1st Reading: 2-1-10
2nd Reading: 2-1-10
3rd Reading: 2-1-10

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 3426 Passed February 1, 2010

RESOLUTION DECLARING THE NECESSITY AND INTENT TO APPROPRIATE VARIOUS PERMANENT AND TEMPORARY INTERESTS IN CERTAIN PROPERTY FOR PURPOSES OF WIDENING NORTH MAIN STREET WITHIN THE CITY OF BOWLING GREEN, OHIO

WHEREAS, the Council of the City of Bowling Green, Wood County, Ohio desires to declare the necessity and intent to appropriate various permanent and temporary interests in certain property for the purpose of widening North Main Street.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: The Council hereby declares the necessity and intent to appropriate various permanent and temporary interests in property for the purpose of widening North Main Street from Dill Avenue to Newton Road, total length being approximately 1.1 miles, more or less, including widening E. Poe Road & W. Poe Road adjacent to N. Main Street to accommodate additional turn lanes and necessary related work.

SECTION 2: A description of each parcel of property, the names of the owners of record, and the interests to be appropriated are listed in the Exhibit A to this Resolution and is on file with the Clerk of Council and which is incorporated herein by reference.

SECTION 3: The Mayor is hereby authorized and directed to cause notice of the passage of this Resolution to be given to the owner of, person in possession of, or person having interest of record in, the parcels of property listed in Exhibit A. Such notice shall be served by the Clerk of Council by certified mail, return receipt requested.

SECTION 4: All formal actions of the Council relating to the adoption of this Resolution, and all deliberations of the Council and any of its committees leading to such action were in meetings open to the public as required by law.

SECTION 5: This resolution shall take effect at the earliest time permitted by law.

Passed: February 1, 2010
Date

President of Council
JOHN ZANFARDINO

Attest: Kay D. Scherreik
Clerk of Council
KAY D. SCHERREIK

Approved: February 2, 2010
Date

Mayor
JOHN B. QUINN

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Res. No. 3426 passed by the Council of the City of Bowling Green, Ohio.
Feb 1, 2010
Kay D. Scherreik
Clerk of City Council

EXHIBIT A

RESOLUTION OF NECESSITY FOR THE ACQUISITION OF VARIOUS PROPERTY INTERESTS FOR THE WIDENING OF NORTH MAIN STREET IN THE CITY OF BOWLING GREEN, OHIO FROM DILL AVENUE TO NEWTON ROAD, TOTAL LENGTH BEING APPROXIMATELY 1.1 MILES AND INCLUDING WIDENING EAST POE ROAD AND WEST POE ROAD ADJACENT TO NORTH MAIN STREET

LIST OF PARCELS,
INTERESTS TO BE APPROPRIATED AND
OWNERS OF RECORD

ABREVIATIONS FOR INTERESTS TO BE APPROPRIATED:

WDV = FEE SIMPLE INTEREST

TV = TEMPORARY EASEMENT FOR WORK PURPOSES

SHV = HIGHWAY EASMENT

SV = SEWER EASEMNT

UV = UTILITIES EASEMENT

NOTE: A DRAWING DEPICTING THE LOCATION OF THE PARCELS IS ATTACHED HERETO. FURTHER INFORMATION CONCERNING THE DIMENSIONS OF EACH OF THE PARCELS AND THE ADDRESSES OF THE OWNERS OF RECORD ARE CONTAINED IN THE PLANS FOR THE PROJECT ON FILE WITH THE OFFICE OF THE CITY ENGINEER.

