

Monday, December 26,

19

The Bainbridge Township Board of Trustees met in special session at the Bainbridge Town Hall on December 26, 2019. Those present were Trustees Mrs. Lorrie Benza, Mr. Jeffrey Markley, and Mrs. Kristina O'Brien. Fiscal Officer Mrs. Janice Sugarman was absent. Mrs. Benza presided and called the meeting to order at 9:00 A.M.

In attendance: Dr. Beth Krause, Board President, and Mr. Paul Pestello, Treasurer, of Kenston Schools; Mr. Bob Hunt, Superintendent of Chagrin Falls Schools, and residents Mr. Ted Seliga and Mr. Chuck Nichols.

#### Tax Increment Financing (TIF) Resolution

The trustees engaged in discussion centering on questions from the Kenston and Chagrin Falls School Districts around the two potential TIFs. In addition, Mr. Ted Seliga spoke in support of the TIF.

Mrs. O'Brien made a motion to adopt Resolution 12262019-A, to declare improvement to certain real property located within the unincorporated area of Bainbridge Township, Geauga County, Ohio to be a public purpose, exempt a percentage of such improvement from real property taxes, identify certain public infrastructure improvements that are a public purpose and, once made, will directly benefit that real property, provide for payments in lieu of taxes by the owners of the real property, and establish a township public improvement tax increment equivalent fund and related authorization, per the recommendation of legal counsel and ORC sections 5709.73, 5709.74, and 5709.75. (Kenston Schools and Auburn Career Center)

Mr. Markley seconded the motion that passed unanimously.

Mrs. O'Brien made a motion to adopt Resolution 12262019-B, to declare improvement to certain real property located within the unincorporated area of Bainbridge Township, Geauga County, Ohio to be a public purpose, exempt a percentage of such improvement from real property taxes, identify certain public infrastructure improvements that are a public purpose and, once made, will directly benefit that real property, provide for payments in lieu of taxes by the owners of the real property, and establish a township public improvement tax increment equivalent fund and related authorization, per the recommendation of legal counsel and ORC sections 5709.73, 5709.74, and 5709.75. (Chagrin Falls Schools)

Mr. Markley seconded the motion that passed unanimously.

#### Proxy Designation

Mrs. O'Brien made a motion to appoint Chief Lou Ann Metz as the trustees' proxy for the annual meeting of the Hazardous Materials Council of Governments on January 6, 2020.

Mr. Markley seconded the motion that passed unanimously.

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Since there was no further business to come before this special meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 9:43 A.M.

Respectfully Submitted,

Janice S. Sugarman,  
Fiscal Officer, Bainbridge Township

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\_\_\_\_\_

Date

\_\_\_\_\_

\_\_\_\_\_

Date

\_\_\_\_\_

\_\_\_\_\_

Date

Minutes Read: \_\_\_\_\_

Minutes Approved: \_\_\_\_\_

RESOLUTION 12262019-A

The Board of Township Trustees of Bainbridge Township (Geauga County), Ohio, met in special session on December 26, 2019, with the following members present:

Lorrie Sass Benza  
Kristina O'Brien  
Jeffrey Markley

Trustee O'Brien moved the adoption of the following resolution, and Trustee Markley seconded the motion.

A RESOLUTION DECLARING IMPROVEMENT TO CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXES; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE A PUBLIC PURPOSE AND, ONCE MADE, WILL DIRECTLY BENEFIT THAT REAL PROPERTY; REQUIRING THE OWNERS OF THAT REAL PROPERTY TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A TOWNSHIP PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND RELATED AUTHORIZATIONS

WHEREAS, Ohio Revised Code ("R.C.") Sections 5709.73, 5709.74 and 5709.75 (the "TIF Statutes") provide that this Board of Township Trustees (this "Board") may, under certain circumstances, declare Improvement (as defined in Section 2) to real property located within the unincorporated area of Bainbridge Township (Geauga County), Ohio (the "Township") to be a public purpose, exempt a percentage of such Improvement from real property taxes, identify certain public infrastructure improvements that are a public purpose and, once made, will directly benefit that real property, provide for payments in lieu of taxes by the owners of the real property, and establish a township public improvement tax increment equivalent fund; and

WHEREAS, the real property described in Exhibit A attached to this Resolution (the "Property") is located within the Township; and

WHEREAS, the current and future owners of the Property (each an "Owner" and collectively the "Owners") wish to develop or have developed the Property by constructing certain commercial and/or industrial improvements thereon, provided that the appropriate development incentives are available to support the Property; and

WHEREAS, the public infrastructure improvements described in Exhibit B attached to this Resolution (the "Public Infrastructure Improvements") are a public purpose and will directly benefit the Property; and

