

## A JOINT COUNTY DITCH PETITION

London, Ohio, June 16, 1955

Petition for removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by Engineer.

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

The undersigned hereby petition your honorable body for the removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by Engineer. 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 the Bragg Joint County Ditch on the lands of Byron Redman, crossing the O'Day-Harrison Road, through the lands of C. R. & L. Yerian, C. & H. Holler, A. L. and G. M. McClary, Abraham L. Miller and Magdalena Frey or far enough to secure good and sufficient outlet for lands draining into this ditch.

The following is the nature of the work petitioned for: Construction of a new storm ditch over existing tile, new concrete headwall and removal of existing tile, all at points to be determined by the Engineer. Construction of new open ditch, reconstruction of existing open ditch and clearing and grubbing.

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:

Madison County

Baldwin, Rex G. et al, 739 Siebert St., Columbus, O.  
 Cain, Joanne, Swisher St., Dayton, Ohio  
 Chenoweth, Armor, Mt. Sterling, Ohio  
 Cunningham et al, Mt. Sterling, O. Rt. 2  
 Geesling, Geo. W. & Cora, Orient, Ohio  
 Harris, N. D. & F. H. 2839 Indianola Ave., Columbus, Ohio  
 Hayslip, T. H. & P. Washington C. H. Ohio  
 Henkleman, E. J. & M. J., Mt. Sterling, Ohio Rt. 1  
 Hollar, C. & H., Mt. Sterling, O. Rt. 1  
 Lamson, Elizabeth G. c/o Opekasit Farm Management, Lebanon, O.  
 Lightfoot, Merle & Edith, Mt. Sterling, O. Rt. 2  
 Marcy, Tammie & Delos Harvey, Williamsport, Ohio  
 McClary, A. L. & G. M., Mt. Sterling, O. Rt. 1  
 Miller, Abraham L. Mt. Sterling, O. Rt. 2  
 Miller, Carrie B. 2231 E. 82nd St., Cleveland, Ohio  
 Moats, M. & P. E. Mt. Sterling, O. Rt. 2  
 Penn, E. W. Mt. Sterling, O. Rt. 1  
 Redman, Byron, Mt. Sterling, O. Rt. 2      Geo. Balo, Jr.  
 Reno, Mabel, Mt. Sterling, O.  
 Reno, Robert S., Mt. Sterling, O.  
 Slaughter, Roscoe & Stella, Mt. Sterling, O. Rt. 2  
 Yerian, C. R. & L. Mt. Sterling, O. Rt. 2

Fayette County

Cook, Nell M.  
 Fry, Magdalena

Service of notice of the filing of the Petition shall be obtained by making notices and publication as provided in Sec. 6447.

George Balo, Jr.  
 Charles W. Hollar      Petitioners  
 Marion Moats

## B BOND (FILED WITH DITCH PETITION)

Know All Men By These Presents, That we George Balo, Jr., Charles W. Hollar and Marion Moats are held and firmly bound unto the State of Ohio, in the sum of Two hundred and fifty and no/100 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 this 16 day of June 1955.

The Condition of the above Obligation is such, that, Whereas, on the 16 day of June, 1955, the above bound George Balo, Jr., Charles W. Hollar and Marion Moats filed their petition with the County Auditor of Madison County, Ohio, making application to the County Commissioners, praying for the removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by the Engineer, petitioned for by George Balo, Jr. Charles W. Hollar and Marion Moats and others; the following is the course and termini of said proposed improvement, to-wit: Commencing at a point in the Bragg Joint County Ditch on the lands of Byron Redman, crossing the O'Day-Harrison Road, through the lands of C. R. & L. Yerian, C. & H. Holler, A. L. & G. M. McClary, Abraham L. Miller and Magdalena Fedy or far enough to secure good and sufficient outlet for lands draining into this ditch.

Now, if the said George Balo, Jr. will pay costs, if the prayer of this petition is not granted or if said petition is for any cause dismissed, then this obligation to be void; otherwise to remain in full force and virtue in law.

