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#### IN THE MATTER OF DECLARING THE SECOND WEEK OF APRIL 2008 AS NATIONAL TELECOMMUNICATORS WEEK IN AUGLAIZE COUNTY.

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of April, 2008 with the following members present:

John N. Bergman

Douglas A. Spencer

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

#### RESOLUTION

- WHEREAS the Congress of the United States, and the President of the United States have established the second week of April as National Telecommunicators Week; and
- WHEREAS as a corps of dedicated public safety telecommunicators serve the County of Auglaize; and,
- WHEREAS National Telecommunicators Week has been observed in the United States since 1981; and
- WHEREAS the County of Auglaize considers the services of the public safety telecommunicators to be vital to the interest of the community; and
- WHEREAS recognizing the services of the public safety telecommunicators is in the best interests and safety of the County of Auglaize; and
- WHEREAS the services of public safety telecommunicators is a 'silent service" and their duties are seldom observed by the public, and
- THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby proclaim and declare that the second week of April 2008 is designated as National Telecommunicators Week, and all residents of the county are invited to observe this event.

Mr. Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 15th day of April, 2008

**BOARD OF COUNTY COMMISSIONERS** AUGLAIZE COUNTY, OHIO

Douglas A. Spencer

Ivo J. Kramer

cc: Sheriff Allen F. Solomon

| NO. | 08-155 |
|-----|--------|
|-----|--------|

## IN THE MATTER OF PROCLAIMING APRIL 2008 AS CHILD ABUSE PREVENTION MONTH THROUGHOUT AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of April, 2008 with the following members present:

John N. Bergman

Douglas A. Spencer

Ivo J. Kramer

Mr. Spencer the adoption of the following:

## RESOLUTION

- WHEREAS, the public cares deeply about child abuse, and a majority report that child abuse is a very important moral issue to them; and,
- WHEREAS, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and,
- WHEREAS, child abuse and neglect not only directly harm children, but also increases the likelihood of long-term physical and mental health problems, alcohol and substance abuse, continued family violence, and criminal behavior, and,
- WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and,
- WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and,
- WHEREAS, child abuse and neglect can be reduced by making sure each family has the support they need in raising their children in a safe, nurturing environment; and,
- WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community;
- THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, in the State of Ohio, do hereby proclaim April 2008 as Child Abuse Prevention Month and call upon all citizens, community agencies faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Mr. Kramer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this

15th day of

April, 2008

BOARD OF COUNTY COMMISSIONERS AUGLAIZE COUNTY, OHIO

John N. Bergman

Douglas A. Spencer

ce: County Job & Family Services Dept.

IN THE MATTER OF GRANTING AN ANNEXATION OF 16.674 ACRES, MORE OR LESS, TO THE CITY OF WAPAKONETA FROM DUCHOUQUET TOWNSHIP; PETITIONED BY LBL INVESTMENTS, LTD. AND DONALD F. ARNETT & M. DARLENE ARNETT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15<sup>th</sup> day of April, 2008 with the following members present:

John N. Bergman

Douglas A. Spencer

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

## **RESOLUTION**

WHEREAS, on April 14, 2008, a petition for annexation of 16.674 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Jason E. This, named as Agent for petitioners LBL Investments, Ltd. and Donald F. Arnett & M. Darlene Arnett; and,

WHEREAS, the requirements for the filing of said petition were all met by Agent This, including:

- 1.) The petition meets all the requirements set forth in, and was filed in the manner provided, in the Ohio Revised Code Section 709.022.
- 2.) The persons who signed the petition represent 100% of the owners of the property; signatures having been obtained in the time frame required.
- 3.) An accurate legal description of the perimeter of the territory proposed to be annexed.
- 4.) An accurate map or plat of the territory.
- 5.) Named the party acting as agent for the petitioners.
- 6.) A list of all tracts, lots or parcels in the territory proposed to be annexed and all tracts, lots or parcels located adjacent to the territory to be annexed, listing the name of owner, mailing address and permanent parcel number from the County Auditor's system (ORC 319.28).
- 7.) An annexation agreement of the City of Wapakoneta and Duchouquet Township as provided for in ORC 709.192.

and,

**WHEREAS**, the petitioners requested that the special procedure be used and waived their right to appeal any action taken by the Board of County Commissioners; and,

WHEREAS, the Board determined that this annexation is in order, meeting all criteria.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby approve and grant the annexation of 16.674 acres, more or less, to the City of Wapakoneta as petitioned by LBL Investments, Ltd. and Donald F. Arnett & M. Darlene Arnett pursuant to ORC Section 709.022.

Mr. Spencer seconded the Resolution and upon the roll being called, the Vote resulted in the adoption of the Resolution as follows:

Adopted this 15th day of April, 2008 BOARD OF COUNTY COMMISSIONERS AUGLAIZE COUNTY, OHIO

John N. Bergman/

Douglas A. Spence

IVA | Kromor

cc: County Auditor

√County Engineer

√Jason E. This, Agent

Duchouquet Township Trustees

//City of Wapakoneta



#### ANNEXATION PETITION

The undersigned, LBL INVESTMENTS, LTD., an Ohio limited partnership, whose general partners are Kirk Wise and Betsy Wise, and Donald F. Arnett and M. Darlene Arnett, husband and wife, hereinafter referred to as Petitioners, are owners of the following real property located in the Township of Duchouquet, County of Auglaize and State of Ohio, to-wit:

#### Tract One:

Exhibit "A" Legal Description as noted in Volume 511, Page 1116, Auglaize County Recorder's Official Records is owned by LBL Investments, Ltd., an Ohio limited partnership.

Prior Deed Reference: Volume 511, Page 1115

Tax Parcel No. B05-311-006-00

### Tract Two:

Exhibit "A" Legal Description as noted in Volume 493, Page 1849, Auglaize County Recorder's Official Records is owned by Donald F. Arnett and M. Darlene Arnett, husband and wife,

Prior Deed Reference: Volume 493, Page 1848

Tax Parcel No. B05-311-005-00

A copy of the plat of the real estate is attached to this petition.

