

Instrument Book Page Type
200400053502 OR 7399 41 AGREEMENT

Date Time
07-08-2004 08:42:55 am.

**AMENDMENT TO HAMILTON - INDIAN
SPRINGS JOINT ECONOMIC
DEVELOPMENT DISTRICT
CONTRACT**

**FIRST AMENDMENT ADDING AREA TO
THE DISTRICT TERRITORY AND
REDISTRIBUTING INCOME TAX
REVENUE FOR ADDED AREA**

EFFECTIVE AUGUST 1, 2004

EXHIBIT SCHEDULE

HAMILTON - INDIAN SPRINGS TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT [JEDD] - ADDITIONAL AREA

ATTACHMENT 1 - Contract [Certified Copy]

ATTACHMENT 2 - Development Plan [Certified Copy]

EXHIBIT A - Hamilton Ordinance No. EOR2004-5-48 [Certified Copy]

EXHIBIT B - Fairfield Township Resolution No. 04-52 [Certified Copy]

EXHIBIT C - Table of Property Owners and Business Owners

EXHIBIT D - Maps - Existing Territory

D-1 - Vicinity Map of Existing Territory [Three Areas]

D-2 - Detail Map of Area 1 and Area 2

D-3 - Detail Map of Area 3

EXHIBIT E - Legal Descriptions - Existing Territory

E-1 - Existing Territory - Area 1

E-2 - Existing Territory - Area 2

E-3 - Existing Territory - Area 3

EXHIBIT F - Legal Descriptions - Added Area

F-1 - Perimeter Description for Tract 1

F-2 - Parcels within Tract 1

F-3 - Parcels within Tract 1

F-4 - Perimeter Description for Tract 2

EXHIBIT SCHEDULE (continued)

F-5 - Parcels within Tract 2

F-6 - Parcels within Tract 2

F-7 - Parcels within Tract 2

F-8 - Parcels within Tract 2

F-9 - Parcels within Tract 2

F-10 - Parcels within Tract 2

F-11 - Parcels within Tract 2

F-12 - Parcels within Tract 2

F-13 - Parcels within Tract 2

F-14 - Parcels within Tract 2

F-15 - Parcels within Tract 2

EXHIBIT G - Maps - Added Area

G-1 - Detail Map of Added Area - Tract 1

G-2 - Detail Map of Added Area - Tract 2

G-3 - Table

EXHIBIT H - Zoning Maps - Added Area

H-1 - Zoning Map of Added Area

H-2 - Zoning Map of Tract 2

H-3 - Zoning Map of Tract 1

H-4 - Color Coded Zoning Map

EXHIBIT I - Butler County Commissioners' Resolution No. 04-07-2162 [Certified Copy]

**AMENDMENT TO HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT**

**FIRST AMENDMENT ADDING AREA TO THE DISTRICT TERRITORY AND
REDISTRIBUTING INCOME TAX REVENUE FOR ADDED AREA**

The contracting parties to the Hamilton - Indian Springs Joint Economic Development District Contract enter into the amendment for good and valuable consideration and pursuant to lawful process as more fully set forth:

1. **Parties** - The contracting parties are:

A. City of Hamilton
One Renaissance Center
345 High Street
Hamilton, Ohio 45011

and

B. Fairfield Township Trustees
6032 Morris Road
Hamilton, Ohio 45011-5118

2. ~~Recitals~~ - ~~The parties entered into a contract creating the Hamilton - Indian Springs Joint Economic Development District dated August 7, 1996 [the contract] pursuant to approval via ordinance of Hamilton City Council and resolution of the Fairfield Township Trustees. The contract was delivered to the Butler County Commissioners according to law and the electors of Fairfield Township approved the contract at the general election conducted November 5, 1996. Issue 12. A certified copy of the contract is attached and is incorporated by reference. A certified copy of the Development Plan required by the contract is attached and is incorporated by reference.~~

Following formation of the Joint Economic Development District, a Board of Directors was formed pursuant to section 9 and the parties and the Board have implemented and performed according to the covenants stated in the contract.

By reason of successful course of performance and in furtherance of the development plan, the parties desire to:

- A. amend the contract by adding area to the District territory; and
- B. redistribute the net tax (less the service fee) revenues for the added area according to the following formula - Hamilton 25% and Fairfield Township 75%.

R.C. 715.761 [effective March 22, 1999] states the procedure applicable to adding area and amending the contract. The statutorily prescribed procedure supersedes the amendment provisions in Section 5 at pp. 2-3 and Section 17 at p. 19 of the contract.

The Hamilton City Council and Fairfield Township Trustees have each conducted public hearings after required notice and have adopted their respective ordinance and resolution authorizing this First Amendment. A copy of Hamilton Ordinance No. EOR2004-5-48 is attached as Exhibit A. A copy of Fairfield Township Resolution No. 04-52 is attached as Exhibit B.

A majority of the property owners located in the added area and a majority of the business owners located in the added area have submitted their conforming petitions to the Butler County Commissioners who are the legislative authority for Butler County, Ohio.

Fairfield Township gave timely notice (within ten (10) days of filing) to:

- A. those owners of property located in the area of Fairfield Township to be added to the District who did not sign the petition; and
- B. those owners of businesses located in the area of Fairfield Township to be added to the District who did not sign the petition.

A table of affected property owners and business owners within the added area (as of April 1, 2004) is attached at Exhibit C.

On July 1, 2004, the Butler County Commissioners adopted a resolution acknowledging receipt of the required documents and approving the addition of area to the District pursuant to R.C. 715.77(A)(2). A certified copy of the Commissioners' Resolution No. 04-07-2162 is attached as Exhibit I.

Resolution No. 04-52 of the Fairfield Township Trustees approving an amendment adding area to the existing District is not required to be submitted to the electors of the Township for approval pursuant to R.C. 715.761(D).

3. **Existing Territory** - The map of the existing territory is attached to the contract. The map was prepared prior to completed planning and roadway acquisition for the Michael A. Fox Highway - State Route 129, a portion of which is located within the District. A revised map of existing territory (in three areas showing subject parcels) as of April 1, 2004 is attached as Exhibit D [1 - 3]. The parties acknowledge that the legal descriptions for the existing district territory (as of April 1, 2004) as portrayed in the map are as follows:

LEGAL DESCRIPTIONS - See Exhibit E [1-3] attached.

The legal descriptions are consistent with the map and are reconciled with applicable tax parcels and existing ownership.

4. **Added Area** - The following area [Referred to as Tract 1 - 65.197 Acres; and Tract 2 - 53.594 Acres] is added to the District:

LEGAL DESCRIPTIONS - See Exhibit F [1 - perimeter description for Tract 1; 2-3 - parcels within Tract 1; 4 - perimeter description for Tract 2; 5-15 - parcels within Tract 2] attached.

MAP OF ADDED AREA - See Exhibit G [1-3 - with table] attached.

The added area is in addition to the territory described in Addendum A to the contract. The added area is located entirely within Fairfield Township. No elector resides within the added area and no part of the added area is zoned for residential use. The added area does not include any parcel of land owned in fee or leased to a municipal corporation or township other than the parties.

5. **Zoning** - The added area is zoned for commercial use pursuant to the Fairfield Township Zoning Resolution.

ZONING MAP OF ADDED AREA - See Exhibit H [1-4] attached.

The parties acknowledge that the above land use and zoning classifications are the best and proper available uses to encourage economic development. The area is currently developing consistent with the prescribed zoning classifications. This First Amendment and the contract shall not operate as a limitation upon Township [i.e., Board of Trustees or Board of Zoning Appeals] authority to change zoning district classification of the existing territory or added area, or to amend the Fairfield Township Zoning Resolution, or to grant conditional use, variance, specially permitted use, or other change pursuant to the Fairfield Township Zoning Resolution as currently in effect or as amended from time to time.

6. **Revenue Distribution for Added Area** - Income tax collections, net of collection expenses, and refunds to be derived from the added area shall be paid twenty-five [25%] percent to Hamilton and seventy-five [75%] percent to Fairfield Township.

7. **Effective Date** - This First Amendment shall become effective August 1, 2004 per approval by the Butler County Commissioners.

8. **Filing** - The Fairfield Township Administrator shall file this First Amendment with the Director of Development after it becomes effective.

9. **Recording** - The Fairfield Township Administrator shall record this First Amendment with the Butler County Recorder after it becomes effective.

10. **Integration** - The First Amendment is supplemental to the contract and revenue redistribution is applicable only to the added area. In all other respects the original provisions of the contract remain applicable.

11. **Severability** - Unenforceability of reciprocal duties and covenants of this First Amendment for any reason shall not affect the enforceability of the reciprocal duties and covenants of the original contract.

IN WITNESS WHEREOF, the City of Hamilton and the Fairfield Township Trustees have caused this contract to be duly executed by their authorized officers.

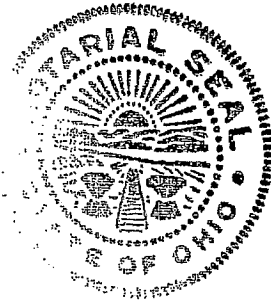
City of Hamilton

By: Michael J. Samoviski
Michael J. Samoviski
City Manager
Pursuant to authority of
Ordinance No. EOR2004-5-48

STATE OF OHIO
COUNTY OF BUTLER, SS:

Before me, a Notary Public, in and for said county, personally appeared the above-named City of Hamilton, State of Ohio, by its duly authorized City Manager, Michael J. Samoviski, by authority of Ordinance No. EOR2004-5-48, who acknowledged that he did sign the foregoing instrument and the same is the free act and deed of said City and the free act and deed of him personally and as such duly appointed City official.

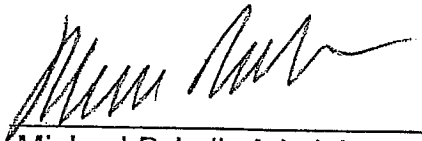
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, this 7th day of July, 2004.



JACK F. GROVE
Notary Public, State of Ohio
My Commission has no Expiration Date
Ohio Revised Code Section 147.03

Jack F. Grove
Notary Public

Fairfield Township Board of
Township Trustees

By: 
Michael Rahall, Administrator
Pursuant to Authority of
Resolution No. 04-52

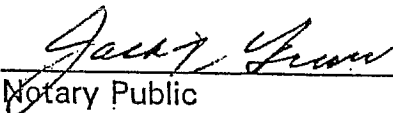
STATE OF OHIO
COUNTY OF BUTLER, SS:

Before me, a Notary Public, in and for said county, personally appeared the above-named **Fairfield Township Trustees**, County of Butler, State of Ohio, by their duly appointed Township Administrator, Michael Rahall, by authority of Resolution No. 04-52, who acknowledged that he did sign the foregoing instrument and the same is the free act and deed of said Township Trustees and the free act and deed of him personally and as such duly appointed Township official.

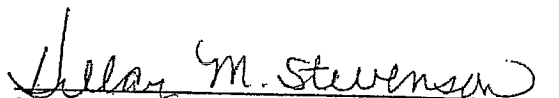
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, this 7th day of July, 2004.




JACK F. GROVE
Notary Public, State of Ohio
My Commission has no Expiration Date
Ohio Revised Code Section 147.03


Notary Public

Approved:


Hillary Stevenson, Law Director
City of Hamilton 7/7/04


Jack F. Grove, Law Director
Fairfield Township

This instrument prepared by:

Jack F. Grove
Attorney at Law
1251 Nilles Road
Suite 10
Fairfield, Ohio 45014
Telephone (513) 829-2900
Facsimile (513) 829-7538

HAMILTON-INDIAN SPRINGS JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT

This Hamilton-Indian Springs Joint Economic Development District Contract (the "Contract") is made and entered into as of August 7, 1996, by and between the City of Hamilton! ("Hamilton!"), and Fairfield Township of Butler County ("Fairfield Township") in accordance with the terms and provisions set forth herein.

RECITALS

- A. The respective territories of Hamilton! and Fairfield Township are contiguous and there has been no prior contract between the parties for the provision of utility services.
- B. Hamilton! and Fairfield Township intend to enter into this Contract to create and provide for the operation of the Hamilton-Indian Springs Joint Economic Development District (the "District") in accordance with Sections 715.72 to 715.81 of the Ohio Revised Code for their mutual benefit and for the benefit of their residents and of the State of Ohio (the "State").
- C. The legislative authorities of Hamilton! and Fairfield Township, after public hearings in conformity with Revised Code Section 715.75, have each authorized and directed Hamilton! and Fairfield Township, respectively, to make and enter into this Contract by and through their respective officers in accordance with Ordinance No. 0n96-883, enacted by Hamilton! City Council on August 2, 1996, and Resolution No. 96-54, adopted by the Fairfield Township Board of Trustees on August , 1996.
- D. A copy of the Contract was previously delivered to the Board of Commissioners of Butler County, Ohio (the "County").
- E. In accordance with Ohio Revised Code Section 715.77, the creation of the District is subject to approval by the voters of Fairfield Township at the general election to be held on November 5, 1996 or as otherwise determined by the County.

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NOW, THEREFORE, in consideration of the mutual promises and covenants set forth in this Contract, Hamilton! and Fairfield Township agree and bind themselves, their agents, employees and successors, as follows:

Section 1. Creation of District; Name. Hamilton! and Fairfield Township, by their combined action evidenced by the signing of this Contract and pursuant to Ohio Revised Code Section 715.72, hereby create a Joint Economic Development District in accordance with the terms and provisions of this Contract. The Joint Economic Development District created pursuant to this Contract shall be known as the "Hamilton-Indian Springs Joint Economic Development District."

Section 2. Contracting Parties. The contracting parties to this Contract are the City of Hamilton!, a municipal corporation existing and operating under the laws of the State, including the Charter of Hamilton!, and Fairfield Township, Butler County, a township existing and operating under laws of the State, and their respective successors in all or in part.

Section 3. Purpose. Hamilton! and Fairfield Township intend that the creation and operation of the District shall, and it is the purpose of the District to, facilitate commercial and economic development, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in the State, the County, Hamilton!, Fairfield Township and the District.

Section 4. Territory of the District. The territorial boundaries of the District are described in Addendum "A" attached to and made part of this Contract (the "Territory"). The Territory is located entirely within the boundaries of Fairfield Township, Butler County and does not include any "parcel of land" (as defined in Section 715.73(B) of the Revised Code) that is owned in fee by or is leased to a municipal corporation or a township. No electors reside within the Territory and no portion of the Territory is zoned for residential use.

Section 5. Addition and Removal of Areas from District. This Contract, including Addendum "A" hereto, may be amended from time to time to add certain property within Hamilton! or

Fairfield Township to the territory of the District. Qualifying property may be added to the District upon the filing of a request by the owner of that property with the Board (as hereinafter defined). Upon agreement by Hamilton! and Fairfield Township, this Contract, including Addendum "A" hereto, shall be amended to add such property to the territory of the District pursuant to the request of the owner of that property. Upon agreement by Hamilton! and Fairfield Township, this Contract, including Addendum A hereto, may also be amended from time to time to remove property from the territory of the District. Property also may be removed from the District at the election of the property owners if so provided by contract among the property owners, Hamilton and Fairfield Township, but subject to such conditions as that contract may specify.

Section 6. Term. The initial term of this Contract shall commence on the date hereof and shall terminate December 31, 2026. Each party shall have the right to extend this Contract for two successive 30-year periods by delivering written notice of the extension to the other party hereto on or before 180 days prior to the expiration of the term of this Contract or any extension thereof. The provision herein for the initial term of, and the right of each party to extend, this Contract recognizes that the accrual of benefits to the parties from this Contract may take decades and that the construction of utility facilities and other possible capital improvements provided for herein is of permanent usefulness and duration.

This Contract may be terminated at any time by mutual consent of Hamilton! and Fairfield Township as authorized by their respective legislative authorities as provided herein. In order for such termination to be effective, the legislative actions of the parties that terminate this Contract must occur and be effective within a period of 90 days of each other.

Notwithstanding Section 16 hereof, the Contract may also be terminated by either party:

- (i) if it is determined at any time, for any reason, that joint economic development district contracts, including this Contract, cannot be entered into, cannot be implemented, or are held invalid by a court of competent jurisdiction;

- (ii) that the income tax provided for in Section 11 hereof is not legal or valid or that the District, for any reason, may not levy, collect or distribute that income tax in accordance with this Contract; or
- (iii) if the commercial/industrial zoning plan for the District as agreed between the parties has not been adopted and implemented by December 31, 1996; or
- (iv) if the service fee payable to the parties under Section 11 hereof is not legal or valid.

A party's determination to so terminate this Contract shall be evidenced by a written notice of such termination via resolution of its legislative authority. The termination shall occur on the date set forth in the notice. If this Contract is terminated upon the exercise of this option, neither party shall have any further obligation under this Contract after the date of termination.

Upon termination of this Contract, any property, assets and obligations of the District shall be divided equally between Hamilton! and Fairfield Township; provided that the District shall first use any property or assets to reduce or settle any obligations of the District. Any records or documents of the District shall be placed with Hamilton! for safekeeping, which records and documents shall be maintained by Hamilton! on the same basis as comparable records of Hamilton!. Additionally, and notwithstanding any other provision of this Contract, to the extent Hamilton! has begun construction or expended monies for construction or entered into binding contracts for the construction of water and/or sewage facilities primarily designed to serve as contributions under this Contract and such facilities are not reasonably susceptible of completion so as to provide compensating service revenues to Hamilton! without the assistance of the District, Hamilton! may require Fairfield Township to reimburse Hamilton! for one-half of its contract expenses (including termination fees) at cost. In lieu of such payment, Fairfield Township shall have the option to purchase any such specific segregable project facilities at cost, in which event title to the facilities will pass to Fairfield Township on payment of the facility cost. The phrase "at cost" shall be

defined as Hamilton!'s total expenditure(s) for such facilities, including an interest factor based on the then current prime rate.

Pursuant to Section 715.79(C) of the Revised Code, this Contract shall continue in existence throughout its term and shall be binding on the contracting parties and on any entities succeeding such parties, whether by annexation, merger, or otherwise. In the event that any portion of the territory of the District shall be included within a municipal corporation by annexation, merger or otherwise, Hamilton! and Fairfield Township may, but are not required to, amend this Contract to include that municipal corporation as a party to this Contract in addition to or as a substitute for Fairfield Township.

Section 7. Contributions to the District. In accordance with Section 715.74(A) of the Revised Code, Hamilton! and Fairfield Township each agree to contribute to the development and operation of the District as follows:

(a) **Water Service.** The parties expect water service in the District will be provided by Butler County. If for any reason Butler County declines to service that portion of the District South of present-day Princeton Road and West of By-Pass 4, and if not otherwise in conflict with the Butler County water service infrastructure, access to water service from Hamilton!'s water system may be made available to users in such portion of the District by special assessment. This commitment applies only to water distribution facilities and Hamilton! shall not be required to construct production or treatment facilities except as Hamilton! shall specifically consent.

Any water service agreements with users within the District by Butler County shall be at rates that for the term of this Contract are equal to the rates charged to comparable Butler County users as those rates are revised from time to time. A tap-in fee or other fees may be charged by Butler County at the time of connection to the water system. To the extent authorized by law, Butler County or Fairfield Township or both, may establish special assessment procedures for the levy and collection of special

assessments to recover for Butler County all or part of the costs of capital investments that are made to facilitate water system improvements and/or additions.

Notwithstanding any other provision of this Contract, any obligation of Hamilton! to expand water service in the District, including any obligation to construct distribution facilities, shall be subordinate to Hamilton!'s obligations under the Fairfield Utility Agreement, as amended, and to Hamilton!'s existing service level commitments within its corporate boundaries.

(b) Sanitary Sewer Service. Access to sanitary sewer service from Hamilton!'s sanitary sewer system shall be made available to users in that portion of the District South of present-day Princeton Road and West of By-Pass 4. In order to contribute to that availability, Hamilton! shall acquire, construct and install gravity-flow trunk sanitary sewer service facilities appropriate to medium or ordinary commercial and industrial usage as development progress in the District warrants. This commitment applies only to collection facilities and specifically excludes (i) any obligation to construct lift stations or (ii) any obligation to construct treatment facilities, except as Hamilton! shall specifically consent.

Upon construction of such trunk facilities, Hamilton! shall enter into sanitary sewer service agreements with users at rates that are equal to Fairfield Township's Service Rates as established by Hamilton!, as those rates are revised from time to time. Tap-in, line extension and other fees may be charged by Hamilton! at the time of connection to the sanitary sewer system, provided that no high waste stream user may be permitted to connect to the system without Hamilton!'s prior consent, which Hamilton! shall not be obligated to give. To the extent permitted by law, Hamilton! may set discharge standards for the receipt of effluent into the system. To the extent authorized by law, Hamilton! or Fairfield Township, or both, may establish special assessment procedures for the levy and collection of special assessments to recover for Hamilton! all or part of the cost of capital investments that are made to facilitate sewer system improvements and/or additions.

(c) Storm Water Management. The parties shall develop a storm water management plan for the District which plan shall be updated as development in the District progresses. Because of existing surface water flow patterns, the parties recognize that the storm water management plan for the District must be coordinated with Hamilton!'s storm water management infrastructure.

(d) Electric and Gas Services. The parties expect the District will be served by The Cincinnati Gas & Electric Company, but if for any reason it declines to service all or any portion of the District, it is agreed that Hamilton! may supply such services or either of them to any such portion of the District on such terms as Hamilton! deems appropriate. Because of issues related to the deregulation of the gas and electric industries, the parties anticipate a flexible approach to the provision of these services will be required, such that the Board will have to evaluate service options as development takes place.

(e) Administrative Services. Hamilton! through its various departments such as, but not limited to, Planning and Economic Development may provide services to assist the District with planning, promotion and related activities to facilitate economic development in the District. Hamilton! may also provide building code enforcement, drainage requirements and Haz-Mat response. The specific services to be provided and means for payment for the costs for such services and staffing, including fees, user fees, permits etc., will be subject to the mutual agreement of the parties as development in the District progresses. Various permit fee structures will be developed for services in the District by Hamilton! and Fairfield Township. Hamilton! shall provide secretarial services and other staffing for the District. The reasonable costs for such services and staffing not covered by user fees shall be reimbursed to Hamilton! from the District income tax revenues as an operating expense of the District.