## BRAGG JOINT COUNTY DITCH

The above bond is approved this 20th  
day of June 1955  
Forrest R. Hanson, Co. Auditor

George Balo, Jr.  
Charles W. Hollar  
Marion Moats

## C NOTICE TO COMMISSIONERS OF PETITIONS FILED

Office of the Auditor of Madison County, Ohio, June 20, 1955

To the Honorable Board of County Commissioners of said County:

Gentlemen: You are hereby notified that a petition and bond for a Joint County Ditch Improvement was filed in this office on the 20th day of June 1955, a copy of which is attached below, and that I have fixed the 27 day of June at 10:00 o'clock P. M. at the office of the Board of County Commissioners in London, Ohio as the time and place where a joint meeting of the Commissioners of all the counties interested shall be held for the hearing thereon.

Forrest R. Hanson  
County Auditor  
Madison County, Ohio

Copy of Joint County Petition  
Petition for removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by Engineer.

To the Honorable Board of County Commissioners,-----County, Ohio:

The undersigned hereby petition your honorable body for the removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by Engineer 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 the Bragg Joint County Ditch on the lands of Byron Redman, crossing the O'Day- Harrison Road, through the lands of C. R. & L. Yerian, C. & H. Holler, A. L. & G. M. McClary, Abraham L. Miller and Magdalena Frey or far enough to secure good and sufficient outlet for lands draining into this ditch.

The following is the nature of the work petitioned for: removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by Engineer.

Names and addresses, where known, of all owners of the land which the petitioner claims will be benefited or damaged by the construction of the proposed improvement:

Madison County

Baldwin, Rex G. et al	739 Siebert St., Cols. O.
Cain, Joanne	Swisher St., Dayton, O.
Chenoweth, Armor,	Mt. Sterling, O.
Cunningham, Austin et al	Mt. Sterling, O. Rt. 2
Geesling, Geo. W. & Cora	Orient, O.
Harris, N. D. & F. H.	2839 Indianola Ave. Cols., O.
Hayslip, T. H. & P.	Washington C. H., O.
Henkleman, E. J. & N. J.	Mt. Sterling, O. Rt. 1
Hollar, C. & H.	Mt. Sterling, O. Rt. 1
Lamson, Elizabeth G.	c/o Opekasit Farm Man. Lebanon, O.
Lightfoot, Merle & Edith	Mt. Sterling, O. Rt. 2
Marcy, Tammie & Delos Harvey	Williamsport, O.
McClary, A. L. & G. M.	Mt. Sterling, O. Rt. 1
Miller, Abraham, L.	Mt. Sterling, O. Rt. 2
Moats, M. & P. E.	Mt. Sterling, O. Rt. 2
Penn, E. W.	Mt. Sterling, O. Rt. 1
Redman, Byron	Mt. Sterling, O.
Reno, Mabel	Mt. Sterling, O.
Reno, Robert S.	Mt. Sterling, O.
Slaughter, Roscoe & Stella	Mt. Sterling, O.
Yerian, C. R. & L.	Mt. Sterling, O. Rt. 2

Fayette County

Cook, Nell M.	504 S. 14th St., Dade City, Fla.
Fry, Magdalena	Rt. 1, Mt. Sterling, O.

Making notices and publication as provided in Sec. 6447

Geo. Balo, Jr.  
Charles W. Hollar  
Marion Moats

Petitioners

I hereby certify the foregoing to be a true copy of a Joint County Ditch Petition filed in my office on the 20 day of June 1955.

Forrest R. Hanson, Co. Aud.

## D ORGANIZATION OF JOINT BOARD OF COUNTY COMMISSIONERS

In the Matter of the Joint County Ditch	Office of the Board of County Comm's.
Petitioned for by George Balo, Jr. et al	Madison County, Ohio
	June 27, 1955

Mr. Baker moved the adoption of the following Resolution

Whereas, The County Auditor of Madison County, Ohio, has heretofore notified the Boards of County Commissioners of Madison and Fayette Counties, of the filing of a petition for a Joint County Ditch Improvement and notice has also been given to said Boards of County Commissioners of the date fixed for the hearing thereon; and

Whereas, This 27 day of June 1955 being the day so fixed and members of said Boards of County Commissioners being present from said Counties interested in said Joint County Ditch Improvement as follows:

Madison County	Fayette County
George W. Taylor	Clifford E. Hughes
Rodger B. Baker	Ralph M. Minton
Rodney Plymell	Robert E. Cockrell

Resolved, That Mr. Taylor, County Commissioner from Madison County, be and the same is hereby elected to act as president of the Joint Board of County Commissioners: and be it further

Resolved, That Mr. Hanson, Auditor of Madison County, in which the petition is filed, be and the same is hereby elected to act as clerk of said Joint Board.

