



# BEAVERCREEK TOWNSHIP

851 Orchard Lane  
Beavercreek, Ohio 45434-7220  
(937) 429-4472  
(937) 429-5678 Fax

Trustees - Carol Graff  
Tom Kretz  
Jeff Roberts

Fiscal Officer - Christy L. Ahrens

Administrator - J. Alexander Zaharieff

RESOLUTION # 2016-110

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

GREENE COUNTY AUDITOR

2016 FEB 26 AM 8:40

FILED

WHEREAS, Sections 5709.73, 5709.74 and 5709.75 of the Ohio Revised Code (collectively, the "TIF Statutes") authorize townships to participate in a financing technique commonly known as tax increment financing ("TIF"); and

WHEREAS, this Board wished to use the authority granted pursuant to such TIF Statutes in connection with certain improvements in the Township in order to meet the public health, safety, welfare and convenience needs of the area, including new development and traffic capacity; and

WHEREAS, the Board caused notice to be given to the Beavercreek City School District, and the Greene County Career Center on February 11, 2016 of the consideration of this resolution providing for tax increment property tax exemption, as required by Section 5709.73 and 5709.83 of the Ohio Revised Code; and

WHEREAS this Board has determined to grant a property tax exemption for the parcels comprising the Beavercreek Township Valley Springs Farm TIF (the "VSF TIF") as is generally identified in the Beavercreek Township Economic Development Plan; and

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

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

SECTION 1. Pursuant to Section 5709 (B) of the Ohio Revised Code, this Board hereby creates the "VSF TIF", the boundaries of which shall be coextensive with the boundaries of the Parcels and shall include the Parcels as specifically identified and depicted in Exhibit A attached hereto (each, individually, a "Parcel" and collectively, the "Parcels"), but excluding any and all residential property located within Exhibit A, which Parcels are located in the unincorporated area of the Township.

SECTION 2. That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including, but not limited to, pavements, walkways, bike paths, traffic control devices, constructing and installing curbs and gutters, and alterations to existing streets, including, but not limited to, improvements within the District to roadways and intersections; the planning design and construction of utilities, including, but not limited to, water, sanitary sewers, storm water sewers and detention facilities; erosion and sediment control measures, grading, drainage and other related work; the preparation of plans for land uses in the area; landscaping of the public right of way; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities and operations; and real estate acquisition including, but not limited to, property rights of way and easements or other rights in property necessary for the completion of the public improvements listed above (the "Public Improvements"), are necessary for the further development of the parcels of land described in Exhibit A attached to this Resolution for the creation of jobs, increasing property values, and the provision of adequate public services in Beaver Creek Township. The further development of the Parcels in the VSF TIF will place direct additional demand on the Public Improvements.

SECTION 3. That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the Parcels in the VSF TIF occurring after the date of this Resolution are hereby declared to be a public purpose and are exempt from the real property taxation commencing, for each parcel, with the first tax year that begins after the effective date of this Resolution and in which an improvement resulting from the construction of a structure on that parcel first appears on the tax duplicate of real and public utility property and ends on the earlier of (i) ten (10) years after such date; or (ii) the date on which the Township can no longer require service payments to be paid on the improvements, all in accordance with the requirement of the TIF Statutes; or (iii) the date on which the specific improvements are paid in full from the Tax Equivalent Fund, as defined in Section 5 hereof, but in no case shall the improvements be exempted from taxation for more than ten (10) years maximum. It is hereby determined that (i) a portion of the improvements shall be exempt from real property taxation, (ii) such portion shall be seventy five percent (75%) of the assessed value of the improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the VSF TIF.

SECTION 4. That pursuant to Section 5709.74 of the Ohio Revised Code, the owner or the owners of each Parcel shall be required to make semi- annual service payments in lieu of taxes (the "Service Payments") to the Greene County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention and authorizes the Fiscal Officer or his/her agent, the Township Administrator, or any member of this Board to sign such documents as may be necessary and appropriate to assure the payment of such Service Payments.

