

VILLAGE OF OBETZ  
RECORD OF ORDINANCES

ORDINANCE: 31-15

PASSED: April 13, 2015

**AN ORDINANCE TO AUTHORIZE THE ADMINISTRATOR TO ENTER INTO A THIRD AMENDMENT OF THE TAX INCREMENT FINANCING AGREEMENT BY AND BETWEEN THE VILLAGE OF OBETZ AND CP ONE LLC, AND DECLARING AN EMERGENCY**

**WHEREAS**, Center Point Capital, LLC and the Village of Obetz entered into a Tax Increment Financing Agreement to be effective as of December 15, 2003; and

**WHEREAS**, the original Tax Increment Financing Agreement has been assigned and/or partially assigned from time to time; and

**WHEREAS**, the original Tax Increment Financing Agreement has previously been partially assigned to CP One LLC; and

**WHEREAS**, the original Tax Increment Financing Agreement has been amended twice, with the Second Amendment to the Tax Increment Financing Agreement being dated December 10, 2012; and

**WHEREAS**, it is necessary from time to time to amend the Tax Increment Financing Agreement when additional improvements to the infrastructure of the development are proposed; and

**WHEREAS**, the developer desires to add a waterline extension to the list of Phase II infrastructure for purposes of the Agreement;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:**

Section 1. The Administrator is hereby authorized to execute the Third Amendment to the Tax Increment Financing Agreement, in a form substantially similar to the draft agreement on file in the office of the Law Director, to add a waterline extension to the list of Phase II infrastructure for purposes of the Agreement.

Section 2. To the extent that Section 8.02(B) of the Charter of the Village of Obetz and/or any other competitive bidding requirement is applicable, that the procedures established for municipal contracts set forth in such Charter, ordinance and/or statutory provisions are hereby waived with regard to any and all of the construction, installation or development of the Public Improvements by CP One LLC pursuant to the TIF Agreement, pursuant to Section 8.02(C) of the Charter of the Village of Obetz.

Section 3. This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety, and welfare, such emergency arising from the need to amend the Tax Increment Financing Agreement which will facilitate the installation of needed infrastructure in the industrial park, the continued growth of which provides job opportunities for residents and supports a healthy economy for the Village; WHEREFORE, this Ordinance shall be in full force and effect from and after its passage.

Passed this 13 day of April, 2015.

**ATTESTS:**

Stacey Boumis  
Stacey Boumis, Clerk of Council

D. Greg Scott  
D. Greg Scott, Mayor

Angela Kirk  
Angela Kirk, Council President Pro Tem

**APPROVED AS TO FORM**

Eve M. Ellinger  
Eve M. Ellinger, Esq., Law Director

**CERTIFICATION OF PUBLICATION**

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance \_\_\_\_\_ was duly posted at \_\_\_\_\_ (time) on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at the Obetz Government Center, as well as on the Obetz website.

\_\_\_\_\_  
Stacey Boumis, Clerk

\_\_\_\_\_  
Date