

PUBLICATION OF RESOLUTIONS AND ORDINANCES

The entire text of the following legislation is on file at the Clerk's office at 130 N. High St., Hillsboro and available for inspection or copies from 8:00 a.m. to 4:30 p.m., Monday – Friday, excluding holidays. All legislation below was passed on November 6, 2017 or November 13, 2017.

Signed: Lee Koogler, President of Council or Dick Donley, President Pro-Tem, Attest: Debbie Sansone, Clerk of Council, Approved: Mayor Hastings

Legislation can be found online at www.hillsboroohio.net under RECENT CITY NEWS

RESOLUTION 17-40 Resolution Declaring Intent to Appropriate Certain Property for Improvement of Harry Sauner Road (Bell Gardens)

RESOLUTION 17-41 Resolution Declaring Intent to Appropriate Certain Property for Improvement of Harry Sauner Road (Cedar Woods)

RESOLUTION 17-42 Resolution to Increase Appropriations in the Storm Sewer Fund (\$47,600)

RESOLUTION 17-43 Resolution Authorizing SSD to Apply for Water Pollution Control Loan Fund Agreement for Storm Sewer Facilities and Designating Dedicated Repayment Source for the Loan

RESOLUTION 17-44 **WHEREAS**, the Hillsboro City Council has received public comments at council meetings and committee meetings regarding social media posts, and; **WHEREAS**, the Hillsboro City Council wants to go on public record setting high value on civil public discourse, and; **WHEREAS**, it is a core value of City Council that all citizens, visitors, and others who come in contact with the employees and elected officials be treated with the upmost respect and integrity; and; **WHEREAS**, the elected officials of the City and including specifically, through the leadership of the Mayor, must set the example and tone for demonstrating respect and integrity. **SECTION ONE:** The above stated recitals are incorporated herein by reference.

SECTION TWO: City Council calls on all employees and elected officials of the City to serve the public, and to serve with one another, in harmony, kindness, generosity, and respect.

SECTION THREE: It is the City Council's expectation that the officials and employees of the City will consistently behave in a professional manner, including social media posts and writings, for the reason that the simple use of coarse and abusive language causes harm and weakens public confidence in the best efforts of the City Council to accomplish beneficial works for the citizens of Hillsboro. **SECTION FOUR:** The Clerk of Council is hereby directed to spread this RESOLUTION in its entirety upon the journal of this legislative body forthwith and to cause its immediate publication in a newspaper of general circulation in the city.

ORDINANCE 2017-06 Ordinance to Amend the Zoning Map to Change Zoning of 246 E Main St From RESIDENTIAL A to BUSINESS AND RESIDENTIAL D

ORDINANCE 2017-11 Ordinance to Vacate a Public Way in the City (W Pleasant St)

ORDINANCE 2017-12 Ordinance to Vacate a Public Way in the City (John St)

Debbie Sansone, Clerk
Hillsboro City Council

To Request Legislation: dsansone@hillsboroohio.net

(Please Publish November 21 and November 28, 2017)

CERTIFIED COPY OF MUNICIPAL RESOLUTION/ORDINANCE

CITY OF HILLSBORO, OHIO

I, the undersigned, hereby certify that I am the Hillsboro City Council Clerk of the above-named municipality that is duly organized and existing under the laws of the United States of America, and that the attached is a true copy of **Resolution No. 17-40** duly adopted by the Hillsboro City Council on **November 6, 2017**, signed by the Mayor on November 6, 2017.

Debbie Sansone

Debbie Sansone, Clerk
Hillsboro City Council

Sworn to and subscribed by me this 9th day of November, 2017.

My Commission Expires 4-15-2018

Nydia Mathews
Nydia L. Mathews



RESOLUTION NO. 17-40A RESOLUTION DECLARING AN INTENT TO APPROPRIATE CERTAIN PROPERTY
FOR IMPROVEMENT OF HARRY SAUNER ROAD.

Whereas, R.C. Sec. 719.04 provides that the Hillsboro City Council shall, whenever it is deemed necessary to appropriate property, pass a resolution declaring such intent, defining the purpose of the appropriation, and setting forth a pertinent description of the land and the estate or interest therein desired to be appropriated.

Now, Therefore, Be it RESOLVED by the Council of the City of Hillsboro, State of Ohio, that

SECTION ONE: Council finds that it is necessary to appropriate the property as set forth in EXHIBIT A, attached hereto, and Council does hereby declare its intent to appropriate said property, for the purpose of widening and improving Harry Sauner Road in the City of Hillsboro.

SECTION TWO: This RESOLUTION requires a single reading pursuant to R.C. Sec. 719.05, and shall become effective upon passage by a majority of Council and approval by the Mayor.

SECTION THREE: The mayor shall, immediately upon the passage of this resolution, cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, every piece of property sought to be appropriated, or to the authorized agent of the owner or other such person. Such notice shall be served by a person designated for the purpose and return made in the manner provided for the service and return of summons in civil actions. If such owner, person, or agent cannot be found, notice shall be given by publication once a week for three consecutive weeks in a newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the Revised Code, and the council may thereupon pass an ordinance by a two-thirds vote of all members elected thereto, directing such appropriation to proceed.

Passed: 11/16/17President: [Signature]Attested: Rebecca Sandone, ClerkApproved: [Signature]

Mayor

Date: 11-6-17

Prepared by the City law Director.

LPA

Rev 01/2011

NOTICE OF INTENT TO ACQUIRE

AND

GOOD FAITH OFFER

VIA EMAIL mkessler@enliyant.com

June 1, 2017

Highland Aid Propco LLC
c/o AID Holdings, LLC
301 Commerce Street, Suite 3300
Fort Worth, TX 76102

Re: **HIG CR1156**

Parcel Number: **010**

Interest Acquired: **T**

THE NOTICE OF INTENT TO ACQUIRE

TO: **Highland Aid Propco, LLC**

The City of Hillsboro, Ohio needs your property for a highway project identified as HIG CR1156 and will need to acquire the following from you:

Parcel 010-T is being acquired as a temporary easement, as is indicated by the T designation. A temporary easement is for specific purposes, outside permanent rights of way. The duration of the temporary easement is for 12 months, starting from the date of entry by the City of Hillsboro, Ohio or its contractors and ending when the proposed work has been completed and accepted. This temporary easement is being used to complete grading.

Ohio law authorizes City of Hillsboro, Ohio to obtain Parcel 010-T from your property for the public purpose of a highway project. The legal description of your property that City of Hillsboro, Ohio needs for the highway project is set out in the Good Faith Offer that is included with this Notice of Intent to Acquire, that legal description is referred to as **Exhibit A** in the Good Faith Offer.

The Good Faith Offer included with this Notice of Intent to Acquire is City of Hillsboro, Ohio determination of the fair market value of your property. This fair market value

(FMV) is what a willing buyer who is under no compulsion to buy and a willing seller who is under no compulsion to sell would value your property on the open market.

You will have a minimum of 30 days from the time you receive the Good Faith Offer included with this Notice of Intent to Acquire to accept or reject the offer. We are available to discuss the offer with you at any time. If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property. This will require a court procedure. In a court proceeding, you may disagree with whether our offer reflects the fair market value of the property.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, City of Hillsboro, Ohio is required to make a good faith effort to purchase Parcel 010-T.
2. We are to provide you with a written offer and the appraisal or valuation upon which we base that offer. The amount offered to you will not be less than the approved fair market value estimate of the property needed for the project. This compensation is based on the valuation of your property by qualified real estate personnel who have analyzed current market data. Their valuation work has been reviewed by a preapproved review appraiser prior to City of Hillsboro, Ohio establishing its fair market value estimate for your property needed for the project.
3. **You do not have to accept this offer** and City of Hillsboro, Ohio is not required to agree to your demands.
4. You are to be provided a copy of the valuation document during the first negotiation visit by an agent of City of Hillsboro, Ohio.
5. You are to be provided with pertinent parts of the highway plans which are:
 - Right of Way Legend Sheet - Page 1 of 11
 - Right of Way Summary Sheet - Page 4 of 11
 - Right of Way Plan Sheet - Page 7 of 11
 - Construction Plan and Profile Sheet - Page 8 of 38
6. The Plan Letter Attachment included with the Good Faith Offer attached to this "Notice Of Intent To Acquire" describes the interest in the real property that is to be acquired from you; the description and location of the real property to be acquired; and any improvements such as buildings or structures situated on the property to be acquired, if any.

