

CATHCART COUNTY DITCH

A- Single County Ditch Petition.

London, Ohio, July 3, 1947.

Petition for locating, constructing, reconstructing, straightening, deepening, widening and cleaning, with necessary changes in course or location, of the open ditch known as the Cathcart Ditch in Range Twp., Madison County, Ohio, from the bulkhead at the north line of the Federal Road to the mouth of said ditch at Paint Creek.

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

The undersigned hereby petitions your honorable body for the locating, constructing, reconstructing, straightening, deepening, widening and cleaning, with necessary changes in course or location, of the open ditch known as the Cathcart Ditch in Range Twp., Madison County, Ohio, from the bulkhead at the north line of the Federal Road to the mouth of said ditch at Paint Creek 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 the bulkhead at the north line of the Federal Road (Sta. 134 plus 0 on the William G. Cathcart Ditch), thence in a generally southerly direction thro the lands now owned by Arthur R. Brownlee, Hubert K. Hankins, Florence Hankins, Russell D. Dorn & L. B. Dorn, Ronald Barrett, Laura Dorn and John A. & C. Helen Donahue, terminating at the junction of said Ditch in or at Paint Creek, at or about Sta. 235 plus 95 on said Cathcart Ditch.

The following is the nature of the work petitioned for: locating, constructing, reconstructing, straightening, deepening, widening and cleaning, with necessary changes in course or location, of said open ditch, from and including the bulkhead at the north line of the Federal Road thro and in the above indicated course, including particularly the cleaning out of said ditch to at least the grade of said Cathcart Ditch and the removal of brush, trees and other obstructions in said ditch.

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:

James A. Donahue, So. Solon, O., R.F.D. 1
 C. Helen Donahue, So. Solon, O., R.F.D. 1
 Laura Dorn, Sedalia, Ohio
 Ronald Barrett, So. Solon, O., RFD 1
 Russell D. Dorn, So. Solon, O., RFD 1
 L. B. Dorn, So. Solon, O. RFD 1
 Florence Hankins, Hubert K. Hankins Attorney in fact, So. Solon, O., RFD 1
 Hubert K. Hankins, So. Solon, O., RFD 1
 Arthur R. Brownlee, London, O., RFD
 Lillian Clawson, Sedalia, O.
 Guy A. Heath, London, Ohio, RFD
 Dorothy E. Heath, London, Ohio, RFD
 Edward C. Heath, Sedalia, Ohio
 Mabel Heath, Sedalia, Ohio
 Sarah K. Robison, London, Ohio Care R. H. Robison, Atty in fact
 Banj, F. Crawford, North Lewisburg, Ohio.
 Jane E. Proctor, Opekasit Farms, Glendale, Ohio.
 Agnes Burke, Washington C. H., Ohio
 Frank McFadden, London, Ohio. RFD
 Mary McFadden, London, Ohio. RFD
 Farm Management, Inc. Agt. Sophie F. Ferguson, Irwin, Ohio.
 Sophie Fullerton Ferguson, 432 West Ornsby Ave., Louisville, Ky.

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

Sarah K. Robison by her Atty in Fact - R. H. Robison

B-Bond

KNOW ALL MEN BY THESE PRESENTS, That we, S. E. Robison and R. H. Robison, as sureties, are held and firmly bound unto the State of Ohio, in the sum of Three Hundred and 00/100 Dollars, to the payment of which sum, well and truly yo be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at London, Ohio, this 3d day of July, 1947.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 7th day of July, 1947, the above bound Sarah K. Robison filed her petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the locating, constructing, reconstructing, straightening, deepening, widening and cleaning, with necessary changes in course or location of the open ditch known as the Cathcart Ditch in Range Twp., Madison County, Ohio, from the bulkhead at the north line of the Federal Road to the mouth of said ditch at Paint Creek. petitioned for by Sarah K. Robison and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at the bulkhead at the north line of the Federal Road (Sta. 134 plus 0 on the William G. Cathcart Ditch) thence in a generally southerly direction thro the lands now owned by Arthur R. Brownlee, Hubert K. Hankins, Florence Hankins, Russell D. Dorn & L. B. Dorn, Ronald Barrett, Laura Dorn, John A. & C. Helen Donahue, terminating at the junction of said ditch in or at Paint Creek, at or about Sta. 235 plus 95 on said Cathcart Ditch .

