

**CITY OF HILLSBORO, OHIO
ORDINANCE NO. 2024-59**

AN ORDINANCE DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN HILLSBORO, OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40(B) OF THE OHIO REVISED CODE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, DECLARING CERTAIN PUBLIC IMPROVEMENTS TO BE NECESSARY FOR THE FURTHER DEVELOPMENT OF THOSE PARCELS, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND, AND DECLARING AN EMERGENCY

WHEREAS, the development of commercial and residential properties in the City of Hillsboro, Ohio (the “**City**”) will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, stimulating collateral development in the City, and enlarging income tax revenues for the City; and

WHEREAS, Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code (the “**TIF Statutes**”) provide that City Council (“**Council**”) may: (i) declare by ordinance to be a public purpose any Improvement (as defined in Ohio Revised Code Section 5709.40, and hereinafter the “**Improvement**”) to a parcel of real property and thereby authorize the exemption of such Improvement from real property taxation for a period of time; (ii) require the payment of service payments in lieu of taxes by the owner or owners of the parcel; and (iii) establish an tax increment equivalent fund for the deposit of those service payments; and

WHEREAS, the City has determined that it is necessary and appropriate, in furtherance of the City’s economic development activities, and in the best interest of the City, to provide for exemption of the Improvement to the real property described in **Exhibit A** to this Ordinance, which **Exhibit A** is incorporated herein by reference (such property being the “**Property**”), from real property taxation, and to require the owners from time to time of the Property to make payment of semiannual service payments in lieu of taxes with respect to the Property, pursuant to Ohio Revised Code Sections 5709.40(B) to 5709.43; and,

WHEREAS, proper notice was given to the Hillsboro City School District (the “**School District**”) and the Great Oaks Institute of Technology and Career Development (the “**JVSD**”) of the consideration of this ordinance providing for tax increment property tax exemption, as required by Sections 5709.40 and 5709.83 of the Ohio Revised Code; and

WHEREAS, the JVSD, pursuant to Resolution No. 012-109 of the Board of Education of the JVSD adopted on July 11, 2012, has waived the notice requirements of Ohio Revised Code Sections 5709.40, 5709.83 and 5715.27; and

WHEREAS, the Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation the improvement located within the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code, and to simultaneously direct and require the owners of the Property to make service payments in lieu of taxes as provided by this ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HILLSBORO, STATE OF OHIO, WITH 2/3 OF ALL COUNCIL MEMBERS CONCURRING THAT:

SECTION 1. Pursuant to Section 5709.40(B) of the Ohio Revised Code, this Council hereby creates the "Crossroad TIF 1", the boundaries of which shall be coextensive with the boundaries of the Property and shall include the parcels constituting the Property as specifically identified and depicted in **Exhibit A** attached hereto, which parcels are located in the incorporated area of the City (each such parcel being hereinafter a "**Parcel**").

SECTION 2. That this Council hereby finds and declares that certain public infrastructure improvements in the City, including land acquisition in aid of industry, commerce, distribution, or research, certain parking facilities, roadway, sewer, stormwater, water, utility, streetscape, traffic studies and other related and appurtenant public infrastructure improvements, all as further described in **Exhibit B** attached hereto and made a part hereof (the "**Public Improvements**"), are necessary for the further development of the Parcels of land described in **Exhibit A** attached to this Ordinance and for the creation of jobs, increasing property values, and the provision of adequate traffic control in the City of Hillsboro. The further development of the Parcels in the Crossroad TIF 1 will place direct additional demand on the Public Improvements.

SECTION 3. That, pursuant to Section 5709.40(B) of the Ohio Revised Code, Improvements to the Parcels in the Crossroad TIF 1 occurring after the date of this Ordinance are hereby declared to be a public purpose and are exempt from real property taxation commencing, for each parcel, with the first tax year that begins after the effective date of this Ordinance and in which an improvement resulting from the construction of a structure on that parcel first appears on the tax duplicate of real and public utility property and ends on the earlier of (i) 30 years after such date or (ii) the date on which the City can no longer require service payments to be paid on the Improvements, all in accordance with the requirement of the TIF Statutes, or (iii) the date on which the Public Improvements are paid in full from the Tax Increment Equivalent Fund, as defined in Section 5 hereof, but in no case shall the Improvements be exempted from taxation for more than thirty (30) years. It is hereby determined that one hundred percent (100%) of the Improvements shall be exempt from real property taxation, and the Public Improvements directly benefit, or once made will directly benefit, the Crossroad TIF 1.