(f) Roads. Fairfield Township shall develop road infrastructure on township roads within the District, including the construction, reconstruction and expansion of roadways and traffic control devices appropriate to medium or ordinary commercial and industrial usage as development progress in the District warrants. To the extent permitted by law, Fairfield Township may establish special assessment

procedures for the levy and collection of special assessments or for the use of tax increment financing to recover for Fairfield Township all or part of the cost of capital investments that are made for road infrastructure improvements. Nothing in this Contract shall restrict Fairfield Township from requiring any developer to construct internal roads as a condition of approving the subdivision of any parcel. Both parties agree to support the construction of the Butler County Regional Highway.

(g) Support of Infrastructure Construction. Fairfield Township shall cooperate with Hamilton! in Hamilton!'s acquisition, construction and installation of all public facilities as provided in this Contract, including, but not limited to, granting easements and rights-of-way through Fairfield Township owned lands or its public roadway rights-of-way at no charge or fee and granting street opening permits at no more than the usual and customary costs. Fairfield Township agrees to use its eminent domain authority where necessary or reasonably appropriate to carry out the projects and improvements of the District, the cost of which shall be borne equally between the parties. For purposes of such authority, this Contract shall be considered a contract by Fairfield Township with Hamilton! for the provision of water supply facilities within Revised Code Section 504.18(B).

(h) Public Safety Services. For the term of this Contract, Fairfield Township shall, (1) except as otherwise specified in this Contract, provide the same services within the District that it now provides, or in the future will provide, within its boundaries; (2) continue to provide police protection for the District; (3) repair and maintain township roadways and bridges and shall provide snow plowing, road salting, road right-of-way mowing and clean up of illegally dumped trash within road right-of-way for all township roads within the District and (4) shall also provide ditch, water course and storm sewer maintenance, repair and reconstruction in all public lands subject to its jurisdiction within the District.

For the term of this Contract, Hamilton! shall provide fire protection for the District.

Hamilton! and Fairfield Township agree to maintain a mutual aid agreement for police and fire protection for the term of this Contract.

(i) Formation of District. Hamilton! and Fairfield Township shall prepare, or cause to be prepared, all documents of Hamilton!, Fairfield Township and the District relating to the formation of the District including, but not limited to, this Contract, instruments describing the District boundaries, notices, forms of Hamilton!, Fairfield Township, County and District legislation and election proceedings. Any costs incurred by Hamilton! and Fairfield Township in preparing such documents or otherwise incurred by Hamilton! in assisting in the establishment of the District, including the defense of any litigation challenging the District, shall be shared equally between Hamilton! and Fairfield Township.

(j) Subcontracting. Both Hamilton! and Fairfield Township may fulfill any of their separate or joint obligations under this Contract through contracts with or delegation to a third party, including both public and private entities.

Section 8. Ownership of Facilities. All public utility service facilities that are acquired, constructed or installed by Hamilton! to implement this Contract shall be owned, operated and maintained by Hamilton!, unless otherwise determined by Hamilton!. The termination or expiration of this Contract shall not affect the ownership of public utility facilities or grants of easements for utility facilities within the boundaries of Fairfield Township even though installed or granted pursuant to this Contract and Hamilton! may continue to provide water and/or sewage services through such facilities at its then current out-of-city rates.

Section 9. Board of Directors. Pursuant hereto, a Board of Directors is established to govern the District. The Board initially shall consist of three members, one representing the city, one representing the township, and the third member to be selected by the Board (the "Board Designee"). The city representative shall be designated by the Mayor of Hamilton! and approved by its Council. The city representative shall serve an initial term of one year and thereafter shall serve for successive four-year terms. The township representative shall be designated by the Board of Trustees of Fairfield Township. The township representative shall serve an initial term of two years and thereafter shall serve for successive

four-year terms. The Board Designee shall be confirmed at the first Board meeting and shall serve for initial and successive terms of four years each. In addition, during any year in which there are businesses located and persons working within the District, the Board shall include one member representing the owners of businesses located within the District (the "Business Designee") and one member representing the persons working within the District (the "Employee Designee"). Such persons shall be appointed jointly by the city representative, the township representative, and the Board Designee. The Business Designee shall serve an initial term of three years and thereafter shall serve for successive four-year terms. The Employee Designee shall serve for initial and successive terms of four years each. The Board Designee shall serve as Chairperson of the Board. All Board terms shall expire on the anniversary date of the first Board meeting of the applicable year, except that Hamilton! shall have the authority to recall the city designee and Fairfield Township shall have the authority to recall the township designee. Recall shall be conducted by the same procedure used for the appointment of that designee. New terms and vacancies in any Board position shall be filled by the same procedure previously used to appoint a member to that specific position. Any individual serving on the Board may be reappointed to the Board either in the same or a different position, but no individual may serve more than two consecutive terms on the Board. Filling an unexpired term shall be counted as a term on the Board for purposes of this limitation.

The members of the Board shall serve without compensation as such members or as officers.

Necessary and authorized expenses incurred by members on behalf of the District shall be reimbursed from District funds in accordance with procedures established by the Board.

The Board shall elect the following officers (who shall constitute the Officers of the Board) from among its members: a Chairperson, a Vice Chairperson, a Secretary and a Treasurer, provided that the Secretary and the Treasurer may be the same person. The Board is authorized to expend funds to acquire a bond for the Treasurer. The Officers shall be elected at the first meeting of the Board and thereafter every other year for two-year terms and shall serve until their respective successors take office. Except as

otherwise required by law, the Board shall establish a procedure for conducting those elections. The Officers shall perform such duties as provided herein and such additional duties as may be provided from time to time by the Board.

Section 10. Powers, Duties, Functions. The Board shall meet at least quarterly each calendar year on dates to be determined by the Board, provided that the first meeting of the Board shall occur on or before _____, 199__. The Board shall adopt procedures for holding and conducting regular and special meetings. Meetings may be held at the offices of Hamilton! or Fairfield Township or at other locations within the County as determined by the Board. The principal office and mailing address of the District and the Board shall be determined by the Board at its first meeting and may be changed by the Board from time to time. The Board may maintain an office within the District. A minimum of a majority of the then appointed members shall constitute a quorum for Board meeting purposes. The Board shall act through resolutions adopted by the Board. A resolution must receive the affirmative vote of at least a majority of the members of the Board to be adopted, provided that no resolution shall be adopted if either or both the city or the township representatives shall vote against adoption of such resolution. A resolution adopted by the Board shall be immediately effective unless otherwise provided in that resolution or as otherwise required by law. The Board is considered a public body and is subject to public records law as defined in Revised Code Section 121.22.

The Board by resolution may adopt by-laws for the regulation of its affairs and the conduct of its business consistent with this Contract, which authority includes the power to amend or repeal any by-law.

The Chairperson shall preside over and conduct the meetings of the Board in accordance with its by-laws or other procedures adopted by the Board. The Chairperson may call special meetings of the Board by giving 24-hour written notice of such meeting to each member delivered to his or her residence or place of business. Any majority of the Board may also call a special meeting by providing the same notice.

The Vice Chairperson shall act as Chairperson in the temporary absence of the Chair.

The Secretary shall be responsible for the records of the Board including, but not limited to, correspondence and minutes of the meetings of the Board.

The Treasurer shall be the fiscal officer of the Board and shall be responsible for all fiscal matters of the Board, including, but not limited to, the preparation of the budget and the appropriations resolution, paying or providing for the payment of expenses of operation of the Board, receiving, safekeeping and investing, or providing for the receipt, safekeeping and investment of, funds of the Board and maintaining, or providing for the maintenance of, accurate accounts of all receipts and expenditures. The Board may provide in the Tax Agreement (as defined in Section 11 hereof) that the Department of Finance of Hamilton! shall assist the Treasurer with the duties of that office.

The Board shall adopt an annual budget for the District. The fiscal year of the District shall be the same as the fiscal year of Hamilton!. The budget shall estimate the revenues of the District and expenses of the operation of the District. The Board shall establish an appropriations procedure to provide for payment of the operating expenses of the District and the distribution of income tax revenues in accordance with Section 11 hereof.

The Board shall designate by resolution, or in its by-laws, those officers who may sign documents on behalf of the Board.

The Board is authorized to take such necessary and appropriate actions, or establish such programs, to facilitate economic development in the District in accordance with the purpose of this Contract.

The Board, by resolution, is authorized to change the name of the District.

The Board, on behalf of the District, may:

(a) purchase, receive, hold, lease or otherwise acquire, and sell, convey, transfer, lease, sublease, or otherwise dispose of real and personal property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof, including but not limited to, any real or

personal property acquired by the District from time to time in the satisfaction of debts or enforcement of obligations, or otherwise;

(b) acquire, purchase, construct, reconstruct, enlarge, furnish, equip, maintain, repair, sell, exchange, lease or rent to others, or operate facilities for the District;

(c) make available the use or services of any District facility to one or more persons, one or more governmental agencies, or any combination thereof;

(d) apply to the proper authorities of the United States pursuant to appropriate law for the right to establish, operate, and maintain foreign trade zones or sub-zones within the area or jurisdiction of the District and to establish, operate and maintain such foreign trade zones or sub-zones;

(e) establish and maintain such funds or accounts, either as required or as it deems necessary, either of its own or in conjunction with or through Hamilton! or Fairfield Township;

(f) establish procedures and authorize expenditures of the District's long-term maintenance fund;

(g) promote, advertise and publicize the District and its facilities, provide information relating to the District and promote the interests and economic development of the District, Hamilton!, Fairfield Township, the County and the State;

(h) make and enter into all contracts and agreements and authorize one or more Officers to sign all instruments necessary or incidental to the performance of its duties and the execution of its powers under this Contract;

(i) employ managers and other employees and retain or contract with consulting engineers, financial consultants, accounting experts, auditors, architects, attorneys and such other consultants and independent contractors as are necessary in its judgment to carry out the purposes of this Contract and to manage and supervise the operation of the District, and fix the compensation thereof, which shall be payable from any available funds of the District;

(j) receive and accept from any federal agency, state agency or other person grants for or in aid of the construction, maintenance or operation of any District facility, for research and development with respect to District facilities or for programs or other projects of the District, and receive and accept aid or contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants, aid or contributions are made.

(k) purchase fire and extended coverage and liability insurance for any District facility and for the office of the District, insurance protecting the District and its Board, Officers and employees against liability for damage to property or injury to or death of persons arising from its operations, and any other insurance that the Board may determine to be reasonably necessary.

The Board may enter into an agreement with Hamilton! or Fairfield Township for such party to administer and implement employment and discharge of and salaries, benefits and work rules established for employees of the District. All costs of employment, including but not limited to, compensation, salaries, benefits, taxes and insurance, shall be paid from revenues of the District. Neither Hamilton! nor Fairfield Township shall be the employer and shall have no liability for any costs of employment or any other costs or expenses arising from such employment and the District shall defend and hold harmless Hamilton! and Fairfield Township from any such claim. The Board may adopt rules or regulations for the purchases of real or personal property and other goods or services.

This Contract grants to the Board the power and authority to adopt a resolution to levy an income tax within the District in accordance with Section 715.74(C) of the Revised Code and Section 11 hereof.

The Board is authorized to do all acts and things necessary or convenient to carry out the powers granted in this Contract.

Hamilton! and Fairfield Township may exercise all of the powers and may perform all of the functions and duties set forth in Section 715.81 of the Revised Code.

Section 11. Income Tax. Hamilton! and Fairfield Township shall cause their representatives to the Board to adopt at its first meeting a resolution to levy an income tax in the District at the rate then in effect in Hamilton! in accordance with Section 715.74(C) of the Revised Code. The income tax shall go into effect on the first day of the month occurring no less than thirty (30) days after the income tax resolution is adopted. The rate of the income tax shall change from time to time so that it is equal to the rate of the municipal income tax levied by Hamilton!. The revenues of that income tax shall be used for the purposes of the District and the contracting parties pursuant to this Contract. Income tax collections net of collection expenses and refunds shall first be applied to District operating expenses in accordance with the District budget, then to any required or designated long-term maintenance set aside, with any surplus to be paid 75 % to Hamilton! and 25 % to Fairfield Township in compensation for their respective contributions to the District to be used as determined by each party. Distributions hereunder to Hamilton! and Fairfield Township shall be no less frequent than quarterly.

The Board shall adopt, by resolution, for the District's income tax all of the provisions (other than for the names of parties) of Hamilton!'s income tax legislation, as it may be amended from time to time, including regulations, except that the Board may adopt provisions regarding the tax incentive credits authorized under Section 718.08 of the Revised Code without regard to action by Hamilton! and there shall be no provision for the levying of income tax on individuals solely based on residence within the District. Included in the resolution levying the District's income tax shall be a provision designating 2 percent of net annual collections to be set aside in a long-term maintenance fund for the District. This percentage shall not be revised or changed unless otherwise provided by amendment to this Contract. The income tax levied by the Board pursuant to this Contract and Section 715.74(C) of the Revised Code shall apply in the entire District throughout the term of this Contract, notwithstanding that all or a portion of the District becomes subject to annexation, merger or incorporation.

In accordance with Section 715.74(C) of the Revised Code, the Board shall enter into an agreement with Hamilton! to administer, collect and enforce the income tax on behalf of the District (the "Tax Agreement"). The Tax Agreement shall provide that the Director of Finance of Hamilton! shall be the Administrator of the income tax of the District (the "Administrator"), who shall be responsible for the receipt, safekeeping and investment of the income tax revenues collected within the District. The Administrator is also given the authority to grant refunds and compromise claims for tax, penalties and interest. The Tax Agreement shall provide that the Administrator shall make a quarterly report to the Board regarding the receipt and distribution of the income tax of the District and the operating income and expenses of the District for the preceding quarter and projections for the next quarter. Hamilton! for its services shall be entitled to a fee based on the revenues collected, including penalty and interest amounts, at a rate no greater than that charged by Hamilton! to other municipalities for the administration of their income taxes, plus reimbursement for reasonable costs for collection actions and responding to any appeals, including transcripts, court costs and attorneys' fees. The Administrator shall be authorized to issue subpoenas and to bring suit in the name of the District in any assessment or enforcement action.

Section 12. Tax Abatement. Fairfield Township has been designated as an enterprise zone under Revised Code Section 5709.63 prior to its amendment by Substitute Senate Bill No. 19 of the 120th General Assembly. Fairfield Township agrees to offer enterprise zone incentives to qualifying businesses interested in locating within the District on no less favorable terms than offered for any other location within Fairfield Township. Fairfield Township agrees to advise the District Board of any inquiries concerning enterprise zone incentives within the District and to respond to any such inquiries or applications for benefits in an expeditious manner and otherwise to reasonably encourage businesses to locate within the District. To the extent the consent of Hamilton! is required for any enterprise zone agreement, Hamilton! agrees to respond in an expeditious manner and not to unreasonably withhold such consent.

Section 13. Property Taxes. Fairfield Township shall retain all of its rights to all real and personal property taxes generated in the District, on property located within the District, which shall be collected and credited to the appropriate Fairfield Township's Account by the Butler County Auditor.

Section 14. Annexation. Hamilton! and Fairfield Township agree that, so long as this Contract is in effect, Hamilton! will not, (i) accept any annexation petitions for any property located in Fairfield Township or (ii) assist property owners to annex their property located in Fairfield Township to Hamilton! or any other municipal corporation. Fairfield Township agrees that, it will not support, and it will use its best efforts to oppose, the annexation of any property located in Fairfield Township to Hamilton, or any other Municipal Corporations once the J.E.D.D. is approved, unless agreed to by both parties of the contract. Fairfield Township will not participate in, support or initiate any merger or consolidation process. Neither Hamilton! nor Fairfield Township is or will be divested of its rights or obligations under this Contract because of annexation, change of organizational form, merger or succession of interests and no such annexation, change of organizational form, merger or succession of interests shall terminate, limit or alter the operation of this Agreement. This paragraph constitutes an agreement by the parties pursuant to Section 715.80 of the Revised Code, provided that Hamilton! and Fairfield Township may enter into other agreements in accordance with that Section 715.80 of the Revised Code.

Section 15. Zoning. Within sixty (60) days of the signing of this Contract or as soon as practicable thereafter, Hamilton! and Fairfield Township shall develop a land use and zoning classification for the District, to find to best and proper available use for the District property to encourage economic development. Any zone changes in the District required for conformity with the Plan will be implemented as it relates to Fairfield Township zoning under Sections 519 of the Revised Code. Pending the adoption of that Plan, Fairfield Township will not permit any changes in the zoning or any conversion to residential status of any parcel within the District. Fairfield Township agrees to maintain, to the extent permitted by law, the classification of land within the District as business, commercial or industrial uses only. For

purposes hereof and to the extent permitted by law, "zoning" shall include "conditional zoning," granting of any variance or other form of permit to use, and otherwise prescribing the use to which property may be put. Fairfield Township will administer and enforce all zoning issues within the District in conformity with this Contract. No amendment to the Plan shall be permitted without the prior written approval of Hamilton! and Fairfield Township.

Section 16. Defaults and Remedies. A failure to comply with the terms of this Contract shall constitute a default hereunder. The party in default shall have 60 days after receiving written notice from the other party of the event of default to cure that default. If the default is not cured within that time period, the nondefaulting party may request in writing that the dispute be mediated by a neutral third party.

If the other party does not agree to mediation within fifteen (15) days of such request or if the dispute is not resolved to the mutual satisfaction of both parties within forty-five (45) days of the acceptance of mediation, either party may demand that the matter be submitted to binding arbitration for resolution.

Upon receipt of a demand for arbitration, such party shall within fifteen (15) days submit any counterclaims to be arbitrated. Such arbitration shall be held in Butler County, Ohio before a panel of three arbitrators, one of whom shall be designated by Hamilton! in its sole discretion and one of whom shall be designated by Fairfield Township at its sole discretion within thirty (30) days of the demand for arbitration. The two arbitrators so designated shall choose the third panel member. Such third panel member shall serve as Chair of the panel and shall determine the time and place of the arbitration hearing and any adjournments. The chair shall also make such procedural rulings at and before the hearing as may be necessary or appropriate, with such consultation with the other panel members as the Chair deems appropriate. The matter shall be ultimately determined by majority vote of the panel. Such arbitration panel shall have the authority to order specific performance as to any obligation under this Contract, but shall not have any authority to award punitive or exemplary damages. The final decision of the arbitrator panel on the merits of any claim shall be binding and conclusive on both parties and judgment on such arbitration award may

be entered in any court of competent jurisdiction. This Contract may not be canceled or terminated because of a default unless both Hamilton! and Fairfield Township agree to such cancellation or termination.

Any delay or failure of a party to perform its obligations hereunder shall be excused to the extent caused by an event or occurrence beyond the reasonable control of the party, such as, by way of example and not by way of limitation, acts of God, actions by other governmental authority (whether or not validly taken), fires, floods, natural disasters, riots, wars or court injunction or order.

Section 17. Amendments. In addition to the amendments provided for in Section 5 hereof, this Contract may be amended by Hamilton! and Fairfield Township only in a writing approved by the legislative authorities of both parties by appropriate legislation authorizing that amendment. In order for such amendment to be effective, the legislative actions of the parties that amend this Contract must occur and be effective within a period of 90 days of each other.

Section 18. Binding Effect. This Contract shall inure to the benefit of and shall be binding upon the District, Hamilton!, Fairfield Township and any other third parties which may become a party to this Contract and their respective permitted successors, subject, however, to the specific provisions hereof. This Contract shall not inure to the benefit of anyone other than as provided in the immediately preceding sentence.

Section 19. Support of Contract. Hamilton! and Fairfield Township agree to cooperate with each other and to use their best efforts to do all things necessary for the creation and continued operation of the District, including, but not limited to, soliciting any necessary petitions and promoting the approval by the electors of the resolution authorizing this Contract. In the event that this Contract, or any of its terms, conditions or provisions, is challenged by any third party or parties in a court of law, Hamilton! and Fairfield Township agree to cooperate with one another and to use their best efforts in defending this Contract with the object of upholding this Contract. Hamilton! and Fairfield Township shall each bear its

own costs in any such proceeding challenging this Contract or any term or provision thereof, provided that the Board shall reimburse Hamilton! and Fairfield Township for such costs to the extent funds of the District are available and appropriated therefor. As to all pending litigation involving either the incorporation of Fairfield Township or the annexation of territory by Hamilton!, the parties agree to withdraw any claims adverse to the interests of the other on such issues no later than December 31, 1996, except where such withdrawal would have a material adverse impact on such party's defense of any pending third party claim.

Section 20. Signing Other Documents. The parties agree to cooperate with one another and to use their best efforts in the implementation of this Contract and to sign or cause to be signed, in a timely fashion, all other necessary instruments and documents and to take such other actions in order to effectuate the purposes of this Contract.

Section 21. Limited Severability. Except as provided in Section 6 hereof, in the event that any section, paragraph or provision of this Contract, or any covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, or any application thereof, is held to be illegal or invalid for any reason:

(a) that illegality or invalidity shall not affect the remainder hereof or thereof, any other section or provision hereof, or any other covenant, agreement, obligation or action, or part thereof, made, assumed entered into or taken, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein or therein;

(b) the illegality or invalidity of any application hereof or thereof shall not affect any legal and valid application hereof or thereof; and

(c) each section, paragraph, provision, covenant, agreement, obligation or action, or part thereof, shall be deemed to be effective, operative, made, assumed, entered into or taken in the manner and to the full extent permitted by law.

Section 22. Governing Law. This Contract shall be governed exclusively by and construed in accordance with the laws of the State of Ohio, and in particular Sections 715.72 through .81 of the Revised Code. In the event that Sections 715.72 through .81 of the Revised Code, as applicable, are amended or supplemented by the enactment of a new section of the Revised Code relating to Joint Economic Development Districts, the parties may agree at the time to follow either the provisions of the applicable statute existing on the date of this Contract or the provisions, as amended or supplemented, to the extent permitted by law.

