

SMITH COUNTY DITCH

A--Petition

London, Ohio June 26, 1945

Petition for relocation, reconstruction, repair and cleaning out of a ditch.

To the Board of County Commissioners, Madison County, Ohio:

The undersigned hereby petition your honorable body for the relocation, reconstruction, repair and cleaning out of a ditch on the course hereinafter set forth.

The construction of the improvement is necessary, and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to-wit: Commencing at a point in a tile ditch on the land of Walter Morris about 6 rods north of the point where said tile ditch crosses the north line of land owned by Robbis S. Hofmeister, thence following said tile ditch in a general southerly direction through land of said Morris, said Hofmeister, Ada Long, said Hofmeister, Paul Butcher, Byron Jenks, said Butcher to the north side of the Federal road where the tile ends, thence crossing said road and through the land owned by Mamie Watson (following the open ditch) to State Route No. 20, the land of Ralph Sexton to Rattlesnake creek, or far enough to secure a good and sufficient outlet for said tile ditch.

The following is the nature of the work petitioned for: An examination of the tile in said ditch, taking up, cleaning out and relaying the tile, removing all obstructions therein, grubbing and removing all growing bushes or over the ditch, and placing the same in good working condition, and the cleaning and reconstructing the open ditch far enough to obtain a good and sufficient outlet.

A. List of the names and addresses, where known, of all the owners of the land which the petitioner claims will be benefited or damaged by the construction of the proposed improvement is as follows:

- |                      |  |
|----------------------|--|
| Walter E. Morris     | 121 N. Market St., Wichita, Kansas     |
| Robbie S. Hofmeister | South Solon, Ohio                      |
| Ada Long             | South Solon, Ohio #1                   |
| Paul Butcher         | South Solon, Ohio                      |
| Byron Jenks          | South Solon, Ohio                      |
| Mamie L. Watson      | 78 Griswold St., Delaware, Ohio        |
| Ralph Sexton         | South Solon, Ohio                      |
| Garnet Lansing       | South Solon, Ohio                      |
| U. G. Evans          | South Solon, Ohio                      |
| Chas. F. Stroup      | 1237 E. North St., Lansing Michigan    |
| Bertha Stroup        | South Solon, Ohio                      |
| Joseph W. Stroup     | South Solon, Ohio                      |
| H.S. McCoy           | 640 Riverside Drive, Springfield, Ohio |
| Henry Reigel         | South Solon, Ohio                      |
| Hiran Reigel         | South Solon, Ohio                      |
| Ruth Ladd Curry      | 8178 W. Broad St., Galloway, Ohio      |

Ada Long )  
Ribbie S. Hofmeister) Petitioners.

B--Bond

KNOW ALL MEN BY THESE PRESENTS, That we, Ada Long, and Robbie S. Hofmeister, as principal, and J. B. Smith and Paul Butcher, as sureties, are held and firmly bound unto the State of Ohio, in the sum of Five hundred Dollars, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at London, Ohio, this 26 day of June, 1945.

The Condition of the Above Obligation Is Such, That, Whereas, on the 26 day of June, 1945, the above bound Ada Long and Robbie S. Hofmeister filed their petition with Auditor of Madison County, Ohio, making application to the County Commissioners for the relocation, reconstruction repair and cleaning out of the ditch petitioned for by Ada Long and Robbie S. Hofmeister and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at a point in a tile ditch on the land of Walter Morris about 6 rods north of the point where said tile ditch crosses the north line of land owned by Robbie S. Hofmeister thence following said tile ditch in a general southerly direction through land of said Morris and Hofmeister, Ada Long said Hofmeister, Paul Butcher, Byron Jenks, and said Butcher to the north tile of the Federal road, where the tile ends; thence crossing said road and through land of Mamie Watson (following the open ditch) to State Route #70 the land of Ralph Sexton, to Rattlesnake creek or far enough to secure a good and sufficient outlet for said tile ditch.

Now, if the said Ada Long and Robbie S. Hofmeister will pay all costs, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this  
26 day of June, 1945.  
Robert K. Dixon, County Auditor.

