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MIAMI TOWNSHIP

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RESOLUTION 2023-25

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 AN ACCESS AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT WITH LORVEN MILFORD, LLC AND 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 an Access and Temporary Construction Easement Agreement with Lorven Milford, LLC and BSM Milford, LLC (“Developer”) related to the construction of a paved access road and related improvements on the real property located at 1155 State Route 28 in Miami Township (collectively the “Property”); and

WHEREAS, the Township plans to add signalized access at State Route 28 for the Property and a proposed grocery store, and will be constructing a portion of a road that will benefit future development on the Property, and serve to provide safer ingress and egress for the Algore 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 an Access and Temporary Construction Easement Agreement with Lorven Milford, LLC and BSM Milford, LLC related to the development and construction of the real property located at 1155 State Route 28 in Miami Township (the “Access Agreement”). A copy of the Access 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 Access 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 2023-25 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

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