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

Fayette County		Madison County	
Mr. Clifford E. Hughes	Yes	Mr. George W. Taylor	Yes
Mr. Ralph M. Minton	Yes	Mr. Rodger B. Baker	Yes
Mr. Robert E. Cockerell	Yes	Mr. Rodney Plymell	Yes

#### E JOURNAL ENTRY ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of The Joint County Ditch  
Petitioned for by Geo. Balo, Jr. et al.

Office of the Board of County Commissioners  
Madison County, Ohio  
June 27, 1955

Mr. C. E. Hughes moved the adoption of the following Resolution

Whereas, This 27 day of June 1955, the Joint Board of County Commissioners of Madison and Fayette Counties, being in full session, members present from Madison County, Taylor, Baker, and Plymell; from Fayette County, Hughes, Minton and Cockerell and due and legal notice has been given to us of the filing of a petition signed by George Balo, Jr. et al for the removal of old tile, construction of new storm ditch, new headwall an open ditch at points directed by Engineer; and

Whereas, It appears to us that the proper bond has been filed with the Auditor of Madison County, 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 Joint Board of County Commissioners, that the 19 day of July 1955, 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 26 day of July 1955 at ten o'clock A. M. at the office of the Board of County Commissioners of Madison 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. Baker seconded the resolution and the roll being called upon its adoption, the vote resulted as follows;

Fayette County		Madison County	
Mr. Clifford E. Hughes	Yes	Mr. George W. Taylor	Yes
Mr. Ralph M. Minton	Yes	Mr. Rodger B. Baker	Yes
Mr. Robert E. Cockerell	Yes	Mr. Rodney Plymell	Yes

#### F NOTICE OF TIME OF VIEW AND FIRST HEARING TO THE OWNERS OF LAND AFFECTED BY THE PROPOSED IMPROVEMENT

In the Matter of the Joint County Ditch  
Petitioned for by George Balo, Jr. et al

County Auditor's Office,  
Madison County, Ohio  
June 27, 1955

To the owners of land affected by the proposed improvement:

You and each of you, are hereby notified that on the 20th day of June, 1955 the above named petitioner George Balo, Jr. and others, filed a petition for the removal of old tile, construction of new storm ditch, new headwall and open ditch at points directed by Engineer with the County Auditor of said County, the substance and prayer of which said petitioner is that the construction of the improvement is necessary and will be conducive to the public welfare, and prays for the making of such improvement on the following course and termini, to-wit: Commencing at a point in the Bragg Joint County Ditch on the lands of Byron Redman, crossing the O'Day Harrison Road, through the lands of C. R. & L. Yerian, C & H. Holler, A. L. and G. M. McClary, Abraham L. Miller and Magdalena Frey or far enough to secure good and sufficient outlet for lands draining into this ditch.

The following is the nature of the work petitioned for: Construction of new storm ditch

## BRAGG JOINT COUNTY DITCH

over existing tile, new concrete headwall and removal of existing tile, all at points to be determined by the Engineer. Construction of new open ditch, reconstruction of existing open ditch and clearing and grubbing.

As it is claimed, that the improvement will affect property owned by you, you are hereby notified that the Board of County Commissioners of said County have fixed the 19th day of July, 1955, at 10 o'clock A. M. at the upper terminus of the improvement, as the time for the view thereon and also the 26th day of July, 1955, at 10:00 O'clock A. M. at the office of said Board as the time and place for the first hearing on the petition.

Forrest R. Hanson  
Auditor of Madison County, Ohio

## G JOURNAL ENTRY COMMISSIONERS' FINDING FOR THE IMPROVEMENT.

In the Matter of the Joint County Ditch                      Office of the Board of County Commissioners  
Petitioned for by Geo. Balo, Jr. et al.                      Madison County, Ohio  
July 26, 1955