Section 23. Notices. All notices, requests and demands under this Contract shall be in writing and shall be deemed to have been given when actually received or when delivered in person during normal business hours or business days after being sent by certified mail, postage pre-paid, or one business day after having been sent by overnight courier service as follows or to such other address as a party may designate by proper notice to the other:

If to Hamilton:

City of Hamilton!
Municipal Building
20 High Street at Monument
Hamilton, Ohio 45011

Attention: City Manager

If to Fairfield Township:

Fairfield Township
6032 Morris Road
Indian Springs, Ohio 45011-5118

Attention: _____

Section 24. Captions and Headings. The captions and headings herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections hereof.

IN WITNESS WHEREOF, Hamilton! and Fairfield Township have caused this contract to be duly signed in their respective names by their duly authorized officers as of the date herein before written.

Signed as to Hamilton! in the presence of:

Gary L. Sheets
Name:

CITY OF HAMILTON!

By: Stephen E. Sorrell
Stephen E. Sorrell, Acting City Manager

Name:

(Witnesses as to Hamilton!)

Signed as to Fairfield Township in the presence of:

FAIRFIELD TOWNSHIP, BUTLER COUNTY

Chris K. Fortaine
Name:

By: Donald L. Dixon
Donald L. Dixon, President

Maxwell N. Wear
Name:

By: J. Ralph Osuna
J. Ralph Osuna, Trustee

(Witnesses as to Fairfield Township)

By: Joseph McAbee
Joseph McAbee, Trustee

Approved as to form only:

By: Gary L. Sheets 8/21/96
Gary Sheets, Director of Law
City of Hamilton!

By: Maxwell N. Wear
Maxwell N. Wear, Director of Law
City of Fairfield Township

Addendum A -- Territory

0232553.10

CONSENT

This Agreement is entered into between the City of Hamilton!! ("Hamilton!!") and Fairfield Township/Indian Springs, of Butler County (the "Township"). The parties have proposed to form a Joint Economic Development District (J.E.D.D.). The J.E.D.D. contract is subject to certain contingencies including the approval by the electors of the Township. The J.E.D.D. Contract, if approved would limit the annexation of territory in the Township by the City. The parties agree that it would be in their respective best interests to adjust that portion of their common boundary as described in attached Exhibit A (the "Property"). The territory involved in said transfer is not inhabited by any voters and is owned in part by Butler County.

Accordingly, upon the approval of the J.E.D.D. Contract by the Township electors and the certification of such vote of approval by the Butler County Board of Elections, each party hereby agrees to petition the Board of County Commissioners of Butler County at the next scheduled meeting of the Board of County Commissioners following such certification to request annexation of the Property to Hamilton!. Upon the effective date of the annexation of the Property to Hamilton!, in consideration for the Township agreeing to such boundary revision, Hamilton!! shall pay to the Township on June 30 of each year an amount equal to 25% of the Hamilton!! municipal income tax collected by Hamilton!! during the prior calendar year on wages paid for employment within the area transferred. This Agreement shall in no way obligate Hamilton!! to levy an income tax or to levy an income tax at any specific rate.

Regardless of the effective date of the annexation of the Property, both parties expressly waive both the statutory limitation on annexation contained in Ohio Revised Code Section 715.79 and any applicable restriction contained in Section 14 or elsewhere of the proposed J.E.D.D. Contract between the parties as applied to the Property and the Township shall submit a certified copy of a resolution of its Board of Trustees consenting to the annexation of the Property to Hamilton!.

Any claim of breach of this Agreement shall be considered a default under the J.E.D.D. Contract and shall be resolved pursuant to the procedures for addressing defaults under Section 16 of the J.E.D.D. Contract; the provisions of which Section are hereby incorporated by references.

This Agreement is conditioned upon the consent of the Court of Common Pleas of Butler County pursuant to its order of stay dated August 9, 1995 in case no. CV94-09-1601 or the expiration of such order. The parties agree to timely make joint application to the Court and seek a prompt hearing before the Court on such application.

If the Township electors do not approve the J.E.D.D. at the 1996 general election then this Agreement shall be null and void and neither party shall have any liability to the other hereunder.

Signed as of August 7, 1996

Approved as to form only:

By: Gary L. Sheets 8/21/96
Gary Sheets, Director of Law
City of Hamilton!

By: Maxwell N. Wear
Maxwell N. Wear, Director of Law
Fairfield Township/Indian Springs

CITY OF Hamilton!!
By: Stephen E. Sorrell
Stephen E. Sorrell, Acting City Manager

FAIRFIELD TOWNSHIP/INDIAN SPRINGS

By: _____
Donald L. Dixon, Council President

By: J. Ralph Ostja
J. Ralph Ostja, Trustee

By: Joseph McAbee
Joseph McAbee, Trustee



MIDDLETOWN PIKE

PRINCETON PIKE

BYPASS 4

HAMILTON MASON RD

GILMORE RD

TYLER'SVILLE RD

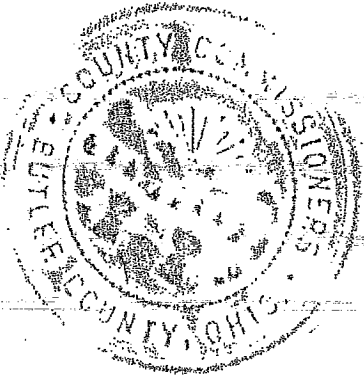
PROPOSED JEDD AREA -

PROPOSED ADJUSTMENT AREA -

CERTIFICATE

I HEREBY CERTIFY that the foregoing is a true and correct copy of the attachments for the Hamilton-Indian Springs Joint Economic Development District Contract dated August 7, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of County Commissioners of Butler County, Ohio, this 1st day of April, 2004.



Flora R. Butler

Flora R. Butler, Clerk
Board of County Commissioners
Butler County, Ohio

Development Plan
JEDD
Hamilton/Indian Springs

The City of Hamilton and the City of Indian Springs have developed a Joint Economic Development District for the purpose of enhancing industrial development activities in Butler County.

The purpose of the Joint Economic Development District is to create more jobs for Butler County. The district will encompass an area generally bounded by Princeton Road, Bypass 4, and Hamilton Mason Road; and a small section of Bypass 4 and Tylersville Road. The area in question will be serviced by gas and electric utilities from Cincinnati Gas & Electric. The water for the area will be provided by the Butler County Environmental Services Department. The sanitary sewer service will be provided by the City of Hamilton. Storm water management for the area will also be provided by the City of Hamilton Public Works Department. Road service will be provided by the City of Indian Springs. Fire protection will be provided by the City of Hamilton and police protection by the City of Indian Springs.

The zoning plan will be presented to the Indian Springs Planning Commission to be enacted no later than December 31, 1996. This zoning plan will provide commercial and industrial zoning for the JEDD area. The City of Indian Springs will provide an income tax vote in November of 1996 to initiate a 2 percent income tax for the JEDD area. The income tax will be administered by the City of Hamilton Income Tax Division. The City of Hamilton will receive 75% of the tax and Indian Springs will receive 25%.

All aspects of the development will be presented to a JEDD board to comply with various code provisions of the Ohio Revised Code. The Cities of Hamilton and Indian Springs will provide necessary services for construction, zoning and planning activities.

The two cities have agreed on a boundary change to put Butler County property in the City of Hamilton and the same income tax sharing as in the JEDD.

-REC-COUNCIL-

28 JUN 96 3:22

PUBLIC SERVICE CONTRIBUTIONS TO JEDD DISTRICT

**CITY OF
HAMILTON**

**INDIAN
SPRINGS**

**BUTLER
COUNTY**

CG & E

**Water
Service¹**

**Electric &
Gas
Service²**

**Sanitary Sewer
Service**

**Storm Water
Management
Infrastructure**

**Administrative
Services**

Fire Protection

**Emergency service &
HAZ-MAT Response**

**Storm Water Management
(Hamilton - Indian Springs)**

**Development of
Road Infrastructure**

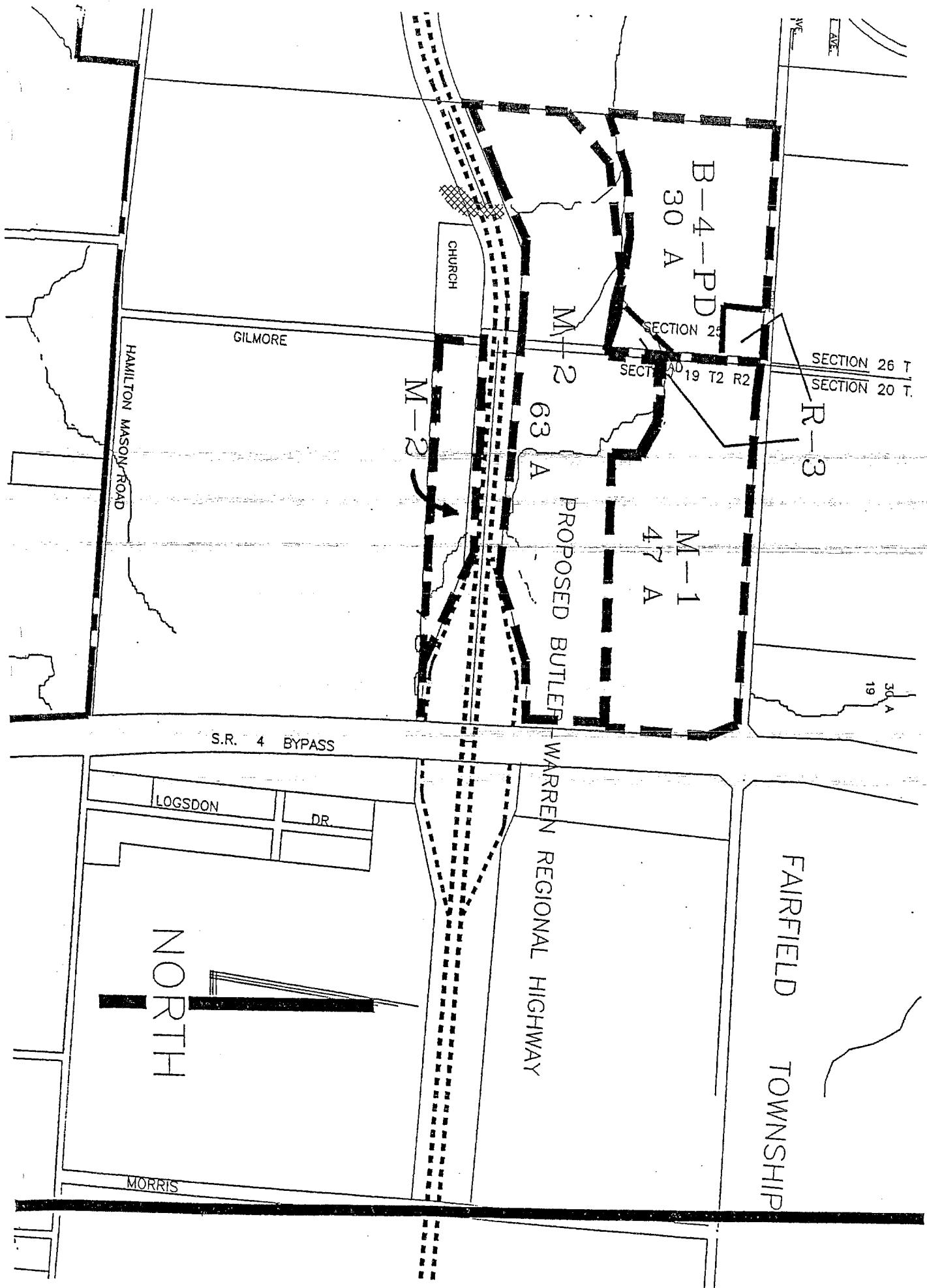
Road/Bridge Maintenance

**Snow Removal, Salting,
Mowing, Ditch and Storm
Sewer Maintenance**

Police Protection

.....

¹ The City of Hamilton will provide this service if Butler County elects not to provide water.
² The City of Hamilton may provide these services if Cincinnati Gas & Electric elects not to.



B-4
17 A

MIDDLETOWN PIKE

12
1.6 A

11
17.04 A

STATE OF
OHIO

39

MILLKIN

4
3.53 A

31
10 A

40.49 A
2

ROUTE 4 BYPASS

5

4 BYPASS

OAK RIDGE DR.

BEIGART

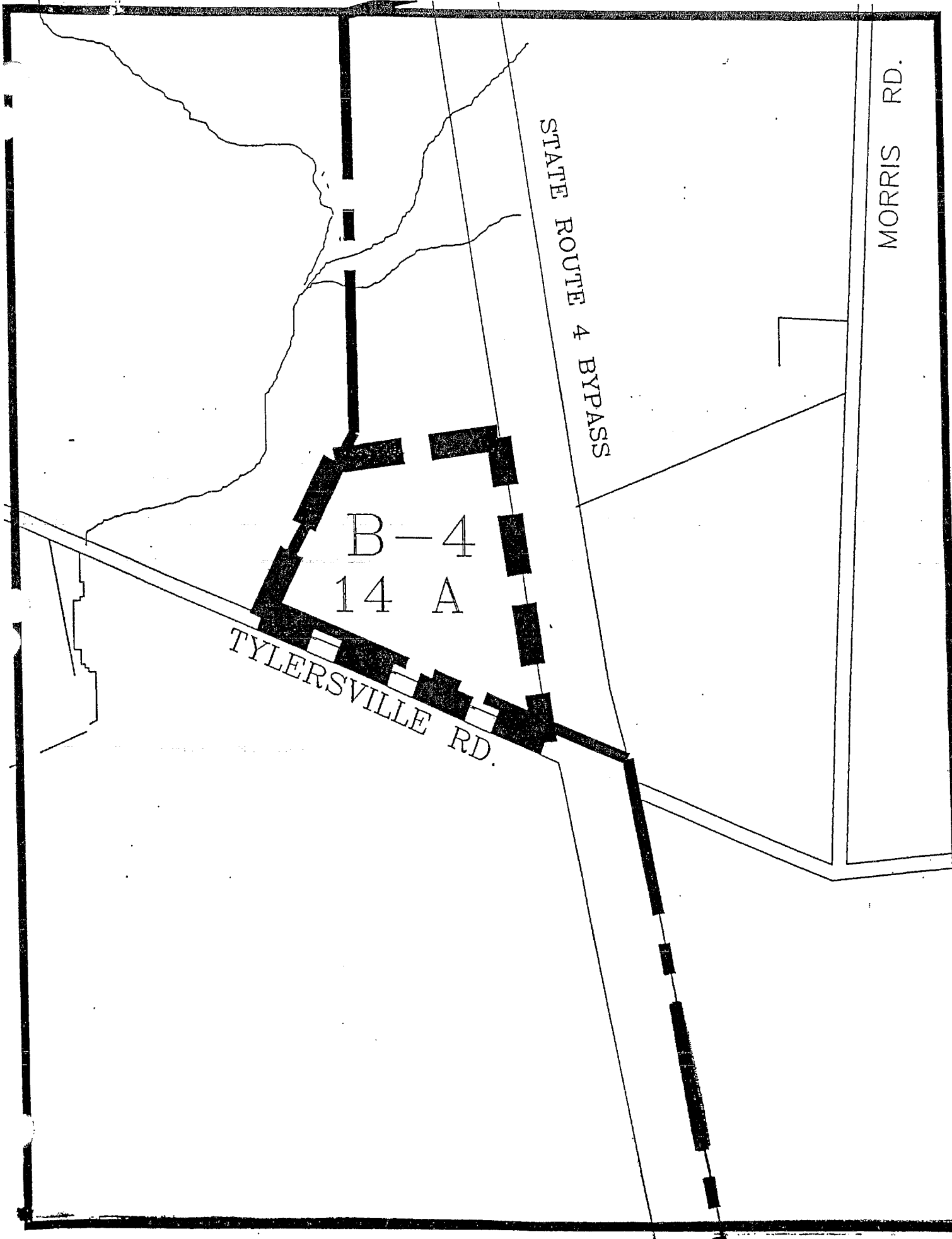


MORRIS RD.

STATE ROUTE 4 BYPASS

B-4
14 A

TYLERSVILLE RD.



CERTIFICATE

I HEREBY CERTIFY that the foregoing is a true and correct copy of the attachments for the Development Plan JEDD Hamilton/Indian Springs.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of County Commissioners of Butler County, Ohio, this 1st day of April, 2004.



Flora R. Butler

Flora R. Butler, Clerk
Board of County Commissioners
Butler County, Ohio

May 26, 2004

EMERGENCY ORDINANCE NO. ¹¹ EOR2004-5-48

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE HAMILTON - INDIAN SPRINGS JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT (JEDD) WITH FAIRFIELD TOWNSHIP, BUTLER COUNTY, OHIO, ESTABLISHED PURSUANT TO AMENDED ORDINANCE NO. 0R96-8-83, BY ADDING AREA TO THE DISTRICT TERRITORY AND REDISTRIBUTING NET INCOME TAX REVENUE FROM THE ADDED AREA.

WHEREAS, the City of Hamilton, Butler County, Ohio, is a contracting party, along with Fairfield Township, Butler County, Ohio, to the Hamilton - Indian Springs Joint Economic Development District Contract dated August 7, 1996, and authorized in Amended Ordinance No. OR96-8-83 adopted by the Council of the City of Hamilton, Ohio, on August 7, 1996; and

WHEREAS, the contracting parties now desire to add area to the District territory and to provide for redistribution of the Net Income Tax Revenue from the added area; and

WHEREAS, a part of the added area (i.e., north of Route 4) is located within the Tax Increment Financing Zone created by Fairfield Township Resolution 98-95 which property has benefited from economic development efforts of the Township and improvements generally associated with the Developer's Service Agreement Regarding Route 4/Millikin Road Bridge Improvements and Fairfield Township TIF Zone recorded at O.R. 6400, page 451 with the Butler County Recorder; and

WHEREAS, the remaining part of the added area (i.e., east of Princeton Road) is located within the Tax Increment Financing Zone created by Fairfield Township Resolution 01-49 which property has benefited from economic development efforts of the Township and improvements generally associated with the Reimbursement Agreement Regarding Fairfield Township 2001 TIF Zone and Road Improvements at By-Pass 4 and Princeton Road recorded at O.R. 6732, page 2263 with the Butler County Recorder; and which area is the subject of substantive efforts by Township representatives in conjunction with the Butler County Engineer to provide additional improvements to benefit the area via expanded tax increment financing which is currently being negotiated; and

WHEREAS, Section 5, captioned: Addition and Removal of Areas from District, and Section 17, captioned: Amendments of the Contract, of the original JEDD Agreement, provide for amendment to add area to the District's territory and the process applicable thereto; and

WHEREAS, Section 715.761 R.C., effective March 22, 1999 supersedes those provisions of the JEDD Agreement and states the required procedure applicable to amending the contract and adding area to the District territory and

WHEREAS, the City Clerk of the City of Hamilton, Ohio, duly caused public notice of hearing to be advertised pursuant to Section 715.75 R.C.; and

WHEREAS, the City of Hamilton and Fairfield Township Trustees made available for public inspection a copy of the proposed amendment, a description of the area to be added to the District, and a map of that area in sufficient detail to denote the specific boundaries of the area and to indicate any zoning restrictions applicable to the area; and

WHEREAS, on May 26, 2004 the Council of the City of Hamilton, Ohio, conducted a hearing concerning the proposed amendment and considered the proposed amendment and received public comments and recommendations; and

WHEREAS, the added area satisfies the criteria prescribed under Section 715.73 R.C.; and

WHEREAS, the subject matter herein constitutes an emergency measure in that it provides for the preservation of the public peace, property, health and safety by expediting approval in order to accelerate substantial, anticipated tax collection from this added area, which has significant development and construction activity and start-up business enterprise under way.

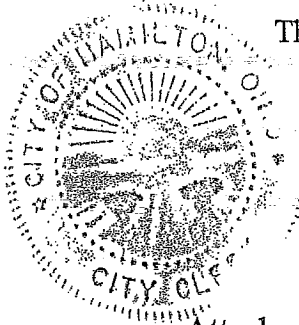
**CERTIFICATE OF HEARING AND NOTICE
REGARDING ADMENDMENT TO THE
HAMILTON – INDIAN SPRINGS JOINT ECONOMIC
DEVELOPMENT DISTRICT**

Ina Allen, City of Hamilton Clerk, hereby certifies that a public hearing was conducted by the Hamilton City Council on May 26, 2004 regarding proposed amendment to the Hamilton-Indian Springs Joint Economic Development District to add area to the District territory and to redistribute net income tax revenue from the added area.

During the thirty-day period prior to the public hearing, the City of Hamilton Clerk made available for public inspection a copy of the Proposed Amendment, a description of the area to be added to the District, a map of the added area in sufficient detail to denote the specific boundaries of the area and to indicate zoning restrictions applicable to the added area, and a copy of the proposed resolution authorizing amendment.

A copy of the advertisement appearing in the April 24 and 25, 2004 edition of the Journal-News a newspaper of general circulation in the City of Hamilton and Fairfield Township is attached as evidence that notice was published.

This Certificate was executed this 27th day of May, 2004.



Ina Allen

Ina Allen
Clerk, City of Hamilton

Attachment – Advertisement of Hearing Notice

Please publish in the Journal News on:

Saturday, April 24, 2004 (and)

Sunday, April 25, 2004

**Notice of Public Hearing
of the Council of the City of Hamilton
Regarding Amendment to the Hamilton-Indian Springs Joint Economic Development
District**

Please take notice that the Council of the City of Hamilton, Ohio will conduct a public hearing on May 26, 2004 at 7:00 pm in Council Chambers, One Renaissance Center, 345 High Street, Hamilton, Ohio, 45011, regarding a proposed amendment to the Hamilton-Indian Springs Joint Economic Development District adding area to the District territory and Redistributing Net Income Tax Revenue from the added area.

The public is invited to make comments and recommendations on the proposed amendment and the added area.