SECTION 4. That pursuant to Section 5709.42 of the Ohio Revised Code, the owner or the owners of the Parcels shall be required to make semi-annual service payments in lieu of taxes (the "**Service Payments**") to the Highland County Treasurer (the "**County Treasurer**") on or before the final dates for payment of real property taxes. This Council hereby expresses its intention and authorizes the Mayor and/or Clerk of Council to sign such documents as may be necessary and appropriate to provide for the collection of such Service Payments.

SECTION 5. That pursuant to Section 5709.43 of the Ohio Revised Code, there is hereby established the Crossroad TIF 1 Tax Increment Equivalent Fund (the "**Tax Increment Equivalent Fund**"), into which the Service Payments received by the City shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to pay for or otherwise finance the Public Improvements and may be used to make payments to the School District and/or the JVSD in the

amounts contemplated under Section 6 hereof, to the extent not already paid by the County Treasurer in accordance with that Section 6.

SECTION 6. That pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments as follows:

- (1) to the School District, an amount equal to the amount that the School District would otherwise have received as real property tax payments derived from the Improvement to the Parcels located within the School District if the Improvement had not been exempt from taxation pursuant to this Ordinance; and
- (2) to the JVSD, an amount equal to the amount that the JVSD would otherwise have received as real property tax payments derived from the Improvement to the Parcels located within the JVSD if the Improvement had not been exempt from taxation pursuant to this Ordinance;
- (3) and to the City, all remaining amounts for further deposit into the Tax Increment Equivalent Fund, to be utilized at the City's discretion for any purpose permitted by applicable law and this Ordinance.

All distributions required under this Section 6 are requested to be made at the same time and in the same manner as real property tax distributions.

SECTION 7. That the proper City officials are hereby authorized to do all things necessary and proper to carry out Sections 1 through 6 above, including but not limited to filing any required applications for tax exemption with the Highland County Auditor and/or State Tax Commissioner.

SECTION 8. That the Clerk of Council is hereby directed to forward a copy of this Ordinance to the County Auditor of Highland County.


SECTION 9. Pursuant to Section 5709.40 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage. On or before March 31 of each year that the exemption set forth herein remains in effect, the Clerk of Council or other authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.40 of the Ohio Revised Code.

SECTION 10. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 11. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be in full force and

effect immediately upon adoption. The reason for the emergency is to allow the exemption to be approved and effective expeditiously to allow for construction and financing of Public Improvements in a timely fashion.

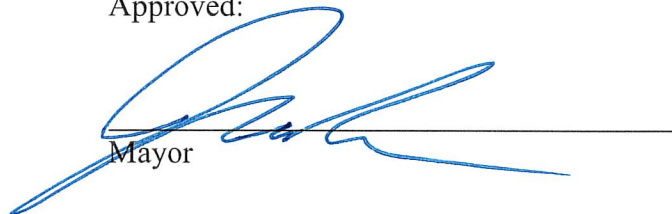
Passed this 23 day of December, 2024.


President of Council

Attest:


Clerk of Council

Approved:


Mayor

12/23/2024
Date

Approved as to form by the City Law Director.

CERTIFICATE

The undersigned, Clerk of Council, City of Hillsboro, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 2024-59 -2024, adopted Dec. 23, 2024.


Clerk of Council

EXHIBIT A

PROPERTY TO BE EXEMPTED

HIGHLAND COUNTY PARCEL ID NUMBERS

25-10-000-144.07

Map

(Crosshatched region is the Property)

