio Revised Code authorizes townships to participate in a financing technique commonly known as tax increment financing; and

WHEREAS, this Board of Township Trustees (the "Board") of Sugarcreek Township, Greene County, Ohio (the "Township") wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the Township in order to meet the public health, safety, welfare and convenience needs of the area, including new development and traffic capacity; and

WHEREAS, this Board has determined to grant a property tax exemption for the parcels comprising the Sugarcreek Township Brown Road TIF (the "Brown Road TIF"); and

WHEREAS, the boundary of the Brown Road TIF shall be coextensive with the boundary of, and shall include, the parcels of real property specifically identified and depicted in Exhibit A attached hereto (each, individually, a "Parcel" and collectively, the "Parcels"); and

WHEREAS, notice has been given to the Sugarcreek Local School District and the Greene County Career Center of the consideration of a resolution providing for tax increment financing, as required by Section 5709.73 and 5709.83 of the Ohio Revised Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Sugarcreek Township, Greene County, State of Ohio, all members elected thereto concurring:

**SECTION 1.** Pursuant to Section 5709.73(B) of the Ohio Revised Code, this Board hereby creates the "Brown Road TIF", the boundaries of which shall be coextensive with the boundaries of the Parcels and shall include the Parcels as specifically identified and depicted in Exhibit A attached hereto, which Parcels are located in the unincorporated area of the Township.

**SECTION 2.** That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, bike paths, traffic control devices and alterations to existing streets, including but not limited to improving Brown Road; the planning design and construction of public parking facilities; the planning, design and construction of utilities including but not limited to water, sanitary sewers, storm retention/water sewers, detention facilities and telecommunication facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for

ensuring the compatibility of adjacent land uses; community or educational facilities; parkland acquisition and/or improvements; park, recreation, performance, or creative arts improvements and facilities; the creation and/or enhancement of public service facilities; the acquisition of land in aid of industry, commerce, distribution, or research; demolition; environmental remediation; and, the purchase of property rights of way and easements or other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described in Exhibit A attached to this Resolution (such parcels are hereinafter collectively referred to as the "Sugarcreek Township Brown Road TIF"), but excluding any and all residential property located within Exhibit A, which parcels are located in the unincorporated area of the Township; for the creation of jobs; increasing property values, and the provision of adequate public services in Sugarcreek Township. The further development of the parcels in the Brown Road TIF will place direct additional demand on the Public Improvements.

**SECTION 3.** That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the parcels in the Brown Road TIF occurring after the date of this Resolution are declared to be a public purpose and are exempt from real property taxation commencing on the first day of the tax year in which an improvement first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Resolution and ending on the earlier of (1) the date ten years after the date the exemption commences or (2) the date on which the specific public improvements as described in Section 1 above (the "Public Improvements") that will benefit the Brown Road TIF are paid in full from the Tax Increment Equivalent Fund, as defined in Section 4 hereof, but in no case shall the Public Improvements be exempted from taxation for more than ten (10) years. It is hereby determined that (i) a portion of the Improvements shall be exempt from real property taxation, (ii) such portion shall be seventy-five percent (75%) of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the parcels set forth on Exhibit A attached hereto.

**SECTION 4.** That pursuant to Section 5709.74 of the Ohio Revised Code, the owner or the owners of the Improvements shall be required to make semi-annual service payments in lieu of taxes (the "Service Payments") to the Greene County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention and authorizes the Township Administrator to enter into such agreements as may be necessary and appropriate to assure the payment of such Service Payments.

**SECTION 5.** That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Sugarcreek Township Public Improvement Tax Increment Equivalent Fund (the "Tax Increment Equivalent Fund"), into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvements and may be used to make payments to the Sugarcreek Local School District and/or the Greene County Career Center at the discretion of the Board of Township Trustees.

**SECTION 6.** That the proper township officials are hereby authorized to do all things necessary and proper to carry out Sections 1 through 5 above, including but not limited to filing any required applications for tax exemption with the Greene County Auditor and/or State Tax Commissioner.

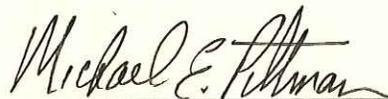
**SECTION 7.** That pursuant to Ohio Revised Code Section 5709.73(I), the Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of the Department of Development of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption set forth herein remains in effect, the Fiscal Officer or other authorized officer of this Township shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.73(I) of the Ohio Revised Code.

**SECTION 8.** That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Greene County.

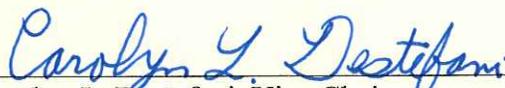
**SECTION 9.** That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 10.** That this Resolution shall be effective at the earliest date allowed by law.

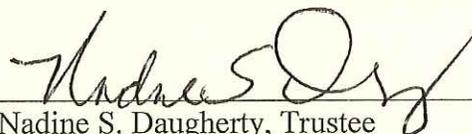
ADOPTED: November 2, 2016.



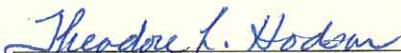
Michael E. Pittman, Chairperson



Carolyn L. Destefani, Vice Chairperson



Nadine S. Daugherty, Trustee



Theodore L. Hodson, Fiscal Officer

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No. 2016.11.02.04.

  
\_\_\_\_\_  
Fiscal Officer

CERTIFICATE

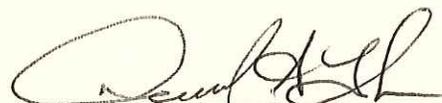
The undersigned hereby certifies that a copy of the foregoing Resolution was certified this day to the county auditor.

  
\_\_\_\_\_  
Fiscal Officer

Dated: 11/2, 2016

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing Resolution.

  
\_\_\_\_\_  
County Auditor

Dated: 11/2, 2016

EXHIBIT A

**Property To Comprise  
Tax Increment Financing Area**

Parcel #'s

L32000100010011900