

The Board of Education of the Northwest Local School District, Counties of Hamilton and Butler, Ohio, met in **regular** session at **6:30 o'clock p.m.** on the **25<sup>th</sup> day of September, 2023**, at **3240 Banning Road, Cincinnati, Ohio, 45239** with the following members present:

Absent:

\_\_\_\_\_ moved the adoption of the following resolution:

**NORTHWEST LOCAL SCHOOL DISTRICT**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING THE GRANTING OF A  
TAX INCREMENT FINANCING EXEMPTION.**

**WHEREAS**, pursuant to Section 5709.73(D) of the Ohio Revised Code, the Board of Education (the “**Board**”) of the Northwest Local School District (the “**School District**”), received notice dated July 28, 2023 (the “**TIF Notice**”), of the intent of Colerain Township, Hamilton County, Ohio (the “**Township**”) to adopt a resolution, a copy of which is attached hereto, declaring improvements to certain parcels of real property located in the Township and identified on **Exhibit A** attached hereto (the “**Exempted Property**”) to be a public purpose; and

**WHEREAS**, pursuant to the TIF Notice, the Township expects the Exempted Property to be developed to meet the needs of a certain area in the Township, which development is expected to deliver certain improvements, including a new single-family development and related improvements, infrastructure, and traffic capacity (the “**Improvements**”); and

**WHEREAS**, the intent of declaring the Improvements to be located on the Exempted Property to be a public purpose is to provide for the exemption (the “**Pottinger TIF Exemption**”) of up to one hundred percent (100%) of the value of such improvements for a period of thirty (30) years, expected to commence on January 1, 2024 and ending on the earlier of December 31, 2053, or the date upon which the infrastructure improvements (the “**Public Infrastructure Improvements**”) to be constructed by or on behalf of the Township and which will benefit the Exempted Property have been paid in full; and

**WHEREAS**, the Township intends to require the owners of the Exempted Property, pursuant to Section 5709.74 of the Ohio Revised Code, to make annual service payments in lieu of taxes to be used to pay for the Public Infrastructure Improvements; and

**WHEREAS**, Sections 5709.73(D) and 5709.82(B)(1) of the Ohio Revised Code permit the Township Board of Trustees and the Board of the School District to enter into an agreement (a “**Tax Incentive Agreement**”) in order to compensate the School District for property taxes lost as a result of the Pottinger TIF Exemption;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education (the “*Board*”) of the Northwest Local School District, Counties of Hamilton and Butler, Ohio, that:

**SECTION 1.** This Board approves the exemption of one hundred percent (100%) of the increased value of the Exempted Property, pursuant to Section 5709.73(C)(1) of the Ohio Revised Code, for up to thirty (30) years, on the condition that the Township Board of Trustees and this Board enter into the Tax Incentive Agreement (a form of which is attached as *Exhibit B* hereto), providing, among other things, for compensation to the School District during any year, or any portion thereof, in an annual amount equal to one hundred percent (100%) of the additional amount of real property tax payments derived from the Exempted Property that the School District would have received from improvements to the Exempted Property but for the Pottinger TIF Exemption pursuant to the terms of the Tax Incentive Agreement; provided, however, such compensation to the School District shall not include any amounts (or portions) attributable to the taxes identified under Section 5709.73(F) of the Ohio Revised Code.

**SECTION 2.** The Tax Incentive Agreement, in the form attached hereto, is hereby approved and authorized, and shall be executed on behalf of this Board by the Treasurer and shall be substantially in the form presented to this Board, with such changes, not inconsistent with this resolution, as shall be agreed to by the Treasurer and the Board’s legal counsel. The Treasurer’s execution of the Tax Incentive Agreement on behalf of this Board shall be conclusive evidence of the School District’s approval of the Pottinger TIF Exemption. Any member of this Board and/or the Treasurer, collectively or in any combination, are hereby authorized to take any and all actions necessary to further effectuate the Pottinger TIF Exemption.

**SECTION 3.** Provided the Tax Incentive Agreement is entered into, the School District hereby waives compliance with the notice requirements of Sections 5709.73(D) and 5709.83(A) of the Ohio Revised Code, but solely with respect to the Exempted Property.

**SECTION 4.** That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This resolution shall be in full force and effect from and immediately upon its adoption.

[Remainder of page intentionally left blank]

\_\_\_\_\_ seconded the motion and the roll being called upon the question of adoption of the resolution, the vote resulted as follows:

AYE:

NAY:

**ADOPTED** this 25<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
Treasurer

**CERTIFICATE**

The undersigned hereby certifies that the foregoing is a true copy of a resolution adopted at a meeting held on the 25<sup>th</sup> day of September, 2023, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

\_\_\_\_\_  
Treasurer

**EXHIBIT A**

**EXEMPTED PROPERTY**

Parcels:

510-0113-0284-00

510-0113-0285-00

510-0113-0281-90

**EXHIBIT B**

**FORM OF TAX INCENTIVE AGREEMENT**

[SEE ATTACHED]