

BARREN RUN-KELLER DITCH

PETITION

Petition for the establishing of a county ditch from the water shed on Barren Run County Ditch, so as to take west branch of said ditch in a southeasterly direction so as to give sufficient outlet to west branch.

To the Bd of Co Commissioners, Madison County, Ohio:

The undersigned hereby petition your honorable body for the establishment of a county ditch from watershed on Barren Run County Ditch so as to take west branch of said ditch in a southeasterly direction, so as to give sufficient outlet to west branch 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-Beginning at the watershed on the Kellar Farm where west branch comes in thence in a southeasterly direction through Kellar farm into Thomas and Ellen Deegan, thence through lands of North Western Mutual Life Insurance Company, Alice R. Underwood and Joseph Bullard to the Weaver Road, from Weaver Road continuing across lands of Verne Phellis to Rosedale Plain City Road, and thence across lands of Martha Wing, there to terminate.

The following is the nature of the work petitioned for constructing and open ditch from entrance of west branch far enough to give good and sufficient outlet.

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

- Elden Hunter O Mechanicsburg, O
- F. L. Richardson London, Ohio
- Charles Kellar Mechanicsburg, O
- Thomas & Ellen Deegan Irwin, O
- Northwestern Mutual Ins 21 E.State, Columbus, O
- Alice R. Underwood Mechanicsburg, O
- Joseph Bullard Irwink Ohio
- Verne Phellis Irwin, Ohio
- Martha Wing Mechanicsburg.

CHARLES F. KELLER
 VERNE H. PHELLIS
 MARTHA B. WING

PETITIONERS

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SCHEDULE B

Owner	Acres Owned	Acres Benefited	Nov. 1935
			Estimated Assmt.
✓ Charles Keller	404.50	272.25	257.45
✓ E. L. Richardson	693.35	200.00	103.50
✓ Eldon Hunter	439.00	200.00	51.80
✓ Mary Rutan Bullard	300.87	5.00	55.90
✓ Thomas & Ellen Deegan	130.04	130.04	167.00
✓ Northwestern Life Ins.	87.13	87.13	151.50
○ Alice R. Underwood	325.15	120.98	178.25
○ Verne H. Phellis	405.92	177.52	68.75
Frederick Clemans		100.00	13.50
Martha Burnham Wing	348.40	256.37	76.50
Alta Howard Harper	103.05	103.05	<u>25.85</u>
			\$ 1150.00

COMMISSIONERS' FINDING

Dec. 2, 1935

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 2nd day of December, 1935, at the office of the Commissioners with the following members present: John Geesling, John Funk and H.F. Fauver; and interested parties present were: Charles F. Keller, Joseph Bullard and David G. Wing for Martha Wing.

Mr. Fauver moved the adoption of the following Resolution:

Whereas, this being the day fixed by said Board in its order dated the fourth day of November, 1935, 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 and for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, or spurs, or change of route, course, termini, or manner of construction described in the petition or, in any application ther for; 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 prayer of the petition is hereby granted; and it further finds the following described route and ter-

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mini 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 her by adopted and prescribed by said Board: Commencing at the watershed on the Keller farm where west branch comes in, thence in a southeasterly direction through Keller land into Thomas & Ellen Deegan, thence through the lands of Northwestern Mutual Life Ins. Co., Alice R. Underwood, and Joseph Bullard to the Weaver Road. From Weaver road continuing across lands of Verne Phellis to Rosedale-Plain City Road and thence across the lands of Martha Wing, there to terminate, 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 pland 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 reducing the same with C.C.C. work, 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 February, 1936, at 2 oclock P.M. be and 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 be and the same is hereby adjourned to the date above fixed for the filing of reports and schedules by the Surveyor.

Mr. Funk seconded the resoluti n and the roll being called upon its adoption, the vote resulted as follows: Geesling, Yea; Funk, Yea; Fauver, Yea

WAIVER AND CONSENT FOR CONSTRUCTION AND IMPROVEMENT OF BARREN RUN KELLER DITCH

We the undersigned, being all of the persons affected by the above improvement hereby waive all which is relative to said improvement and consent that the Board of County Commissioners of Madison County, Ohio, proceed immediately with aid improvement it being understood that all labor except drag line operator be furnished by the CCC Camp located at London, Ohio.

We the undersigned hereby agree to pay our share of the materials for said improvement as estimated or to be estimated by the County Surveyor, and in the event of our failure to pay our assessed share, upon completion of the improvement, the same together with interest shall be placed upon the tax duplicate and collected in installments as othere taxes are collected, and we, and each of us hereby waive all notice and irregularities with reference to said improvement and to the levying of said assessments;

Signed and dated this 9th day of September, 1936

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Chas. F. Keller; Frank Deegan, Adm for T hos. & Ellen Deegan; Martha B. Wing; F. L. Richardson by L.R.; Elden C. Hunter; Alice R. Underwood; Verne H. Phellis; Alta H. Harper; Northwestern Mutual Life Insurance Company, by D. Haydn Evans, Loan Agt., Mary R. Bullard; Frederick M. Clemans.

SUMMARY OF ASSESSMENTS

Oct. 13, 1936

I hereby certify that the fees and costs in the matter of the Barren-Run Keller Ditch to be as follows:

Fees, Sec. 6502 G.C.	\$ 15.00
Transcript of Proceedings	3.00
Mailing notices 11-9-35 Sec.6447 (10)	1.78
Publishing notices 12-2-35 & 12-7-35	18.74
Mailing notices 10-15-36 Sec.6447 (10)	<u>1.78</u>
	40.30

Owner	Assmt	Rate	Costs	Total
Charles F. Keller	257.45	.224	9.03	\$266.48
F. L. Richardson	103.50	.090	3.63	107.13
Eldon Hunter	51.80	.045	1.81	53.61
Mary Rutan Bullard	55.90	.049	1.97	57.87
Thomas & Ellen Deegan	167.00	.146	5.88	172.88
Northwestern Life Ins. Co	151.00	.131	5.28	156.78
Alice R. Underwood	178.25	.155	6.25	184.50
Verne H. Phellis	68.75	.060	2.42	71.17
Frederick Clemans	13.50	.012	.48	13.98
Martha, Burnham Wing	76.50	.066	2.66	79.16
Alta Howard Harper	<u>25.85</u>	.022	<u>.89</u>	<u>26.74</u>
	1150.00		40.30	1190.30

Signed: Robert K. Dixon

Auditor, Madison County

Attest:

Robert K. Dixon
Auditor, Madison County

Date: September 22, 1939