SECTION 5. That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Beavercreek Township Public Improvement Tax Increment Equivalent Fund II (the "Tax Increment Equivalent Fund") into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvement and may be used to make payments to the Beavercreek City School District and the Greene County Career Center at the discretion of the Board of Township Trustees, however, any such discretionary payments made to a school district shall not exceed 100% of the amount of real property taxes that such school district would have received from the improvement if it were not exempt from taxation. The Tax Increment Equivalent Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the Tax Increment Equivalent Fund shall be dissolved and any surplus funds remaining therein transferred to the Township's General Fund, all in accordance with Ohio Revised Code Section 5709.75.

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

SECTION 7. That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Greene County.

SECTION 8. Pursuant to Section 5709.73 of the Ohio Revised Code, the Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of Development of the State of Ohio within fifteen (15) days after its passage. On or before March 31 of each year that the exemption set forth herein remains in effect, the Fiscal Officer, his/her agent, or other authorized officer of this Township shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.73 of the Ohio Revised Code.

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

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

Motion made by: J Roberts, T Kretz seconded the Resolution and the roll being called upon the question of its adoption, the vote resulted as follows:

Carol Graff	<u>Cyes</u>
Tom Kretz	<u>yes</u>
Jeff Roberts	<u>yes</u>

**APPROVED BY:  
BEAVERCREEK TOWNSHIP TRUSTEES**

Carol Graff  
Carol Graff, Chair

[Signature]  
Tom Kretz, Vice Chair

[Signature]  
Jeff Roberts, Trustee

**ATTESTED BY:**

Christy L Ahrens  
Christy L. Ahrens  
Fiscal Officer

# Exhibit A

No.	<u>Parcel ID</u>
1	B03000200350012200
2	B03000200491000100
3	B03000200491000900



851 Orchard Lane  
Beavercreek, Ohio 45434-7220  
(937) 429-4472  
(937) 429-5678 Fax

Trustees - Carol Graff  
Tom Kretz  
Jeff Roberts

Fiscal Officer - Christy L. Ahrens

Administrator - J. Alexander Zaharieff

RESOLUTION # 2016-111

DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN BEAVERCREEK TOWNSHIP, OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.73(B) OF THE OHIO REVISED CODE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, DECLARING CERTAIN PUBLIC IMPROVEMENTS TO BE NECESSARY FOR THE FURTHER DEVELOPMENT OF THOSE PARCELS AND ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.

GREENE COUNTY AUDITOR

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FILED

WHEREAS, Sections 5709.73, 5709.74 and 5709.75 of the Ohio Revised Code (collectively, the "TIF Statutes") authorize townships to participate in a financing technique commonly known as tax increment financing ("TIF"); and

WHEREAS, this Board wished to use the authority granted pursuant to such TIF Statutes in connection with certain improvements in the Township in order to meet the public health, safety, welfare and convenience needs of the area, including new development and traffic capacity; and

WHEREAS, the Board caused notice to be given to the Beavercreek City School District, the Xenia City School District and the Greene County Career Center on February 11, 2016 of the consideration of this resolution providing for tax increment property tax exemption, as required by Section 5709.73 and 5709.83 of the Ohio Revised Code; and

WHEREAS this Board has determined to grant a property tax exemption for the parcels comprising the Beavercreek Township Southeast Planning District (the "Southeast Planning District TIF"); and

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

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

SECTION 1. Pursuant to Section 5709 (B) of the Ohio Revised Code, this Board hereby creates the "Southeast Planning District TIF", the boundaries of which shall be coextensive with the boundaries of the Parcels and shall include the Parcels as specifically identified and depicted in Exhibit A attached hereto (each, individually, a "Parcel" and collectively, the "Parcels"), but excluding any and all residential property located within Exhibit A, which Parcels are located in the unincorporated area of the Township.