The owners of the real estate and the mailing address is LBL INVESTMENTS, LTD. an Ohio limited partnership, 12364 County Road 33A, Wapakoneta, Ohio 45895; and

Donald F. Arnett and M. Darlene Arnett, husband and wife, 12363 County Road 33A, Wapakoneta, Ohio 45895.

Petitioners represent that they are One Hundred Percent (100%) of the owners of the property described above.

Petitioners therefore petition to annex their property to the City of Wapakoneta from the Township of Duchouquet pursuant to Ohio Revised Code Section 709.022. The petitioners

represent that the property is not unreasonably large and that on balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the petition is granted.

Attached to this petition is an original copy of the annexation agreement of the City of Wapakoneta and Duchouquet Township.

The undersigned hereby appoints and designates, Jason E. This, as agent for the petitioners, P.O. Box 42, New Bremen, Ohio 45869.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

|                        | LBL INVESTMENTS, LTD., an Ohio Limited partnership                       |
|------------------------|--|
| <u>4/7/08</u><br>Date: | Kirk Wise, general partner 12364 County Road 33A Wapakoneta, Ohio 45895  |
| Date:                  | Betsy Wise, general partner 12364 County Road 33A Wapakoneta, Ohio 45895 |
| <u>4/7/08</u><br>Date: | Donald F. Arnett 12363 County Road 33A Wapakoneta, Ohio 45895            |
| <u>4-7-08</u><br>Date: | M. Darlene Arnett 12363 County Road 33A Wapakoneta, Ohio 45895           |

| I hereby | accept the designation as agent for petitioners, | dated this | 9+L | day of |
|----------|--|------------|-----|--------|
| Apr:1    | , 2008.  |            | •   |        |

Jason E. This Agent for Petitioners 5030 State Route 66 P.O. Box 42 New Bremen, Ohio 45869 419-629-8108 419-629-0328 (FAX) Requested By: bsw 10/05/2007

Filed for Record in AUGLAIZE COUNTY, OHIO ANN BILLINGS OB-28-2003 At 11:30 AM. WARNTY DEED 52.00 OR Book 493 Page 1848 - 1852

200300010645 DENNY FALLER

## WARRANTY DEED In

Instrument Book Page 200300010645 DR 493 1848

THAT, Ronald Buchanan and Heather Buchanan, husband and wife, the GRANTORS, for valuable consideration paid, grant with general warranty covenants to Donald F. Arnett and M. Darlene Arnett, husband and wife, the GRANTEES, FOR THEIR JOINT LIVES, REMAINDER TO THE SURVIVOR OF THEM, whose TAX MAILING ADDRESS is or will be 12363 County Road 33A, Wapakoneta, Ohio 45895, the following REAL PROPERTY, situated in the Township of Duchouquet, County of Auglaize, and State of Ohio, to-wit:

#### SEE ATTACHED "EXHIBIT A".

Permanent Parcel No – not yet determined. New survey and description prepared by James M. Kent, PS 6792.

The Property is conveyed subject to, and there are hereby excepted from the general warranty covenants, the following: All easements, rights-of-way, restrictions, covenants, and reservations of record, all legal highways, all building and zoning statutes, ordinances, codes, rules, and regulations, and all real estate taxes and assessments currently a lien on the Property, all of which have been prorated to the date of closing.

EXECUTED BY US, this 22nd day of A

, 2003

Ronald Buchanan

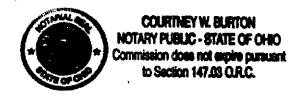
Heather Buchanan

#### STATE OF OHIO, COUNTY OF AUGLAIZE) SS:

BE IT REMEMBERED, that on this 22 day of August, 2003, before me, the subscriber, a Notary Public in and for said County and State, personally came, Ronald Buchanan and Heather Buchanan, husband and wife, the GRANTORS, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

Notary Public-State of Ohio



Buchanan - Tract One

## "EXHIBIT A" LEGAL DESCRIPTION



Being a part of the northwest quarter of Section 31, Town-5-South, Range-6-East, Duchouquet Township, Auglaize County, Ohio as evidenced by Official Record Volume 418, Page 40 and Official Record Volume 462, Page 2506 and more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found, said pipe being the **POINT OF BEGINNING** for the tract herein described;

thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found);

thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway;

thence, along the centerline of said driveway the following courses;

N 54 degrees 21' 01" E for a distance of 29.03 feet to a cotton gin spindle (set);

thence, N 74 degrees 23' 42" E for a distance of 25.98 feet to a cotton gin spindle (set);

thence, N 61 degrees 21' 07" E for a distance of 24.67 feet to a cotton gin spindle (set);

thence, N 20 degrees 50' 31" E for a distance of 30.85 feet to a cotton gin spindle (set)

thence, along a non-tangent curve to the left (concave to the west) having a radius of 150.00 feet, a central angle which measures 24 degrees 24' 44" a chord which bears N 17 degrees 35' 51" W and a chord which measures 63.43 feet, for a total arc length of 63.91 feet to a cotton gin spindle (set);

thence, along a non-tangent curve to the right (concave to the east) having a radius of 73.00 feet, a central angle of 75 degrees 22' 46", a chord which bears N 02 degrees 25' 32" W and a chord which measures 89.26 feet, for a total arc length of 96.04 feet to a cotton gin spindle (set) at a point of compound curve;

thence, along a curve to the left (concave to the west) having a radius of 100.00 feet, a central angle which measures 47 degrees 38' 14", a chord which bears N 09 degrees 20' 43" E and a chord which measures 80.77 feet, for a total arc length of 83.14 feet to a cotton gin spindle (set);

thence, N 15 degrees 07' 45" W for a distance of 98.39 feet to a cotton gin spindle (set);

CONVEYANCE HAS BEEN EXAMINED AND THE TOR HAS COMPILED WITH SECTION 319.207.