PARCEL 2
Alton & Wilma Smith, Trustees-WDV, TV

PARCEL 6
Gary & Debra Marten, Trustees-TV

PARCEL 7
Alton & Wilma Smith, Trustees -WDV, TV

PARCEL 8
Michael Wahle-WDV, TV

PARCEL 9
Melvin & Marabell McGiffin-WDV, TV

PARCEL 10
Patricia Wolf -WDV, TV

PARCEL 11
Lloyd & Linda Fite -WDV, TV

PARCEL 12
Scott Slater -WDV, TV

PARCEL 13
Robert Gamby -WDV, TV

PARCEL 15
Delia Ramirez -WDV, TV

PARCEL 16
Albert Potter II -WDV, WDV1, TV, TV1

PARCEL 17
C.T. & B. -WDV, TV

PARCEL 18
Gary Thompson, Trustee & Peggy Ann Thompson, Trustee -WDV, TV

PARCEL 19
Reed Bishop, Everet& Cynthia Cowles, Gary & Peggy Thompson - WDV

PARCEL 22
Bennett Enterprises, Inc.-WDV, TV

PARCEL 23
Svetlana Fish -WDV, UV, TV

PARCEL 24
The Standard Oil Company -WDV

PARCEL 25
William & Susan Wammes, Trustees -WDV, UV, TV

PARCEL 26
Greystone Group-Poe, Ltd. -WDV, TV, TV1

PARCEL 27
Paragon Properties, Inc. -WDV, TV

PARCEL 28
1024 N. Main Street, LLC -WDV, TV

PARCEL 29
David & Cynthia Sippel -WDV, TV

PARCEL 30
Loren & Frances Phillips, Lease To Cashland-WDV, TV

PARCEL 31
Nietz & Green Partnership-WDV, TV

PARCEL 32
Isaac Property Holding Co., Ltd. -WDV, UV, TV

PARCEL 33
Nietz & Green Partnership-WDV, TV

PARCEL 34
Peggy Brigham -WDV, UV, TV

PARCEL 35
Nietz & Green Partnership dba MHT Enterprises -WDV, UV, TV

PARCEL 36
The Bank of Wood County Co., -WDV, UV, TV

PARCEL 37
Scott Root & Mark Root -TV

PARCEL 38
BEE GEE Center, LLC -WDV, TV, TV1

PARCEL 39
CTL Limited Partnership -TV

PARCEL 40
J-F Enterprises, Inc. -TV

PARCEL 41
Carl & Kay Huffernan, Trustees -TV

PARCEL 42
Allen Green & Robert Maurer -TV

PARCEL 43
Carol Wilson -TV

PARCEL 44
The Cygnet Savings Bank Company dba Keybank National Association -WDV, TV

PARCEL 45
Chemron Corporation -WDV, TV

PARCEL 47
Glass City Federal Credit Union -TV

PARCEL 49
Cooper-Standard Automotive Oh, LLC -WDV, TV

PARCEL 50
Elvira Thurstin -WDV

PARCEL 51
Industrial Properties of Bowling Green, Inc. -WDV

PARCEL 53
Design Rentals -WDV, TV

PARCEL 54
MTRE Enterprises, LLC -WDV, TV

PARCEL 55
Woodland Square, LLC -WDV, TV

PARCEL 56
P and J Thayer Family Limited Partnership -SHV, TV, TV1

PARCEL 58
Fifth Third Bank -TV

PARCEL 59
Cleveland Heights Holdings -SV, TV

PARCEL 65
Susan Swinford -WDV, TV

PARCEL 67
Gene Mears Trout -WDV, TV

PARCEL 68
Wildwood Investors -WDV, TV

PARCEL 69
Huber-Smith an Ohio Corporation -TV

PARCEL 70

Bowling Green 25, LLC -WDV, TV

PARCEL 71
Eugene& Elva Kirian -WDV, TV

PARCEL 72
MTRE Enterprises LLC -WDV, TV

PARCEL 73
Jireh North -WDV, TV

PARCEL 74
SW True Blue, LLC -WDV, TV

PARCEL 75
Wood County Mental Health Clinic, Inc. -WDV, TV

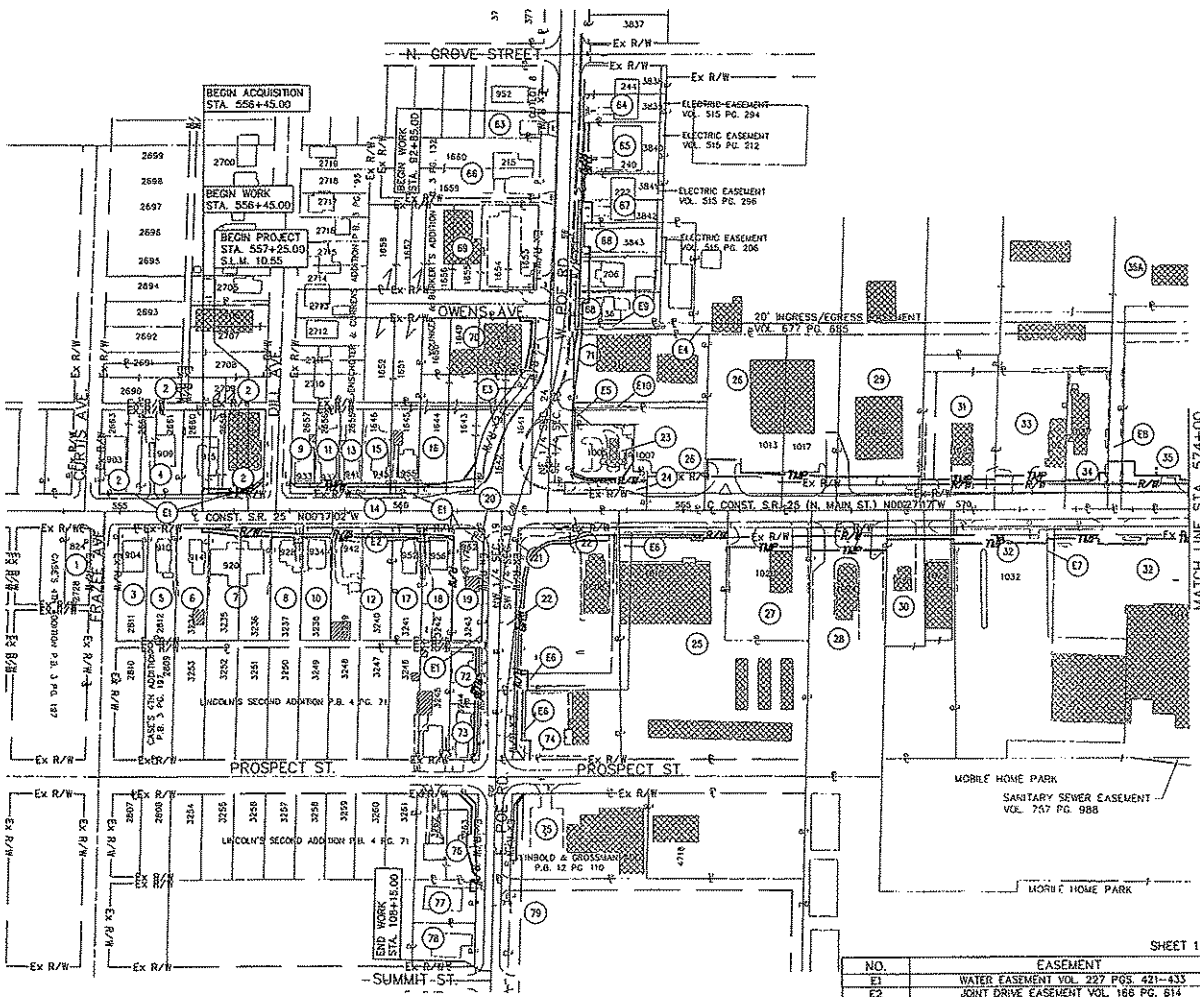
PARCEL 76
Mark T. & Cheryl J. Wagner –WDV,TV

