

JUNE 19 1960

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

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

Melvin Anstead and others.

March 7, 19 60

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

session on the 7th day of March, 19 60, at the office of the County Commissioners with the following members present:

Mr. Sanke Bahnsen

Mr. Edward H. Tank

Mr. Merlan Budd

Mr. Tank moved the adoption of the following Resolution:

WHEREAS, This being the day fixed by said Board, in its order dated the 25th day of January, 19 60, 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 day of 21st. Sept., 19 59, 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 13th day of January, 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 21st. day of Sept., 19 59, 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: The Harris Township Trustees agree to pay \$500.00 and Ottawa County \$1000.00 as their share of the project.

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 \$ 500.00 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 \$ 1000.00 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:

\$500.00 Harris Township

\$1000.00 Ottawa County

and be it further

RESOLVED, That one 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 be issued and sold in anticipation of the

collection of said assessments bearing the rate of XXXXXXXX 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 4th day of April, 19 60, at 2:00 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 does exceed one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House, (If it exceeds \$1000 add "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. Budd seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr.-----	Bahnsen	yes
Mr.-----	Tank	yes
Mr.-----	Budd	yes

M. C. Futh
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,
CONFIRMING THE ASSESSMENTS
AND ORDERING THE LETTING
OF THE CONTRACTS

Dated -----, 19

Journal No. ----- Page -----

Heer Pig. Co., Cols., O.

Linker-Portage

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

In the Matter of the (Office of the Board of County
Single County Ditch No.) Commissioners,
Petitioned for by (Ottawa County, Ohio.
Melvin Anstead and others.) May 22, 1961

The Board of County Commissioners of Ottawa County, Ohio, met in Regular session on the 22nd. day of May, 1961, at the office of the County Commissioners with the following members present:

Mr. Merlan Budd
Mr. Sanke Bahnsen
Mr. Charles Cover

Mr. Bahnsen moved the adoption of the following Resolution:

WHEREAS, The Clerk of the Board has notified the County Commissioners that he has received from the Clerk of the Court of Common Pleas the certified transcript in the final order upon appeal in the matter of the construction of the above named improvement, the Journal Entry being as follows:

IN THE COURT OF COMMON PLEAS OF OTTAWA COUNTY, OHIO

In the Matter of the Single (CASE NO. 14855
County Ditch Petitioned for)
by Melvin Anstead (JOURNAL ENTRY SETTLEMENT

It appears to the Court that the parties hereto have reached an agreement as to the assessments in their Appeal From Order of County Commissioners to Common Pleas Court in this matter.

In conformity with said agreement, it is hereby ordered, adjudged and decreed that the assessment of Caroline Winkel on the basis of 100% be reduced to 12 acres at 100% and that her assessment shall not exceed \$180.00; that the assessment of Carl Avers at 100% be reduced to 10 acres and that his assessment shall not exceed \$150.00; that the assessment of Mary Bockbrader at 100% be reduced to 10 acres and that her assessment shall not exceed \$150.00.

It is further ordered, adjudged and decreed that in order to make up the reduction in above assessments, the properties of Alverta Schott, Eunice and Hubert Knipp, Melvin Anstead, William V. Schott, Emery Blausey, Bertha Schuster, Fanny Sarns, Raymond J. & Dorothy Haar, Clinton Giesler and Anna Lohr, be reassessed proportion-

ately.

It is further ordered, adjudged and decreed that the assessments of Horatio and Maude Anstead, Ottawa County and Harris Township remain as previously assessed.

It is further ordered, adjudged and decreed that in conformity with the above, the Ottawa County Commissioners proceed with improvement as requested in the original petition.

/s/ Tom D. Stahl
Judge

/s/ Myron A. Rosentreter
Myron A. Rosentreter, Attorney for
Appellants

/s/ Willard G. Weis
Willard G. Weis, Attorney for
Melvin Anstead, et al

/s/ Leslie E. Meyer
Leslie E. Meyer, Prosecuting
Attorney, Ottawa County, Ohio

THEREFORE BE IT 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 \$500.00 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 \$1000.00 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:

\$ 500.00 Harris Township
\$1000.00 Ottawa County

and be it further

RESOLVED, That one year 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 be issued and sold in anticipation of the collection of said assessments, and be it further

RESOLVED, That the 19th day of June, 1961, at 2:30 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 does 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; 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. Cover seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Budd	, yes
Mr. Bahnsen	, yes
Mr. Cover	, yes

/s/ M. C. Guth
Clerk of the Board of County Commissioners of
Ottawa County, Ohio.