REVISED CODE 232.10

CHUMANN, COUNTY AUDITOR

PAGE 1 OF 4

Range Schuman KH Transfer 8-28-03 thence, continuing along the centerline of the aforesaid asphalt driveway N 07 degrees 12' 00" W (passing through a cotton gin spindle set on the southerly right-of-way line of West Auglaize Street at a distance of 126.88 feet) for a total distance of 158.24 feet to a cotton gin spindle (set) on the centerline of West Auglaize Street;

thence, along the centerline of West Auglaize Street, N 65 degrees 51' 52" E for a distance of 25.19 feet to a 5/8" re-rod (found);

thence, S 16 degrees 16' 38" E (passing through a 5/8" re-rod w/cap set on the southerly right-of-way line of West Auglaize Street at a distance of 30.28 feet) for a total distance of 732.43 feet to the **POINT OF BEGINNING**, containing therein 1.764 acres, of which 0.019 acres is street right-of-way.

#### ALSO:

A sixteen (16) foot wide easement for ingress & egress, the centerline of which is more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found; thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found); thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway, said spindle being the POINT OF BEGINNING for the easement herein described:

thence, S 66 degrees 22' 51" W for a distance of 42.15 feet to a point;

thence, S 75 degrees 25' 22" W along the centerline of a gravel driveway for a distance of 209.65 feet to a point;

thence, continuing along the aforesaid centerline S 73 degrees 02' 45" W for a distance of 302.47 feet to a point;

thence, continuing along the aforesaid centerline S 86 degrees 05' 45" W for a distance of 32.49 feet to a cotton gin spindle (set) on the legal centerline of Presar Road said spindle being the **POINT OF TERMINATION**.

#### ALSO:

An easement for ingress and egress, being eight (8) feet in width, lying north and west of the centerline of an asphalt driveway more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found; thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found); thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway, said spindle being the **POINT OF BEGINNING** for the easement herein described;

thence, along the centerline of said driveway the following courses;

N 54 degrees 21' 01" E for a distance of 29.03 feet to a cotton gin spindle (set);

thence, N 74 degrees 23' 42" E for a distance of 25.98 feet to a cotton gin spindle (set);

thence, N 61 degrees 21' 07" E for a distance of 24.67 feet to a cotton gin spindle (set);

thence, N 20 degrees 50' 31" E for a distance of 30.85 feet to a cotton gin spindle (set)

thence, along a non-tangent curve to the left (concave to the west) having a radius of 150.00 feet, a central angle which measures 24 degrees 24' 44" a chord which bears N 17 degrees 35' 51" W and a chord which measures 63.43 feet, for a total arc length of 63.91 feet to a cotton gin spindle set;

thence, along a non-tangent curve to the right (concave to the east) having a radius of 73.00 feet, a central angle of 75 degrees 22' 46", a chord which bears N 02 degrees 25' 32" W and a chord which measures 89.26 feet, for a total arc length of 96.04 feet to a cotton gin spindle (set) at a point of compound curve;

thence, along a curve to the left (concave to the west) having a radius of 100.00 feet, a central angle which measures 47 degrees 38' 14", a chord which bears N 09 degrees 20' 43" E and a chord which measures 80.77 feet, for a total arc length of 83.14 feet to a cotton gin spindle (set);

thence, N 15 degrees 07' 45" W for a distance of 98.39 feet to a cotton gin spindle (set);

thence, continuing along centerline of the aforesaid asphalt driveway N 07 degrees 12' 00" W (passing through a cotton gin spindle set on the southerly right-of-way line of West Auglaize Street at a distance of 126.88 feet) for a total distance of 158.24 feet to a cotton gin spindle (set) on the centerline of West Auglaize Street, said spindle being the **POINT OF TERMINATION**;

## SUBJECT TO:

An easement for ingress and egress, being eight (8) feet in width, lying south and east of the centerline of an asphalt driveway more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found; thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found); thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway, said spindle being the POINT OF BEGINNING for the

thence, along the centerline of said driveway the following courses;

N 54 degrees 21' 01" E for a distance of 29.03 feet to a cotton gin spindle (set);

thence, N 74 degrees 23' 42" E for a distance of 25.98 feet to a cotton gin spindle (set);

thence, N 61 degrees 21' 07" E for a distance of 24.67 feet to a cotton gin spindle (set);

thence, N 20 degrees 50' 31" E for a distance of 30.85 feet to a cotton gin spindle (set)

thence, along a non-tangent curve to the left (concave to the west) having a radius of 150.00 feet, a central angle which measures 24 degrees 24' 44" a chord which bears N 17 degrees 35' 51" W and a chord which measures 63.43 feet, for a total arc length of 63.91 feet to a cotton gin spindle set;

thence, along a non-tangent curve to the right (concave to the east) having a radius of 73.00 feet, a central angle of 75 degrees 22' 46", a chord which bears N 02 degrees 25' 32" W and a chord which measures 89.26 feet, for a total arc length of 96.04 feet to a cotton gin spindle (set) at a point of compound curve;

thence, along a curve to the left (concave to the west) having a radius of 100.00 feet, a central angle which measures 47 degrees 38' 14", a chord which bears N 09 degrees 20' 43" E and a chord which measures 80.77 feet, for a total arc length of 83.14 feet to a cotton gin spindle (set);

thence, N 15 degrees 07' 45" W for a distance of 98.39 feet to a cotton gin spindle (set);

thence, continuing along the centerline of the aforesaid asphalt driveway N 07 degrees 12' 00" W (passing through a cotton gin spindle set on the southerly right-of-way line of West Auglaize Street at a distance of 126.88 feet) for a total distance of 158.24 feet to a cotton gin spindle (set) on the centerline of West Auglaize Street, said spindle being the **POINT OF TERMINATION**;

Prepared by James M. Kent, PS 6792 with reference hereby made to a plat of survey; Kent Surveying, Inc., drawing #4187 dated August 20, 2003. Subject to all easements and right-of-way of record at the time of the recording of this instrument. Basis of bearings is per Stimmel & Associates drawing #65-5122 depicting the east line of Parcel One as S 16 degrees 16' 38" E.

