

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY IN THE CITY'S NORTH TRIANGLE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THE PARCELS; AND AUTHORIZING MAKE-WHOLE COMPENSATION PAYMENTS TO THE GAHANNA-JEFFERSON CITY SCHOOL DISTRICT AND THE EASTLAND FAIRFIELD CAREER & TECHNICAL SCHOOLS.

WHEREAS, Ohio Revised Code Sections 5709.40 to 5709.43 (collectively, the "TIF Statutes") authorize the legislative authority of a municipal corporation, by ordinance, to declare the improvement to each parcel of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of the those service payments, specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit those parcels and enter into a compensation arrangement with each affected school district; and

WHEREAS, this Council has determined to declare the improvements to certain parcels of real property in the City's North Triangle District to be a public purpose; and

WHEREAS, this Council desires to provide for the acquisition or construction of certain public infrastructure improvements; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Boards of Education of the Gahanna-Jefferson City School District and the Eastland Fairfield Career & Technical Schools in accordance with and within the time periods prescribed in Ohio Revised Code Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO, THAT:

Section 1. Parcels. The parcels of real property subject to the exemption granted by this Ordinance are identified and depicted in Exhibit A attached hereto (each, as currently or subsequently configured, individually, a "Parcel" and collectively, the "Parcels").

Section 2. Public Infrastructure Improvements. This Council hereby designates the public infrastructure improvements described in Exhibit B attached hereto (the "Public Infrastructure Improvements") and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit, or that once made will directly benefit, the Parcels.

Section 3. Exemption. This Council hereby finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the “Improvement” as defined in Ohio Revised Code Section 5709.40(A)) is hereby declared to be a public purpose and shall be exempt from taxation for a period commencing with the first tax year that begins after the effective date of this Ordinance and in which an Improvement first appears on the tax list and duplicate of real and public utility property for that Parcel and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Section 4. Service Payments. As provided in Ohio Revised Code Section 5709.42, the owner of each Parcel is hereby required to and shall make service payments in lieu of taxes with respect to the Improvement allocable thereto to the Treasurer of Franklin County, Ohio (the “County Treasurer”) on or before the final dates for payment of real property taxes. The service payments in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3, including any penalties and interest (collectively, the “Service Payments”). The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156, 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 “Property Tax Rollback Payments”), shall be allocated and distributed in accordance with Section 6.

Section 5. TIF Fund. This Council hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, the North Triangle Municipal Tax Increment Equivalent Fund (the “TIF Fund”). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to Ohio Revised Code Section 5709.42 shall be used solely for the purposes authorized in the TIF Statutes or this Ordinance. The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with Ohio Revised Code Section 5709.43.

Section 6. Distributions. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments as follows:

(a) to each of the Gahanna-Jefferson City School District and the Eastland-Fairfield Career & Technical Schools, an amount equal to the respective amount each school district would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance; and

(b) to the City, all remaining amounts for further deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any note or bonds of the City issued to pay finance costs or costs of those Public Infrastructure Improvements.

Section 7. Further Authorizations. This Council hereby authorizes and directs the Mayor or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further hereby authorizes and directs Mayor or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 8. Tax Incentive Review Council. The City's Tax Incentive Review Council will review annually all exemptions from real property taxation granted by this Ordinance in accordance with the requirements of Ohio Revised Code Section 5709.85.

Section 9. Reports. Pursuant to Ohio Revised Code Section 5709.40(I), the Director of the Department of Planning & Development is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Development Services Agency within fifteen days after its effective date. Further, and on or before March 31 of each year that the exemption set forth in this Ordinance remains in effect, the Director of the Department of Planning & Development or other authorized officer of the City shall prepare and submit to the Director of the Ohio Development Services Agency the status report required under Ohio Revised Code Section 5709.40(I).

Section 10. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

Section 11. Effective Date. This Ordinance shall take effect and be in full force and effect at the earliest date permitted by law.

This Ordinance was Adopted this _____ day of _____, 2014.