7. You will be provided with a booklet entitled "When ODOT Needs Your Property". This booklet briefly explains the acquisition process and your rights in this process.
8. You have the right to seek the advice of an attorney, real estate appraiser, or any other person of your choice in this matter
9. You have the right to object to City of Hillsboro, Ohio decision to acquire your property by writing, within ten business days of receiving this notice, to:

Mayor Drew Hastings
City of Hillsboro, Ohio
130 North High Street
Hillsboro, OH 45133

The Mayor has the discretion to veto this project, and if he does, it will not proceed.

10. If you do not accept this offer, and we cannot come to an agreement on the acquisition of Parcel 010-T, City of Hillsboro, Ohio has the right to file suit to acquire Parcel 010-T by eminent domain in the county in which the property is located. This action, referred to as an "appropriation proceeding" ensures your rights will be fully protected while at the same time allowing the construction of the highway project to proceed for the benefit of all.
11. When filing the appropriation, the Mayor will deposit the value of the property sought to be acquired with the court. At that time, City of Hillsboro, Ohio gains the right to enter upon and use the property acquired subject to Section 163.06 (B) of the Ohio Revised Code. If you agree to accept the deposited money as full payment, the appropriation case will be closed.
12. If you are not satisfied with the amount of the deposit, you must file an answer with the court in the manner and within the time specified in the summons which is served upon you by the court. Once the answer is filed, you may apply to the court to withdraw the deposited money, subject to the rights of any other parties having an interest in the property. Withdrawing your share of the deposit does not interfere with your right to have a jury determine the FMV of your property. Interest will not accrue on any money deposited under this procedure. If the money withdrawn under this procedure should exceed the final award, the owner will be required to return the excess payment.
13. As part of your answer you may request a trial by jury. After a trial, a jury will decide the amount you are to be awarded for your property that is acquired, for the damage that is caused by the acquisition, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. At the trial you may testify and present evidence as to the value of your property

14. If your property qualifies as an "Agricultural Use" as defined under ORC 163.21 (C)(2), and a jury awards you an amount that is more than 150% of City of Hillsboro, Ohio final offer as determined by law, you may be entitled to recover attorney fees and other litigation costs.

15. You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You **must** submit your written request for mediation to the court within ten business days after you file your answer. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

THE GOOD FAITH OFFER

The amount offered to you in good faith as just compensation for the acquisition of Parcel 010-T, of Project HIG CR1156 is:

010-T 0.042 Acres (183± SF) @ \$70,000/Acre x 10% x 1 year = \$294.....	\$294.00
<i>Seeded lawn areas are to be replaced in like kind</i>	
Total Good Faith Offer [Minimum Award].....	\$300.00

Tenant-owned improvements, if any, are to be identified in this Good Faith Offer, and if there are any such improvements, the amount offered to you does not include compensation for these improvements. There are no tenant-owned improvements for this parcel.

Your property may be encumbered with a mortgage lien as security for a loan. It is possible that City of Hillsboro, Ohio may conclude this acquisition of property without obtaining a partial release of such mortgage lien from your lender. In that event, you as the borrower and grantor of the mortgage lien should consult your loan and mortgage documents concerning possible requirements to apply proceeds from a public acquisition to your outstanding loan balance, or contact your lender about responsibilities and obligations when part of your property is acquired for public use.

While City of Hillsboro, Ohio may not provide legal advice, we will make all efforts to answer questions you have concerning this process and provide any copies of the law or our records that you may need to fully understand your rights, the project, and the process. If you have any questions concerning this matter, you may contact us at:

City of Hillsboro, Ohio
C/O Mayor Drew Hastings
130 North High Street
Hillsboro, OH 45133
(937) 393-5219

Lisa J. Burns

Lisa J. Burns
(513) 403-9944 or lburns@dunrobin.org
Agent to Dunrobin Associates, LLC
On behalf of the City of Hillsboro, Ohio

AND

Mark A. Federer

Mark A. Federer
(614) 561-7039 or mfederer@dunrobin.org
Agent to Dunrobin Associates, LLC
On behalf of the City of Hillsboro, Ohio

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 08/08/2016

PID 101462

**PARCEL 10-T
HIG CR 1156 (HARRY SAUNER ROAD)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
DO MINOR GRADING
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF HILLSBORO, HIGHLAND COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Highland, City of Hillsboro, located in Virginia Military Survey Number 2319, and being part of the 5.225 acre tract conveyed to Highland Aid Propco LLC by deed of record in Official Record 848 Page 601, records of the Recorder's Office, Highland County, Ohio, and being more particularly described as follows;

Being a parcel of land lying on the right side of the Centerline of Right-of-Way of Harry Sauner Road, as delineated upon the HIG CR 1156 (Harry Sauner Rd) Right-of-Way Plan on file with the Ohio Department of Transportation;

Beginning at a point in the existing southerly right-of-way line of Harry Sauner Road (being 60.00 feet in width), as established by a deed to the County Commissioners of Highland County by deed of record in Deed Book 343, Page 108, at the intersection of the common line of said 5.225 acre tract and the 5.600 acre tract conveyed to Peace Lutheran Church of Hillsboro, Ohio by deed of record in Official Record 156, Page 277, being 30.00 feet right of Centerline Right-of-Way station 57+11.28; said point being located South 09 deg. 58 min. 46 sec. East, a distance of 0.06 feet from a 5/8 inch rebar found;

Thence South 09 deg. 58 min. 46 sec. East, a distance of 20.01 feet along the common line of said 5.225 and 5.600 acre tracts to a point being 50.00 feet right of Centerline Right-of-Way station 57+10.59;

Thence South 82 deg. 47 min. 52 sec. West, a distance of 121.01 feet across said 5.225 acre tract, to a point in the southerly line of an existing 10 foot wide telephone line easement of record in D.B. 363, Page 659, being 40.00 feet right of Centerline Right-of-Way station 55+90.00;

Thence North 11 deg. 56 min. 33 sec. West, a distance of 10.00 feet across said 5.225 acre tract to a point in said existing southerly right-of-way line of Harry Sauner Road, being 30.00 feet right of Centerline Right-of-Way station 55+90.00;

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

Thence North 78 deg. 03 min. 27 sec. East, a distance of 121.28 feet along said existing southerly right-of-way line of Harry Sauner Road, and across said 5.225 acre tract, to the **Point of Beginning** of the herein described parcel, containing 0.042 acres, more or less, of which 0.000 acres lies within the existing Present Road Occupied.

Of the above described area, 0.042 acres are contained within Highland County Auditor's Parcel 25-10-000-249.08;

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), as established from a GPS survey in 2016, and are based on the bearing of North 67 deg. 11 min. 26 sec. East for the Centerline of Right-of-Way of Harry Sauner Road as determined by utilizing the Ohio Department of Transportation's Virtual Reference Station network.

All iron pins set are 3/4 inches in diameter rebar by 30 inches long with an aluminum cap stamped ODOT R/W and STANTEC.

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Hillsboro, in 2016, by Stantec Consulting Services, Inc., under the direction of said surveyor.

Instrument reference as of the date this survey was prepared: Official Record 848 Page 601, of the Recorder's Office, Highland County, Ohio.



STANTEC CONSULTING SERVICES INC.

Steven E. Rader 8/11/16
Registered Surveyor No. 7191 Date

Bell's Garden

City of Hillsboro
Office of the Mayor
130 North High Street
Hillsboro, Ohio 45133

NOTICE OF PASSAGE OF APPROPRIATION OF PROPERTY RESOLUTION

Date: 11-6-17

To: Highland Aid Propco LLC

Address: 251 Harry Sauner Rd
Hillsboro, OH 45133

Please take notice that Hillsboro City Council passed Resolution No. 17-90 to appropriate certain property for a right-of-way for improvements to Harry Sauner Road in the City. A copy of the Resolution is attached hereto.

