

FAIRFIELD TOWNSHIP
RESOLUTION NO. 23-155

AUTHORIZING AN AMENDMENT TO RESOLUTION 01-49 TO EXTEND THE TERM OF THE TAX INCREMENT FINANCING PROGRAM FOR THE PRINCETON ROAD TIF FOR AN ADDITIONAL THIRTY (30) YEARS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.51 AND 5709.73(B); AUTHORIZING THE EXECUTION OF AGREEMENTS AND OTHER RELATED ACTIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.73, 5709.74, 5709.75, AND RELATED LAWS AND RULES; DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY.

The Board of Trustees of Fairfield Township, Butler County, Ohio met in special session at the Offices of Fairfield Township, 6032 Morris Road, Fairfield Township, Ohio 45011 at 8:30 a.m. on December 27, 2023 with the following members present: Michael Berding, Shannon Hartkemeyer and Joe McAbee.

[Michael Berding] moved for the adoption of the following Resolution: 23-155.

WHEREAS, on June 18, 2001 this Board of Trustees (the "Board") of Fairfield Township, Butler County, Ohio (the "Township") adopted Resolution No. 01-49 (the "Original TIF Resolution"), in accordance with Ohio Revised Code ("R.C.") Section 5709.73(B), 5709.74, and 5709.75, declaring the increase in the assessed value of real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of the Original TIF Resolution (the "Improvements") with respect to the Parcels comprising the "Princeton Road Project" (each a "Parcel" as is depicted and described on Exhibit A-H to the Original TIF Resolution and as are more fully depicted and described as Exhibit A to this Resolution) to be a public purpose; and

WHEREAS, the Original TIF Resolution exempted One Hundred Percent (100%) of the Improvements with respect to each Parcel for a period of up to thirty (30) years (the "Original TIF Exemption"), commencing on the effective date of the Original TIF Resolution and ending thirty (30) years after the effective date of the Original TIF Resolution; and

WHEREAS, pursuant to the Original TIF Resolution and R.C. Section 5709.74 of the Original TIF Act, the Township required the owner or owners of each Parcel to make annual Service Payments (as defined herein) to the Butler County Treasurer on or before the final dates for payment of real property taxes; and

WHEREAS, the Original TIF Resolution was passed by the Board of the Township on June 10, 2001 and is attached hereto as Exhibit A;

WHEREAS, as authorized by the 135th Ohio General Assembly, pursuant to Amended Substitute House Bill 33 effective as of October 3, 2023, R.C. Section 5709.51 has afforded the Township and the Board a limited opportunity to extend the Original TIF Exemption for an

additional period of not more than thirty (30) years (the “TIF Law Change”), so long as each condition of the TIF Law Change is met; and

WHEREAS, it is therefore the intention of the Township to pay to the School Districts all of the taxes that they would have otherwise received if this extension were not authorized; and

WHEREAS, formal approval of the Extended TIF Exemption is not required by the Board of Education of the Fairfield City School District pursuant to R.C. Section 5709.51, but the Board of Education of the Fairfield City School District may, by the passage of a resolution, affirmatively waive any and all notice requirements of R.C. Sections 5709.73, 5709.74, 5709.83, and any other applicable laws and rules; and

WHEREAS, the Fairfield City School District has received a forty-five (45) business day notice of this Extended TIF Exemption and the proposed text of this Resolution pursuant to the notice requirements of R.C. Sections 5709.73, 5709.74, 5709.83, and any other applicable laws and rules; and

WHEREAS, notwithstanding the Extended TIF Exemption authorized by this Resolution, all other terms and conditions of the Original TIF Resolution and the Original TIF Exemption are to remain the same, unless specifically stated otherwise in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Fairfield Township, Butler County, Ohio, by authority of R.C. Sections 5709.51 and 5709.73, as follows:

SECTION 1. That this Board hereby determines that each condition of the TIF Law Change required to cause the Extended TIF Exemption is met because: (i) the Service Payments made pursuant to R.C. Section 5709.74 by the owners of the Parcels with respect to the Original TIF Resolution and the Original TIF Exemption exceeded One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) for tax year 2021 real property taxes that were payable in calendar year 2022; (ii) this Resolution is adopted after January 1, 2021, but the condition of R.C. 5709.51(A)(1) that the Service Payments made pursuant to R.C. Section 5709.74 by the owners of the Parcels with respect to the Original TIF Exemption not exceed One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) in any calendar year before the calendar year immediately preceding the adoption of this Resolution has been waived by the Ohio General Assembly for amendments adopted prior to January 1, 2024; and (iii) this Resolution provides for compensation to the School District in which the Parcels are located equal in value to the amount of taxes that would be payable to the School Districts if the Improvements had not been exempted from taxation but for the Extended TIF Exemption.

SECTION 2. That in accordance with R.C. Section 5709.73, this Board hereby declares that Improvements to the Parcels subsequent to the effective date of the Original TIF Resolution were at the time of the Original TIF Resolution and remain as of the date of this Resolution a public purpose and that the Original TIF Resolution the Original TIF Exemption, under the authority of R.C. Section 5709.73(B), is

hereby amended pursuant to R.C. 5709.51 for the purpose of extending the Original TIF Exemption from taxation of the Improvements to the Parcels designated under the Original TIF Resolution for an additional period of not more than thirty (30) years according to the requirements set forth under the TIF Law Change.

SECTION 3.

That notwithstanding anything in the Original TIF Resolution, this Board reaffirms and clarifies that:

(a) the Original TIF Resolution and this Resolution establish the Original TIF Exemption and the Extended TIF Exemption, respectively, as tax increment financing programs under R.C. Sections 5709.73(B) and 5709.51; and

(b) the Public Infrastructure Improvements described in the Original TIF Resolution, are hereby further amended and clarified in this Resolution; and

(c) as provided in R.C. Section 5709.74, for the effective duration of the Original TIF Exemption and the Extended TIF Exemption, the owner of any portion of any Parcel shall be required to, and shall make, Service Payments with respect to the Improvement allocable thereto to the County Treasurer on or before the final due dates for payment of real property taxes; that each Service Payment shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against such Parcel as if it were not exempt from taxation pursuant to the Original TIF Resolution and this Resolution; that if any reduction in the levies otherwise applicable to such Parcel is made by the Butler County budget commission under R.C. Section 5705.31, the amount of the Service Payments shall be calculated as if the reduction in levies had not been made; that any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto (the "Penalties and Interest"); that each owner shall make any other payments in respect of such parcel which are received by the County Treasurer in connection with any reduction required by R.C. Section 319.302, as the same may be amended from time to time, or any successor provisions thereto (the "Property Tax Rollback Payments," together with the Service Payments, and the "Penalties and Interest," are collectively referred to herein as the "Service Payments"); and that the Service Payments shall be allocated and distributed in accordance with Section 4 hereof; and

(d) the term and percentage rate of the Extended TIF Exemption for each Parcel shall be One Hundred Percent (100%) of the Improvements and shall be exempt from taxation commencing for each Parcel on the thirtieth (30th) anniversary of the commencement date of the Original TIF Exemption (as described in the Original TIF Resolution) and ending on the sixtieth (60th) anniversary of the commencement date for each Parcel.

