

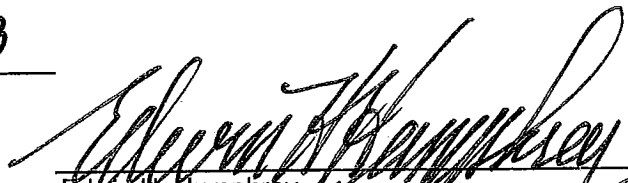
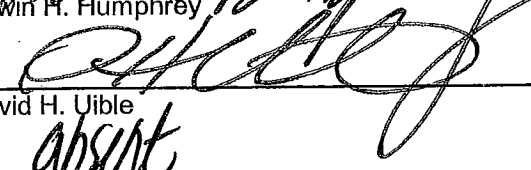
Moved by Mr. Uible, seconded by Mr. Humphrey,

Recommendation that the Board of County Commissioners adopt Resolution Number 133-13 resolving to approve payment to vendors in the total amount of \$750,622.63 as set forth in the BCC Approval Invoice Report(s) For Checks Dated August 28, 2013, Vendor Invoice List Report(s), Items paid by Fund and Check Date Range report and/or Procurement Card Transaction Report presented by the County Auditor 08/27/2013 and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Edwin H. Humphrey,	<u>aye</u>
David H. Uible,	<u>yes</u>
Robert L. Proud,	<u>absent</u>

Date Adopted: August 28, 2013

 Edwin H. Humphrey
 David H. Uible
<u>absent</u> Robert L. Proud

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 28th day of August 2013, at the Office of said Board with the following members present:

Edwin H. Humphrey, President
David H. Uible, Vice President

Mr. Uible moved for the adoption of the following Resolution:

RESOLUTION NUMBER 134-13

RESOLUTION AMENDING THE GENERAL PLANS FOR THE COUNTY WASTEWATER SYSTEM IN THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT, CLERMONT COUNTY, OHIO, TO INCLUDE CONSTRUCTION OF THE COUNTY WASTEWATER SYSTEM IMPROVEMENTS AS DESCRIBED IN THE ATTACHED EXHIBIT "A" WITHIN MIAMI TOWNSHIP, IN CLERMONT COUNTY, OHIO

WHEREAS, consultant engineering proposals have been obtained or need to be obtained for preliminary and design engineering, as well as, preparation of detailed plans, specifications, and estimates of cost for the proposed Wastewater System Improvement Project as outlined in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, in order for the consultant engineers to finalize the aforementioned work performance, it may be necessary to enter upon private and/or public property to perform soil borings, surveys, appraisals for necessary right-of-way, and such other examinations as deemed necessary by the Clermont County Water Resources Department.

WHEREAS, on May 15, 2013, the Board of County Commissioners of Clermont County, Ohio approved Resolution No. 60-13 which revised the General Plans for the County Wastewater System. It is now necessary to amend said Resolution to include the improvements described in the attached Exhibit "A".

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clermont County, Ohio, with at least two-thirds of its members concurring as follows:

SECTION 1. That the general plans as revised from time to time for the County Wastewater System in the Clermont County Water Resources Department be and are hereby revised to include the Wastewater System Improvement Project as generally described in the attached Exhibit "A", which exhibit is hereby made a part hereof.

SECTION 2. That the Clermont County Water Resources Department has been authorized and directed or is hereby authorized and directed to perform or have performed

preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost on the Wastewater System Improvement Project as generally described in Exhibit "A" for submittal to the Clermont County Water Resources Department and this Board for consideration and approval.

SECTION 3. That pursuant to Section 6117.01 of the Ohio Revised Code, the Clermont County Water Resources Department, its employees or agents, are hereby authorized to enter onto private and/or public properties affected by the Wastewater System Improvement Project listed in Exhibit "A" after sufficient notice to owners and/or persons in possession or control of such properties, to perform such soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize preliminary or design engineering, preparation of detailed plans, specifications, contract documents, acquisition of necessary right-of-way, and estimates of cost for the aforementioned improvement and expansion project.

SECTION 4. That the Board of County Commissioners hereby resolves to authorize the Sanitary Engineer to make pre-application, nominate, and/or make application for various local, state, and federal grants or loans, should such become available, for funding of said improvement and expansion project.

SECTION 5. This Board of County Commissioners 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.

The motion was seconded by Mr. Humphrey and, upon call of the roll, the vote was as follows:

Mr. Humphrey Aye; Mr. Uible Yes; Mr. Proud Absent.

