



NORWOOD, OHIO

*Ordinance No.* 44 *20* 21

**AN ORDINANCE ESTABLISHING PRIORITY OF PROPERTY TAX EXEMPTIONS GRANTED FOR PARCELS OF REAL PROPERTY LOCATED AT 4590 BEECH STREET WITHIN THE CITY OF NORWOOD, OHIO.**

**WHEREAS**, by Ordinance No. 18-2021, passed on May 11, 2021 (the “CRA Ordinance”), this Council approved five (5) Community Reinvestment Area Agreements pursuant to Ohio Revised Code Sections 3735.66, et. seq. exempting a percentage of improvements to portions of the real property located at 4590 Beech Street within the City of Norwood, Ohio (such real property, as more fully set forth in Exhibit A attached hereto, being the “Property”); and

**WHEREAS**, by Ordinance No. 20-2021, passed on May 11, 2021, this Council also declared improvements to the Property to be a public purpose and exempt from real property taxation pursuant to Section 5709.40 of the Ohio Revised Code (the “TIF Exemption”), in furtherance of the financing of public infrastructure to support redevelopment of the Property; and

**WHEREAS**, pursuant to the provisions of Section 5709.911 of the Ohio Revised Code, this Council desires to establish the priority order of the real property tax exemptions granted by the CRA Ordinance and the TIF Ordinance; now, therefore,

**BE IT ORDAINED** by the City Council of the City of Norwood, State of Ohio (the “Council”):

**SECTION 1.** That the Recitals to this Ordinance are incorporated herein by reference.

**SECTION 2.** That this Council hereby finds and determines that the Property shall be subject to exemption from real property taxes in the following order: (a) the exemption granted by the CRA Ordinance shall have priority over (b) the exemption granted by the TIF Ordinance. For the avoidance of doubt, and to the maximum extent allowable by law, the exemptions are intended to run concurrently, with the exemption of the CRA Ordinance having priority over the exemption effected by the TIF Ordinance. To the extent the CRA Ordinance does not provide an exemption (for example, with respect to the land component of incremental value to the Property), it is intended that such value would be exempted under the TIF Ordinance during the same period (provided such value would have otherwise been exempt under the TIF Ordinance, all other things being equal).

**SECTION 3.** This Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council 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 4.** This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

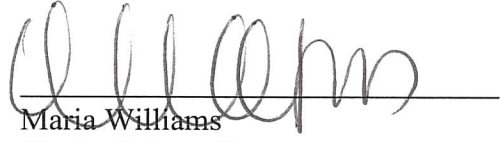
PASSED August September, 2021  
Date

  
Ken Miracle  
President of Council


**ATTEST:**

Maria Williams, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the [ ] day of September, 2021 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the [ ] day of September, 2021.

August

  
Maria Williams  
Clerk of Council

APPROVED 8.24, 2021  
Date

  
Victor Schneider  
Mayor

**CERTIFICATION OF PUBLICATION:**

Maria Williams, the dully appointed Clerk of Council, attests that this ordinance was published in the

Cincinnati Enquirer on 9.13.21 and 9.20-21.  
(Name of Newspaper) (date) (date)

  
Maria Williams  
Clerk of Council

**ORDINANCE READINGS**

1<sup>st</sup> Reading \_\_\_\_\_  
Date

2<sup>nd</sup> Reading \_\_\_\_\_  
Date

3<sup>rd</sup> Reading \_\_\_\_\_  
Date

All 3 Readings 8-24-21  
Date

Tabled \_\_\_\_\_  
Date

Vetoed \_\_\_\_\_  
Date

## EXHIBIT A

### Legal Description of Property

**Tract I – Fee Simple - Auditor’s Parcel No. 651-0019-0125, 126, 128, 172, 177 consolidated:**

Situated in Sections 28 and 34, Township 4, Fractional Range 4, Columbia Township, City of Norwood, Hamilton County, State of Ohio, and being more particularly described as follows:

Beginning at the intersection of the North line of Robertson Avenue with the East line of Beech Street;

thence along the East line of Beech Street, North 5°45'02" East, for a distance of 320.00 feet to the REAL PLACE OF BEGINNING;

thence continuing along the East line of Beech Street, North 5°45'02" East, for a distance of 600.00 feet to the northerly terminus of Beech Street, as described in Quit Claim Deed recorded in Deed Book 3545, Page 393, of the Hamilton County, Ohio Deed Records;

thence along said terminus, North 84°15'58" West, for a distance of 45.00 feet to a point five (5) feet from the West line of Beech Street;

thence parallel to said West line of Beech Street, North 5°45'02" East, for a distance of 366.29 feet to the South right-of-way line of the Baltimore & Ohio Southwestern Railroad;

thence along said railroad right-of-way, South 68°17'00" East, for a distance of 1225.75 feet to an angle point in said right-of-way;

thence along said right-of-way, South 21°43'00" West, for a distance of 20.00 feet to an angle point in said right-of-way;