PARCEL 77
Kathryn Fulweber -TV

PARCEL 30 BS-1
X

PARCEL 35A
Nietz & Green Partnership WDV, TV

WOO-25-10.55
NE 1/4 SECTION 19 & SE 1/4 SECTION 13, T-5N, R-10E &
NW 1/4 SECTION 24 & SW 1/4 SECTION 18, T-5N, R-11E
CITY OF BOWLING GREEN, WOOD COUNTY, OHIO



PARCEL	OWNER
1	LEONA M. SHANKS
2	ALTON C. SMITH & WILMA L. SMITH, TRUSTEES UNDER THE ALTON C. SMITH LIVING TRUST DATED SEPT. 19, 1993
3	HAROLD M. BECHSTEIN & REBECCA BECHSTEIN
4	BARRY O. GREENLEAF & NANCY J. GREENLEAF
5	MACUS E. RICCI & JEANNIE L. LUDLOW
6	GARY L. MARTEN & DEBRA A. MARTEN, TRUSTEES UNDER THE MARTEN LIVING TRUST DATED SEPTEMBER 24, 1998
7	ALTON C. SMITH & WILMA L. SMITH, TRUSTEES UNDER THE ALTON C. SMITH LIVING TRUST DATED SEPT. 19, 1993
8	MICHAEL V. WAHLE
9	MELVIN F. McGIFFIN, JR. & MARABELL L. McGIFFIN
10	PATRICIA A. WOLF
11	LLOYD N. FITE & LINDA A. FITE
12	SCOTT A. SLATER
13	ROBERT J. GAUBY
14	CITY OF BOWLING GREEN, OHIO
15	DELIA RAMIREZ
16	ALBERT L. POTTER II
17	C.T. & B., AN OHIO PARTNERSHIP
18	GARY E. THOMPSON & PEGGY A. THOMPSON, TRUSTEES
19	REED E. BISHOP 1/3, EVERET COWLES & CYNTHIA COWLES 1/3, GARY THOMPSON & PEGGY THOMPSON 1/3
20	CITY OF BOWLING GREEN, OHIO
21	CITY OF BOWLING GREEN, OHIO
22	BENNETT ENTERPRISES, INC.
23	SVETLANA FISH
24	STANDARD OIL COMPANY, AN OHIO CORPORATION
25	WILLIAM C. WAMMES & SUSAN E. WAMMES, TRUSTEES UNDER SELF DECLARATION OF TRUST DATED MARCH 29, 1999
26	GREYSTONE GROUP-POE, LTD., AN OHIO LIMITED LIABILITY COMPANY
27	PARAGON PROPERTIES, INC., AN OHIO CORPORATION
28	1024 N. MAIN STREET, LLC AN OHIO LIMITED LIABILITY COMPANY
29	DAVID L. SIPPEL & CYNTHIA S. SIPPEL
30	LOREN J. PHILLIPS & FRANCES L. PHILLIPS 5 INDIVIDUAL LEASES ALL UNRECORDED
31	NIETZ & GREEN PARTNERSHIP AN OHIO PARTNERSHIP
32	ISAAC PROPERTY HOLDING COMPANY, LTD., AN OHIO LIMITED LIABILITY COMPANY
33	NIETZ & GREEN PARTNERSHIP AN OHIO LIMITED PARTNERSHIP
34	PEGGY A. BRIGHAM, L.E.
35	NIETZ & GREEN PARTNERSHIP dba WHY ENTERPRISES, AN OHIO PARTNERSHIP
35A	NIETZ & GREEN, LLC AN OHIO LIMITED LIABILITY COMPANY
63	DENA W. HARTSCHUH CAROLE A. BOLTZ, CO-TRUSTEES
64	HOLLEY PROPERTIES AND COMPANY, LTD.,L.L.C. AN OHIO LIMITED LIABILITY COMPANY
65	SUSAN M. SHINFORD
66	RICHARD J. WARD & MARILYN J. WARD
67	GENE MEARS TROUT
68	WILDWOOD INVESTORS, LTD. AN OHIO LIMITED LIABILITY COMPANY
69	HUBER--SMITH, AN OHIO PARTNERSHIP
70	BOWLING GREEN 25, LLC AN OHIO LIMITED LIABILITY COMPANY
71	EUGENE E. KIRIAN & ELVA L. KIRIAN
72	MTRE ENTERPRISES
73	JREH NORTH, LLC AND OHIO LIMITED LIABILITY COMPANY
74	SW TRUE BLUE, LLC, AN ILLINOIS CORPORATION
75	WOOD COUNTY MENTAL HEALTH CLINIC, INC.
76	CJ STILLWATER PROPERTIES, LLC, AN OHIO LIMITED LIABILITY COMPANY
77	KATHRYN C. FULWEBER
78	ALBERT L. WILDER & MARJORIE S. WILDER, CO TRUSTEES
79	THE STATE OF OHIO