Sincerely,


Hon. W. Drew Hastings, Mayor

To Chief of Police: Please cause a true copy of the above notice to be made upon the named addressee and make due return to me together with any bill for costs of service. Requested on behalf of Hon. W. Drew Hastings, Mayor

RETURN OF SERVICE

The undersigned received this Notice from the Honorable W. Drew Hastings pursuant to Ohio Revised Code Section 719.05 and did personally deliver a copy to the above address and did personally hand a copy to a person therein identified as Michael D Bradford, this 7th day of November, 2017, at 2:57 o'clock P M.

Signature of Officer: 

Title of Officer: Interim Chief of Police

Return

CERTIFIED COPY OF MUNICIPAL RESOLUTION/ORDINANCE

CITY OF HILLSBORO, OHIO

I, the undersigned, hereby certify that I am the Hillsboro City Council Clerk of the above-named municipality that is duly organized and existing under the laws of the United States of America, and that the attached is a true copy of **Resolution No. 17-41** duly adopted by the Hillsboro City Council on **November 6, 2017**, signed by the Mayor on November 6, 2017.

Debbie Sansone

Debbie Sansone, Clerk
Hillsboro City Council

Sworn to and subscribed by me this 9th day of November, 2017.

My Commission Expires 4-15-2018

Nancy E. Mathews
Nancy E. Mathews



CEDAR
WOODS

RESOLUTION NO. 17-41

A RESOLUTION DECLARING AN INTENT TO APPROPRIATE CERTAIN PROPERTY
FOR IMPROVEMENT OF HARRY SAUNER ROAD.

Whereas, R.C. Sec. 719.04 provides that the Hillsboro City Council shall, whenever it is deemed necessary to appropriate property, pass a resolution declaring such intent, defining the purpose of the appropriation, and setting forth a pertinent description of the land and the estate or interest therein desired to be appropriated.

Now, Therefore, Be it RESOLVED by the Council of the City of Hillsboro, State of Ohio, that

SECTION ONE: Council finds that it is necessary to appropriate the property as set forth in EXHIBIT A, attached hereto, and Council does hereby declare its intent to appropriate said property, for the purpose of widening and improving Harry Sauner Road in the City of Hillsboro.

SECTION TWO: This RESOLUTION requires a single reading pursuant to R.C. Sec. 719.05, and shall become effective upon passage by a majority of Council and approval by the Mayor.

SECTION THREE: The mayor shall, immediately upon the passage of this resolution, cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, every piece of property sought to be appropriated, or to the authorized agent of the owner or other such person. Such notice shall be served by a person designated for the purpose and return made in the manner provided for the service and return of summons in civil actions. If such owner, person, or agent cannot be found, notice shall be given by publication once a week for three consecutive weeks in a newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the Revised Code, and the council may thereupon pass an ordinance by a two-thirds vote of all members elected thereto, directing such appropriation to proceed.

Passed: 11/6/17

President

Attested: Debra J. Senzone

Approved: [Signature]

Mayor

Date: 11-6-17

Prepared by the City law Director.

LPA

Rev 01/2011

NOTICE OF INTENT TO ACQUIRE AND

GOOD FAITH OFFER

VIA EMAIL jcrossman@mhmltd.com

June 1, 2017

Hillsboro Cedar Wood, Ltd.

Jeffrey Crossman, Associate Counsel

8111 Rockside Road

Cleveland, OH 45133

Re: HIG CR1156

Parcel Number: 015

Interest Acquired: WD, SL, T1, T2

THE NOTICE OF INTENT TO ACQUIRE

TO: Hillsboro Cedar Wood, Ltd.

The City of Hillsboro, Ohio needs your property for a highway project identified as HIG CR1156 and will need to acquire the following from you:

Parcel 015-WD is being acquired as warranty deed with reservation of access, as is indicated by the WD designation. This means fee simple title is being acquired for the improvement, but the residue property will retain reasonable access to the road.

Parcel 015-SL is being acquired a continuing right for the construction and maintenance of slopes until such time as the owner desires to remove or build on the slope, provided that the proper preservation of a highway will not be impaired by such removal or occupancy of the slopes

Parcel 015-T is being acquired as a temporary easement, as is indicated by the T designation. A temporary easement is for specific purposes, outside permanent rights of entry by City of Hillsboro, Ohio or its contractors and ending when the proposed work has been completed and accepted. This temporary easement is being used to complete grading.

Ohio law authorizes City of Hillsboro, Ohio to obtain Parcels 015-WD, 015-SL, 015-T1 and 015-T2 from your property for the public purpose of a highway project. The legal description of your property that City of Hillsboro, Ohio needs for the highway project is set out in the Good Faith Offer that is included with this Notice of Intent to Acquire, that legal description is referred to as **Exhibit A** in the Good Faith Offer.

The Good Faith Offer included with this Notice of Intent to Acquire is City of Hillsboro, Ohio determination of the fair market value of your property. This fair market value (FMV) is what a willing buyer who is under no compulsion to buy and a willing seller who is under no compulsion to sell would value your property on the open market.

You will have a minimum of 30 days from the time you receive the Good Faith Offer included with this Notice of Intent to Acquire to accept or reject the offer. We are available to discuss the offer with you at any time. If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property. This will require a court procedure. In a court proceeding, you may disagree with whether our offer reflects the fair market value of the property.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, City of Hillsboro, Ohio is required to make a good faith effort to purchase Parcels 015-WD, 015-SL, 015-T1 and 015-T2.
2. We are to provide you with a written offer and the appraisal or valuation upon which we base that offer. The amount offered to you will not be less than the approved fair market value estimate of the property needed for the project. This compensation is based on the valuation of your property by qualified real estate personnel who have analyzed current market data. Their valuation work has been reviewed by a preapproved review appraiser prior to City of Hillsboro, Ohio establishing its fair market value estimate for your property needed for the project.
3. **You do not have to accept this offer** and City of Hillsboro, Ohio is not required to agree to your demands.
4. You are to be provided a copy of the valuation document during the first negotiation visit by an agent of City of Hillsboro, Ohio.
5. You are to be provided with pertinent parts of the highway plans which are:

Right of Way Legend Sheet - Page 1 of 11
Right of Way Summary Sheet - Page 4 of 11
Right of Way Plan Sheet - Page 7-8 of 11
Construction Plan and Profile Sheet - Page 8 of 38

6. The Plan Letter Attachment included with the Good Faith Offer attached to this "Notice Of Intent To Acquire" describes the interest in the real property that is to be acquired from you; the description and location of the real property to be acquired; and any improvements such as buildings or structures situated on the property to be acquired, if any.
7. You will be provided with a booklet entitled "When ODOT Needs Your Property". This booklet briefly explains the acquisition process and your rights in this process.
8. You have the right to seek the advice of an attorney, real estate appraiser, or any other person of your choice in this matter.
9. You have the right to object to City of Hillsboro, Ohio decision to acquire your property by writing, within ten business days of receiving this notice, to:

Mayor Drew Hastings
City of Hillsboro, Ohio
130 North High Street
Hillsboro, OH 45133

The Mayor has the discretion to veto this project, and if he does, it will not proceed.

10. If you do not accept this offer, and we cannot come to an agreement on the acquisition of Parcels 015-WD, 015-SL, 015-T1 and 015-T2, City of Hillsboro, Ohio has the right to file suit to acquire by eminent domain in the county in which the property is located. This action, referred to as an "appropriation proceeding" ensures your rights will be fully protected while at the same time allowing the construction of the highway project to proceed for the benefit of all.
11. When filing the appropriation, the Mayor will deposit the value of the property sought to be acquired with the court. At that time, City of Hillsboro, Ohio gains the right to enter upon and use the property acquired subject to Section 163.06 (B) of the Ohio Revised Code. If you agree to accept the deposited money as full payment, the appropriation case will be closed.
12. If you are not satisfied with the amount of the deposit, you must file an answer with the court in the manner and within the time specified in the summons which is served upon you by the court. Once the answer is filed, you may apply to the court to withdraw the deposited money, subject to the rights of any other parties having an interest in the property. Withdrawing your share of the deposit does not interfere with your right to have a jury determine the FMV of your property. Interest will not accrue on any money deposited under this procedure. If the money withdrawn under this procedure should exceed the final award, the owner will be required to return the excess payment.