thence leaving said right-of-way, South 21°43'00" West, for a distance of 50.00 feet to a point;

thence South 6°50'00" East, 129.30 feet;

thence South 36°44'46" East, for a distance of 62.16 feet to a point on the West line of the limited access right-of-way line of Interstate Highway I-71;

thence along said right-of-way of I-71 the following courses: on a curve deflecting 10°02'10" right, having a radius of 602.96 feet, for a distance on arc of 105.61 feet (chord of arc bears South 34°45'15" West, 105.48 feet);

thence South 39°46'20" West, 109.72 feet;

thence South 33°42'02" West, 135.08 feet;

thence South 35°34'04" West, 100.27 feet;

thence leaving said right-of-way of I-71, North 84°15'58" West, for a distance of 958.67 feet to the place of beginning. Containing 888,465.20 square feet or 20.396355 acres.

**Tract II – Easement:**

Together with an easement, in, on and over a strip of land ten (10) feet in width lying immediately south of the south property line as granted in Corporation Limited Warranty Deed recorded in Deed Book 4233, Page 1657 and established in the servient tract chain of title by Corporation Limited Warranty Deed recorded in Deed Book 4242, Page 91, of the Hamilton County, Ohio Records; as partially released by Termination of Roadway Easement recorded in Official Record Book 6921, Page 3139 and Termination of Roadway Easement recorded in Official Record Book 6921, Page 3148, of the Hamilton County, Ohio Records.

# ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

**Advertiser:**

Tim Brown/Secretary/Clerk of Council  
NORWOOD, CITY OF  
4645 MONTGOMERY RD  
  
NORWOOD OH 45212

**LEGAL NOTICE  
ATTACHED**

**This is not an invoice**  
Account #:CIN-375226  
Total Cost of the Ad \$1,012.24  
Last Run Date: 09/20/2021  
  
# of Affidavits 1

## AFFIDAVIT OF PUBLICATION

**Newspaper:** CIN-EN Kentucky Enquirer

**State of Wisconsin**

RE: Order # 0004901653

I, V. Felth  
of the The Enquirer, a newspaper printed in  
Cincinnati, Ohio and published in Cincinnati, in said  
County and State, and of general circulation in said  
county, and as to the Kentucky Enquirer published  
in Ft. Mitchell, Kenton County, Kentucky, who being  
duly sworn, depose and saith that the  
advertisement of which the annexed is a true copy,  
has been published in the said newspaper times,  
once in each issue dated as follows:

09/13/2021, 09/20/2021

.....  
[Signature]

Subscribed and sworn to before me this  
20th day of September, 2021

[Signature]  
Notary Public

5.15.23

Commission expires

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

"CITY OF NORWOOD  
ORDINANCES/RESOLUTIONS  
PASSED:

12-2021 RESOLUTION AFFIRMING THAT FUNDS FROM THE STATE OF OHIO CORONAVIRUS RELIEF DISTRIBUTION FUND MAY BE EXPENDED TO COVER THE COSTS OF THE CITY CONSISTENT WITH THE REQUIREMENTS OF THE CARES ACT AND ANY APPLICABLE REGULATIONS, AND CREATING "FUND 2094 CARES ACT OHIO", AND DECLARING AN EMERGENCY

13-2021 A RESOLUTION ENCOURAGING ALL NORWOOD RESIDENTS TO BE VACCINATED AGAINST THE COVID-19 VIRUS

39-2021 ORDINANCE TO CHANGE APPROPRIATIONS FOR THE YEAR 2021, AND DECLARING AN EMERGENCY

40-2021 AN ORDINANCE TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 12, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY

41-2021 ORDINANCE AMENDING NORWOOD CODIFIED ORDINANCE SECTIONS 165.02 "MEMBERSHIP" AND 165.03 "TERM OF OFFICE; COMPENSATION; DUTIES" TO EXPAND THE SIZE OF THE NORWOOD ARTS BOARD

42-2021 ORDINANCE PROMOTING THE "CITY WIDE STREET SALE" SEPTEMBER 10TH AND 11TH, 2021 AND ABATING ALL PERMIT FEES ASSOCIATED WITH THE SALE, AND DECLARING AN EMERGENCY

43-2021 ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH JMA CONSULTANTS INC. TO PERFORM ENGINEERING AND DESIGN SERVICES RELATED TO THE ELM AVENUE FLOODING MITIGATION PROJECT, AND DECLARING AN EMERGENCY

44-2021 AN ORDINANCE ESTABLISHING PRIORITY OF PROPERTY TAX EXEMPTIONS GRANTED FOR PARCELS OF REAL PROPERTY LOCATED AT 4590 BEECH STREET WITHIN THE CITY OF NORWOOD, OHIO.

"The complete text of each ordinance and resolution may be obtained or viewed at the Office of the Clerk of Council and can be viewed at <http://www.norwoodohcouncil.org>."

CIN, Sept 13, 20, 21#4901653