Mr. Plymell moved the adoption of the following Resolution

Whereas, This day the Joint Board of County Commissioners being in session, present from Fayette County, Hughes, Minton and Cockerell; from Madison County, Taylor, Baker and Plymell; and this being the day fixed by said Board in their order dated the 27th day of June, 1955, for the hearing on the petition in the above named improvement, the said Board met at their 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 do find 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 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, or 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 Joint Board of County Commissioners that we do hereby find that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare; and we are reasonably certain that the cost thereof will be less than the benefits, and the prayer of the petition is hereby granted; and we do further find 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 us: Commencing at a point in the Bragg Joint Ditch on the lands of Byron Redman crossing the O'Day Harrison Road, through the lands of C. R. & L. Yerian, C. & H. Holler, A. L. and G. M. McClary, Abraham L. Miller and Magdalena Frey or far enough to secure good and sufficient outlet for lands draining into this ditch, and be it further

Resolved, That the County Engineer of Madison County be and he is hereby directed to make 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, together with 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 law (G. C. 6454); and be it further

Resolved, That the 24th day of October, 1955, at 10:00 o'clock A. M., be and the same is hereby fixed as the time for filing with the County Auditor of Madison County all of said maps, profiles, schedules and reports prepared by said County Engineer; 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 the reports and schedules by the County Engineer.

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

Fayette County	Madison County	
Mr. Clifford E. Hughes	Mr. George W. Taylor	Yes
Mr. Ralph M. Minton	Mr. Rodger B. Baker	Yes
Mr. Robert C. Cockerell	Mr. Rodney Plymell	Yes

County Auditor's Office, Madison County, Ohio  
July 26, 1955

To the County Engineer of Madison County:

I hereby certify the foregoing to be a true and correct copy of the record of the proceedings of the Board of County Commissioners.

Forrest R. Hanson, County Auditor

## H JOURNAL ENTRY ORDER FIXING TIME OF FINAL HEARING ON COUNTY ENGINEER'S REPORTS

In the Matter of the Joint County Ditch Office of the Board of County Comm's.,  
 Petitioned for by George Balo, Jr. et al. Madison County, Ohio  
 October 24, 1955

Mr. Baker moved the adoption of the following  
 RESOLUTION

Whereas, This 24 ty day of October 1955, the Joint Board of County Commissioners being in session, members present, from Fayette County, Hughes, Minton, and Cockerell; from Madison County, Taylor, Baker, and Plymell; the County Auditor has given notice to us of the filing with him by the County Engineer of the maps, profiles, schedules, and reports in the above named improvement, in accordance with our order of the 26th day of July, 1955; therefore, be it

Resolved, That the 22nd day of November, 1955, at 10:00 o'clock A. 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 or 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. Hughes seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Fayette County		Madison County	
Mr. Clifford E. Hughes	Yes	Mr. George W. Taylor	Yes
Mr. Ralph M. Minton		Mr. Rodger B. Baker	Yes
Mr. Robert C. Cockerill	Yes	Mr. Rodney Plymell	Yes

## I NOTICE TO OWNER OF LAND AFFECTED BY THE PROPOSED IMPROVEMENT, OF ASSESSMENT, OF DATE OF FINAL HEARING AND OF FILING CLAIMS FOR COMPENSATION OR DAMAGES

In the Matter of the Joint County Ditch County Auditor's Office  
 Petitioned for by George Balo Jr. et al. Madison County, Ohio  
 Nov. 7, 1955

To All Affected Persons:

You are hereby Notified that the County Engineer filed in this office on the 26th day of October, 1955, the maps, profiles, schedules and reports in the above named improvement, and that the assessment on each tract of land owned by you, as estimated and described in said schedule is as per attached list, and you are further notified that the Board of County Commissioners of said County have fixed

the 18th day of November, 1955 at 10 o'clock A. M.

at the office of said Board, as the time and place of the final hearing by the Commissioners on the report of the County Engineer, and on the proceedings for the improvement, and that all claims for compensation or damages must be filed with the Auditor before that date; and that you must give notice within ten days after said final hearing of your intention to pay in cash, if bonds are to be issued for said improvement.

