

ORDINANCE NO. 2013 - 9

**AN ORDINANCE APPROVING AND AUTHORIZING
THE EXECUTION OF AN AMENDMENT TO THE
LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT
DISTRICT I CONTRACT TO ADD CERTAIN PROPERTIES TO
THE LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT
DISTRICT I.**

WHEREAS, the City of Mason ("Mason"), the City of Middletown ("Middletown") and the Township of Liberty ("Liberty") previously entered into the Liberty Township Joint Economic Development District I Contract (the "JEDD I Contract") that created the Liberty Township Joint Economic Development District I (the "JEDD I District") for the purpose, *inter alia*, of facilitating economic development to create jobs and employment opportunities and to improve the economic welfare of the people in the State of Ohio and in the areas of Mason, Middletown and Liberty;

WHEREAS, pursuant to Section 30 of the JEDD I Contract, Mason, Middletown and Liberty, by unanimous consent, may amend the JEDD I Contract to add areas to the JEDD I District in conformance with Ohio Revised Code § 715.761;

WHEREAS, Mason, Middletown and Liberty desire to amend the JEDD I Contract to add the Property to the JEDD I District; and

WHEREAS, pursuant to Ohio Revised Code Section 715.75, this Council published notice of the time and place of a public hearing regarding the Amendment at least thirty days prior to that hearing; and

WHEREAS, since publication of that notice, there has been on file with the Clerk of this Council: (1) a copy of the proposed Amendment, (2) a description of the area or areas to be included in the JEDD I District by the Amendment, (3) a map of the areas in sufficient detail to denote the specific boundaries of the area or areas, (4) a zoning map indicating zoning district classifications and any restrictions applicable to the area or areas, and (5) an economic development plan for the joint economic development district that consists of a schedule for the new, expanded, or additional services, facilities, or improvements; and

WHEREAS, a legal description and map of certain properties (the "Properties") sought to be added to the JEDD I is attached hereto as Exhibit A;

WHEREAS, a majority of the Properties' owners and a majority of the owners of businesses located on the Properties have expressed approval of amendment of the JEDD I Contract to add the Properties to the JEDD I; and

WHEREAS, the Parties agree that amending the JEDD I Contract to add the Properties to the JEDD I furthers the above-stated purpose for which the JEDD I was created.

WHEREAS, this Council has held the public hearing regarding the proposed Amendment that allowed public comment and recommendations on the proposed Amendment and the JEDD I District as amended.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring, that:

Section 1. This Council finds and determines that the amendment of JEDD I District by the Amendment will facilitate economic development to create and preserve jobs and employment opportunities and to improve the economic welfare of the people in the State of Ohio and in the areas of Mason, Middletown and Liberty.

Section 2. This Council finds and determines that Mason's approval, execution and delivery of the Amendment are done freely and without duress or coercion.

Section 3. The Parties herein amend the JEDD I Contract to add the Properties to the JEDD I.

Section 4. The Properties shall be subject to the same terms and conditions of the JEDD I Contract as all other properties located in the JEDD I.

Section 5. All other terms and conditions of the JEDD I Contract shall remain the same and shall not be altered, amended, or otherwise affected in any way by execution of this 2013 JEDD I Contract Amendment.

Section 6. The City Manager and the appropriate officers of Mason are authorized to execute and deliver such instruments and certificates necessary to effect the amendment of the JEDD District I by the Amendment.

Section 7. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 25th day of February, 2013.

Mayor

Attest:

Clerk of Council