13. As part of your answer you may request a trial by jury. After a trial, a jury will decide the amount you are to be awarded for your property that is acquired, for the damage that is caused by the acquisition, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. At the trial you may testify and present evidence as to the value of your property
14. If your property qualifies as an "Agricultural Use" as defined under ORC 163.21 (C)(2), and a jury awards you an amount that is more than 150% of City of Hillsboro, Ohio final offer as determined by law, you may be entitled to recover attorney fees and other litigation costs.
15. You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You **must** submit your written request for mediation to the court within ten business days after you file your answer. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

THE GOOD FAITH OFFER

The amount offered to you in good faith as just compensation for the acquisition of Parcel 015-WD, 015-SL, 015-T1 and 015-T2, of Project HIG CR1156 is:

015-WD	0.046 Acres @ \$50,000/Acre	\$ 2,300.00
	2 HW trees – small	\$ 500.00
	1 HW tree – medium	\$ 500.00
	2 pine trees – medium	\$ 1,000.00
	1,504 SF lawn @ \$0.30/SF	\$ 451.00
	300 SF asphalt drive	\$ 675.00
	20 LF concrete curb	\$ 270.00
	200 SF landscaping @ \$4.00/SF	\$ 800.00
	2 shrubs @ \$50.00/each	\$ 100.00
015-SL	0.291 Acres @ \$50,000/Acre @ 25%	\$ 3,638.00
	4 HW trees – small	\$ 1,000.00
	3 HW trees – medium	\$ 1,500.00
	1 HW tree – large	\$ 1,000.00
	3 pine trees – medium	\$ 1,500.00
	2 shrubs @ \$50.00/each	\$ 100.00
	300 SF landscaping @ \$4.00/SF	\$ 1,200.00
015-T1	0.007 Acres @ \$50,000/Acre @ 10%, one year	\$ 35.00
015-T2	0.029 Acres @ \$50,000/Acre @ 10%, one year	\$ 145.00

015-SL, T2 Two Entry Signs \$ 3,758.00

015-T1, T2 Two Entry Signs \$ 200.00

Total Good Faith Offer \$ 20,672.00

Tenant-owned improvements, if any, are to be identified in this Good Faith Offer, and if there are any such improvements, the amount offered to you does not include compensation for these improvements. There are no tenant-owned improvements for this parcel.

Your property may be encumbered with a mortgage lien as security for a loan. It is possible that City of Hillsboro, Ohio may conclude this acquisition of property without obtaining a partial release of such mortgage lien from your lender. In that event, you as the borrower and grantor of the mortgage lien should consult your loan and mortgage documents concerning possible requirements to apply proceeds from a public acquisition to your outstanding loan balance, or contact your lender about responsibilities and obligations when part of your property is acquired for public use.

While City of Hillsboro, Ohio may not provide legal advice, we will make all efforts to answer questions you have concerning this process and provide any copies of the law or our records that you may need to fully understand your rights, the project, and the process. If you have any questions concerning this matter, you may contact us at:

City of Hillsboro, Ohio
C/O Mayor Drew Hastings
130 North High Street
Hillsboro, OH 45133
(937) 393-5219

Lisa J. Burns

Lisa J. Burns
(513) 403-9944 or lburns@dunrobin.org
Agent to Dunrobin Associates, LLC
On behalf of the City of Hillsboro, Ohio

AND

Mark A. Federer

Mark A. Federer
(614) 561-7039 or mfederer@dunrobin.org
Agent to Dunrobin Associates, LLC
On behalf of the City of Hillsboro, Ohio

EXHIBIT A

Page 1 of 3

Rev. 06/09

LPA RX 851 WD

Ver. Date 08/09/2016

PID 101462

**PARCEL 15-WD
HIG CR 1156 (HARRY SAUNER ROAD)
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF HILLSBORO, HIGHLAND COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Highland, City of Hillsboro, located in Virginia Military Survey Number 2319, and being part of the 9.3543-acre tract conveyed to Hillsboro Cedar Woods, Ltd. by deed of record in Official Record 748 Page 435, records of the Recorder's Office, Highland County, Ohio, and being more particularly described as follows;

Being a parcel of land lying on the left side of the Centerline of Right-of-Way of Harry Sauner Road, as delineated upon the HIG CR 1156 (Harry Sauner Rd) Right-of-Way Plan on file with the Ohio Department of Transportation;

Beginning for Reference at an iron pin set in the existing southerly right-of-way line of Harry Sauner Road (being 60.00 feet in width) and the southerly line of a 1.388 acre tract conveyed to the City of Hillsboro by deed of record in Deed Book 329, Page 594, at the northwesterly corner of Lot 1 of Commerce Plaza Subdivision – Replat, of record in Plat Book 8, Page 148, Envelope 448B; said iron pin being 30.00 feet right of Centerline Right-of-Way station 65+51.84;

Thence South 67 deg. 11 min. 26 sec. West, a distance of 158.83 feet, along said existing southerly right-of-way line of Harry Sauner Road and the southerly line of said 1.388 acre tract, to a 5/8 inch rebar found at a common corner of said 1.388 acre tract and the 0.578 acre tract conveyed to the City of Hillsboro by deed of record in Deed Book 343, Page 130; said rebar being 30.00 feet right of Centerline Right-of-Way station 63+93.01;

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Thence North 22 deg. 48 min. 34 sec. West, a distance of 60.00 feet along the common line of said 1.388 and 0.578 acre tracts, across Harry Sauner Road, to a 5/8 inch rebar found in the existing northerly right-of-way line of Harry Sauner Road, in the southerly line of said 9.3543 acre tract, at a common corner of said 1.388 and 0.578 acre tracts, being 30.00 feet left of Centerline Right-of-Way station 63+93.01;

Thence North 67 deg. 11 min. 26 sec. East, a distance of 236.99 feet along the existing northerly right-of-way line of Harry Sauner Road, and the common line of said 9.3543 and 1.388 acre tracts to an iron pin set at the **Point of True Beginning** of the herein described parcel; said iron pin being 30.00 feet left of Centerline Right-of-Way station 66+30.00;

Thence the following three (3) courses and distances across said 9.3543 acre tract;

1. Thence North 22 deg. 48 min. 34 sec. West, a distance of 10.00 feet to an iron pin set, being 40.00 feet left of Centerline Right-of-Way station 66+30.00;
2. Thence North 67 deg. 11 min. 26 sec. East, a distance of 102.41 feet to an iron pin set at a point of curvature, being 40.00 feet left of Centerline Right-of-Way station 67+32.41;
3. Thence along a curve to the left, having a radius of 1105.92 feet, an arc length of 99.60 feet, a central angle of 05 deg. 09 min. 36 sec., the chord to which bears North 64 deg. 36 min. 38 sec. East, a chord distance of 99.56 feet to an iron pin set in the common line of said 9.3543 acre tract and the 0.981 acre tract conveyed to Bunnell Hill Developmet Co., Inc., by deed of record in Official Record 906, Page 491; said iron pin being 40.00 feet left of Centerline Right-of-Way station 68+35.61;

Thence South 10 deg. 05 min. 38 sec. East, a distance of 10.50 feet along the common line of said 9.3543 and 0.981 acre tracts, to a point on a curve in the existing northerly right-of-way of Harry Sauner Road, and the northerly line of said 1.388 acre tract, at the common corner of said 9.3543 and 0.981 acre tracts, being 30.00 feet left of Centerline Right-of-Way station 68+32.30; said point being located North 10 deg. 05 min. 38 sec. West, a distance of 0.09 feet from an iron pin found;

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Thence the following two (2) courses and distances along the northerly right-of-way lines of Harry Sauner Road and said 1.388 acre tract, and the southerly lines of said 9.3543 acre tract;

1. Thence along a curve to the right, having a radius of 1115.92 feet, an arc length of 97.27 feet, a central angle of 04 deg. 59 min. 40 sec., the chord to which bears South 64 deg. 41 min. 36 sec. West, a chord distance of 97.24 feet to a point of tangency, being 30.00 feet left of Centerline Right-of-Way station 67+32.41;
2. Thence South 67 deg. 11 min. 26 sec. West, a distance of 102.41 feet to the **Point of True Beginning** of the herein described parcel, containing 0.046 acres, more or less, of which 0.000 acres lies within the existing Present Road Occupied.