Forrest R. Hanson  
 Auditor, Madison County

## SCHEDULE OF LAND OWNERS

OWNER	SURVEY	TOWNSHIP	ACRES OWNED	ACRES BENEFIT	EST. ASSESS.
Baldwin, Rex G. et al	9721	Range Mad. Mills	9.64 65.16 83.82	9.64 65.16 83.82	10.12 68.42 88.01
Chenoweth, Armor	5456 etc.	Range	166.00	166.00	174.30
Cunningham, Austin & Lillian	8131	Pleas. Mad. Mills	19.98	15.00	15.75
Cain, Joanne	5456 etc.	Range	81.87	81.87	137.38
Geesling,	8131	Pleasant	100.00	7.00	7.35
Harris, Norman D. & Forrest H.	9721	Range Mad. Mills	78.44	78.44	131.62
Hayslip, T. H. & Pauline	9721	" " "	42.37	42.37	71.10
" " "	"	" " "	2.00	2.00	3.36
" " "	"	" " "	17.35	17.35	29.11
Henkelman, Earl J. & Mary A.	5256	Range	150.00	150.00	251.81
Mollar, Charles & Helen	9249	Range Mad Mills	33.782	33.78	78.94
" " "		Pleas. Mad. Mills	43.89	43.89	102.64
Lamson, Elizabeth G.	5656	Range	401.83	175.00	208.97
Lightfoot, Merle & Edith	7895	Pleas. Mad. Mills	62.79	62.79	105.36

## BRAGG JOINT COUNTY DITCH

OWNER	SURVEY	TOWNSHIP	ACRES OWNED	ACRES BEN.	EST. ASSESS
Marcy, Tammie A. & Delos	8131	Pleas.	64.00	39.10	65.61
Miller, Abraham L.	8678	Range Mad Mills	16.00	16.00	26.85
" "		Pleas.	12.50	12.50	20.98
Miller, Carrie B.	9721	Range Mad Mills	70.00	70.00	117.46
Moats, Marion & Pauline	5456	Range	92.35	15.00	15.75
" "		"	166.00	166.00	174.30
McClary, Audist L. & Gladys	9249	Range Mad Mills	20.90	20.90	48.88
" "		Pleas. " "	29.104	29.00	67.79
Ernest W. Penn	9721	Range	112.36	16.00	16.80
" "		Mad Mills	13.06	10.00	10.50
Balo, George Jr. & Amanda	5456	Range	11.15	11.15	26.12
" "		"	1.00	1.00	2.33
" "		"	31.00	31.00	52.02
" "		Pleas.	40.85	40.85	95.44
Reno, Mabel	9721	Range Mad Mills	38.99	38.99	40.94
" "		"	35.22	6.00	6.30
" "		"	37.29	37.29	39.15
" "		"	6.25	6.25	6.56
" "		"	20.19	20.19	21.20
Reno, Robert S.	9721	Range Mad Mills	.29	.29	.49
" "	5456	Range	59.32	59.32	99.54
" "		"	50.00	50.00	52.50
Slaughter, Roscoe M. & Stella	5456	Pleas.	56.00	25.00	41.95
Yerian, Cecil R. & Leota	9249	Range Mad Mills	31.968	31.968	74.00
" "		Pleas. " "	25.39	25.39	59.26

## FAYETTE COUNTY MADISON TWP.

Cook, Nell M.	8678	Madison Twp.	98.15	88.00	147.66
" "	8131	"	39.06	23.90	35.10
" "		"	29.55	15.56	16.34
Fry, Magdalena	8678	"	105.12	80.00	134.24
Hayslip, T. H. & Pauline	9721	"	73.57	55.18	57.94
" "		"	11.82	11.82	12.41
Miller, Abraham L.	9721	"	144.37	120.00	201.46
Reno, Mabel		"	46.43	13.00	13.65
Madison County		Roads			50.00
Range Twp.		"			50.00
SCHEDULE OF LAND OWNERS					
Madison County		Roads			100.00
Fayette County		"			100.00
Range Twp.		"			75.00
			2220.49	3550.76	

## J JOURNAL ENTRY COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS

In the Matter of The Joint County  
Ditch Petitioned for by George Balo Jr.

Office of the Board of County Commissioner  
Madison County, Ohio  
Nov. 18, 1955

Mr. Baker moved the adoption of the following RESOLUTION

Whereas, This day the Joint Board of County Commissioners being in session, present from Fayette County, Hughes, Minton, and Cockerell from Madison County, Taylor, Baker, and Plymell

and this being the day fixed by said Board, in their order dated the 7th day of November, 1955, for the final hearing on the reports and schedules of the County Engineer 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, We find 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 County Engineer; therefore be it

Resolved, That said Board review and reconsider the former order made by us dated the 7th day of Nov. 1955, in favor of said improvement; and be it further

