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December 30, 2021

Jacqueline A. Bird
513 Main Street
Marblehead, Ohio 43440

Dear Mayor, Council Persons and Members of the Board of Public Affairs:

I have received the enclosed letter from Edward Hartung of Hartung Title Agency, Inc. (Hartung) regarding the Johnson Island petitions submitted in accordance with the Village of Marblehead Codified Ordinances §50.34.

I communicated with Hartung throughout this process and as a result of their research, assumptions were made. For instance, as part of this process, the actual signatures were not verified. In other words, the signatures on the petitions were not checked for authenticity. There are two reasons for this, one there was no realistic way to verify the signatures. Second, if the actual owner is not the signature, that owner can challenge the signature when and if properties are assessed.

One question which was central to the outcome is what a property owner is. In order to define a property owner, the word "property" needed to be defined. In the end, "property" was defined by the number of actual parcels. This is contrasted to number of tax parcels. Hartung then determined the number of parcels and how many owners owned multiple parcels. During the process, we assumed the owner of the parcels to bind all their parcels with one signature. As an example, a person could own six parcels, which has only two tax bills. That person's one signature would count as one signature no matter how many times they signed, and all their properties would count as one property.

Further, one person could obligate all properties in their name, no matter how many properties they own or how many people owned the property, i.e., husband and wife, Trusts, corporate entities.

As is stated in Mr. Hartung's letter, the petitions only counted 305 property owners when there are actually 351 property owners. Even with 46 more property owners, 53% of the property owners appear to have executed the petition.

The petitions obligate those who signed them to pay any assessment, to tap into the system and to pay tap-in charges and service fees. Marblehead Codified Ordinances §50.34 (A)(2)(c). However, §50.34 does not obligate the Village to extend its services. Marblehead Codified Ordinances §50.34 (A).

The next step is for the Board of Public Affairs to evaluate the petitions and officially

decide on the record if it wants to proceed with considering this project. Presumably that would include determining the feasibility and cost of the project. The Board must work closely with Council in the process to determine if the Village has the ability to fund the project and what funding mechanisms are available, as Council ultimately has the fiscal responsibility to its citizens.

If you have any questions, please let me know.

Very truly yours,

James C. Barney

JCB/kh

HARTUNG TITLE AGENCY, INC.

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December 20, 2021

RE: Marblehead Water Petition
Hartung Order # 55881

Dear Mr. Barney:

Pursuant to your request to validate the signatures under the Johnson's Island Water Petition that was submitted to our office please be advised as follows:

Documentation Criteria Used:

- a) Signed petition submitted to Hartung Title. (40 pages)
- b) Ottawa County Auditor's Office Tax Information Sheets.
- c) (Limited) review of Ottawa County Recorders Office Deed Records, as deemed necessary.

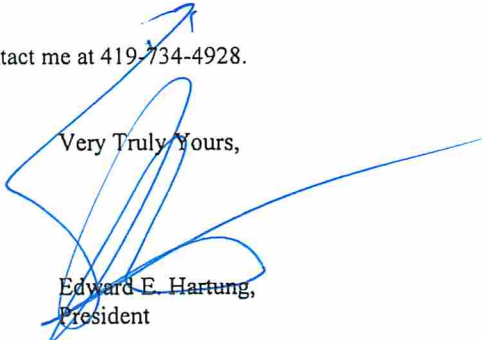
Upon a review of the above documents, and based upon various signature assumptions, we determined the following:

- 1) There are 351 property owners represented by 558 tax billings for 632 parcels (lots).
- 2) Based upon at least one record owner signing the petition at his/her appropriate tax billing address we find the following:

The petition represented 305 possible owners of which 189 owners signed. We were then able to validate 186 of these owners signatures with 3 owners still needing additional clarification.

Should you have any questions, please feel free to contact me at 419-734-4928.

Very Truly Yours,



Edward E. Hartung,
President

(55881letter)
EEH/ab