

RESOLUTION - 2019-689

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

Revised Code, Sec. 6131.21 to 24
Form 22025

In the Matter of the Single)
County Ditch No. 2134 Petitioned) Office of County Commissioners,
for by Royalton Township) Fulton County, Ohio
August 20, 2019)

The Board of County Commissioners of Fulton County, Ohio met in regular session on August 20, 2019, at the office of said board with the following members present:

Jon Rupp
Bill Rufenacht

Commissioner Bill Rufenacht moved the adoption of the following Resolution:

WHEREAS, This being the day fixed by said Board, in its order dated May 30, 2019 for the final hearing on the Report, Plans, and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceeding 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, 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;

THEREFORE BE IT RESOLVED, That the Board hereby approve the maps, profiles, plans, schedules, and reports prepared by the County Engineer, and review and reconsider its former order made and dated September 20, 2018; and

WHEREAS, 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 former order finding in favor of the improvement made at the first hearing on September 20, 2018, is hereby affirmed; and

WHEREAS, Objections to the proposed assessment having been filed by –

Joe & Cindy Henson

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, That the assessments are hereby attached, and

BE IT FURTHER RESOLVED, That the County Engineer's assessments as presented are hereby approved and confirmed; and

BE IT FURTHER RESOLVED, That \$122,006.69 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 by the County, and \$ 597.28 found to benefit State Roads or Highways is hereby assessed against the State, and \$21,780.43 found to

benefit Royalton Township Roads and is hereby assessed against Royalton Township, and

BE IT FURTHER RESOLVED, That 10 year (s) 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

BE IT FURTHER RESOLVED, That, subject to pending right-of-way acquisitions, September 26, 2019 at 9:01 a.m. at office of said board is hereby fixed as the time and place for the County Engineer to receive bids, and that the County Engineer is hereby directed to prepare the necessary bid documents and legal advertisements; 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 office of said Board; and

BE IT FURTHER RESOLVED, That, whereas the estimated cost of the construction and material required in the improvement exceeds six thousand dollars, the notice of letting be given by posting in a newspaper of general circulation as prescribed by law; and

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner Jon Rupp seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
<u>Jon Rupp</u> Jon Rupp	<u>Jon Rupp</u> Jon Rupp	<u>Jon Rupp</u> Jon Rupp
<u>Bill Rufenacht</u> Bill Rufenacht	<u>Bill Rufenacht</u> Bill Rufenacht	<u>Bill Rufenacht</u> Bill Rufenacht

**BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO**

Attest: Teri S. Suarez
Teri S. Suarez, Board Clerk

Ditch No. 2134
Branch 7d North Branch Bad Creek
Road 11-2; Tile Br. 7d North Branch Bad Creek
Royalton Township Trustees
 May 31, 2019 R Cregger

Ditch 2134 ASSESSMENT (5)