Resolved, That we do hereby approve the maps, profiles, schedules and reports prepared by the County Engineer, as amended in our order dated the 7th day of Nov. 1955; 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 the former order finding in favor of said improvement made by us at the first hearing on the 7th day of November 1955, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed Joanne Cain- dismissed by resolution: Mr. Baker moved that the claim be dismissed. Seconded by Plymell. Roll call Hughes, yes; Minton, yes; Cockerell, yes; Taylor, yes; Baker, yes and Plymell, yes.----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 County Engineer 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:

That the Engineer and Mr. Charles Hollar decided as to adjustment needed on Ditch. (Portion of Ditch that is to be open and tiled) and be it further

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

Resolved, That \$3,375.76 be and the same is hereby assessed by benefits to the general public by reason of the improvement being conducive to the public welfare of which sum \$2,666.96 be and the same is hereby assessed against Madison County \$608.80 against Fayette County, and \$100.00 found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and the following sums found to benefit the following political subdivisions of the State be and the same are hereby assessed against such political subdivision, respectively: Madison County \$50.00, Range Tp. \$50. 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 the counties interested in said improvement in the following amounts, \$ Total Cost shall be issued and sold in anticipation of the collection of said assessments bearing the rate of 4% per centum per annum, payable semi-annually (G. C. 6460) and be it further

Resolved, Interest shall be added to said installments of assessments at the same rate as is drawn by the bonds 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 19th day of December 1955, at 11:00 o'clock A. M. be and the same is hereby fixed as the time for letting the contracts for the construction of the proposed improvement and that the County Engineer 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 Engineer 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 of manufactured material is required for the construction of the improvement, the County Engineer 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 an advertisement shall also be made in two successive weekly issues of a newspaper printed and in general circulation in the county, and be it further

Resolved, That said County Engineer 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 Engineer 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 Sec. 6481 G. C.

Mr. Plymell seconded the resolution and the roll being called on it's adoption, the vote resulted as follows:

Fayette County  
Clifford E. Hughes  
Ralph M. Minton  
Robert C. Cockerill

Madison County  
George W. Taylor  
Rodger E. Baker  
Rodney Plymell

## BRAGG JOINT COUNTY DITCH

Marcy, Tammie A. & Delos Harvey	8131	Pleasant Tp.	64.00	39.10	65.61
Miller, Abraham L.	8678	8998 Range Mad. Mills	16.00	16.00	26.85
" "		Pleasant Tp.	12.50	12.50	20.98
Miller, Carrie B.	9721	Range Mad. Mills	70.00	70.00	117.46
Moats, Marion & Pauline	5456	6824 Range Tp.	92.35	15.00	15.75
" "	"	"	166.00	166.00	174.30
McClary, Ardist L. & Gladys Marie	9249	Range Mad. Mills	20.90	20.90	48.88
" "	"	Pleasant Tp.	29.104	29.00	67.79
Ernest W. Penn	9721	Range Tp.	112.36	16.00	16.80
" "	"	Range Mad. Mills	13.06	10.00	10.50
Balo, Geo. Jr. & Amanda J.	5456	etc Range Tp.	11.15	11.15	26.12
" "	"	"	1.00	1.00	2.33
" "	"	"	31.00	31.00	52.02
" "	"	Pleas. Tp.	40.85	40.85	95.44
Reno, Mabel	9721	Range Mad. Mills	38.99	38.99	40.94
" "	"	" "	35.22	6.00	6.30
" "	"	" "	37.29	37.29	39.15
" "	"	" "	6.25	6.25	6.56
" "	"	" "	20.19	20.19	21.20
Reno, Robert S.	"	" "	0.29	0.29	.49
" "	"	" "	59.32	59.32	99.54
" "	5456 6824 etc.	Range Twp.	50.00	50.00	52.50
Slaughter, Roscoe & Stella	5456, 8131, 7219	Pleas. Tp.	56.00	25.00	41.95
Yerian, Cecil & Leota	9249	Range Mad. Mills	31.968	31.968	74.00
" "	"	Pleas. Mad. Mills	25.39	25.39	59.26
<u>Fayette County, Madison Twp.</u>					
Cook, Nell M.	8678	Madison Tp.	98.15	88.00	147.66
" "	8131	"	39.06	23.90	25.10
" "	"	"	29.55	15.56	16.34
Fry, Magdalena	8678	"	105.12	80.00	134.24
Hayslip, T. H. & Pauline	9721	"	11.82	11.82	12.41
" "	"	"	73.57	55.18	57.94
Miller, Abraham L.	"	"	144.37	120.00	201.46
Reno, Mabel	"	"	46.43	13.00	13.65
Madison County		Roads			50.00
Range Twp.		"			50.00
			2220.76	3375.76	

## K ENGINEERS REPORT ON BIDS RECEIVED

In the Matter of the Joint County Ditch  
Petitioned for by Geo. Balo, Jr. et al.

