

RESOLUTION NO. 19-18

COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS FOR THE REGATTA SUBDIVISION SINGLE COUNTY DITCH PROJECT AS PETITIONED FOR BY REGATTA DEVELOPMENT, LLC

The Board of Ottawa County Commissioners met in regular session on the 25th day of April 2019 with the following members present:

Mark E. Coppeler Mark W. Stahl Donald A. Douglas

It was moved by Commissioner Stahl and seconded by Commissioner Douglas to adopt the following resolution:

WHEREAS, This being the day fixed by said Board, in its action dated the 16th day of April 2019, for the submission of the Engineer's reports, on the estimated assessments, and on the proceedings for the improvement to construct and maintain a drainage system that will provide the appropriate water quality and storm water detention that is required in relation to the drainage area, and

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

WHEREAS, The Board has heard all the evidence offered in the proceedings and received and considered all the schedules, plans and reports filed by the County Engineer; and

WHEREAS, That the Board reviewed and reconsidered its former order made and dated the 5th day of June 2018, in favor of the improvement; and be it further

RESOLVED, That No Objections to the proposed assessment have been filed in writing and the Board having heard the 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, This Board has considered the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that 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 the Board hereby approves the maps, profiles, plans, schedules and reports submitted by the County Engineer, in its order dated the 5th day of June 2018, and

RESOLVED, That the former order finding in favor of the improvement made at the first hearing on the 5th day of June 2018 is hereby affirmed; and

RESOLVED, that the final assessments are waived as the improvement has been constructed, paid for by the developer, and approved by the County Engineer; and

RESOLVED, that the base cost of the project is calculated at \$33,268.00 and that \$1,663.40 shall be paid by the developer for the first year Maintenance of 5% for the Regatta Subdivision Ditch project, and be it further


RESOLVED, that the intent of the petition is to assess future lots (4 through 14), as well as, the party responsible for the Right of Way of Regatta Passage Drive, in equal parts (1/12 each) and the division will occur as the Subdivision phases are recorded and each individual lot is sold; and be it further

RESOLVED, that the balance of the bond that was filed will be refunded after all costs associated with the petition process are paid from said proceeds.

Vote on Motion: Mark E. Coppeler, yes; Mark W. Stahl, yes; Donald A. Douglas, yes.

CERTIFICATE

I, Rhonda Slauterbeck, Administrator/Clerk of the Board of County Commissioners of Ottawa County, Ohio, hereby do certify that the above is a true and correct copy of a resolution adopted by said Board under said date and as same appears in Commissioners' Journal, Volume 100.


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

c: County Engineer

¹ Not less than 25 days after the date of this order.