SHEET 1 OF 3

NO.	EASEMENT
E1	WATER EASEMENT VOL. 227 PGS. 421-433
E2	JOINT DRIVE EASEMENT VOL. 168 PG. 614
E3	EASEMENT TO CITY OF BOWLING GREEN VOL. 563 PG. 74
E4	20' INGRESS/EGRESS EASEMENT VOL. 677 PG. 695
E5	R/W EASEMENT VOL. 679 PG. 1008
E6	SANITARY SEWER EASEMENT VOL. 480 PG. 464
E7	INGRESS/EGRESS EASEMENT VOL. 757 PG. 975
E8	COLUMBIA GAS EASEMENT VOL. 725 PG. 355
E9	10' TELEPHONE EASEMENT VOL. 515 PG. 673
E10	10' ELECTRIC EASEMENT VOL. 515 PG. 80

REV. BY	DATE	DESCRIPTION

DATE COMPLETED 8-31-2009

HORIZONTAL SCALE IN FEET

PID NO. 16144

R/W DESIGNER JJ
R/W REVIEWER KCD

PROPERTY MAP
STA. 554+50.00 TO STA. 574+00

WOO-25-10.55

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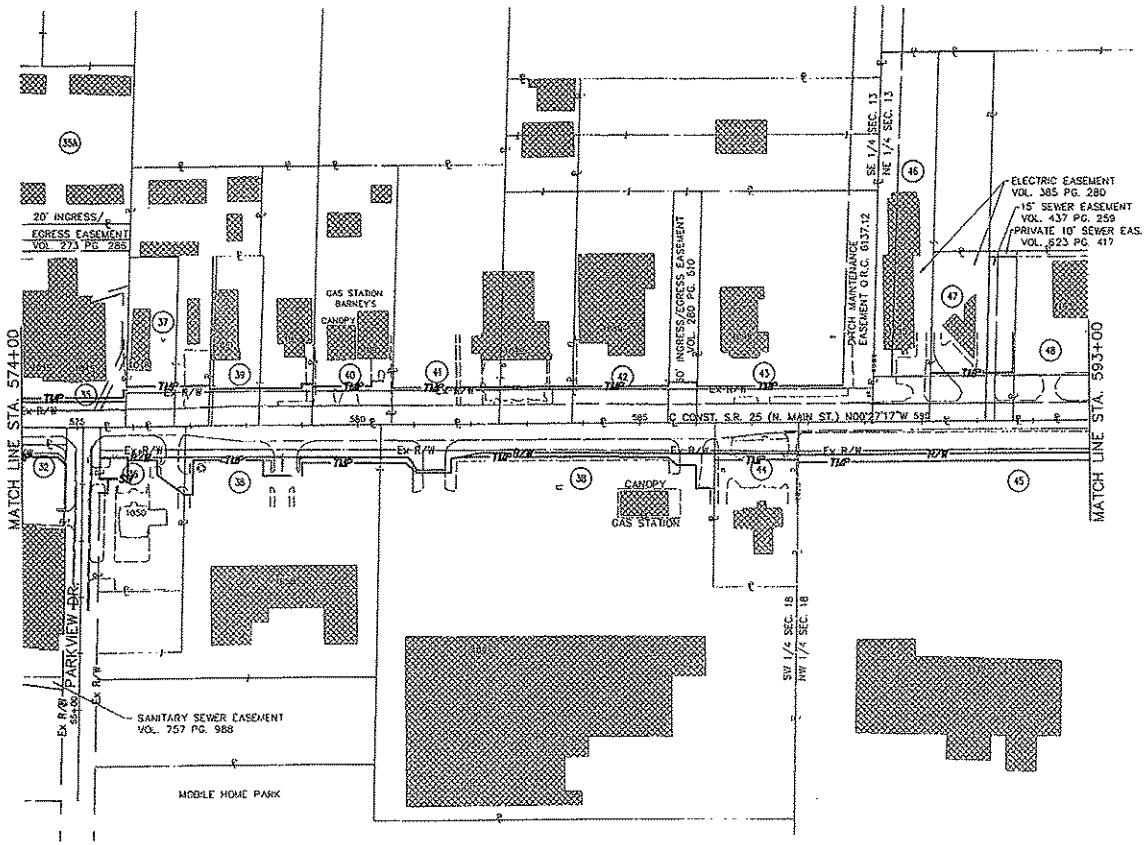
WOO-25-10.55
SE 1/4 & NE 1/4 SECTION 13, T-5N, R-10E &
SW 1/4 & NW 1/4 SECTION 18, T-5N, R-11E
CITY OF BOWLING GREEN, WOOD COUNTY, OHIO



