

**RESOLUTION NO. 11-1064  
JULY 5, 2011**

**RESOLUTION ESTABLISHING THE MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION FOR THE COUNTY TREASURER'S OFFICE, IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5722.02 AND AUTHORIZING THE FILING OF THE INITIAL ARTICLES OF INCORPORATION.**

WHEREAS, division (A) of Section 5722.02 of the Revised Code authorizes a county to elect to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, division (A) of Section 1724.04 of the Revised Code authorizes a county that has a population of more than sixty thousand as of the most recent decennial census and that elects to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to organize a county land reutilization corporation for the purpose of exercising the powers granted to a county under Chapter 5722 of the Revised Code.

WHEREAS, Montgomery County, Ohio (the "County") had a population over sixty thousand as of the year 2010, the year of the most recent decennial census.

WHEREAS, the Board of Montgomery County Commissioners (the "Board") has determined that the current economic conditions in the County and the conditions of the real estate market in the County, including, but not limited to, the foreclosures for mortgage and tax payment delinquencies, are such as to necessitate the adoption and implementation of the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, division (B) of Section 5722.02 of the Revised Code permits a county that adopts a resolution under division (A) of such section to cause to be organized a county land reutilization corporation under Chapter 1724 of the Revised Code to act on behalf of and cooperate with the county in exercising the powers and performing the duties of a county with respect to land reutilization under Chapter 5722 of the Revised Code.

2

WHEREAS, the Board now desires to adopt a resolution under division (A) of Section 5722.02 of the Revised Code adopting and implementing the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

**PAGE 2**  
**RESOLUTION NO. 11-1064**  
**JULY 5, 2011**

WHEREAS, in furtherance of the implementation of an effective land reutilization program and in accordance with division (B) of Section 5722.02, the Board also desires to organize a county land reutilization corporation under Chapter 1724 of the Revised Code to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county under Chapter 5722.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Montgomery County, Ohio, that:

Section 1. In accordance with division (A) of Section 5722.02 of the Revised Code, this Board hereby finds and determines that the existence of nonproductive land within its boundaries due to foreclosures from mortgage and tax payment delinquencies and other reasons is such as to necessitate the implementation of a land reutilization program to foster either the return of such nonproductive land to tax revenue generating status or the devotion thereof to public use.

Section 2. This Board hereby elects to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

Section 3. In furtherance of the implementation of a land reutilization program for the County, this Board hereby authorizes and directs that a county land reutilization corporation (the "Corporation") shall be organized under Chapters 1724 and 1702 of the Revised Code and hereby authorizes and directs the County Treasurer (the "Treasurer") to incorporate the Corporation in accordance with Section 1724.04 of the Revised Code by the execution and filing of its initial articles of incorporation and the taking of all other necessary steps to incorporate the corporation.

Section 4. Pursuant to and in accordance with Section 1724.04 of the Revised Code, this Board hereby approves the form of initial articles of incorporation of the Corporation heretofore filed with the Clerk of this Board.

Section 5. Pursuant to division (C) of Section 5722.02 of the Revised Code, the Clerk of this Board is authorized and directed to deliver a certified copy of this resolution to the Auditor of the County, the Treasurer of the County, and the Prosecuting Attorney of the County.

Section 6. This resolution shall take effect and be in force immediately upon its adoption.

BE IT FURTHER RESOLVED that the Clerk of Commission certify this Resolution and make an imaged copy of this resolution available on the Montgomery County, Ohio, website at <http://www.mcoho.org/>.

**PAGE 3**  
**RESOLUTION NO. 11-1064**  
**JULY 5, 2011**

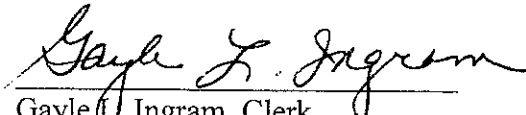
Ms. Dodge moved the adoption of the foregoing resolution. It was seconded by Mr. Foley, and upon call of the roll the following vote resulted:

Ms. Dodge, aye; Mr. Foley, aye; Mrs. Lieberman, aye: Carried.

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I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Board of County Commissioners of Montgomery County, Ohio, the 5<sup>th</sup> day of July, 2011.

THE BOARD OF COUNTY COMMISSIONERS HEREBY FINDS AND DETERMINES THAT ALL FORMAL ACTIONS RELATIVE TO THE ADOPTION OF THIS RESOLUTION WERE TAKEN IN AN OPEN MEETING OF THIS BOARD OF COUNTY COMMISSIONERS, AND THAT ALL DELIBERATIONS OF THIS BOARD OF COUNTY COMMISSIONERS, AND OF ITS COMMITTEES, IF ANY WHICH RESULTED IN FORMAL ACTION, WERE TAKEN IN MEETINGS OPEN TO THE PUBLIC, IN FULL COMPLIANCE WITH APPLICABLE LEGAL REQUIREMENTS, INCLUDING SECTION 121.22 OF THE REVISED CODE.

  
Gayle U. Ingram, Clerk  
Board of County Commissioners  
Montgomery County, Ohio