Ada Long  
Robbie S. Hofmeister  
J. B. Smith  
Paul Butcher

C--Order Fixing Time of View and First Hearing:

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long & Robbie S. Hofmeister

Office of the Board of Co. Comm.  
Madison County, Ohio  
July 2, 1945

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 2 day of July, 1945, at the office of the Commissioners with the following members present:

Rodney Plymell  
Gola Mink  
R.W. Armstrong

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This 2 day of July, 1945, the County Auditor gave notice to the Board of County Commissioners of Madison County, Ohio, of the filing with him of a petition signed by Ada Long and Robbie S. Hofmeister, petitioners, for the relocation, reconstruction, repair and cleaning out of a ditch, and

Whereas, It appears to said Board that the proper bond has been filed with the Auditor and by him approved, conditioned for the payment of all costs, if the prayer of the petition is not granted, or if said petition is for any cause dismissed; therefore, be it

Resolved, By said Board of County Commissioners, that the 31 day of July, 1945, at ten o'clock A.M., at the upper terminus of the improvement, be and the same is hereby fixed as the time for the view thereon; and be it further

Resolved, That the 6 day of August, 1945, at ten o'clock A.M., at the office of the Board of County Commissioners of said County be and the same is hereby fixed as the time and place for the first hearing on the petition; and be it further

Resolved, That notice of said view and hearing be given, as required by law.

Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Gola Mink, Yea  
Mr. Rodney Plymell, Yea  
Mr. R.W. Armstrong, Yes

Robert K. Dixon, Clerk of the Board of  
County Commissioners of Madison County, Ohio.

D--Application to Amend

London, Ohio August 13, 1945.

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Proceedings for relocation, reconstruction,  
repair and cleaning out of a ditch.

Application to amend the original petition of June 26, 1945 signed by Ada Long and Robbie S. Hofmeister.

To the Board of County Commissioners of Madison County, Ohio:

The undersigned hereby makes application to your honorable body to amend the original petition of June 26, 1945 signed by Ada Long and Robbie S. Hofmeister as follows:

That the ditch be extended from the beginning point described in the original petition, in a northerly direction, following a tile ditch or as near thereto as practical, through lands of Walter E. Morris to and crossing the Harrold road and into lands owned by H.S. McCoy and Henry and Hiram Reigel.

That the tile ditch as above described be examined and if found of sufficient size, be placed in good working condition and if found to be of insufficient size, then that the same be taken up and larger tile be used along the line above described and the same be extended across the Harrold road and into lands owned by H.S. McCoy and Henry and Hiram Reigel, and also that in case of an increase in the size of tile in the above described ditch, then that the size of tile in ditch described in original petition be increased from the upper end of the fifteen (15) inch tile to the beginning point described in said original petition.

Respectfully submitted,

Ada Long  
Robbie S. Hofmeister

SMITH COUNTY DITCH

E--Commissioners' Order on Application to Amend:

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of County Commissioners,  
Madison County, Ohio.  
August 13, 1945.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 13 day of August, 1945, at the office of the Commissioners with the following members present:

Gola Mink  
Rodney Plymell  
R.W. Armstrong

Mr. Plymell moved the adoption of the following Resolution

Whereas, Ada Long and Robbie S. Hofmeister have heretofore filed with the County Auditor an application to amend the Smith County Ditch Petition as follows:

Commencing at a point in a tile ditch on the land of Walter Morris about six (6) rods north of the point where said tile ditch crosses the north line of land owned by Robbie S. Hofmeister, thence following said tile ditch in a general southerly direction through land of said Morris, said Hofmeister, Ada Long, said Hofmeister, Paul Butcher, Byron Jenks, said Butcher to the north side of the Federal road where the tile ends, thence crossing said road and through the land owned by Mamie Watson (following the open Ditch) to State Route No. 70, the land of Ralph Serton to Rattlesnake Creek, or far enough to secure a good and sufficient outlet for said tile ditch.

The following is the nature of the work petitioned for:

An examination of the tile in said ditch, taking up, cleaning out and relaying the tile, removing all obstructions therein, grubbing and removing all growing bushes etc. over the ditch, and placing the same in good working condition, and the cleaning and reconstructing the open ditch far enough to obtain a good and sufficient outlet; therefore, be it

Resolved, That said application to amend said Smith County Ditch Petition be modified, and that the said Petition be modified to read as follows:

That the ditch be extended from the beginning point described in the original petition, in a northerly direction, following a tile ditch or as near thereto as practical, through lands of Walter E. Morris to and crossing the Harrold road and into lands owned by H.S. McCoy and Henry and Hiram Reigel.

