

RESOLUTION — COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS

Rev. Code, Secs. 6131.21 to 24.

In the Matter of the
Single County Ditch No.
Petitioned for by

Gilbert LaCumsky and others.

Office of the Board of County Commissioners,
Ottawa County, Ohio.

August 28, 1961

The Board of County Commissioners of Ottawa County, Ohio, met in regular (Regular or Special)

session on the 28th day of August, 1961, at the office of the County Commissioners with the following members present:

Mr. Mr. Bahnsen

Mr. Mr. Cover

Mr.

Mr. Cover moved the adoption of the following Resolution:

WHEREAS, This being the day fixed by said Board, in its order dated the 17th day of July, 1961, for the final hearing on the Reports and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and

WHEREAS, Said Board finds that due and legal notice of this final hearing has been given as required by law; and

WHEREAS, Said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the County Engineer; therefore, be it

RESOLVED, That said Board review and reconsider its former order made and dated the 29th day of August, 1960, in favor of said improvement; and be it further RESOLVED, That said Board hereby approve the maps, profiles, plans, schedules and reports prepared by the County Engineer, as amended in its order dated the 29th day of August, 1960, and

WHEREAS, This Board has considered the cost of location and construction, the compensation for land taken, the damages to land along or in the vicinity of the route of the improvement, the damages to land below the lower terminus of the improvement which may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc.; therefore, be it

RESOLVED, That said former order finding in favor of said improvement made at the first hearing on the 29th day of August, 1961, be and the same is hereby affirmed; and WHEREAS, Objections to the proposed assessment having been filed by

None

and the Board having heard said objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the County Engineer and any competent evidence on the question of benefits, and from an actual view of the premises; therefore, be it

RESOLVED, That the assessments be and the same are hereby amended and corrected as follows, to-wit:

That the ditch be cleaned as petitioned and that the proposed alternate ditch be dropped.

and be it further

RESOLVED, That said County Engineer's assessments as so amended and corrected be and the same are hereby approved and confirmed; and be it further

RESOLVED, That \$ 3923.19 be and the same is hereby assessed for benefits to the general public by reason of the improvement being conducive to the public welfare and shall be paid by the public and assessed against the County, and \$ 251.62 found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and the following sums found to benefit the following political subdivisions of the State be and the same are hereby assessed against such political subdivisions, respectively:

Ottawa County 22.88
Salem Twp 228.74

and be it further

RESOLVED, That _____ years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement; and that bonds of said County shall ~~not~~ ^(not) be issued and sold in anticipation of the collection of said assessments bearing the rate of _____ per centum per annum, payable semi-annually; and be it further

RESOLVED, That interest shall be added to said installments of assessments at the same rate as is drawn by the bonds issued to pay for said improvement; provided any owner may pay the assessment on his land in cash within thirty days after the contracts are approved and such assessments are levied, without paying any interest thereon, and be it further

RESOLVED, That the _____ day of _____, 19____, at _____ o'clock P. M., be and the same is hereby fixed as the time for letting the contract for the construction of the proposed improvement, and that the County Engineer be and he is hereby directed to let the contracts for the construction of the proposed improvement; and be it further

RESOLVED, That the County Engineer be and he is hereby directed to give at least two weeks' public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, or any part thereof, and in case manufactured material is required for the construction of the improvement, the County Engineer is hereby directed to send copies of the notice by mail to dealers and manufacturers, and all bids shall be received at the office of the Clerk of the County Commissioners; and be it further

RESOLVED, That, whereas the estimated cost of the construction and material required in said improvement ~~exceeds~~ ^{exceeds} or "does not exceed" one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House, ~~and advertisement shall also be made~~

~~in two successive weekly issues of a newspaper printed and in general circulation in said county.~~ (If it exceeds \$1000.00 and advertisement shall also be made in two successive weekly issues of a newspaper printed and in general circulation in said county.) (First Publication shall be at least 10 days prior to the letting of said contracts.) (6131.24 RC)

and be it further
RESOLVED, That said County Engineer be and he is hereby directed to attend at said time and place so advertised by him and receive bids filed with the Clerk of the Board of County Commissioners; and be it further

RESOLVED, That authority be and the same is hereby given to said County Engineer to receive bids by public outcry, instead of sealed bids, such bids being taken separately for work and for material, and in accordance with the requirements of Sections 6331.39 of the Revised Code of Ohio.

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

Mr. Bahnson -----, yes
Mr. Cover -----, yes
Mr. Budd -----, absent

[Signature]
Clerk of the Board of County Commissioners of
Ottawa County, Ohio.

1. Not less than 25 days after the date of this order.
2. If not to be used cross out "and be it further" and the following paragraph.

No. _____ County, Ohio
In the Matter of the
SINGLE COUNTY DITCH No. _____
PETITIONED FOR BY
_____ and others.
PROCEEDINGS TO
RESOLUTION—
COMMISSIONERS' FINDING
AFFIRMING FORMER ORDER,
AFFIRMING THE ASSESSMENTS
AND ORDERING THE LETTING
OF THE CONTRACTS
Dated _____, 19____
Journal No. _____ Page _____
COLUMBUS BLANK BOOK CO., COL., O.