

**CITY OF XENIA, OHIO
RESOLUTION NUMBER 17 – G**

**RESOLUTION DECLARING IT NECESSARY TO ESTABLISH STREET LIGHTING
DISTRICT NO. 1 BY PROVIDING ELECTRICITY TO THE STREET LIGHTING
SYSTEM WITHIN CERTAIN STREET AREAS WITHIN THE STERLING GREEN
CROSSING SECTION ONE SUBDIVISION**

WHEREAS, there is a need to establish Street Lighting District No. 1 to service lighting for certain properties in the Sterling Green Crossing Subdivision; and

WHEREAS, the owners of sixty percent (60%) or more of the front footage of properties abutting upon the streets in the Sterling Green Crossing Subdivision, Section 1 and as shown in the Street Lighting Project Plans on file in the Office of the Clerk of Council have signed a petition requesting the improvement of those streets with street lighting; and

WHEREAS, that petition has been presented to City Council; and

WHEREAS, the City of Xenia has determined the necessity to provide electricity to the subject areas provided in the petition.

NOW, THEREFORE, the City of Xenia hereby resolves:

Section 1. It is hereby determined to be necessary to improve that portion of the City as set forth in Exhibit A by providing public street lighting in accordance with the petitioners therein.

Section 2. The plans, specifications, profiles and an estimate of the cost for providing electricity to such street lighting are now on file in the Office of the Clerk of Council are incorporated herein by reference and are hereby approved.

Section 3. The statements in the two recital paragraphs are determined to be correct and are incorporated herein by reference.

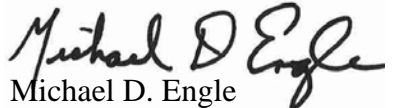
Section 4. It is hereby determined that this street lighting is conducive to the public health, convenience, and welfare of the City and inhabitants thereof. It is further determined that the streets are so situated in relation to each other that, in order to complete the street lighting improvement in the most practical and economic manner, they should be approved at the same time and in the same manner; accordingly, said streets should be treated as a single improvement pursuant to Section 727.09 of the Ohio Revised Code.

Section 5. The entire cost of said improvement is being assessed upon the lots and lands set forth in Exhibit A hereto, said lots and lands are hereby determined to be specifically benefited by said improvement. Said assessments shall be levied to each lot as shown in Exhibit B by the following method; to wit: total annual assessment divided by the total number of lots, and shall be paid when levied in annual installments.

Section 6. The Director of Finance, or his designee, is hereby authorized and directed to prepare an estimate showing the estimated assessment amount to be paid by each such lot or parcel of land. Those estimated assessments shall be based upon the estimate of the cost of the total improvement previously filed with the Clerk of Council and shall be prepared pursuant to the provisions of this Resolution. Said estimated assessments shall be filed in the Office of the Clerk of Council. When that has been accomplished, said Clerk of Council shall cause notice of the adoption of this Resolution to be published in a newspaper of general circulation once a week for two (2) consecutive weeks and to mail notice of the adoption of this Resolution to the owners of the lots affected hereby by regular mail. The Clerk of Council is further instructed to cause a copy of this Resolution to be filed with the Greene County Auditor within fifteen (15) days from the passage hereof.

Section 7. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its Boards or Commissions that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed: March 23, 2017


Michael D. Engle
President, Xenia City Council

Attest:

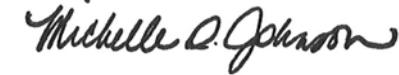

Michelle D. Johnson
City Clerk

EXHIBIT A

PETITION

To the City Council
City of Xenia, Ohio
Greene County, Ohio

Ladies and Gentlemen:

We, the undersigned being all of the owners of lots and lands abutting on the streets and public ways of the hereinafter described incorporated district in the City of Xenia, Ohio do petition for the artificial lighting by means of electric lights for the streets and public ways during the nighttime, in such district known as LIGHTING DISTRICT # 1, and described as follows:

Situated in the County of Greene, State of Ohio, and the City of Xenia:

Being all of Lot Numbers: 1-37, in the Sterling Green Crossing Subdivision Section One, as shown by the Plat recorded in Plat Cabinet 38, Pages 195A-197A, of the Plat Records of Greene County, Ohio

Subject to all covenants, conditions, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

Petitioners and their successors agree to the annual assessment directly to their property tax bills, including all City and County administrative and collection costs. M One Development, LLC, as Developer and Declarant, hereby agrees to pay all initial installation costs, including the initial cost of the selected fixtures and/or parts.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 14th day of February, 2017.

Owner of Lots 1-37

M One Development, LLC



Robert S. Laing, Jr.
President

2/14/17
Date

EXHIBIT B

CURRENT FULL SERVICE LIGHTING CHARGES*

STERLING GREEN CROSSING – SECTION 1 LIGHTING DISTRICT #1

<u>Quantity</u>	<u>Proposed Lighting</u>	<u>Monthly Charge per Street Light</u>	<u>Accumulated Monthly Charge</u>	<u>Accumulated Annual Charges</u>
8	9,500 L	\$9.97	\$79.76	\$957.12
TOTAL ANNUAL LIGHTING CHARGE (PRE-ADMINISTRATIVE COSTS)				\$957.12

* Monthly Lighting Charges and Annual Assessment subject to change with future lighting contracts between the City of Xenia and its chosen electric supplier. Current monthly charge based upon 2016 Street Light Contract with Miami Valley Lighting.