That the tile ditch as above described be examined and if found of sufficient size, be placed in good working condition and if found to be insufficient size, then that the same be taken up and larger tile be used along the line above described and the same be extended across the Harrold road and into lands owned by H.S. McCoy and Henry and Hiram Reigel, and also that in case of an increase in the size of tile in the above described ditch, then that the size of tile in ditch described in original petition be increased from the upper end of the fifteen (15) inch tile to the beginning point described in said original petition.

Mr. Armstrong seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Gola Mink, yes  
Mr. Rodney Plymell, yes  
Mr. R.W. Armstrong, Yes

Robert K. Dixon, Clerk of the Board of  
County commissioners of Madison County, O.

F--Commissioners' Finding for the Improvement

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
August 27, 1945

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 27 day of August, 1945, at the office of the Commissioners with the following members present:

Rodney Plymell  
Gola Mink  
R.W. Armstrong

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 6th day of August, 1945, for the hearing on the petition in the above named improvement, the said Board met at its office, and conducted said hearing by causing the petition to be publicly read, together with all applications for and remonstrances against the improvement, and all applications for change or extension of the improvement, previously filed in writing; and

Whereas, After proper examination, said Board finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement; and

Whereas, Said Board has made an actual view of said proposed improvement and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, or in any application therefor; therefore, be it

Resolved, By the Board of County Commissioners that said Board hereby finds that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare and it is reasonably certain that the cost thereof will be less than the benefits, and the

## SMITH COUNTY DITCH

PRAYER of the petition is hereby granted, ;and if further finds that the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by said Board:

That the ditch be extended from the beginning point described in the original petition, in a northerly direstion, following a tile ditch, or as near thereto as practical, through the lands of Walter E. Morris to and corssing the Harrold Road and into the lands owned by H. S. McCoy and Henry and Hiram Reigel.

That the tile ditch as above described be examined and if found of sufficient size, be placed in good working condition and if found to be of insufficient size, then that the same be taken up and larger tile be used along the line above described and the same be extended across the Harrold Road and into the lands owned by H.S. McCoy and Henry and Hiram Reigel, and also that in case of an increase in the size of tile in the above described ditch, then that the size of the tile in ditch described in the original petition be increased from the upper end of the fifteen (15) inch tile to the beginning point described in said original petition, and be it further.

Resolved, That the County Surveyor be and he is hereby directed to cause to be made the necessary survey for the proposed improvement, upon the foregoing plan and line, and suitable maps showing the location of the land proposed to be assessed, and profiles showing the cuttings and gradient of the improvement, and make an estimate of the cost of the construction of said improvement; and set proper construction stakes, beginning at the upper terminus of the improvement, and perform such other duties as required by Section 6454 of the General Code of Ohio; and be it further

Resolved, That the 3rd day of December, 1945, at 10 O'clock A.M., be and the same is hereby fixed as the time for filing with the County Auditor all of said maps, profiles, schedules and reports prepared by said Surveyor; and be it further

Resolved, That further hearing on said improvement beand the same is hereby adjourned to the date above fixed for the filing of the reports and schedules by the Surveyor.

Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Gola Mink, Yes  
Mr. Rodney Plymell, Yea  
Mr. R.W. Armstrong, Yes

Robert K. Dixon, Auditor and Clerk  
Board of Co. C ommissioners  
Madison County, Ohio

County Auditor's Office  
August 27, 1945

To the County Surveyor:

I hereby certify the foregoing to be a true and correct copy of the finding of the Board of County Commissioners in favor of the foregoing improvement.

