

## RESOLUTION NO. 025-2013

### A RESOLUTION DECLARING IT NECESSARY TO PROVIDE ENHANCED PUBLIC SERVICES IN THE DOWNTOWN FINDLAY IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, On March 19, 2013, this Council adopted Resolution No. 009-2013 approving the renewal petition, services plan and budget of the Downtown Findlay Improvement District (hereinafter referred to as "DISTRICT"), all in accordance with a renewal petition signed by the owners of at least seventy-five percent (75%) of the area of lots and lands located within the DISTRICT that abuts upon any street, alley, public road, place, boulevard, park entrance, easement or other existing public improvement (excluding property owned by the United States of America and the State of Ohio and property owned by a church, Hancock County or the City, unless that church, the County or the City, as applicable has requested the inclusion of that property) that was submitted to and accepted by this Council on that date (hereinafter referred to as "THE PETITION"); and,

WHEREAS, this council adopted Resolution 024-2013 approving the renewal petition, services plan and budget, as amended, to conform to the actual DISTRICT: and

WHEREAS, THE PETITION, as amended, requests that this Council levy special assessments against the benefited properties in the DISTRICT to pay costs of the enhanced public services described in the initial plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Findlay, State of Ohio:

SECTION 1: That this Council hereby confirms its approval of the RENEWAL PETITION, the services plan and budget for services filed with THE RENEWAL PETITION, as amended, on February 4, 2013 (hereinafter referred to as "THE COMPREHENSIVE PLAN"), each of which is now on file in the office of the Clerk of Council, and creation of the DISTRICT pursuant to THE PETITION and Chapter 1710 of the Revised Code.

SECTION 2: It is hereby declared necessary to provide in the DISTRICT the enhanced public services described in THE COMPREHENSIVE PLAN.

SECTION 3: The plan, specifications and estimate of cost for the enhanced public services set forth in THE COMPREHENSIVE PLAN now on file in the office of the Clerk of Council are approved. The enhanced public services shall be made in accordance with those plans and specifications for those enhanced public services.

SECTION 4: This Council finds and determines that (i) those enhanced public services are conducive to the public health, convenience and welfare of the DISTRICT and the inhabitants thereof, (ii) the lots and lands to be assessed as described in Section 5

hereof are specially benefited by the enhanced public services and (iii) the enhanced public services have been petitioned for by the owners of seventy-five percent (75%) or more of the area of lots and lands in the area to be assessed for the enhanced public services.

SECTION 5: In accordance with THE RENEWAL PETITION and Section 1710.06(C) of the Revised Code, the whole cost of the enhanced public services shall be assessed upon all lots and lands in the DISTRICT except property owned by the United States of America and the State of Ohio and property owned by a church, Hancock County or the City, unless that church, the County or the City, as applicable has requested the inclusion of that property, by the methods set forth in Section 727.01 of the Revised Code as follows: one hundred percent (100%) of the costs shall be assessed in proportion to the benefits that may result in the improvement (i.e. total square footage of each lot and land).

SECTION 6: The cost of the enhanced public services shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the enhanced public services and the interest thereon any costs incurred in connection with the preparation, levy and collection of the special assessments, expenses of legal services, the cost of labor and material, and interest on any securities issued in anticipation of the levy and collection of the special assessments, together with all other necessary expenditures, including those provided for in Section 1710.07 of the Revised Code.

SECTION 7: The estimated special assessments of the cost of the enhanced public services described in this resolution heretofore filed in the office of the Clerk of Council and as amended and approved by the City Auditor are hereby approved. The Clerk of Council shall cause notice of the adoption of this resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and lands to be assessed.

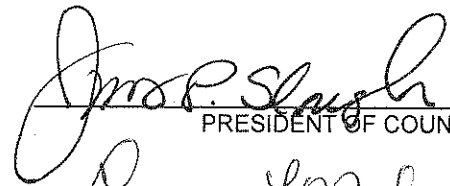
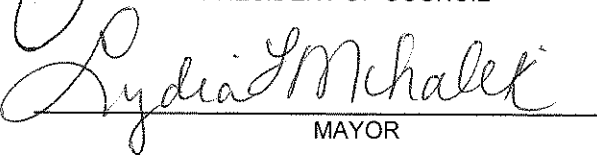
SECTION 8: The special assessments to be levied shall be paid according to the following payment schedule: over a period of five (5) years in ten (10) semi-annual installments, with interest on the unpaid principal amount of each special assessment at the same rate or rates of interest as shall be borne by any securities issued in anticipation of the collection of the total of the unpaid special assessments; provided that the owner of any property assessed may pay the special assessment in cash within thirty (30) days after passage of the assessing ordinance.

SECTION 9: Neither the Downtown Findlay Improvement District, Inc. nor the City presently intend to issue securities or obtain a loan in anticipation of the levy of the special assessments or to issue securities or obtain a loan in anticipation of the collection of the special assessments in installments and in an amount equal to the total of the unpaid special assessments.

SECTION 10: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public, in compliance with the law.

SECTION 11: That this Resolution is hereby declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this Resolution must be immediately effective in order to cause enhanced public services to be provided in the DISTRICT, which services are urgently needed to maintain and improve the DISTRICT as a business, cultural, residential and recreational community.

SECTION 12: This Resolution shall be in full force and effect from and immediately after its adoption by the required number of votes, otherwise, at the earliest time permitted by law.

  
PRESIDENT OF COUNCIL  
  
MAYOR

PASSED July 16, 2013

ATTEST Denise DeVore  
CLERK OF COUNCIL

APPROVED July 16, 2013