

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

**RESOLUTION 2009-24**

The Board of Trustees of Union Township, Clermont County, Ohio met in regular session at the Union Township Civic Center on October 13, 2009 with the following members present: Robert McGee, Matthew Beamer, Timothy Donnellon.

MR. BEAMER made a motion to adopt the following Resolution:

**RESOLUTION PROVIDING FOR THE PROCUREMENT OF A STREET LIGHTING SYSTEM FOR WETHERBY FARMS, SECTION 6B**

WHEREAS, a hearing having been had upon a petition praying that the Board of Township Trustees of this township take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district in this township, following notice and actual view taken, and the board of township trustees finding:

- 1) That the petition for Wetherby Farms, Section 6B was filed with the township fiscal officer on September 8, 2009 and that the board of township trustees was duly notified by him of such filing and a copy of the petition was delivered to it on September 8, 2009; and
- 2) That the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public way of the aforesaid district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and
- 3) That notice of a hearing before the board of township trustees on the petition for October 13, 2009, was duly and timely served on all lot owners.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Union Township, Clermont County, Ohio by authority of Chapter 515 of the Ohio Revised Code, as follows:

SECTION 1: That the proposed improvement to light artificially the streets and public ways in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the streets and public ways is 2, that the lights shall be of 100 watt, 9,600 initial lumen high pressure sodium Granville Acorn street lights; that they shall be located as specified on the attached map.

SECTION 2: So that the residents are not negatively impacted by a delay in the process of this resolution, that the petitioners agree to pay the lump sum costs, yet to be determined consistent with the construction and operation of the District, until such a time as the assessment is collected and distributed to the Township, upon proper notice from the Fiscal Officer.

SECTION 3: That Duke Energy be and is hereby authorized and directed to install and maintain the street lighting system.

SECTION 4: That said contract for the street lighting system as well as the purchase of the electrical energy for said system shall be in accordance with the terms and conditions of the Duke Energy street lighting service tariff, P.U.C.O. No. 17, sheet No. 60.4, or any amendments or revisions thereof.

SECTION 5: That the property in the subdivision will be specially benefited by this lighting district. Accordingly, the costs of the improvement shall be assessed in an equal amount against each benefited lot to be determined by dividing the total cost per semiannual installment by the number of benefited lots. The estimated cost per assessed lot is \$6.98 annually.

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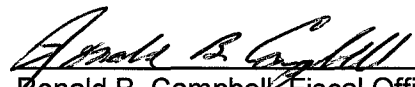
- SECTION 6: The boundaries of said lighting district and said assessments shall be certified to the Auditor of Clermont County by certifying a copy of this resolution, and the Auditor shall annually place upon the tax duplicate of said county for collection in equal annual installments of said assessments for that year, as provided by Section 515.11 of the Ohio Revised Code; and
- SECTION 7: The assessments, when collected, shall be deposited in the treasury of said township and be used by the Board of Trustees, thereof, only for the said purpose for which they are levied, and are to be collected as provided by section 515.11 of the Ohio Revised Code.
- SECTION 8: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.
- SECTION 9: This Resolution shall take effect at the earliest period allowed by law.

MR. DONNELLON seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

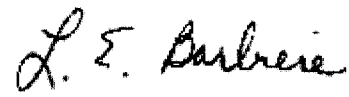
Mr. McGee	<u>AYE</u>
Mr. Beamer	<u>AYE</u>
Mr. Donnellon	<u>AYE</u>

Resolution 2009-24 adopted October 13, 2009

ATTEST:

  
Ronald B. Campbell, Fiscal Officer

APPROVED AS TO FORM:

  
Lawrence E. Barbieri  
Union Township Law Director

CERTIFICATION

I, Ronald B. Campbell, Fiscal Officer of Union Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Union Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.

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Ronald B. Campbell, Fiscal Officer