

Single

COUNTY DITCH PETITION

Single or Joint

Revised Code, Secs. 6131.04; 6133.02, .03

Benton Township

, Ohio,

, 2006

Petition to ¹ Reconstruct a drainage ditch commencing at station 0+00 of Chas. Breutkreitz Ditch and continuing East to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek.

To the Board of County Commissioners, Ottawa, County, Ohio:

The undersigned hereby petition your honorable body to ¹ Initiate the process of reconstructing the Chas. Breutkreitz Ditch commencing at Sta. 0+00 and continuing to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek.

On the course hereinafter set forth.

The construction of the improvement is necessary, will benefit the petitioner(s), and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to-wit:

Commencing From a point located on Carl and Phyllis Bensch's property, also known as Station 0+00 per 1909 map of Chas. Breutkreitz Ditch, and continuing East approximately a distance of 4,680 feet to a point of intersection of said ditch and Benton-Carroll Roadside Ditch. Thence proceeding South approximately a distance of 2,420 feet to a point of intersection of said ditch and the LaCarpe Creek, also known as the point of termination.

All costs of engineering, construction, and future maintenance will be assessed to the benefiting parcels of land, except under Section 6131.31 of the Revised Code.

The following is the nature of the work petitioned for:

Initiate the process of reconstructing the Chas. Breutkreitz Ditch commencing at Sta. 0+00 and continuing to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek.

A list of the names, addresses, where known, of all the owners of the land which the petitioner or the County Engineer claims will be benefited or damaged by the construction of the proposed improvement is as follows:

See attached sheet for benefiting property owners

Service of notice of the filing of the Petition shall be obtained by²

Mailing notices and publications as provided in Section 6131.07 R.C.

Carl H. Bensch
Phyllis L. Bensch

_____ } *Petitioners.*

1. Locate, clean, remove obstructions from, construct, straighten, deepen, widen, alter, box, tile, fill, etc., Sec. 6131.04, R.C.
2. Here insert "Mailing notices and publication as provided in Sec. 6131.07. R.C."

No.
..... County, Ohio.

In the matter of the
COUNTY DITCH No. _____
Single or Joint
PETITIONED FOR BY

and others
PROCEEDINGS TO.

Single of Joint
COUNTY DITCH PETITION

Filed 20.....
.....
Clerk, of the County Commissioners

No.

..... County, Ohio.

In the matter of the

COUNTY DITCH No. _____

Single or Joint

PETITIONED FOR BY

and others

PROCEEDINGS TO.

BOND

(To Be Filed with Petition)

Filed, 20.....,

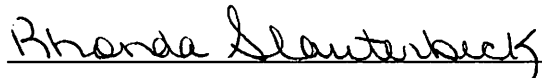
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Clerk, of the County Commissioners

**NOTICE OF FILING OF SINGLE COUNTY DITCH PETITION
(Single or Joint)**

Office of Clerk of County Commissioners of Ottawa County, Ohio, December 28, 2006.

To the Board of County Commissioners, Ottawa County, Ohio:

You are hereby notified that a petition and a bond for a single county ditch improvement were filed in my office on the 28th day of December 2006 and I certify that a true copy of said petition is set out below.


Clerk/Assistant Administrator of the County
Commissioners

COPY OF COUNTY DITCH PETITION

Petition to reconstruct a drainage ditch commencing at station 0+00 of Chas. Breutkreitz Ditch continuing East to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek.

To the Board of County Commissioners, Ottawa County, Ohio:

The undersigned hereby petition your honorable body to initiate the process of reconstructing the Chas. Breutkreitz Ditch commencing at Sta. 0+00 and continuing to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek.

on the course hereafter set forth.

The construction of the improvement is necessary and will benefit the petitioner(s), and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement , to-wit:

Commencing from a point located on Carl and Phyllis Bensch's property, also known as Station 0+00 per 1909 map of Chas. Breutkreitz Ditch, and continuing East approximately a distance of 4,680 feet to a point of intersection of said ditch and Benton-Carroll Roadside Ditch. Thence proceeding South approximately a distance of 2,420 feet to a point of intersection of said ditch and the LaCarpe Creek, also known as the point of termination.

All costs of engineering, construction and future maintenance will be assessed to the benefiting parcels of land, except as ordered under Section 6131.31 of the Revised Code.

The following is the nature of the work petitioned for :

Initiate the process of reconstructing the Chas. Breutkreitz Ditch commencing at Sta. 0+00 and continuing to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek.

A list of the names and addresses, where known, of all the owners of the land which the petitioner claims will be benefited or damaged by the construction of the proposed improvement is as follows:

See attached sheet for benefiting property owners.

Service of notice of the filing of the Petition shall be obtained by:

Mailing notices and publications as provided in Section 6131.07 R.C.

Carl H. Bensch _____

Phyllis L. Bensch _____



Petitioners.

c: County Engineer ✓

¹ Locate, construct, reconstruct, straighten, deepen, widen, alter, box, tile, fill, etc., 6131.04
² Here insert "Mailing notices and publication as provided in Sec. 6131.07, ORC
*One copy of this notice to the County Commissioners, one copy to Engineer.

Resolution No. 07-04

**RESOLUTION – ORDER FIXING TIME OF VIEW AND FIRST HEARING
Ohio Revised Code Section 6131.07**

The Board of County Commissioners of the County of Ottawa, Ohio, met in regular session at the office of the Board of County Commissioners, Ottawa County Courthouse, Port Clinton, Ohio, on the 11th day of January 2007, at the regular place of meeting with the following members present:

Carl Koebel James M. Sass Steven M. Arndt

Mr. Sass moved the adoption of the following Resolution:

WHEREAS, This 11th day of January 2007, the Clerk of this board gave notice to the Board of County Commissioners and the County Engineer of Ottawa County, Ohio, on the filing with her a petition signed by Carl H. Bensch and Phyllis Bensch, petitioner(s), to reconstruct a drainage ditch commencing at station 0+00 of Chas. Breutkreitz Ditch and continuing East to Sta. 46+80, also known as the intersection of said ditch and the Benton-Carroll Roadside Ditch. Then continuing South to Sta. 71+00 and terminating at the intersection of said ditch and the LaCarpe Creek; and

WHEREAS, it appears to said Board that the proper bond has been filed with the Clerk, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the costs incurred by the Engineer in making his preliminary reports, if the prayer of the petition is not granted, or if said petition is for any cause dismissed, unless the Board decides to pay the Engineer's costs from the bond in accordance with Section 6131.09 of the Revised Code; therefore, be it

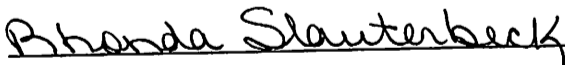
RESOLVED, By said Board of County Commissioners, that the 29th day of March 2007, at 10:30 o'clock a.m., E.D.T. at the upper terminus of the improvement, be and the same is hereby fixed as the time and place for the view thereon; and be it further

RESOLVED, that the 10th day of May 2007 at 10:00 o'clock a.m., E.D.T., at the office of the Board of County Commissioners of said County be and the same is hereby fixed as the time and place for the first hearing on the petition; and be it further

RESOLVED, that notice of said view and hearing be given, as required by law.

Mr. Arndt seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Koebel, yes; Mr. Sass, yes; Mr. Arndt, yes.


Rhonda Slauterbeck, Clerk/Assistant Administrator
Board of County Commissioners
Ottawa County, Ohio

c: County Engineer ✓

¹Not fewer than twenty-five nor more than ninety days after the date the petition was filed with the Clerk.

²Not fewer than ten nor more than ninety days after the date set for the view.