Robert K. Dixon  
Auditor, Madison County

G--Schedule of Land Owners

NAME	SURVEY	TWP.	ACRES OWNED	ACRES BENEFITED	ESTIMATED AMOUNT
Butcher, Paul D. and Iva S.	8582	Stokes	111.75	111.75	210.00
" " " "	"	"	29.77	29.77	90.00
" " " "	"	"	13.11	13.11	25.00
" " " "	"	"	51.04	47.04	94.00
" " " "	"	"	6.00	6.00	18.00
Currey, Ruth Ladd	"	"	84.80	25.00	75.00
Evans, Ulyssess G. & Lillie I.	"	"	18.57	18.57	35.00
" " " "	"	Solon Corp.	.50	.50	
Smith, Kobbie (Hofmeister	"	Stokes Tp.	133.53	80.00	185.00
" " " "	"	"	87.07	87.07	266.00
Jenks, Byron	"	"	20.88	12.00	36.00
" " " "	"	"	4.50	4.50	13.50
" " " "	"	"	5.10	5.10	15.00
" " " "	"	"	1.20	1.20	3.00
Long, Ada	3642	"	.95	.95	3.00
" " " "	"	"	2.02	2.02	6.00
" " " "	8582	"	1.00	1.00	3.00
" " " "	"	"	49.18	49.18	124.50
" " " "	"	"	49.18	49.18	124.50
McCoy, H.S.	5706	"	90.64	80.00	15.00
Morris, Walter	"	"	263.08	200.00	360.00
Reigel, Hiram E. & Henry S.	"	"	115.10	15.00	30.00
Watson, Mamie L. Smith	8582	"	100.42	100.42	300.00
" " " "	"	"	104.91	104.91	210.00
" " " "	1133	"	63.57	30.00	60.00
" " " "	"	"	163.85	25.00	50.00
" " " "	"	"	164.00	15.00	45.00
Smith, Mamie L.	"	"			
Watson, Mamie L. Smith	8582	Solon Corp.	9.96	9.96	20.00
" " " "	"	"	6.89	6.89	14.00
Madison County					75.85
				Total	2506.35

SMITH COUNTY DITCH

H--Specifications Of the Manner of Construction

In the Matter of the Single  
County Ditch Petitioned For  
by Ada Long and others.

County Engineer's Office  
Proceedings for relocation, reconstruction,  
and cleaning out of a ditch.

Main Ditch:

Beginning at Sta 24 - 22, the north right-of-way line of the Old Federal Road, Crossing said road, thru the lands of Mamie L. Smith Watson, crossing the right-of-way of the D.T. and I.R.R., thru the lands of said Watson, crossing S.R. #70, and thru the lands of Ralph W. Sexton to Sta 69 - 100, shall be constructed an open ditch. It shall be cut to the grade line and gradient shown on Schedule "A" of this report, and shall have a bottom width and bank slopes as shown on the cross sections.

All excavated material shall be evenly spread well beyond the tops of the ditch banks to the satisfaction of the land owners. Signed statements from these land owners signifying their approval of the same must be obtained by the contractor and submitted to the County Engineer before final estimate will be issued.

In depositing or placing excavated material no draw or place where surface water enters the ditch will be interfered with.

Bulkheads shall be constructed at Stations 24 - 42 and 36 - 35 in accordance with the plans submitted as a part of this report. Concrete used shall be 1-2-4 mixture, and all work done shall be paid for at the unit price bid and for the actual work done.

The tile ditch on the lands of Paul D. & Iva Butcher, Bryon Jenks, and Walter Morris shall be taken up, cleaned and repaired at places designated by and in accordance with instructions of the County Engineer and will be paid for at the unit price bid and for the actual work done.

The contractor shall exercise due care to cause no unnecessary damage to fences, water gaps or bridges. In case of damage being caused by the contractor he shall be held liable for the same.

A clear right-of-way of 50 feet on each side of the ditch is reserved for construction purposes, the width to be measured from the tops of the ditch banks.

I--Estimate of Working Sections

	Amount	Labor	Material	Total
1--Construction--Open Ditch				
25 - 00 68 - 00 4300				
Excavation 2000 @ .45	900.00	900.00		
Clearing and grubbing	300.00	300.00		1200.00
2--Bulkhead @ Sta 24 - 42				
Removal parts of Old Bulkhead				
11.5 @ \$8.00	92.00	92.00		
Excavation \$20.00 @ \$1.00	20.00	20.00		
Concrete (1-2-4) 12.4 @ \$25.00	310.00	310.00		
Reinforcing Steel-515# @ 10¢	5.15	5.15		
Grouted rubble Riprap				
15.4 sq.yds. @ \$5.00	77.00	77.00		
Bulkhead @ Sta 36 - 35				
Removal parts of Old Bulkhead				
4.00 @ \$8.00	32.00	32.00		
Excavation 26.00 @ \$1.00	26.00	26.00		
Concrete (1-2-4) 7.20 @ \$25.00	180.00	180.00		
Reinforcing Steel 26# @ 10¢	2.60	2.60		
Grouted rubble Riprap				
95 sq. yds. @ #5.00	45.00	45.00		783.75
3--Patching 26 holes \$4.50	117.00	117.00		
Clean & Relay @ Sta 0 - 70				
2 rods 18" drain tile @ \$6.00	12.00	12.00		
Furnish 1 rod 18" tile @ \$14.00	14.00	14.00	14.00	14.00
Clean & Relay				
10 rods 10" drain tile @ \$6.00	60.00			
Furnish 5 rods tile @ \$4.50	22.50		22.50	
Remove old AirWell 0 - 00	5.00	5.00		
Backfill @ " " 6 @ \$1.00	6.00	6.00		176.50
	<u>2220.25</u>	<u>2183.75</u>	<u>36.50</u>	<u>2220.25</u>

J--Order Fixing Time of Final Hearing on Surveyor's Reports, etc.