PARCEL	OWNER
35	NIETZ & GREEN PARTNERSHIP dba MHT ENTERPRISES, AN OHIO PARTNERSHIP
35A	NIETZ & GREEN, LLC AN OHIO LIMITED LIABILITY COMPANY
36	THE BANK OF WOOD COUNTY COMPANY, AN OHIO CORP. dba HUNTINGTON NATIONAL BANK
37	SCOT A. ROOT & MARK W. ROOT
38	BEE GEE CENTER LLC, AN OHIO LIMITED LIABILITY COMPANY
39	CTL LIMITED PARTNERSHIP, AN OHIO LIMITED PARTNERSHIP
40	J-F ENTERPRISES, INC., AN OHIO CORPORATION
41	CARL E. HEFFERNAN & KAY A. HEFFERNAN, TRUSTEES UNDER THE CARL E. HEFFENAN LIVING TRUST & THE KAY A. HEFFERNAN LIVING TRUST BOTH DATED NOV. 26, 2001
42	ALLEN A. GREEN & ROBERT W. MAURER
43	CAROL J. WILSON
44	THE CYGNET SAVINGS BANK COMPANY dba KEYBANK NATIONAL ASSOCIATION
45	CHEMROX CORPORATION, A DELAWARE CORPORATION
46	McCORD PLASTIC PRODUCTS, INC., AN OHIO CORPORATION
47	GLASS CITY FEDERAL CREDIT UNION, AN OHIO CORPORATION
48	FRATERNAL ORDER OF EAGLES LODGE #2180 A NON-PROFIT ORGANIZATION

HORIZONTAL SCALE IN FEET

PID NO. 16144

JJ
KCD

PROPERTY MAP
STA. 574+00.00 TO STA. 593+00.00

WOO-25-10.55

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SHEET 2 OF 3

REV. BY	DATE	DESCRIPTION

DATE COMPLETED 8-31-2009

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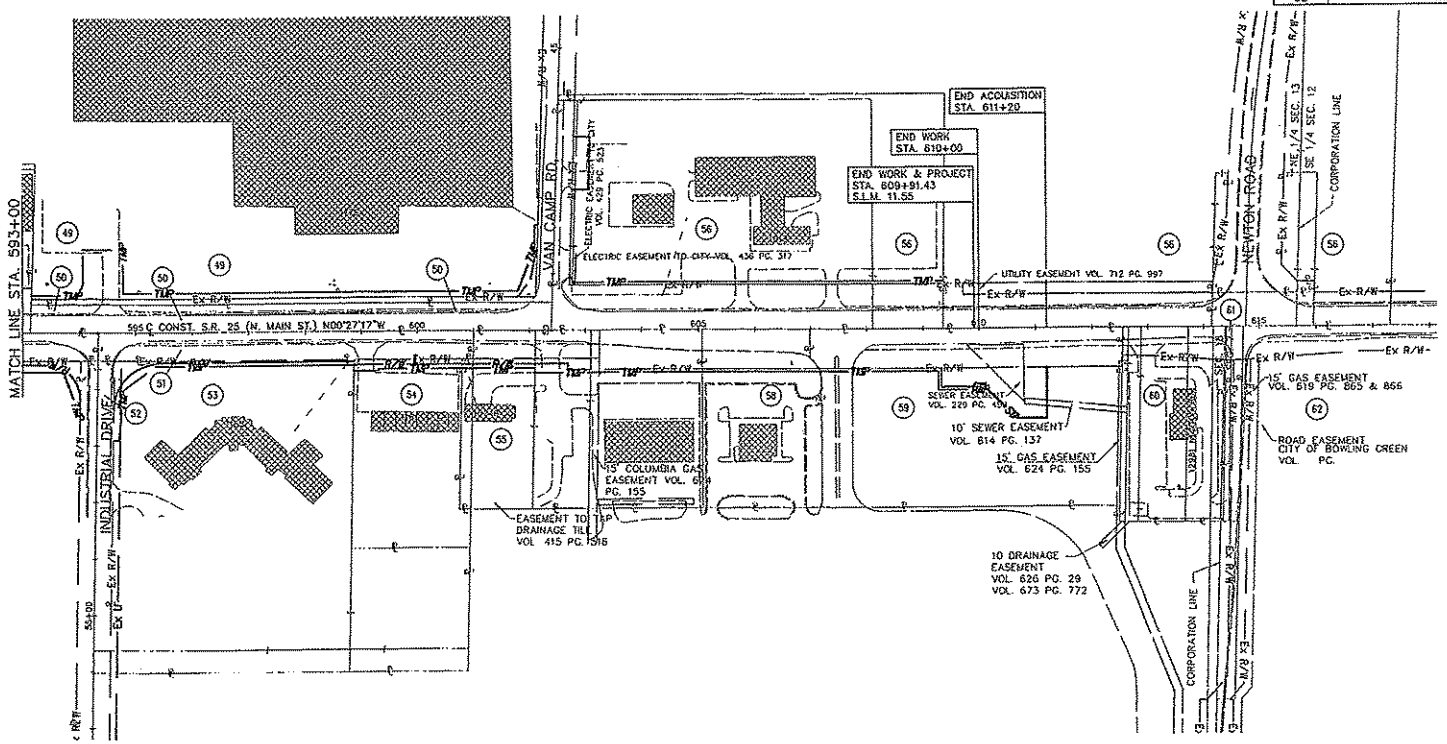
WOO-25-10.55
NE 1/4 SECTION 13, T-5N, R-10E &
NW 1/4 SECTION 18, T-5N, R-11E
CITY OF BOWLING GREEN, WOOD COUNTY, OHIO