James M. Kent, PS 6792

8/21/03

kent surveying, inc.

1750 Bellefontaine Street Wapakoneta, OH 45895 JAMES M.
KENT
6792

AEGISTERED

AEGISTERED

ALGORITHM

8

Reguested By: bsw 10/05/2007

DATE В 2004000006066

TRUSTEE'S DEED

Filed for Record in AUGLAIZE COUNTY, DHIO ANN BILLINGS 07-19-2004 At 01:55 pm. DEED 52.00 OR Book 511 Page 1115 - 1119

#### KNOW ALL MEN BY THESE PRESENTS

THAT, MARY JANE HERWIG, Trustee of the Mary Jane Herwig Revocable Trust dated September 27, 1997, the GRANTOR, who claims title by or through instrument, recorded in Book 493, Page 1842 and Book 493, Pages 1846-1847, of the Official Records of the Auglaize County Recorder's Office, for the consideration of One Dollar (\$1.00) and other good and valuable consideration paid, grants with fiduciary covenants to LBL INVESTMENTS, LTD., an Ohio Limited Partnership, the GRANTEE, whose tax mailing address is 1000 Bellefontaine Avenue, Lima, Ohio 45804, the following described real property:

SEE ATTACHED EXHIBIT A.

EXECUTED BY ME, this / day of July, 2004.

Mary Jame Herwig, Trustee of the Mary Jane Herwig Revocable Trust dated September 27,

CURRENT TRUST AFFIDAVIT FILED FOR RECORD 8-28-2003 AT 11:30 A.M. OR493 PAGE 1836-1839

STATE OF OHIO, COUNTY OF AUGLAIZE

SS:

BE IT REMEMBERED, that on this \_\_\_\_\_\_\_ day of July, 2004, before me, the subscriber, a Notary Public in and for said County and State, personally came MARY JANE HERWIG, Trustee, the GRANTOR, who acknowledged the signing of the foregoing instrument to be her voluntary act and deed in the capacity described therein for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

THIS CONVEYANCE HAS BEEN EXAMINED AND THE GRANTOR HAS COMPLIED WITH SECTION 319.202 # FEE S 628

RYN SCHUMANN, COUNTY AUDITOR

carspired July 19, 2004

Notary Public - State of Ohio

NOTARY PUBLIC - STATE OF CHIC Commission does not engine pursuent to Section 147.03 Q.R.C.

EXHIBIT A

#### LEGAL DESCRIPTION

Being a part of the northwest quarter of Section 31, Town-5-South, Range-6-East, Duchouquet Township, Auglaize County, Ohio as evidenced by Official Record Volume 418, Page 40 and Official Record Volume 462, Page 2506 and more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road, said spike being the **POINT OF BEGINNING** for the tract herein described;

thence, N 00 degrees 30' 50" W along the centerline of Presar Road for a distance of 808.77 feet to a point on the westerly extension of the centerline of West Auglaize Street, said point being referenced by a 1/2" iron bar (found) 0.30 feet north of said point;

thence, N 65 degrees 51' 52" E along the aforesaid westerly extension and the centerline of West Auglaize Street, for a distance of 649.91 feet to a cotton gin spindle (set);

thence, S 07 degrees 12' 00" E (passing through a cotton gin spindle set on the southerly right-of-way line of West Auglaize Street at a distance of 31.36 feet) and along the centerline of an asphalt driveway, for a total distance of 158.24 feet to a cotton gin spindle (set);

thence, continuing along the centerline of said driveway with the following courses;

thence, S 15 degrees 07' 45" E for a distance of 98.39 feet to a cotton gin spindle (set) at a point of curve;

thence, along a non-tangent curve to the right (concave to the west) having a radius of 100.00 feet, a central angle which measures 47 degrees 38' 14", a chord which bears S 09 degrees 20' 43" W and a chord which measures 80.77 feet, for a total arc length of 83.14 feet to a cotton gin spindle (set) at a point of compound curve;

thence, along a curve to the left (concave to the east) having a radius of 73.00 feet, a central angle of 75 degrees 22' 46", a chord which bears \$ 02 degrees 25' 32" E and a chord which measures 89.26 feet, for a total arc length of 96.04 feet to a cotton gin spindle (set);

thence, along a non-tangent curve to the right (concave to the west) having a radius of 150.00 feet, a central angle which measures 24 degrees 24' 44" a chord which bears S 17 degrees 35' 51" E and a chord which measures 63.43 feet, for a total arc length of 63.91 feet to a cotton gin spindle set;

thence, S 20 degrees 50' 31" W for a distance of 30.85 feet to a cotton gin spindle (set)

thence, S 61 degrees 21' 07" W for a distance of 24.67 feet to a cotton gin spindle (set);

thence, S 74 degrees 23' 42" W for a distance of 25.98 feet to a cotton gin spindle (set);

thence, S 54 degrees 21' 01" W for a distance of 29.03 feet to a cotton gin spindle (set);

thence, S 11 degrees 44' 47" E for a distance of 168.40 feet to a 1" iron pipe (found);

thence, N 85 degrees 19' 26" E for a distance of 220.60 feet to a 1" iron pipe (found);

thence, S 00 degrees 56' 41" E for a distance of 367.70 feet to a 5/8" re-rod w/cap (set) on the south line of the northwest quarter of Section 31;

thence, S 89 degrees 01' 04" W (passing through a 5/8" re-rod w/cap (set) on the east right-of-way line of Presar Road at a distance of 803.80) for a total distance of 820.30 feet to the **POINT OF BEGINNING**, containing therein 14.910 acres, of which 0.744 acres is road right-of-way.

