Resolution No. 15-614

Date: August 4, 2015

Title: Resolution Establishing a Public Watercourse by Agreement of Owner of King Acres Subdivision - Storm Water Detention and Maintenance ~ Petition Number 1026

Department/Agency: Lucas County Engineer’s Office

Contact: Brian W. Miller, PE, Drainage Engineer

Summary/Background: As part of the conditions for approval of the Final Plat of King Acres Subdivision, the developer was required to make provisions for storm water drainage facility to be maintained by the County if not maintained by the Home Owner’s Association. This is initiated by a petition from the property owner. Lance Fuller, Developer, owner of the land being developed, has agreed to construct at his own expense, drainage improvements in accordance with Lucas County Standards.

The County Engineer has advised the Board that the agreement, plan and schedules are approved for construction by the property owner. The County Engineer, by filing his certificate of approval with the Board, requests the Board to set a hearing date on the proposed maintenance assessments.

We estimate the first year maintenance to be $500 plus $400 for the public notice for a total of $900 to be assessed over 6.288 acres. It should be noted that the $900 assessment was set low because the Owners Association is proposing to do the maintenance on the detention facility initially.

Budget Impact: The budget line item 1030-2950-512180-D1026 should be set up and $900 should be transferred from 1030-2950-500000 into that line item.

Statutory Authority/ORC: Ohio Revised Code Section 6131.63

Commissioner Gerken offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. That in accordance with Section 6131.63 of the Ohio Revised Code, to set for September 15, 2015, 11:00 a.m. local time in the Commissioners Hearing Room, One Government Center, as the time and place to hear any evidence offered for or against the assessments for maintenance and any questions or benefits to the property owner, the ditch area being described in Attachment A attached hereto.

Section 2. That the Clerk of the Board is to provide the County Auditor with a copy of the agreement, plan and schedules to establish a public watercourse in the drainage records of the County.

Section 3. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.
August 4, 2015
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Section 4. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Commissioner Gerken voted yes
Commissioner Contrada voted yes
Commissioner Skeldon Wozniak voted yes

Jody L. Balogh, Clerk
<table>
<thead>
<tr>
<th>Amount</th>
<th>AC. Assessment</th>
<th>Description</th>
<th>Legal</th>
<th>Address and Owner Name</th>
<th>Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>6,288</td>
<td>6.288</td>
<td>E 200FT.</td>
<td>CENTRAL ACRES LOT 13 &amp; 14 ALSO 21 &amp; 22</td>
<td>9535 OLD STATE LINE ROAD</td>
<td>78-46531</td>
</tr>
<tr>
<td>$900.00</td>
<td>7.620</td>
<td></td>
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</tbody>
</table>

Petition #1026
KING ACRES SUBDIVISION
AGREEMENT

We, the owner of the property described in Exhibit “A” attached hereto, located in Sylvania Township, Lucas County, Ohio (the “Property”), do agree to the following improvements to be constructed on the Property, at our expense, as per the plans prepared by Oravecz & Associates, LLC, Professional Engineers registered in Ohio, and approved by the Lucas County Engineer.

1. All conduit draining to and outletting from retention pond.

We further request the Clerk of the Board of Lucas County Commissioners to proceed with the maintenance assessment procedure and hearing as described in Ohio Revised Code Section 6131.63.

In the event that, and at such time as, the Lucas County Engineer determines that the owner or owners of the Property are not properly maintaining the above mentioned improvements, we understand that the Lucas County Engineer shall have the right to implement maintenance assessments to be determined by the Lucas County Engineer in accordance with applicable provisions of law.

OWNER:
JLJ Development Inc.

[Signature]
Lance Fuller, Partner

7-10-15
Date
EXHIBIT “A”

LEGAL DESCRIPTION

Lots number thirteen (13), and fourteen (14), and the east two hundred (200) feet of lots numbers twenty-one (21) and twenty-two (22) all in central acres, a Subdivision in Sylvania Township, Lucas County, Ohio

Containing 6.288 acres of land more or less of which 0.152 acres lie in the King Road right of way and subject to legal highways.
KING ACRES
LOT 13 AND 14 AND THE EAST 200.00
FEET OF LOTS 21 & 22 IN THE
PLAT OF CENTRAL ACRES
SYLVANIA TOWNSHIP
LUCAS COUNTY OHIO

THIS SURVEY AND PLAT WERE PREPARED FROM AN ACTUAL LAND
SURVEY MADE UNDER MY DIRECT SUPERVISION IN MARCH 2015
PURSUANT TO CHAPTER 4733-37 OF THE OHI ADMINISTRATIVE CODE
AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE AND ACCURATE.
July 23, 2015

Mr. Brian Miller
Drainage Engineer
Lucas County Engineer
1049 S. McCord Rd
Holland, OH 43528

RE: KING ACRES

Dear Mr. Miller;

This letter is to serve as a notice that the JLJ Development Co. LLC is now known as King Acres Development LLC.

If you have any questions please contact me.

Sincerely,

George V. Oravecza
P.E. P.S.

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Oravecza Home: 419.866.8362
Mobile: 419.351.2725

Email: goravecza@oraveczaassociates.com

Registered In
Ohio
Michigan
Colorado
Florida