

TRUSTEES

Charles Miley
Gary Stegner
Connie Skinner



**FISCAL
OFFICER**
Peggy Link

5555 State Route 521, Delaware, Oh 43015

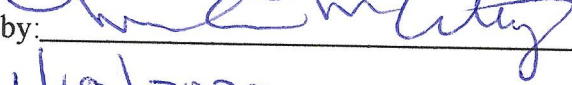
**RECEIPT OF THE BOARD OF EDUCATION OF THE
DELAWARE AREA CAREER CENTER OF NOTICE OF THE
INTENT OF THE TOWNSHIP OF BROWN, DELAWARE COUNTY, OHIO
TO PASS A RESOLUTION GRANTING AN EXEMPTION
FROM REAL PROPERTY TAXATION PURSUANT
TO OHIO REVISED CODE SECTION 5709.73**

November 18, 2020

TO: Peggy Link
Brown Township Fiscal Officer
5555 State Route 521
Delaware, OH 43015

The undersigned hereby acknowledges receipt of the following items from the Township of Brown, Delaware County, Ohio:

Notice of hearing before the Board of Township Trustees of Brown Township, Delaware County, Ohio on December 8, 2020, to consider and vote upon a TIF Resolution.

Received by: 
Date: 11/18/2020

TRUSTEES

Charles Miley
Gary Stegner
Connie Skinner



**FISCAL
OFFICER**
Peggy Link

5555 State Route 521, Delaware, Oh 43015

**RECEIPT OF THE BOARD OF EDUCATION OF THE
BUCKEYE VALLEY LOCAL SCHOOL DISTRICT OF NOTICE OF THE
INTENT OF THE TOWNSHIP OF BROWN, DELAWARE COUNTY, OHIO
TO PASS A RESOLUTION GRANTING AN EXEMPTION
FROM REAL PROPERTY TAXATION PURSUANT
TO OHIO REVISED CODE SECTION 5709.73**

November 18, 2020

TO: Peggy Link
Brown Township Fiscal Officer
5555 State Route 521
Delaware, OH 43015

The undersigned hereby acknowledges receipt of the following items from the Township of Brown, Delaware County, Ohio:

Notice of hearing before the Board of Township Trustees of Brown Township, Delaware County, Ohio on December 8, 2020, to consider and vote upon a TIF Resolution.

Received by: Mary Barr
Date: 11/18/20

THIS COOPERATIVE AGREEMENT (this "Agreement") is made and entered into as of _____, 2020, by and between the TOWNSHIP OF DELAWARE, DELAWARE COUNTY, OHIO ("Delaware Township"), a township validly existing under the laws of the State of Ohio, and the TOWNSHIP OF BROWN, DELAWARE COUNTY, OHIO ("Brown Township"), a township validly existing under the laws of the State of Ohio, under the circumstances summarized in the following recitals:

RECITALS:

WHEREAS, in accordance with Ohio Revised Code Sections 5709.73 through 5709.75, townships are authorized to implement a tax increment financing program ("TIF") to facilitate the development of certain real property located within the territorial boundaries of the Township; and

WHEREAS, the development of commercial properties on the real property within Delaware Township described in Exhibit A (the "Delaware TIF Site") and the real property within Brown Township also described in Exhibit A (the "Brown TIF Site," and together with the Delaware TIF Site, the "TIF Site") will mutually benefit the townships and the health, safety and welfare of their residents by incentivizing employment opportunities and the growth of businesses, while enlarging the property tax base and stimulating collateral development with the townships; and

WHEREAS, as provided in Resolution No. 09-21-07 (the "Delaware TIF Resolution"), the Board of Trustees of Delaware Township has established a TIF on the Delaware TIF Site, granting an exemption of seventy-five percent (75%) of the Improvements (as described in the Ohio Revised Code Section 5709.73(A)(2)) for a period of ten (10) years; and

WHEREAS, Delaware Township requests the cooperation of Brown Township regarding economic development matters and coordination, implementations and operation of the TIF Site;

NOW THEREFORE, in consideration of the premises and the mutual representations and agreements hereinafter contained, Delaware Township and Brown Township agree as follows:

Section 1. Establishment of TIF on Brown TIF Site. Pursuant to and in accordance with the provisions of Ohio Revised Code 5709.73(B), Brown Township agrees to establish a TIF on the Brown TIF Site with an exemption of seventy-five percent (75%) of the increase in assessed value of each parcel (as it may be subdivided or combined in connection with the acquisition or development of a parcel) comprising the Brown TIF Site subsequent to the effective date of the resolution adopted by Brown Township establishing the TIF (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Ohio Revised Code Section 5709.73(A)(2)). Pursuant to and in accordance with Ohio Revised Code Section 5709.73(G), the Improvement with respect to each parcel shall be exempt from real property taxation (the "TIF Exemption") for a period commencing with the first day of the tax year in which there is a building or structure on the parcel exceeding Two-Hundred Thousand Dollars (\$200,000.00) in true value that appears on the tax list and duplicate of real and public utility property and ending for a parcel on the tenth (10th) anniversary of such date or the date the Public Infrastructure Improvements (as defined in the Brown Township's TIF Resolution) are paid in full, whichever occurs first.

