

RESOLUTION NO. 2016-014

Monroe Township Water and Sewer District  
Miami County, Ohio

**RESOLUTION OF NECESSITY – COUNTRY ESTATES EAST SEWERLINE  
EXTENSION PROJECT**

**RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT A SEWER LINE FOR THE COUNTRY ESTATES EAST SEWER LINE EXTENSION PROJECT OF THE MONROE TOWNSHIP WATER AND SEWER DISTRICT, MIAMI COUNTY, OHIO, STATING THE NATURE AND LOCATION OF THE PROJECT AND LOTS TO BE ASSESSED, APPROVING THE PLANS, SPECIFICATIONS, PROFILES AND ESTIMATES OF COST, STATING WHAT PORTION SHALL BE PAID BY ASSESSMENTS, STATING THE MODE OF PAYMENT AND NUMBER OF ANNUAL INSTALLMENTS, STATING WHETHER BONDS SHALL BE ISSUED IN ANTICIPATION OF THE ASSESSMENTS, AND ORDERING THE PREPARATION OF A LIST OF ESTIMATED ASSESSMENTS**

The Board of Trustees of the Monroe Township Water and Sewer District, Montgomery County, Ohio met in regular session on the 14<sup>th</sup> day of November, 2016 at 6:00 P.M. at the District office with the following members present: David Dexter, William Rodenberg, James Flesher, and Dale Voisard.

William Rodenberg moved the adoption of the following Resolution:

**WHEREAS**, this Board of Trustees has heretofore established the Country Estates East Sewer Line Extension Project (hereafter "Improvement Area"), ordered the preparation of plans, specifications, profiles, and estimates of costs of the Project, as established by Resolution No. 2014-015, passed and effective on the 9<sup>th</sup> day of June, 2014; and,

**WHEREAS**, Plans, Specifications, Profiles showing anticipated grade and Estimates of Cost of the proposed Project have now been prepared and submitted for the Improvement Area, and are now on file in the office of the Secretary of this Board of Trustees and open to inspection; and,

**BE IT RESOLVED**, by the Board of Trustees as follows:

1. That the Board hereby declares it necessary for the preservation and promotion of the public health, safety and welfare to construct sewer lines in the Improvement Area which shall be located as set forth on Exhibit "A" attached hereto and incorporated herein. The lots or parcels of land which are to be assessed as part of said Project include all the lots and lands bounding and abutting the Project between and including the termini of the project and those lots and lands which do not so bound and abut, all as described in Exhibits A and B attached hereto and incorporated herein;

2. That this Board hereby approves the Plans, Specifications, Profiles showing anticipated grade, and Estimates of Costs of the proposed Project, which are on file with the Secretary of this Board of Trustees at the offices of the District, for the construction of the sewer line extension Project as prepared by the District's engineering consultant, Sands Decker;
3. That the entire cost of the sewer line extension Project, including engineering and all incidental expenses, is presently estimated to be one million two hundred ninety-eight thousand forty dollars (\$1,298,040.00); of said amount the District shall pay zero percent (0%); and 100% of the remaining amount, presently estimated to be one million two hundred ninety-eight thousand forty dollars, plus interest on bonds, notes or other obligations issued in relation to the Project, shall be collected by special assessment of the properties within the Improvement Area as designated in Exhibits "A" and "B" attached hereto, which are hereby determined to be specially benefited by the sewer line extension Project;
4. That such special assessment shall be levied against such properties in accordance with the following method authorized in R.C. 6119.42.

One hundred percent (100%) of the assessment costs (presently estimated to be one million two hundred ninety-eight thousand forty dollars (\$1,298,040.00) of the Country Estates East Sewerline extension Project in the Improvement Area shall be assessed according to R.C. 6119.42(B), in proportion to the benefits which result from the Project, within the improvement area. Interest equivalent to that charged on the bonds, notes or other obligations issued in relation to the Project, currently estimated to be the rate of 2.94% per annum for the thirty (30) year assessment period, shall also be collected on any assessment which is not paid in full (30) days after the passage of the assessing Resolution.

5. That the mode of payment shall be the levy of special assessments by the District against the properties as set forth on Exhibits "A" and "B", said assessment to be levied over a period of thirty (30) years after an opportunity of not less than thirty (30) days after the passage of the assessing Resolution has been given to property owners to pay said assessment. The owner of any unimproved property within the Improvement Area who, subsequent to the adoption of this Resolution, improves said property and wishes to connect such improvement to the sewer lines hereafter constructed, or the owner of any property not within the area described and identified as the Improvement Area who wishes to connect such property to the sewer lines hereafter constructed, shall, prior to making any connection and prior to receipt of a District permit to do so, pay any applicable connection or tap fee to the District as set forth in the District Regulations or Deposit Fee and Charge Schedule, which said sum shall not be less than the amount that would have been assessed if the improved properties were within the Improvement Area; however, in the case of the connection, subsequent to the adoption of this Resolution, of an improvement constructed on unimproved property within the Improvement Area, a credit in the amount of the assessment levied on the said unimproved property within the Improvement Area shall be granted toward said applicable connection or tap fee for the improvement;
6. That bonds, notes in anticipation thereof, or other obligations shall be issued in anticipation of the collection of the special assessments.
7. That there shall be prepared a list of estimated assessments in accordance with the method of assessment set forth above showing the amount of the assessment against each lot or parcel of land to be assessed and that such list shall be filed in the office of the Secretary of the Board of Trustees and shall be served by the Secretary and legal counsel upon the owners of the properties set forth on Exhibits "A" and "B";
8. That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and of any of its committees resulting in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code;
9. That this Resolution shall be effective immediately upon its passage.

David Dexter moved to second the above.