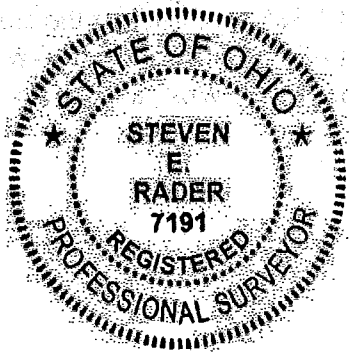
Of the above described area, 0.046 acres are contained within Highland County Auditor's Parcel 25-05-001-003.00.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), as established from a GPS survey in 2016, and are based on the bearing of North 67 deg. 11 min. 26 sec. East for the Centerline of Right-of-Way of Harry Sauner Road as determined by utilizing the Ohio Department of Transportation's Virtual Reference Station network.

All iron pins set are 3/4 inches in diameter rebar by 30 inches long with an aluminum cap stamped ODOT R/W and STANTEC.

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Hillsboro, in 2016, by Stantec Consulting Services, Inc., under the direction of said surveyor.

Instrument reference as of the date this survey was prepared: Official Record 748 Page 435, of the Recorder's Office, Highland County, Ohio.



STANTEC CONSULTING SERVICES INC.

Steven E. Rader 8/11/16
Registered Surveyor No. 7191 Date

EXHIBIT A

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Rev. 08/12

Ver. Date 08/09/2016

PID 101462

**PARCEL 15-SL
HIG CR 1156 (HARRY SAUNER ROAD)
PERPETUAL EASEMENT FOR THE CONSTRUCTION AND
MAINTENANCE OF SLOPES IN THE NAME AND FOR THE USE OF THE
CITY OF HILLSBORO, HIGHLAND COUNTY, OHIO**

An exclusive perpetual easement for the construction and maintenance of slopes over the within described real estate. With the express prior permission of Grantee, Grantor/Owner may (1) alter the contours of the slopes constructed and maintained by Grantee over the easement area; and (2) install, construct and make improvements on the slopes constructed and maintained by Grantee over the easement area. Provided, however, any and all such alterations of the slopes and construction of improvements thereon shall be undertaken at the sole expense of Grantor/Owner; in no event shall Grantee be liable to Grantor/Owner for any compensation whatsoever if it should be reasonably necessary or desirable for Grantee to restore the slopes over the easement area to the same condition as originally constructed by Grantee or if it should be reasonably necessary or desirable for Grantee to maintain or reconstruct and maintain the slopes over the easement area in a manner different than originally constructed by Grantee or altered by Grantor/Owner, nor shall Grantee be liable to Grantor/Owner for any compensation whatsoever if, in the course of maintaining or reconstructing the slopes over the easement area, it is reasonably necessary or convenient for Grantee to remove or impair any improvement constructed thereon by Grantor/Owner. (As used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Highland, City of Hillsboro, located in Virginia Military Survey Number 2319, and being part of the 9.3543 acre tract conveyed to Hillsboro Cedar Woods, Ltd, by deed of record in Official Record 748 Page 435, records of the Recorder's Office, Highland County, Ohio, and being more particularly described as follows;

Being a parcel of land lying on the left side of the Centerline of Right-of-Way of Harry Sauner Road, as delineated upon the HIG CR 1156 (Harry Sauner Rd) Right-of-Way Plan on file with the Ohio Department of Transportation;

Beginning for Reference at an iron pin set in the existing southerly right-of-way line of Harry Sauner Road (being 60.00 feet in width) and the southerly line of a 1.388 acre tract conveyed to the City of Hillsboro by deed of record in Deed Book 329, Page 594, at the northwesterly corner of Lot 1 of Commerce Plaza Subdivision – Replat, of record in Plat Book 8,

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Page 148, Envelope 448B; said point being 30.00 feet right of Centerline Right-of-Way station 65+51.84;

Thence South 67 deg. 11 min. 26 sec. West, a distance of 158.83 feet, along said existing southerly right-of-way line of Harry Sauner Road and the southerly line of said 1.388 acre tract, to a 5/8 inch rebar found at a common corner of said 1.388 acre tract and the 0.578 acre tract conveyed to the City of Hillsboro by deed of record in Deed Book 343, Page 130; said rebar being 30.00 feet right of Centerline Right-of-Way station 63+93.01;

Thence North 22 deg. 48 min. 34 sec. West, a distance of 60.00 feet along the common line of said 1.388 and 0.578 acre tracts, across Harry Sauner Road, to a 5/8 inch rebar found in the existing northerly right-of-way line of Harry Sauner Road, in the southerly line of said 9.3543 acre tract, at a common corner of said 1.388 and 0.578 acre tracts, and being the **Point of True Beginning** of the herein described parcel; said rebar being 30.00 feet left of Centerline Right-of-Way station 63+93.01;

Thence South 67 deg. 11 min. 26 sec. West, a distance of 412.42 feet along said existing northerly right-of-way line of Harry Sauner Road, the northerly line of said 0.578 acre tract, and the southerly line of said 9.3543 acre tract, to a point in the easterly line of the 5.433 acre tract conveyed to F.W. Kibler Milling Company by deed of record in Official Record 123, Page 987, at a common corner of said 0.578 and 9.3543 acre tracts; said point being 30.00 feet left of Centerline Right-of-Way station 59+80.59;

Thence North 09 deg. 49 min. 15 sec. West, a distance of 10.26 feet along the common line of said 9.3543 and 5.433 acre tracts to a point being 40.00 feet left of Centerline Right-of-Way station 59+82.89;

Thence the following nine (9) courses and distances across said 9.3543 acre tract;

1. Thence North 67 deg. 11 min. 26 sec. East, a distance of 87.11 feet to a point being 40.00 feet left of Centerline Right-of-Way station 60+70.00;
2. Thence North 51 deg. 48 min. 51 sec. East, a distance of 82.97 feet to a point being 62.00 feet left of Centerline Right-of-Way station 61+50.00;
3. Thence North 67 deg. 11 min. 26 sec. East, a distance of 120.00 feet to a point being 62.00 feet left of Centerline Right-of-Way station 62+70.00;
4. Thence North 84 deg. 38 min. 16 sec. East, a distance of 73.38 feet to a point being 40.00 feet left of Centerline Right-of-Way station 63+40.00;

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5. Thence North 67 deg. 11 min. 26 sec. East, a distance of 160.00 feet to a point being 40.00 feet left of Centerline Right-of-Way station 65+00.00;
6. Thence North 55 deg. 52 min. 50 sec. East, a distance of 91.78 feet to a point being 58.00 feet left of Centerline Right-of-Way station 65+90.00;
7. Thence North 74 deg. 47 min. 06 sec. East, a distance of 60.53 feet to a point being 50.00 feet left of Centerline Right-of-Way station 66+50.00;
8. Thence North 48 deg. 45 min. 20 sec. East, a distance of 21.08 feet to a point being 56.67 feet left of Centerline Right-of-Way station 66+70.00;
9. Thence South 22 deg. 48 min. 34 sec. East, a distance of 16.67 feet to a point in the new northerly right-of-way line of Harry Sauner Road (Parcel 15-WD), being 40.00 feet left of Centerline Right-of-Way station 66+70.00;

Thence the following two (2) courses and distances along said new northerly right-of-way line of Harry Sauner Road, and across said 9.3543 acre tract;

1. Thence South 67 deg. 11 min. 26 sec. West, a distance of 40.00 feet to an iron pin set at an angle point, being 40.00 feet left of Centerline Right-of-Way station 66+30.00;
2. Thence South 22 deg. 48 min. 34 sec. East, a distance of 10.00 feet to an iron pin set in the existing northerly right-of-way line of Harry Sauner Road, and the common line of said 9.3543 and 1.388 acre tracts, being 30.00 feet left of Centerline Right-of-Way station 66+30.00;

Thence South 67 deg. 11 min. 26 sec. West, a distance of 236.99 feet along the existing northerly right-of-way line of Harry Sauner Road, and the common line of said 9.3543 and 1.388 acre tracts to the **Point of True Beginning** of the herein described parcel, containing 0.291 acres, more or less, of which 0.000 acres lies within the existing Present Road Occupied.