SECTION 4.

This Board established, pursuant to the Original TIF Resolution, in accordance with the provisions of R.C. Section 5709.75, a Public Improvement Tax Increment Equivalent Fund (the "Fund"), which shall continue to be maintained with respect to the Extended TIF Exemption. The Fiscal Officer may create one or more accounts or sub-accounts within the Fund as appropriate to distinguish the Service Payments received with respect to the Original TIF Exemption authorized pursuant to the Original TIF Resolution and the Extended TIF Exemption authorized pursuant to this Resolution, and to distinguish such Service Payments from Service Payments with respect to any tax increment financing programs that may be established by the Township in the future, and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and debt service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements or any other payment permitted by Statute. As used in this Resolution, "the Fund" shall refer to the specific fund or account that receives the Service Payments provided for in the Original TIF Resolution and this Resolution. The Fund shall be maintained in the custody of the Township and shall receive all distributions of Service Payments required to be made to the Township.

For purposes of the Original TIF Resolution and this Resolution, "costs" of the Public Infrastructure Improvements payable from the Fund shall also include the items of "costs of permanent improvements" set forth in R.C. Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which "costs" specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and debt service on any bonds issued to finance the Public Infrastructure Improvements. The Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, or any other permitted uses, after which time the Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the Township's General Fund, all in accordance with R.C. Section 5709.75.

Service Payments received by the Township in any year shall be applied to pay the costs of the Public Infrastructure Improvements at the sole discretion of the Township.

SECTION 5.

The Township Administrator or the Township Administrator's designee are authorized to execute and enter into all agreements, documents, and certificates as may be required to effect the Extended TIF Exemption that are not inconsistent with this Resolution and that are approved by the Township Administrator or the Township Administrator's designee on behalf of the Township, all of which shall be conclusively evidenced by the signing of the agreements, documents, and certificates, or any amendments thereto.

SECTION 6. This Board hereby finds and determines that notice of this proposed Resolution has been delivered to all affected School Districts, including the Fairfield City School District, all pursuant to the notice requirements of R.C. Sections 5709.73, 5709.74, 5709.83, and any other applicable laws and rules, and hereby ratifies the giving of that notice.

Pursuant to R.C. 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 (15) days after its adoption. On or before March 31 of each year that the Extended TIF Exemption 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 R.C. Section 5709.73(I).

SECTION 7. In accordance with R.C. Section 5709.832, this Board hereby determines that no employer located on the Parcels subject to the Extended TIF Exemption shall deny any individual employment based solely on race, religion, sex, disability, color, national origin or ancestry.

SECTION 8. The Township has created the applicable Tax Incentive Review Council (the "Council") with the membership of the Council constituted in accordance with R.C. Section 5709.85. The Council shall, in accordance with R.C. Section 5709.85, review annually all exemptions from taxation resulting from the declarations set forth in this Resolution and any other such matters as may properly come before the Council, all in accordance with R.C. Section 5709.85.

SECTION 9. 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 any decision-making bodies of the Township that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of R.C. Section 121.22.

SECTION 10. That this Resolution is the subject of the general authority granted to the Board through the R.C. and not the specific authority granted to the Board through its status as a Limited Home Rule Government pursuant to R.C. Chapter 504.

SECTION 11. That this Board upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to R.C. 504.10, and hereby authorizes the adoption of this Resolution upon its first reading.

SECTION 12. That this Resolution is hereby determined to be an emergency measure necessary for the immediate preservation of the public welfare, because it shall take effect at a date earlier than provided by R.C. 504.11(A) in order to permit timely Improvements to the Parcels, for the development of the Public Infrastructure Improvements, and the creation of additional jobs and employment opportunities

upon the Parcels associated with the Original TIF Exemption and the Extended TIF Exemption.


SECTION 13. This Resolution shall be effective from and after the earliest period provided by law.

[Shannon Hartkemeyer] seconded the motion to adopt the Resolution. On roll call being called, the vote resulted as follows:

vote

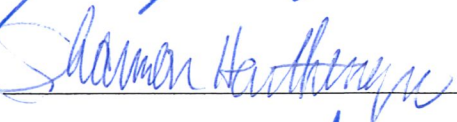
YES

Michael Berding



YES

Shannon Hartkemeyer



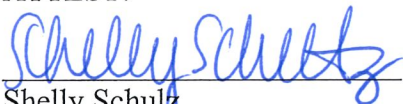
NO

Joseph McAbee



Resolution 23-155 adopted December 27, 2023

ATTEST:



Shelly Schulz

Fairfield Township Fiscal Officer

Approved as to Form:



Lawrene E. Barbieri

Township Assistant Law Director

FAIRFIELD TOWNSHIP

RESOLUTION NO. 01-49

DECLARING A PUBLIC PURPOSE FOR
CERTAIN IMPROVEMENTS WHICH ARE
NECESSARY FOR THE FURTHER
DEVELOPMENT OF FAIRFIELD TOWNSHIP
AND AUTHORIZING PARTICIPATION IN
TAX INCREMENT FINANCING ZONE
APPLICABLE TO EIGHT TRACTS OF REAL
PROPERTY AND CREATING A TOWNSHIP
PUBLIC 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 deems it appropriate and in the public interest to exercise the authority granted pursuant to such Sections in connection with certain improvements in the unincorporated territory of the Township, in order to encourage development in the Township including roadway and infrastructure improvements; and

WHEREAS, the Board of Education of the Fairfield City School District, has waived its statutory notice of the tax exemption, has by resolution approved the tax exemption granted herein, and has delivered a copy of such resolution to the Township;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF BUTLER, OHIO BY FURTHER AUTHORITY OF CHAPTER 504 OF THE OHIO REVISED CODE, THAT:

SECTION 1. This Board of Township Trustees hereby finds and declares that certain public infrastructure improvements, to wit:

SCOPE OF THE IMPROVEMENTS

PART 1:

- A. The construction of roadway improvements on Princeton Road extending from west of Winford Drive to east of By-pass 4.