The following are available for public inspection with the Clerk of the City of Hamilton, 345 High Street, 7th Floor, for a period of thirty days prior to the public hearing:

1. a copy of the proposed amendment;
2. a description of the area to be added to the District;
3. a map of the added area in sufficient detail to denote the specific boundaries of the area;
4. a zoning map indicating zoning district classifications and any zoning restrictions applicable to the added area; and
5. a proposed emergency ordinance authorizing the amendment.

Business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday (excepting holidays).



Ina Allen, City Clerk

City of Hamilton, Ohio

Notice of Public Hearing
of the Council of the City of Hamilton
Regarding Amendment to the Hamilton-Indian Springs Joint Economic Development District
Please take notice that the Council of the City of Hamilton, Ohio will conduct a public hearing on May 26, 2004 at 7:00 pm in Council Chambers, One Renaissance Center, 345 High Street, Hamilton, Ohio, 45011, regarding a proposed amendment to the Hamilton-Indian Springs Joint Economic Development District adding area to the District territory and Redistributing Net Income Tax Revenue from the added area.
The public is invited to make comments and recommendations on the proposed amendment and the added area.
The following are available for public inspection with the Clerk of the City of Hamilton, 345 High Street, 7th Floor, for a period of thirty days prior to the public hearing:
1. A copy of the proposed amendment;
2. a description of the area to be added to the District;
3. a map of the added area in sufficient detail to denote the specific boundaries of the area;
4. a zoning map indicating zoning district classifications and any zoning restrictions applicable to the added area; and
5. a proposed emergency ordinance authorizing the amendment.
Business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday (excepting holidays).
Ina Allen, City Clerk
City of Hamilton, Ohio
April 24, 2004

FAIRFIELD TOWNSHIP
RESOLUTION NO. 04-52

RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE A FIRST AMENDMENT TO THE HAMILTON - INDIAN SPRINGS JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT WITH THE CITY OF HAMILTON ADDING AREA TO THE DISTRICT TERRITORY AND REDISTRIBUTING NET INCOME TAX REVENUE FROM THE ADDED AREA, DISPENSING WITH THE SECOND READING, AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Trustees of Fairfield Township, Butler County, Ohio is a contracting party to the Hamilton - Indian Springs Joint Economic Development District Contract dated August 7, 1996; and

WHEREAS, the contracting parties desire to add area to the District territory and to provide for redistribution of the Net Income Tax Revenue from the added area; and

WHEREAS, a part of the added area (i.e., north of Route 4) is located within the Tax Increment Financing Zone created by Fairfield Township Resolution 98-95 which property has benefited from economic development efforts of the Township and improvements generally associated with the Developer's Service Agreement Regarding Route 4/Millikin Road Bridge Improvements and Fairfield Township TIF Zone recorded at O.R. 6400, page 451 with the Butler County Recorder; and

WHEREAS, the remaining part of the added area (i.e., east of Princeton Road) is located within the Tax Increment Financing Zone created by Fairfield Township Resolution 01-49 which property has benefited from economic development efforts of the Township and improvements generally associated with the Reimbursement Agreement Regarding Fairfield Township 2001 TIF Zone and Road Improvements at By-Pass 4 and Princeton Road recorded at O.R. 6732, page 2263 with the Butler County Recorder; and which area is the subject of substantive efforts by Township representatives in conjunction with the Butler County Engineer to provide additional improvements to benefit the area via expanded tax increment financing which is currently being negotiated; and

WHEREAS, *Section 5 Addition and Removal of Areas from District* and *Section 17 Amendments* of the Contract provide for amendment to add area to the District's territory and the process applicable thereto; and

WHEREAS, R.C. 715.761 effective March 22, 1999 (after formation of the contract) supersedes the provision of the contract and states the required procedure applicable to amending the contract and adding area to the District territory; and

WHEREAS, the Clerk duly caused public notice of hearing to be advertised pursuant to R.C. 715.75; and

WHEREAS, the City of Hamilton and Fairfield Township Trustees made available for public inspection a copy of the proposed amendment, a description of the area to be added to the District, and a map of that area in sufficient detail to denote the specific boundaries of the area and to indicate any zoning restrictions applicable to the area; and

WHEREAS, on May 25, 2004 the Board of Fairfield Township Trustees conducted a hearing concerning the proposed amendment and considered the proposed amendment and received public comments and recommendations; and

WHEREAS, the added area satisfies the criteria prescribed under R.C. 715.73; and

WHEREAS, the Resolution is not required to be submitted to the electors of the Township according to authority of R.C. 715.761(D).

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

SECTION 1: The Board of Trustees hereby approves the addition of 118.791 acres [the added area/Tract 1 = 65.197 acres and Tract 2 = 53.594 acres] to be included in the Hamilton - Indian Springs Joint Economic Development District territory and approves the redistribution of net income revenue from the added area as follows: twenty-five [25%] percent to Hamilton and seventy-five [75%] percent to Fairfield Township as more fully set forth in the proposed First Amendment; and

SECTION 2: The Board of Trustees directs the Clerk to issue a certificate pursuant to R.C. 715.761(C)(5) regarding the hearing date and including evidence that notice of the hearing was published; and

SECTION 3: The Board of Trustees hereby authorizes the Township Administrator to execute the First Amendment to the contract with the City of Hamilton, together with incidental documents, subject to review of the Law Director.

SECTION 4: The Board of Trustees hereby authorizes the Township Administrator to execute a letter of transmittal to the Butler County Commissioners for the purpose of joint filing with the City of Hamilton of required documents.

SECTION 5: The Board of Trustees directs the Clerk to provide notice pursuant to R.C. 715.76(G) not less than ten (10) days after filing required documents with the Butler County Commissioners to be issued by certified mail to:

- A. all non-petitioning owners of property located in the added area; and
- B. all non-petitioning owners of businesses located in the added area.

SECTION 6: The Board of Trustees hereby dispense with the requirement that this resolution be read on two separate days, pursuant to R.C. 504.10, and authorize the adoption of this resolution upon its first reading.

SECTION 7: This resolution is hereby declared to be an emergency measure, pursuant to R.C. 504.11, necessary for the immediate preservation of the public peace, health, safety, or welfare of Fairfield Township to expedite approval in order to accelerate substantial, anticipated tax collection from this added area which has significant development and construction activity and start-up business enterprise under way.

First Reading: May 25, 2004

Second Reading: Suspended

Effective: June 5, 2004

Vote of Trustees

Mark Sutton: YES

Steve Morgan: YES

Joe McAbee: YES

AUTHENTICATION

This is to certify that this is a resolution which was duly passed, and filed with the Fairfield Township Clerk, this 26th day of May, 2004.

Nancy A. Bach
Fairfield Township Clerk

Authority: R.C. 505.032(G); 715.73; 715.75; 715.76; 715.761

CERTIFIED COPY

I hereby certify and attest that the foregoing
is a true and exact reproduction of the
original resolution, or measure, 04-52
on file in my office, 26th day of
May, 2004.

Nancy A. Bach
TITLE Clerk / Treas.

May 25, 2004

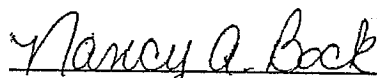
CERTIFICATE OF HEARING AND NOTICE
REGARDING AMENDMENT TO THE
HAMILTON - INDIAN SPRINGS JOINT ECONOMIC
DEVELOPMENT DISTRICT

Nancy A. Bock, Fairfield Township Clerk, hereby certifies that a public hearing was conducted by the Fairfield Township Trustees on May 25, 2004 regarding proposed amendment to the Hamilton - Indian Springs Joint Economic Development District to add area to the District territory and to redistribute net income tax revenue from the added area.

During the thirty-day period prior to the public hearing, the Fairfield Township Clerk made available for public inspection a copy of the Proposed Amendment, a description of the area to be added to the District, a map of the added area in sufficient detail to denote the specific boundaries of the area and to indicate zoning restrictions applicable to the added area, and a copy of the proposed resolution authorizing amendment.

A copy of the advertisement which appeared in the April 23, 2004 edition of the Journal-News, a newspaper of general circulation in the City of Hamilton and Fairfield Township is attached as evidence that notice was published.

This Certificate was executed this 14th day of June, 2004.



Nancy A. Bock
Clerk, Fairfield Township

Authority: R.C. 715.75; 715.76(E); 715.761(C)(5).

Attachment - Advertisement of Hearing Notice

LEGAL NOTICE

Notice of Public Hearing of Fairfield Township Trustees Regarding amendment to Hamilton-Indian Spring Joint Economic Development District.

Please take notice that the Fairfield Township Trustees will conduct a public hearing on Tuesday, May 25, 2004 at 6:30 p.m. at the Fairfield Administration Building, 6032 Morris Road, Hamilton, Ohio 45011, regarding a proposed amendment to the Hamilton-Indian Springs Joint Economic Development District adding area to the District territory and Redistributing Net Income Tax Revenue from the added area.

The public is invited to make comments and recommendations on the proposed amendment and the added area.

The following are available for public inspection with the Fairfield Township Clerk for a period of thirty days prior to the public hearing:

1. a copy of the proposed amendment;
2. a description of the area to be added to the District;
3. a map of the added area in sufficient detail to denote the specific boundaries of the area;
4. a zoning map indicating zoning district classification and any zoning restrictions applicable to the added area; and
5. a proposed resolution authorizing the amendment.

Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday (excepting holidays), at the Fairfield Township Administration Building.

Fairfield Township Trustees
Joe McAbee
Steve Morgan
Mark Sutton
Fairfield township clerk
Nancy A. Bock

April 23, 2004

TABLE OF PROPERTY OWNERS
AND BUSINESS OWNERS

HAMILTON - INDIAN SPRINGS JOINT ECONOMIC
DEVELOPMENT DISTRICT 2004 EXPANSION - ADDED AREA

TRACT 1
FAIRFIELD TOWNSHIP
SECTION 19, TOWN 2, RANGE 3
PAGE 21

<u>Parcel No.</u>	<u>Lot No.</u>	<u>Legal</u>	<u>Acreage</u>	<u>Property Owners</u>	<u>Zoning</u>	<u>Business Owners</u>
1	pt. 432*	Exhibit F-2	56.157A	Bridgewater Falls, L.L.C.	B-PUD	Bridgewater Falls, L.L.C. - Developer
28	pt. 432**	Exhibit F-3	10.329A	Target Corporation	B-PUD	Target Corporation - Store Under Construction

The Bridgewater Falls, L.L.C. record plat was recorded after the petitions. See Plat Envelope 3694, pages A, B & C.

* The real estate owned by Bridgewater Falls, L.L.C. (formerly Fairfield Township pt. lot 432) is now know as Fairfield Township entire lots 8358 [16.026 acres] and 8359 [37.589 acres].

** The real estate owned by Target Corporation (formerly Fairfield Township pt. lot 432) is know known as Fairfield Township entire lot 8357 [10.280 acres].

**TABLE OF PROPERTY OWNERS
AND BUSINESS OWNERS**

**HAMILTON - INDIAN SPRINGS JOINT ECONOMIC
DEVELOPMENT DISTRICT 2004 EXPANSION - ADDED AREA**

**TRACT 2
FAIRFIELD TOWNSHIP
SECTION 21, TOWN 2, RANGE 3
PAGE 23**

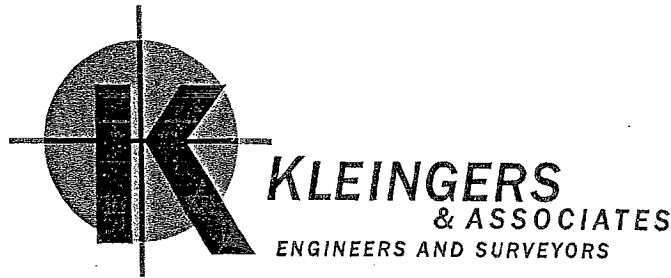
<u>Parcel No.</u>	<u>Lot. No.</u>	<u>Legal</u>	<u>Acreage</u>	<u>Property Owners</u>	<u>Zoning</u>	<u>Business Owners</u>
63	2 PT-485	Exhibit F-5	3.938A	DPR Properties, Inc.	B-4	DPR Properties, Inc. - Developer
64	2 PT-485	Exhibit F-6	2.195A	DPR Properties, Inc.	B-4	DPR Properties, Inc. - Developer
65	2 PT-485	Exhibit F-13 Exhibit F-15	2 PT 3.571A	DPR Properties, Inc.	B-2	DPR Properties, Inc. - Developer
66	2 PT-485	Exhibit F-10	33.728A	DPR Properties, Inc.	B-3	DPR Properties, Inc. - Developer
67	2 PT-485	Exhibit F-14	1.720A	W.M.M. Partnership	B-2	State Farm Insurance Office
77	2 PT-485	Exhibit F-11	1.600A	Speedway Super America, L.L.C.	B-3	No Business - Vacant Site
78	2 PT-485	Exhibit F-7	1.979A	BEF REIT, Inc.	B-4 w/ variance	Bob Evans Farms, Inc. - Restaurant Under Construction
79	2 PT-485	Exhibit F-12	2.292A	Aurgroup Financial Credit Union, Inc.	B-2	Aurgroup Financial Credit Union, Inc. - Under Development/Construction

TABLE OF PROPERTY OWNERS
AND BUSINESS OWNERS

HAMILTON - INDIAN SPRINGS JOINT ECONOMIC
DEVELOPMENT DISTRICT 2004 EXPANSION - ADDED AREA FAIRFIELD TOWNSHIP

TRACT 2
FAIRFIELD TOWNSHIP
SECTION 21, TOWN 2, RANGE 3
PAGE 51

<u>Parcel No.</u>	<u>Lot No.</u>	<u>Legal</u>	<u>Acreage</u>	<u>Property Owners</u>	<u>Zoning</u>	<u>Business Owners</u>
16	1995	Exhibit F-8	0.805A	DPR Properties, Inc.	B-4	DPR Properties, Inc. - Developer
17	1994	Exhibit F-9	0.514A	DPR Properties, Inc.	B-4	DPR Properties, Inc. - Developer



May 5, 2004

**LEGAL DESCRIPTION
EXISTING HAMILTON-INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT TERRITORY
AS OF APRIL 1, 2004
AREA 1 – 11.725 ACRES**

Situated in Section 21, Town 2, Range 3, and being part of Lot 506, Fairfield Township, Butler County, Ohio and being more particularly described as follows:

Beginning at the northeast corner of Lot 506 as described in O.R. 5402 Pg. 603 and O.R. 5402 Pg. 607;

Thence along the easterly line of Lot 506, $S00^{\circ}13'36''E$ a distance of 732.29 feet to the northerly right-of-way line of Millikin Road;

Thence along the northerly right-of-way line of Millikin Road, $S89^{\circ}52'16''W$ a distance of 504.20 feet to the southeast corner of Lot 507;

Thence along the easterly line of Lot 507, $N00^{\circ}07'45''W$ a distance of 105.00 feet to the northeast corner of Lot 507;

Thence along the northerly line of Lot 507, $S89^{\circ}52'15''W$ a distance of 100.00 feet to the northwest corner of Lot 507;

Thence along the westerly line of Lot 507, $S00^{\circ}07'45''E$ a distance of 95.00 feet to the southwest corner of Lot 507 on the northerly right-of-way line of Millikin Road;

Thence along northerly lines of Millikin Road the following four courses:

- 1.) $S89^{\circ}52'16''W$ a distance of 76.08 feet;
- 2.) Along a curve to the right, an arc distance of 108.72 feet, said curve having a central angle of $10^{\circ}22'55''$, a radius of 600.00 feet, and a chord bearing $N79^{\circ}52'53''W$ for 108.57 feet;
- 3.) Continuing along a curve to the right, an arc distance of 344.18 feet, said curve having a central angle of $54^{\circ}46'40''$, a radius of 360.00 feet, and a chord bearing $N49^{\circ}40'42''W$ for 331.22 feet;

4.) N22°17'23"W a distance of 55.94 feet;

Thence along a curve to the right, an arc distance of 23.56 feet to the southerly right-of-way line of State Route 4, said curve having a central angle of 90°00'15", a radius of 15.00 feet, and a chord bearing N22°43'45"E for 21.21 feet;

Thence along the southerly right-of-way line of State Route 4 the following three courses:

- 1.) N67°44'53"E a distance of 634.08 feet;
- 2.) N70°42'26"E a distance of 198.52 feet;
- 3.) N67°38'12"E a distance of 298.02 feet to the Point of Beginning, containing 11.725 acres, more or less.

Bearings are based on O.R. 5402 Pg. 603 and O.R. 5402 pg. 607

The above description is based upon record information only and is not the result of a field survey. Prepared by Kleingers & Associates, Inc., Engineers & Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101.



May 5, 2004

**LEGAL DESCRIPTION
EXISTING HAMILTON-INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT TERRITORY
AS OF APRIL 1, 2004
AREA 2 – 13.058 ACRES**

Situated in Sections 23 & 24, Town 2, Range 2, and being part of Lots 164 and 167, Fairfield Township, Butler County, Ohio and being more particularly described as follows:

Beginning at the northeast corner of a 7.012 acre portion of Lot 167, being on the westerly limited access right-of-way line of State Route 4 By Pass;

Thence along the westerly limited access right-of-way line of State Route 4 By Pass, S06°54'20"E a distance of 995.14 feet;

Thence along a northerly right-of-way line of Tylersville Road, S81°24'20"W a distance of 77.28 feet;

Thence continuing along the northerly right-of-way line of Tylersville Road, N64°52'25"W a distance of 856.70 feet;

Thence continuing along said right-of-way line, N64°51'30"W a distance of 30.11 feet;

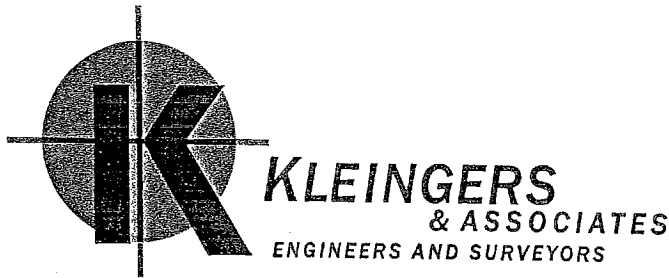
Thence leaving said right-of-way line and along the westerly line of Part Lot 167, the following four courses:

- 1.) N25°08'50"E a distance of 328.47 feet;
- 2.) Along a curve to the left, an arc distance of 58.12 feet to a point of tangency, said curve having a central angle of 09°00'00", a radius of 370.00 feet, and a chord bearing N20°38'50"E for 58.06 feet;
- 3.) N16°08'50"E a distance of 94.00 feet;
- 4.) Along a curve to the left, an arc distance of 114.62 feet, said curve having a central angle of 17°44'58", a radius of 370.00 feet, and a chord bearing N07°16'20"E for 114.16 feet;

Thence along the northerly line of said part Lot 167, N83°05'39"E a distance of

563.09 feet to the Point of Beginning, containing 13.058 acres, more or less.
Bearings are based on O.R. 6172 Pg. 985

The above description is based upon record information only and is not the
result of a field survey. Prepared by Kleingers & Associates, Inc., Engineers &
Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No.
7101.



May 5, 2004

**LEGAL DESCRIPTION
EXISTING HAMILTON-INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT TERRITORY
AS OF APRIL 1, 2004
AREA 3 – 197.058 ACRES**

Situated in Sections 19 and 25, Town 2, Range 3, and being Part of Lots 430 and 560 and Lots 7408-7414, Fairfield Township, Butler County, Ohio and being more particularly described as follows:

Beginning at the southwest corner of 3.714 acre part of Lot 560 as described in O. R. 6140 Pg. 1898, said point being the southwest corner of Lot 560 and the northwest corner of Lot 572;

Thence along the westerly line of Part Lot 560, N05°35'10"E a distance of 2348.13 feet to the southerly right-of-way line of Princeton Road;

Thence along the southerly right-of-way line of Princeton Road, S84°04'50"E a distance of 1194.65 feet;

Thence leaving said right-of-way line, S05°16'10"W a distance of 240.03 feet;

Thence S84°05'10"E a distance of 335.00 feet to a point in the centerline of Gilmore Road, said point being now referred to as point "A";

Thence along the center line of Gilmore Road, N05°16'10"E a distance of 237.17 feet to the southerly right-of way line of Princeton Road;

Thence along the southerly right-of way line of Princeton Road the following six courses:

- 1.) S84°45'50"E a distance of 848.38 feet;
- 2.) S05°14'10"W a distance of 25.00 feet;
- 3.) S84°45'50"E a distance of 354.05 feet;
- 4.) S84°38'46"E a distance of 873.89 feet;
- 5.) S77°58'52"E a distance of 79.47 feet;
- 6.) S81°40'47"E a distance of 222.69 feet to the westerly right-of-way line of State Route 4 By Pass;

Thence along the westerly right-of-way line of State Route 4 By Pass the following three course:

- 1.) S07°11'09"W a distance of 240.12 feet;
- 2.) S05°00'30"W a distance of 1908.89 feet;
- 3.) S06°11'54"W a distance of 142.28 feet;

Thence leaving the westerly right-of-way line of State Route 4 By Pass, N84°38'20"W a distance of 2376.00 feet to the centerline of Gilmore Road;

Thence along the centerline of Gilmore Road, N05°16'10"E a distance of 453.10 feet;

Thence leaving said centerline, N84°37'51"W a distance of 744.53 feet;

Thence S05°16'28"W a distance of 449.60 feet to the southeast corner of the above referenced 3.714 acre portion Lot 560;

Thence along the southerly line of said 3.714 acre parcel, N84°37'51"W a distance of 797.96 feet to the Point of Beginning, containing 199.375 acres, more or less.

Save and Except the following described area:

Commencing at the above described point "A";

Thence along the centerline of Gilmore Road, S05°16'10"W a distance of 361.42 feet to the True Point of Beginning;

Thence continuing along the centerline of Gilmore Road, S05°16'10"W a distance of 607.24 feet;

Thence leaving the centerline of Gilmore Road, N84°43'50"W a distance of 312.97 feet;

Thence N32°32'10"E a distance of 683.15 feet to the Point of Beginning, containing 2.317 acres more or less.

