

RESOLUTION NO. 2016-016

**Monroe Township Water and Sewer District
Miami County, Ohio**

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

RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT A WATER LINE FOR THE COUNTRY ESTATES EAST WATER 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 14th 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.

David Dexter moved the adoption of the following Resolution:

WHEREAS, this Board of Trustees has heretofore established the Country Estates East Water 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 9th 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 potable water 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 water line extension Project as prepared by the District's engineering consultant, Sands Decker;
3. That the entire cost of the water line extension Project, including engineering and all incidental expenses, is presently estimated to be one million three hundred seven thousand three hundred thirty-six dollars (\$1,307,336.00); of said amount the District shall pay zero percent (0%); and 100% of the remaining amount, presently estimated to be one million three hundred seven thousand three hundred thirty-six dollars (#1,307,336.00), 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 water 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 three hundred seven thousand three hundred thirty-six dollars (\$1,307,336.00) of the Country Estates East Waterline 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. Upon consideration of the Environmental Protection Agency recommended flow guide, as well as other considerations, the assessment for all condominiums and apartment units shall be three quarters (3/4) of the standard assessment for single family homes for each said unit. 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 water 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 water 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.

Dale Voisard moved to second the above.

Monroe Township Water and Sewer District
Miami County, Ohio

Resolution 2016-_____

As to the above, vote resulting as follows:

David Dexter _____
Richard Mains _____
William Rodenburg _____
James Flesher _____
Dale Voisard _____

Adopted the _____th day of _____, 2016.




David Dexter

Richard Mains



William Rodenburg



James Flesher



Dale Voisard

Attest:

David Dexter, Secretary, Board of Trustees

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

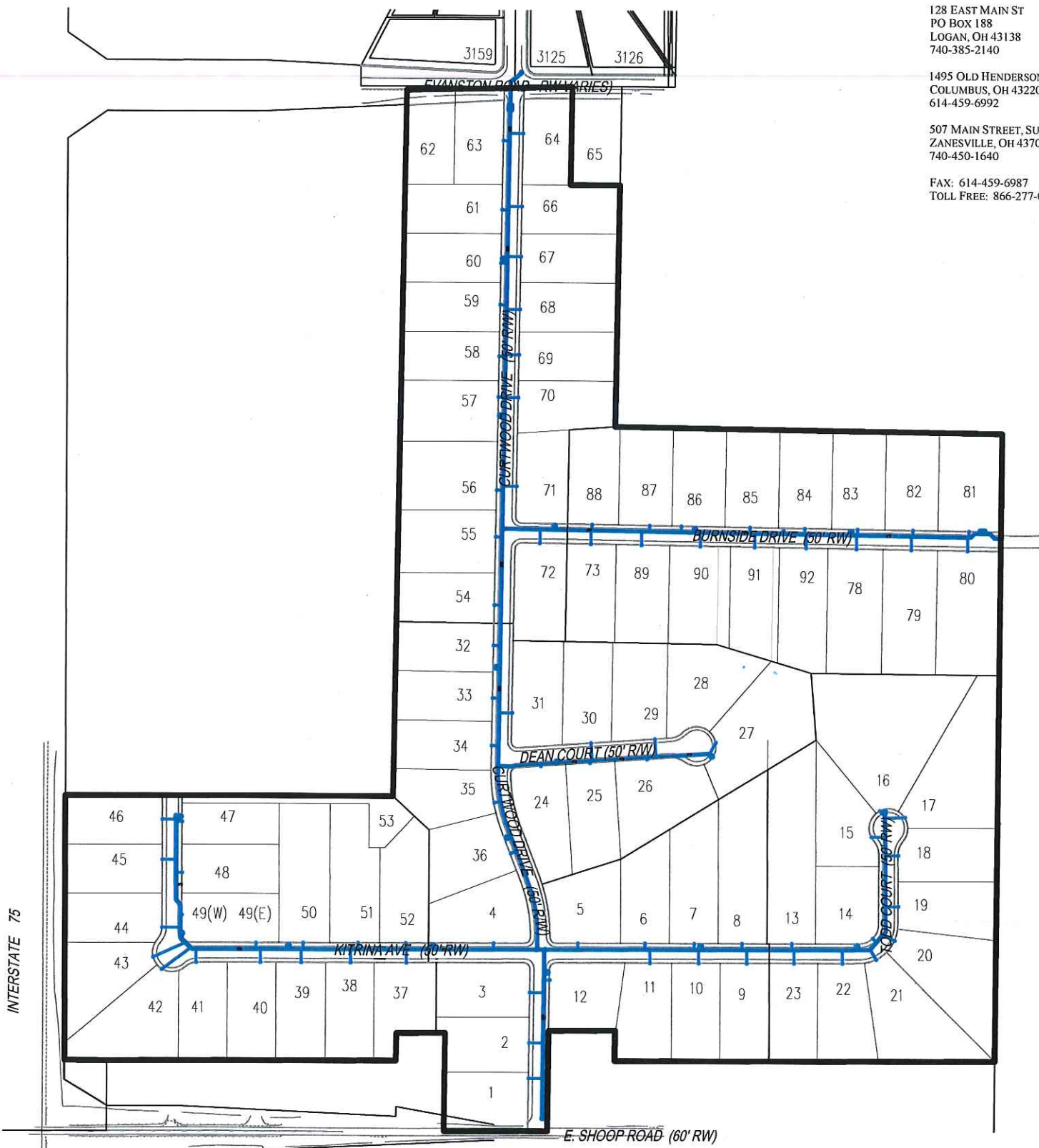


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ASSESSMENT INDEX

EXHIBIT
 A

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

The estimated assessment for each parcel set forth below is \$12,049.18.

<u>Name</u>	<u>Parcel No.</u>	<u>Lot</u>	<u>Section</u>	
Charles	Balfour	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
Steven & Susan	Berger	G12-082391	59	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
John & Karyl	Darrah	G12-082392	60	5
Roy	Fuson	G12-082086	34	3
Jason	Green	G12-082389	57	5

Allen & Bermadine	Holsinger	G12-082087	35	3
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
Bruce & Jodi	Mclver	G12-082390	58	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
Brian & Melinda	Shilt	G12-082088	36	3
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. Stuewing Trust		G12-082078	26	3
Dale & Sharon	Ullery	G12-082077	25	3
Eric & Jill	Schumann	G12-082152	37	4
Cory & Megan	Barnhart	G12-082167	52	4
DBO Kitrina LLC		G12-082154	39	4

Daniel & Melinda	Potts	G12-082153	38	4
Jay	Stutz	G12-082166	51	4
Jerry & Rachel	Webb	G12-082165	50	4

The estimated assessment for each parcel set forth below is \$9,036.89

<u>Name</u>		<u>Parcel No.</u>	<u>Lot</u>	<u>Section</u>	<u>Unit</u>	<u>Phase</u>
Gerald & Nancy	Howard	G12-083039	95	1		
James & Nancy	Howard	G12-083037	95	1		
Donna	Anderson	G12-082998			4	1
Christopher & Dana	Boerger	G12-082981			2	1
Charles	Davis	G12-082982			3	1
Sheila	Davis	G12-082987			8	1
Danny	Hamlin	G12-082990			11	1
Marabeth & Orlan	Ketrow	G12-082984			5	1
Dennis	Matheny	G12-082980			1	1
Kirk	Morrison	G12-082996			2	2
Richard	Ostrander	G12-082988			9	1
Amy	Puthoff	G12-082995			1	1
Amanda	Riffell	G12-082985			6	1
Gregory	Short	G12-082989			10	1
Robert Garman and	Valeria McLaughlin	G12-082991			12	1
Glenna	Weber	G12-082997			3	1
Jane	Welch	G12-082983			4	1
Chris & Karen	Wise	G12-082986			7	1

The estimated assessment for each parcel set forth below is \$36,147.56

<u>Name</u>		<u>Parcel No</u>	<u>Lot</u>	<u>Section</u>
Searl	Daughtery	G12-082159	44	4
Searl	Daughtery	G12-082160	45	4
Searl	Daughtery	G12-082162	47	4
David & Carolyn	Glaser	G12-082161	46	4
Joseph	Myers	G12-082157	42	4
Tammy	Myers	G12-082163	48	4
Dennis	Walker	G12-082158	43	4