SECTION 2. That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including, but not limited to, pavements, walkways, bike paths, traffic control devices, constructing and installing curbs and gutters, and alterations to existing streets, including, but not limited to, improvements within the District to roadways and intersections; the planning design and construction of utilities, including, but not limited to, water, sanitary sewers, storm water sewers and detention facilities; erosion and sediment control measures, grading, drainage and other related work; the preparation of plans for land uses in the area; landscaping of the public right of way; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities and operations; and real estate acquisition including, but not limited to, property rights of way and easements or other rights in property necessary for the completion of the public improvements listed above (the "Public Improvements"), are necessary for the further development of the parcels of land described in Exhibit A attached to this Resolution for the creation of jobs, increasing property values, and the provision of adequate public services in Beavercreek Township. The further development of the Parcels in the Southeast Planning District TIF will place direct additional demand on the Public Improvements.

SECTION 3. That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the Parcels in the Southeast Planning District TIF occurring after the date of this Resolution are hereby declared to be a public purpose and are exempt from the real property taxation commencing, for each parcel, with the first tax year that begins after the effective date of this Resolution and in which an improvement resulting from the construction of a structure on that parcel first appears on the tax duplicate of real and public utility property and ends on the earlier of (i) ten (10) years after such date; or (ii) the date on which the Township can no longer require service payments to be paid on the improvements, all in accordance with the requirement of the TIF Statutes; or (iii) the date on which the specific improvements are paid in full from the Tax Equivalent Fund, as defined in Section 5 hereof, but in no case shall the improvements be exempted from taxation for more than ten (10) years maximum. It is hereby determined that (i) a portion of the improvements shall be exempt from real property taxation, (ii) such portion shall be seventy five percent (75%) of the assessed value of the improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the Southeast Planning District TIF.

SECTION 4. That pursuant to Section 5709.74 of the Ohio Revised Code, the owner or the owners of each Parcel shall be required to make semi- annual service payments in lieu of taxes (the "Service Payments") to the Greene County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention and authorizes the Fiscal Officer or his/her agent, the Township Administrator, or any member of this Board to sign such documents as may be necessary and appropriate to assure the payment of such Service Payments.

SECTION 5. That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Beavercreek Township Public Improvement Tax Increment Equivalent Fund IV (the "Tax Increment Equivalent Fund") into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvement and may be used to make payments to the Beavercreek City School District, the Xenia City School District and the Greene County Career Center at the discretion of the Board of Township Trustees, however, any such discretionary payments made to a school district shall not exceed 100% of the amount of real property taxes that such school district would have received from the improvement if it were not exempt from taxation. The Tax Increment Equivalent Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the Tax Increment Equivalent Fund shall be dissolved and any surplus funds remaining therein transferred to the Township's General Fund, all in accordance with Ohio Revised Code Section 5709.75.

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

SECTION 7. That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Greene County.

SECTION 8. Pursuant to Section 5709.73 of the Ohio Revised Code, the Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of Development of the State of Ohio within fifteen (15) days after its passage. On or before March 31 of each year that the exemption set forth herein remains in effect, the Fiscal Officer, his/her agent, or other authorized officer of this Township shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.73 of the Ohio Revised Code.

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

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

Motion made by: T. Kretz, J. Roberts seconded the Resolution and the roll being called upon the question of its adoption, the vote resulted as follows:

Carol Graff yes

Tom Kretz yes

Jeff Roberts yes

**APPROVED BY:  
BEAVERCREEK TOWNSHIP TRUSTEES**

Carol Graff  
Carol Graff, Chair

[Signature]  
Tom Kretz, Vice Chair

[Signature]  
Jeff Roberts, Trustee

**ATTESTED BY:**

Christy L. Ahrens  
Christy L. Ahrens  
Fiscal Officer

## Exhibit A

No.	<u>Parcel ID</u>
1	B03000200491003800
2	B03000200491001100
3	B04000200491001200
4	B04000200500000100
5	B04000200500009000
6	B04000200500004200
7	B04000200500000200
8	B03000200500000500
9	B04000200500009200
10	B04000200500001800
11	B04000200500008000
12	B04000200500004600
13	B04000200500005400
14	B04000200500005100
15	B04000200500004900
16	B04000200500005300
17	B04000200500005500
18	B04000200500004500
19	B04000200500003400
20	B04000200500004100
21	B04000200500007300
22	B04000200500007600
23	B04000200500002300
24	B04000200500002500
25	B04000200500008600
26	B04000200500008700
27	B04000200500009100