June 13, 2001



- B. The construction of roadway improvements on By-pass 4 extending from approximately 1000 feet south of the intersection of Princeton Road to approximately 1000 feet north of said intersection.
- C. The signalization of Princeton Road at By-pass 4 and at Winford Drive.

PART 2.

- A. The construction of additional roadway improvements on Princeton Road extending from By-pass 4 to approximately 1000 feet east of By-pass 4 as required by ODOT.
- B. The construction of additional roadway improvements on By-pass 4 extending to approximately 1000 feet south of the intersection of Princeton Road to approximately 1000 feet north of said intersection as required by ODOT.

PART 3. (Future)

- A. The construction of roadway improvements on Princeton Road from By-pass 4 to Morris Road including the intersection of Princeton Road and Morris Road.

PART 4. (Future)

- A. The construction of roadway improvements at the intersection of Princeton Road and Gilmore Road.

PART 5. (Future)

- A. The construction of roadway improvements on By-pass 4 from the Butler Regional Highway to S.R. 4.

PART 6. (Future)

- A. The construction of roadway improvements on By-pass 4 from Tylersville Road to the Butler Regional Highway including improvements at the Hamilton-Mason Road intersection.

PART 7. (Future)

- A. The construction of roadway improvements on Hamilton-Mason Road from Gilmore Road east to By-pass 4.

PART 8. (Future)

- A. The construction of roadway improvements on Gilmore Road from Hamilton-Mason Road north to Princeton Road.

PART 9.

- A. Parts 1 through 8 shall include, but are not limited to all infrastructure items related to roadway improvement projects, e.g., design engineering, construction engineering, project management, construction inspection, roadway construction, traffic control devices, striping, storm water systems, rights-of-way*, public utility adjustments **, street lighting, etc.

PART 10.

- A. General public improvements within the limits of the TIF Zone as follows:
- Township Police Department and Fire Department facilities and services.
 - Public Storm Water Management systems.
 - Public Water facilities and systems.
 - Public Waste Water facilities and systems.
 - Public Safety facilities and services.
 - Public Parks and Recreation facilities and services.
 - Public Libraries facilities and services.
 - Post Offices facilities and services.
 - Public Airport facilities and services.

"(Future)" denotes potential projects expected for improvement as other parcels in the TIF Zone develop. Actual planning and costs projections are undetermined at this time and are subject to variables such as intended use, construction cost, regulatory requirements, regional needs, general economic conditions, and so on.

* Compensation and or reimbursement shall be limited to right-of-way acquisition needed to facilitate each respective project. Dedications of rights-of-way normally associated with private site developments shall not be eligible.

** Compensation and or reimbursement shall be limited to public owned or operated facilities impacted by the actual construction of TIF funded projects. Compensation and reimbursement shall occur only as authorized by the Trustees on the basis of actual, documented costs.

PART 11.

- A. Related contingency items normally associated with lighting improvements.

B. Other improvements generally related to the improvement lists in Parts 1 through 10.

The intended improvements listed above will benefit the following tracts of real property:

Exhibit	Tract	Acres	Section	Town	Range
A	One	2.208	19	2	3
B	Two (2) parcels (I)	25.238	19	2	3
	(II)	2.946	19	2	3
C	Three (3) parcels (I)	14.531	20	2	3
	(II)	1.763	20	2	3
	(III)	1.959	20	2	3
D	Four	7.602	20	2	3
E	Five	66.474	19	2	3
F	Six (2) parcels (I)	29.975	19	2	3
	(II)	23.366	19	2	3
G	Seven	58.778	25	2	3
H	Eight	113.869	19 and 24	2	3
I	MAP	TOTAL 348.709			

The real property subject to this Resolution shall not be extended or supplemented by future amendments or modifications to this Resolution.

At the time of the adoption of this resolution this Board of Township Trustees further finds that the aforesaid improvements are not completed and have not been accepted by the Butler County Engineer; and do not as of this time constitute a present benefit to the affected real property.

SECTION 2. This Board of Township Trustees declares that the improvements to the parcels of real property described in Exhibits A through H are to be a public purpose for a period not to exceed thirty (30) years (to be determined by the Trustees) (subject to earlier termination upon the retirement of tax increment debt), commencing on the effective date of this Resolution.

SECTION 3. The Board of Township Trustees further finds and declares that the improvements to be made to the tracts of real property described in Exhibits A through

H will place direct, additional demand on the public improvements described in Section 1 hereof when such public improvements are completed; therefore, such public improvements will directly benefit the aforesaid tracts of real property.

SECTION 4. This Board of Township Trustees hereby exempts from real property taxation one hundred percent (100%) of the improvements made to such tracts of real property by the owners thereof, which improvements occur after the date of this Resolution, for a period of thirty (30) years (to be determined by the Trustees) (subject to earlier termination upon the retirement of tax increment debt), commencing on the effective date of this Resolution; and that this Board of Township Trustees reasonably estimates that the percentage of incremental demand placed, or which will be placed, on the public improvements directly attributable to the exempted improvements is at least one hundred percent (100%). The exemption shall be claimed and allowed in the same manner as in the case of other real property tax exemptions and shall inure to the benefit of the present and subsequent owners of the tracts of real property for and during the term set forth herein.

SECTION 5. This Board of Township Trustees hereby expresses its intention to enter into such agreements as may be necessary and appropriate to construct such public improvements, and further shall require the owners of the tracts of real property described in Exhibits A through H to make such annual service payments in lieu of taxes as defined in R.C. 5709.74 to the Butler County Treasurer on or before the final dates for payment of real property taxes. Such requirements, along with such other provisions as are deemed appropriate by this Board and as are agreed to by the owners of the tracts of real property described in Exhibits A through H may be included in Service Agreements which may (but are not required to) be entered into between the Board of Township Trustees and the respective owners. This Board of Township Trustees hereby pledges such service payments to secure any obligations of the Township issued to finance the public infrastructure improvements described in Section 1 hereof. To finance such public infrastructure improvements, owners of the tracts of real property and such owners' successors in interest shall, in accordance with R.C. 5709.74 make annual payments in lieu of taxes to the Butler County Treasurer in the same manner and in the same amount as the real property taxes which would have been charged and payable against the improvements (as adjusted under R.C. 5709.74) declared by this Resolution to be public purpose and therefore exempt from real property taxes. Moneys collected as annual payments in lieu of taxes shall be distributed at the same time and in the same manner as real property taxes except the entire payment in lieu of taxes shall be distributed to the Fairfield Township. The Township Clerk shall maintain a record of payments made in lieu of taxes from tracts of real property within the TIF Zone. For purposes of calculating the amount of the Increase in Assessed Valuation which shall be disbursed directly to the Township for deposit in the Township Public Tax Increment Equivalent Fund created hereunder, the Butler County Auditor shall treat that increase in the true value of parcels located in the TIF Zone determined from the date on which an exemption from real

property taxation is certified to the Butler County Auditor by the Tax Commissioner of the State of Ohio as such an Increase in Assessed Valuation, determined on a parcel-by-parcel basis and not in the aggregate.

