



## Ohio Revised Code

### Section 6115.79 Substantial requirements for forms.

Effective: April 9, 2000

Legislation: House Bill 495 - 123rd General Assembly

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The following forms illustrate the character of the procedure contemplated by this chapter, and if substantially complied with, those things being changed which should be changed to meet the requirements of the particular case, such procedure shall be held to meet the requirements of this chapter.

(A) Form of Notice of Hearing on the Petition:

"To All Persons Interested:

Public Notice is Hereby Given:

(1) That on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, pursuant to The Sanitary District Law of Ohio, there was filed in the office of the Clerk of the Court of Common Pleas of \_\_\_\_\_ County, Ohio, the petition of \_\_\_\_\_ and others for the establishment of a Sanitary District to be known as \_\_\_\_\_ Sanitary District. (Here insert the purposes.)

(2) That the lands sought to be included in the District comprise lands in \_\_\_\_\_ and \_\_\_\_\_ Counties, Ohio, described substantially as follows:

Beginning on the north line of \_\_\_\_\_ County at its point of intersection with the west bank of the \_\_\_\_\_ River; thence west along the north line of \_\_\_\_\_ County to the high bluffs facing the \_\_\_\_\_ River on the west; thence following the base of the line of said bluffs to the north line of the right-of-way of the \_\_\_\_\_ Railroad; thence west along the north right-of-way line of the Railroad to the center line of \_\_\_\_\_ Avenue in the Village of \_\_\_\_\_; thence south along the center line of \_\_\_\_\_ Avenue to the \_\_\_\_\_ Pike; thence southeasterly along the \_\_\_\_\_ Pike to the southeasterly line of the right-of-way of the \_\_\_\_\_



Railroad; thence southeasterly along the right-of-way line to the corporate limits of the City of \_\_\_\_\_; thence with the corporation line southerly, easterly, and northerly to the southerly right-of-way line of the main track of the \_\_\_\_\_ Railroad; thence easterly along the last named right-of-way line to the boundary line between \_\_\_\_\_ Counties; thence north along the County line to the southerly line of \_\_\_\_\_ County; thence easterly along the dividing line between \_\_\_\_\_ Counties to the easterly line of the right-of-way of the \_\_\_\_\_ Railroad; thence northerly along the right-of-way line to its intersection with the \_\_\_\_\_ Pike; thence westerly along the Pike to the center line of the bridge over \_\_\_\_\_ Creek; thence up the Creek and along the center line thereof to the north line of \_\_\_\_\_ County; thence west to the place of beginning.

Or, if found more convenient, the lands sought to be included in the District may be described as follows:

All of Township \_\_\_\_\_ in Range \_\_\_\_\_ between the \_\_\_\_\_ Railroad and the \_\_\_\_\_ River; the following lands in \_\_\_\_\_ Township and \_\_\_\_\_ Range; Section \_\_\_\_\_ and the \_\_\_\_\_ half of Section \_\_\_\_\_; also all lands within the corporate limits of the City of \_\_\_\_\_ etc.

(3) That a public hearing on the petition will be had in said Court on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M. by the Court of Common Pleas of \_\_\_\_\_ County, at the Courthouse in the City of \_\_\_\_\_, \_\_\_\_\_ County, Ohio.

All persons and public corporations owning or interested in real estate within the territory hereinbefore described will be given the opportunity to be heard at the time and place above specified

\_\_\_\_\_

Clerk of the Court of Common Pleas



of \_\_\_\_\_ County, Ohio.

Dated \_\_\_\_\_, Ohio, \_\_\_\_\_, \_\_\_\_"

(B) Form of Finding on Hearing:

"State of Ohio, )

) ss.

\_\_\_\_\_ County )

In the Court of Common Pleas \_\_\_\_\_ County.

In the Matter of

\_\_\_\_\_ Sanitary District:

FINDINGS AND DECREE ON HEARING.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, this cause coming on for hearing on the petition of \_\_\_\_\_ and others, for the organization of a Sanitary District under the Sanitary District Law of Ohio, the Court, after a full hearing now here finds:

(1) That it has jurisdiction of the parties to and the subject matter of this proceeding.

(2) That the purposes for which said District is established are:

(Insert the purposes.)

And that it is a public necessity.

(3) That the public safety, health, convenience, and welfare will be promoted by the organization of a



Sanitary District substantially as prayed in the petition (if additional lands are added by petition), except that the following additional lands at the petition of the owners thereof should be and hereby are included in the District:

(Here insert additional lands.)

(4) That the boundaries of the District as modified by the last finding herein are as follows:

(Here insert corrected boundaries of district.)

(5) That the territory last above described should be erected into and created a Sanitary District under the Sanitary District Law of Ohio under the corporate name of \_\_\_\_\_ Sanitary District.

Wherefore, it is by the Court ordered, adjudged, and decreed:

That the territory as above described be, and the same hereby is erected into and created a Sanitary District under the Sanitary District Law of Ohio under the corporate name of \_\_\_\_\_ Sanitary District, with its office or principal place of business at \_\_\_\_\_, in \_\_\_\_\_ County, Ohio. (If directors are appointed at the same time.) And the following persons are hereby appointed directors of the Sanitary District:

\_\_\_\_\_ for the term of three years,

\_\_\_\_\_ for the term of five years,

\_\_\_\_\_ for the term of seven years,

who are hereby directed to qualify and proceed according to law.

(6) For consideration of other matters herein, this cause is retained on the docket.