The net area being described herein is 197.058 acres more or less.

Bearings are based on O.R. 6132 Pg. 1710 & O.R. 6182 Pg. 1327

The above description is based upon record information only and is not the result of a field survey. Prepared by Kleingers & Associates, Inc., Engineers & Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101.



April 7, 2004
Revised July 7, 2004

**PERIMETER DESCRIPTION
HAMILTON-INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
2004 EXPANSION AREA - TRACT #1**

Situated in Section 19, Town 2, Range 3, and being Lots 8357, 8358, 8359 and part of Princeton Road as shown on the plat of "Bridgewater Falls" and recorded in P.E. 3694, Pages A-C, formerly known as part of Lot 432, Fairfield Township, Butler County, Ohio and being more particularly described as follows:

Commencing at the northeast corner of Section 19, said point being the centerline intersection of Morris Road and Princeton Road;

Thence along the north line of Section 19 and the centerline of Princeton Road, N85°01'00"W a distance of 741.08 feet to the northeast corner of a 66.330 acre parcel conveyed to Bridgewater Falls, LLC in O.R. 7272, Page 42;

Thence along the east line of said 66.330 acre parcel, S05°50'37"W a distance of 30.00 feet to the True Point of Beginning;

Thence continuing along the east line of said 66.330 acre tract, S05°50'37"W a distance of 1611.58 feet to the northerly limited access right-of-way line of State Route 129 (Michael Fox Highway);

Thence along said northerly limited access right-of-way line the following five (5) courses:

- 1.) N84°38'10"W a distance of 768.76 feet;
- 2.) N73°29'50"W a distance of 310.05 feet;
- 3.) N57°43'23"W a distance of 382.16 feet;
- 4.) N63°26'24"W a distance of 250.21 feet;
- 5.) N76°56'47"W a distance of 254.08 feet to the easterly right-of-way line of State Route 4 By-Pass;

Thence along said easterly right-of-way line, N05°26'31"E a distance of 1197.78 feet to

the southerly right-of-way line of Princeton Road;

Thence along said southerly right-of-way line, the following three (3) courses:

- 1.) S89°08'24"E a distance of 190.70 feet;
- 2.) N73°10'59"E a distance of 80.78 feet;
- 3.) S85°01'00"E a distance of 1645.80 feet to the Point of Beginning, containing 65.197 acres more or less.

The above description is based on record information and was prepared by Kleingers & Associates, Inc., Civil Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101.

This is not the result of a field survey.



April 7, 2004
Revised July 7, 2004

**HAMILTON - INDIAN SPRINGS J.E.D.D.
2004 EXPANSION - ADDED AREA
PART OF TRACT #1
LEGAL DESCRIPTION - 66.330 ACRES (ORIGINAL)
PART OF A0300021000001
BRIDGEWATER FALLS, LLC
O.R. 7272 PAGE 42**

Situated in Section 19, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being part of number 432, Fairfield Township, Butler County, Ohio and being more particularly described as follows:

Commencing at a railroad spike found at the northeast corner of said section 19 and the intersection of Princeton Road and Morris Road;

Thence, North $85^{\circ}01'00''$ West, with north line of section 19 and the centerline of Princeton Road a distance of 741.08 feet to a PK nail found, being the northwest corner of a tract of land owned by the Fairfield City School District Board of Education as recorded in OR 6007, PG 950 of the Butler County Records and being the POINT OF BEGINNING for parcel herein described;

Thence, South $05^{\circ}50'37''$ West, for a distance of 1641.58 feet to the Limited Access Right-of-Way of State Route 129 said point also being the southwest corner of Fairfield City School District Board of Education tract;

Thence, along the said Limited Access Right-of-Way of State Route 129 the following 5 courses:

1. North $84^{\circ}38'10''$ West, for a distance of 768.76 feet;
2. North $73^{\circ}29'50''$ West, for a distance of 310.05 feet;
3. North $57^{\circ}43'23''$ West, for a distance of 382.16 feet;
4. North $63^{\circ}26'24''$ West, for a distance of 250.21 feet;
5. North $76^{\circ}56'47''$ West, for a distance of 254.08 feet, to the Right-of-Way line of State Route 4 Bypass;

Thence, North 05°26'31" East, for a distance of 1197.78 feet to a 0.37 acre tract owned by the State of Ohio as recorded in DB 897, PG 125 of the Butler County Records;
Thence, along the said 0.37 acre tract the following 3 courses:

1. South 89°08'24" East, for a distance of 190.70 feet;
2. North 73°10'59" East, for a distance of 80.78 feet;
3. North 04°59'00" East, for a distance of 30.00 feet, to the north line of aforesaid section 19 and the centerline of Princeton Road;

Thence, South 85°01'00" East, along the line of said section 19 and the centerline of Princeton Pike for a distance of 1646.25 to a PK nail found and the POINT OF BEGINNING, containing 66.330 acres more or less and subject to all legal right-of-ways, easements, restrictions and agreements of record.

Description was prepared by Woolpert LLP, Darius Hensley, Registered Surveyor #7916 from a survey performed by same on May 8, 2003. Bearings are based from State Plane Coordinates, Ohio South NAD 83.

Save and except the following:

Situated in Section 19, Town 2, Range 3, Township of Fairfield, County of Butler, State of Ohio, and being part of that real estate conveyed to Bridgewater Falls LLC by deed recorded in Deed Book 7272, Page 42, also being part of Lot No. 432 of Fairfield Township, (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Butler County Recorder's Office, unless noted otherwise) and being more particularly bounded and described as follows:

Commencing at a railroad spike found at the northeast corner of said Section 19, also being the centerline intersection of Morris Road and Princeton Road;

Thence North 84°53'43" West along the north line of said Section 19, also being the centerline of Princeton Road for a distance of 1717.96 feet to the TRUE PLACE OF BEGINNING for the land herein described;

Thence leaving the centerline of Princeton Road along a new division line the following eight (8) courses:

- 1.) South 4°59'00" West for a distance of 897.88 feet;
- 2.) North 85°01'00" West for a distance of 195.96 feet;
- 3.) South 4°59'00" West for a distance of 104.07 feet;
- 4.) South 30°01'00" East for a distance of 98.70 feet;
- 5.) South 4°59'00" West for a distance of 315.08 feet;
- 6.) North 85°01'00" West for a distance of 18.00 feet;
- 7.) South 4°59'00" West for a distance of 63.00 feet;
- 8.) North 85°01'00" West for a distance of 189.92 feet to the existing north limited access right-of-way of State Route No. 129 (Michael A. Fox Highway);

Thence leaving said new division line, along the existing north limited access right-of-way of State Route No. 129 (Michael A. Fox Highway) the following three (3) courses:

- 1.) North 57°43'23" West for a distance of 126.75 feet;
- 2.) North 63°26'24" West for a distance of 250.21 feet;
- 3.) North 76°56'47" West for a distance of 254.08 feet to the existing east limited access right-of-way of State Route No. 4 Bypass;

Thence North 5°26'31" East, leaving the existing north limited access right-of-way of State Route No. 129 (Michael A. Fox Highway) with the east limited access right-of-way of State Route No. 4 Bypass for a distance of 564.92 feet;

Thence leaving the existing east limited access right-of-way of State Route No. 4 Bypass along a new division line the following six (6) courses:

- 1.) South 85°01'00" East for a distance of 128.26 feet;
- 2.) South 4°59'00" West for a distance of 120.00 feet;
- 3.) South 85°01'00" East for a distance of 281.67 feet;
- 4.) South 4°59'00" West for a distance of 54.21 feet;
- 5.) South 85°01'00" East for a distance of 500.32 feet;
- 6.) North 4°59'00" East for a distance of 884.45 feet to the north line of Section 19 and the centerline of Princeton Road;

Thence South 84°53'43" East along the north line of said section 19 and the centerline of said Princeton Road a distance of 29.40 feet to the place of beginning and containing 10.329 acres, subject however to all covenants, conditions, reservations or easements of record contained in any instrument of record to the above described tract of land.

Being part of that real estate conveyed to Bridgewater Falls LLC by deed recorded in Deed Book 7272, page 42, of the Butler County Recorder's Office.

This description was prepared from a field survey performed by Woolpert LLP under my direction in May of 2003 with bearings based upon State of Ohio, South Zone, NAD 83 State Plane Coordinate System.

The above described property is now known as entire Lots 8358 and 8359 as shown on the plat of "Bridgewater Falls" and recorded in P.E. 3694, Pages A-C of the Butler County Recorders Office.



April 6, 2004
Revised July 7, 2004

**HAMILTON - INDIAN SPRINGS J.E.D.D.
2004 EXPANSION - ADDED AREA
PART OF TRACT #1
LEGAL DESCRIPTION - 10.329 ACRES
A0300021000028
TARGET CORPORATION
O.R. 7285 PAGE 376**

Situated in Section 19, Town 2, Range 3, Township of Fairfield, County of Butler, State of Ohio, and being part of that real estate conveyed to Bridgewater Falls LLC by deed recorded in Deed Book 7272, Page 42, also being part of Lot No. 432 of Fairfield Township, (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Butler County Recorder's Office, unless noted otherwise) and being more particularly bounded and described as follows:

Commencing at a railroad spike found at the northeast corner of said Section 19, also being the centerline intersection of Morris Road and Princeton Road;

Thence North $84^{\circ}53'43''$ West along the north line of said Section 19, also being the centerline of Princeton Road for a distance of 1717.96 feet to the TRUE PLACE OF BEGINNING for the land herein described;

Thence leaving the centerline of Princeton Road along a new division line the following eight (8) courses:

- 1.) South $4^{\circ}59'00''$ West for a distance of 897.88 feet;
- 2.) North $85^{\circ}01'00''$ West for a distance of 195.96 feet;
- 3.) South $4^{\circ}59'00''$ West for a distance of 104.07 feet;
- 4.) South $30^{\circ}01'00''$ East for a distance of 98.70 feet;
- 5.) South $4^{\circ}59'00''$ West for a distance of 315.08 feet;
- 6.) North $85^{\circ}01'00''$ West for a distance of 18.00 feet;
- 7.) South $4^{\circ}59'00''$ West for a distance of 63.00 feet;
- 8.) North $85^{\circ}01'00''$ West for a distance of 189.92 feet to the existing north limited access right-of-way of State Route No. 129 (Michael A. Fox Highway);

Thence leaving said new division line, along the existing north limited access right-of-way of State Route No. 129 (Michael A. Fox Highway) the following three (3) courses:

- 1.) North $57^{\circ}43'23''$ West for a distance of 126.75 feet;
- 2.) North $63^{\circ}26'24''$ West for a distance of 250.21 feet;
- 3.) North $76^{\circ}56'47''$ West for a distance of 254.08 feet to the existing east limited access right-of-way of State Route No. 4 Bypass;

Thence North $5^{\circ}26'31''$ East, leaving the existing north limited access right-of-way of State Route No. 129 (Michael A. Fox Highway) with the east limited access right-of-way of State Route No. 4 Bypass for a distance of 564.92 feet;

Thence leaving the existing east limited access right-of-way of State Route No. 4 Bypass along a new division line the following six (6) courses:

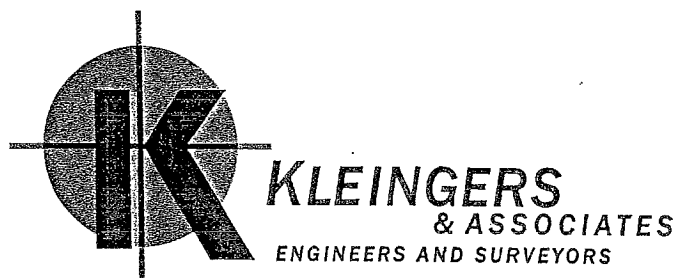
- 1.) South $85^{\circ}01'00''$ East for a distance of 128.26 feet;
- 2.) South $4^{\circ}59'00''$ West for a distance of 120.00 feet;
- 3.) South $85^{\circ}01'00''$ East for a distance of 281.67 feet;
- 4.) South $4^{\circ}59'00''$ West for a distance of 54.21 feet;
- 5.) South $85^{\circ}01'00''$ East for a distance of 500.32 feet;
- 6.) North $4^{\circ}59'00''$ East for a distance of 884.45 feet to the north line of Section 19 and the centerline of Princeton Road;

Thence South $84^{\circ}53'43''$ East along the north line of said section 19 and the centerline of said Princeton Road a distance of 29.40 feet to the place of beginning and containing 10.329 acres, subject however to all covenants, conditions, reservations or easements of record contained in any instrument of record to the above described tract of land.

Being part of that real estate conveyed to Bridgewater Falls LLC by deed recorded in Deed Book 7272, page 42, of the Butler County Recorder's Office.

This description was prepared from a field survey performed by Woolpert LLP under my direction in May of 2003 with bearings based upon State of Ohio, South Zone, NAD 83 State Plane Coordinate System.

The above described property is now known as entire Lot 8357 as shown on the plat of "Bridgewater Falls" and recorded in P.E. 3694, Pages A-C of the Butler County Records Office.



April 7, 2004

**PERIMETER DESCRIPTION
HAMILTON-INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
2004 EXPANSION AREA - TRACT #2**

Situated in Section 21, Town 2, Range 3 and being part of Lot 485, entire Lots 1994 and 1995, part of vacated Reigart Road, and parts of Reigart Road, Indian Meadows Drive, and Creekside Drive, Fairfield Township, Butler County, Ohio and being more particularly described as follows:

Beginning at northeast corner of Lot 1994, formerly known as Lot 17 of Ferndale Subdivision as recorded in P.E. 256 Page C;

Thence along the east line of Lot 1994, S05°00'48"W a distance of 64.87 feet to the southeast corner thereof;

Thence along the south line of said Lot 1994, S72°46'48"W a distance of 99.13 feet to the northeast corner of Lot 1995, formerly known as Lot 16 of Ferndale Subdivision;

Thence along the east line of Lot 1995, S17°13'12"E a distance of 208.27 feet to the northerly right-of-way line of State Route 4;

Thence along the northerly right-of-way line of State Route 4 the following seven courses:

- 1.) S72°46'48"W a distance of 243.41 feet;
- 2.) N05°00'48"E a distance of 8.42 feet;
- 3.) S72°44'03"W a distance of 239.34 feet;
- 4.) S70°43'37"W a distance of 200.12 feet;
- 5.) S72°44'29"W a distance of 1050.00 feet;
- 6.) S74°14'47"W a distance of 450.16 feet;
- 7.) S73°10'13"W a distance of 445.30 feet to a point in the west line of a 2.292 acre parcel conveyed to Aurgroup Financial Credit Union, Inc. in O.R. 7319 page 434;

Thence along westerly lines of an original 7.583 acre parcel conveyed to DPR Properties, Inc. in O.R. 6391 Page 1026, the following three courses:

- 1.) N14°54'45"W a distance of 413.98 feet;
- 2.) N04°55'42"E a distance of 417.00 feet;
- 3.) N01°59'16"W a distance of 183.18 feet;

Thence along a north line of said 7.583 acre parcel, N69°29'53"E a distance of 202.48 feet;

Thence continuing along a north line of said parcel, S80°33'15"E a distance of 131.45 feet to the westerly right-of-way line of Creekside Drive;

Thence along the westerly right-of-way line of Creekside Drive, S09°26'45"W a distance of 46.70 feet;

Thence crossing Creekside Drive, along a north line (and the westerly extension thereof) of an original 35.328 acre parcel conveyed to DPR Properties, Inc. in O.R. 6391 Page 1026, S80°33'15"E a distance of 315.78 feet;

Thence continuing along northerly lines of said 35.328 acre parcel, the following eight courses:

- 1.) N72°45'27"E a distance of 335.63 feet;
- 2.) N55°21'07"E a distance of 190.88 feet;
- 3.) N33°55'22"E a distance of 231.13 feet;
- 4.) N88°38'34"E a distance of 216.72 feet;
- 5.) N48°07'15"E a distance of 199.43 feet;
- 6.) N78°00'15"E a distance of 191.56 feet;
- 7.) N50°14'12"E a distance of 176.98 feet;
- 8.) N78°05'21"E a distance of 140.95 feet to the northeast corner of said parcel;

Thence along an easterly line of said parcel, S30°25'57"E a distance of 6.69 feet to the northwesterly terminus of Indian Meadows Drive as recorded in P.E. 3258 Pages A-C;

Thence along the westerly right-of-way line of Indian Meadows Drive N59°34'03"E a distance of 100.00 feet;

Thence crossing said Indian Meadows Drive, S66°39'16"E a distance of 100.00 feet to a point in the easterly right-of-way line of said Indian Meadows Drive;

Thence along the easterly right-of-way line of Indian Meadows Drive, along a curve to the right, an arc distance of 40.00 feet, said curve having a central angle of 01°40'17", a radius of 1371.30 feet, and a chord bearing N24°10'52"E for 40.00 feet;

Thence along a northerly line of a B-4 zoning area (defined on Resolution #97-117, Case #FTZC97-9C), N78°05'15"E a distance of 27.97 feet;

Thence continuing along a northerly line of said B-4 zoning area, S84°59'12"E a distance of 134.02 feet to the westerly right-of-way line of Reigart Road;

Thence along the westerly right-of-way line of Reigart Road S05°00'47"W a distance of 595.85 feet;

Thence along the north line of vacated Reigart Road, S84°59'12"E a distance of 30.00 feet;

Thence along the centerline of vacated Reigart Road, S05°00'48"W a distance of 32.77 feet;

Thence along the north line of Lot 1994 (and the westerly extension thereof), S84°59'12"E a distance of 238.27 feet to the Point of Beginning, containing 53.594 acres more or less.

The above description is based on record information and was prepared by Kleingers & Associates, Inc., Civil Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101.
This is not the result of a field survey.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 3.938 ACRES (ORIGINAL)
PART OF A0300023000063
DPR PROPERTIES, INC.
O.R. 6391 PAGE 1026**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and also being known as part of Lot 485 of the Village of Indian Springs, being part of an original 3.938 acre parcel conveyed to DPR Properties, Inc. in O.R. 6391 Page 1026, and being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 3541.90 feet to a railroad spike set;

Thence leaving said centerline, N84°59'12"W a distance of 30.00 feet to a 5/8" iron pin set in the westerly right-of-way line of Reigart Road at the True Point of Beginning;

Thence the following eight courses:

- 1.) Along a curve to the right, an arc distance of 39.14 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 25.00 feet and a chord bearing S49°52'05"W for a distance of 35.27 feet;
- 2.) N85°07'42"W a distance of 236.90 feet to a 5/8" iron pin set at a point of curvature;
- 3.) Along a curve to the right, an arc distance of 43.20 feet to a 5/8" iron pin set at a point of compound curvature, said curve having a radius of 25.00 feet and a chord bearing N35°37'39"W for a distance of 38.02 feet;

- 4.) Along a curve to the right, an arc distance of 97.92 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 950.00 feet and a chord bearing N16°49'34"E for 97.87 feet;
- 5.) N19°46'44"E a distance of 267.89 feet to a 5/8" iron pin set at a point of curvature;
- 6.) Along a curve to the right, an arc distance of 40.00 feet to a point of tangency, said curve having a radius of 1371.30 feet and a chord bearing N24°10'52"E for a distance of 40.00 feet;
- 7.) Along a northerly line of a B-4 zoning area (defined on Resolution #97-117, Case #FTZC97-9C), N78°05'15"E a distance of 27.97 feet;
- 8.) Continuing along a northerly line of said B-4 zoning area, S84°59'12"E a distance of 134.02 feet to the westerly right-of-way line of Reigart Road, being the Point of Beginning.

The above described tract containing 3.938 acres more or less and being subject to easements, restrictions, and rights of way of record.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 2.195 ACRES
A0300023000064
DPR PROPERTIES, INC.
O.R. 6391 PAGE 1026**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and also being part of the 4.174 acre portion of Lot 485 Fairfield Township conveyed to D.P.R. Properties, Inc. in O.R. 6391 Page 1026 and being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 3651.90 feet to a Magnail set at the True Point of Beginning;

Thence along the centerline of vacated Reigart Road, S05°00'48"W a distance of 269.64 feet to a Magnail found;

Thence along a line in Lot 485, N84°59'12"W a distance of 331.83 feet to a cross notch found in the easterly right-of-way line of Indian Meadows Drive (100' R/W);

Thence along said easterly right-of-way line, the following five courses:

- 1.) N08°18'19"E a distance of 42.81 feet to a 5/8" iron pin set at a point of curvature;
- 2.) Along a curve to the left, an arc distance of 65.92 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 1100.00 feet and a chord bearing N06°35'19"E for 65.91 feet;

- 3.) N04°52'18"E a distance of 125.61 feet to a 5/8" iron pin set at a point of curvature;
- 4.) Along a curve to the right, an arc distance of 35.68 feet to a 5/8" iron pin set at a point of compound curvature, said curve having a radius of 950.00 feet and a chord bearing N05°56'51"E for 35.68 feet;
- 5.) Along a curve to the right, an arc distance of 38.33 feet to a 5/8" iron pin set at a point of tangency in the southerly right-of-way line of relocated Reigart Road (60' R/W), said curve having a radius of 25.00 feet and a chord bearing N50°56'51"E for 34.69 feet;

Thence along the southerly right-of-way line of Reigart Road, S85°07'42"E a distance of 247.31 feet to a 5/8" iron pin set at a point of curvature;

Thence continuing along said right-of-way line, along a curve to the right, an arc distance of 39.33 feet to a 5/8" iron pin set, said curve having a radius of 25.00 feet and a chord bearing S40°03'27"E for 35.40 feet;

Thence along the southerly terminus of Reigart Road (as dedicated in P.E. 3256 Pages A-C), S84°59'12"E a distance of 30.00 to the Point of Beginning, containing 2.195 acres more or less and being subject to easements, restrictions, and rights of way of record.

Bearing Reference: Bearings are based on Volume 36 Page 156 of the Butler County Engineers Record of Land Surveys.