SECTION 6. The Board of Township Trustees hereby establishes a fund to be known as the Township Public Tax Increment Equivalent Fund for such purposes as are set forth in R.C. 5709.75, such other purposes as may be established by general law, and such purposes as may be established by this Board consistent with general law. Money paid in the form of a payment in lieu of taxes pursuant to R.C. 5709.75 shall be deposited into the Township Public Tax Increment Equivalent Fund. If, in order to finance the public infrastructure improvements identified in Section 1 of this Resolution, the general obligation notes or bonds or revenue bonds should be issued pursuant to general law, this Board hereby pledges the payments in lieu of taxes provided for in Section 5 of this Resolution to secure payment of such revenue or general obligation notes or bonds, or both. Moneys in the Fund may also be appropriated for distribution to the Fairfield City School District and the Butler County Joint Vocational School District in an amount not to exceed the amount of real property taxes that either school district would have received from the improvements if they were not exempt from taxation, up to a maximum of 25% of the annual total deposits into the Fund.

SECTION 7. The Township Administrator, for and in the name of the Fairfield Township Trustees, Butler County, Ohio, is hereby authorized to execute:

1. a) agreements with the owners of the tracts of real property, which agreements shall be binding upon and inure to the benefit of the owners' successors in interest, for the purpose of carrying out the provisions of this Resolution, all necessary and appropriate things which must be done in connection therewith, along with such other provisions as are deemed appropriate by this Board and as are agreed to by the current owners of the tracts of real property described in Exhibits A through H and;
- b) an agreement with the Fairfield City School District and the Butler County Joint Vocational School District providing for their ratable distribution and method of payment.

SECTION 8. The Board of Township Trustees hereby finds and determines that all formal actions of this Board of Township Trustees concerning and relating to the passage of this resolution were conducted in an open meeting of this Board of Township Trustees, and that all deliberations of this Board of Township Trustees and of any of its committees that resulted in such formal action were conducted in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. This Resolution shall take effect at the earliest period allowed by law.

SECTION 10. This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety, or welfare, of Fairfield Township, and for the reason that time is of the essence in the implementation of the resolution relating to the intended public improvements affecting public safety as well as financial opportunities expected to be realized by the Township.

First Reading: June 12, 2001

Second Reading: Suspended

Effective: June 22, 2001

Vote of Trustees

Joseph McAbee: YES

Steve Morgan: YES

Mark Sutton: YES

AUTHENTICATION

This is to certify that this is a resolution which was duly passed, and filed with the Fairfield Township Clerk, this 13th day of June, 2001.

Nancy A. Boek
Fairfield Township Clerk

Authority ORC Section 5709.73 *et seq.*

5709.74

5709.75

504.11

505.032(G)

Attachments - Exhibits A through H legal descriptions for benefitted tracts One through Eight.

Exhibit I - map

Reference - Fairfield City School District Board of Education Resolution No. 01-63, June 6, 2001.

EXHIBIT A

LEGAL DESCRIPTION

Situated in Section 19, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being a 22.208 acre tract of land and being further described as follows:

Beginning at a spike at the northwest corner of Section 19, at the intersection of Gilmore Road and Princeton Road; thence, along the northerly line of Section 19, also the centerline of Princeton Road, North $89^{\circ}42'41''$ East, a distance of 848.37 feet to a spike; thence continuing North $89^{\circ}42'41''$ East, a distance of 354.10 feet to a PK nail; thence North $89^{\circ}49'45''$ East, a distance of 301.10 feet to the **True Point of Beginning**;

Thence, North $89^{\circ}49'45''$ East, a distance of 38.61 feet;

Thence, South $00^{\circ}10'15''$ East, a distance of 305.38 feet;

Thence, along a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet, a chord bearing of South $45^{\circ}10'15''$ East, and a chord distance of 35.36 feet;

Thence, North $89^{\circ}49'45''$ East, a distance of 169.96 feet;

Thence, along a curve to the left having a radius of 190.00 feet, an arc length of 114.37 feet, a chord bearing of North $72^{\circ}35'02''$ East, and a chord distance of 112.66 feet;

Thence, North $55^{\circ}20'19''$ East, a distance of 144.12 feet;

Thence, North $00^{\circ}10'15''$ West, a distance of 178.56 feet to a point on the southerly Limited Access Right-of-Way line of Princeton Road;

Thence, along said Right-of-Way line, South $83^{\circ}30'21''$ East, a distance of 193.13 feet;

Thence, continuing along said Right-of-Way line, South $87^{\circ}12'16''$ East, a distance of 222.69 feet to a point on the westerly Limited Access Right-of-Way line of State Route 4 Bypass;

Thence, along the westerly Right-of-Way line of State Route 4 Bypass, South $01^{\circ}39'40''$ West, a distance of 240.12 feet;

Thence, continuing along said Right-of-Way line, South $00^{\circ}30'59''$ East, a distance of 944.40 feet to an iron pin on the northerly Right-of-Way line of State Route 129;

Thence, along the northerly Right-of-Way line of State Route 129, South $76^{\circ}25'55''$

West, a distance of 272.09 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South 66°26'55" West, a distance of 271.91 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South 73°12'40" West, a distance of 238.32 feet;

Thence, leaving said Right-of-Way line, North 00°20'32" West, a distance of 396.39 feet;

Thence, South 89°39'28" West, a distance of 61.00 feet;

Thence, North 66°26'55" West, a distance of 417.04 feet;

Thence, along a curve to the left having a radius of 221.00 feet, an arc length of 91.51 feet, a chord bearing of North 12°07'07" West, and a chord distance of 90.21 feet;

Thence, North 23°53'42" West, a distance of 71.48 feet;

Thence, along a curve to the right having a radius of 221.00 feet, an arc length of 91.51 feet, a chord bearing of North 12°01'59" West, and a chord distance of 90.86 feet;

Thence, North 00°10'15" West, a distance of 438.38 feet to the **Point of Beginning** containing 22.208 acres of land and being subject to all easements and Rights-of-Way of record.