WHEREAS, this Board desires to have the Public Infrastructure Improvements constructed; and

WHEREAS, it is in the best interest of the Township to declare the Improvement to the Property to be a public purpose and to exempt a percentage of such Improvement from real property taxes as provided in this Resolution; and

WHEREAS, it is necessary and in the best interest of the Township to provide for the payment of service payments in lieu of taxes with respect to the Improvement pursuant to the TIF Statutes and for the use of those service payments in lieu of taxes to pay costs of the Public Infrastructure Improvements (including payment of obligations issued to pay such costs); and

WHEREAS, the Township sent notice of this Board's intent to exempt the Improvement from real property taxes in accordance with the terms of this Resolution to the Board of Education of the Kenston Local School District (the "School District") and the Board Education of the Auburn Career Center (the "Career Center"), or such notice has been waived, in accordance with R.C. Sections 5709.73(D) and 5709.83;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Bainbridge Township (Geauga County), Ohio, that:

Section 1. The Public Infrastructure Improvements described in Exhibit B are hereby declared to be a public purpose, which once made will directly benefit the Property.

Section 2. This Board finds and determines that it is in the best interest of the Township, pursuant to R.C. Section 5709.73(B), to declare the increase in the assessed value of the Property after the effective date of this Resolution (the "Improvement") to be a public purpose and to grant an exemption from real property taxation on 75% of such Improvement in order to provide for Service Payments (as defined in Section 3) to pay costs of the Public Infrastructure Improvements (including the payment of obligations issued to pay such costs). For each separately identifiable parcel of the Property (each a "Parcel"), the exemption commences the earlier of (i) the first tax year for which an Improvement of at least \$50,000 in assessed value (i.e., 35% of true value) on the Parcel first appears on the tax list and duplicate of real and public utility property, or (ii) tax year 2040, and ends on the earlier of (i) 10 years after such date, or (ii) on the date on which the Township can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Section 3. As provided in the TIF Statutes, the present and future Owners of the Property are hereby required to, and shall make, service payments in lieu of taxes to the Treasurer of Geauga County (the "County Treasurer") on or before the final dates for payment of real property taxes, which service payments shall be deposited in the Account of the TIF Fund (as both defined in Section 3), pursuant to the TIF Statutes and as provided in Section 4. Each such payment shall be in the same amount as the real property taxes that would have been charged and payable against the Improvement had the exemption from taxation not been granted by this Resolution, and otherwise shall be in accordance with the requirements of the TIF Statutes. Any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor

provisions thereto, as the same may be amended from time to time (the payment of penalties and interest are collectively referred to herein with the payments in lieu of taxes as the "Service Payments"). The Service Payments shall be allocated and deposited in accordance with Section 4 of this Resolution.

Section 4. This Board hereby establishes pursuant to and in accordance with the provisions of the TIF Statutes, the Bainbridge Township Public Improvement Tax Increment Equivalent Fund No. 2 (the "TIF Fund") into which shall be deposited all Service Payments received from the County Treasurer, and hereby appropriates all of the moneys deposited in the Fund from time to time to pay any costs of the Public Infrastructure Improvements, including but not limited to the payment of debt service on notes or bonds.

The TIF Fund shall remain in existence so long as the Service Payments are collected and used for the above purposes, after which the TIF Fund shall be dissolved in accordance with the TIF Statutes. Upon such dissolution, any incidental surplus remaining in the TIF Fund shall be transferred to the general fund of the Township as provided in R.C. Section 5709.75.

Section 5. Each member of this Board and any other Township official, as appropriate, are each authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Resolution and the DC Agreement.

Section 6. The Board President is hereby directed to deliver a copy of this Resolution to the Director of the Development Services Agency of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption from real property taxes granted by this Resolution remains in effect, this Board shall prepare and submit, or cause to be prepared and submitted, to the Director of the Development Services Agency of the State of Ohio the status report required under R.C. Section 5709.73(I).

Section 7. A Tax Incentive Review Council (the "TIRC") is hereby established pursuant to R.C. Section 5709.85 and shall consist of this Board, the County Auditor or designee and a representative of each of the Board of Education of the School District and the Career Center. The TIRC shall review annually the increase in true value of all Parcels exempted pursuant to this Resolution, the value of Improvement exempted pursuant to this Resolution and the number of new employees or retained employees as a result of the exemptions granted pursuant to this Resolution.

Section 8. This Board hereby establishes the following nondiscriminatory hiring policies for all exemptions provided pursuant to this Resolution: no recipient of exemptions pursuant to this Resolution shall deny employment to any individual solely on the basis of race, religion, sex, disability, color, national origin, or ancestry. The TIRC shall annually review the compliance with employers with these policies.