The above description is based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 1.979 ACRES
A0300023000078
BEF REIT, INC.
O.R. 6202 PAGE 89**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being part of the 4.174 acre portion of Lot 485 Fairfield Township conveyed to D.P.R. Properties, Inc. in O.R. 6391 Page 1026 and being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road and a portion of vacated Reigart Road, S05°00'48"W a distance of 3921.54 feet to a Magnail found at the True Point of Beginning;

Thence continuing along the centerline of vacated Reigart Road, S05°00'48"W, passing a Magnail set at 142.07 feet, a total distance of 193.60 feet to the intersection of said centerline with the original centerline of State Route 4, being the southeasterly corner of Lot 485;

Thence along the original centerline of State Route 4, S72°45'27"W a distance of 309.60 feet;

Thence leaving said original centerline, N17°14'33"W a distance of 44.51 feet to a 5/8" iron pin found on the northerly right-of-way line of State Route 4;

Thence along the easterly right-of-way of Indian Meadows Drive (100' R/W) as dedicated in P.E. 3256 Pages A-C, the following four courses:

- 1.) Along a curve to the right, an arc distance of 49.81 feet to a 5/8" iron pin found at a point of tangency, said curve having a radius of 25.00 feet and a chord bearing N52°12'03"W for 41.97 feet;
- 2.) N04°52'18"E a distance of 92.60 feet to a 5/8 iron pin found at a point of curvature;
- 3.) Along a curve to the right, an arc distance of 59.93 feet to a 5/8" iron pin found at a point of tangency, said curve having a radius of 1000.00 feet and a chord bearing N06°35'19"E for 59.92 feet;
- 4.) N08°18'19"E a distance of 94.60 feet to a cross notch found;

Thence along a line in Lot 485, S84°59'12"E a distance of 331.83 feet to the Point of Beginning, containing 1.979 acres more or less and being subject to easements, restrictions, and rights of way of record.

Bearing Reference: Bearings are based on Volume 36 Page 156 of the Butler County Engineers Record of Land Surveys.

The above description is based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – LOT 1995
(FORMERLY LOT 16)
A0300051000016
DPR PROPERTIES, INC.
O.R. 6202 PAGE 89**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being Lot 1995 Fairfield Township (formerly known as Lot 16 of Ferndale Subdivision) and being more particularly described as follows:

Beginning at the northeast corner of Lot 1995;

Thence S17°13'12"E a distance of 208.27 feet to the southeast corner of Lot 1995 on the northerly right-of-way line of State Route 4;

Thence along the northerly right-of-way of State Route 4, S72°46'48"W a distance of 211.00 feet to the southwest corner of Lot 1995 on the easterly line of vacated Reigart Road;

Thence along the westerly line of Lot 1995 and the easterly line of vacated Reigart Road N05°00'47"E a distance of 225.00 feet to the northwest corner of Lot 1995;

Thence along the northerly line of Lot 1995, N72°46'48"E a distance of 125.87 feet to the Point of Beginning.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – LOT 1994
(FORMERLY LOT 17)
A0300051000017
DPR PROPERTIES, INC.
O.R. 6202 PAGE 89**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being Lot 1994 Fairfield Township (formerly known as Lot 17 of Ferndale Subdivision) and being more particularly described as follows:

Beginning at the northeast corner of Lot 1994;

Thence S05°00'48"W a distance of 64.87 feet to the southeast corner of Lot 1994;

Thence S72°46'48"W a distance of 225.00 feet to the southwest corner of Lot 1994 on the easterly line of vacated Reigart Road;

Thence along the westerly line of Lot 1994 and the easterly line of vacated Reigart Road N05°00'47"E a distance of 150.00 feet to the northwest corner of Lot 1994;

Thence along the northerly line of Lot 1994, S84°59'12"E a distance of 238.27 feet to the Point of Beginning.

April 7, 2004

**HAMILTON - INDIAN SPRINGS J.E.D.D.
2004 EXPANSION - ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION - 33.728 ACRES
A0300023000066
DPR PROPERTIES, INC.
O.R. 6391 PAGE 1026**

Part of lot 485 Fairfield Township, Butler County, Ohio and being described as follows:

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being part of the 35.328 acre parcel conveyed to DPR Properties, Inc. in O.R. 6391 Page 1026 of the Butler County Recorders Office and being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 4115.14 feet to the intersection of the centerline of Reigart Road and the original centerline of State Route 4;

Thence along the original centerline of State Route 4, S72°45'27"W a distance of 309.60 feet to the southeast corner of the above referenced 35.328 acre parcel and the True Point of Beginning;

Thence continuing along said original centerline and the southerly line of said parcel, S72°45'27"W a distance of 1756.79 feet;

Thence leaving said centerline, N17°14'33"W a distance of 53.06 feet to the northerly right-of-way line of State Route 4;

Thence along said right-of-way line, N73°10'13"E, passing a 5/8" iron pin set at 122.00 feet, a total distance of 130.15 feet to a 5/8" iron pin found;

Thence continuing along said right-of-way line, N74°14'47"E a distance of 235.16 feet to a 5/8" iron pin found;

Thence leaving said right-of-way line and along a line in said 35.328 acre parcel, N15°45'13"W a distance of 260.32 feet to a 5/8" iron pin found;

Thence along a line in said 35.328 acre parcel, S74°14'47"W a distance of 260.32 feet to a 5/8" iron pin found in the easterly right-of-way line of Creekside Drive (72' R/W);

Thence along said easterly right-of-way line as recorded on the record plat of "The Meadows of Indian Springs Section Two A" (P.E. 2886, Pgs. A-E), the following five courses:

- 1.) N09°50'42"W a distance of 82.54 feet to a point of curvature;
- 2.) Along a curve to the right, an arc distance of 97.94 feet to a point of tangency, said curve having a radius of 720.00 feet and a chord bearing N05°56'53"W for a distance of 97.86 feet;
- 3.) N02°03'04"W a distance of 176.68 feet to a point of curvature;
- 4.) Along a curve to the right, an arc distance of 234.77 feet to a point of tangency, said curve having a radius of 1170.00 feet and a chord bearing N03°41'51"E for a distance of 234.38 feet;
- 5.) N09°26'45"E a distance of 33.47 feet to the northwest corner of said 35.328 acre parcel;

Thence leaving said right-of-way line and along northerly and easterly lines of said parcel, the following twenty one courses:

- 1.) S80°33'15"E a distance of 243.78 feet;
- 2.) N72°45'27"E a distance of 335.63 feet;
- 3.) N55°21'07"E a distance of 190.88 feet;
- 4.) N33°55'22"E a distance of 231.13 feet;
- 5.) N88°38'34"E a distance of 216.72 feet;
- 6.) N48°07'15"E a distance of 199.43 feet;
- 7.) N78°00'15"E a distance of 191.56 feet;
- 8.) N50°14'12"E a distance of 176.98 feet;
- 9.) N78°05'15"E a distance of 140.95 feet;
- 10.) S30°25'57"E a distance of 27.70 feet to a point of curvature;
- 11.) Along a curve to the right, an arc distance of 109.54 feet to a point of tangency, said curve having a radius of 125.00 feet and a chord bearing S05°19'36"E for a distance of 106.07 feet;
- 12.) S19°46'44"W a distance of 173.08 feet to a point of curvature;
- 13.) Along a curve to the left, an arc distance of 273.19 feet to a point of tangency, said curve having a radius of 1050.00 feet and a chord bearing S12°19'31"W for a distance of 272.42 feet;
- 14.) S04°52'18"W a distance of 125.61 feet to a point of curvature;
- 15.) Along a curve to the right, an arc distance of 59.93 feet to a point of tangency, said curve having a radius of 1000.00 feet and a chord bearing S06°35'19"W for a distance of 59.92 feet;
- 16.) S08°18'19"W a distance of 137.41 feet to a point of curvature;

- 17.) Along a curve to the left, an arc distance of 65.92 feet to a point of tangency, said curve having a radius of 1100.00 feet and a chord bearing S06°35'19"W for a distance of 65.91 feet;
- 18.) S04°52'18"W a distance of 157.77 feet to a point of curvature;
- 19.) Along a curve to the right, an arc distance of 29.61 feet to a point on the northerly right-of-way line of State Route 4, said curve having a radius of 25.00 feet and a chord bearing S38°48'23"W for a distance of 27.91 feet;
- 20.) Along said right-of-way line, N72°44'29"E a distance of 54.19 feet;
- 21.) Along said right-of-way line, N70°43'37"E a distance of 110.25 feet;
- 22.) Leaving said right-of-way line, S17°14'33"E a distance of 44.51 feet to the Point of Beginning.

The above described tract containing 33.728 acres more or less and being subject to easements, restrictions, and rights of way of record.

Bearing Reference: Bearings are based on Volume 36, Page 158 of the Butler County Engineers Record of Land Surveys.

The above description based on field surveys by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said surveys are recorded in Volume 36 Page 158 and in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 1.600 ACRES
A0300023000077
SPEEDWAY SUPERAMERICA, LLC
O.R. 6974 PAGE 1727**

Part of lot 485 Fairfield Township, Butler County, Ohio and being described as follows:

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being part of the 35.328 acre parcel conveyed to DPR Properties, Inc. in O.R. 6391 Page 1026 of the Butler County Recorders Office and being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 4115.14 feet to the intersection of the centerline of Reigart Road and the original centerline of State Route 4;

Thence along the original centerline of State Route 4 and along the southerly line of the above referenced 35.328 acre parcel, S72°45'27"W a distance of 2066.39 feet to the southwest corner of said parcel;

Thence leaving said centerline, N17°14'33"W a distance of 53.06 feet to the northerly right-of-way line of State Route 4;

Thence along said right-of-way line, N73°10'13"E a distance of 122.00 feet to a 5/8" iron pin set at the True Point of Beginning;

Thence leaving said northerly right-of-way line, along the easterly right-of-way line of Creekside Drive (72' R/W) as recorded on the record plat of "The Meadows of Indian Springs Section Two A" (P.E. 2886, Pgs. A-E), the following four courses:

- 1.) Along a curve to the right, an arc distance of 39.08 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 25.00 feet and a chord bearing N62°02'59"W for 35.22 feet;
- 2.) N17°16'12"W a distance of 76.33 feet to a 5/8 iron pin set at a point of curvature;
- 3.) Along a curve to the right, an arc distance of 93.31 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 720.00 feet and a chord bearing N13°33'27"W for 93.24 feet;
- 4.) N09°50'42"W a distance of 67.02 feet to a 5/8" iron pin found;

Thence leaving said right-of-way line, along a new division line in said 35.328 acre parcel, N74°14'47"E a distance of 260.32 feet to a 5/8" iron pin found;

Thence continuing along a new division line in said parcel, S15°45'13"E a distance of 260.32 feet to a 5/8" iron pin found in the north right-of-way line of S.R. 4;

Thence along said right-of-way line, S74°14'47"W a distance of 235.16 feet to a 5/8" iron pin found;

Thence continuing along said right-of-way line, S73°10'13"W a distance of 8.15 feet to the Point of Beginning, containing 1.600 acres more or less and being subject to easements, restrictions, and rights of way of record.

Bearing Reference: Bearings are based on Volume 36 Page 158 of the Butler County Engineers Record of Land Surveys.

The above description is based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

April 7, 2004

**HAMILTON - INDIAN SPRINGS J.E.D.D.
2004 EXPANSION - ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION - 2.292 ACRES
A0300023000079
AURGROUP FINANCIAL CREDIT UNION, INC.
O.R. 7319 PAGE 434**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being part of an original 7.583 acre parcel (Part Lot 485) conveyed to D.P.R. Properties, Inc. in O. R. 6391, Pg. 1026, being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 4115.14 feet to the intersection of the centerline of Reigart Road and the original centerline of State Route 4, said original centerline also being the southerly line of said Lot 485;

Thence along the original centerline of State Route 4, S72°45'27"W a distance of 2066.39 feet to the Point of Beginning;

Thence continuing along the original centerline of State Route 4, S72°45'27"W a distance of 300.94 feet to the southwest corner of said 7.583 acre parcel;

Thence leaving said original centerline, along a westerly line of said 7.583 acre parcel and the easterly line of a 1.333 acre parcel conveyed to Victoria K. Ginsberg in O.R. 6570, Pg. 487 and the easterly line of a 0.944 acre parcel conveyed to Gene and Marlana Smith in O.R. 6464, Pg. 1334, N14°54'45"W, passing a 5/8" iron pin found on the northerly right-of-way line of State Route 4 at a distance of 55.25 feet, a total distance of 296.12 feet to a 5/8" iron pin set;

Thence along new division lines in said original 7.583 acre parcel, the following three courses:

- 1.) N80°04'30"E a distance of 120.00 feet to a 5/8" iron pin set;
- 2.) N42°12'34"E a distance of 131.44 feet to a 5/8" iron pin set;
- 3.) N74°14'47"E a distance of 100.00 feet to a 5/8" iron pin set in the westerly right-of-way line of Creekside Drive (72' R/W) as dedicated in P.E. 2886 Pages A-E;

Thence along said right-of-way line the following four courses:

- 1.) S09°50'42"E a distance of 89.73 feet to a 5/8" iron pin found at a point of curvature;
- 2.) Along a curve to the left, a distance of 102.64 feet to a 5/8" iron pin found at a point of tangency, said curve having a radius of 792.00 feet and a chord bearing S13°33'27"E for 102.56 feet;
- 3.) S17°16'12"E a distance of 75.39 to a 5/8" iron pin found at a point of curvature;
- 4.) Along a curve to the right, a distance of 39.46 feet to a 5/8" iron pin found on the northerly right-of-way line of State Route 4, said curve having a radius of 25.00 feet and a chord bearing S27°57'01"W for 35.49 feet;

Thence leaving said right-of-way, S17°14'33"E a distance of 53.06 feet to the Point of Beginning, containing 2.292 acres more or less and being subject to easements, restrictions and rights-of-way of record.

Bearing Reference: Bearings are based on recorded plats of "The Meadows of Indian Springs" and are intended to denote angles only.

The above description is based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____ Page _____ of the Butler County Engineers Record of Land Surveys.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 1.702 ACRES
PART OF A0300023000065
DPR PROPERTIES, INC.
O.R. 6391 PAGE 1026**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and being part of an original 7.583 acre parcel (Part Lot 485) conveyed to D.P.R. Properties, Inc. in O. R. 6391, Pg. 1026, being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 4115.14 feet to the intersection of the centerline of Reigart Road and the original centerline of State Route 4, said original centerline also being the southerly line of said Lot 485;

Thence along the original centerline of State Route 4, S72°45'27"W a distance of 2367.33 feet to the southwest corner of said 7.583 acre parcel;

Thence leaving said original centerline, along a westerly line of said 7.583 acre parcel and the easterly line of a 1.333 acre parcel conveyed to Victoria K. Ginsberg in O.R. 6570, Pg. 487 and the easterly line of a 0.944 acre parcel conveyed to Gene and Marlana Smith in O.R. 6464, Pg. 1334, N14°54'45"W, passing a 5/8" iron pin found on the northerly right-of-way line of State Route 4 at a distance of 55.25 feet, a total distance of 296.12 feet to a 5/8" iron pin set at the True Point of Beginning;

Thence continuing along the westerly line of said 7.583 acre parcel and the easterly line of said 0.944 acre parcel, N14°54'45"W a distance of 173.11 feet to a 5/8" iron pin found at the northeast corner of said 0.944 acre parcel and the southeast corner of a 0.950 acre parcel conveyed to Charles J. and Lavonne M. Dragon in O.R. 6427, Pg. 0892;

Thence continuing along a westerly line of said 7.583 acre parcel and the easterly line of said 0.950 acre parcel, N04°55'42"E a distance of 113.04 feet to a 5/8" iron pin found at the southwest corner of a 1.720 acre parcel conveyed to W.M.M. Partnership in O.R. 6405 Page 2218;

Thence along the southerly line of said 1.720 acre parcel, N86°55'02"E a distance of 317.31 feet to a 5/8" iron pin found at the southeasterly corner of said 1.720 acre parcel, being in the westerly right-of-way line of Creekside Drive (72' R/W) as dedicated in P.E. 2886 Pages A-E;

Thence along said right-of-way, along a curve to the left a distance of 93.47 feet to a 5/8" iron pin found at a point of tangency, said curve having a radius of 792.00 feet and a chord bearing S06°27'50"E for 93.42 feet;

Thence continuing along said right-of-way, S09°50'42"E a distance of 59.83 feet to a 5/8" iron pin set;

Thence along new division lines in said 7.583 acre parcel, the following three courses:

- 1.) S74°14'47"W a distance of 100.00 feet to a 5/8" iron pin set;
- 2.) S42°13'34"W a distance of 131.44 feet to a 5/8" iron pin set;
- 3.) S80°04'30"W a distance of 120.00 feet to the Point of Beginning.

The above described parcel containing 1.702 acres more or less and being subject to easements, restrictions and rights-of-way of record.

Bearing Reference: Bearings are based on recorded plats of "The Meadows of Indian Springs" and are intended to denote angles only.

The above description is based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____ Page _____ of the Butler County Engineers Record of Land Surveys.

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 1.720 ACRES
A0300023000067
W.M.M. PARTNERSHIP
O.R. 6405 PAGE 2218**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio, being part of a 7.583 acre tract conveyed to D.P.R. Properties, Inc. in Official Record Volume 6391, Page 1026 and also being known as part of Lot 485 of the Village of Indian Springs and being more particularly described as follows:

Commencing at the southwest corner of Lot 6335 "The Meadows of Indian Springs – Section Two-A"(P.E. 2886, PGS. A-E);

Thence along the south line of said Lot 6335, S80°33'15"E a distance of 131.45 feet to the westerly right-of-way line of Creekside Drive (72' R/W);

Thence along the said right-of-way line of Creekside Drive the following two courses:

- 1.) S09°26'45"W a distance of 80.17 feet to a point of curvature;
- 2.) Along a curve to the left, an arc distance of 200.30 feet to a 5/8" iron pin set at a point, being the True Point of Beginning, said curve having a radius of 1242.00 feet and a chord bearing S04°49'33"W for a distance of 200.08 feet;

Thence continuing along said right-of-way line of Creekside Drive and along a curve to the left, an arc distance of 48.92 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 1242.00 feet and a chord bearing S00°55'21"E for a distance of 48.92 feet;

Thence continuing along said right-of-way line of Creekside Drive, S02°03'04"E a distance of 176.68 feet to a 5/8" iron pin set at a point of curvature;

Thence continuing along said right-of-way line of Creekside Drive, along a curve to the left, an arc distance of 14.26 feet to a 5/8" iron pin set at a point, said curve

having a radius of 792.00 feet and a chord bearing S02°34'01"E for a distance of 14.26 feet;

Thence leaving said right-of-way line along a new division line in said 7.583 acre tract, S86°55'02"W a distance of 317.31 feet to a 5/8" iron pin set in the westerly line of said 7.583 acre tract;

Thence along the westerly line of said 7.583 acre tract, N04°55'42"E a distance of 258.78 feet to a 5/8" iron pin set;

Thence along a new division line in said 7.583 acre tract, S89°47'39"E a distance of 286.87 feet to the Point of Beginning.

The above described tract containing 1.720 acres more or less and being subject to easements, restrictions, and rights-of-way of record.

Along with a 35 foot access and maintenance easement across the southerly remainder of said 7.583 acre tract and being more particularly described as follows:

Beginning at the southeast corner of the above described 1.720 acre tract;

Thence along the westerly right-of-way line of Creekside Drive, along a curve to the left, an arc distance of 35.01 feet, said curve having a radius of 792.00 feet and a chord bearing S04°20'57"E for a distance of 35.01 feet;

Leaving said right-of-way line, S86°55'02"W a distance of 323.01 feet to the westerly line of said 7.583 acre tract;

Thence along the westerly line of said 7.583 acre tract, N04°55'42"E a distance of 35.34 feet;

Thence along the southerly line of the above described 1.720 acre tract, N86°55'02"E a distance of 317.31 feet to the Point of Beginning.

Being subject to a 15 foot access and maintenance easement across the above described 1.720 acre tract and being more particularly described as follows:

Beginning at the southeast corner of the above described 1.720 acre tract;

Thence along the southerly line of the above described 1.720 acre tract, S86°55'02"W a distance of 317.31 feet to the southwest corner of said 7.583 acre tract;

Thence along the westerly line of said 1.720 acre tract, N04°55'42"E a distance of 15.15 feet;

Thence leaving the westerly line of said 1.720 acre tract; N86°55'02"E a distance of 315.34 feet to the westerly right-of-way line of Creekside Drive;

Thence along said westerly right-of-way line of Creekside Drive, S02°03'04"E a distance of 0.75 feet to a point of curvature;

Thence continuing along said westerly right-of-way line of Creekside Drive, along a curve to the left, an arc distance of 14.26 feet to the Point of Beginning, said curve having a radius of 792.00 feet and a chord bearing S02°34'01"E a distance of 14.26 feet.

Also being subject to an access and maintenance easement across the above described 1.720 acre tract and being more particularly described as follows:

Beginning at the northeast corner of the above described 1.720 acre tract;

Thence along the westerly right-of-way line of Creekside Drive, along a curve to the left, an arc distance of 35.00 feet, said curve having a radius of 1242.00 feet and a chord bearing S00°36'06"E a distance of 35.00 feet;

Thence leaving said westerly right-of-way line of Creekside Drive, N89°47'39"W a distance of 60.49 feet;

Thence N00°12'21"E a distance of 35.00 feet to the northerly line of said 1.720 acre tract;

Thence along the northerly line of said 1.720 acre tract, S89°47'39"E a distance of 60.00 feet to the Point of Beginning.

Deed Reference: O.R. 6391 Page 1026

Bearing Reference: Bearings are based on the recorded plats of "The Meadows of Indian Springs" and are intended to denote angles only.