The above description was prepared by the Butler County Engineer's Office. *The above description is not based on a field survey.*

Prior instrument references: Official Record 6576, Page 855 of the Deed Records of Butler County, and Plat Volume 40, Page 89 of the Butler County Engineer's Records.

EXHIBIT B

LEGAL DESCRIPTION

Situated in Section 19, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being two parcels of land. Parcel I being a 25.238 acre tract of land and Parcel II being a 2.946 tract of land, both parcels being further described as follows:

PARCEL I

Beginning at a spike at the northwest corner of Section 19, at the intersection of Gilmore Road and Princeton Road; thence along the northerly line of Section 19, also the centerline of Princeton Road, North $89^{\circ}42'41''$ East, a distance of 848.37 feet to a spike, known as the **True Point of Beginning**;

Thence, continuing along the northerly line of Section 19, North $89^{\circ}42'41''$ East, a distance of 345.10 feet to an existing PK nail;

Thence, North $89^{\circ}49'45''$ East, a distance of 301.10 feet;

Thence, South $00^{\circ}10'15''$ East, a distance of 438.38 feet;

Thence, along a curve to the left having a radius of 221.00 feet, an arc length of 91.51 feet, a chord bearing of South $12^{\circ}01'59''$ East, and a chord distance of 90.86 feet;

Thence, South $23^{\circ}53'42''$ East, a distance of 71.48 feet;

Thence, along a curve to the right having a radius of 221.00 feet, an arc length of 90.85 feet, a chord bearing of South $12^{\circ}07'07''$ East, and a chord distance of 90.21 feet;

Thence, South $00^{\circ}20'32''$ East, a distance of 417.04 feet;

Thence, North $89^{\circ}39'28''$ East, a distance of 61.00 feet;

Thence, South $00^{\circ}20'32''$ East, a distance of 396.39 feet to a point in the northerly Limited Access Right-of-Way line of State Route 129;

Thence, along said Right-of-Way line, South $73^{\circ}12'41''$ West, a distance of 167.32 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $87^{\circ}31'21''$ West, a distance of 244.45 feet to an iron pin;

Thence, continuing along said Right-of-Way, North 88°14'13" West, a distance of 377.23 feet to an iron pin;

Thence, leaving said Right-of-Way line, North 00°17'19" West, a distance of 1538.47 feet to the **Point of Beginning** containing 25.238 acres of land and being subject to all easements and Rights-of-Way of record.

PARCEL II

Beginning at an existing spike at the northwest corner of Section 19, at the intersection of Gilmore Road and Princeton Road; thence along the northerly line of Section 19, also the centerline of Princeton Road, North 89°42'41" East, a distance of 848.37 feet to an existing spike; thence, continuing along the northerly line of Section 19, North 89°42'41" East, a distance of 345.10 feet to an existing PK nail; thence, North 89°49'45" East, a distance of 339.71 feet to a point known as the **True Point of Beginning**;

Thence, continuing, North 89°49'45" East, a distance of 363.08 feet;

Thence, South 00°10'15" East, a distance of 30.00 feet to a point on the southerly Limited Access Right-of-Way of Princeton Road;

Thence, along said Right-of-Way line, South 83°30'21" East, a distance of 58.66 feet;

Thence, leaving said Right-of-Way line, South 00°10'15" East, a distance of 178.56 feet;

Thence, South 55°20'19" West, a distance of 144.12 feet;

Thence, along a curve to the right having a radius of 190.00 feet, an arc length of 114.37 feet, a chord bearing of South 72°35'02" West, and a chord distance of 112.66 feet;

Thence, South 89°49'45" West, a distance of 169.96 feet;

Thence, along a curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet, a chord bearing of North 45°10'15" West, and a chord distance of 35.36 feet;

Thence, North 00°10'15" West, a distance of 305.38 feet to the **Point of Beginning** containing 2.912 acres of land and being subject to all easements and Rights-of-Way of record.

The above descriptions were prepared by the Butler County Engineer's Office. *The above descriptions are not based on a field survey.*

Prior instrument references: Official Record 6576, Page 855 and Official Record 6554, Page 1479 of the Deed Records of Butler County, and Plat Volume 39, Page 200 and Plat Volume 40, Page 89 of the Butler County Engineer's Records.

EXHIBIT C

LEGAL DESCRIPTION

Situated in Section 20, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being three parcels of land. Parcel I being a 14.531 acre tract of land, Parcel II being a 1.763 acre tract of land, and Parcel III being a 1.959 acre tract of land and being further described as follows:

PARCEL I

Beginning at a spike at the southwest corner of Section 20, at the intersection of Gilmore Road and Princeton Road; thence, along the southerly line of Section 20, also the centerline of Princeton Road, North $89^{\circ}42'41''$ East, a distance of 1202.64 feet to a PK nail; thence, continuing North $89^{\circ}42'41''$ East, a distance of 951.88 feet to a PK nail; thence, leaving said Section line and centerline, North $00^{\circ}17'09''$ West, a distance of 50.00 feet to a point on the northerly Right-of-Way line of Princeton Road, also known as the **True Point of Beginning**;

Thence, along the northerly Right-of-Way line of Princeton Road, South $89^{\circ}42'41''$ West, a distance of 602.46 feet;

Thence, along a curve to the right having a radius of 20.00 feet, an arc length of 31.40 feet, a chord bearing of North $45^{\circ}18'41''$, and a chord length of 28.27 feet, to a point on the easterly Right-of-Way line of Winford Avenue;

Thence, along the easterly Right-of-Way line of Winford Avenue, North $00^{\circ}20'40''$ West, a distance of 333.04 feet;

Thence, continuing along said Right-of-Way line, along a curve to the left having a radius of 430.00 feet, an arc length of 260.93 feet, a chord bearing of North $17^{\circ}43'41''$ West, and a chord length of 256.94 feet;

Thence, continuing along said Right-of-Way line, North $35^{\circ}06'42''$ West, a distance of 144.91 feet;

Thence, leaving said Right-of-Way line, North $89^{\circ}42'40''$ East, a distance of 1034.20 feet to a point on the westerly Limited Access Right-of-Way Line of State Route 4 Bypass;

Thence, along the westerly Limited Access Right-of-Way line of State Route 4 Bypass, South $01^{\circ}42'54''$ West, a distance of 687.69 feet, to a point on the northerly Limited Access Right-of-Way of Princeton Road;

Thence, along the northerly Limited Access Right-of-Way line of Princeton Road, South $86^{\circ}00'01''$ West, a distance of 228.09 feet;

Thence, along said Right-of-Way line, South $00^{\circ}17'09''$ East, a distance of 15.08 feet to the **Point of Beginning** containing 14.531 acres of land and being subject to all easements and Rights-of-Way of record.

