

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at __:00 p.m. this 4th day of February, 2016, with the following members present:

Andrew S. Pappas
Joshua S. Gerth
Robin D. Stone

M. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 16-0204-

**RESOLUTION DETERMINING NOT TO PROCEED WITH
THE ACQUISITION OF REAL ESTATE**

WHEREAS, the Anderson Township Park District (“ATPD”) entered into an Agreement to Purchase and Sell Real Estate dated as of July 29, 2015 (the “Agreement”), with Beech Acres, formerly known as The General Protestant Orphan Home, dba Beech Acres Parenting Center, an Ohio non-profit corporation (“BA”); and

WHEREAS, pursuant to the Agreement, ATPD agreed to purchase and BA agreed to sell to ATPD certain real property located at 6881 Beechmont Avenue, Cincinnati, OH 45230, consisting of approximately 36 acres with all improvements of whatever kind thereon, together with all rights, privileges, easements and appurtenances appertaining thereto, including any right, title and interest of Beech Acres in and to the adjacent streets, roads, alleys and rights of way, and identified as Auditor’s tax parcels numbers 500-0272-0085-90, 500-0350-0429-00, and 002-0006-0003-00 (the “Property”) on the terms and at the purchase price set forth in the Agreement; and

WHEREAS, at a joint meeting of this Board, the Board of Park Commissioners of the ATPD and the Board of Education of the Forest Hills Local School District (“FHLSD”) held on October 1, 2015, it became apparent that time was of the essence with respect to the potential acquisition of the Property and the vetting of a plan proposed by FHLSD for the relocation of Anderson High School (“AHS”) to the Property; and

WHEREAS, at its meeting on October 15, 2015, this Board passed Resolution 15-1015-20 authorizing the Township Administrator, with the assistance of the Law Director, to enter into discussions with BA and ATPD with respect to the acquisition of the Property; including a potential assignment to the Township of the ATPD’s interest in the Agreement; and

WHEREAS, negotiations among representatives and counsel to each of the ATPD, this Board and BA have been ongoing; and

WHEREAS, the FHLS D has determined that the plan to relocate AHS to the Property is not feasible; and

WHEREAS, the Agreement had not yet been amended or assigned;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees (the "Board") of Anderson Township, Hamilton County, Ohio (the "Township"), that:

SECTION 1. This Board hereby determines that inasmuch as ATPD desires to purchase the Property, further negotiation on behalf of this Board with ATPD and BA is no longer warranted. Therefore, this Board further determines not to proceed with the acquisition of the Property, enabling ATPD and BA to negotiate the acquisition of the Property without Township participation.

SECTION 2. This Board hereby directs the Township Administrator to discontinue any further negotiation with BA and ATPD with respect to acquisition of the Property and to deliver a certified copy of this Resolution to the ATPD. This Board further directs the Law Director to notify counsel to ATPD and counsel to BA of passage of this Resolution.

SECTION 3. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of the foregoing resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

M. _____ seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Pappas _____ Mr. Gerth _____ Ms. Stone _____

CERTIFICATION

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 4th day of February, 2016, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This 4th day of February, 2016.

Kenneth G. Dietz
Fiscal Officer