Miami Valley Lighting
 1065 Woodman Drive
 Dayton, OH 45432
 Phone (937) 259-7192 Fax 937.331.4881
 Email robyn.livesay@dplinc.com

Street Light Proposal/Invoice

Customer Name: City of Xenia
Attention: Ed Quenlin
Email Address: equinlen@ci.xenia.oh.us
Phone: (937) 376-7265

Date: 12/8/2016
Proposal/Invoice No. 10114282

Prepared By: Robyn Livesay

Developer: M One Development
Contact Name: Steve McConnaughey
Phone: (937) 361-9588
Email: smcconna@nvrinc.com

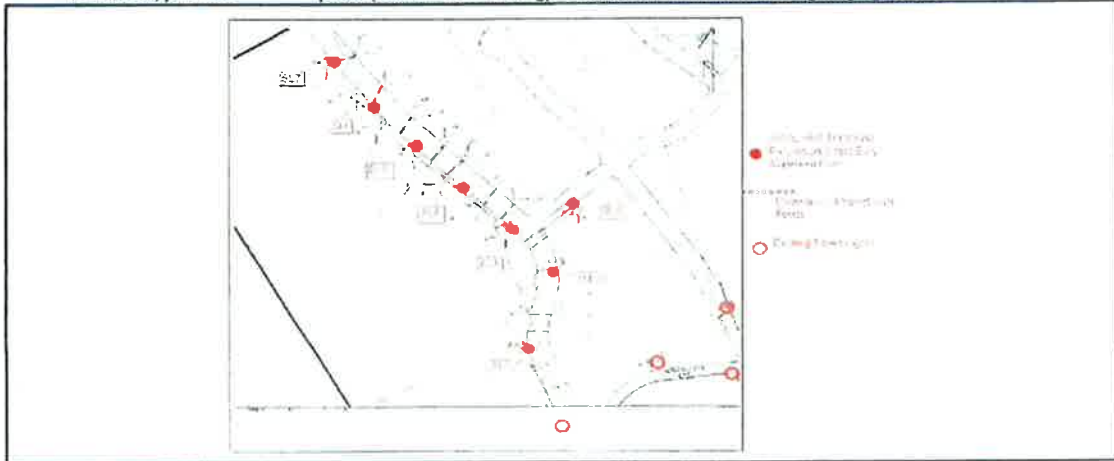
Project Location: Sterling Green Crossing Ph 1

Qty.	Description	Total Cost
8	Install and provide full service to 9500L HPS Traditional style fixtures	\$3,730
8	Install and sell to the City - 17' (12' above ground) direct bury aluminum poles. Underground Work	\$5,630
	Installation Charge	\$4,320
		\$13,680

Underground Work

- MVLT will trench, install conduit throughout, and backfill to final grade. Note: We have not included any boring under hard surfaces. It is the developer's responsibility to inform MVLT two (2) weeks prior to the installation of the sidewalks/roads or there will be an additional charge if boring is required.
- The developer is responsible for locating existing or planned irrigation lines.
- If rock is encountered to such a degree that it precludes normal trenching and/or boring, we reserve the right to quote additional "rock adder" charges prior to continuation of underground work.

Installation, purchase and lease prices (exclusive of trenching) are based on our current Street Lighting Agreement.



Qty	Description	Monthly Full-Service Lighting Charge	Total Monthly Charge	Total Annual Charge
8	9500L HPS Traditional	\$9.97	\$79.76	\$957.12
Total Annual Change to Lighting Charge (Paid by the Customer)				\$957.12

Proposal Authorization

Order will be Processed Upon Receipt of Payment and Signed Proposal

Signature: *Robyn Livesay*
 (Authorized Signature)

Date: 12/8/16

*Return Signed Proposal to Robyn Livesay

EXHIBIT C

STERLING GREEN CROSSING SECTION 1 SUBDIVISION STREET LIGHTING

LOT #	PARCEL #	OWNER	ANNUAL ASSESSMENT	5% CITY	SUBTOTAL	5% COUNTY	ANNUAL TOTAL	5 YEAR TOTAL
1	M40000100440026900	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
2	M40000100440027000	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
3	M40000100440027100	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
4	M40000100440027200	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
5	M40000100440027300	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
6	M40000100440027400	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
7	M40000100440027500	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
8	M40000100440027600	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
9	M40000100440027700	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
10	M40000100440027800	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
11	M40000100440027900	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
12	M40000100440028000	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
13	M40000100440028100	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
14	M40000100440028200	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
15	M40000100440028300	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
16	M40000100440028400	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
17	M40000100440028500	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
18	M40000100440028600	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
19	M40000100440028700	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
20	M40000100440028800	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
21	M40000100440028900	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
22	M40000100440029000	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
23	M40000100440029100	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
24	M40000100440029200	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
25	M40000100440029300	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
26	M40000100440029400	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
27	M40000100440029500	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
28	M40000100440029600	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
29	M40000100440029700	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
30	M40000100440029800	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
31	M40000100440029900	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
32	M40000100440030000	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
33	M40000100440030100	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
34	M40000100440030200	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
35	M40000100440030300	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
36	M40000100440030400	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
37	M40000100440030500	M One Development, LLC	\$ 25.87	\$ 1.29	\$ 27.16	\$ 1.36	\$ 28.52	\$ 142.61
			\$ 957.19	\$ 47.86	\$ 1,005.05	\$ 50.25	\$ 1,055.30	\$ 5,276.51