PARCEL II

Beginning at a spike at the southwest corner of Section 20, at the intersection of Gilmore Road and Princeton Road; thence, along the southerly line of Section 20, also the centerline of Princeton Road, North $89^{\circ}42'41''$ East, a distance of 1202.64 feet to a PK nail; thence, leaving said Section line and centerline, North $00^{\circ}17'19''$ West, a distance of 50.00 feet to a point on the northerly Right-of-Way line of Princeton Road, known as the **True Point of Beginning**;

Thence, continuing North $00^{\circ}17'19''$ West, a distance of 285.39 feet;

Thence, North $89^{\circ}39'20''$ East, a distance of 269.16 feet, to a point on the easterly Right-of-Way line of Winford Avenue;

Thence, along said Right-of-Way line, South $00^{\circ}20'40''$ East, a distance of 265.63 feet;

Thence, along a curve to the right having a radius of 20.00 feet, an arc length of 31.44 feet, a chord bearing of South $44^{\circ}41'08''$ West, and a chord length of 28.30 feet, to a point on the northerly Right-of-Way line of Princeton Road;

Thence, along said Right-of-Way line, South $89^{\circ}42'41''$ West, a distance of 249.42 feet to the **Point of Beginning** containing 1.763 acres of land and being subject to all easements and Rights-of-Way of record.

PARCEL III

Beginning at a spike at the southwest corner of Section 20, at the intersection of Gilmore Road and Princeton Road; thence, along the southerly line of Section 20, also the centerline of Princeton Road, North $89^{\circ}42'41''$ East, a distance of 1202.64 feet to a PK nail; thence, leaving said Section line and centerline, North $00^{\circ}17'19''$ West, a distance of 50.00 feet to a point on the northerly Right-of-Way line of Princeton Road; thence, continuing North $00^{\circ}17'19''$ West, a distance of 285.39 feet to the southwest corner of said property, known as the **True Point of Beginning**;

Thence, continuing North $00^{\circ}17'19''$ West, a distance of 364.61 feet;

Thence, North $89^{\circ}42'41''$ East, a distance of 142.94 feet, to a point on the easterly Right-of-Way line of Winford Avenue;

Thence, along said Right-of-Way line, South $35^{\circ}06'42''$ East, a distance of 152.32 feet;

Thence, continuing along said Right-of-Way line, along a curve to the right having a radius of 370.00 feet, and an arc length of 224.52 feet, a chord bearing of South $17^{\circ}43'41''$ East, and a chord length of 221.08 feet;

Thence, continuing along said Right-of-Way line, South $00^{\circ}20'40''$ East, a distance of 67.31 feet;

Thence, leaving said Right-of-Way line, South $89^{\circ}39'20''$ West, a distance of 269.16 feet to the **Point of Beginning** containing 1.959 acres of land and being subject to all easements and Rights-of-Way of record.

The above descriptions were prepared by the Butler County Engineer's Office. *The above descriptions are not based on a field survey.*

Prior instrument references: Subdivision Plat 3188 of the Deed Records of Butler County.

EXHIBIT D

LEGAL DESCRIPTION

Situated In Section 20, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being a 7.602 acre tract of land and being further described as follows:

Beginning at a spike at the southeast corner of Section 20, at the intersection of Morris Road and Princeton Road; thence, along the southerly line of Section 20, also the centerline of Princeton Road, South $89^{\circ}31'20''$ West, a distance of 2173.62 feet to the southeast corner of said property, known as the **True Point of Beginning**;

Thence, continuing along the southerly line of Section 20, also the centerline of Princeton Road, South $89^{\circ}31'20''$ West, a distance of 214.50 feet;

Thence, leaving said section line and centerline, North $00^{\circ}21'42''$ West, a distance of 30.00 feet to a point on the northerly Limited Access Right-of-Way Line of Princeton Road;

Thence, along said Right-of-Way line, North $65^{\circ}20'41''$ West, a distance of 82.76 feet;

Thence, continuing along said Right-of-Way line, North $89^{\circ}58'13''$ West, a distance of 207.92 feet to a point on the easterly Limited Access Right-of-Way Line of State Route 4 Bypass;

Thence, along the easterly Limited Access Right-of-Way Line of State Route 4 Bypass, North $00^{\circ}43'27''$ West, a distance of 630.86 feet to an iron pin;

Thence, leaving said Right-of-Way line, North $89^{\circ}16'33''$ East, a distance of 500.00 feet to an iron pin;

Thence, South $00^{\circ}28'40''$ East, a distance of 700.00 feet to the **Point of Beginning** containing 7.602 acres of land and being subject to all easements and Rights-of-Way of record.

The above description was prepared by the Butler County Engineer's Office. *The above description is not based on a field survey.*

Prior Instrument references: Plat Volume 28, Page 147 of the Butler County Engineer's Records.

EXHIBIT E

LEGAL DESCRIPTION

Situated in Section 19, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being a 66.474 acre tract of land and being further described as follows:

Beginning at a spike at the northeast corner of Section 19, at the Intersection of Morris Road and Princeton Road; thence along the northerly line of Section 19, also the centerline of Princeton Road, South $89^{\circ}24'18''$ West, a distance of 740.97 feet to a PK nail at the northeast corner of said property, known as the **True Point of Beginning**;

Thence, leaving said section line and centerline, South $00^{\circ}15'54''$ West, a distance of 1644.19 feet to an iron pin on the northerly Limited Access Right-of-Way line of State Route 129;

Thence, along said Right-of-Way line, South $89^{\circ}43'17''$ West, a distance of 753.28 feet to an iron pin;

Thence, continuing along said Right-of-Way line, North $79^{\circ}05'39''$ West, a distance of 325.58 feet to an iron pin;

Thence, continuing along said Right-of-Way line, North $63^{\circ}19'12''$ West, a distance of 382.18 feet to an iron pin;

Thence, continuing along said Right-of-Way line, North $69^{\circ}02'13''$ West, a distance of 250.21 feet to an iron pin;

Thence, continuing along said Right-of-Way line, North $82^{\circ}32'36''$ West, a distance of 256.27 feet to an iron pin on the easterly Right-of-Way line of State Route 4 Bypass;