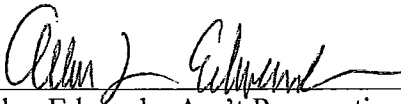
PASSED: August 28, 2013.

ATTEST:



Judith Kocica, Clerk
Board of County Commissioners
Clermont County, Ohio

This Resolution was approved as to form by the
Office of the Clermont County Prosecutor's Office


Allan Edwards, Ass't Prosecuting Attorney

Date: 8-8-13

CERTIFICATE

The undersigned, Clerk of the Board of County Commissioners of Clermont County, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 174 -13 as adopted at the meeting of said Board held on August 28, 2013.

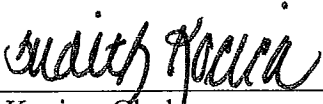

Judith Kocica, Clerk
Board of County Commissioners
Clermont County, Ohio

EXHIBIT "A"

Resolution No. _____

Adopted _____, 2013

**TANGLEWOOD LIFT STATION ELIMINATION PROJECT
PROJECT NO. 6402-60118**

This project located in Miami Township, consists of the construction of approximately 444 linear feet of 8" sanitary sewer and appurtenances, the removal of approximately 66 linear feet of existing sanitary sewer, and the decommissioning and removal of the Tanglewood Lift Station located at 1040 Sagebrush Court.

Estimated Annual Operation & Maintenance Cost.....\$ 400.00

Estimated Project Cost.....\$ 132,000.00

Source of Funds: One or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System.

RESOLUTION NO. 135-13

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 28th day of August, 2013, with the following members present:

Edwin H. Humphrey

David H. Uible

Mr. Uible moved for passage of the following Resolution:

RESOLUTION AUTHORIZING THE EXECUTION OF OHIO DEPARTMENT OF JOB AND FAMILY SERVICES INTER-COUNTY AGREEMENT AND CERTIFICATION RELEASE AND ACCEPTANCE OF FUNDS FORM JFS 02719 FOR SAME...

WHEREAS, the Ohio Department of Job and Family Services has made TANF funding available which will enable county agencies to establish programs that enable low income TANF-eligible Ohio youth to gain valuable work experience while earning a paycheck to help meet basic needs. Summer employment programs offer the opportunity for youth to develop a work history and have a current reference from an employer; and

WHEREAS, Ohio Administrative Code Section 5101:9-6-82 provides that a Board of County Commissioners may request an inter-county adjustment of funding for any state or federal allocation; and

WHEREAS, the Clermont County Department of Job and Family Services has sufficient funding remaining to provide mandated services for the remainder of the funding period; and

WHEREAS, mandated services will be provided in Clermont County for the remainder of the funding period; and

WHEREAS, the release of funds to the Scioto County Department of Job and Family Services will not leave Clermont County at a funding level below the expenditure level of the preceding funding period; and

WHEREAS, the Clermont County Department of Job and Family Services authorizes the allocation of funds to the Scioto County Department of Job and Family Services for a one-time adjustment.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners, County of Clermont, State of Ohio, that the Clermont County Department of Job and Family Services has sufficient funding to provide mandated services for the remainder of the funding period and that the transfer of \$35,000.00 to the Scioto County Department of Job and Family Services will not leave the county at a funding level below the expenditure level of the preceding funding period.

NOW, THEREFORE LET IT BE FURTHER RESOLVED that the Board of County Commissioners 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 its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Humphrey seconded the Resolution and upon roll call, the vote resulted as follows:

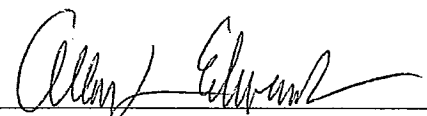
Edwin H. Humphrey,	<u>Aye</u>
David L. Uible,	<u>Yes</u>
Robert L. Proud,	<u>Absent</u>

ATTEST:


Judith Kocića, Clerk
Clermont County Board of Commissioners

DATE: AUGUST 28, 2013

This Resolution was approved as to form by the office of the Clermont County Prosecuting Attorney, D. VINCENT FARIS, PROSECUTOR.

