

Resolution authorizing the collection of assessments for the Asbury Manor Ditch Improvement, Madison Township, Franklin County, Ohio (Commissioners)

WHEREAS, a Single County Ditch Petition for the Asbury Manor Ditch Improvement was filed with the Clerk of the Board of County Commissioners on July 11, 2008 by the Madison Township Board of Trustees pursuant to Chapter 6131 of the Ohio Revised Code; and

WHEREAS, on September 9, 2008 and September 15, 2008, the Board of County Commissioners heard testimony from interested land owners and the Franklin County Engineer's Office regarding said ditch; and

WHEREAS, on December 2, 2008, the Board of County Commissioners held a final hearing and passed by resolution the improvement of the Asbury Manor Ditch; and

WHEREAS, the Franklin County Engineer was ordered to prepare final plans, estimates and assessments for said improvement; and

WHEREAS, the project was completed by the Franklin County Engineer's Office and the costs have been finalized; and

WHEREAS, each parcel of land benefited by said improvement shall have 30 days to pay assessments levied on that parcel to the Office of Management and Budget of the Board of County Commissioners; and

WHEREAS, if the collection of payments from benefited parcels are not received in 30 days, the Clerk of the Board of County Commissioners shall certify to the Franklin County Auditor the amounts those parcels shall be assessed on a semi-annual basis for a period up to five (5) years in accordance with Chapter 6131 of the Ohio Revised Code; and

WHEREAS, we are requesting that the improvements delineated on the attached list be accepted as a part of the County Ditch Maintenance Program and that an annual maintenance assessments be collected with Real Estate Taxes for each of the benefited parcels listed to cover the cost of current and future maintenance of the improvements in accordance with Chapter 6131 of the Ohio Revised Code; and

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WHEREAS, Section 6137.02 of the Ohio Revised Code requires the establishment and maintenance of a fund for the repair, upkeep and permanent maintenance of this improvement;

BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

Section 1) That the improvement to the Asbury Manor Ditch as finalized are hereby approved (as attached) and the assessments to benefited parcels as listed in the attached exhibit are hereby approved.

Section 2) That if payments from benefited parcels are not received by the Office of Management and Budget within 30 days, the Clerk of the Board of County Commissioners shall certify the list of parcels to the Franklin County Auditor listing the parcels and the amount to be assessed on a semi-annual basis for a period up to five (5) years, along with certified copies of this resolution.

Section 3) That the improvements delineated on the attached list are accepted as a part of the County Ditch Maintenance Program and annual maintenance assessments will be collected with Real Estate Taxes for each of the benefited parcels to cover the cost of current and future maintenance, in accordance with Chapter 6131 of the Ohio Revised Code.

Section 4) That a fund shall be established for the repair, upkeep, and permanent maintenance of this improvement in accordance with Section 6137.02 of the Ohio Revised Code.

DCR:TML:kc
Prepared By: Kris Collins
c: Engineer (Asbury Manor Ditch)
OMB
Auditor