Parcel	Owner	Mailing Address	C-S-Z	Legal Description	Acres Owned	Acres Drained	Drainage Benefits	Direct Assessment	12' Cross-over	Direct x-o	Construction Assessment	Chstret+Dirt Assessment	Engineering Assessment	Admin Assessment	Project Assessment	1st Yr Maint
1	22-043492-00.000 BOGER FARMS INC	12944 US 20	LYONS OH 43533	3E-9S-29 E1/2 NW-EX PAR 67.31A	67.310	30.000	\$ 31,080.00	\$ 22,380.00	\$ 6,900.00	\$ 110,112.40	\$ 189,892.40	\$ 4,292.00	\$ 700.00	\$ 144,384.40		
2	22-043496-00.000 TEAL BARBARA J	13331 CO RD 11-2	LYONS OH 43533	3E-9S-29 PCL 315' X 240' NE SW 1.75 A	1.750	1.750	\$ 12,571.20	\$ 510.00	\$ -	\$ 13,834.85	\$ 14,344.85	\$ 429.80	\$ 70.10	\$ 14,844.75	\$ 14.34	
3	22-043504-00.000 ZIMMERMAN ROBERT E II & SONDRAL I (JS)	3903 CO RD 5-1	DELTA OH 43515	3E-9S-29 PCL 660' X 215' SE NW	3.260	1.700	\$ 12,571.20	\$ 510.00	\$ -	\$ 1,454.69	\$ 1,454.69	\$ 173.85	\$ 28.35	\$ 1,656.89	\$ 1.45	
4	22-043508-00.000 ZIMMERMAN ROBERT E II & SONDRAL I (JS)	3903 CO RD 5-1	DELTA OH 43515	3E-9S-29 PT 5642 E 264 SE NW 1.00A	1.000	1.000	\$ 12,571.20	\$ 510.00	\$ -	\$ 1,454.69	\$ 1,964.69	\$ 173.85	\$ 28.35	\$ 2,166.89	\$ 6.11	
5	22-043516-00.000 HARTUNG MARY F C/O YODER MARY F	PO BOX 391	LYONS OH 43533	3E-9S-29 NE SW EX PCL 38.69 A	38.690	38.690	\$ 40,082.84	\$ 1,020.00	\$ -	\$ 4,638.22	\$ 5,658.22	\$ 243.55	\$ 39.72	\$ 5,941.50	\$ 5.65	
6	22-043528-01.000 PRATTE ROBERTA E	13910 CO RD 11-2	LYONS OH 43533	3E-9S-29 W439 5248.17 N565.17 NW NE 2.500 A	2.500	2.500	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
7	22-043528-01.001 BENNETT CRYSTAL D	13780 CO RD 11-2	LYONS OH 43533	3E-9S-29 W433 N269.64 S1579.19 NE	2.680	2.680	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
9	22-043528-01.003 EDWARDS ANDREA R	13830 CO RD 11-2	LYONS OH 43533	3E-9S-29 W435 N250.16 S1829.35 NE 2.50 A	2.500	2.500	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
10	22-043528-01.004 Merkle, David F	13870 CO RD 11-2	LYONS OH 43533	3E-9S-29 W437 N248.98 S2078.99 NE 2.50 A	2.500	2.500	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
11	22-043528-01.005 WILLSON PAUL S	11845 US 20	LYONS OH 43533	3E-9S-29 N317 W700 NW NE 5.097 A	5.097	3.350	\$ 12,571.20	\$ 510.00	\$ -	\$ 251.75	\$ 251.75	\$ 30.09	\$ 4.91	\$ 286.74	\$ 0.25	
14	22-043532-00.000 HESTER TRUMAN	11511 CO RD N	LYONS OH 43533	3E-9S-29 PT W1/2 SESE NW 3.298 A	3.298	2.100	\$ 2,175.60	\$ 510.00	\$ -	\$ 1,454.69	\$ 1,964.69	\$ 173.85	\$ 28.35	\$ 2,166.89	\$ 1.96	
15	22-043532-01.000 HENSON JOSEPH E & CYNTHIA L	13521 CO RD 11-2	LYONS OH 43533	3E-9S-29 S 200 E 300 FT. SE SE NW 1.38A	1.380	1.380	\$ 12,571.20	\$ 510.00	\$ -	\$ 1,454.69	\$ 1,964.69	\$ 173.85	\$ 28.35	\$ 2,166.89	\$ 1.96	