PARCEL	OWNER
49	COOPER-STANDARD AUTOMOTIVE OH, LLC AN OHIO LIMITED LIABILITY COMPANY
50	ELVIRA THURSTIN (A.K.A. ELVIRA THURSTIN STEARNS)
51	INDUSTRIAL PROPERTIES OF BOWLING GREEN, INC. AN OHIO CORPORATION
52	CITY OF BOWLING GREEN, OHIO
53	DESIGN RENTALS, AN OHIO GENERAL PARTNERSHIP
54	MTRE ENTERPRISES, LLC AKA M.T.R.E. ENTERPRISES, LLC AN OHIO LIMITED LIABILITY COMPANY
55	WOODLAND SQUARE, LLC, AN OHIO LIMITED LIABILITY COMPANY
56	P AND J THAYER FAMILY LIMITED PARTNERSHIP
58	FIFTH THIRD BANK
59	CLEVELAND HEIGHTS HOLDINGS, LLC, OHIO LIMITED LIABILITY COMPANY
60	HENKON INVESTMENTS, INC. AN OHIO CORPORATION
61	CITY OF BOWLING GREEN, OHIO
62	THE UNION BANK COMPANY



SHEET 3 OF 3

REV. BY	DATE	DESCRIPTION

DATE COMPLETED 8-31-2009

PID NO. 16144

PROPERTY MAP
STA. 593+00.00 TO STA. 617+00.00

WOO-25-10.55

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HORIZONTAL SCALE IN FEET

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1st Reading: 1-4-10
RECORD OF ORDINANCES 2nd Reading: 1-19-10
3rd Reading: 2-1-10

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 7960 Passed February 1, 2010

ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES IN AN AMOUNT NOT TO EXCEED $2,200,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING COSTS OF IMPROVING NORTH MAIN STREET AND THE NORTH MAIN STREET/POE ROAD INTERSECTION BY CONSTRUCTING, RECONSTRUCTING, WIDENING, PAVING, RESURFACING, GRADING, DRAINING, CONSTRUCTING CURBS, SIDEWALKS, ACCESS RAMPS, DRIVEWAY APPROACHES, GUTTERS AND RELATED DRAINAGE IMPROVEMENTS, INSTALLING SIGNALIZATION AND LIGHTING, AND ACQUIRING THE NECESSARY REAL ESTATE AND INTEREST THEREIN, TOGETHER WITH NECESSARY AND INCIDENTAL APPURTENANCES AND SUCH OTHER COSTS OF THOSE IMPROVEMENTS AS ARE PERMITTED BY REVISED CODE SECTION 133.15 TO BE FUNDED FROM THE PROCEEDS OF SECURITIES

WHEREAS, this Council has previously by proper legislation declared the necessity of the improvement described in Section 1; and

WHEREAS, pursuant to Ordinance No. 7845, passed on January 5, 2009, there were issued $800,000 Street Improvement Notes, Series 2009 (the Outstanding Notes), in anticipation of bonds for the purpose stated in Section 1, which Outstanding Notes mature on March 25, 2010; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes and provide additional funds for the purpose stated in Section 1 with the proceeds of the Notes described in Section 3; and

WHEREAS, the Finance Director, as fiscal officer of the City, certified to this Council that the estimated life of the improvement described in Section 1 is at least five years, the maximum maturity of bonds issued for that improvement is at least 20 years, and the maximum maturity of the notes to be issued in anticipation of the bonds is March 25, 2029;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bowling Green, County of Wood, State of Ohio, that:

SECTION 1: It is declared necessary to issue bonds of the City of Bowling Green in the aggregate principal amount not to exceed $2,200,000 (the "Bonds") for the purpose of paying costs of improving North Main Street and the North Main Street/Poe Road intersection by constructing, reconstructing, widening, paving, resurfacing, grading, draining, constructing curbs, sidewalks, access ramps, driveway approaches, gutters and related drainage improvements, installing signalization and lighting, and acquiring the necessary real estate and interests therein, together with necessary and incidental appurtenances and such other costs of those improvements as are permitted by Revised Code Section 133.15 to be funded from the proceeds of securities.

SECTION 2: The Bonds shall be dated approximately March 1, 2011; shall bear interest at the estimated rate of six percent (6%) per year, payable semi-annually until the principal is paid; and shall mature in 20 annual installments that are such that the principal and interest payments on the Bonds payable in each fiscal year in which principal of the Bonds is payable are substantially equal to the total payments on the Bonds in each other such year. The first principal and interest payments on the Bonds are estimated to be December 1, 2011.

SECTION 3: It is necessary to issue and this Council determines that notes in an amount not to exceed $2,200,000 (the "Notes") shall be issued in anticipation of the issuance of the Bonds, to retire the Outstanding Notes and to provide additional funds for the purpose stated in Section 1. The Notes shall bear interest

at a rate not to exceed seven percent (7%) per year, payable at maturity, with the actual rate of interest to be fixed by the Finance Director in his certificate awarding the Notes at private sale in accordance with Section 6 (the "Certificate of Award"). The Notes shall be dated their date of issuance and shall mature one year from their date of issuance; however, the Finance Director may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is a date not later than one year from the date of issuance by setting forth that maturity date in the Certificate of Award.