Of the above described area, 0.291 acres are contained within Highland County Auditor's Parcel 25-05-001-003.00.

EXHIBIT A

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Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), as established from a GPS survey in 2016, and are based on the bearing of North 67 deg. 11 min. 26 sec. East for the Centerline of Right-of-Way of Harry Sauner Road as determined by utilizing the Ohio Department of Transportation's Virtual Reference Station network.

All iron pins set are 3/4 inches in diameter rebar by 30 inches long with an aluminum cap stamped ODOT R/W and STANTEC.

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Hillsboro, in 2016, by Stantec Consulting Services, Inc., under the direction of said surveyor.

Instrument reference as of the date this survey was prepared: Official Record 748 Page 435, of the Recorder's Office, Highland County, Ohio.



STANTEC CONSULTING SERVICES INC.

Steven E Rader 8/11/16
Registered Surveyor No. 7191 Date

EXHIBIT A

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LPA RX 887 T

Ver. Date 08/09/2016

PID 101462

**PARCEL 15-T1
HIG CR 1156 (HARRY SAUNER ROAD)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT DRIVE AND FOR MINOR GRADING
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF HILLSBORO, HIGHLAND COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Highland, City of Hillsboro, located in Virginia Military Survey Number 2319, and being part of the 9.3543 acre tract conveyed to Hillsboro Cedar Woods, Ltd. by deed of record in Official Record 748 Page 435, records of the Recorder's Office, Highland County, Ohio, and being more particularly described as follows;

Being a parcel of land lying on the left side of the Centerline of Right-of-Way of Harry Sauner Road, as delineated upon the HIG CR 1156 (Harry Sauner Rd) Right-of-Way Plan on file with the Ohio Department of Transportation;

Beginning at a point in the northerly line of the proposed slope easement (Parcel 15-SL), being 40.00 feet left of Centerline Right-of-Way station 63+90.00;

Thence the following two (2) courses and distances across said 9.3543 acre tract;

1. Thence North 55 deg. 52 min. 50 sec. East, a distance of 50.99 feet to a point being 50.00 feet left of Centerline Right-of-Way station 64+40.00;
2. Thence South 79 deg. 07 min. 09 sec. East, a distance of 18.03 feet to a point in the northerly line of said proposed slope easement, being 40.00 feet left of Centerline Right-of-Way station 64+55.00;

Thence South 67 deg. 11 min. 26 sec. West, a distance of 65.00 feet along the northerly line of said proposed slope easement and across said 9.3543 acre tract, to the **Point of True Beginning** of the herein described parcel, containing 0.007 acres, more or less, of which 0.000 acres lies within the existing Present Road Occupied.

Of the above described area, 0.007 acres are contained within Highland County Auditor's Parcel 25-05-001-003.00.

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Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), as established from a GPS survey in 2016, and are based on the bearing of North 67 deg. 11 min. 26 sec. East for the Centerline of Right-of-Way of Harry Sauner Road as determined by utilizing the Ohio Department of Transportation's Virtual Reference Station network.

All iron pins set are 3/4 inches in diameter rebar by 30 inches long with an aluminum cap stamped ODOT R/W and STANTEC.

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Hillsboro, in 2016, by Stantec Consulting Services, Inc., under the direction of said surveyor.

Instrument reference as of the date this survey was prepared: Official Record 748 Page 435, of the Recorder's Office, Highland County, Ohio.



STANTEC CONSULTING SERVICES INC.

Steven E Rader 8/11/16
Registered Surveyor No. 7191 Date

EXHIBIT A

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Rev. 07/09

Ver. Date 08/09/2016

PID 101462

**PARCEL 15-T2
HIG CR 1156 (HARRY SAUNER ROAD)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT DRIVE AND FOR MINOR GRADING
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF HILLSBORO, HIGHLAND COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situate in the State of Ohio, County of Highland, City of Hillsboro, located in Virginia Military Survey Number 2319, and being part of the 9.3543 acre tract conveyed to Hillsboro Cedar Woods, Ltd. by deed of record in Official Record 748 Page 435, records of the Recorder's Office, Highland County, Ohio, and being more particularly described as follows;

Being a parcel of land lying on the left side of the Centerline of Right-of-Way of Harry Sauner Road, as delineated upon the HIG CR 1156 (Harry Sauner Rd) Right-of-Way Plan on file with the Ohio Department of Transportation;

Beginning at a point in the proposed northerly right-of-way line of Harry Sauner Road (Parcel 15-WD), at the southeasterly corner of the proposed slope easement (Parcel 15-SL), being 40.00 feet left of Centerline Right-of-Way station 66+70.00;

Thence North 22 deg. 48 min. 34 sec. West, a distance of 16.67 feet along the easterly line of said proposed slope easement, and across said 9.3543 acre tract to a point being 56.67 feet left of Centerline Right-of-Way station 66+70.00;

Thence the following two (2) courses and distances across said 9.3543 acre tract;

1. Thence North 48 deg. 45 min. 20 sec. East, a distance of 42.16 feet to a point being 70.00 feet left of Centerline Right-of-Way station 67+10.00;
2. Thence South 59 deg. 34 min. 16 sec. East, a distance of 37.45 feet to an iron pin set in said proposed northerly right-of-way line, being 40.00 feet left of Centerline Right-of-Way station 67+32.41;

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Thence South 67 deg. 11 min. 26 sec. West, a distance of 62.41 feet along said proposed northerly right-of-way line, and across said 9.3543 acre tract, to the **Point of True Beginning** of the herein described parcel, containing 0.029 acres, more or less, of which 0.000 acres lies within the existing Present Road Occupied.

Of the above described area, 0.029 acres are contained within Highland County Auditor's Parcel 25-05-001-003.00.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), as established from a GPS survey in 2016, and are based on the bearing of North 67 deg. 11 min. 26 sec. East for the Centerline of Right-of-Way of Harry Sauner Road as determined by utilizing the Ohio Department of Transportation's Virtual Reference Station network.

All iron pins set are 3/4 inches in diameter rebar by 30 inches long with an aluminum cap stamped ODOT R/W and STANTEC.

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Hillsboro, in 2016, by Stantec Consulting Services, Inc., under the direction of said surveyor.

Instrument reference as of the date this survey was prepared: Official Record 748 Page 435 of the Recorder's Office, Highland County, Ohio.



STANTEC CONSULTING SERVICES INC.

Steven E Rader 8/11/14
Registered Surveyor No. 7191 Date

Cedar Woods

City of Hillsboro
Office of the Mayor
130 North High Street
Hillsboro, Ohio 45133

NOTICE OF PASSAGE OF APPROPRIATION OF PROPERTY RESOLUTION

Date: NOVEMBER 6, 2017

To: Hillsboro Cedar Wood Ltd.

Address: 200 Harry Sauner Rd
Hillsboro, OH 45133

Please take notice that Hillsboro City Council passed Resolution No. 17-41 to appropriate certain property for a right-of-way for improvements to Harry Sauner Road in the City. A copy of the Resolution is attached hereto.

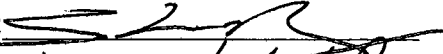
Sincerely,


Hon. W. Drew Hastings, Mayor

To Chief of Police: Please cause a true copy of the above notice to be made upon the named addressee and make due return to me together with any bill for costs of service. Requested on behalf of Hon. W. Drew Hastings, Mayor

RETURN OF SERVICE

The undersigned received this Notice from the Honorable W. Drew Hastings pursuant to Ohio Revised Code Section 719.05 and did personally deliver a copy to the above address and did personally hand a copy to a person therein identified as Nancy W. Conser, this 7th day of November, 2017, at 2:44 o'clock P.M.

Signature of Officer: 
Title of Officer: Interim Chief of Police

Return

Recommended by the Auditor

RESOLUTION NO. 17- 42

A RESOLUTION TO INCREASE APPROPRIATIONS IN THE STORM SEWER FUND

Be it RESOLVED by the Council of the City of Hillsboro, Ohio that:

SECTION ONE:

The Auditor is authorized to increase appropriations in the 220 Storm Sewer Fund, specifically line item 220.630.523420 Engineering, by \$47,600. This increase is necessary to cover the costs of engineering for the Storm Water Master Plan and assistance in the formation of a Storm Water Utility.