Section 9. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and that all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 10. This Resolution shall be in full force and effect immediately upon its adoption.

The foregoing motion having been put to a vote, the result of the roll call was as follows:

Lorrie Sass Benza

Aye

Kristina O'Brien

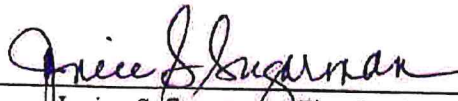
Aye

Jeffrey Markley

Aye

The foregoing is a true and correct copy of a resolution adopted by the Board of Township Trustees of Bainbridge Township (Geauga County), Ohio, on December 26, 2019.

Dated: December 26, 2019

  
\_\_\_\_\_  
Janice S. Sugarman, Fiscal Officer  
Bainbridge Township (Geauga County), Ohio

## **EXHIBIT A to TIF Resolution**

### **PROPERTY**

The Property is the real estate situated in the County of Geauga and State of Ohio consisting of the tax year 2018 parcel number(s) listed below (and including any subsequent combinations and/or subdivisions of the current parcel numbers), depicted on the map and described on the legal description attached hereto:

PPN #	ADDRESS	OWNER	MktLandVal	MktImprVal
02-729314	16349 CHILLCOTHE RD	CONGREGATIONAL DISCIPLES CHURCHES OF CHAGRIN FALLS	\$347,600.00	\$2,078,300.00
02-729315	16349 CHILLCOTHE RD	CONGREGATIONAL DISCIPLES CHURCHES OF CHAGRIN FALLS	\$94,500.00	\$0.00
02-276300	16381 CHILLCOTHE RD	SSJ & CSJ LLC	\$137,500.00	\$548,600.00
02-003400	16490 CHILLCOTHE RD	STOCK EQUIPMENT COMPANY INC	\$604,300.00	\$2,946,200.00
02-358300	16533 CHILLCOTHE RD	300 MPH ACRES LLC	\$143,500.00	\$791,000.00
02-140850	16540 CHILLCOTHE RD	LOWES GREENHOUSE & GIFT SHOP INC	\$203,400.00	\$414,700.00
02-140800	16550 CHILLCOTHE RD	LOWES GREENHOUSE & GIFT SHOP INC	\$68,300.00	\$86,300.00
02-117800	16552 CHILLCOTHE RD	LOWES GREENHOUSE & GIFT SHOP INC	\$40,500.00	\$78,200.00
02-117810	16552 CHILLCOTHE RD	LOWES GREENHOUSE & GIFT SHOP INC	\$9,600.00	\$0.00
02-008200	16625 WREN RD	C4 HOLDINGS LTD		
02-082801	16675 W PARK CIRCLE DR	16675 WEST PARK CIRCLE LLC	\$63,200.00	\$318,700.00
02-419626	16680 W PARK CIRCLE DR	LUCKY BELL LLC	\$72,000.00	\$586,900.00
02-419626	16680 W PARK CIRCLE DR	LUCKY BELL LLC	\$72,000.00	\$586,900.00
02-729319	16695 CHILLCOTHE RD	THE MONTEFIORE HOUSING CORPORATION	\$632,500	\$12,493,500
02-025370	16695 W PARK CIRCLE DR	MC KNOWLES LLC	\$59,200.00	\$339,700.00
02-213450	16706 CHILLCOTHE RD	CAMBRIDGE COMMONS OF BAINBRIDGE LLC	\$558,500.00	\$1,831,200.00
02-419432	16710 W PARK CIRCLE DR	WEST CIRCLE PARK LLC	\$94,800.00	\$554,100.00
02-131400	16715 W PARK CIRCLE DR	BARKING DOG INVESTMENTS LLC	\$59,200.00	\$330,600.00
02-065450	16722 W PARK CIRCLE DR	16722 W PARK CIRCLE DRIVE	\$91,200.00	\$603,200.00
02-262420	16725 W PARK CIRCLE DR	KYJA BEN AVALON LLC	\$62,400.00	\$220,900.00
02-309700	16740 PARK CIRCLE DR	16740 PARK CIRCLE LTD &	\$146,400.00	\$634,800.00
02-025380	16744 W PARK CIRCLE DR	LITTLE MCCOY PROPERTIES LLC	\$81,600.00	\$206,200.00
02-025380	16744 W PARK CIRCLE DR	LITTLE MCCOY PROPERTIES LLC	\$81,600.00	\$206,200.00
02-025300	16745 PARK CIRCLE DR	S & MJH LLC	\$58,600.00	\$69,400.00
02-419628	16750 HILLTOP PARK PL	ROSS BUSHMAN CO LLC	\$8,800.00	\$0.00
02-065250	16750 PARK CIRCLE DR	ROULAN ROBERT M &	\$67,200.00	\$415,300.00
02-359410	16755 PARK CIRCLE DR	THUT RENTAL LLC	\$77,600.00	\$517,500.00
02-420449	16755 PARK CIRCLE DR	THUT RENTAL LLC	\$13,600.00	\$0.00
02-181200	16758 W PARK CIRCLE DR	WEST PARK CIRCLE	\$83,500.00	\$420,700.00
02-293500	16759 W PARK CIRCLE DR	DRAGON MANAGEMENT LIMITED	\$66,400.00	\$309,600.00
02-012500	16760 PARK CIRCLE DR	MAST REAL ESTATE HOLDINGS	\$55,200.00	\$360,300.00
02-092475	16765 CHILLCOTHE RD	BAINBRIDGE ASSOCIATES LTD	\$146,000.00	\$0.00
02-295300	16765 CHILLCOTHE RD	BAINBRIDGE ASSOCIATES LTD	\$146,000.00	\$0.00