By: 
Allan L. Edwards
Assistant Prosecuting Attorney

DATE: 8-27-13

RESOLUTION NO. 136 -13

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 28th day of August 2013, with the following members present:

Edwin H. Humphrey, President

David H. Uible, Vice President

Mr. Uible moved for the adoption of the following Resolution:

RESOLUTION FINDING THAT BRAXTON MEADOWS, LLC FAILED TO COMPLETE THE TERMS OF THE THREE YEAR PERFORMANCE BOND FOR SIDEWALKS DATED THE 3RD DAY OF NOVEMBER 2004, SECURED BY AN INSURANCE BOND NUMBER B98802010902 OF AMERICAN SOUTHERN INSURANCE COMPANY, ATLANTA, GEORGIA, AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND

WHEREAS, Braxton Meadows, LLC submitted a Performance Bond for the construction of sidewalks covering the subdivision known as Braxton Parke Subdivision, Section Six, Block B, Batavia Township, Clermont County, Ohio, which Bond was dated the 3rd day of November, 2004 and secured by an Insurance Bond number B98802010902 of American Southern Insurance Company, Atlanta, Georgia; and

WHEREAS, upon recommendation of the Office of the County Engineer, the Board finds that the performance to be undertaken has not been completed in a timely manner in accordance with the terms and conditions of the Bond.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

SECTION I

That the Board of County Commissioners hereby certifies that Braxton Meadows, LLC has defaulted on its contract obligations to the County pursuant to the sidewalk Performance Bond from Braxton Meadows, LLC executed the 3rd day of November, 2004 by failing to perform the completion, construction, repair and maintenance of sidewalks, and the Board of County Commissioners therefore certifies that Braxton Meadows, LLC has not fulfilled its contract obligations as called for in the subdividers contract for Braxton Parke Subdivision, Section Six, Block B, and therefore the Board of County Commissioners is obligated to complete said performance in the amount represented by the accompanying draft which is due and owing to Clermont County.

SECTION II

That the Board hereby determines that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default of Braxton Meadows, LLC is in the amount of \$3,105.00 and that the County Engineer is hereby authorized and directed to present to American Southern Insurance Company, a certified copy of this Resolution, together with a demand in the amount of \$3,105.00 for payment under terms and conditions of the Insurance Bond Number B98802010902.

SECTION III

That the County Engineer, upon review and approval by the Office of the Prosecuting Attorney of Clermont County is hereby authorized to execute all necessary documents, including sending written notice to Braxton Meadows, LLC and American Southern Insurance Company that the bond has been declared in default on behalf of Clermont County and/or the Clermont County Board of Commissioners to take any actions for the collection of the sum necessary to perform the completion, construction, repair and maintenance of sidewalks from the aforementioned Insurance Bond.

SECTION IV

That the Board of County Commissioners 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 the Board and its Committees, if any, which resulted in formal action, were taken in meeting open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Humphrey seconded the motion and on roll call, the vote resulted as follows:

Mr. Humphrey	<u>Aye</u>
Mr. Uible	<u>Yes</u>
Mr. Proud	<u>Absent</u>

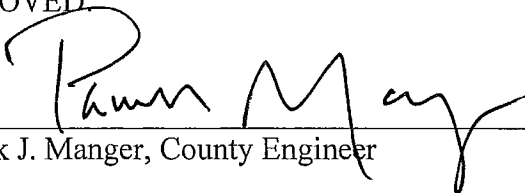
This Resolution was duly passed on the 28th day of August 2013.

ATTEST:



Judith Kocica, Clerk
Board of County Commissioners

APPROVED:



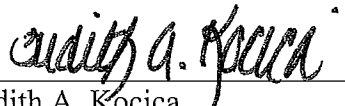
Patrick J. Manger, County Engineer

Certification of Clerk

State of Ohio }
 } ss:
County of Clermont }

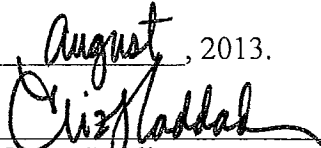
I, Judie Kocica, duly appointed Clerk of the Board of County Commissioners, being duly cautioned and sworn state as follows:

1. I am the duly appointed Clerk of the Board of County Commissioners of Clermont County, Ohio and as such, am the custodian of records of said public body.
2. As such custodian, I hereby attest that the foregoing Resolution is a true and accurate copy of the official action of the Board of Commissioners finding that Braxton Meadows, LLC has not performed on the contract between Braxton Meadows, LLC and the Board of County Commissioners, Clermont County, Ohio, relative to the completion, construction, repair and maintenance of sidewalks in Braxton Parke Subdivision, Section Six, Block B, Clermont County, Ohio.
3. That this Resolution was adopted in accordance with the laws of the State of Ohio to recover on Insurance Bond Number B98802010902, issued by American Southern Insurance Company, dated the 3rd day of November 2004.
4. Further the Affiant sayeth not.