#### ALSO:

An easement for ingress and egress, being eight (8) feet in width, lying south and east of the centerline of an asphalt driveway more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found; thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found); thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway, said spindle being the **POINT OF BEGINNING** for the easement herein described;

thence, along the centerline of said driveway the following courses;

N 54 degrees 21' 01" E for a distance of 29.03 feet to a cotton gin spindle (set);

thence, N 74 degrees 23' 42" E for a distance of 25.98 feet to a cotton gin spindle (set);

thence, N 61 degrees 21' 07" E for a distance of 24.67 feet to a cotton gin spindle (set);

thence, N 20 degrees 50' 31" E for a distance of 30.85 feet to a cotton gin spindle (set)

thence, along a non-tangent curve to the left (concave to the west) having a radius of 150.00 feet, a central angle which measures 24 degrees 24' 44" a chord which bears N 17 degrees 35' 51" W and a chord which measures 63.43 feet, for a total arc length of 63.91 feet to a cotton gin spindle set;

thence, along a non-tangent curve to the right (concave to the east) having a radius of 73.00 feet, a central angle of 75 degrees 22' 46", a chord which bears N 02 degrees 25' 32" W and a chord which measures 89.26 feet, for a total arc length of 96.04 feet to a cotton gin spindle (set) at a point of compound curve:

thence, along a curve to the left (concave to the west) having a radius of 100.00 feet, a central angle which measures 47 degrees 38' 14", a chord which bears N 09 degrees 20' 43" E and a chord which measures 80.77 feet, for a total arc length of 83.14 feet to a cotton gin spindle (set);

thence, N 15 degrees 07' 45" W for a distance of 98.39 feet to a cotton gin spindle (set);

thence, continuing along centerline of the aforesaid asphalt driveway N 07 degrees 12' 00" W (passing through a cotton gin spindle set on the southerly right-of-way line of West Auglaize Street at a distance of 126.88 feet) for a total distance of 158.24 feet to a cotton gin spindle (set) on the centerline of West Auglaize Street, said spindle being the **POINT OF TERMINATION**.

#### **SUBJECT TO:**

An easement for ingress and egress, being eight (8) feet in width, lying <u>north</u> and <u>west</u> of the centerline of an asphalt driveway more particularly described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found; thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found); thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway, said spindle being the POINT OF BEGINNING for the easement herein described;

thence, along the centerline of said driveway the following courses:

N 54 degrees 21' 01" E for a distance of 29.03 feet to a cotton gin spindle (set);

thence, N 74 degrees 23' 42" E for a distance of 25.98 feet to a cotton gin spindle (set);

thence, N 61 degrees 21' 07" E for a distance of 24.67 feet to a cotton gin spindle (set);

thence, N°20 degrees 50' 31" E for a distance of 30.85 feet to a cotton gin spindle (set)

thence, along a non-tangent curve to the left (concave to the west) having a radius of 150.00 feet, a central angle which measures 24 degrees 24' 44" a chord which bears N 17 degrees 35' 51" W and a chord which measures 63.43 feet, for a total arc length of 63.91 feet to a cotton gin spindle set;

thence, along a non-tangent curve to the right (concave to the east) having a radius of 73.00 feet, a central angle of 75 degrees 22' 46", a chord which bears N 02 degrees 25' 32" W and a chord which measures 89.26 feet, for a total arc length of 96.04 feet to a cotton gin spindle (set) at a point of compound curve;

thence, along a curve to the left (concave to the west) having a radius of 100.00 feet, a central angle which measures 47 degrees 38' 14", a chord which bears N 09 degrees 20' 43" E and a chord which measures 80.77 feet, for a total arc length of 83.14 feet to a cotton gin spindle (set);

thence, N 15 degrees 07' 45" W for a distance of 98.39 feet to a cotton gin spindle (set);

thence, continuing along the centerline of the aforesaid asphalt driveway N 07 degrees 12' 00" W (passing through a cotton gin spindle set on the southerly right-of-way line of West Auglaize Street at a distance of 126.88 feet) for a total distance of 158.24 feet to a cotton gin spindle (set) on the centerline of West Auglaize Street, said spindle being the POINT OF TERMINATION;

#### SUBJECT TO:

A sixteen (16) foot wide easement for ingress & egress across the above described Tract Two, the centerline of which is described as follows:

Commencing for reference at a stone (found) at the west quarter corner of Section 31; thence, N 88 degrees 54' 42" E along the south line of the northwest quarter of Section 31 for a distance of 1268.56 feet to a railroad spike (found) in the centerline of Presar Road; thence, continuing along the south line of the northwest quarter of Section 31, N 89 degrees 01' 04" E for a distance of 820.30 feet to a 5/8" re-rod w/cap (set); thence, N 00 degrees 56' 41" W for a distance of 367.70 feet to a 1" iron pipe found; thence, S 85 degrees 19' 26" W for a distance of 220.60 feet to a 1" iron pipe (found); thence, N 11 degrees 44' 47" W for a distance of 168.40 feet to a cotton gin spindle (set) in the centerline of an asphalt driveway, said spindle being the POINT OF BEGINNING for the easement herein described:

thence, S 66 degrees 22' 51" W for a distance of 42.15 feet to a point;

thence, S 75 degrees 25' 22" W along the centerline of a gravel driveway for a distance of 209.65 feet to a point;

thence, continuing along the aforesaid centerline S 73 degrees 02' 45" W for a distance of 302.47 feet to a point;

thence, continuing along the aforesaid centerline S 86 degrees 05' 45" W for a distance of 32.49 feet to a cotton gin spindle (set) on the legal centerline of Presar Road said spindle being the POINT OF TERMINATION.