02-334800	16765 CHILLCOTHE RD	BAINBRIDGE ASSOCIATES LTD	\$192,000.00	\$2,256,100.00
02-420036	16765 CHILLCOTHE RD	BAINBRIDGE ASSOCIATES LTD	\$38,500.00	\$0.00
02-012100	16765 PARK CIRCLE DR	HANNON COMPANY THE	\$50,400.00	\$218,400.00
02-419627	16770 HILLTOP PARK PL	JUANBUZZ PROPERTIES LLC	\$76,800.00	\$276,700.00
02-419629	16771 HILLTOP PARK PL	WEBER & HERKES PROPERTIES	\$76,800.00	\$407,400.00
02-369300	16775 W PARK CIRCLE DR	KAMAN PROPERTIES LIMITED	\$52,000.00	\$428,200.00
02-402550	16776 W PARK CIRCLE DR	WILLIAMS ASSOCIATES CO	\$75,200.00	\$463,300.00
02-402550	16776 W PARK CIRCLE DR	WILLIAMS ASSOCIATES CO	\$75,200.00	\$463,300.00
02-262100	16780 CHILLCOTHE RD	BRANDED REALTY COMPANY LLC	\$141,100.00	\$325,400.00
02-419585	16780 HILLTOP PARK PL	DMD REALTY LLC	\$88,800.00	\$361,300.00
02-419586	16781 HILLTOP PARK PL	UNITED REAL ESTATE	\$112,800.00	\$157,800.00
02-244800	16801 CHILLCOTHE RD	BILNOR HOLDINGS LTD	\$490,900.00	\$479,100.00
02-418930	16809 PARK CIRCLE DR	HTV INDUSTRIES INC	\$55,200.00	\$450,300.00
02-419834	16809 PARK CIRCLE DR	HTV INDUSTRIES INC	\$20,000.00	\$0.00
02-419929	16809 PARK CIRCLE DR	HTV INDUSTRIES INC	\$9,200.00	\$0.00
02-420037	16809 PARK CIRCLE DR	HTV INDUSTRIES INC	\$21,600.00	\$0.00
02-420409	16809 PARK CIRCLE DR	HTV INDUSTRIES INC	\$36,600.00	\$0.00
02-199600	16815 PARK CIRCLE DR	KOBICK DAVID G JR	\$96,000.00	\$251,400.00
02-373800	16821 PARK CIRCLE DR	16821 PARK CIRCLE	\$59,200.00	\$240,600.00
02-111000	16824 PARK CIRCLE DR	ETNA PRODUCTS INC	\$113,600.00	\$810,200.00
02-382400	16829 PARK CIRCLE DR	MCCLENNAN MORT C	\$97,200.00	\$501,500.00
02-420523	16829 PARK CIRCLE DR	MCCLENNAN MORT C	\$3,600.00	\$0.00
02-025340	16830 PARK CIRCLE DR	TRILUBE LTD	\$77,600.00	\$375,700.00
02-261900	16832 CHILLCOTHE RD	SIGNATURE SQUARE OF BAINBRIDGE LLC	\$43,900.00	\$0.00
02-262000	16832 CHILLCOTHE RD	SIGNATURE SQUARE OF BAINBRIDGE LLC	\$45,600.00	\$7,100.00
02-106500	16838 PARK CIRCLE DR	KAMAN PROPERTIES LIMITED	\$79,200.00	\$300,600.00
02-094000	16841 PARK CIRCLE DR	SCOTT FETZER CO THE	\$146,400.00	\$802,600.00
02-135100	16853 CHILLCOTHE RD	PENZENIK JOHANNA KATHERINE TRUSTEE	\$76,300.00	\$122,100.00
02-230530	16855 PARK CIRCLE DR	C4 HOLDINGS BAINBRIDGE	\$96,000.00	\$526,000.00
02-053440	16865 PARK CIRCLE DR	CMI PROPERTIES LLC	\$20,800.00	\$0.00
02-053450	16865 PARK CIRCLE DR	CMI PROPERTIES LLC	\$125,600.00	\$943,700.00
02-419583	16865 PARK CIRCLE DR	CMI PROPERTIES LLC	\$41,600.00	\$0.00
02-392900	16903 CHILLCOTHE RD	16903 CHILLCOTHE LLC	\$80,800.00	\$0.00
02-419584	16925 PARK CIRCLE DR	CIRCLE PARK LLC	\$208,800.00	\$840,100.00