SECTION 4: The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City's paying agent, at the principal corporate trust office of The Huntington National Bank, Columbus, Ohio, or at the principal corporate trust office or other office of a bank or trust company designated by the Finance Director in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Finance Director if agreed to by the Finance Director and the original purchaser (the Paying Agent). If agreed to by the original purchaser, the Notes shall be prepayable without penalty or premium at the option of the City at any time prior to maturity (the Prepayment Date) as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes together with interest accrued thereon to the Prepayment Date. The City's right of prepayment shall be exercised by mailing a notice of prepayment, stating the Prepayment Date and the name and address of the Paying Agent, by certified or registered mail to the original purchaser and to the Paying Agent not less than seven days prior to the Prepayment Date. If money for prepayment is on deposit with the Paying Agent on the Prepayment Date following the giving of that notice, interest on the principal amount prepaid shall cease to accrue on the Prepayment Date. The Finance Director may request the original purchaser to use its best efforts to arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment, surrender and cancellation.

SECTION 5: The Notes shall be signed by the Mayor and the Finance Director, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the original purchaser and approved by the Finance Director, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the Finance Director and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Revised Code Chapter 133, the Charter of the City and this Ordinance.

Notwithstanding any other provisions of this Ordinance, if it is determined by the Finance Director to be advantageous to the City, the Notes may be issued in book entry form for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Notes may be issued in the form of a single, fully registered typewritten Note and registered in the name of a depository or its nominee, as registered owner, and immobilized in the custody of a depository; (ii) the beneficial owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the depository and its participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the depository and its participants subject to the terms of this Ordinance; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

The Finance Director is also authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with a book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6: The Notes shall be awarded and sold by the Finance Director at private sale at not less than the par value thereof in accordance with law and the provisions of this Ordinance. The Finance Director shall designate the purchaser,

fix the interest rate and make the other designations authorized in this Ordinance in a Certificate of Award, and cause the Notes to be prepared, signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The Mayor, the Finance Director, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

The Finance Director is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Finance Director is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7: The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 8: The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9: During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent money from the municipal income tax is available for the payment of the debt charges on the Notes or Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated in compliance with the covenant hereinafter set forth. To the extent necessary, the debt charges on the Notes or Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio and the Charter of the City, and the City covenants, subject and pursuant to such authority, including particularly Revised Code Sections 133.05(B)(7) and 5705.51(A)(5) and (D), to appropriate annually from those municipal income taxes such amount as is necessary to meet such annual debt charges. Nothing in this Section in any way diminishes the pledge of the full faith and credit and property taxing power of the City to the prompt payment of the debt charges on the Notes or Bonds.

SECTION 10: The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Notes will not be treated as an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Finance Director, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

SECTION 11: The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the County Auditor of Wood County.

SECTION 12: The legal services of Squire, Sanders & Dempsey L.L.P., as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services, whether or not the Notes are ever issued. The Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 13: This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City of Bowling Green have been performed and have been met, or will at the time of delivery of the Notes have been performed and

have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 14: This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Passed: February 1, 2010
Date

President of Council
JOHN ZANFARDINO

Attest: Kay D. Scherreik
Clerk of Council
KAY D. SCHERREIK

Approved: February 2, 2010
Date

Mayor
JOHN B. QUINN

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 7960 passed by the Council of the City of Bowling Green, Ohio.
Feb. 1, 20 10
Kay D. Scherreik
Clerk of City Council

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO:

The undersigned, as fiscal officer of the City of Bowling Green, Ohio, certifies in connection with your proposed issue of notes in an amount not to exceed $2,200,000 to be issued in anticipation of the issuance of bonds for the purpose of paying costs of improving North Main Street and the North Main Street/Poe Road intersection by constructing, reconstructing, widening, paving, resurfacing, grading, draining, constructing curbs, sidewalks, access ramps, driveway approaches, gutters and related drainage improvements, installing signalization and lighting, and acquiring the necessary real estate and interests therein, and together with necessary and incidental appurtenances and such other costs of those improvements as are permitted by Revised Code Section 133.15 to be funded from the proceeds of securities, as follows:

1. The estimated life of the improvement above described is certified to be at least five years.

2. The maximum maturity of bonds to be issued for such purpose, calculated in accordance with the provisions of Section 133.20 of the Revised Code, is at least 20 years. However, if notes in anticipation of the issuance of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years must be deducted from the maximum maturity of the bonds.

3. The maximum maturity of any notes issued in anticipation of those bonds is March 25, 2029, which is 240 months from March 25, 2009, the date of issuance of the original notes issued for this purpose.

Brian Bushong

Director of Finance
City of Bowling Green, Ohio

Dated: January 4, 2010

1st Reading: 1-4-10
RECORD OF ORDINANCES 2nd Reading: 1-19-10
3rd Reading: 2-1-10

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 7961 Passed February 1, 2010

ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BOWLING GREEN, OHIO, AND THE WOOD COUNTY REGIONAL AIRPORT AUTHORITY

WHEREAS, the Wood County Commissioners, pursuant to Ohio Statute, created the Wood County Regional Airport Authority, and,

WHEREAS, the Wood County Regional Airport Authority, pursuant to special act of the Ohio Legislature, entered into a lease with Bowling Green State University under the terms of which Bowling Green State University Airport and additional lands were leased to the Airport Authority for operation of a public airport to serve the City of Bowling Green and Wood County generally, and,

WHEREAS, the airport is located partly within and partly without the corporate limits of the City of Bowling Green, and is convenient to and provides services to the citizens of Bowling Green and the citizens of Wood County, and,