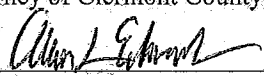


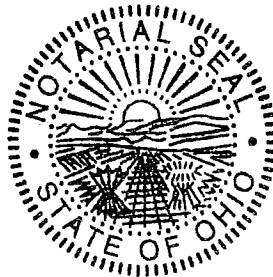
Judith A. Kocica

Sworn to and subscribed before me this 28th day of August, 2013.



Notary Public

This Resolution was prepared and approved as to form by the Office of the Prosecuting Attorney of Clermont County, Ohio
By: 
Allan L. Edwards
Assistant Prosecuting Attorney
Date: 7-31-13



ELIZABETH D. HADDAD
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Clermont County
My Comm. Exp. 12/5/14

RESOLUTION NO. 137 -13

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 28th day of August 2013, with the following members present:

Edwin H. Humphrey, President

David H. Uible, Vice President

Mr. Uible moved for the adoption of the following Resolution:

RESOLUTION FINDING THAT BRAXTON MEADOWS, LLC FAILED TO COMPLETE THE TERMS OF THE THREE YEAR PERFORMANCE BOND FOR SIDEWALKS DATED THE 8TH DAY OF JUNE, 2005 SECURED BY AN INSURANCE BOND NUMBER B98802011791 OF AMERICAN SOUTHERN INSURANCE COMPANY, ATLANTA, GEORGIA, AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND

WHEREAS, Braxton Meadows, LLC submitted a Performance Bond for the construction of sidewalks covering the subdivision known as Braxton Parke Subdivision, Section 7, Batavia Township, Clermont County, Ohio, which Bond was dated the 8th day of June, 2005 and secured by an Insurance Bond number B98802011791 of American Southern Insurance Company, Atlanta, Georgia; and

WHEREAS, upon recommendation of the Office of the County Engineer, the Board finds that the performance to be undertaken has not been completed in a timely manner in accordance with the terms and conditions of the Bond.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

SECTION I

That the Board of County Commissioners hereby certifies that Braxton Meadows, LLC has defaulted on its contract obligations to the County pursuant to the sidewalk Performance Bond from Braxton Meadows, LLC executed the 8th day of June 2005, by failing to perform the completion, construction, repair and maintenance of sidewalks, and the Board of County Commissioners therefore certifies that Braxton Meadows, LLC has not fulfilled its contract obligations as called for in the subdividers contract for Braxton Parke Subdivision, Section 7, and therefore the Board of County Commissioners is obligated to complete said performance in the amount represented by the accompanying draft which is due and owing to Clermont County.

SECTION II

That the Board hereby determines that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default of Braxton Meadows, LLC is in the amount of \$13,685.00 and that the County Engineer is hereby authorized and directed to present to American Southern Insurance Company, a certified copy of this Resolution, together with a demand in the amount of \$13,685.00 for payment under terms and conditions of the Insurance Bond Number B98802011791.

SECTION III

That the County Engineer, upon review and approval by the Office of the Prosecuting Attorney of Clermont County is hereby authorized to execute all necessary documents, including sending written notice to Braxton Meadows, LLC and American Southern Insurance Company that the bond has been declared in default on behalf of Clermont County and/or the Clermont County Board of Commissioners to take any actions for the collection of the sum necessary to perform the completion, construction, repair and maintenance of sidewalks from the aforementioned Insurance Bond.

SECTION IV

That the Board of County Commissioners 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 the Board and its Committees, if any, which resulted in formal action, were taken in meeting open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Humphrey seconded the motion and on roll call, the vote resulted as follows:

Mr. Humphrey	<u>Aye</u>
Mr. Uible	<u>Yes</u>
Mr. Proud	<u>Absent</u>

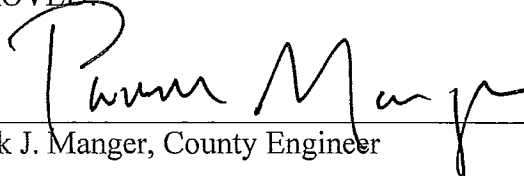
This Resolution was duly passed on the 29th day of AUGUST 2013.