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of Co. Commissioners,  
Madison County, Ohio  
June 17, 1946

The Board of County Commissioners of Madison County, met in regular session on the 17 day of June, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell  
R.W. Armstrong  
Gola Mink

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This 17 day of June, 1946, the County Auditor has given notice to said Board of the filing with him by the County Surveyor of the maps, profiles, schedules, reports in the above named improvement, in accordance with its order of the 6 day of May, 1946; therefore, be it

Resolved, That the 8 day of July, 1946, at 2 o'clock P.M., be and the same is hereby fixed as the time for the final hearing on said reports and schedules, on estimated assessments, on the proceedings for the improvement, and on claims for compensation for damages, which claims must be filed with the County Auditor on or before said date; and be it further

Resolved, That notice of said hearing be given as required by law.

Mr. Mink seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell, yes  
Mr. R.W. Armstrong, yes  
Mr. Gola Mink, yes

Robert K. Dixon, Clerk of the Board of  
County Commissioners of Madison County, O.

K--Commissioners' Finding Affirming Former Order, Confirming the Assessments, etc.

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of County Comm.  
Madison County, Ohio.  
July 8, 1946.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 8 day of July, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell  
R.W. Armstrong  
Gola Mink

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This being the day fixed by the Board, in its order dated the 17 day of June, 1946, for the final hearing on the Reports and Schedules of the County Surveyor, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and

Whereas, Said Board finds that due and legal notice of this final hearing has been given as required by law; and

Whereas, Said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the Surveyor; therefore, be it

Resolved, That said Board review and reconsider its former order made and dated the 27 day of August, 1945, in favor of the said improvement; and be it further

Resolved, That said Board hereby approve the maps, profiles, schedules and reports prepared by the County Surveyor, as amended in its order dated the 27 day of August, 1945; and

Whereas, This Board has considered the cost of location and construction, the compensation for land taken, the damages to land along or in the vicinity of the route of the improvement, the damages to land below the lower terminus of the improvement which may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc.; therefore be it

Resolved, That said former order finding in favor of said improvement made at the first hearing on the 27 day of August, 1945, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by H.R. Long for Ada Long and the Board having heard said objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the Surveyor and any competent evidence on the question of benefits, and from an actual view of the premises; therefore, be it

Resolved, That the assessments be and the same are hereby amended and corrected as follows, to-wit:

Ada Long	-----	147.00	Lowered to	124.50
"	"	147.00	"	"
Madison County		30.85	Raised to	75.85

and be it further

Resolved, That said Surveyor's assessments as so amended and corrected be and the same are hereby approved and confirmed; and be it further

Resolved, That \$75.85 be and the same is hereby found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and be it further

Resolved, That five years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement; and that notes of said County shall be issued and sold in anticipation of the collection of said assessments bearing the rate of four per centum per annum, payable semi-annually; and be it further

Resolved, that interest shall be added to said installments of assessments at the same rate as is drawn by the notes issued to pay for said improvement; provided any owner may pay the assessment on his land in cash within thirty days after the contracts are approved and such assessments are levied, without paying any interest thereon; and be it further

Resolved, That the 5 day of August, 1946, at 10 o'clock A.M., be and the same is hereby fixed as the time for letting the contract for the construction of the proposed improvement and that the County Surveyor be and he is hereby directed to let the contracts for the construction of the proposed improvement; and be it further

Resolved, That the County Surveyor be and he is hereby directed to give at least two weeks' public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, or any part thereof, and in case manufactured material is required for the construction of the improvement, the Surveyor is hereby directed to send copies of the notice by mail to dealers and manufacturers, and all bids shall be received at the office of the County Auditor; and be it further

Resolved, That, whereas the estimated cost of the construction and material required in said improvement exceeds one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House, and advertisement shall be also made in two successive weekly issues of a newspaper printed & in general circulation in said county and be it further

Resolved, That said County Surveyor be and he is hereby directed to attend at said time and place so advertised by him and receive all bids submitted; and be it further

Resolved, That authority be and the same is hereby given to said County Surveyor to receive bids by public outcry, instead of sealed bids, such bids being taken separately for work and for material, and in accordance with the requirements of Section 6481 of the General Code of Ohio.