Section 2. Service Payments. Brown Township and Delaware Township each agree to require the owners of the parcels included in the Brown TIF Site and Delaware TIF Site, respectively, and their heirs, successors and assigns to make service payments in lieu of taxes ("Service Payments") with respect to the Improvement pursuant to Ohio Revised Code Section 5709.74.

Section 3. Use of Service Payments. Brown Township and Delaware Township each agree to use Service Payments actually received for acquisition of land and construction and improvement of public roads, utilities, water, sewer, lighting, sidewalks, and other related and necessary public improvements (the "Project").

Section 4. Obligations Limited. Notwithstanding anything in this Agreement to the contrary, each township's obligations under this Agreement are limited special obligations of the township payable solely from Service Payments. Those obligations are not secured by an obligation or pledge of any money raised by taxation and do not represent or constitute a debt or pledge of the faith and credit or taxing power of the either township.

Section 5. Extent of Obligations; No Personal Liability. All obligations of the either township contained in this Agreement are effective to the extent authorized and permitted by applicable law. No obligation is an obligation of any present or future member, officer, agent or employee of either township or their respective legislative authorities in other than in their official capacity, and neither the members of those legislative authorities nor any official executing this Agreement is liable personally by reason of the obligations of either township contained in this Agreement.

Section 6. Execution Counterparts. This Agreement may be executed in counterpart and in any number of counterparts, each of which are regarded as an original and all of which constitute but one and the same instrument. Counterparts or signatures stored or transmitted by electronic means (such as e-mailed .pdfs) shall be considered original counterparts or signatures for all purposes.

Section 7. Severability. If a court determines that any provision of or obligation imposed by this Agreement is invalid or unenforceable, that determination will not affect any other provision or obligation, all of which will be construed and enforced as if the invalid or unenforceable provision or obligation were not contained herein. That invalidity or unenforceability will not affect any valid and enforceable application thereof, and each provision or obligation will be deemed to be effective in the manner and to the full extent permitted by law.

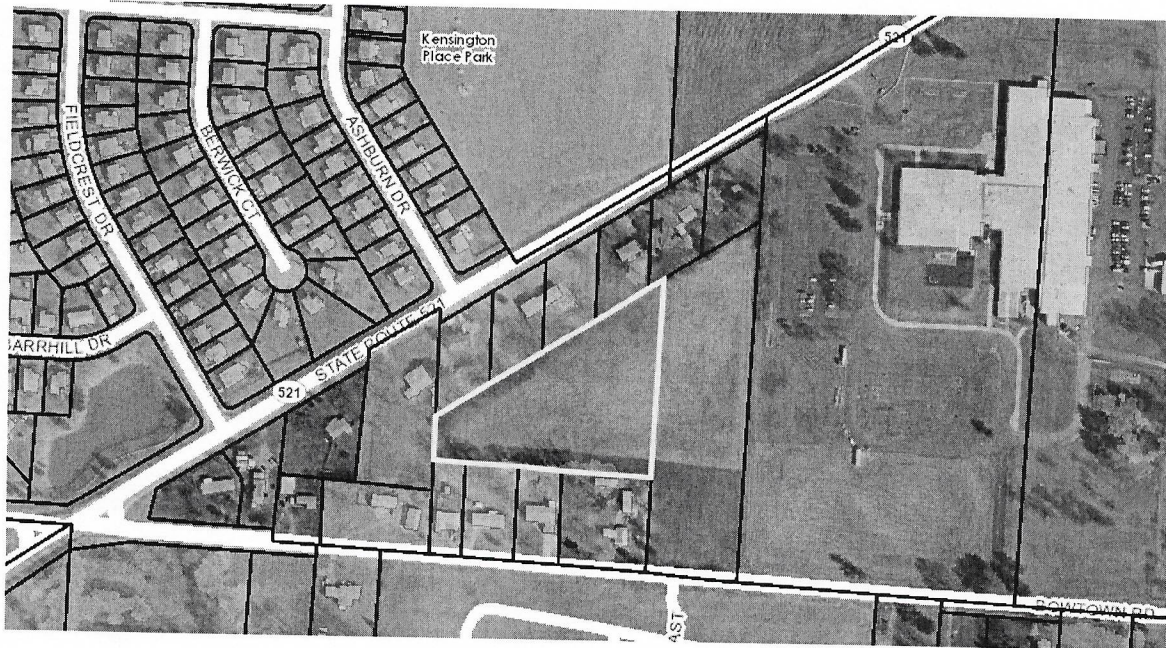
Section 8. Governing Law. This Agreement shall be deemed to be a contract made under the laws of the State of Ohio and for all purposes shall be governed by and construed in accordance with the laws of the State of Ohio.