ATTEST:



Judith Kocica, Clerk
Board of County Commissioners

APPROVED:



Patrick J. Manger, County Engineer

Certification of Clerk

State of Ohio }
 } ss:
County of Clermont }

I, Judie Kocica, duly appointed Clerk of the Board of County Commissioners, being duly cautioned and sworn state as follows:

1. I am the duly appointed Clerk of the Board of County Commissioners of Clermont County, Ohio and as such, am the custodian of records of said public body.
2. As such custodian, I hereby attest that the foregoing Resolution is a true and accurate copy of the official action of the Board of Commissioners finding that Braxton Meadows, LLC has not performed on the contract between Braxton Meadows, LLC and the Board of County Commissioners, Clermont County, Ohio, relative to the completion, construction, repair and maintenance of sidewalks in Braxton Parke Subdivision, Section 7, Clermont County, Ohio.
3. That this Resolution was adopted in accordance with the laws of the State of Ohio to recover on Insurance Bond Number B98802011791, issued by American Southern Insurance Company, dated the 8th day of June 2005.
4. Further the Affiant sayeth not.

Judith A. Kocica

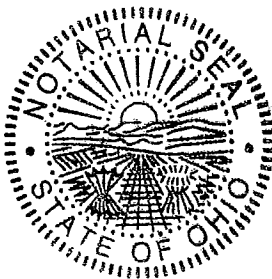
Judith A. Kocica

Sworn to and subscribed before me this 28th day of August, 2013.

Elizabeth D. Haddad

Notary Public

This Resolution was prepared and approved as to form by the Office of the Prosecuting Attorney of Clermont County, Ohio.
By: *Allan L. Edwards*
Allan L. Edwards
Assistant Prosecuting Attorney
Date: 7-31-13



ELIZABETH D. HADDAD
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Clermont County
My Comm. Exp. 12/5/14

RESOLUTION NO. 138 -13

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 28th day of August, 2013, with the following members present:

Edwin H. Humphrey, President

David H. Uible, Vice President

Mr. Uible moved for the adoption of the following Resolution:

**RESOLUTION GRANTING ANNEXATION OF 0.9435 ACRES
OF LAND OWNED BY DENISE E. LARGE TO THE VILLAGE
OF BATAVIA IN CLERMONT COUNTY, OHIO**

WHEREAS, the Petition for Annexation of 0.9435 acres of land constituting territory adjacent to the Village of Batavia in Batavia Township, Clermont County, Ohio was filed by Dennis Nichols, agent for the Petitioner, Denise E. Large, who constitutes the sole owner of the real estate sought to be annexed, with the Board of County Commissioners of Clermont County, Ohio on July 29, 2013 pursuant to Ohio Revised Code **Section 709.023**; and

WHEREAS, notice of said Petition was served personally by Dennis Nichols, agent for the Petitioner on the Fiscal Officer for the Village of Batavia and on the Fiscal Officer of Batavia Township, and by regular mail to the owners of property adjacent to the territory proposed to be annexed, within five days of the filing of the Petition pursuant to Ohio Revised Code **Section 709.023(B)**; and

WHEREAS, the map or plat and legal description of the perimeter of the territory proposed for annexation is accurate.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

1. That the Board finds that within twenty-five days after the date the Petition was filed the Council of the Village of Batavia adopted and filed with the Board of County Commissioners an ordinance consenting to the proposed annexation. The Board further finds that no objection has been filed to the proposed annexation.

2. In accordance with Ohio Revised Code **Section 709.023(E)**, the Board has reviewed the Petition and has determined that all of the seven conditions in that section have been met, as follows:
 - 2.1 The Petition for Annexation meets all the requirements set forth in, and was filed in the manner provided in, Ohio Revised Code **Section 709.021**.
 - 2.2 The person who signed the Petition constitutes the sole owner of the real estate proposed for annexation, as defined in Ohio Revised Code **Section 709.02(E)**.
 - 2.3 The territory proposed for annexation does not exceed five hundred acres and the description and plat of the territory proposed for annexation is accurate.
 - 2.4 The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
 - 2.5 The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
 - 2.6 The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant ordinance adopted by the municipal corporation under Ohio Revised Code **Section 709.023**.
 - 2.7 There will be no street or highway divided or segmented by the boundary line between the municipality and the township. The condition set forth in Ohio Revised Code **Section 709.023(E)(7)** has been met.
3. That pursuant to Ohio Revised Code **Section 709.023(D)** the Petition for Annexation of territory described therein to the Village of Batavia, Clermont County, Ohio, be and hereby is granted, and the Clerk of the Board of County Commissioners of Clermont County, Ohio, is hereby directed to enter on the journal all of the orders of the Board relating to the annexation and to deliver a certified copy of the entire record of the annexation proceedings, including resolution of the Board, signed by a majority of the

members of the Board, the Petition, map, and all other papers on file to the Clerk of the Village of Batavia.