SECTION TWO:

This resolution shall become effective upon passage by a majority of the members of Council and approval by the Mayor.

Passed: 11-13-17 President: 

Attest: 
Clerk

Approved:  Date: 11-16-17
Mayor

Approved as to Form and Legality: 
By the Law Director

RESOLUTION No. 17- 43

A RESOLUTION AUTHORIZING THE SAFETY & SERVICE DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF HILLSBORO FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF STORM SEWER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

WHEREAS, the City of Hillsboro seeks to upgrade its existing storm sewer facilities; and

WHEREAS, the City of Hillsboro intends to apply for WATER POLLUTION CONTROL LOAN FUND (WPCLF) for the planning, design, and/or construction of storm water facilities; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.


NOT THEREFORE, BE IT RESOLVED BY THE Council of the City of Hillsboro, Ohio:

SECTION 1: That the Safety & Service Director be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of storm water facilities on behalf of the City of Hillsboro, Ohio.

SECTION 2: That the dedicated source of repayment will be the 220 Fund, Storm Water Maintenance & Repair Fund.

SECTION 3: This legislation shall become effective upon passage by a majority of Council, approval by the mayor, and 30-days after publication according to law.


Passed: 11-13-17
Date


President of Council

Attested: Debbie Sansone
Clerk of Council

Approved: 
Mayor

11-16-17
Date

Approved as to form: 
Law Director

11-16-17
Date

RESOLUTION NO. 17- 44

WHEREAS, the Hillsboro City Council has received public comments at council meetings and committee meetings regarding social media posts, and

WHEREAS, the Hillsboro City Council wants to go on public record setting high value on civil public discourse, and

WHEREAS, it is a core value of City Council that all citizens, visitors, and others who come in contact with the employees and elected officials be treated with the upmost respect and integrity; and

WHEREAS, the elected officials of the City and including specifically, through the leadership of the Mayor, must set the example and tone for demonstrating respect and integrity.

SECTION ONE:

The above stated recitals are incorporated herein by reference.

SECTION TWO:

City Council calls on all employees and elected officials of the City to serve the public, and to serve with one another, in harmony, kindness, generosity, and respect.


SECTION THREE:

It is the City Council's expectation that the officials and employees of the City will consistently behave in a professional manner, including social media posts and writings, for the reason that the simple use of coarse and abusive language causes harm and weakens public confidence in the best efforts of the City Council to accomplish beneficial works for the citizens of Hillsboro.

SECTION FOUR:

The Clerk of Council is hereby directed to spread this RESOLUTION in its entirety upon the journal of this legislative body forthwith and to cause its immediate publication in a newspaper of general circulation in the city.

Passed: 11-13-17

President: 

Attest: 
Clerk

Approved: _____ Date: _____
Mayor

Approved as to Form 
Law Director

Introduced by the Safety and Service Director

ORDINANCE NO. 2017- 06

**A RESOLUTION TO AMEND THE ZONING MAP OF THE CITY OF HILLSBORO TO
CHANGE THE ZONING OF 246 EAST MAIN STREET FROM "RESIDENTIAL A" TO
"BUSINESS AND RESIDENTIAL D"**

Be it ordained by the council of the City of Hillsboro, State of Ohio, that

SECTION ONE:

On August 14, 2017, the council of the City of Hillsboro voted to change the zoning for 246 East Main Street, Parcel No. 25-27-001-009.00, from "Residential A" to "Business and Residential D."

SECTION TWO:

The zoning map of the city is hereby amended to reflect that Parcel Number 25-27-001-009.00, O/L 9 PT (246 East Main Street) in the city is zoned as "Business and Residential D" as reflected on the attached map.

SECTION THREE:

This ordinance shall become effective from and after the earliest time allowed by law.

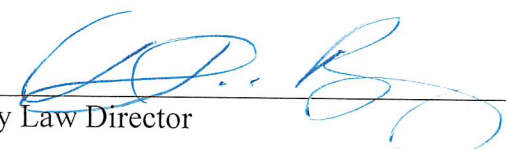
Passed: 11-13-17


President

Attested: 
Clerk

Approved: 
Mayor

11-16-17
Date

Approved as to Form 
City Law Director

9-11-17 FIRST READING
10-10-17 SECOND READING
11-13-17 THIRD READING



200-204 E. Main

Variance: Oct. 19, 2010

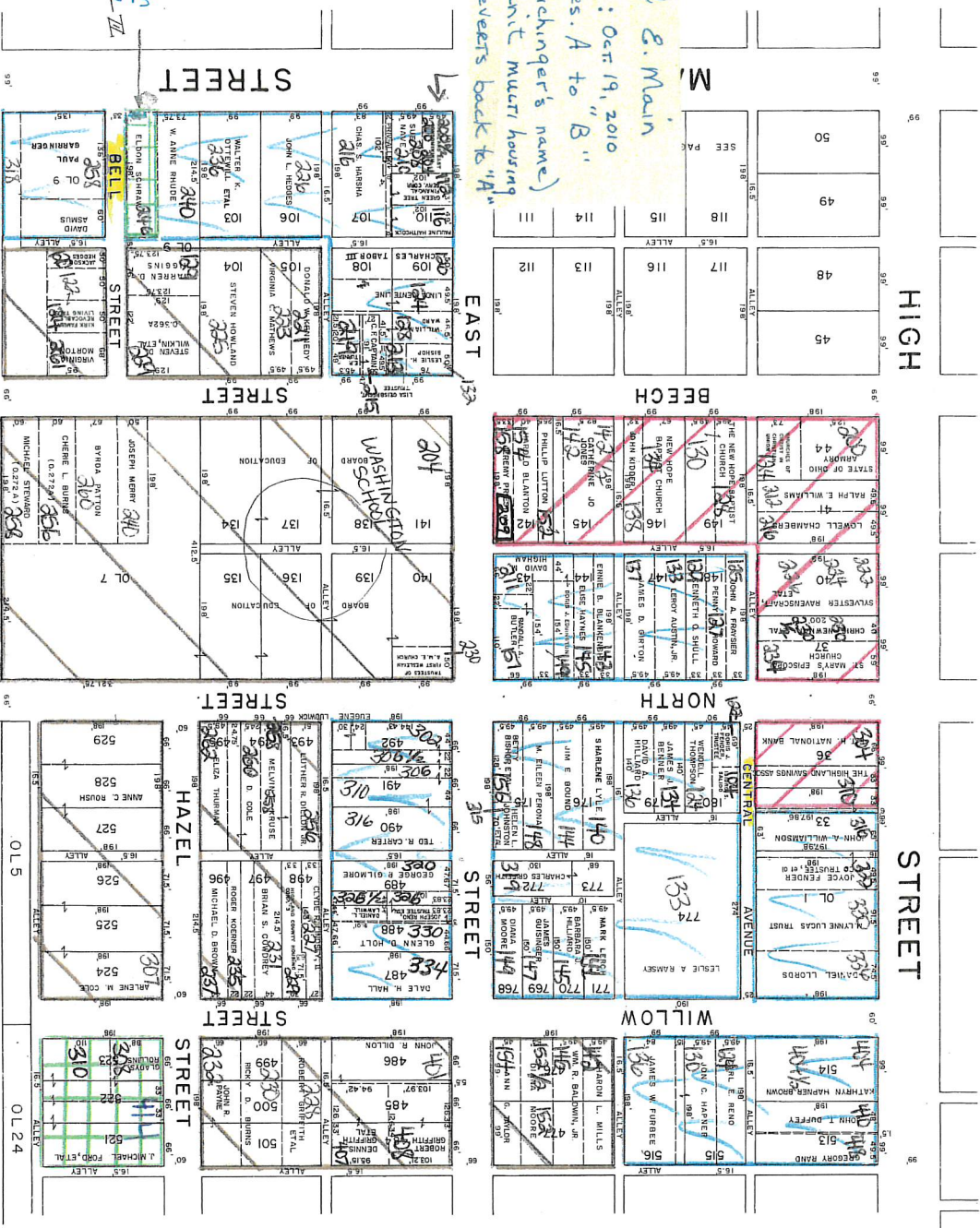
From Res. A to "B":

(under "Eichinger's name")

IF SOLD: Reverts back to "A"

CORPORATION
COUNTY, OHIO

246 E. Main
ORD 2017-
09-11-2017 III



二六二

STREET

BEECH

NORTH

061
MOTIM

EAST

230

STREET

STREET

STREET

STREET.