Mr. Mink seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell, yes.  
Mr. R.W. Armstrong, yes.  
Mr. Gola Mink, yes.

Robert K. Dixon, Clerk of the Board of County Commissioners of Madison County, Ohio

L--Surveyor's Report on Bids Received.

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

County Surveyor's Office,  
Madison County, Ohio.  
August 5, 1946.

To the Board of County Commissioners:

In obedience to your direction, and also in pursuance of the notice duly given as provided by law, bids for the work of construction and for furnishing materials for the above named improvement were received by me as follows:

Bidder	Amount of Bid	Guaranty
O. E. Liller	\$2110.25	\$70.00
Ernest Mossbarger	\$2220.25	66.60

I recommend the following bids as the best:

O.E. Liller, who bid the amount of Twenty One Hundred Ten and 25/100 Dollars, (\$2110.25)

H.L. McCafferty, County Engineer.

M--Commissioners' Order Awarding Contracts:

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of County Comm.  
Madison County, Ohio.  
August 5, 1946

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 5th day of August, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell  
R. W. Armstrong  
Gola Mink

Mr. Mink moved the adoption of the following Resolution:

Whereas, The County Surveyor has filed with this Board his report on bids received for the work of construction and for furnishing materials in the above named improvement petitioned for by Ada Long and others; and

Whereas, It appears to said Board that the bids of the following are the lowest and best bids, and within the Surveyor's estimate, to-wit:

Bidder	Amount of Bid	Surveyor's Est.
O.E. Liller	\$2110.25	#2220.25

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said O.E. Liller at the amounts bid by him respectively; and be it further

Resolved, That the County Auditor be and he is hereby directed to notify each of said successful bidders of the acceptance of his bid, and that he is required to enter into contract and bond and provided by Sections 6483 and 6488 of the General Code; and be it further

Resolved, That the County Surveyor be and he is hereby directed to prepare said contracts and bonds and, having secured the signatures of said bidders and their sureties, present the same to this Board for approval; and be it further

Resolved, That the whole of such work shall be completed and all material furnished on or before the 30th day of December, 1946, provided that the time of furnishing such material and completing such labor shall correspond with the time provided for its use in the progress of the work.

Mr. Armstrong seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell, yes  
Mr. R.W. Armstrong, yes  
Mr. Gola Mink, yes

Robert K. Dixon, Clerk of the Board of  
County Commissioners of Madison County

Mossbarger deposit check for \$66.60 returned 8-5-46

/s/ Robert K. Dixon

N--Commissioners' Order Approving Contracts and Bonds and Levying Assessments

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of County Commissioners,  
Madison County, Ohio.  
August 26, 1946.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 26 day of August, 1946, at the office of the Commissioners with the following members present

Rodney Plymell  
R.W. Armstrong  
Gola Mink

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, The County Surveyor has filed with this Board the contract and bond for the work of construction and furnishing material in the above named improvement petitioned for by Ada Long and others; therefore be it

Resolved, That said contract and bond be and the same are hereby approved; and be it further

Resolved, That the County Auditor be and he is hereby directed to record said contract and bond in the Commissioners' Journal; and be it further

Resolved, That the County Auditor be and he is hereby directed to reduce pro rata the assessments previously confirmed by this Board, by the difference between the estimated cost of the construction and the contract price; and be it further

Resolved, That the assessments so reduced, but with the cost of location included therein, be and the same are hereby levied upon each parcel of land stated in the schedules as of the date of this order; and be it further

## SMITH COUNTY DITCH

Resolved, That the County Auditor be and he is hereby directed to place said assessments so levied upon the Duplicated of the County, making and furnishing the Treasurer of said County a special Duplicate with the assessments arranged in semi-annual installments as provided in our former order adopted the 8 day of July, 1946.

Mr. Mink seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell, yes  
Mr. R.W. Armstrong, yes  
Mr. Gola Mink, yes

Robert K. Dixon, Clerk of the Board of County Commissioners of Madison County, Ohio.