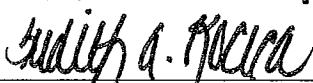
4. That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including **Section 121.22** of the Ohio Revised Code.

Mr. Humphrey seconded the motion and on roll call, the vote resulted as follows:

Mr. Humphrey	<u>Aye</u>
Mr. Uible	<u>Yes</u>
Mr. Proud	<u>Absent</u>

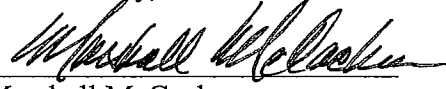
This Resolution was duly passed on the 28th day of August, 2013.

ATTEST:



Judith A. Kocica, Clerk of the
Board of County Commissioners

This Resolution was prepared and approved as to form by the Office of the Prosecuting Attorney of Clermont County, Ohio

By: 

Marshall McCachran
Assistant Prosecuting Attorney

Date: August 27, 2013

RESOLUTION NUMBER 139-13

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 28th day of August, 2013, with the following members present:

Edwin H. Humphrey, President
David H. Uible, Vice President

Mr. Uible moved for the adoption of the following Resolution:

RESOLUTION DETERMINING TO VACATE A PORTION OF WHITE STREET IN UNION TOWNSHIP, CLERMONT COUNTY, OHIO

WHEREAS, the Board of County Commissioners has determined pursuant to Section 5553.04 of the Ohio Revised Code to investigate whether the vacation of a portion of White Street in Union Township, Clermont County, Ohio, would be for the public convenience and welfare subsequent to the receipt of a request submitted by D'Anne Uhle, Durkee & Uhle, 285 Main Street, Batavia, Ohio 45103, for and on behalf of her client, Dean A. Goering, 4206 Mt. Carmel Tobasco Road, Cincinnati, Ohio 45255, in and as it relates thereto; and,

WHEREAS, pursuant to Sections 5553.06 and 5553.07 of the Ohio Revised Code, the County Engineer has reviewed the area proposed to be vacated and has approved the appropriate legal description therefore; and,

WHEREAS, the Board of County Commissioners has viewed the proposed area to be vacated and has held a public hearing concerning the proposed vacation of a portion of White Street in Union Township, on August 28, 2013, which is recorded in Commissioners' Journal Number 309, and,

WHEREAS, all appropriate statutory procedures have been followed according to the Ohio Revised Code; **NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Clermont County, Ohio, at least two-thirds of its members thereto concurring as follows:

SECTION I

That the Board of County Commissioners hereby determines that the public convenience and welfare would be best served by the vacation of a portion of White Street in Union Township and in William Taylor Military Survey Number 637, and as described, is hereby vacated, to wit:

Beginning at a point which is southerly along White Street 160' from the centerline intersection of White Street and Mt. Carmel-Tobasco Road; thence S.06°03'27"W. 64.94' to the terminus of White Street at the limited access R/W line of Interstate 275.

The above described vacation is a part of White Street as described in Reuben White Subdivision, Plat Book B, page 37, February 28th, 1878 of the Clermont County Recorder's Office.

SECTION II

That the Board of County Commissioners further finds that as to the issue of compensation and damages pursuant to Section 5553.09 of the Ohio Revised Code, no compensation and damages are necessary in this proceeding and none are awarded at this final hearing.

SECTION III

That the Clerk of the Board shall certify a copy of these proceedings to the Board of Union Township Trustees, the County Engineer, and the County Auditor.

SECTION IV

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of the Board and that all deliberations of this Board and 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.

Mr. Humphrey seconded the foregoing Resolution and upon roll call the vote was as follows:

Mr. Uible, Yes;

Mr. Humphrey, Aye;

Mr. Proud, Absent.

ATTEST:



Judith Kogica, Clerk
Board of County Commissioners
Clermont County, Ohio

Adopted: August 28, 2013

APPROVED AS TO FORM:
D. VINCENT FARIS, PROSECUTOR
CLERMONT COUNTY, OHIO

BY: 
Assistant Prosecutor

DATE: 8-28-13