Brian Larick
President of Council

*ATTESTED to and PRESENTED to the Mayor; this
_____ day of _____, 2014.*

Kimberly McWilliams, CMC
Clerk of Council

*APPROVED by the Mayor, this ____ day of
_____, 2014.*

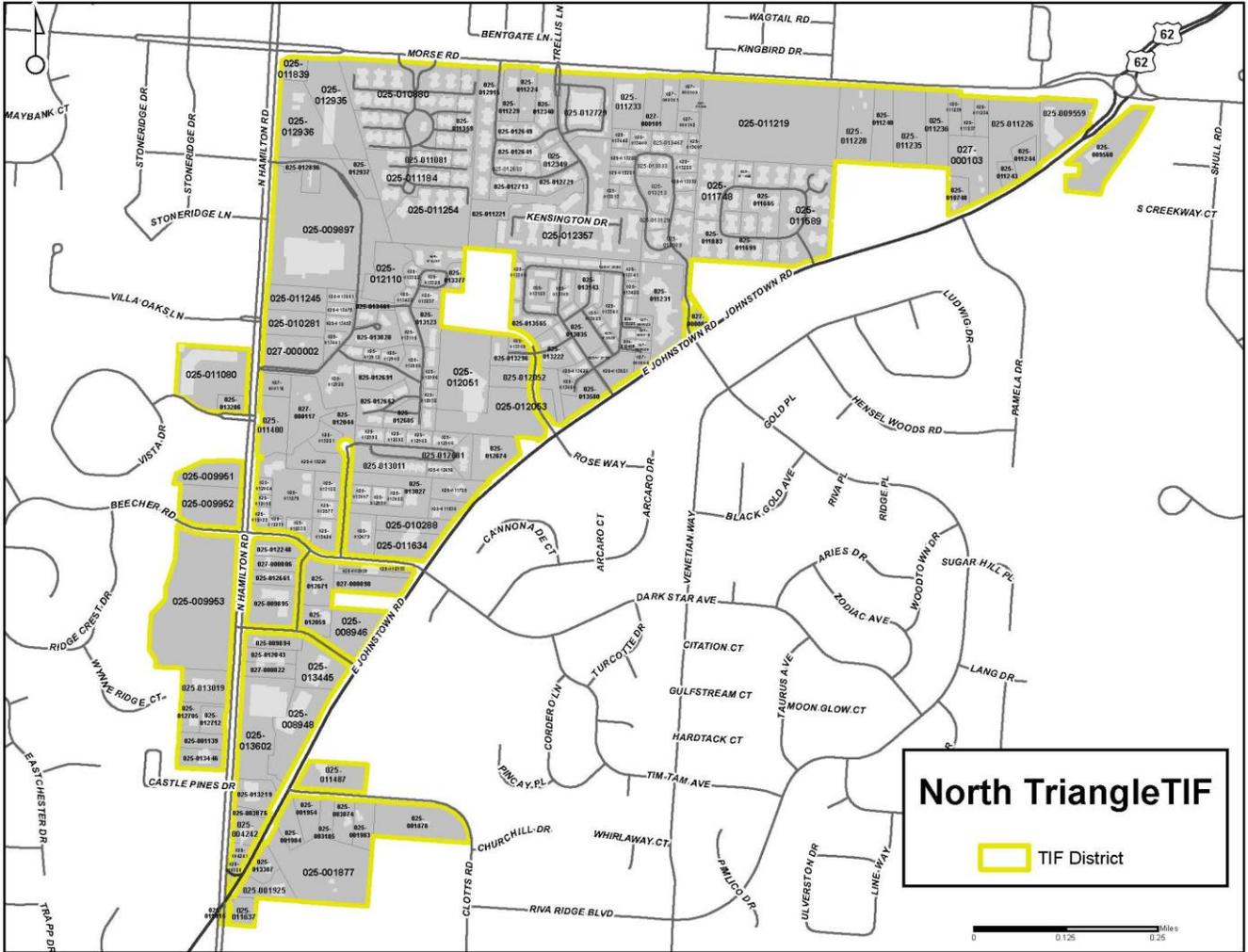
Rebecca W. Stinchcomb
Mayor

Approved as to form:

Shane Ewald
City Attorney

EXHIBIT A
PARCELS

The shaded area on the following map specifically identifies and depicts the Parcels and constitutes part of this Exhibit A. The Tax ID Numbers for certain Parcels are included on the following page for reference only and do not limit the Parcels subject to this Ordinance.



