

RESOLUTION

Establishing the Cuyahoga County Land Reutilization Corporation for the County Treasurer's Office, in accordance with Ohio Revised Code Section 5722.02, effective April 9, 2009, approving 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 one million two hundred 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, Cuyahoga County, Ohio (the "County") had a population over one million two hundred thousand as of the year 2000, the year of the most recent decennial census.

WHEREAS, the Board of Cuyahoga 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.

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.

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.

WHEREAS, the Board 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 County Commissioners of Cuyahoga 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 in the form heretofore on file with the Clerk of the Board.

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 and the Prosecuting Attorney of the County.

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

On Motion of Commissioner Jones, seconded by Commissioner Dimora, the foregoing resolution was duly adopted.

Ayes: Jones, Dimora.


Nays: None.

Resolution Adopted.

**Jeanne M. Schmotzer,
Clerk of the Board**

**Journal 302
April 16, 2009
091413
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The undersigned, Clerk of the Board of County Commissioners of Cuyahoga County, certifies that the foregoing is a true and correct excerpt from the minutes of the meeting of April 16, 2009, of the Board of County Commissioners of Cuyahoga County, showing the adoption of the resolution above set forth.


Clerk of the Board of County
Commissioners of Cuyahoga County, Ohio

Chapter 1724: COMMUNITY IMPROVEMENT CORPORATIONS

1724.01 Community improvement corporations.

(A) As used in this chapter:

(1) "Community improvement corporation" means an economic development corporation or a county land reutilization corporation.

(2) "Economic development corporation" means a corporation organized for the purposes described in division (B)(1) of this section.

(3) "County land reutilization corporation" means a corporation organized under section 1724.04 of the Revised Code for the purposes described in division (B)(2) of this section.

(B) A corporation not for profit may be organized in the manner provided in section 1702.04 of the Revised Code, and as provided in sections 1724.01 to 1724.09 of the Revised Code, for the purposes of:

(1) Advancing, encouraging, and promoting the industrial, economic, commercial, and civic development of a community or area; or

(2)

(a) Facilitating the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property within the county for whose benefit the corporation is being organized, but not limited to the purposes described in division (B)(2) of this section;

(b) Efficiently holding and managing vacant, abandoned, or tax-foreclosed real property pending its reclamation, rehabilitation, and reutilization;

(c) Assisting governmental entities and other nonprofit or for-profit persons to assemble, clear, and clear the title of property described in this division in a coordinated manner; or

(d) Promoting economic and housing development in the county or region.

Effective Date: 08-17-1961; 2008 SB353 04-07-2009 .

1724.02 Powers of corporation.

(A) In furtherance of the purposes set forth in section 1724.01 of the Revised Code, a community improvement corporation shall have the following powers:

(1)

(a) To borrow money for any of the purposes of the community improvement corporation by means of loans, lines of credit, or any other financial instruments or securities, including the issuance of its bonds, debentures, notes, or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust, or other lien on its property, franchises, rights, and privileges of every kind and nature or any part thereof or interest therein; and

(b) If the community improvement corporation is a county land reutilization corporation, the corporation may request, by resolution:

(i) That the board of county commissioners of the county served by the corporation pledge a specifically identified source or sources of revenue pursuant to division (C) of section 307.78 of the Revised Code as security for such borrowing by the corporation; and

(ii)

Attachment 2b

RESOLUTION

A RESOLUTION PURSUANT TO SECTION 1724.10(A)(2) OF THE OHIO REVISED CODE DESIGNATING THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION AS THE AGENCY FOR THE RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT, ABANDONED, TAX-FORECLOSED AND OTHER REAL PROPERTY IN THE COUNTY, DIRECTING THE CORPORATION TO ACT ON BEHALF OF AND IN COOPERATION WITH THE COUNTY IN EXERCISING THE POWERS AND PERFORMING THE DUTIES OF THE COUNTY UNDER CHAPTER 5722 OF THE OHIO REVISED CODE; DIRECTING THE PREPARATION OF AN AGREEMENT AND PLAN IN FURTHERANCE OF THESE MATTERS; AND AUTHORIZING RELATED MATTERS.

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WHEREAS, the County pursuant to division (A) of Section 5722.02 of the Ohio Revised Code has elected to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Ohio Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, the County has caused the Cuyahoga County Land Reutilization Corporation (the "Corporation") to be organized as a county land reutilization corporation under Chapter 1724 of the Ohio 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 Ohio Revised Code.

WHEREAS, subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code authorizes a county to designate a county land reutilization corporation organized under Chapter 1724 of the Ohio Revised Code as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county.

WHEREAS, this Board now desires to designate pursuant to subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code the Corporation as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county and for the exercise of the County's powers under Chapter 5722 of the Ohio Revised Code.

WHEREAS, in furtherance of the purposes of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County and the exercise by the Corporation on behalf of the County of the powers of the County under Chapter 5722 of the Ohio Revised Code, this Board also desires to enter into an agreement and plan with the Corporation (the "Agreement and Plan") to accomplish the foregoing.

WHEREAS, the Board 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 Ohio Revised Code.

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

Section 1. Pursuant to subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code, the County acting by and through this Board, hereby designates the Corporation as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County.

Section 2. Pursuant to Section 1724.04 and division (B) of Section 5722.02 of the Ohio Revised Code, this Board hereby authorizes the Corporation to exercise on its behalf the powers granted to the County under Chapter 5722 of the Ohio Revised Code, subject to any limitations therein on a county land reutilization corporation.

