

**RESOLUTION NO. 11 , 2013**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRANDICORP MONTGOMERY DEVELOPMENT COMPANY, LLC TO ACQUIRE CERTAIN REAL PROPERTY**

**WHEREAS**, by Ordinance No. 14, 2006, adopted September 6, 2006, City Council did create the City of Montgomery Vintage Club Incentive District TIF ("District") encompassing land on Montgomery Road to promote economic development and to provide funding for certain public improvements to support such development; and

**WHEREAS**, to incentivize the development of a Medical Office Building within the District, Council does desire to acquire certain real property to be able to construct a public garage and related landscape, surface parking, pedestrian and site improvements needed to support the Vintage Club District and the Medical Office Building on site; and

**WHEREAS**, staff has negotiated with Brandicorp Montgomery Development Company, LLC to acquire certain real property as depicted on the attached Exhibit A, which later will be dedicated to public use; and

**WHEREAS**, Council does desire by this Resolution to authorize the City Manager to execute a Contract to Purchase, and to execute all additional documentation as may be required by law to complete the acquisition of such land and to construct public improvements in the District, with public financing for such purchase at a price not to exceed \$1,948,948.00.

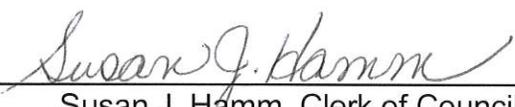
**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager is hereby authorized to enter into a contract with Brandicorp Montgomery Development Company, LLC to acquire certain real property as depicted on the attached Schedule A for the purposes of constructing certain public improvements including a public garage and related landscape, surface parking, pedestrian and site improvements. The City Manager is authorized to execute a final contract with Brandicorp to acquire this real property at a price not to exceed \$1,948,948.00.

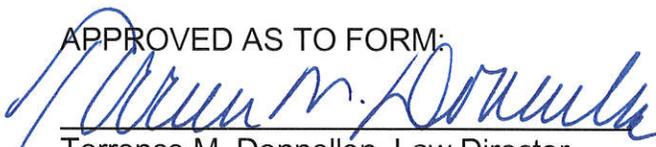
**SECTION 2.** As necessary, the City Manager shall execute such additional documents as required to appropriately close this purchase consistent with the rules and regulations applicable to Tax Increment Financing, the acquisition of land and construction of public improvements with public financing within a Tax Increment Financing District. The City Manager shall finalize the Contract to Purchase and these additional documents as necessary to complete this purchase transaction.

**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: March 20, 2013

ATTEST:   
Susan J. Hamm, Clerk of Council

  
Ken Suer, Mayor

APPROVED AS TO FORM:  
  
Terrence M. Donnellon, Law Director