



## ***BOARD OF TRUSTEES***

### **APPROVAL OF COMMERCIAL DEVELOPMENT OF COLONEL GLENN HIGHWAY**

#### **RESOLUTION 24-XX**

WHEREAS, the Board of Trustees previously authorized the commercial development of property along Colonel Glenn Highway under Resolution 23-08 on September 16, 2022; and

WHEREAS, the 135<sup>th</sup> General Assembly adopted section 733.80 of Am. Sub. House Bill 33, permitting Universities located in a county population between 165,000 and 175,000 as of the 2020 census to directly enter into a land lease with a developer for commercial property development, provided several conditions are met; and

WHEREAS, Greene County, Ohio had a census population of 167,966 in the 2020 census, permitting Wright State University to utilize this section of code; and

WHEREAS, the University continues to have interest in commercial development of property along Colonel Glenn Highway; and

WHEREAS, the University must determine that (1) The interests of Wright State University will be promoted by entering to a lease with the developer; (2) The plans submitted by the developer are satisfactory to the University; (3) The developer has established financial responsibility and satisfactory plans for financing; (4) The lease has commercially reasonable terms that are favorable to Wright State University; and (5) The property identified in the plan is not required for the use of the University for the term of the lease; therefore be it

RESOLVED that the Board of Trustees authorizes the President, or her designee, to work with a developer to formulate a commercial development plan for the property that meets the provisions of section 733.80 of Am. Sub. House Bill 33; and be it further

RESOLVED that the Board delegates authority to the Chair of the Board of Trustees and the Chair of the Finance, Audit, Governance, and Compliance Committee to review and determine if the commercial development plan satisfies the provisions in section 733.80 of Am. Sub. House Bill 33, and shall inform the Board of Trustees of their findings in writing; and be it further

RESOLVED that the President, or her designee, is authorized and directed to enter into the lease agreement on behalf of the University, without further action by the Board, unless either Chair objects; and be it further

RESOLVED that the President, or her designee, is authorized and directed to take and perform all lawful actions she reasonably determines are appropriate to effectuate the Board's directives herein.