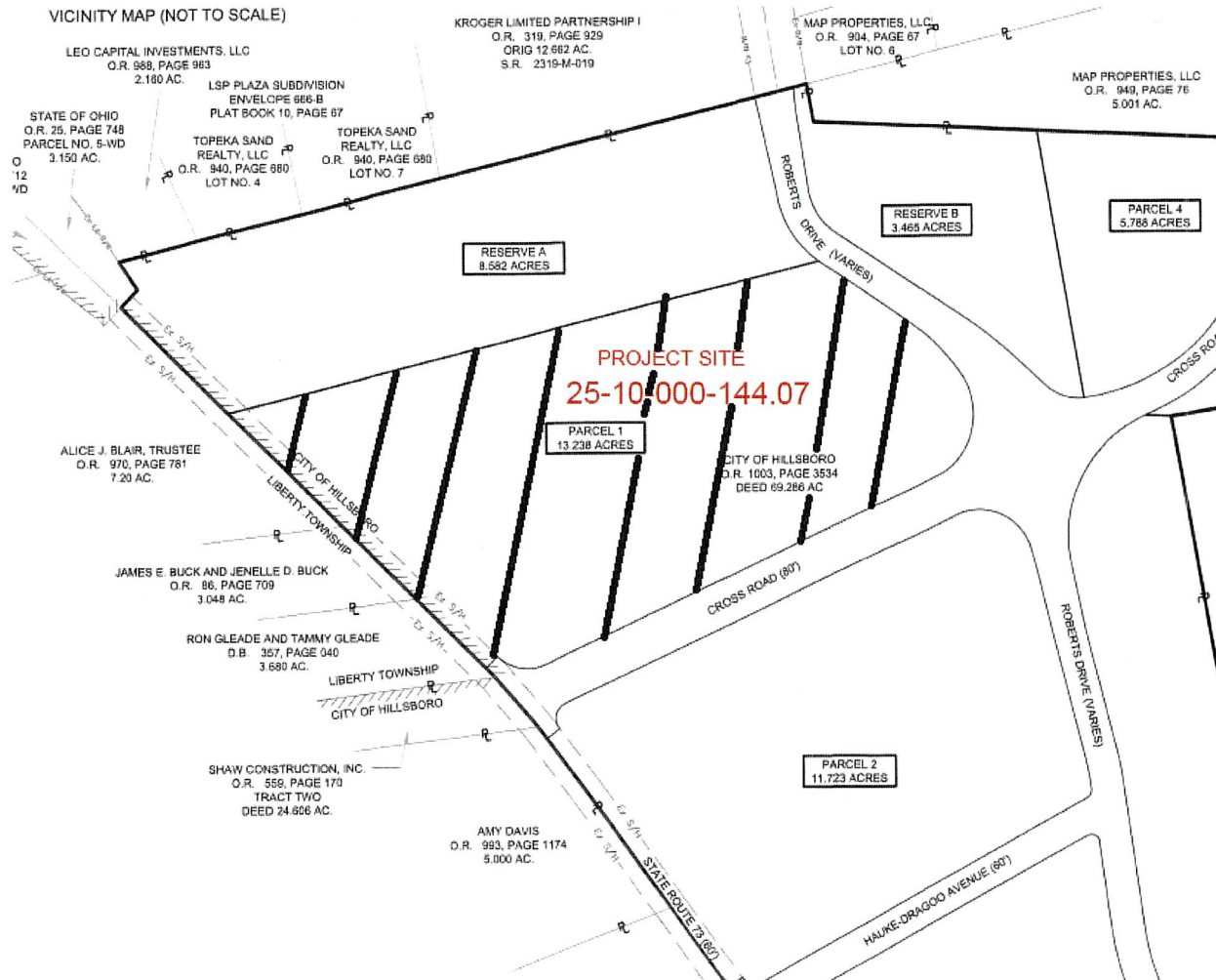


EXHIBIT B
PUBLIC IMPROVEMENTS

For purposes of this Ordinance, "Public Improvements" includes, but is not limited to, public roads and highways; water and sewer lines; the continued maintenance of those public roads and highways and water and sewer lines; environmental remediation; land acquisition, including acquisition in aid of industry, commerce, distribution, or research; demolition, including demolition on private property when determined to be necessary for economic development purposes; stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety, and welfare; the provision of gas, electric, and communications service facilities, including the provision of gas or electric service facilities owned by nongovernmental entities when such improvements are determined to be necessary for economic development purposes; the enhancement of public waterways through improvements that allow for greater public access; and off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes, in each case made, or to be made, or in the process of being made, that directly benefit, or that once made will directly benefit, the Parcels.

Specifically, but not by way of limiting the foregoing, the Public Improvements include improvements to Roberts Drive, Cross Road, and additional roadway, sidewalk, and utility infrastructure necessary for the development of the Property.