The above description based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys

April 7, 2004

**HAMILTON – INDIAN SPRINGS J.E.D.D.
2004 EXPANSION – ADDED AREA
PART OF TRACT #2
LEGAL DESCRIPTION – 1.869 ACRES
PART OF A0300023000065
DPR PROPERTIES, INC.
O.R. 6391 PAGE 1026**

Situated in Section 21, Town 2, Range 3, Fairfield Township, Butler County, Ohio and also being known as part of Lot 485 of the Village of Indian Springs and being more particularly described as follows:

Commencing at the northeast corner of Section 21;

Thence along the north line of Section 21, N84°59'00"W a distance of 1716.95 feet to the intersection of said north section line and the centerline of Reigart Road (60' R/W);

Thence along the centerline of Reigart Road, S05°00'48"W a distance of 4115.14 feet to the intersection of the centerline of Reigart Road and the original centerline of State Route 4, said original centerline also being the southerly line of said Lot 485;

Thence along the original centerline of State Route 4, S72°45'27"W a distance of 2367.33 feet;

Thence leaving said centerline, N14°54'45"W, passing a 5/8" iron pin set on the northerly right-of-way line of State Route 4 at a distance of 55.25 feet, a total distance of 469.23 feet to a 5/8" iron pin set;

Thence N04°55'42"E a distance of 371.82 feet to a 5/8" iron pin set at the Point of Beginning;

Thence N04°55'42"E a distance of 45.18 feet;

Thence N01°59'16"W a distance of 183.18 feet to a 5/8" iron pin set;

Thence N69°29'53"E a distance of 202.48 feet at a 1" iron pin found at the southwest corner of Lot 6335, The Meadows of Indian Springs-Section Two-A (P.E. 2886, Pgs. A-E);

Thence along the south line of said Lot 6335, S80°33'15"E a distance of 131.45 feet to a 1" iron pin found in the westerly right-of-way line of Creekside Drive (72' R/W);

Thence along the said right-of-way line of Creekside Drive the following two courses:

- 1.) S09°26'45"W a distance of 80.17 feet to a 5/8" iron pin set at a point of curvature;
- 2.) Along a curve to the left, an arc distance of 200.30 feet to a 5/8" iron pin set at a point, said curve having a radius of 1242.00 feet and a chord bearing S04°49'33"W for a distance of 200.08 feet;

Thence leaving said right-of-way line, S89°47'39"E a distance of 286.87 feet to the Point of Beginning.

The above described tract containing 1.869 acres more or less and being subject to easements, restrictions, and rights-of-way of record.

Deed Reference: O.R. 5224 Page 289

Bearing Reference: Bearings are based on the recorded plats of "The Meadows of Indian Springs" and are intended to denote angles only.

The above description based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

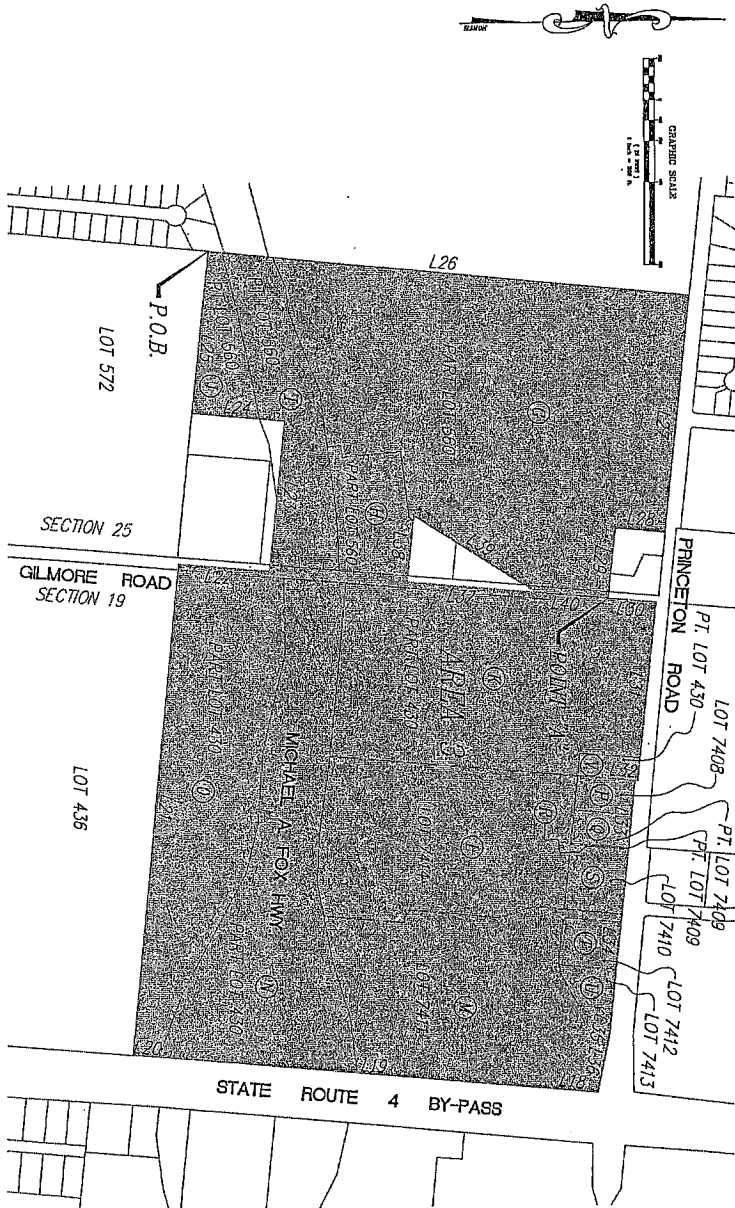
EXISTING HAMILTON-INDIAN SPRINGS J.E.D.D.

PARCEL NO.	OWNER	DEED BOOK / PAGE	ACREAGE
G A0300025000007	MICHAEL SOMMER, JR.	1484/183	75.962
H A0300025000070	SHARON S. ROTH	6780/2397	5.000
I A0300025000060	BUTLER COUNTY T.L.D.	6132/1710	9.965
J A0300025000061	NORTH FAIRFIELD BAPTIST CHURCH, INC.	6140/1898	3.714

OWNERSHIP TABLE

PARCEL NO.	OWNER	DEED BOOK / PAGE	ACREAGE
K A0300021000005	CAROL DENNISON, ET AL.	1686/287	PT. 128.074
L A0300021000023	REGENCY REALTY GROUP, INC.	6554/1479	PT. 50.370
M A0300021000020	WAL-MART REAL ESTATE BUSINESS TRUST	6576/856	22.208
N A0300021000015	BUTLER COUNTY T.L.D.	6182/1327	24.264
O A0300021000005	CAROL DENNISON, ET AL.	1686/287	PT. 128.074
P A0300021000024	REGENCY REALTY GROUP, INC.	6554/1479	PT. 50.370
Q A0300021000018	FIFTH THIRD BANK	6917/1340	PT. 1.094
R A0300021000025	INDIAN SPRINGS INVESTORS I, LTD.	7014/1891	0.052
S A0300021000019	INDIAN SPRINGS INVESTORS I, LTD.	7014/1891	2.048
T A0300021000021	INDIAN SPRINGS INVESTORS II, LLC	6856/779	1.485
U A0300021000022	WENDMIDDLE, LLC	7238/161	0.995
V A0300021000027	RESTAURANT MANAGEMENT, INC.	7080/1648	0.9378

OWNERSHIP TABLE

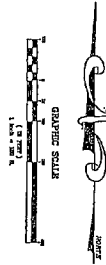


LINE	BEARING	LENGTH
L18	S07°11'09"W	240.12
L19	S05°00'30"W	1908.89
L20	S06°11'54"W	142.28
L21	N84°38'20"W	2376.00
L22	N05°16'10"E	453.10
L23	N84°37'51"W	744.53
L24	S05°16'28"W	449.60
L25	N84°37'51"W	797.96
L26	N05°36'10"E	2348.13
L27	S84°04'50"E	1194.65
L28	S05°16'10"W	240.03
L29	S84°05'10"E	335.00
L30	N05°16'10"E	237.17
L31	S84°45'50"E	848.38
L32	S05°14'10"W	25.00
L33	S84°45'50"E	354.05
L34	S84°38'46"E	873.89
L35	S77°58'52"E	79.47
L36	S81°40'47"E	222.69
L37	S05°16'10"W	607.24
L38	N84°43'50"W	312.97
L39	N32°32'10"E	683.15
L40	S05°16'10"W	361.42

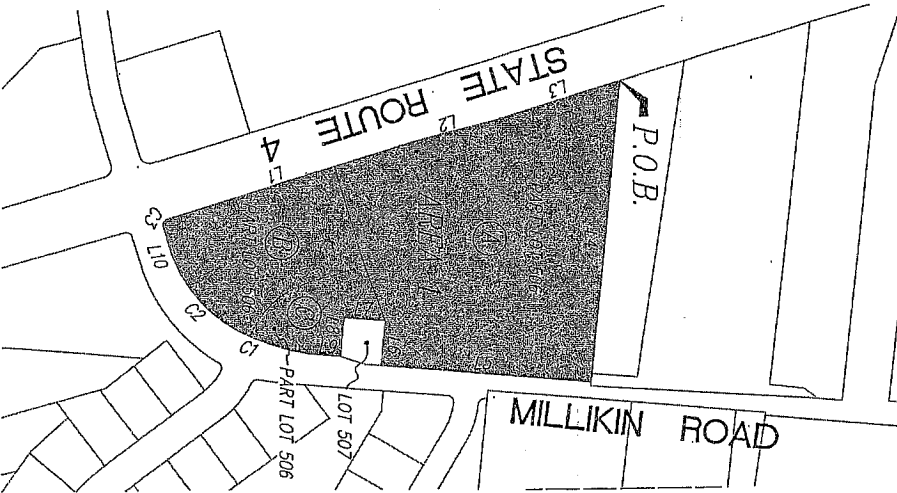
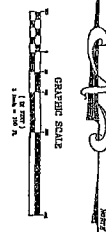
DETAIL MAP OF EXISTING TERRITORY
of the HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
as of April 1, 2004
FAIRFIELD TOWNSHIP BUTLER COUNTY, OHIO



EXISTING HAMILTON-INDIAN SPRINGS LEAD

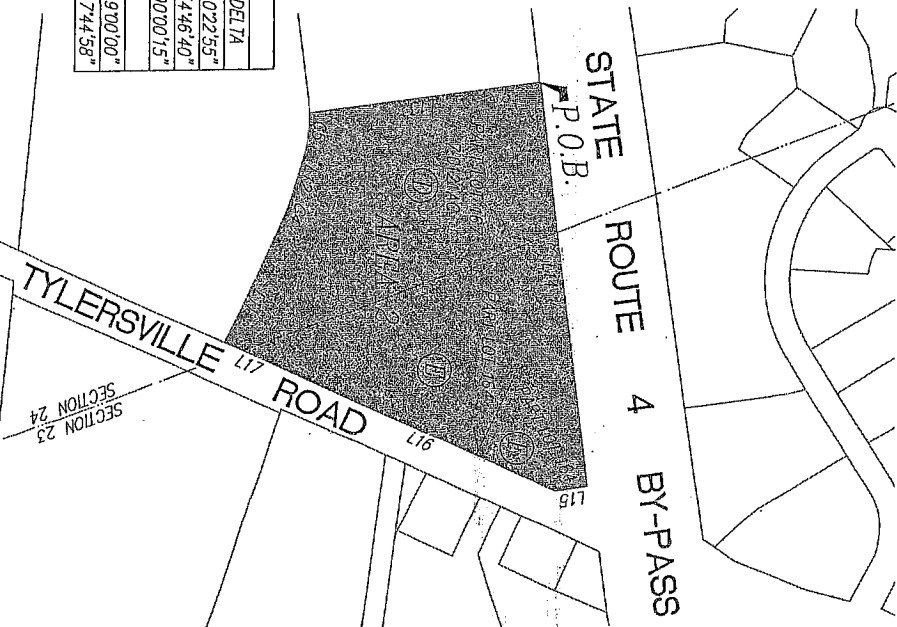


OWNERSHIP TABLE			
PARCEL NO.	OWNER	DEED BOOK / PAGE	ACREAGE
A	A0300023000059 CREEKSIDE GOLF, INC.	5402/603 5402/607	13.367
B	A0300023000060 JUB INVESTMENTS, LLC	7340/319	2.650
C	A0300023000075 JOSEPH W. SCHWARTZ TR., ET AL	6866/2072	0.950
D	A0300012000007 GLORIA M. JONES, TR.	1654/312	-
E	A0300011000001 GLORIA M. JONES, TR.	1654/312	-
F	A0300011000018 ASHLAND INC.	6172/985	1.649



LINE	BEARING	LENGTH
L1	N67°44'53"E	634.08
L2	N70°42'26"E	188.52
L3	N67°38'12"E	298.02
L4	S00°13'36"E	732.29
L5	S89°52'16"W	504.20
L6	N00°07'45"W	105.00
L7	S89°52'15"W	100.00
L8	S00°07'45"E	95.00
L9	S89°52'16"W	76.08
L10	N22°17'23"W	55.94
L11	N25°08'50"E	328.47
L12	N16°08'50"E	94.00
L13	N83°05'39"E	563.09
L14	S06°54'20"E	995.14
L15	S81°24'20"W	77.28
L16	N64°52'25"W	856.70
L17	N64°51'30"W	30.11

CURVE TABLE					
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	108.72	600.00	N79°52'53"W	108.57	102°25'55"
C2	344.18	360.00	N49°40'42"W	331.22	54°46'40"
C3	23.56	15.00	N22°43'45"E	21.21	90°00'15"
C4	58.12	370.00	N20°38'50"E	58.06	9°00'00"
C5	114.62	370.00	N07°16'20"E	114.16	17°44'58"

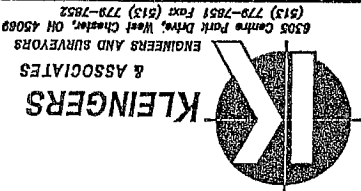


DETAIL MAP OF EXISTING TERRITORY
of the HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
as of April 1, 2004
FAIRFIELD TOWNSHIP BUTLER COUNTY, OHIO



DETAIL MAP OF PROPOSED AREA
of the
HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
FAIRFIELD TOWNSHIP
BUTLER COUNTY, OHIO

SCALE: NA
 DATE: 4/06/04
 DRAWN: DSE
 CHECKED:
 JOB NO. 040279VD

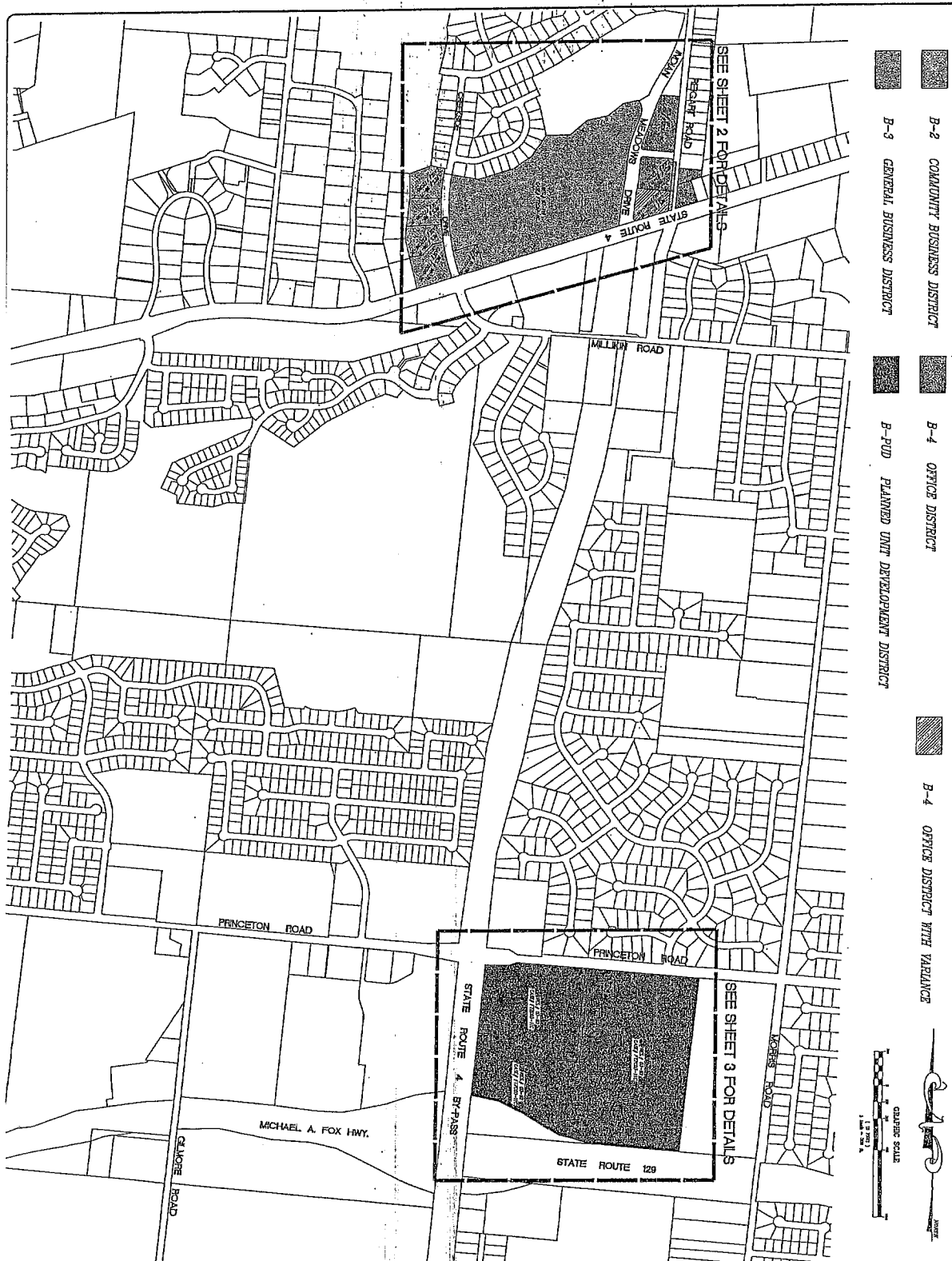


HAMILTON-INDIAN SPRINGS J.E.D.D. 2004 EXPANSION AREA

CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	40.00	1371.30	S24°10'52"W	40.00	01°40'17"
C2	48.81	25.00	N52°12'03"W	41.97	11°40'84"
C3	59.83	1000.00	N06°35'19"E	59.92	03°26'01"
C4	65.92	1100.00	N06°35'19"E	65.91	03°26'01"
C5	35.68	950.00	N05°56'51"E	35.68	02°09'06"
C6	38.33	25.00	N50°56'51"E	34.69	87°50'54"
C7	39.33	25.00	S40°03'27"E	35.40	90°08'30"
C8	39.14	25.00	S49°52'05"W	35.27	89°42'34"
C9	43.20	25.00	N35°37'39"W	38.02	89°00'06"
C10	97.92	950.00	N16°49'34"E	97.87	05°54'20"
C11	262.28	1371.30	N25°15'30"E	261.88	10°51'31"
C12	150.22	1064.02	N26°41'35"E	150.09	08°05'20"
C13	108.54	125.00	S05°19'36"E	106.07	50°12'41"
C14	273.19	1050.00	S12°19'31"W	272.42	14°54'26"
C15	59.93	1000.00	S06°35'19"W	59.92	03°26'01"
C16	65.92	1100.00	S06°35'19"W	65.91	03°26'01"
C17	29.61	25.00	S38°48'23"W	27.91	67°52'11"
C18	39.08	25.00	N62°03'00"W	35.22	89°33'44"
C19	93.31	720.00	N13°33'27"W	93.24	7°25'30"
C20	97.94	720.00	N05°56'53"W	97.86	7°47'38"
C21	234.77	1170.00	N03°41'51"E	234.38	11°29'49"
C22	200.30	1242.00	S04°49'33"W	200.08	09°14'44"
C23	48.92	1242.00	S00°55'21"E	48.92	02°15'25"
C24	14.26	792.00	N06°21'50"W	14.26	06°45'44"
C25	93.47	792.00	S06°27'50"E	93.42	01°01'54"
C26	102.64	792.00	S13°33'27"E	102.56	07°25'30"
C27	39.46	25.00	S27°57'01"W	35.49	90°26'25"

