

BOARD OF TRUSTEES  
MARK C. SCHULTE  
KENDAL A. TRACY  
MARY MAKLEY WOLFF

FISCAL OFFICER  
ERIC C. FERRY

ADMINISTRATOR  
JEFFREY A. WRIGHT



ADMINISTRATION  
248-3725  
248-3730 (FAX)  
COMMUNITY DEVELOPMENT  
248-3731  
SERVICE DEPARTMENT  
248-3728  
POLICE DEPARTMENT  
248-3721  
FIRE/EMS  
248-3700  
PARKS / RECREATION  
248-3727

## MIAMI TOWNSHIP

6101 MEIJER DRIVE • MIAMI TOWNSHIP, OH 45150-2189

### RESOLUTION 2023-24

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on June 20, 2023, with the following members present: Mark Schulte, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

**A RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH BSM MILFORD, LLC, DISPENSING WITH A SECOND READING, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Board of Trustees of Miami Township (“the Board”) seek to enter into a Development Agreement with BSM Milford, LLC (“Developer”) related to the development and construction of the real property located at 1155 State Route 28 in Miami Township also known as Clermont County Parcel Nos. 184024A042A and 182402B042 (collectively the “Property”); and

**WHEREAS**, Developer has acquired, or is in the process of acquiring, the Property from Lorven Milford, LLC for the construction of an ALDI grocery store (the “Project”); and

**WHEREAS**, in furtherance of the Project, the Township will add signalized access at State Route 131 for the Property and the proposed grocery store, and the Developer will construct a road that will be dedicated to the Township and benefit the existing Christ Hospital Physician Building, future development on the Property, and connect to a future road improvement that will allow for safer ingress and egress for the Alгоре Acres subdivision.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 511.11 of the Ohio Revised Code, as follows:

**SECTION 1:** The Board hereby authorizes the Township Administrator to enter into a Development Agreement with BSM Milford, LLC related to the development and construction of the real property located at 1155 State Route 28 in Miami Township also known as Clermont County Parcel Nos. 184024A042A and 182402B042 (the “Development Agreement”). A copy of the Development Agreement is attached as Exhibit A and incorporated herein by reference.

**SECTION 2.** The Township Administrator is further authorized to revise and execute any and all ancillary or other documents in support of the Development Agreement, and the obligations contained therein, consistent with and as authorized by this legislation.

**SECTION 3.** The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

**SECTION 4:** This Resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety, welfare and morals of Miami Township specifically in order to allow for the proposed development and road improvements to meet project deadlines and be completed in a timely manner, and this legislation shall take effect immediately upon its passage by the affirmative vote of all members of the Board.

**SECTION 5:** That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board 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 Ohio Revised Code.

**SECTION 6:** This Resolution shall take effect at the earliest period allowed by law.

First Reading: June 20, 2023  
Second Reading: Dispensed with  
Effective: June 20, 2023

The motion was seconded, and the resolution was adopted.

Resolution 2023-24 adopted June 20, 2023

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Eric C. Ferry  
Township Fiscal Officer

  
\_\_\_\_\_  
Joseph J. Braun  
Township Law Director

**CERTIFICATION**

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.

  
Eric Ferry, Fiscal Officer

16470343.1