TAX ID NUMBERS

025-009559	025-013309	025-012685	027-000117	027-000101
025-010880	025-013333	025-012691	025-012896	027-000102
025-011081	025-013341	025-012698	025-011839	027-000103
025-011224	025-013361	025-012713	025-013019	025-010748
025-011229	025-013388	025-012721	025-012705	025-011243
025-011233	025-013428	025-012898	025-012712	025-010281
025-011254	025-013439	025-012902	025-013446	025-011245
025-011359	025-013565	025-012906	025-003876	025-012044
025-012340	025-013581	025-012912	025-004241	025-013220
025-012349	025-013624	025-012937	025-004242	025-013221
025-012357	027-000001	025-012938	025-008938	027-000002
025-012641	027-000004	025-012956	025-008939	027-000100
025-012649	027-000018	025-012962	025-008948	025-009951
025-012729	027-000023	025-012990	025-009894	025-009952
025-012915	027-000026	025-012992	025-009895	025-009953
025-012935	025-013296	025-012996	025-010385	025-011080
025-012936	025-009897	025-013007	025-012043	025-013286
025-013400	025-010288	025-013011	025-012059	025-001139
025-013467	025-011184	025-013020	025-012248	025-008946
025-013607	025-011221	025-013027	025-012661	027-000098
025-013648	025-011480	025-013058	025-012671	025-001877
025-011231	025-011634	025-013105	025-013219	025-001925
025-011589	025-011725	025-013123	025-013445	025-001954
025-011665	025-011875	025-013188	025-013602	025-001983
025-011699	025-011936	025-013237	027-000006	025-001984
025-011748	025-012022	025-013296	027-000022	025-003185
025-011883	025-012051	025-013325	025-011487	025-003874
025-013029	025-012052	025-013377	025-009560	025-011637
025-013035	025-012053	025-013382	025-011219	025-013387
025-013089	025-012058	025-013426	025-011226	025-011915
025-013109	025-012064	025-013432	025-011228	025-001878
025-013129	025-012110	025-013441	025-011232	
025-013143	025-012230	025-013453	025-011234	
025-013189	025-012328	025-013461	025-011235	
025-013213	025-012338	025-013475	025-011236	
025-013222	025-012633	025-013561	025-011237	
025-013232	025-012662	025-013577	025-011239	
025-013281	025-012674	025-013580	025-011240	
025-013288	025-012679	025-013650	025-011244	
025-013296	025-012681	027-000116	025-013606	

EXHIBIT B

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements include the construction of the following improvements on or near the Parcels that will directly benefit the Parcels and all related costs of permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code):

- **Roadways.** 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 and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto, including, but not limited to, improvements to (a) the intersection of E. Johnstown Road and Riva Ridge Blvd., (b) E. Johnstown Road from YMCA Place to Pamela Drive, (c) E. Johnstown Road from N. Hamilton Road to Beecher Road, (d) Morse Road from N. Hamilton Road to Underwood Farms Blvd., (e) N. Hamilton Road access road from Vista Drive to Shagbark Road, and (f) new road construction from Morse Road & Preserve Crossing Blvd. to E. Johnstown Road & Pamela Drive;
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto, including, but not limited to, a sanitary sewer extension at the rear of the properties from 4530 N. Hamilton Road to 4574 N. Hamilton Road;
- **Utilities.** Construction, reconstruction or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to, the installation of fiber optic cable along (a) E. Johnstown Road from YMCA Place to Morse Road, and (b) Morse Road from N. Hamilton Road to E. Johnstown Road;
- **Stormwater.** Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare;
- **Demolition.** Demolition, including demolition on private property when determined to be necessary for public health, safety and welfare;
- **Parks.** Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, together with all appurtenances thereto;

- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto;
- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research; and
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.