

ORDINANCE NO. 21 -17  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCIL MEMBER John Row ON THE  
21<sup>st</sup> DAY OF August, 2017.

**AN ORDINANCE DETERMINING THAT THE ESTABLISHMENT OF THE RANDALL RESIDENCE NEW COMMUNITY AUTHORITY WILL BE CONDUCTIVE TO THE PUBLIC SAFETY, CONVENIENCE, AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY AND DECLARING THE NEW COMMUNITY AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE, AND DEFINING THE BOUNDARY OF THE NEW COMMUNITY DISTRICT.**

**WHEREAS**, RRYT Holdings, LLC (the “Developer”) plans to develop an approximately 9.8266-acre site located within the municipal corporate boundaries of the City of Centerville, Ohio (the “City”) as a 167,585 square foot residential facility offering a continuum of care including 60 independent living units, 56 assisted living units, and a 48-bed memory care unit; and

**WHEREAS**, on July 14, 2017 the Developer submitted to the Council of the City (“Council”), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Randall Residence New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the Clerk of Council; and

**WHEREAS**, the Randall Residence New Community Authority is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for the Randall Residence New Community Authority; and

**WHEREAS**, on July 17, 2017, pursuant to Revised Code Section 349.03, this Council adopted its Resolution No. 39-17, which resolution determined that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance; and

**WHEREAS**, pursuant to Revised Code Section 349.03, this Council held a public hearing on the Petition on August 21, 2017, notice of which was published as required in Revised Code Section 349.03, and the date of which hearing is not less than thirty (30) nor more than forty-five (45) days after the filing date of the Petition; and

**WHEREAS**, this Council has determined that the Petition will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY  
ORDAINS:

**SECTION 1. Approval of Petition.** The Petition is hereby accepted and shall be recorded, along with this Ordinance, in the journal of this Council as the organizational board of commissioners for the purpose of Revised Code Chapter 349. Council hereby determines that the Randall Residence New Community Authority will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community as defined in Revised Code Section 349.01(A). Pursuant to the Petition, the Randall Residence New Community Authority is hereby organized as a body politic and corporate with the corporate name designated in the Petition (such name being the “Randall Residence New Community Authority”), and the boundaries of the Randall Residence New Community District are consistent with the boundaries described in the Petition.

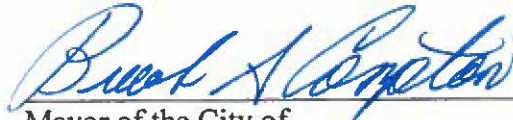
**SECTION 2. Board of Trustees of Randall Residence New Community Authority.** The Board of Trustees of the Randall Residence New Community Authority shall be comprised of seven (7) members selected and appointed as provided in the Petition. Pursuant to Revised Code Section 349.04, there shall be posted for each member of the Board of Trustees a bond in the amount of \$10,000 for the faithful performance of his or her duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety and shall be deposited with and preserved by the Clerk of Council.

**SECTION 3. Dissolution.** As provided in Revised Code Section 349.14, the Randall Residence New Community Authority may be dissolved by City Council ordinance once all Bonds issued by the Authority or the Finance Authorities, as described in the Petition, have been paid in full. The foregoing dissolution procedure is in lieu of the dissolution procedure provided in Revised Code Section 349.14.


**SECTION 4. Open Meetings.** This Council finds and determines that all formal actions of this Council and any of its committees 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 any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Revised Code Section 121.22.

**SECTION 5.** This ordinance shall be effective from and after the earliest date allowed by law.

Passed this 21st day of August, 2017.

  
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Mayor of the City of  
Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 21-17, passed by the Council of the City of Centerville, Ohio on the 21<sup>st</sup> day of August, 2017.

  
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Clerk of the Council

Approved as to form, consistency with the Charter and Constitutional Provisions.

**Department of Law**  
Scott A. Liberman  
Municipal Attorney