County Engineer's Office  
Madison County, Ohio  
December 19, 1955

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	For What Work or Materials	Am't. Bid	Kind	Amount
Peters & Dewbre Ex. Co.	Labor & Materials	2437.57	Cert. Chk.	\$75.00

I recommend the following bids as the best:  
Peters & Dewbre Excavating Company.

Helgeh Ekedahl  
Co. Engineer

## L JOURNAL ENTRY COMMISSIONERS' ORDER AWARDING CONTRACTS

In the Matter of the Joint County Ditch  
Petitioned for by Geo. Balo Jr. et al.

Office of the Board of Co. Comm's.  
Madison Co., Ohio  
Dec. 19, 1955

Mr. Baker moved the adoption of the following

RESOLUTION

Whereas, This day the Joint Board of County Commissioners being in session present, from Fayette County Hughes, Minton & Cockerill, from Madison County Taylor, Baker and Plymell; and the County Engineer has filed with this Board his reports on bids received for the work of the construction and furnishing materials in the above named improvement petitioned for by Geo. Balo Jr. and others; and

Whereas, It appears to us that the bids of the following are the lowest and best bids and within the County Engineer's estimate, to-wit:

Bidder	For What Work or Materials	Am't Bid	Co. Eng. Est
Peters & Dewbre Ex. Co. therefore be it	Labor & Materials	2437.57	2654.12

Resolved, That contracts be and the same are hereby awarded to said Peters & Dewbre Ex. Comp. at the amounts bid by them, respectively; and be it further

Resolved, That the County Auditor of Madison County 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 as provided by Section 6483 and 6488 of the General Code; and be it further

Resolved, That the County Engineer be and he is hereby directed to prepare said contract 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 31st day of April, 1956 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. Cockerill seconded the resolution and the roll being called on its adoption, the vote resulted as follows:

Fayette County  
Clifford E. Hughes  
Ralph M. Minton  
Robert C. Cockerill

Madison County  
George W. Taylor  
Rodger B. Baker

M DITCH CONTRACT

In the Matter of the Joint County Ditch Work and Labor and Materials  
Petitioned for by Geo. Balo, Jr. et al.

This Contract made and entered into on this 19th day of December 1955, by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, hereinafter designated as "First Party" and Peters & Dewbre Excavating Co. of Party of the Second Part, hereinafter designated as "Second Party"

Witnesseth, That said Second Party, for and in consideration of the sum of Two thousand four hundred thirty-seven and 57/100 Dollars, to be paid as hereinafter specified, hereby agrees to furnish unto said First Party all the necessary materials, and do all the work and labor required to construct the ditch improvement petitioned for by Geo. Balo Jr. and others, in accordance with plans, drawings and specifications for the same hereto attached: which plans, drawings, and specifications are hereby declared to be a part of this contract.

Said Second Party further agrees to furnish said materials and to do the said work and labor promptly, in a good substantial and workmanlike manner, under the direction of the County Surveyor in charge, without hindrance or delay to any other branch or class of work on said ditch, and to work in harmony with and to render such assistance to other branches of work as their connection therewith and the progress of the ditch may require. The whole shall be completed to the satisfaction and acceptance of said First Party on or before the 2nd day of April, 1956.

And said First Party, for and in consideration of the true and faithful performance of said work and labor and furnishing of said materials as aforesaid, hereby agrees to pay unto said Second Party said sum of Two thousand four hundred thirty-seven and 57/100 Dollars (\$2437.57), in installments from time to time, upon the certificate of acceptance of the County Surveyor and as provided by law.

It is mutually agreed that no extra work or materials shall be charged for except in accordance with the provisions of Section 6490 of the General Code of Ohio.

Witness our hands, the day and year first above written.