02-419936	16925 PARK CIRCLE DR	CIRCLE PARK LLC	\$80,000.00	\$0.00
02-025500	16965 PARK CIRCLE DR	DANGELO LTD	\$301,500.00	\$939,100.00
02-025390	8185 WASHINGTON ST	UNIVERSITY HOSPITALS	\$378,000.00	\$1,422,000.00
02-094700	8200 WASHINGTON ST	422 COMPANY LTD	\$1,023,500.00	\$1,956,400.00
02-025320	8225 WASHINGTON ST	BEL MEADOWS INC	\$152,500.00	\$1,496,000.00
02-418950	8228 WASHINGTON ST	8228 EAST WASHINGTON	\$194,500.00	\$603,500.00
02-419200	8255 WASHINGTON ST	D & S REALTY HOLDING LLC	\$317,400.00	\$1,710,300.00
02-421241	8258 WASHINGTON ST	HENAND LLC	\$186,000.00	\$276,700.00
02-419300	8269 WASHINGTON ST	8269 EWASH LLC	\$144,000.00	\$667,900.00
02-419678	8269 WASHINGTON ST	8269 EWASH LLC	\$16,000.00	\$0.00
02-420347	8269 WASHINGTON ST	8269 EWASH LLC	\$19,000.00	\$0.00
02-381900	8284 WASHINGTON ST	VOKAS JEROME A TRUSTEE	\$184,500.00	\$317,200.00
02-065130	8295 WASHINGTON ST	CIBIK RICHARD J TRUSTEE &	\$145,000.00	\$98,200.00
02-158100	8300 WASHINGTON ST	HECKER CONSTANCE M	\$179,200.00	\$223,700.00
02-199500	8303 WASHINGTON ST	PROVIDENTIAL	\$159,000.00	\$421,700.00
02-420343	8315 WASHINGTON ST	PROVIDENTIAL	\$93,700.00	\$0.00
02-420344	8315 WASHINGTON ST	PROVIDENTIAL	\$63,200.00	\$0.00
02-416900	8327 WASHINGTON ST	JACKARIS LLC	\$194,500.00	\$234,100.00
02-250500	8334 WASHINGTON ST	8334 PROPERTIES LTD	\$207,500.00	\$156,700.00
02-419665	8345 WOODBERRY BLVD	NEW WEMBLEY LLC	\$234,900.00	\$293,300.00
02-410400	8355 WASHINGTON ST	FIFTH THIRD BANK	\$347,700.00	\$460,600.00
02-086100	8360 WASHINGTON ST	DAYDABOO HOLDINGS LLC	\$173,000.00	\$163,500.00
02-086200	8360 WASHINGTON ST	DAYDABOO HOLDINGS LLC	\$1,300.00	\$0.00
02-292850	8370 WASHINGTON ST	LOMBARDO CHERYL L	\$1,500.00	\$0.00
02-292860	8370 WASHINGTON ST	LOMBARDO CHERYL L	\$166,000.00	\$0.00
02-421317	8377 WASHINGTON ST	COOKE ENTERPRISES LLC	\$104,000.00	\$289,600.00
02-076302	8379 WASHINGTON ST	EZ MINI STORAGE OF	\$203,100.00	\$295,400.00
02-421316	8381 WASHINGTON ST	EAST WASHINGTON PLACE	\$76,500.00	\$139,500.00
02-111880	8388 WASHINGTON ST	LANZA PROPERTIES LLC	\$286,000.00	\$0.00
02-419485	8391 WASHINGTON ST	HUGHES MAXINE F TRUSTEE	\$186,300.00	\$769,200.00
02-419487	8401 WASHINGTON ST	8401 CORPORATION LLC	\$177,300.00	\$240,400.00
02-420384	8410 WASHINGTON ST	388 REAL ESTATE LLC	\$355,000.00	\$1,085,300.00
02-419486	8411 WASHINGTON ST	619 CORP	\$73,300.00	\$34,800.00
02-075500	8420 WASHINGTON ST	MCFARLANDS CORNERS LTD	\$372,000.00	\$1,692,400.00