\_\_\_\_\_ Judge"



(C) Form of Notice to Property Owners to Pay Assessment:

" \_\_\_\_\_ Sanitary District.

To All Persons Interested:

Public Notice is Hereby Given:

(1) That on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the Board of Directors of \_\_\_\_\_ Sanitary District duly levied for the account of the Bond Fund of said District an assessment upon all the property in the District in the aggregate sum of \$ \_\_\_\_\_, has caused the same to be extended upon the assessment duplicate of said District, and that the assessment duplicate is now in process of collection by the County Treasurer of the County in which the lands are situated.

(2) That the entire assessment against any parcel of land may be paid at any time on or prior to \_\_\_\_\_, \_\_\_\_\_, without costs and without interest.

(3) That as soon after the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, as conveniently may be, the Board of Directors of the District will divide the uncollected portion of the assessment into convenient installments and will issue bonds bearing interest not exceeding the rate provided in section 9.95 of the Revised Code in anticipation of the collection of the several installments of said assessment, pursuant to the Sanitary District Law of Ohio.

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary"

(D) Form of Notice of Enlargement of District:



"State of Ohio )

) ss.

County of \_\_\_\_\_ )

In the Court of Common Pleas

\_\_\_\_\_ County, Ohio

In the Matter of

\_\_\_\_\_ Sanitary District:

NOTICE OF ENLARGEMENT OF DISTRICT.

To All Persons (and Public Corporations, if any) Interested:

Public Notice is Hereby Given:

(1) That heretofore on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, the Court of Common Pleas of \_\_\_\_\_ County, Ohio, duly entered a final decree erecting and creating \_\_\_\_\_ Sanitary District and appointing a Board of Directors therefor.

(2) That thereafter this Court duly appointed

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



to be the Board of Appraisers for said District. That the Board of Appraisers on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, filed its report recommending that the following described lands, not originally included in the District, be added thereto: (Here describe generally the lands which the Report of the Board of Appraisers recommends should be added to the District.)

(3) That on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, (or as soon thereafter as the convenience of the Court will permit), at the Courthouse in \_\_\_\_\_ of \_\_\_\_\_, Ohio, the Court of Common Pleas of \_\_\_\_\_ County, Ohio, will hear all persons and public corporations, who are owners of or interested in the property described in this notice upon the question whether the lands should be added to and included in the \_\_\_\_\_ Sanitary District.

\_\_\_\_\_

Clerk of the Court of Common Pleas

\_\_\_\_\_ County, Ohio"

(E) Form of Notice of Hearing on Appraisals:

"State of Ohio )

) ss.

County of \_\_\_\_\_ )

In the Court of Common Pleas

\_\_\_\_\_ County, Ohio"

In the matter of

"\_\_\_\_\_ " Sanitary District:



NOTICE OF HEARING ON APPRAISALS.

To All Persons and Public Corporations Interested:

Public Notice is Hereby Given:

(1) That heretofore on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, the Court of Common Pleas of \_\_\_\_\_ County, Ohio, duly entered a decree, erecting and creating \_\_\_\_\_ Sanitary District and appointing a Board of Directors therefor.

(2) That thereafter this Court duly appointed

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

the Board of Appraisers for said District. That the Board of Appraisers on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, filed its Appraisal of Benefits and Damages and of land to be taken as follows:  
(Here insert general description of land appraised.)

The appraisal of benefits and damages and of land to be taken is now on file in the office of the clerk of this court.

(3) All public corporations and all persons, owners of or interested in the property described in the Report, whether as benefited property or as property taken and damaged (whether the taken or damaged property lies within or without the District), desiring to contest the appraisals as made and returned by the Board of Appraisers, must file their objections in the court on or before the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, (here insert a date ten (10) days after the last publication of the notice) and a hearing on the appraisal will be had on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, (here insert a date not less than twenty (20), nor more than thirty (30), days after the date of the last publication of this





notice, as fixed by the court) in the City of \_\_\_\_\_, Ohio, at which time an opportunity will be afforded all objectors to be heard upon their several objections.

\_\_\_\_\_

Clerk of the Court of Common Pleas

of \_\_\_\_\_ County, Ohio.

Dated at the City of \_\_\_\_\_, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_"

(F) Form of Certificate of Levy of Assessments:

"State of Ohio )

)

County of \_\_\_\_\_)

To the Auditor of \_\_\_\_\_ County, Ohio:

This is to certify that by virtue and under the authority of the Sanitary District Law of Ohio, the Board of Directors of \_\_\_\_\_ Sanitary District have and do hereby levy the sum of \_\_\_\_\_ Dollars for the account of the Bond Fund of said District, which assessment bears interest as provided by law and is payable in installments as follows: (Here insert.)

You are further notified that for the account of the Maintenance Fund for the year \_\_\_\_\_, this Board has levied the sum of \_\_\_\_\_ Dollars.

The amounts of the levies upon the several parcels of land upon which the same are imposed are set forth upon the schedule hereunto attached, marked \_\_\_\_\_ Sanitary District Assessment Book. The assessments shall be collectible and payable the present year in the sums therein specified at the same time that the state and county taxes are due and collectible, and you are directed and



ordered to require the Treasurer of \_\_\_\_\_ County, Ohio, to demand and collect such assessments at the time that the treasurer demands and collects the state and county taxes due on the same lands, and this Sanitary District Assessment Book shall be your authority and the authority of the Treasurer to make such collection.

Witness the signature of the President of the Board of Directors, attested by the seal of said corporation, and the signature of its Secretary, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

\_\_\_\_\_

President.

\_\_\_\_\_

Secretary"