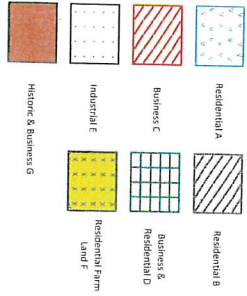
STREET

HAZEL.

STREET

6

0124



ORDINANCE NO. 2017- 11

AN ORDINANCE TO VACATE A PUBLIC WAY IN THE CITY (R.C. SECTION 723.05)

Be it ORDAINED by the Council of the City of Hillsboro, State of Ohio, that

SECTION ONE:

In the opinion of the council there is good cause for vacating or narrowing the below described street or alley, or any part thereof, and that such vacation or narrowing will not be detrimental to the general interest.

The description is as follows:

Located between West Pleasant Street and an unnamed alley approximately 207 feet south of West Pleasant Street and adjacent to Auditor Parcel Numbers: 25-43-001-036 and 25-43-001-037 (217 and 221 West Pleasant Street).

SECTION TWO: Check whichever applies

☒ Notice of the intention of the legislative authority of a municipal corporation to vacate was given as provided in section 723.07 of the Revised Code

---OR---

☐ Written consent to such vacation was filed with the legislative authority by the owners of the property abutting the part of the street or alley proposed to be vacated in which case no notice is required.

SECTION THREE:

The original ordinance or a certified copy thereof shall be recorded in the official records of the county recorder.

SECTION FOUR:

This ORDINANCE shall become effective upon passage by council and publication according to law.

SECTION FIVE: The order Council vacating or narrowing a street or alley which has been dedicated to public use by the proprietor thereof, shall, to the extent to which it is vacated or narrowed, operate as a revocation of the acceptance thereof by the Council, but the right of way and easement therein of any lot owner shall not be impaired by such order.

Passed: 11-13-17

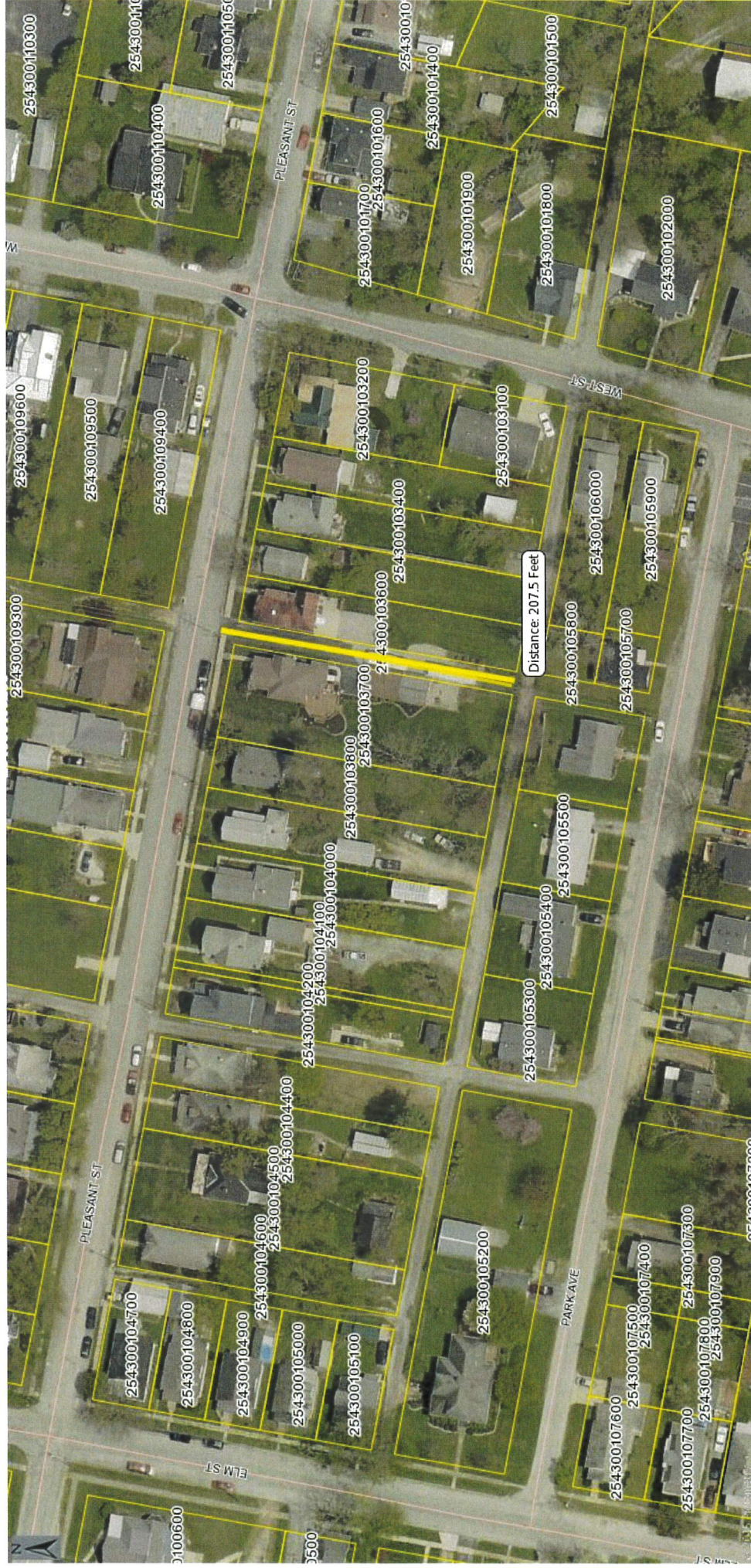
President: [Signature]

Attest: [Signature]
Clerk

Approved: [Signature]
Mayor

Date: 11-16-17

Alley W Pleasant St



John

ORDINANCE NO. 2017- 12

AN ORDINANCE TO VACATE A PUBLIC WAY IN THE CITY (R.C. SECTION 723.05)

Be it ORDAINED by the Council of the City of Hillsboro, State of Ohio, that

SECTION ONE:

In the opinion of the council there is good cause for vacating or narrowing the below described street or alley, or any part thereof, and that such vacation or narrowing will not be detrimental to the general interest.

The description is as follows:

Located between John Street and an unnamed alley approximately 192 feet north of John Street and adjacent to Auditor Parcel Numbers: 25-16-001-007.00 and 25-16-001-008.00 (340 and 342 John Street).

SECTION TWO: Check whichever applies:

[**X**] Notice of the intention of the legislative authority of a municipal corporation to vacate was given as provided in section 723.07 of the Revised Code

---OR---

[] Written consent to such vacation was filed with the legislative authority by the owners of the property abutting the part of the street or alley proposed to be vacated in which case no notice is required.


SECTION THREE:

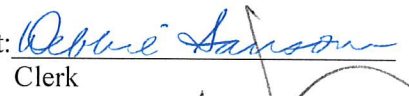
The original ordinance or a certified copy thereof shall be recorded in the official records of the county recorder.

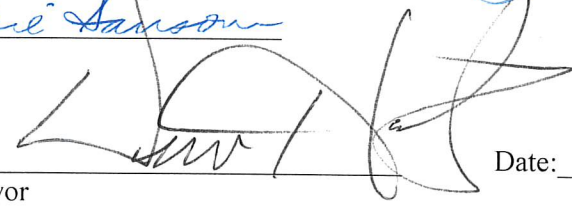
SECTION FOUR:

This ORDINANCE shall become effective upon passage by council and publication according to law.

SECTION FIVE: The order Council vacating or narrowing a street or alley which has been dedicated to public use by the proprietor thereof, shall, to the extent to which it is vacated or narrowed, operate as a revocation of the acceptance thereof by the Council, but the right of way and easement therein of any lot owner shall not be impaired by such order.

Passed: 11-13-17 President: 

Attest: 
Clerk

Approved:  Date: 11-16-17
Mayor

Vacate Alley 342 John St