02-419494	8423 WASHINGTON ST	SUGARMAN LOUIS F &	\$92,400.00	\$169,100.00
02-246900	8450 WASHINGTON ST	ASZ LLC	\$139,400.00	\$369,000.00
02-014700	8459 WASHINGTON ST	SHAHINIAN HERSHMAN LLC	\$456,000.00	\$435,000.00
02-065700	8460 WASHINGTON ST	J AND J STORM	\$84,900.00	\$73,600.00
02-115600	8481 WASHINGTON ST	KEYBANK NATIONAL ASSOCIATION	\$256,900.00	\$610,100.00
02-075400	8482 WASHINGTON ST	MCFARLANDS CORNERS LTD	\$467,500.00	\$2,554,400.00
02-357500	8500 WASHINGTON ST	FIRST NATIONAL BANK OF	\$164,700.00	\$359,400.00
02-342600	8501 WASHINGTON ST	TRUE NORTH ENERGY LLC	\$208,600.00	\$150,400.00
02-283500	8531 WASHINGTON ST	SHAW WILLIAM E	\$352,800.00	\$894,100.00
02-092470	8561 WASHINGTON ST	SUGLIA TONY F & DENISE L	\$88,000.00	\$274,900.00
02-419428	8564 WASHINGTON ST	BAINBRIDGE ASSOCIATES LTD	\$421,500.00	\$2,015,300.00
02-272300	8575 WASHINGTON ST	VALLEY HOLDING CO LLC THE	\$120,000.00	\$590,000.00
02-729363	8598 WASHINGTON ST	BAINBRIDGE TOWNSHIP BOARD	\$48,900.00	\$0.00
02-419988	PARK CIRCLE DR	ACTIVE CHEMICAL SYSTEMS INC	\$8,000.00	\$0.00
02-419989	PARK CIRCLE DR	ACTIVE CHEMICAL SYSTEMS INC	\$14,000.00	\$0.00

## **EXHIBIT B to TIF Resolution**

### **PUBLIC INFRASTRUCTURE IMPROVEMENTS**

The Public Infrastructure Improvements generally include, but are not limited to, any of the following improvements that will directly benefit the Property and all related costs of permanent improvements (including, but not limited to, those costs listed in R.C. Section 133.15(B)), irrespective of whether such Public Infrastructure is dedicated to any other public entity:

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.
- Construction, reconstruction or installation of public utility improvements (including any underground publicly owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.
- Construction, reconstruction or installation of gas, electric and communication service facilities (including any underground lines or other facilities), and all appurtenances thereto.
- Construction, reconstruction and installation of storm water and flood remediation projects and facilities (including but not limited to detention ponds), including such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, fences, street and sidewalk lighting, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described above.
- Real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or for open space, or (b) in aid of industry, commerce, distribution or research; and environmental remediation.
- Any other public infrastructure improvements constructed or maintained by or on behalf of the Township that are determined by the Board of Township Trustees to directly benefit the Property.

## RESOLUTION 12262019-B

The Board of Township Trustees of Bainbridge Township (Geauga County), Ohio, met in special session on December 26, 2019, with the following members present:

Lorrie Sass Benza  
Kristina O'Brien  
Jeffrey Markley

Trustee O'Brien moved the adoption of the following resolution, and Trustee Markley seconded the motion.

A RESOLUTION DECLARING IMPROVEMENT TO CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXES; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE A PUBLIC PURPOSE AND, ONCE MADE, WILL DIRECTLY BENEFIT THAT REAL PROPERTY; REQUIRING THE OWNERS OF THAT REAL PROPERTY TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A TOWNSHIP PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND RELATED AUTHORIZATIONS

WHEREAS, Ohio Revised Code ("R.C.") Sections 5709.73, 5709.74 and 5709.75 (the "TIF Statutes") provide that this Board of Township Trustees (this "Board") may, under certain circumstances, declare Improvement (as defined in Section 2) to real property located within the unincorporated area of Bainbridge Township (Geauga County), Ohio (the "Township") to be a public purpose, exempt a percentage of such Improvement from real property taxes, identify certain public infrastructure improvements that are a public purpose and, once made, will directly benefit that real property, provide for payments in lieu of taxes by the owners of the real property, and establish a township public improvement tax increment equivalent fund; and