WHEREAS, this Council has previously, by appropriate resolution, supported the development and improvement of Wood County Airport, and,

WHEREAS, the successful development, improvement, and operation of Wood County Airport has required, and requires in the future, the cooperation of Bowling Green State University, the Commissioners of Wood County, and the City of Bowling Green, in sharing the economic costs of the project, and,

WHEREAS, Wood County has agreed to pay a portion of the operating and maintenance costs of the airport, and,

WHEREAS, the City Council on the 7th day of October, 1974, passed Ordinance 3199, authorizing an agreement between the City and the Airport Authority, and,

WHEREAS, pursuant to Ordinance 3199, the City and the Airport Authority entered into a contract on October 16, 1974, under the terms of which the City agreed to pay a portion of the operating costs of the airport, such portion to be determined from year to year by agreement between the parties,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN:

SECTION 1: It is hereby determined by this Council that the operation, maintenance and improvement of Wood County Airport is in the public interest and conducive to the economic benefit of the citizens of Bowling Green and should be encouraged and supported.

SECTION 2: That the City of Bowling Green enter into an agreement with the Wood County Regional Airport Authority for calendar year 2010 under the terms of which the City of Bowling Green agrees to pay a portion of the operating cost of the airport, with the amount in the year 2010 being the sum of $31,347.00; that the agreement shall also provide that the amount appropriated for this purpose be paid by the City directly to the fiscal officer of the Airport Authority.

SECTION 3: A copy of the agreement cited in Section 2 above is attached as Exhibit "A" hereto and incorporated by reference as though fully rewritten herein. Upon the execution of said agreement by the Mayor or Municipal Administrator and the proper official of the Wood County Regional Airport Authority, the Finance Director is hereby authorized to transmit the sum of $31,347.00 to the Wood County Regional Airport Authority under the terms of this agreement for calendar year 2010.

SECTION 4. This ordinance shall take effect at the earliest time permitted by law.

Passed: February 1, 2010 — Date — President of Council JOHN ZANFARDINO

Attest: Kay D. Scherreik — Clerk of Council KAY D. SCHERREIK

Approved: February 2, 2010 — Date — Mayor JOHN B. QUINN

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 7961 passed by the Council of the City of Bowling Green, Ohio.
Feb 1, 2010
Kay D. Scherreik
Clerk of City Council

Exhibit "A"
AGREEMENT

THIS AGREEMENT made and entered into by and between the City of Bowling Green, Ohio, hereinafter referred to as the "City," and the Wood County Regional Airport Authority, hereinafter referred to as the "Airport Authority,"

WITNESSETH:

WHEREAS, the Airport Authority, pursuant to a special act of the Ohio Legislature, entered into a lease with Bowling Green State University under the terms of which University Airport and additional lands were leased to the Airport Authority for operation of a public airport to be known as Wood County Airport to serve the City and Wood County generally, and

WHEREAS, Wood County Airport is located partly within and partly without the corporate limits of the City and is convenient to and provides services to the citizens of Bowling Green and the citizens of Wood County, and

WHEREAS, the Bowling Green City Council, by appropriate resolution, supported the development and improvement of Wood County Airport, and

WHEREAS, the successful development, improvement, and operation of Wood County Airport has required, and requires in the future, the cooperation of Bowling Green State University, the Commissioners of Wood County, and the City, and the sharing of the economic costs of the project, and

WHEREAS, Wood County has agreed to pay a portion of the operating and maintenance costs of the airport, and

WHEREAS, the City Council on the 7th day of October, 1974, passed Ordinance 3199 authorizing an agreement between the City and the Airport Authority, and

WHEREAS, pursuant to Ordinance 3199, the City and the Airport Authority entered into an agreement on October 16, 1974, under the terms of which the City agreed to pay a portion of the operating costs of the airport, such portion to be determined from year to year by agreement of the parties, and

WHEREAS, it is now time to determine the portion of the operating costs to be paid by the City for the year 2010.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. The portion of the operating costs of the airport that the City shall pay for the year 2010 is $31,347.00.

2. All amounts appropriated by the City for the Airport Authority shall be paid by the City directly to the fiscal officer of the Airport Authority.

IN WITNESS WHEREOF, the parties have hereto set their hands this ____ day of _____, 2010.

Signed in the presence of:

_____

_____

_____

_____

CITY OF BOWLING GREEN, OHIO

By: _____
John B. Quinn, Mayor

WOOD COUNTY REGIONAL AIRPORT AUTHORITY

By: _____
President

1st Reading: 2-1-10
RECORD OF ORDINANCES 2nd Reading: 2-1-10
3rd Reading:

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 7980 Passed February 1, 20 10

ORDINANCE PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF BOWLING GREEN, OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO:

SECTION 1. That the following sums be appropriated as follows:

Fund	Dept.	Account	Description	Amount
2021	410	87000	ODOT Transportation Grant (Taxi), Taxi Transportation, Vehicles	$ 69,760.00

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: February 1, 2010
Date

President of Council
JOHN ZANFARDINO

Attest: Kay D. Scherreik
Clerk of Council
KAY D. SCHERREIK

Approved: February 2, 2010
Date

Mayor
JOHN B. QUINN

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 7980 passed by the Council of the City of Bowling Green, Ohio.
Feb. 1, 2010
Kay D. Scherreik
Clerk of City Council