16	22-043532-02.000 LITTLE BRIAN L & DEANNE L	13555 CO RD 11-2	LYONS OH 43533	3E-9S-29 PT SE SE NW 3.901 A	3.901	2.600	\$ 12,571.20	\$ 510.00	\$ -	\$ 1,454.69	\$ 1,964.69	\$ 173.85	\$ 28.35	\$ 2,166.89	\$ 1.96	
17	22-043544-00.000 ZIMMERMAN ROBERT E II & SONDRAL I (JS)	3903 CO RD 5-1	DELTA OH 43515	3E-9S-29 PT NW SW NE 1.00A	1.000	1.000	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
18	22-043548-00.000 HARTUNG MARY F C/O YODER MARY F	PO BOX 391	LYONS OH 43533	3E-9S-29 S 1/2 NE EX PAR & E 29 A 42.82A	42.820	17.000	\$ 17,612.00	\$ 510.00	\$ -	\$ 7,839.75	\$ 8,349.75	\$ 243.55	\$ 39.72	\$ 8,633.02	\$ 8.35	
19	22-043548-01.000 WILLARD JAMES	13670 CO RD 11-2	LYONS OH 43533	3E-9S-29 W290.35 S162.48 N1834.98 W1/2 NE 1.083 A	1.083	1.083	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
20	22-043548-01.001 Herring, William M & Lauren K	13660 CO RD 11-2	LYONS OH 43533	3E-9S-29 W290.35 S162.48 N1997.46 W1/2 NE 1.08 A	1.080	1.080	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
21	22-043548-01.002 THURMAN SAMUEL & JUIE L	13700 CO RD 11-2	LYONS OH 43533	3E-9S-29 W290.35 S163.45 N1672.5 W1/2 NE 1.083 A	1.083	1.083	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
22	22-043552-00.000 O NELL RICHARD G & VICKI L	13726 CO RD 11-2	LYONS OH 43533	3E 9S 29 S150 N1509 W290.4 NE 1.00A	1.000	1.000	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
23	22-043554-00.000 SANFORD LOUIS SCOTT	11600 CO RD N	LYONS OH 43533	3E-9S-29 S1/2 SW EX PCL 70.672 A	70.672	18.000	\$ 18,648.00	\$ 510.00	\$ -	\$ 2,157.87	\$ 2,667.87	\$ 257.88	\$ 42.06	\$ 2,867.81	\$ 2.67	
24	22-043568-00.000 EICHER LOWELL J	13612 CO RD 10-3	LYONS OH 43533	3E-9S-29 N 305' W1/2 SE 9.93 A	9.930	3.330	\$ 3,449.88	\$ 510.00	\$ -	\$ 1,535.67	\$ 2,045.67	\$ 47.71	\$ 7.78	\$ 2,101.16	\$ 2.05	
25	22-043568-03.000 MCDONNALL JAMES M ETAL	9228 CO RD 8-1	DELTA OH 43515	3E-9S-29 S 2093' AVG W1/2 SE EX PCL 59.65 A	59.650	6.000	\$ 6,216.00	\$ 510.00	\$ -	\$ 2,766.97	\$ 3,276.97	\$ 85.96	\$ 14.02	\$ 3,376.95	\$ 3.28	
26	22-043568-04.000 HEIN SHANE M & LORI A TRUSTEES	13420 CO RD 11-2	LYONS OH 43533	3E-9S-29 S 245' N 550' W1/2 SE 7.50 A	7.500	2.500	\$ 12,571.20	\$ 510.00	\$ -	\$ 5,595.90	\$ 6,105.90	\$ 173.85	\$ 28.35	\$ 6,308.10	\$ 6.11	
27	22-777777-00.000 ROYALTON TOWNSHIP	PO BOX 302	LYONS OH 43533	Road 11-2 RIGHT-OF-WAY	7.000	5.500	\$ 11,137.00	\$ 11,160.00	\$ 6,900.00	\$ 3,541.30	\$ 21,601.30	\$ 154.01	\$ 25.12	\$ 21,780.43	\$ 21.60	
28	22-989999-00.000 OHIO DEPARTMENT OF TRANSPORTATION	317 EAST POE ROAD	BOWLING GREEN OH 43	US 20 RIGHT-OF-WAY	1.000	0.500	\$ 1,295.00	\$ -	\$ -	\$ 576.45	\$ 576.45	\$ 17.91	\$ 2.92	\$ 597.28	\$ 0.58	
Total								150.826	332.93532	6,900.00	110,112.40	189,892.40	4,292.00	700.00	144,384.40	139.39