

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 Frederick Miller and others. Office of the Board of County Commissioners, Ottawa County, Ohio. December 23, 1963

The Board of County Commissioners of Ottawa County, Ohio, met in regular session on the 23rd day of December, 1963, at the office of the County Commissioners with the following members present:

- Mr. Gover
Mr. Johnson
Mr. Budd

Mr. Budd moved the adoption of the following Resolution:

WHEREAS, This being the day fixed by said Board, in its order dated the 18th day of November, 1963, 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 20th day of May, 1963, 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 18th day of November, 1963; 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 20th day of May, 1963, be and the same is hereby affirmed; and

WHEREAS, Objections to the proposed assessment having been filed by no written objections

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 property of the following be dropped from the assessment lists as they do not drain into the ditch.

Table with 3 columns: Name, Area, Amount. Includes entries for Victor & Lois Harder (1.55 Ac, \$6.64), Linda McClanahan (1.00 Ac, 4.28), Otto Hohl (.45 Ac, 1.93), Charles & Edith Hesel (1.00 Ac, 3.43), Clarence Hermes (reduced from 45 ac to 25 Ac, benefitted), and Edwin Puestow (reduced from 20 Ac to 11. Ac, benefitted).

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 \$1096.58 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 \$111.37 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 \$111.37

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 _____ 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 27th day of January, 1964, 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 exceeds one thousand dollars, the notice of said letting be given by

posting at the front door of the County Court House, and advertisement shall ~~maximize~~ also

be made in two successive issues of a newspaper printed and in general circulation in said county. (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. Johnson seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Cover -----, yes

Mr. Johnson -----, yes

Mr. Budd -----, yes

M. L. 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 _____