Thence, along the easterly Right-of-Way line of State Route 4 Bypass, North $00^{\circ}06'07''$ West, a distance of 987.65 feet;

Thence, continuing along said Right-of-Way line, North $00^{\circ}00'10''$ East, a distance of 91.47 feet;

Thence, continuing along said Right-of-Way line, North $00^{\circ}11'15''$ West, a distance of 119.76 feet to a point on the southerly Limited Access Right-of-Way line of Princeton Road;

Thence, along the southerly Limited Access Right-of-Way line of Princeton Road, North $85^{\circ}16'54''$ East a distance of 190.70 feet;

Thence, continuing along said Right-of-Way line, North 67°36'17" East a distance of 80.78 feet;

Thence, leaving said Right-of-Way line, North 00°35'42" West a distance of 30.00 feet to a point on the centerline of Princeton Road;

Thence, along the centerline of Princeton Road, South 89°24'18" East a distance of 1647.59 feet to the **Point of Beginning** containing 66.474 acres of land and being subject to all easements and Rights-of-Way of record.

The above description was prepared by the Butler County Engineer's Office. *The above description is not based on a field survey.*

Prior instrument references: Plat Volume 30, Page 241 of the Butler County Engineer's Records, Plat Volume 30, Page 31 of the Butler County Engineer's Records, and Deed Book 897, Pages 125-128 of the Deed Records of Butler County.

EXHIBIT F

LEGAL DESCRIPTION

Situated in Section 19, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being two parcels of land. Parcel I being a 29.975 acre tract of land and Parcel II being a 23.366 tract of land, both parcels being further described as follows:

PARCEL I

Beginning at a spike at the northwest corner of Section 19, at the intersection of Gilmore Road and Princeton Road, known as the **True Point of Beginning**;

Thence, along the northerly line of Section 19, also the centerline of Princeton Road, North $89^{\circ}42'41''$ East, a distance of 848.37 feet to a spike;

Thence, leaving said section line and centerline, South $00^{\circ}17'19''$ East, a distance of 1538.47 feet to an iron pin on the northerly Limited Access Right-of-Way line of State Route 129;

Thence, along said Right-of-Way line, South $89^{\circ}39'25''$ West, a distance of 348.85 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $89^{\circ}17'52''$ West, a distance of 498.63 feet to a point on the westerly line of Section 19, also the centerline of Gilmore Road;

Thence, along the westerly line of Section 19, also the centerline of Gilmore Road, North $00^{\circ}19'39''$ West, a distance of 1542.40 feet to the **Point of Beginning** containing 29.975 acres of land and being subject to all easements and Rights-of-Way of record.

PARCEL II

Beginning at a spike at the northwest corner of Section 19, at the intersection of Gilmore Road and Princeton Road; thence, along the westerly line of Section 19, also the centerline of Gilmore Road, South $00^{\circ}19'39''$ East, a distance of 1843.70 feet to a spike on the southerly Limited Access Right-of-Way line of State Route 129, known as the **True Point of Beginning**;

Thence, along said Right-of-Way line, North $83^{\circ}24'13''$ East, a distance of 372.11 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $83^{\circ}04'24''$ East, a distance of 486.96 feet to an iron pin;

Thence, continuing along said Right-of-Way line, North $88^{\circ}15'24''$ East, a distance of 356.16 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $82^{\circ}14'27''$ East, a distance of 246.88 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $67^{\circ}59'22''$ East, a distance of 647.02 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $75^{\circ}24'33''$ East, a distance of 335.50 feet to an iron pin on the westerly Limited Access Right-of-Way line of State Route 4 Bypass;

Thence, along the westerly Limited Access Right-of-Way line of State Route 4 Bypass, South $00^{\circ}11'02''$ East, a distance of 140.11 feet;

Thence, leaving said Right-of-Way line, South $89^{\circ}45'51''$ West, a distance of 2375.73 feet to an iron pipe on the centerline of Gilmore Road;

Thence, along said centerline, North $00^{\circ}19'39''$ West, a distance of 515.38 feet to the **Point of Beginning** containing 23.366 acres of land and being subject to all easements and Rights-of-Way of record.

The above descriptions were prepared by the Butler County Engineer's Office. *The above descriptions are not based on a field survey.*

Prior instrument references: Deed Book 872, Pages 622-625, and Plat Volume 39, Page 200 and Plat Volume 33, Page 196 of the Butler County Engineer's Records.

EXHIBIT G

LEGAL DESCRIPTION

Situated in Section 25, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being a 58.778 acre tract of land and being further described as follows:

Beginning at a spike at the northeast corner of Section 25, at the intersection of Gilmore Road and Princeton Road; thence, along the east line of Section 25, also the centerline of Gilmore Road, South $00^{\circ}19'39''$ East, a distance of 265.00 feet to the **True Point of Beginning**;

Thence, continuing along the easterly line of Section 25, also the centerline of Gilmore Road, South $00^{\circ}19'39''$ East, a distance of 761.50 feet to a spike;

Thence, leaving said section line and centerline, South $89^{\circ}40'18''$ West, a distance of 206.33 feet;

Thence, South $26^{\circ}58'33''$ West, a distance of 233.22 feet to an iron pipe;

Thence, North $89^{\circ}40'21''$ East, a distance of 313.14 feet to a point on the easterly line of Section 25, also the centerline of Gilmore Road;

Thence, along the easterly line of Section 25, also the centerline of Gilmore Road, South $00^{\circ}19'39''$ East, a distance of 332.57 feet to a spike on the northerly Limited Access Right-of-Way line of State Route 129;

Thence, along said Right-of-Way line, South $81^{\circ}05'02''$ West, a distance of 316.03 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $76^{\circ}39'45''$ West, a distance of 613.02 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $62^{\circ}43'04''$ West, a distance of 416.90 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $77^{\circ}59'52''$ West, a distance of 115.80 feet to an iron pin;

Thence, continuing along said Right-of-Way line, South $61^{\circ}30'12''$ West, a distance of 165.28 feet to an iron pin;

Thence, leaving said Right-of-Way line, North $00^{\circ}00'12''$ East, a distance of 2059.33 feet to an iron pin on the northerly line of Section 25, also the centerline of Princeton Road;

Thence, along the northerly line of Section 25, also the centerline of Princeton Road, South $89^{\circ}40'39''$ East, a distance of 1194.22 feet;

Thence, leaving said section line and centerline, South $00^{\circ}19'39''$ East, a distance of 265.00 feet;

Thence, South $89^{\circ}40'39''$ East, a distance of 335.00 feet to a point on the easterly line of Section 25, also the centerline of Princeton Road, known as the **Point of Beginning** containing 58.778 acres of land and being subject to all easements and Rights-of-Way of record.