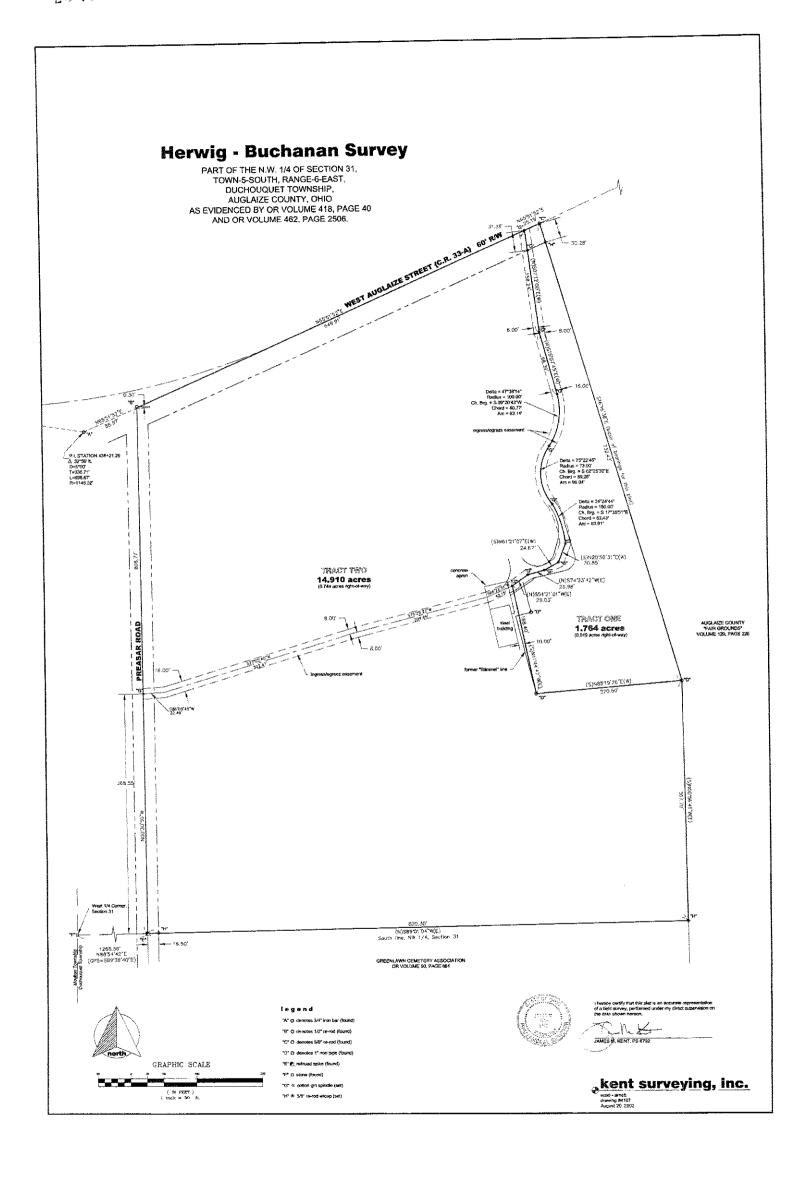
Prepared by James M. Kent, PS 6792 with reference hereby made to a plat of survey; Kent Surveying, Inc., drawing #4187 dated August 20, 2003. Subject to all easements and right-of-way of record at the time of the recording of this instrument. Basis of bearings is per Stimmel & Associates drawing #65-5122 depicting the east line of Parcel One as S 16 degrees 16' 38" E.

JAMES M.

8/21/03 James M. Kent, PS 6792

kent surveying, inc.

1750 Bellefontaine Street Wapakoneta, OH 45895



Pursuant to Ohio Revised Code Section 709.02(D), following is a list of all tracts proposed for annexation and all tracts adjacent to that territory, including the name and mailing address of the owner of each tract and permanent parcel numbering system.

LBL INVESTMENTS, LTD. 14.910 acres, Duchouquet Township

Kirk Wise, general partner B05-311-006-00

Betsy Wise, general partner 12364 County Road 33A

Wapakoneta, Ohio 45895 (physical address)

1000 Bellefontaine Avenue

Wapakoneta, Ohio 45895 (mailing address)

Donald F. Arnett 1.764 acres, Section 31, Duchouquet Township

M. Darlene Arnett B05-311-005-00

12363 County Road 33A

Wapakoneta, Ohio 45895 (physical address)

12363 County Road 33A

Wapakoneta, Ohio 45895 (mailing address)

Jim R. Price 2.8 acres, Section 31, Duchouquet Township

Barbara A. Price B05-311-003-00

12189 SR 33A

Wapakoneta, Ohio 45895 (physical address)

16221 Buckland River Road

Wapakoneta, Ohio 45895 (mailing address)

Jim R. Price .488 acres, Section 31, Duchouquet Township

Barbara A. Price B07-085-061-00

0 SR 33A

Wapakoneta, Ohio 45895 (physical address)

16221 Buckland River Road

Wapakoneta, Ohio 45895 (mailing address)

Elaine M. Crisp, only John Poppe, husband

1.62 acres, Section 31, Duchouquet Township

B07-085-020-00

1100 W. Auglaize Street

Wapakoneta, Ohio 45895 (physical address)

John and Elaine Poppe 1100 West Auglaize Street Wapakoneta, Ohio 45895 (mailing address)

Elaine Poppe

2.43 acres, Section 31, Duchouquet Township

John Poppe, husband

B07-085-021-01

0 W. Auglaize Street

Wapakoneta, Ohio 45895 (physical address)

John A. and Elaine Poppe 1100 West Auglaize Street Wapakoneta, Ohio 45895 (mailing address)

Alice Jeannette Heckman

2.35 acres, Section 31, Duchouquet Township

B07-085-021-00

0 W. Auglaize Street

Wapakoneta, Ohio 45895 (physical address)

Katherine Heckman 104 Lorraine Court Berea, KY 40403 (mailing address)

County of Auglaize

29.61 acres, Section 31, Duchouquet Township

B07-085-019-00

0 W. Auglaize Street

Wapakoneta, Ohio 45895 (physical address)

County of Auglaize

Wapakoneta, Ohio 45895 (mailing address)

Board of County Commissioners

46.635 acres, Section 31, Duchouquet Township

of Auglaize County

B07-310-002-00

951 Dearbaugh

Wapakoneta, Ohio 45895 (physical address)

Board of County Commissioners of Auglaize County 1 West Mechanic Street Wapakoneta, Ohio 45895 (mailing address)

Greenlawn Cemetery Association 13.226 acres, Section 31, Duchouquet Township

B05-311-007-00

0 Presar Road

Wapakoneta, Ohio 45895 (physical address)

