

RESOLUTION NO. 37-10  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James Singer ON  
THE 18<sup>TH</sup> DAY OF OCTOBER, 2010.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO EXECUTE AND FILE AN APPLICATION WITH THE STATE OF OHIO TO OBTAIN A DETERMINATION FROM THE OHIO DEPARTMENT OF TAXATION THAT CERTAIN REAL PROPERTY LOCATED IN THE CITY AND COMMONLY KNOWN AS BETHANY LUTHERAN VILLAGE IS PARTIALLY EXEMPT FROM OHIO REAL PROPERTY TAXES AND TO AUTHORIZE GRACEWORKS TO ACT AS AGENT.

WHEREAS, Graceworks Lutheran Services, an Ohio non profit tax exempt organization ("Graceworks") located within the City of Centerville had conveyed property commonly known as Bethany Lutheran Village (the "Property") to the City for the limited purposes to allow Graceworks to obtain bond financing for its construction projects; and

WHEREAS, Ordinance No. 4-88 dated May 16, 1988, which was subsequently amended in 1993, 1994 and 2007, provided that the City and Graceworks had entered into a long term lease as part of a transaction for the issuance of those construction bonds; and

WHEREAS, the City is merely a conduit for the bond financing and maintains no further financial or legal liability for the Property; and

WHEREAS, Graceworks had applied to the State for a determination that the Property is partially tax exempt based on the current use of the Property and has accordingly sought the assistance of the City to execute the application with the State for the determinations on behalf of Graceworks; and

WHEREAS, Graceworks is requesting that City execute the application and then authorize Graceworks, as the beneficial owner of the Property, to negotiate and resolve any further issues raised under the application; and

WHEREAS, Graceworks will prepare the application for the City Manager's signature at Gracework's expense and will further take all necessary steps and actions at its expense.

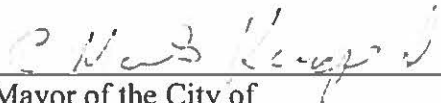
NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE  
HEREBY RESOLVES:

Section 1. That the City Manager is hereby authorized to take all steps necessary to execute and file an application with the State for the determination of tax exemption for the Property.

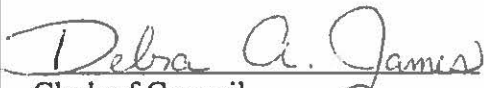
Section 2. Graceworks, as the beneficial owner of the Property, is hereby authorized to act as the City's agent for the limited purposes of negotiating and resolving any further issues under the application.

Section 3. This resolution shall take effect at the earliest date allowed by law.

PASSED THIS 18<sup>th</sup> day of October, 2010.

  
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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. 37-10, passed by the Council of the City of Centerville, Ohio on the 18<sup>th</sup> day of October, 2010.

  
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Clerk of the Council

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