WHEREAS, the real property described in Exhibit A attached to this Resolution (the "Property") is located within the Township; and

WHEREAS, the current and future owners of the Property (each an "Owner" and collectively the "Owners") wish to develop or have developed the Property by constructing certain commercial and/or industrial improvements thereon, provided that the appropriate development incentives are available to support the Property; and

WHEREAS, the public infrastructure improvements described in Exhibit B attached to this Resolution (the "Public Infrastructure Improvements") are a public purpose and will directly benefit the Property; and



WHEREAS, this Board desires to have the Public Infrastructure Improvements constructed; and

WHEREAS, it is in the best interest of the Township to declare the Improvement to the Property to be a public purpose and to exempt a percentage of such Improvement from real property taxes as provided in this Resolution; and

WHEREAS, it is necessary and in the best interest of the Township to provide for the payment of service payments in lieu of taxes with respect to the Improvement pursuant to the TIF Statutes and for the use of those service payments in lieu of taxes to pay costs of the Public Infrastructure Improvements (including payment of obligations issued to pay such costs); and

WHEREAS, the Township sent notice of this Board's intent to exempt the Improvement from real property taxes in accordance with the terms of this Resolution to the Board of Education of the Chagrin Falls Exempted Village Schools (the "School District"), or such notice has been waived, in accordance with R.C. Sections 5709.73(D) and 5709.83;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Bainbridge Township (Geauga County), Ohio, that:

Section 1. The Public Infrastructure Improvements described in Exhibit B are hereby declared to be a public purpose, which once made will directly benefit the Property.

Section 2. This Board finds and determines that it is in the best interest of the Township, pursuant to R.C. Section 5709.73(B), to declare the increase in the assessed value of the Property after the effective date of this Resolution (the "Improvement") to be a public purpose and to grant an exemption from real property taxation on 75% of such Improvement in order to provide for Service Payments (as defined in Section 3) to pay costs of the Public Infrastructure Improvements (including the payment of obligations issued to pay such costs). For each separately identifiable parcel of the Property (each a "Parcel"), the exemption commences the earlier of (i) the first tax year for which an Improvement of at least \$50,000 in assessed value (i.e., 35% of true value) on the Parcel first appears on the tax list and duplicate of real and public utility property, or (ii) tax year 2040, and ends on the earlier of (i) 10 years after such date, or (ii) on the date on which the Township can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Section 3. As provided in the TIF Statutes, the present and future Owners of the Property are hereby required to, and shall make, service payments in lieu of taxes to the Treasurer of Geauga County (the "County Treasurer") on or before the final dates for payment of real property taxes, which service payments shall be deposited in the Account of the TIF Fund (as both defined in Section 3), pursuant to the TIF Statutes and as provided in Section 4. Each such payment shall be in the same amount as the real property taxes that would have been charged and payable against the Improvement had the exemption from taxation not been granted by this Resolution, and otherwise shall be in accordance with the requirements of the TIF Statutes. Any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto, as the same may be amended from time to time (the payment of penalties and

interest are collectively referred to herein with the payments in lieu of taxes as the "Service Payments"). The Service Payments shall be allocated and deposited in accordance with Section 4 of this Resolution.

Section 4. This Board hereby establishes pursuant to and in accordance with the provisions of the TIF Statutes, the Bainbridge Township Public Improvement Tax Increment Equivalent Fund No. 3 (the "TIF Fund") into which shall be deposited all Service Payments received from the County Treasurer, and hereby appropriates all of the moneys deposited in the Fund from time to time to pay any costs of the Public Infrastructure Improvements, including but not limited to the payment of debt service on notes or bonds.

The TIF Fund shall remain in existence so long as the Service Payments are collected and used for the above purposes, after which the TIF Fund shall be dissolved in accordance with the TIF Statutes. Upon such dissolution, any incidental surplus remaining in the TIF Fund shall be transferred to the general fund of the Township as provided in R.C. Section 5709.75.

Section 5. Each member of this Board and any other Township official, as appropriate, are each authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Resolution and the DC Agreement.

Section 6. The Board President is hereby directed to deliver a copy of this Resolution to the Director of the Development Services Agency of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption from real property taxes granted by this Resolution remains in effect, this Board shall prepare and submit, or cause to be prepared and submitted, to the Director of the Development Services Agency of the State of Ohio the status report required under R.C. Section 5709.73(I).