Greenlawn Cemetery Association 12502 Presar Road Wapakoneta, Ohio 45895 (mailing address)

Greenlawn Cemetery Association .25 acres, Section 31, Duchouquet Township

B05-311-004-01

14500 Presar Road

Wapakoneta, Ohio 45895 (physical address)

Greenlawn Cemetery Association

12502 Presar Road

Wapakoneta, Ohio 45895 (mailing address)

Greenlawn Cemetery 27.945 acres, Section 31, Duchouquet Township

B05-311-004-00

12502 Presar Road

Wapakoneta, Ohio 45895 (physical address)

Greenlawn Cemetery Association

12502 Presar Road

Wapakoneta, Ohio 45895 (mailing address)

#### <u>Duchouquet Township - City of Wapakoneta</u> <u>Annexation Agreement</u>

This Agreement is made at Auglaize County, Ohio, by and between the Board of Trustees for Duchouquet Township, Auglaize County, Ohio, (hereinafter referred to as "Township"), whose mailing address is <a href="https://likeline.com/likeline.25.4">16038 N. Dixie -25.4</a>, Wapakoneta, Ohio 45895, and the City of Wapakoneta (hereinafter referred to as "City"), whose mailing address is City Hall, P.O. Box 269, Wapakoneta, Ohio 45895.

#### WITNESSETH:

WHEREAS, Township and City desire to establish an Annexation Agreement, as permitted under Ohio Revised Code Section 709.19.2 for the development of certain real property (hereinafter referred to as Property"), as more fully described in Exhibit A, attached hereto which property is situated in Township; and

WHEREAS, the foregoing described Property is proposed for annexation to City from Township; and

WHEREAS, Township and City are desirous of entering into an annexation agreement which contemplates that the Property will be annexed into the City, with provisions for allocation and/or sharing of tax revenues, and the cooperation for provision of other services to the Property; and

WHEREAS, both Township and City residents will benefit from the provisions of the Agreement; and

WHEREAS, Township has agreed to enter into this annexation agreement, pursuant to a Resolution dated below 19 and effective the 20 day of day of 2008, and the City has agreed to enter into this annexation agreement, by Ordinance No. 19 effective the 17 day of March 2008;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, and pursuant to Ohio Revised Code, the parties agree as follows:

#### ARTICLE 1

#### THE PROPERTY

The Property shall consist of a certain 1.764 acre parcel and a 14.910 acre parcel located in Duchouquet Township, Auglaize County, Ohio, as further described in Exhibit A, a map depicting said Property, which is incorporated herein by reference. The Property described in Exhibit A may be only amended by a written agreement of the parties.

#### ARTICLE 2

#### **ANNEXATION**

- A. The parties contemplate that the Property shall be annexed into the City of Wapakoneta pursuant to and subject to the requirements of Ohio Revised Code Chapter 709. Township agrees that the annexation of the Property may occur in one proceeding, or in several separate proceedings, in the discretion of the City and when effected by the Property owners. In the event of the failure of the annexation of the Property, this Agreement shall be null and void.
- B. In the event of any annexation into the City of Wapakoneta from the Property, it is agreed that the Property shall be treated for tax purposes the same as all other parts of the City located within Duchouquet Township following the approval and acceptance of said annexation. The Township and City shall fully cooperate with State and County officials to create an additional taxing district, if necessary.

#### ARTICLE 3

#### **COOPERATION OF THE TOWNSHIP**

- A. Township hereby assents to the annexation of the Property to City. Township further agrees to authorize its designated representative to sign any Petitions prepared by City or its agents to agree to the annexation of any roadways or other property owned by it within the Property area.
- B. Township further agrees at the written request of the City, to appear at any hearings before the Auglaize County Board of Commissioners and assist City in the annexation of the Property, including providing testimony under oath that Township agrees to the annexation.
- C. Township waives any objections to said annexation and waives any rights it may have to contest such annexation, including rights of appeal or injunctive relief, including but not limited to, any rights it may have under Section 709.07 or Chapter 2506 of the Ohio Revised Code.
- D. Township agrees and covenants that it (1) will not assist or encourage any person or entity owning all or any portion of the Property to petition for the detachment of all or any portion of the Property from the City and (2) it will not advocate for the detachment of all or any portion of the Property from the City at the public hearing before the Auglaize County Board of Commissioners or to any individual member of the Board of Commissioners.

#### ARTICLE 4

#### ALLOCATION OF TAX REVENUES AND DURATION

A. This Agreement is intended to provide City, with the same allocation of tax revenues

for the Property being annexed as all other portions of the City located within Duchouquet Township.

#### ARTICLE 5

### POST ANNEXATION GOVERNMENTAL SERVICES

- A. Zoning. Upon annexation, City shall be solely responsible for the zoning of the Property
- B. Standard Governmental Services. City shall provide to the Property the following municipal services: fire and police protection, waste collection, building and code regulations, civil engineering, traffic engineering, street and road maintenance and repair, parks and recreation, fair employment, fair housing, community development and planning, housing inspection, health and environmental services, economic development and water and sanitary sewer services and municipal electric service, with costs being allocated pursuant to normal city procedures. The parties agree that the Property is entitled to standard governmental services by the City in the same manner such services are provided to other areas of the City.
- C. Fire Protection and Emergency Medical Services. The parties agree that the Property is entitled to standard fire protection and emergency medical services by the City and Township in the manner such services are provided to other areas of the City and Township.
- D. The City shall not require any Township representative, Township employee, school or non-profit organization to sign an annexation proxy or consent as a condition precedent to obtaining water service.

E. Roadway Maintenance. All roadways within the Property that will have been the Township's responsibility to maintain and improve but for the annexation shall become the responsibility of the City to maintain and improve. This shall include routine road and street maintenance, including snowplowing, repairing of chuckholes and signage. This shall also include the cost of road capital improvements.