O--Certificate of County Surveyor as to Work Completed

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of County Surveyor,  
Madison County, Ohio  
February 5, 1947

To O.E. Liller, contractor:

This is to certify that the undersigned County Surveyor has accepted 100 per cent of the work and labor furnished and completed by you under your contract for the construction of the above named improvement petitioned for by Ada Long (Smith ditch Stokes Township) and others, and I, therefore, approve said work and labor for payment in the sum of Twenty One Hundred and Ten and 25/100 (\$2110.25) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

H.L. McCafferty  
County Engineer

Total cost as per contract	\$2110.25
Engineering and inspection	286.10
Total cost	2396.25

P--Smith County Ditch Itemized List of Improvement Cost.

Construction:

O.E. Liller Contract	<u>2110.25</u>	
Total		2110.25

Engineer's Services:

Engineering & Inspection	<u>286.10</u>	
Total		286.10

Commissioners Fees:

One Commissioner Fee	<u>20.00</u>	
Total		20.00

Transcript & Mailing

Transcript	4.50	
Mailing 7/2/45 (12)	.36	
Mailing 8/14/45 (17)	.51	
Mailing 6/16/46 (17)	.51	
Advertising 8/15/46 Ditch Bids	11.53	
Mailing Statements (12)	<u>.36</u>	
Total		<u>17.77</u>

Grand Total		<u>\$2434.12</u>
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## SMITH COUNTY DITCH

Q-Final Assessment Schedule

OWNER	ACRES OWNED	ACRES BENEFITED	CONSTR. SCHEDULE ESTIMATE	RATE	FINAL ASSESSMENT----INCL. EXPENSES
Butcher, Paul D. & Iva S.	111.75	111.75	210.00	.08379	203.96
	29.77	29.77	90.00	.03591	87.41
	13.11	13.11	25.00	.00998	24.29
	51.04	47.04	94.00	.03751	91.30
	6.00	6.00	18.00	.00718	17.48
Currey, Ruth Ladd	84.80	25.00	75.00	.02992	72.83
Evans, Ulysses G. & Lillie I.	18.57) .50)	18.57) .50)	35.00	.01396	33.98
Smith, Robbie (Hofmeister)	133.53	80.00	185.00	.07381	179.66
	87.07	87.07	266.00	.10613	258.33
Jenks, Byron	20.88	12.00	36.00	.01436	34.95
	4.50	4.50	13.50	.00539	13.12
	5.10	5.10	15.00	.00598	14.56
	1.20	1.20	3.00	.00120	2.92
Long, Ada	.95	.95	3.00	.00120	2.92
	2.02	2.02	6.00	.00239	5.82
	1.00	1.00	3.00	.00120	2.92
	49.18	49.18	124.50	.04967	120.90
	49.18	49.18	124.50	.04967	120.90
McCoy, H.S.	90.64	80.00	15.00	.00598	14.56
Morris, Walter	263.08	200.00	360.00	.14364	349.64
Reigel, Hiram E. & Delora	115.10	15.00	30.00	.01197	29.14
Watson, Mamie L. Smith	100.42	100.42	300.00	.11970	291.36
	104.91	104.91	210.00	.08379	203.96
	63.57	30.00	60.00	.02394	58.27
	163.85	25.00	50.00	.01995	48.56
Smith, Mamie L.	164.00	15.00	45.00	.01795	43.69
Watson, Mamie L. Smith	9.96	9.96	20.00	.00798	19.42
	6.89	6.89	14.00	.00559	13.61
Madison County			75.85	.03026	73.66

R--Unpaid Assessments.

London, Ohio  
Sept. 15, 1947

Madison County Commissioners  
London, Ohio

Gentlemen:

This is to advise that statement were mailed to all persons assessed for the improvement of the subject Ditch and I am listing herewith those remaining unpaid, to be collected as taxes with interest added, for which a note should be issued, to-wit:

Name	Acreage	Amount
Currey, Ruth Ladd	84.80	72.83
Morris, Walter	263.08	349.64
Watson, Mamie L. Smith	100.42	291.36
	104.91	203.96
	63.57	58.27
	163.85	48.56
Smith, Mamie L.	164.00	43.69
Watson, Mamie L. Smith	9.96	19.42
	6.89	13.61
Total Amount		\$1101.34

Respectfully,

Robert K. Dixon  
Auditor, Madison County

SMITH COUNTY DITCH

S--Resolution To Issue Notes in Anticipation of the Levy of Assessments, etc.