Section 3. In furtherance of the designation of the Corporation by this Board as the agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County pursuant to division (A)(2) of Section 1724.10 of the Ohio Revised Code and as its agency for exercise of the powers granted to the County under Chapter 5722 of the Ohio Revised Code, this Board hereby directs the Corporation to prepare or cause to be prepared for approval and execution by this Board an agreement and plan between the Corporation and the County as authorized by division (B) of Section 1724.10 of the Ohio Revised Code to provide for, among other things, a plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property and the extent to which the Corporation will participate as the agency of the County in carrying out the plan.

Section 4. In connection with the designation hereunder, this Board hereby states that it intends that the employees of the Corporation be deemed "public employees" for the purpose of Chapter 145 of the Ohio Revised Code, Public Employees Retirement System; provided, however, that this statement of intent by this Board shall in no way be construed as an agreement or covenant by this Board or the County to assume, to be liable for or to guarantee any or all obligations of the public employer with respect to such employees, all of which obligations this Board understands will be paid by the Corporation.

Section 5. The Clerk of this Board is hereby authorized and directed to deliver a certified copy of this resolution to Frank Russo, County Auditor; James Rokakis, County Treasurer and William D. Mason, County Prosecutor.

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

On Motion of Commissioner Dimora, seconded by Commissioner Jones, the foregoing resolution was duly adopted.

Ayes: Dimora, Jones, Hagan.

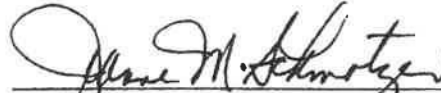
Nays: None.

Resolution Adopted.

Jeanne M. Schmotzer,
Clerk of the Board

Journal 302
April 30, 2009
091709
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The undersigned, Clerk of the Board of County Commissioners of Cuyahoga County, certifies that the foregoing is a true and correct excerpt from the minutes of the meeting of April ~~30~~ 2009, of the Board of County Commissioners of Cuyahoga County, showing the adoption of the resolution above set forth.



Clerk of the Board of County
Commissioners of Cuyahoga County, Ohio

Attachment 2c

RESOLUTION

A RESOLUTION PURSUANT TO OHIO REVISED CODE SECTION 1724.10(A)(2) APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT AND PLAN WITH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION AS THE COUNTY'S AGENCY FOR EXERCISING THE POWERS AND PERFORMING THE DUTIES OF THE COUNTY UNDER CHAPTER 5722 OF THE OHIO REVISED CODE FOR THE RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT, ABANDONED, TAX-FORECLOSED AND OTHER REAL PROPERTY IN THE COUNTY.

WHEREAS, the County pursuant to division (A) of Section 5722.02 of the Ohio Revised Code has elected to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Ohio Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, the County has caused the Cuyahoga County Land Reutilization Corporation (the "Corporation") to be organized as a county land reutilization corporation under Chapter 1724 of the Ohio 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 Ohio Revised Code.

WHEREAS, subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code authorizes a county to designate a corporation organized under Chapter 1724 of the Ohio Revised Code as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county.

WHEREAS, this Board has heretofore designated the Corporation as the County's agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county and has heretofore directed the Corporation to prepare or cause to be prepared for approval and execution by this Board an agreement and plan between the Corporation and the County as authorized by division (B) of Section 1724.10 of the Ohio Revised Code to provide for, among other things, a plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property and the extent to which the Corporation will participate as the agency of the County in carrying out the plan.

WHEREAS, pursuant to subdivision (B) of Section 1724.10 of the Ohio Revised Code the Corporation has prepared and has heretofore delivered the form of said agreement and plan (the "Agreement and Plan") to the Clerk of this Board for approval and execution and delivery by this Board.

WHEREAS, the Board of Directors of the Corporation has approved the form of the Agreement and Plan and has authorized the execution and delivery of the Agreement and Plan by its President.

WHEREAS, in furtherance of the purposes of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County and the exercise by the Corporation on behalf of the County of the powers of the County under Chapter 5722 of the Ohio Revised Code, this Board now desires to approve and enter into and deliver the Agreement and Plan to accomplish the foregoing.

AND WHEREAS, the Board 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 Ohio Revised Code.

BE IT RESOLVED by the Board of County Commissioners of Cuyahoga County, Ohio, that pursuant to division (B) of Section 1724.10 of the Ohio Revised Code, the Agreement and Plan between said Board and the Cuyahoga County Land Reutilization Corporation, a copy of which is attached hereto as Exhibit A, be, and the same is, hereby approved.

BE IT FURTHER RESOLVED that the Clerk of the Board be, and she is hereby instructed to transmit a copy of this resolution together with the Agreement and Plan to Frank Russo, County Auditor; one copy of this resolution to James Rokakis, County Treasurer; William D. Mason, County Prosecutor and James McCafferty, County Administrator.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force immediately upon its adoption.

On Motion of Commissioner Dimora, seconded by Commissioner Jones, the foregoing resolution was duly adopted.

Ayes: Dimora, Jones, Hagan.

Nays: None.

Resolution Adopted.

Jeanne M. Schmotzer,
Clerk of the Board

Journal 303
June 4, 2009
092456
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I, JEANNE M. SCHMOTZER, CLERK OF THE BOARD OF COUNTY COMMISSIONERS OF CUYAHOGA COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, CORRECT AND EXACT COPY OF THE ORIGINAL OF A RESOLUTION DULY ADOPTED BY SAID

BOARD ON THE 4th DAY OF June.

2009.

By: Jeanne M. Schmotzer

