

The Board of Directors of the Cuyahoga County Land Reutilization Corporation (the “Board of Directors” or this “Board”) met for its regular second quarter meeting on the 15th day of July, 2011 at 10:00 o’clock, a.m., eastern time, in Conference Room 140 of Lakeside Place at 323 W. Lakeside Ave., Cleveland, Ohio 44113 with the following Directors present:

Daniel Brady, Cuyahoga County Council Appointee.
Anthony Brancatelli, Councilman, Ward 12, City of Cleveland.
Edward FitzGerald, Cuyahoga County Executive, represented by: Nathan Kelly.
Cyril Kleem, Mayor of the City of Berea.
Robin Thomas, Interim Cuyahoga County Treasurer.
Chris Warren, Chief of Regional Development, City of Cleveland.
Georgine Welo, Mayor of the City of South Euclid and Vice Chair of the Board

Councilman Brancatelli moved the adoption of the following resolution (this “Resolution”):

RESOLUTION NO. 2011-3

AUTHORIZING AND DIRECTING THE PRESIDENT OF THE CORPORATION TO DELIVER WRITTEN CORRESPONDENCE ASKING THE COUNTY TREASURER TO REQUEST PURSUANT TO DIVISION (B) OF SECTION 321.261 OF THE OHIO REVISED CODE THAT THE COUNTY COUNCIL, UPON CONSULTATION WITH THE COUNTY EXECUTIVE, AUTHORIZE AND DESIGNATE PURSUANT TO DIVISION (B) OF SECTION 321.261 OF THE OHIO REVISED CODE AN ADDITIONAL NOT TO EXCEED FIVE PERCENT (5%) DEDUCTION FROM ALL COLLECTIONS OF DELINQUENT REAL PROPERTY, PERSONAL PROPERTY AND MANUFACTURED AND MOBILE HOME TAXES AND ASSESSMENTS FOR FUNDING THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION.

WHEREAS, the Treasurer of Cuyahoga County, Ohio (the “County Treasurer”), pursuant to and in accordance with Section 321.341 of the Ohio Revised Code, has made the special tax advances authorized in Section 321.341 of the Ohio Revised Code (the “Special Tax Advances”) from the collections of current late and delinquent taxes and the proceeds of current year delinquent tax collection anticipation notes (the “DTANs” or “DTAN Proceeds” as applicable) to provide base funding to the Cuyahoga County Land Reutilization Corporation (respectively, the “Base Funding” and the “Corporation”) in the form of the penalties and interest on current late and delinquent taxes and assessments upon their collection (the “P&I Collections”) and in an annual amount not exceeding \$7,000,000 (the “Maximum Base Funding”); and

WHEREAS, this Board acknowledges and confirms that continuing provision through the County of an annual funding amount for the Corporation equal to, but not exceeding, the Maximum Base Funding is necessary for the Corporation to continue to achieve its mission and public purposes and to alleviate the negative consequences which certain national real estate practices and the recent recession have inflicted on the local real estate markets; and

WHEREAS, the use of the proceeds of DTANs in connection with Special Tax Advances to generate P&I Collections for the Corporation requires significantly more administrative effort on the part of the County Treasurer and significantly more expense to the Corporation than would the use of the fee authorized in (B) of Section 321.261 of the Ohio Revised Code by a county land reutilization corporation; and

WHEREAS, in order to (i) more accurately estimate, more efficiently provide and more economically collect and distribute Base Funding to the Corporation, up to, but not exceeding, the Maximum Base Funding for each fiscal year, (ii) eliminate the need for the issuance by Cuyahoga County, Ohio (the "County") of DTANs and (iii) save the Corporation the costs of issuance of the DTANs and the payment of interest thereon, the Corporation desires to ask the County Treasurer to request pursuant to division (B) of Section 321.261 of the Ohio Revised Code that the County Council, upon consultation with the County Executive, authorize and designate pursuant to division (B) of Section 321.261 of the Ohio Revised Code an additional not to exceed five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments to be deposited in the County Land Reutilization Fund created and maintained under Section 321.263 of the Ohio Revised Code and transferred to the Corporation as part of its Base Funding in lieu of a similar portion of the P&I Collections, including, but not limited to, those P&I Collections generated solely from the use of DTAN Proceeds, for the purpose of exercising the rights of the County under Chapter 5722 of the Ohio Revised Code; and

WHEREAS, this Board of Directors hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all the deliberations of this Board, and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cuyahoga County Land Reutilization Corporation that:

Section 1. This Board of Directors affirms that the use of the proceeds of DTANs in connection with Special Tax Advances to generate P&I Collections for the Corporation requires significantly more administrative effort on the part of the County Treasurer and significantly more expense to the Corporation than would the use of the fee authorized in (B) of Section 321.261 of the Ohio Revised Code by a county land reutilization corporation.

Section 2. This Board of Directors therefore authorizes and directs the President of the Corporation to deliver written correspondence, together with a copy of this Resolution, asking the County Treasurer to request pursuant to division (B) of Section 321.261 of the Ohio Revised Code that the County Council, upon consultation with the County Executive, authorize and designate pursuant to division (B) of Section 321.261 of the Ohio Revised Code an additional not to exceed five percent (5%) of all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (hereinafter, the "Additional DTAC Fee") to be deposited in the County Land Reutilization Fund created and maintained under Section 321.263 of the Ohio Revised Code and transferred to the Corporation as part of its Base Funding in lieu of a similar portion of the P&I Collections, including, but not limited to, those P&I Collections generated solely from the use of DTAN Proceeds. The use of such Additional DTAC Fee shall not cause, unless separately authorized by this Board and the County Council, the Corporation to receive in any one fiscal year from the aggregate of the P&I Collections and the Additional DTAC Fee more than its Maximum Base Funding. Such Additional DTAC Fee shall constitute a part of the Corporation's Base Funding for the purpose of exercising the rights of the County under Chapter 5722 of the Ohio Revised Code.

Section 3. This Resolution shall take effect and be in force immediately upon its adoption.

Councilman Dan Brady seconded the motion.

Upon roll call on the adoption of this Resolution, the vote was as follows:

Ayes: 6

Nays: 0

Abstain: 1

The undersigned, Secretary of the Cuyahoga County Land Reutilization Corporation, certifies that the foregoing is a true and correct excerpt from the minutes of the meeting of July 15, 2011, of the Board of Directors of the Cuyahoga County Land Reutilization Corporation, showing the adoption of the Resolution above set forth.

/s/ Robert Rink
Secretary
Cuyahoga County Land Reutilization Corporation

Dated: July 15, 2011