In the Matter of the Single  
County Ditch Petitioned for  
by Ada Long and others.

Office of the Board of County Commissioners,  
Madison County, Ohio.  
September 15, 1947.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 15 day of September, 1947, at the office of the Commissioners with the following members present:

Rodney Plymell  
R.W. Armstrong

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 8 day of July, 1946, affirmed its former order finding in favor of the improvement of the County Ditch, petitioned for by Ada Long and others; and

Whereas, It is now deemed necessary to issue and sell \$1101.34 of notes under authority of Section 2293-24 of the General Code of Ohio, and "The Uniform Bond Act" for the purpose of providing funds in anticipation of the levy of assessments according to benefits or of the issuance of bonds for the improvement of said County Ditch; and

Whereas, The County Auditor has certified the maximum maturity of said notes to be five years, which maximum maturity does not exceed the estimated life or usefulness of the improvement fixed by Section 2293-9 of the General Code of Ohio; and

Whereas, The Board has heretofore, by Resolution duly passed on the 8 day of July, 1946, determined that five years shall be the period of time in semi-annual installments, as taxes are paid, given the owners of land benefited to pay the assessment that may be made for the improvement; now, therefore, be it

Resolved, By the Board of County Commissioners of Madison County, Ohio, that in the judgment of said Board of County Commissioners, it is now necessary in anticipation of the levy of assessments according to benefits or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 2293-24 of the General Code of Ohio and the Uniform Bond Act" in the aggregate sum of One Thousand One Hundred One and 34/100 Dollars (\$1101.34), not exceeding in amount that portion of the estimated cost of the improvement for which the assessment is levied, to provide a fund for the payment of the cost and expense of the improvement of said County Ditch according to the terms of said Resolution above referred to; and be it further

Resolved, That said note shall be dated the 1 day of October, 1947, and shall be in the denomination of Eleven Hundred One and 34/100 Dollars (\$1101.34) and shall be numbered six.

Said note shall bear interest at the rate of four per centum per annum until paid, and the interest on said notes shall be payable on the 1 day of April and the 1 day of October, 1948, and until the principal sum of said note is paid and as evidenced by interest coupons attached thereto. Said notes shall not be issued for a longer period of time than two years from date thereof and shall be payable at the office of the Treasurer of said County at London, Ohio, upon presentation and surrender of said note and interest coupon as they respectively mature. Said note shall be redeemable at any interest period.

Said note shall be due and payable as follows: No. 6 Date April 1, 1948 Amount \$1101.34

Said note shall specify on their face the purpose for which they are issued, and that they are issued in pursuance of this resolution and under authority of the General Laws of the State of Ohio, particularly Section 2293-24 of the General Code of Ohio and "The Uniform Bond Act", and shall be full general obligations of said Madison County, and for the full amount thereof, and the full faith, credit and revenue of said County are hereby pledged for the payment of the principal and interest thereof at maturity.

Said note shall be signed by the members of the Board of County Commissioners of said County, and the County Auditor and bear his seal, and the interest coupons shall have the facsimile signature of said County Auditor printed or lithographed thereon; and be it further

Resolved, That said note shall be paid from the proceeds of bonds hereafter issued in anticipation of the collection of assessments and all of the assessments collected for the improvement shall be applied to the payment of the noted and interest thereon until both are fully paid; and be it further

Resolved, That there shall be and is hereby levied on all the taxable property in Madison County, Ohio, in addition to all other taxes a direct tax annually during the years while such notes run, not less than that which would have been levied if bonds had been issued without the prior issue of such notes.

Said tax shall be, and is hereby ordered computed certified levied and extended upon the tax duplicate, and collected by the same officers, in the same manner and at the same time that taxes are general purposes for each of said years are certified, levied, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest collected and the principal of said notes, when and as the same fall due.

It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of said notes in order to make the same legal, valid and binding obligations of said County have been done, have happened and have been performed in regular and due form and required by law, and that the tax for the payment of the principal and interest as the same falls due and is payable does not exceed any limitations of taxation of said County, and that the amount of this note issue does not exceed any limitation of indebtedness as fixed by law.

Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell, yes.  
Mr. R.W. Armstrong, yes.

Dated this 15 day of September, 1947.

Robert K. Dixon, Clerk, Board of County  
Commissioners of Madison County, Ohio. /

ATTEST:

*Robert K. Dixon*  
CLERK MADISON COUNTY, OHIO