

RESOLUTION NO. 39-17  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Belinda Kenley ON THE 17<sup>th</sup>  
DAY OF July, 2017.

**A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE RANDALL RESIDENCE NEW COMMUNITY AUTHORITY DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE; SETTING THE TIME AND PLACE FOR A HEARING ON THE PETITION AND AUTHORIZING THE NOTICE BY PUBLICATION OF SUCH HEARING.**

**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 Clerk of Council of the Centerville City Council ("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"); and

**WHEREAS**, the Randall Residence New Community District, as described in the Petition, 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 purposes of this Petition; and

**WHEREAS**, this Council has reviewed the Petition, and by this resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to Revised Code Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to Revised Code Section 349.03, authorize the notice by publication of the hearing on the Petition.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Centerville that:

**SECTION 1.** Organizational Board of Commissioners. This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is

the “organizational board of commissioners” of the Randall Residence New Community Authority for all purposes of Revised Code Chapter 349.

**SECTION 2. Petition’s Sufficiency and Compliance with Revised Code Section 349.03.** This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance.

**SECTION 3. Time and Place of Hearing.** Pursuant to Revised Code Section 349.03, this Council hereby determines to hold a hearing on the Petition on August 21, 2017 at the Centerville Council Chambers, 100 West Spring Valley Road, Centerville, Ohio 45458, at 7:30 p.m., and this Council hereby authorizes each of the City Law Director, the Clerk of Council, and the City Economic Development Administrator, or any of them individually, to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in Revised Code Section 7.16, in a newspaper of general circulation within Montgomery County, Ohio, pursuant to Revised Code Section 349.03(A).


**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 resolution 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 Resolution shall take effect and be in force from and after the date of its passage.

Passed this 17th day of July, 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 Resolution No. 39-17, passed by the Council of the City of Centerville, Ohio on the 17<sup>th</sup> day of July, 2017.

Carin B. Andrew  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions  
Department of Law  
Scott A. Liberman  
Municipal Attorney