[Signature Page Immediately Follows]

Exhibit A

The TIF Site consists of (i) the Delaware TIF Site and (ii) the Brown TIF Site.

The Delaware TIF Site consists of Parcel No. 519-441-02-013-000 shown below:

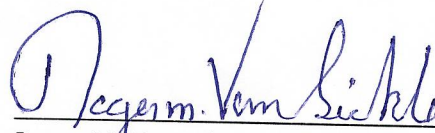


The Brown TIF Site consists of Parcel No. 518-300-01-062-000 shown below:



IN WITNESS WHEREOF, Brown Township and Delaware Township have caused the Agreement to be duly executed in their respective names, all as of the date first hereinbefore written.

DELAWARE TOWNSHIP, DELAWARE
COUNTY, OHIO



Roger M. VanSickle
Trustee – Chairman



Kevin Hennessy
Trustee – Vice Chairman

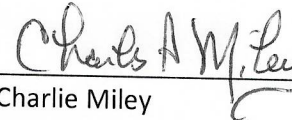


Randy Ormeroid
Trustee – Executive Member

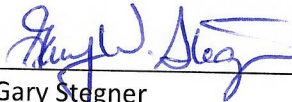
BROWN TOWNSHIP
DELAWARE COUNTY, OHIO



Connie Skinner
Trustee – Chairman



Charlie Miley
Trustee – Vice Chairman

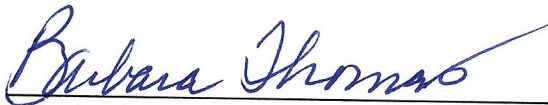


Gary Stegner
Trustee

DELAWARE TOWNSHIP FISCAL OFFICER'S CERTIFICATE

The undersigned, fiscal officer of Delaware Township, certifies that the moneys required to meet the obligations of the Delaware Township during the year 2020 under the Agreement have been lawfully appropriated by its Board of Trustees for such purposes and are in the treasury of Delaware Township or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44 of the Ohio Revised Code.

Dated: 9/21/20, 2020

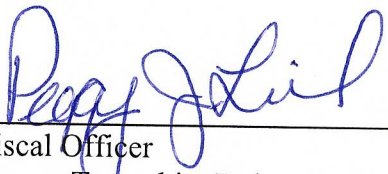


Fiscal Officer
Delaware Township, Delaware County, Ohio

BROWN TOWNSHIP FISCAL OFFICER'S CERTIFICATE

The undersigned, fiscal officer of Brown Township, certifies that the moneys required to meet the obligations of the Brown Township during the year 2020 under the Agreement have been lawfully appropriated by its Board of Trustees for such purposes and are in the treasury of Brown Township or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44 of the Ohio Revised Code.

Dated: 10/20/13, 2020



Fiscal Officer
Brown Township, Delaware County, Ohio

RESOLUTION APPROVING DIRECT DEPOSIT FOR
BROWN TOWNSHIP EMPLOYEES

WHEREAS, the Brown Township Trustees are the legislative body of the Township and may exercise all powers of local self-government that are consistent with R.C. § 504.04 (A); and,

WHEREAS, the Township Fiscal Officer has recommended that the Board adopt Direct Deposit for the payment of funds to Township employees and officials; and,

WHEREAS, the Board, in accordance with its authority under R.C. § 9.37(C), may enter into an agreement to facilitate direct deposit of funds for the benefit of its officials and employees; and,

WHEREAS, it has been determined by the Township Trustees that it will be more convenient for the employees and the Board to receive their paychecks or any payments for other Board Services such as the Zoning Commission and the Board of Zoning Appeals; and,

WHEREAS, the Board desires to enter into an agreement with First Commonwealth Bank for the purpose of the direct depositing of funds because they are qualified, willing, and able to provide said service; and,

WHEREAS, it is the desire of the Board to enter into an agreement with First Commonwealth Bank for the direct depositing of funds and have Township Fiscal Officer Peggy Link sign all necessary and required documents on behalf of the entire Board and in so doing bind the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Brown Township, Delaware County, Ohio:

Section 1. The Brown Township Trustees hereby authorize direct deposit as the primary form of transferring funds to the Township employees and officials.

Section 2. Fiscal Officer Link is hereby directed to negotiate with First Commonwealth Bank to facilitate Direct Deposit starting with the first pay period in January 2021, and is authorized to sign any documents required to begin the service and pay all fees associated with providing the benefit.

Section 3. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Resolution shall take effect immediately upon adoption.

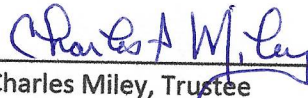
ADOPTED

12/8/2020

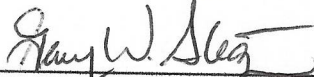
(SIGNATURES ON FOLLOWING PAGE)



Connie Skinner, Trustee



Charles Miley, Trustee



Gary Stegner, Trustee