

RESOLUTION NO. 17 , 2013

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BRANDICORP MONTGOMERY DEVELOPMENT COMPANY, LLC FOR UTILITY CONNECTIONS AT THE VINTAGE CLUB PUBLIC GARAGE

WHEREAS, the City has worked in cooperation with the Vintage Club and developers for the Vintage Club site ("Site") to develop a medical office complex on Montgomery Road at Vintage Club Boulevard; and

WHEREAS, the City is constructing a public parking garage on property to be acquired by the City on the Site; and

WHEREAS, Brandicorp Montgomery Development Company, LLC will be developing the parcel west of the public parking garage and constructing the appropriate public utility connections for water, sewer, electrical, and natural gas on their property to service the entire Site; and

WHEREAS, the City does desire to contract with Brandicorp to connect the necessary utilities for the public parking garage to the infrastructure to be built by Brandicorp which is more appropriate and more economically feasible than the City acquiring the property rights and constructing its own utility connections to the service within the public right-of-way.

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 purchase the right to utility connections for water, sewer, electrical, and as necessary natural gas to service the City's

public parking garage to be constructed on Vintage Club Boulevard at Montgomery Road. The City Manager is authorized to enter into this contract and all related agreements necessary for such utility connections in an amount not to exceed \$150,000.00.

SECTION 2. This expenditure is a part of the project for the construction of the public parking garage and shall be appropriately paid from the City's Construction Fund established from the issuance of Tax Increment Revenue Bonds supported by this Development.

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

PASSED: May 6, 2013

ATTEST: *Susan J. Hamm*
Susan J. Hamm, Clerk of Council

Ken Suer
Ken Suer, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellan
Terrence M. Donnellan, Law Director