The above descriptions were prepared by the Butler County Engineer's Office. *The above descriptions are not based on a field survey.*

Prior instrument references: Deed Book 1484, Page 183, Plat Volume 15, Page 133, Plat Volume 18, Page 172 and Plat Volume 32, Page 214 of the Butler County Engineer's Records.

EXHIBIT H

LEGAL DESCRIPTION

Situated in Sections 19 and 24, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being a 113.869 acre tract of land and being further described as follows:

Beginning at a spike at the northwest corner of Section 19, at the Intersection of Gilmore Road and Princeton Road; thence, along the westerly line of Section 19, also the centerline of Gilmore Road, South $00^{\circ}19'39''$ East, a distance of 2359.08 feet to an Iron pipe at the **True Point of Beginning**;

Thence, leaving said section line and centerline, North $89^{\circ}45'51''$ East, a distance of 2375.73 feet to a point on the westerly Limited Access Right-of-Way line of State Route 4 By-Pass;

Thence, along said Right-of-Way line, South $01^{\circ}53'51''$ East, a distance of 1103.18 feet;

Thence, continuing along said Right-of-Way line, South $03^{\circ}42'42''$ East, a distance of 322.24 feet to a point on the northerly line of Section 24;

Thence, continuing along said Right-of-Way line, South $03^{\circ}42'42''$ East, a distance of 558.69 feet to a point on the northerly Limited Access Right-of-Way line of Hamilton Mason Road;

Thence, along the northerly Limited Access Right-of-Way line of Hamilton Mason Road, South $73^{\circ}13'52''$ West, a distance of 220.78 feet to a point on the northerly Right-of-Way line of Hamilton Mason Road;

Thence, leaving said Right-of-Way line, South $02^{\circ}11'15''$ East, a distance of 19.67 feet to a point on the centerline of Hamilton Mason Road;

Thence, continuing along said centerline, South $89^{\circ}54'57''$ West, a distance of 2246.86 feet to the southwest corner of Section 19, also the Intersection of Hamilton Mason Road and Gilmore Road;

Thence, along the westerly line of Section 19, also the centerline of Gilmore Road, North $00^{\circ}19'39''$ West, a distance of 2058.57 feet to an Iron pipe, known as the **Point of Beginning** containing 113.869 acres of land and being subject to all easements and Rights-of-Way of record.

The above descriptions were prepared by the Butler County Engineer's Office. *The above descriptions are not based on a field survey.*

Prior Instrument references: Deed Book 1755, Page 208, Deed Book 918 Page 72, and Plat Volume 18, Page 172 of the Butler County Engineer's Records.

The FAIRFIELD CITY SCHOOL DISTRICT BOARD OF EDUCATION, BUTLER COUNTY, OHIO, met in Special session on the 6th day of June, 2001 with the following members present:

Mr. Oler
Mrs. Barger
Mrs. Crone
Mr. Godsey
Dr. Crain

Dr. Crain moved the adoption of the following resolution:

RESOLUTION NO. 01-63

WHEREAS, the Township of Fairfield, Butler County, Ohio ("Township") proposes to declare that the construction of certain improvements within the unincorporated area of the Township constitute public purpose improvement under Ohio Revised Code (ORC) section 5709.73 and to abate the real estate taxes on those improvements in the percentage of one hundred percent (100%) of their value for thirty (30) years ("the Abatement"); and

WHEREAS, the Township notified the Board concerning the Abatement prior to formal adoption of a resolution approving said findings and Abatement and requested it consent to the abatement, as required by ORC section 5709.73 (B) (2); and

WHEREAS, the Township has proposed to pay annually to the Board an amount equal to 18.59 or 21.9 percent of the payments in lieu of taxes received by the Township as a result of the Abatement, as compensation to the Board for revenues foregone by the Board as a result of the Abatement; and

WHEREAS, the Treasurer and Superintendent have negotiated separately with the Butler County Joint Vocational School District ("JVS") concerning equitable division of the annual payments between the boards to compensate the JVS for revenues foregone by it as a result of the Abatement; and

WHEREAS, the Board desires to approve such Abatement, provided that a mutually acceptable compensation agreement between the Township, Board and JVS be negotiated providing for annual payments to the Board of an amount equal to twenty-five percent (25%) of the payments in lieu of taxes received by the Township as a result of the Abatement with four percent (4%) of said annual payment amount received by the Board to be paid over to the JVS by the Board.

NOW, THEREFORE, BE IT HEREBY RESOLVED, THAT THE FAIRFIELD CITY SCHOOL DISTRICT BOARD OF EDUCATION, BUTLER COUNTY, OHIO,

approves and consents to the tax increment financing tax abatement proposed for parcels located within the "TIF Zone" on the condition that Fairfield Township execute an agreement to reimburse the Fairfield City School District Board of Education for foregone revenues in the amount of twenty-five percent (25%) of payments in lieu of taxes received by the Township as a result of the Abatement; and

BE IT FURTHER RESOLVED, that the Board of Education hereby waives the statutory forty-five (45) business days notice of the tax abatement application required by Ohio Revised Code Section 5709.73 (B) (2), in light of the Board's prior notice of these abatements; and

BE IT FURTHER RESOLVED, that the Board of Education hereby approves a written Agreement between the Fairfield City School District Board of Education, the Township of Fairfield and the Butler County Joint Vocational School District Board of Education providing for compensation and division of compensation with the JVS consistent with this Resolution, and authorizes the Superintendent, Treasurer and Board President to execute such Agreement in a form approved by legal counsel.

The Treasurer shall certify a copy of this Resolution to the Township Clerk immediately.

Mr. Oler seconded the motion.

Upon roll call the vote resulted as follows:

<u>Mrs. Barger</u>	<u>Yes</u>
<u>Dr. Crain</u>	<u>Yes</u>
<u>Mrs. Crone</u>	<u>Yes</u>
<u>Mr. Godsey</u>	<u>Yes</u>
<u>Mr. Oler</u>	<u>Yes</u>

ADOPTED: June 6, 2001.

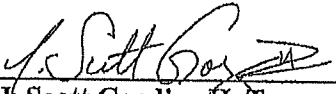
Anne Crone, President

ATTEST:

J. Scott Gooding II, Treasurer

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of Resolution 01-63, adopted by the Fairfield City School District, Board of Education at a Special Meeting held on June 6, 2001.



J. Scott Gooding II, Treasurer