

RESOLUTION NO.2005 – 5

**RESOLUTION AUTHORIZING THE PORT OF GREATER CINCINNATI
DEVELOPMENT AUTHORITY TO PREPARE AND SUBMIT AN APPLICATION
FOR A CLEAN OHIO REVITALIZATION FUND GRANT AND TO ENTER INTO
MULTIPLE AGREEMENTS RELATED TO THE HAMILTON COUNTY REGIONAL
BUSINESS PARK PROJECT REVITALIZATION**

WHEREAS, the Port of Greater Cincinnati Development Authority (the "Port Authority") is engaged, among other matters, in the remediation and revitalization of environmentally challenged, "brownfield" property for productive reuse; and

WHEREAS, Hamilton County Regional Business Park LLC ("HCRBP") intends to purchase certain real property and improvements commonly known as the former Celotex factory in Lockland, Ohio ("Property"), and desires to remediate and rehabilitate the Property for industrial/commercial/office use; and

WHEREAS, the Port Authority has been asked by HCRBP to make an application for a Clean Ohio Revitalization Fund ("CORF") grant to the Ohio Clean Ohio Council ("Clean Ohio Council"), with HCRBP as its Development Partner, in order to fund the environmental restoration and demolition/renovation of the Property ("Project"); and

WHEREAS, the Port Authority and HCRBP have determined that a Development and Site Preparation Agreement between them is necessary to govern their overall business relationship, including HCRBP's future development of the Property and Project;

WHEREAS, if the CORF Grant Agreement application is approved, the Ohio Department of Development will tender to the Port Authority a CORF Grant Agreement for execution by the Port Authority to govern the Port Authority's receipt and use of CORF Grant monies and such CORF Grant Agreement is expected to be substantially similar to similar CORF and Clean Ohio Assistance Fund Grant Agreements executed by the Port Authority in the past; and

WHEREAS, the Port Authority desires and intends to prepare and file the CORF grant application noted above and enter into the various agreements noted above, and conduct activities, engage contractors, and provide services in the exercise of its powers as set forth in Ohio Revised Code Chapter 4582, and in furtherance of economic development activities contemplated in Section 13 of Article II of the Ohio Constitution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Port of Greater Cincinnati Development Authority:

Section 1. The Port Authority staff is hereby authorized for and in the name of the Port Authority and on its behalf and on behalf of this Board, to prepare and file an application for a CORF grant in connection with the Property as described above and to execute the following contracts:

A. Development and Site Preparation Agreement between the Port Authority and HCRBP in a form substantially similar to that on file in the Port Authority offices and/or attached hereto; and,

B. Grant Agreement for Clean Ohio Revitalization Fund monies between the Port Authority and the Ohio Department of Development in a form substantially similar to that on file in the Port Authority offices and/or attached hereto.

Section 2. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with the law.

Section 3. This Resolution shall be in full force and effect upon its adoption.

Adopted: June 9, 2005

Yeas: 14

Nays: 0

Vice Chairman

Attest: _____
Secretary