#### ARTICLE 6

## MEDIATION AND NOTICE OF CLAIMED BREACH

In the event the parties have a dispute as to any of the terms or to the applicability of this Agreement, the parties agree to use their best efforts to resolve the dispute through a mutually acceptable mediation process or, if they are unable to agree, to utilize whatever mediation process may then be in existence and used by the Auglaize County Common Pleas Court. Each party retains all legal rights available to them under this Agreement and under the law.

#### ARTICLE 7

#### MUNICIPAL POWER

Nothing in this Agreement shall be construed to be in derogation of the powers granted to municipal corporations by Article XVIII of the Ohio Constitution.

#### ARTICLE 8

#### MODIFICATION

This Agreement may not be modified except by official legislative action of both City and Township.

#### ARTICLE 10

#### LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in the Agreement are held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not be affected by any other provision of this Agreement. The titles of the Articles of this Agreement are descriptive only and are not to be considered substantive provisions of this Agreement.

#### ARTICLE 11

#### PRIOR AGREEMENTS SUPERSEDED

This Agreement constitutes the entire Agreement of the parties and supersedes any prior understandings, or previous oral or written agreements between the parties respecting the subject matter of this Agreement.

#### ARTICLE 13

#### **GOVERNING LAW**

This Agreement, and all the rights, duties and obligations of City and Township, shall be construed under and in accordance with the laws of he State of Ohio, and all obligations of the parties hereunder are performable in Auglaize County, Ohio.

#### ARTICLE 14

### PARTIES BOUND

This Agreement shall be binding upon and inure to the benefit of the parties, their agents. servants, officials, trustees, employees, representatives, assigns and successors.

Executed, in duplicate, at Auglaize County, Ohio, on the date set forth below. Signed and acknowledged:

| THE CITY OF WAPAKONETA                    | THE BOARD OF TRUSTEES FOR DUCHOUQUET TOWNSHIP |
|---|---|
| By: Rerels MIT                            | By: Il Linkt                                  |
| Its Mayor: Rodney Metz                    | By: Bruntohele-                               |
| Date: March 17 2008                       | By: Dught He                                  |
| APPROVED AS TO FORM AND LEGAL SUFFICIENCY |   |
| Demm P. Lilla                             |   |
| CITY LAW DIRECTOR                         |   |
|   |   |

COUNTY PROSECUTOR

| NO | 08 | -/57 |
|----|----|------|
|    |    |      |

# IN THE MATTER OF AUTHORIZING THE PROCUREMENT OF EQUIPMENT FROM DILLER MEDICAL FOR AUGLAIZE ACRES; USING THE F.Y. '07 CDBG FORMULA PROGRAM GRANT FUNDING.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of April, 2008 with the following members present:

John N. Bergman

Douglas A. Spencer

Ivo J. Kramer

Mr. Spencer moved the adoption of the following:

#### RESOLUTION

- WHEREAS, in Resolution #07-409, dated September 18, 2007, the Board of County Commissioners approved and authorized the sum of \$4,800.00 from the FY 2007 CDBG Formula Grant Program to be used by Auglaize Acres for the purchase of equipment; and,
- WHEREAS, two quotations for the purchase of twenty-one (21) bedside cabinets were submitted to said Board by Auglaize Acres Administrator Nick Scheck; same as follows:

Diller Medical – Invacare cabinets- \$213.83 each plus shipping Diller medical – Kensington cabinets - \$240.41 each eGeneralMedical+com – Riverwood cabinets - \$386.45 each

- WHEREAS, Auglaize Acres Administrator Nick Scheck reviewed the quotations as received and recommended that the quotation of Diller Medical be accepted with the following equipment items being purchased:
  - 21 Invacare 3 drawer bedside cabinets from Diller Medical and.

Total \$4,975.43;

- WHEREAS, Auglaize Acres has agreed to assume responsibility for cost amount above the \$4,800.00 CDBG funding; and,
- **WHEREAS**, the Supplier Eligibility Verification for the recommended supplier was performed on the Internet on this date, confirming that said supplier is not debarred from federal projects.
- **THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby accept the recommendation as mentioned above and does award the purchase of equipment for Auglaize Acres to Diller Medical; FY 2007 CDBG Formula Program funding will be used to complete the acquisition.

Mr. Kramer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 15th day of April, 2008

BOARD OF COUNTY COMMISSIONERS AUGLAIZE COUNTY, OHIO

John N. Bergman

Dougles A. Spencer

Ivo J. Kramer

cc: Poggemeyer Design Group – Dianne Guenther Auglaize Acres Administrator – Nick Scheck Asst. Clerk of the Board – Patricia Hill

| NO | 98 -/ | 58 |
|----|-------|----|
|----|-------|----|

## IN THE MATTER OF AUTHORIZING THE SECUREMENT OF A NOTE FROM FIFTH THIRD BANK FOR THE SHEARER #3 DITCH IMPROVEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of April, 2008 with the following members present:

John N. Bergman

Douglas A. Spencer

Ivo J. Kramer

Mr. Spencer moved the adoption of the following:

## RESOLUTION

WHEREAS, on April 3, 2008, in Resolution #08-143, the Board of County Commissioners authorized the securement of interest costs for a note in the following amount for the balance of money needed to complete a ditch improvements:

Shearer #3 Ditch project......\$20,445.51

and,

WHEREAS, the following quotations were received for the above mentioned note:

For Shearer #3 Ditch improvement project:

and,

- WHEREAS, quotations were given to County Auditor Janet Schuler for her review and recommendation with said recommendation being to award the note to Fifth Third Bank for the Shearer #3 Ditch project as Fifth Third Bank offered the best interest rate that met the requirements for this project.
- **THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the securement of an eight year (16 semi-annual installment) note in the amount of \$20,445.51 at the rate of interest of 3.81%, from Fifth Third Bank for the balance of money needed to complete the payment of the Shearer #3 Ditch project.

Mr. Kramer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the resolution as follows:

Adopted this 15th day of April, 2008

BOARD OF COUNTY COMMISSIONERS AUGLAIZE COUNTY, OHIO

John N. Bergman

Douglas A. Spencer

TyXT Kramer

cc: County Engineer County Auditor Bidders