Monroe Township Water and Sewer District

Miami County, Ohio

11-14-2016

Resolution 2016-014

As to the above, vote resulting as follows:

David Dexter

AYE

Richard Mains

ABSENT

William Rodenburg

AYE

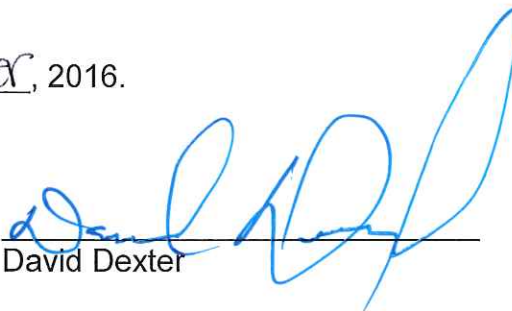
James Flesher

AYE

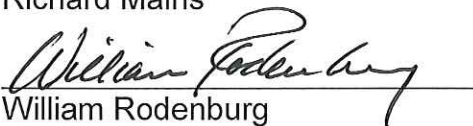
Dale Voisard

AYE

Adopted the 14<sup>th</sup> day of November, 2016.

  
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David Dexter

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Richard Mains

  
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William Rodenburg

  
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James Flesher

  
\_\_\_\_\_  
Dale Voisard

Attest:

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David Dexter, Secretary, Board of Trustees

**MONROE TOWNSHIP, MIAMI COUNTY, OHIO  
 MONROE TOWNSHIP WATER & SEWER DISTRICT  
 COUNTRY ESTATES EAST  
 SANITARY SEWER IMPROVEMENTS**



ENGINEERS • SURVEYOR

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 PO BOX 188  
 LOGAN, OH 43138  
 740-385-2140

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 COLUMBUS, OH 43220  
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FAX: 614-459-6987  
 TOLL FREE: 866-277-0600



**ASSESSMENT INDEX**

**EXHIBIT**

A

**Estimated Assessments**  
**Country Estates East Sewer Project**  
**Parcels and Lots to be Assessed**

The estimated assessment for each parcel set forth below is \$20,603.80.

<u>Name</u>	<u>Parcel No.</u>	<u>Lot</u>	<u>Section</u>
Charles Balfourd	G12-082428	84	6
William Jr. & Susan Brough	G12-082426	82	6
Joshua & Denise Campbell	G12-082424	80	6
Jerry & Mary Lou Craft	G12-082429	85	6
David & Cecile Dearth	G12-082430	86	6
Thomas & Beverly Downs	G12-082404	72	5
Larry & Linda Griffith	G12-082417	73	6
Rodney & Tricia Herzog	G12-082403	71	5
Brian & Brenda Mahaney	G12-082422	78	6
Noel & Landa McGinnis	G12-082473	92	6
James & Carrie Melton	G12-082432	88	6
Otis Investments, LLC	G12-082431	87	6
William & Helen Prichard	G12-082425	81	6
John & Merrily Swisher	G12-082427	83	6
Noah & Lori Turner	G12-082470	89	6
Michael & Kimberly Whitby	G12-082423	79	6
Donald & Cynthia Wilderman	G12-082471	90	6
Andrew & Linda Wisecup	G12-082472	91	6
Frederik & Evelyn Anderson	G12-082386	54	5
Philip & Bobby Berry	G12-082401	69	5
Gary & Patricia Boggs	G12-082400	68	5
Linda Bowser	G12-082398	66	5
Haley Brown	G12-082076	24	3
Brian & Maria Butts	G12-082085	33	3
Justin & Erin Cooper	G12-082084	32	3
Roy Fuson	G12-082086	34	3
Jason Green	G12-082389	57	5
Zachary & Andrea Hook	G12-082083	31	3

Tim & Teri	Hull	G12-082476	94	5
Stephan & Kim	Kendall	G12-082387	55	5
Ronnie & Josephine	Lucas	G12-082475	93	5
Mary Lou	Martin	G12-082402	70	5
Michael & Judith	Papanek	G12-082388	56	5
Jeffrey	Pence	G12-081261	12	1
Connie & Timothy	Perry	G12-081253	4	1
Sidney & Diane	Ream	G12-081250	1	1
Rolf & Kay	Reich	G12-081251	2	1
Gary & Bernice	Rudisill	G12-081252	3	1
Suzi	Walker	G12-082399	67	5
Howard & Mary Lou	Wilson	G12-082396	64	5
Donna	Alcorn	G12-081260	11	1
Anna Mary	Bailey	G12-081259	10	1
James	Collins	G12-082038	13	2
Bryan	Comer	G12-082044	19	2
Donald & Diane	Davis-Harrison	G12-082045	20	2
Brad & Elizabeth	Donathan	G12-081256	7	1
David	Goldshot	G12-082039	14	2
James & Norma	Greenwalt	G12-082042	17	2
Janice Kohlreiser Trust		G12-081255	6	1
Matthew & Becky	Janosik	G12-082046	21	2
Gary & Julie	Kuns	G12-082043	18	2
Brian & Maggie	Mason	G12-082048	23	2
William & Patricia	Posey	G12-081254	5	1
Nathan & Kathryn	Rentz	G12-082047	22	2
Nancy	Ryan	G12-081258	9	1
Brian	Siebert	G12-082040	15	2
Zachary	Wertz	G12-081257	8	1
John & Catherine	Bauer	G12-082079	27	3
Richard & Hazel	Mains	G12-082081	29 & 89	3 & 6
David & Eileen	McCray	G12-082082	30	3
Paul L. Struewing Trust		G12-082078	26	3
Dale & Sharon	Ullery	G12-082077	25	3
DBO Kitrina LLC		G12-082154	39	4
Daniel & Melinda	Potts	G12-082153	38	4