Peters & Dewbre Excavating Co.  
by Chester Dewbre

Signed in duplicate in  
presence of  
Robert L. Chaney

George W. Taylor  
Rodger B. Baker  
Rodney Plymell

Contractors  
Second Party

BRAGG JOINT COUNTY DITCH

N BOND OF DITCH CONTRACTOR

In the Matter of the Joint County Ditch  
Petitioned for by Geo. Balo, Jr.

# 731349  
ON CONTRACT FOR WORK AND LABOR AND MATERIALS

KNOW ALL MEN BY THESE PRESENTS, That we Peters & Dewbre Excavating Co., as Principal Western Surety Co., A Corporation and Sioux Falls, So. Dakota, as sureties, are held and firmly bound unto the State of Ohio for the benefit of Madison County, Ohio and for the benefit of any owner having a right of action thereon as is provided by law, in the penl sum of Two thousand six hundred fifty-four and 12/100 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 this 10th day of January, 1956.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT,Whereas, the above bound Peters & Dewbre Excavating Co. has entered into a Contract with said Board of County Commissioners, First to furnish the materials and perform the work and labor for the construction of the ditch improvement petitioned for by Peters & Dewbre Excavating Co. and others specified in said Contract, to the satisfaction and acceptance of the County Surveyor, on or before the 2 day of April, 1956, for the compensation of Twenty four hundred thirty seven and 57/100 (\$2437.57) Dollars;

Second, to save the County from any loss caused by the delay in completing the work or furnishing the material within the time and in the manner expressed in the contract bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of his contract;

And Fourth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications.

Now if the said Peters & Dewbre Excavating Co. shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executed in Presence of  
Robert L. Chaney

Peters & Dewbre Excavating Co.  
by Chester Dewbre  
Western Surety Co.  
by L. O. Penny

The above bond being good and sufficient is approved this 16th day of January, 1956.

George W. Taylor  
Rodger B. Baker  
Rodney Plymell  
Board of County Commissioners  
Madison County, Ohio

O RESOLUTION COMMISSIONERS' ORDER EXTENDING TIME TO COMPLETE CONTRACT

In the Matter of the Joint County Ditch  
Petitioned for by George Balo, Jr. et al.

Office of the Board of County Comm's.  
Madison County, Ohio  
Dec. 26, 1956

Mr. Plymell moved the adoption of the following Resolution:

Whereas, This day the Joint Board of County Commissioners being in session, present from Madison County, Taylor & Plymell; from Fayette County, Hughes, Minton & Cockerill; and has filed with this Board an affidavit for extension of time in which to complete the contract for the performance of the work of construction of said ditch improvement as provided in said contract; and

Whereas, Peters & Dewbre, the contractor by whom said materials are to be used, has given his consent that the contract time be extended to the 1st day of April, 1957; therefore, be it

Resolved, That the request to extend the time fixed in said contract for the performance of the work of construction of said ditch improvement as provided in said contract be and the same is hereby granted and the time to complete said contract is hereby extended to the 1st day of April, 1957; and be it further

Resolved, That the said contractors bond and securities thereon shall remain liable as if such extended time had been originally named in the bond or contract.

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

Madison County		Fayette County	
Mr. George W. Taylor	Yes	Mr. Ralph M. Minton	Yes
Mr. Rodney Plymell	Yes	Mr. Clifford E. Hughes	Yes
		Mr. Robert C. Cockerill	Yes

## P CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the Joint County Ditch      Office of County Engineer  
 Petitioned for by George Balo, Jr. et al      Madison County, Ohio

To Peters & Dewbre Contractor:

This is to certify that the under signed County Engineer has accepted 100 per cent of the work and labor furnished and completed by said contractor under his contract for the construction of the above needed improvement petitioned for by George Balo, Jr. and others, and I, therefore approve said work and labor for payment in the sum of Twenty four hundred thirty seven Dollars & 57/100 (\$2437.57) Dollars, plus extra work as shown below, the same being the contract price for said percentage of work and labor completed and accepted.

Helgeh Ekedahl, Co. Engineer

Paid as follows:

April 1, 1957 First estimate	\$1000.00
July 1, 1957 Second estimate	1000.00
October 23, 1957 Third and final estimate	437.57
plus the following for extra work:	
Difference between clay and shale tile	148.80
Laying 53 feet extra 24" and 20" tile	50.00
Lowering iron pipe at farm crossing	25.00
Filling and leveling hog wallow	<u>50.00</u>
	2711.37