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S05°50'37"W	1611.58	L31	S85°01'00"E	976.44	L61	S84°59'12"E	134.02	L91	N17°16'12"W	76.33
L2	N84°58'10"W	766.76	L32	S05°00'48"W	64.87	L62	S05°00'47"W	595.65	L92	N09°50'42"W	67.02
L3	N73°29'50"W	310.05	L33	S72°46'48"W	99.13	L63	S84°59'12"E	30.00	L93	N09°50'42"W	82.54
L4	N57°43'23"W	382.16	L34	S17°13'12"E	208.27	L64	S05°00'48"W	32.77	L94	N02°03'04"W	176.68
L5	N63°36'24"W	250.21	L35	S72°46'48"W	243.41	L65	S84°59'12"E	238.27	L95	N09°26'45"E	33.47
L6	N76°56'47"W	250.08	L36	N05°00'48"E	8.42	L66	S72°46'48"W	225.00	L96	N74°14'47"E	260.32
L7	N05°26'51"E	1197.78	L37	S72°44'03"W	239.34	L67	S05°00'47"W	150.00	L97	S15°45'13"E	260.32
L8	S89°09'24"E	190.78	L38	S70°43'37"W	200.12	L68	S05°00'47"W	225.00	L98	S74°14'47"W	235.16
L9	N73°10'59"E	80.78	L39	S72°44'29"W	1050.00	L69	S72°46'48"W	125.87	L99	N89°47'39"E	286.87
L10	S85°01'00"E	1645.80	L40	S74°44'47"W	450.16	L70	S72°46'48"W	211.00	L100	N04°55'42"E	45.18
L11	S85°01'00"E	29.38	L41	S73°10'13"W	445.30	L71	S05°00'48"W	142.07	L101	S09°26'45"W	80.17
L12	S84°59'00"W	897.88	L42	N14°54'45"W	413.98	L72	N04°52'18"E	92.60	L102	S02°03'04"E	176.68
L13	N85°01'00"W	195.96	L43	N04°55'42"E	417.00	L73	N08°18'19"E	94.60	L103	S06°55'07"W	317.31
L14	S04°59'00"W	98.70	L44	N01°50'16"W	183.18	L74	S84°59'12"E	331.83	L104	N04°55'42"E	258.78
L15	S30°01'00"E	315.08	L45	N69°29'53"E	202.48	L75	N08°18'19"E	42.81	L105	S09°50'42"E	59.83
L16	S04°59'00"W	18.00	L46	S80°33'15"E	131.45	L76	N04°52'18"E	125.61	L106	N74°14'47"E	100.00
L17	N85°01'00"W	18.00	L47	S09°26'45"W	46.70	L77	S85°07'42"E	247.31	L107	N42°12'34"E	131.44
L18	N85°01'00"W	189.92	L48	S80°33'15"E	315.78	L78	S84°59'12"E	30.00	L108	N80°04'30"E	120.00
L19	N85°01'00"W	126.75	L49	N72°45'27"E	335.63	L79	S05°00'48"W	269.04	L109	N74°54'45"W	173.11
L20	N57°43'23"W	189.92	L50	N52°10'07"E	190.88	L80	N85°07'42"W	236.90	L110	N04°55'42"E	113.04
L21	N05°26'51"E	564.92	L51	N53°55'27"E	231.13	L81	N19°46'44"E	267.89	L111	S09°50'42"E	89.73
L22	S85°01'00"E	128.75	L52	N88°38'34"E	216.72	L82	N30°44'15"E	189.28	L112	S17°16'12"E	75.39
L23	S04°59'00"W	120.00	L53	N48°07'15"E	199.43	L83	S05°00'48"W	913.81	L113	S73°10'13"W	299.39
L24	S85°01'00"E	281.67	L54	N78°00'15"E	191.56	L84	S19°46'44"W	173.08	L114	N14°54'45"W	240.87
L25	S04°59'00"W	54.21	L55	N50°14'12"E	176.98	L85	S72°46'48"W	125.61			
L26	S85°01'00"E	800.32	L56	N78°05'21"E	140.95	L86	S04°52'18"W	137.41			
L27	N04°59'00"E	884.45	L57	S30°29'57"E	6.69	L87	S08°18'19"W	157.77			
L28	N57°43'23"W	255.41	L58	N59°34'03"E	100.00	L88	S04°52'18"W	157.77			
L29	N05°26'51"E	632.88	L59	S66°39'16"E	100.00	L89	S73°10'13"W	8.15			
L30	S85°01'00"E	639.98	L60	N78°05'15"E	27.97	L90					





EXHIBIT H-1
Zoning Map of Added Area

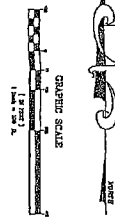


MAP OF EXISTING ZONING OF PROPOSED AREA
of the
HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
FAIRFIELD TOWNSHIP BUTLER COUNTY, OHIO



DETAIL SHEET 2

-  B-2 COMMUNITY BUSINESS DISTRICT
-  B-3 GENERAL BUSINESS DISTRICT
-  B-4 OFFICE DISTRICT
-  B-4 OFFICE DISTRICT WITH VARIANCE

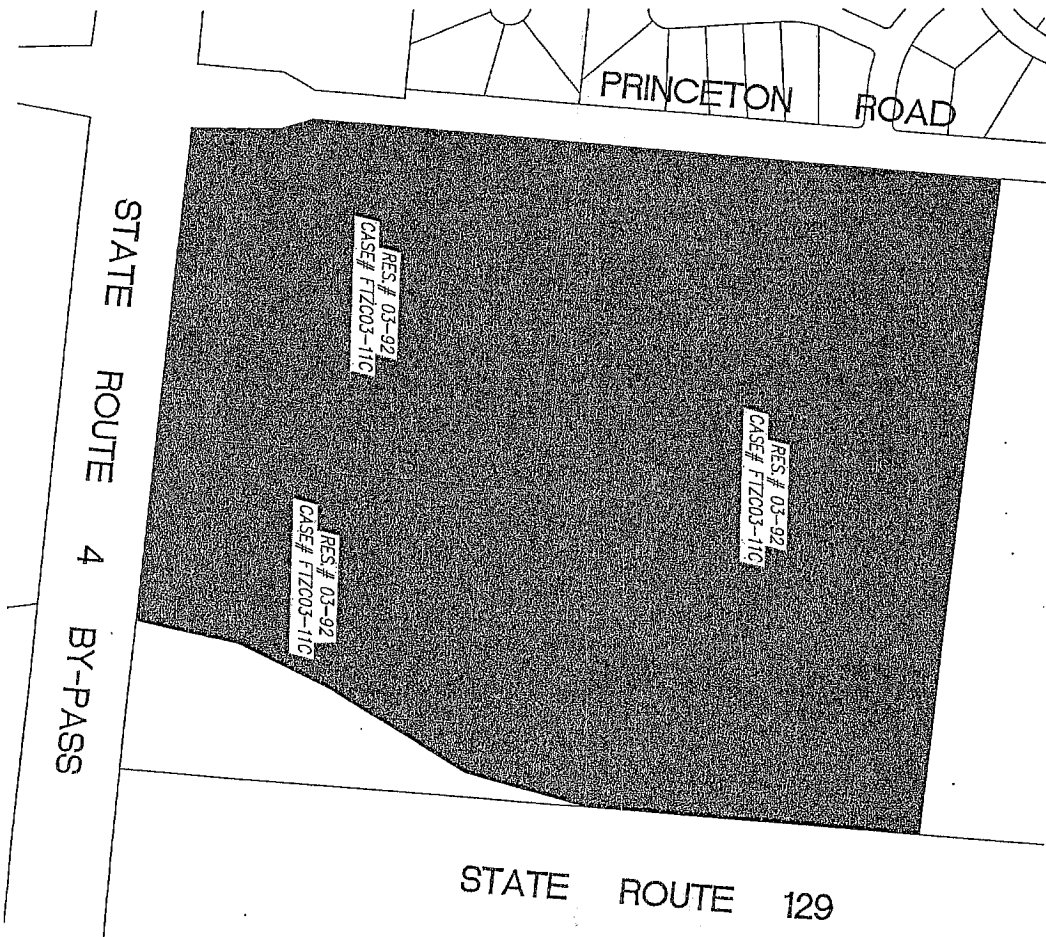


MAP OF EXISTING ZONING OF PROPOSED AREA
of the
HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
FAIRFIELD TOWNSHIP BUTLER COUNTY, OHIO



B-PUD PLANNED UNIT DEVELOPMENT DISTRICT

DETAIL SHEET 3



MAP OF EXISTING ZONING OF PROPOSED AREA
of the
HAMILTON - INDIAN SPRINGS
JOINT ECONOMIC DEVELOPMENT DISTRICT
FAIRFIELD TOWNSHIP BUTLER COUNTY, OHIO



EXHIBIT H-4
Color Coded Zoning Map



CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners on the 1st day of July, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of County Commissioners of Butler County, Ohio, this 1st day of July, 2004.



Flora R. Butler
Flora R. Butler, Clerk
Board of County Commissioners
Butler County, Ohio

RESOLUTION NO. 04-07-2162

WHEREAS, the City of Hamilton and Fairfield Township, Butler County, have filed with the Board of County Commissioners of Butler County Ohio, the First Amendment to the Hamilton-Indian Springs Joint Economic Development District under Ohio Revised Code Section 715.761, and

WHEREAS, included with the filing of the First Amendment were those documents required by Ohio Revised Code 715.761

Resolved By the Board of County Commissioners of Butler County, Ohio, That

Section 1: Pursuant to Ohio Revised Code 715.77(A)(2), this Board acknowledges receipt on June 14, 2004 of the First Amendment to the Hamilton-Indian Springs Joint Economic Development District along with its required accompanying documents; and

Section 2: Pursuant to Ohio Revised Code 715.77(A)(2), the Board approves said First Amendment; and

Section 3: Pursuant to Ohio Revised Code 715.77(A)(2), it appearing to this Board that all of the conditions set forth in Ohio Revised Code 715.77(A)(1) are satisfied, to wit: (a) the resolution approving the First Amendment has been approved by a unanimous vote of the members of the Board of Trustees of Fairfield Township; (b) the addition of territory to this joint economic development district is proposed at the request of a majority of the owners of land and businesses included within the proposed district; and (c) the territory to be added to the Hamilton-Indian Springs Joint Economic Development District is zoned in a manner appropriate to the function of the proposed district; this Board of County Commissioners finds and determines that the Board of Trustees of Fairfield Township has invoked its authority under 715.77(A)(1) and the resolution of the said Board of Trustees approving the First Amendment to the contract creating the Hamilton-Indian Springs Joint Economic Development District need not be submitted to the electors of the township for approval at the next succeeding general, primary, or special election.

Section 4: Pursuant to Ohio Revised Code 715.77(A)(4) the First Amendment to the Hamilton Indian Springs Joint Economic Development District Agreement shall take effect not earlier than the thirty-first day after this approval .

Commissioner Fox moved for the adoption of the foregoing resolution. Commissioner Jolivet seconded the motion and upon call of the roll, the vote resulted as follows:

Commissioner Jolivet	Yea
Commissioner Fox	Yea
Commissioner Furmon	Yea

Adopted: July 1, 2004

Attest: Hora K. Butler Clerk

RECORD OF PROCEEDINGS

Minutes of

Special

Meeting

Held

*August 7**1996*

19

*Clark**Cosig*

RESOLUTION 96-54

RESOLUTION TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT
DISTRICT CONTRACT BETWEEN INDIAN SPRINGS/FAIRFIELD
TOWNSHIP AND THE CITY OF HAMILTON, AND TO DECLARE AN
EMERGENCY

BE IT RESOLVED, by the Council of the City of Indian Springs/Board of Trustees of
Fairfield Township, Butler County, Ohio, that:

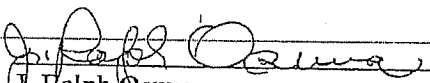
Section 1. Indian Springs/Fairfield Township does hereby enter into a Joint
Economic Development District with the City of Hamilton, a copy of
which is attached hereto as "Exhibit A", which is also Exhibit 1 and
do adopt Exhibit II and III.

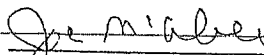
Section 2. That this resolution is declared to be an emergency resolution for the
immediate preservation of the public peace, health, or safety of Indian
Springs/Fairfield Township, Butler County, Ohio; and for the reason
that the contract, and other documents called for by the Ohio Revised
Code must be filed with the office of the Butler County Commissioners
for their meeting on or about August 8, 1996, so that the matter can be
certified to the Board of Elections on or about August 22, 1996; so
that the matter can be put before the electors of Indian Springs/Fairfield
Township at the next general election.

Passed: August 7, 1996

Posted:

Donald L. Dixon


J. Ralph Osuna

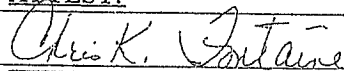

Joe McAbee
First Reading: August 7, 1996

Second Reading:

Third Reading:

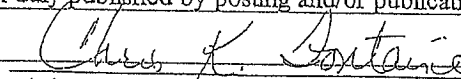
Rules Suspended: August 7, 1996Emergency: August 7, 1996

ATTEST:



Clerk/Treasurer

This is to certify that this Resolution has been duly published by posting and/or publication,
as provided by Ohio Law.


Chris K. Fontaine
Clerk/Treasurer

RECORD OF PROCEEDINGS

0143

Minutes of

Special

Meeting

Dayton Legal Blank Co., Form No. 10150

Held

August 7

1996

CERTIFICATE

(O.R.C. 715.76 (E))

This is to certify that the public hearing required by Ohio Revised Code Section 715.75 by Indian Springs/ Fairfield Township, Butler County, Ohio has been held, on July 31, 1996, and attached hereto and made a part hereof is evidence of the public notice given, which public notice was made in the Journal News of Hamilton, Ohio, a newspaper of general circulation in the municipal corporation and the township, and which appeared in said newspaper June 30, 1996.

This Certificate executed this 5th day of August, 1996.

Donald L. Dixon - Trustee

J. Ralph Osuna
J. Ralph Osuna - Trustee

Joseph M. Abee

Joseph M. Abee - Trustee

Chris K. Fontaine

Chris Fontaine, Clerk of Fairfield Township

RECORD OF PROCEEDINGS

Minutes of

Special

Meeting

Held

*August 7**1996*

19

Clark County

RESOLUTION 96-54

RESOLUTION TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT
DISTRICT CONTRACT BETWEEN INDIAN SPRINGS/FAIRFIELD
TOWNSHIP AND THE CITY OF HAMILTON, AND TO DECLARE AN
EMERGENCY

BE IT RESOLVED, by the Council of the City of Indian Springs/Board of Trustees of
Fairfield Township, Butler County, Ohio, that:

Section 1. Indian Springs/Fairfield Township does hereby enter into a Joint
Economic Development District with the City of Hamilton, a copy of
which is attached hereto as "Exhibit A", which is also Exhibit I and
do adopt Exhibit II and III.

Section 2. That this resolution is declared to be an emergency resolution for the
immediate preservation of the public peace, health, or safety of Indian
Springs/Fairfield Township, Butler County, Ohio; and for the reason
that the contract, and other documents called for by the Ohio Revised
Code must be filed with the office of the Butler County Commissioners
for their meeting on or about August 8, 1996, so that the matter can be
certified to the Board of Elections on or about August 22, 1996; so
that the matter can be put before the electors of Indian Springs/Fairfield
Township at the next general election.

Passed: August 7, 1996

Posted:

Donald L. Dixon

J. Ralph Osuna
J. Ralph Osuna*Joe McAbee*
Joe McAbeeFirst Reading: August 7, 1996

Second Reading:

Third Reading:

Rules Suspended: August 7, 1996Emergency: August 7, 1996

ATTEST:

Chris K. Fontaine

Clerk/Treasurer

This is to certify that this Resolution has been duly published by posting and/or publication,
as provided by Ohio Law.

Chris K. Fontaine
Chris K. Fontaine

Clerk/Treasurer

RECORD OF PROCEEDINGS

0143

Minutes of

Special

Meeting

Dayton Legal Blank Co., Form No. 10150

Held

August 7

19*96*

CERTIFICATE

(O.R.C. 715.76 (E))

This is to certify that the public hearing required by Ohio Revised Code Section 715.75 by Indian Springs/ Fairfield Township, Butler County, Ohio has been held, on July 31, 1996, and attached hereto and made a part hereof is evidence of the public notice given, which public notice was made in the Journal News of Hamilton, Ohio, a newspaper of general circulation in the municipal corporation and the township, and which appeared in said newspaper June 30, 1996.

This Certificate executed this 5th day of August, 1996.

Donald L. Dixon - Trustee

J. Ralph Osuna
J. Ralph Osuna - Trustee

Joseph Mc Abee

Joseph Mc Abee - Trustee

Chris K. Fontaine

Chris Fontaine, Clerk of Fairfield Township

JACK F. GROVE

ATTORNEY AT LAW
1251 NILLES ROAD
SUITE 10
FAIRFIELD, OHIO 45014

TELEPHONE: (513) 829-2900

TELECOPIER: (513) 829-7538

7006 FAIRFIELD ROAD
OXFORD, OHIO 45056

August 2, 2004

Mr. Michael Rahall
Administrator
Fairfield Township
6032 Morris Road
Hamilton, Ohio 45011-5118

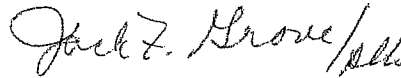
Re: Hamilton-Indian Springs Joint Economic
Development District Amendment

Dear Mr. Rahall:

Enclosed please find a fully executed copy of the subject amendment for your files.

Thank you for your assistance on this project.

Very truly yours,



Jack F. Grove

JFG:slb

Enclosure

cc: ✓ Nancy A. Bock, Clerk
w/Enclosure

JACK F. GROVE

ATTORNEY AT LAW
1251 NILLES ROAD
SUITE 10
FAIRFIELD, OHIO 45014

TELEPHONE: (513) 829-2900

TELECOPIER: (513) 829-7538

7006 FAIRFIELD ROAD
OXFORD, OHIO 45056

August 2, 2004

Ms. Nancy A. Bock, Clerk
Fairfield Township
6032 Morris Road
Hamilton, Ohio 45011-5118


Re: Developer's Service Agreement
Fairfield Township 2001 TIF Zone
and Road Improvements at Princeton Road/Bridgewater Falls

Dear Ms. Bock:

Enclosed please find a fully executed copy of the subject agreement for your files.

Thank you for your assistance on this project.

Very truly yours,


Jack F. Grove

JFG:slb

Enclosure

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 08-023**

**RESOLUTION TO APPOINT STEVE MORGAN AS THE FAIRFIELD
TOWNSHIP JEDD BOARD OF DIRECTORS REPRESENTATIVE WITH A
FOUR YEAR TERM WHICH ENDS OCTOBER 10, 2011, AND
DISPENSING WITH THE SECOND READING.**

WHEREAS: This appointment will replace Mark Sutton as the Township Representative.

BE IT RESOLVED, by the Trustees of Fairfield Township, Butler County, Ohio by authority of Chapter 504 of the Ohio Revised Code, that:

SECTION 1: The Board of Trustees does hereby appoint Steve Morgan as the Fairfield Township JEDD Board of Directors Representative with a four year term to expire on October 11, 2011.

SECTION 2: The Trustees of Fairfield Township do hereby dispense with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and do authorize the adoption of this resolution upon its first reading.

SECTION 3: This resolution shall take effect at the earliest period allowed by law.

First Reading: February 26, 2008

Second Reading: Suspended

Effective: March 7, 2008

Vote of Trustees

Mark Sutton: Yes

Steve Morgan: Yes

Terry Scharnhorst: Yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed, and filed with the Fairfield Township Fiscal Officer, this _____ day of _____, 2008.

Fairfield Township Fiscal Officer

Authority: ORC 715.78(A)(1)(b)

ALL J.E.D.D. ACTIVITY (JEDD I & II)

	GROSS DOLLARS COLLECTED	COMMISSION	REFUND RETAINAGE	NET AMOUNT FOR DISTRIBUTION	HAMILTON	FAIRFIELD TOWNSHIP
1998	20,418.18	1,020.91	204.18	19,193.09	14,394.82	4,798.27
1999	20,882.77	1,044.13	208.82	19,629.82	14,722.37	4,907.46
2000*	28,113.51	1,405.68	10,281.12	16,426.71	12,320.03	4,106.68
2001	8,605.06	430.25	86.05	8,088.76	6,066.57	2,022.19
2002	84,877.52	4,243.88	848.76	79,784.88	59,838.66	19,946.22
2003	125,627.32	6,281.35	1,256.27	118,089.70	88,567.28	29,522.43
2004 TOTAL	150,844.04	7,542.21	1,508.46	141,793.37	100,309.66	41,483.71
2005 YTD TOTAL	462,895.19	23,144.76	4,622.16	435,121.27	205,740.35	229,380.92
2006 YTD 2007	637,073.46	31,853.65	6,370.75	598,845.00	275,318.62	323,526.56
JAN	86,139.23	4,306.96	861.39	80,970.88	41,232.63	39,738.25
FEB	46,472.70	2,323.64	464.73	43,684.33	20,432.85	23,251.48
MAR	49,372.00	2,468.60	493.72	46,407.19	24,393.02	22,014.17
APR	73,612.50	3,680.62	736.13	69,195.75	30,494.49	38,701.26
MAY	75,167.40	3,758.37	751.67	70,657.36	30,694.31	39,963.05
JUNE	47,049.38	2,352.47	470.49	44,226.42	21,462.59	22,763.83
JULY	71,502.97	3,575.15	714.85	67,212.79	31,868.27	35,344.52
AUG	65,491.01	3,274.56	654.91	61,561.54	32,646.77	28,914.77
SEPT	59,915.69	2,995.78	599.16	56,320.75	28,598.04	27,722.71
OCT	67,511.31	3,375.56	675.11	63,460.64	31,173.47	32,287.17
NOV	65,035.58	3,251.78	650.36	61,133.44	30,344.76	30,788.68
DEC	80,303.63	4,015.18	803.03	75,485.42	36,342.26	39,143.16
TOT 2007	787,573.40	39,378.67	7,875.55	740,316.51	359,683.46	380,633.05
2008	73,332.32	3,666.61	733.32	68,932.39	33,224.13	35,708.26
JAN	64,675.22	3,233.77	646.75	60,792.32	29,355.94	31,436.38
FEB	66,678.01	3,483.90	696.78	65,488.41	31,922.40	33,567.01
MAR	95,417.57	4,770.88	954.17	89,692.52	44,324.78	45,367.74
APR	83,694.33	4,184.72	836.94	78,688.56	39,118.53	39,550.03
MAY	65,452.92	3,272.64	654.52	61,508.42	29,646.80	31,861.62
JUN	70,741.73	3,537.08	707.42	66,485.87	31,614.35	34,871.52
JULY	60,761.20	3,038.06	607.61	57,115.53	24,673.95	32,441.58
AUG	59,789.58	3,089.48	617.89	58,082.21	27,692.96	30,389.25
SEPT	83,646.76	4,182.34	836.47	78,627.95	38,671.10	39,956.85
OCT -	67,628.49	3,381.43	676.29	63,570.77	29,876.86	33,693.91
NOV	60,930.73	3,046.53	609.31	57,274.89	27,369.63	29,905.26
DEC	852,748.86	79,208.85	15,841.56	806,240.84	387,491.43	418,749.41
2008 TOTAL	76,529.33	3,826.47	765.30	71,937.56	33,708.50	38,229.06
JAN	73,595.00	3,679.75	735.95	69,179.13	31,899.69	37,279.61
FEB	54,904.51	2,745.22	549.04	51,610.25	26,327.78	25,282.47
MAR	3,118,728.58	156,186.40	41,230.28	2,926,255.06	1,497,083.61	1,429,171.63
GRAND TOTAL						

Additional \$10,000 authorized by JEDD Board for Refunds due to Refund Account Shortage.
 Collected with expected amounts for distribution; Amounts distributed on a quarterly basis.
 Certain minor rounding differences may occur due to pennies and percentages.

Note:

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