

Resolution of necessity for public improvement, being a sanitary pump station, to service Pleasant Acres Mobile Home Park, and declaring that improvement is necessary for the preservation and promotion of the public health and welfare, and construction of which will necessitate a special assessment to be levied and collected to pay for the cost of such improvement.

(Sanitary Engineers)

WHEREAS, previously the Board of Commissioners of Franklin County ("Board") established a sewer district to provide sanitary sewerage facilities and services to unincorporated areas of Franklin County; and

WHEREAS, The Board has designed, constructed, and currently operates sanitary sewerage lines as well as sanitary sewerage treatment facilities; and

WHEREAS, On February 1, 2002, the Director of Ohio EPA issued orders to the Board requiring the provision of sewers for the Darbydale area which was defined to include the Pleasant Acres Mobile Home Park ("PAMHP"); and

WHEREAS, The Board was involved in a lawsuit with Oak Hills Mobile Home Park, the Ohio Environmental Protection Agency, and Pleasant Acres Mobile Home Park, captioned 05-CVH- 10023; and

WHEREAS, The Board entered into a Settlement Agreement in 2007, under which a sanitary connection would be built to serve the PAMHP, and the costs of such construction would be borne by PAMHP, and would provide service to the park residents; and

WHEREAS; consistent with the Settlement Agreement, Pleasant Acres was to perform certain activities that would allow the County to design and construct a pump station to service the park, and then agree to voluntary assessment for the construction of the improvement; and

WHEREAS, the Board has designed the improvement but has been unable to secure the agreement of Pleasant Acres Mobile Home Park for the voluntary assessment; and

WHEREAS, the Ohio EPA has determined that the Mobile Home Park no longer has a valid permit to operate its wastewater treatment facility, and is no longer able receive a valid permit because discharges from such facilities are violative of the regulatory limits imposed on Big

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Darby Creek, and thus the mobile home park is discharging sewage without a valid discharge permit, a letter describing the status of the property is attached hereto; now therefore

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

1. That the Board of Commissioners of Franklin County, pursuant to Ohio Revised Code §6117.06, does hereby find that it is necessary, for the preservation and promotion of the public health and welfare, to construct a sanitary pump station and necessary appurtenances to connect the Pleasant Acres Mobile Home Park to the Franklin County's sanitary sewerage system.
2. The Board of Commissioners of Franklin County does hereby declare the necessity to levy and collect a special assessment on the property served by the improvement deemed necessary in Paragraph One herein, specifically a special assessment shall be levied and collected upon the property or properties comprising the Pleasant Acres Mobile Home Park.
3. The Sanitary Engineer is hereby directed to prepare plans, specifications, estimate of cost, and a tentative assessment for the proposed improvements, which tentative assessment shall include all allowable costs.

Prepared by: Stephen A. Renner