Section 7. A Tax Incentive Review Council (the "TIRC") is hereby established pursuant to R.C. Section 5709.85 and shall consist of this Board, the County Auditor or designee and a representative of the Board of Education of the School District. The TIRC shall review annually the increase in true value of all Parcels exempted pursuant to this Resolution, the value of Improvement exempted pursuant to this Resolution and the number of new employees or retained employees as a result of the exemptions granted pursuant to this Resolution.

Section 8. This Board hereby establishes the following nondiscriminatory hiring policies for all exemptions provided pursuant to this Resolution: no recipient of exemptions pursuant to this Resolution shall deny employment to any individual solely on the basis of race, religion, sex, disability, color, national origin, or ancestry. The TIRC shall annually review the compliance with employers with these policies.

Section 9. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and that all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 10. This Resolution shall be in full force and effect immediately upon its adoption.

Section 10. This Resolution shall be in full force and effect immediately upon its adoption.

The foregoing motion having been put to a vote, the result of the roll call was as follows:

Lorrie Sass Benza

Aye

Kristina O'Brien

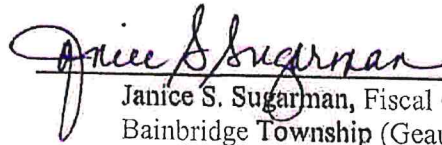
Aye

Jeffrey Markley

Aye

The foregoing is a true and correct copy of a resolution adopted by the Board of Township Trustees of Bainbridge Township (Geauga County), Ohio, on December 26, 2019.

Dated: December 26, 2019



Janice S. Sugarman, Fiscal Officer  
Bainbridge Township (Geauga County), Ohio



## **EXHIBIT A to TIF Resolution**

### **PROPERTY**

The Property is the real estate situated in the County of Geauga and State of Ohio consisting of the tax year 2018 parcel number(s) listed below (and including any subsequent combinations and/or subdivisions of the current parcel numbers), depicted on the map and described on the legal description attached hereto:

PPN #	ADDRESS	OWNER	MktLandVal	MktImprVal
03-019006	16686 HILLTOP PARK PL	B&H PROPERTY	\$78,400.00	\$274,400.00
03-019005	16687 HILLTOP PARK PL	MISS ELLIE LTD	\$74,000.00	\$211,000.00
03-019007	16700 HILLTOP PARK PL	KIDS CLUB PROPERTY LLC	\$48,000.00	\$262,200.00
03-019004	16711 HILLTOP PARK PL	AMP PROPERTY	\$76,800.00	\$308,500.00
03-019012	16715 HILLTOP PARK PL	QUAY PROPERTIES LLC	\$89,200.00	\$521,800.00
03-019010	16750 HILLTOP PARK PL	ROSS BUSHMAN CO LLC	\$218,400.00	\$373,000.00
03-019003	16751 HILLTOP PARK PL	H & H PROPERTIES OF	\$94,400.00	\$381,000.00
03-005800	7639 WASHINGTON ST	DOERR PROPERTIES LLC	\$6,100.00	\$0.00
03-019022	8100 WASHINGTON ST	HCR MANORCARE PROPERTIES	\$469,800.00	\$1,785,800.00
03-006940	8135 WASHINGTON ST	CHAGRIN VALLEY SELF	\$207,000.00	\$108,500.00
03-006950	8155 WASHINGTON ST	CHAGRIN VALLEY SELF	\$131,500.00	\$124,000.00
03-019002	W PARK CIRCLE DR	LUCKY BELL LLC	\$12,000.00	\$0.00
03-019002	W PARK CIRCLE DR	LUCKY BELL LLC	\$12,000.00	\$0.00
03-019098	W PARK CIRCLE DR	WEST CIRCLE PARK LLC	\$1,200.00	\$0.00

## **EXHIBIT B to TIF Resolution**

### **PUBLIC INFRASTRUCTURE IMPROVEMENTS**

The Public Infrastructure Improvements generally include, but are not limited to, any of the following improvements that will directly benefit the Property and all related costs of permanent improvements (including, but not limited to, those costs listed in R.C. Section 133.15(B)), irrespective of whether such Public Infrastructure is dedicated to any other public entity:

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.
- Construction, reconstruction or installation of public utility improvements (including any underground publicly owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.
- Construction, reconstruction or installation of gas, electric and communication service facilities (including any underground lines or other facilities), and all appurtenances thereto.
- Construction, reconstruction and installation of storm water and flood remediation projects and facilities (including but not limited to detention ponds), including such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, fences, street and sidewalk lighting, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described above.
- Real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or for open space, or (b) in aid of industry, commerce, distribution or research; and environmental remediation.
- Any other public infrastructure improvements constructed or maintained by or on behalf of the Township that are determined by the Board of Township Trustees to directly benefit the Property.