Now, if the said Sarah K. Robison 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 7
 day of July, 1947.
 Robert K. Dixon
 County Auditor,

Sarah K. Robison by R. H. Robison, Atty in fact
 R. H. Robison
 S. E. Robison

CATHCART COUNTY DITCH

C - Resolution - Order Fixing Time of View and First Hearing.

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and others.

Office of the Board of County Commissioners
Madison County, Ohio
July 7, 1947.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 7th day of July, 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, This 7 day of July, 1947, 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 Sarah K. Robison, petitioner, for the Cathcart Ditch in Range Township.

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 29 day of July, 1947, 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 4 day of August 1947, 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. Rodney Plymell	yes
Mr. R. W. Armstrong	yes

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

D - Commissioners' Finding for the Improvement.

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and others.

Office of the Board of County Commissioners,
Madison County, Ohio
August 4, 1947.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 4 day of August, 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, This being the day fixed by said Board in its order dated the 7 day of July, 1947, 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 an 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, 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 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 that the following described route and termini of the propose 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:

Commencing at the bulkhead at the north line of the Federal Road (Sta. 134 plus 0 on the William G. Cathcart Ditch), thence in a generally southerly direction thro the lands owned by Arthur R. Brownlee, Hubert K. Hankins, Florence Hankins, Russell D. & L. B. Dorn, Ronald Barrett, Laura Dorn and John A. & C. Helen Donahue, terminating at the junction of said ditch in or at Paint Creek, at or about Sta. 235 plus 95 on said Cathcart Ditch.

The following is the nature of the work petitioned for: locating, constructing, reconstructing, straightening, deepening, widening and cleaning, with necessary changes in course or location, of said open ditch, from and including the bulkhead at the north line of the Federal Road thro and in the above indicated course, including particularly the cleaning out of said ditch to at least the grade of said Cathcart Ditch and the removal of brush, trees and other obstructions in said ditch, 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; 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 3 day of November, 1947, 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

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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 the schedules by the Surveyor.

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

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

County Auditor' Office.
August 4, 1947

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
County Auditor.

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

In the Matter of the Single County Ditch
Petitioned for by
Sarah K. Robison and others.

Office of the Board of County Commissioners,
Madison County, Ohio.
September 27, 1948

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 27 day of September, 1948, 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 27 day of September, 1948, the County Auditor has given notice to said Board of the filing with him by the County Surveyor of the maps, profiles, schedules, and reports in the above named improvement, in accordance with its order of the 6 day of July, 1948, therefore, be it

Resolved, That the 25 day of October, 1948, 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 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. 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

F-Adjournment of Hearing on Engineer's Reports, Schedules and Claims for Damages, etc.

London, Ohio
Oct. 25, 1948.

In the matter of the improvement of the Cathcart County Ditch petitioned for by Sarah K. Robison, the Board of County Commissioners of Madison County met in regular session with the following members present;

Rodney Plymell
R. W. Armstrong
Gola Mink

Gola Mink moved the adoption of the following resolution;

Whereas, this being the day fixed by said Board in its order dated the 27th of September, 1948, for the hearing on the Engineer's reports and claims for damages, in the above named improvement, and,

Whereas, it is found--

that certain adjustments are necessary which require -----
a new survey and report by the County Engineer -----
therefore, be it,

Resolved, that the hearing is hereby adjourned to an indefinite date, the Claim for Damages is tabled, and the County Engineer is hereby directed to make a new survey and submit a new report and schedules for an extension of the project ----- after which a date will be fixed for hearing on the new report.

R. W. Armstrong. seconded the motion and the roll being called, the vote resulted as follows;

Attest: Robert K. Dixon
Auditor and Board Clerk

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

CATHCART COUNTY DITCH

G- Schedule of Land Owners.

Owners Name	Survey	Description	Acres Owned	Acres Benefited	Estimated Amt.
Barrett, Ronald	4156	Range Tp.	14.18	10.00	15.00
Brownlee, Arthur R.	7260-6050	Range Tp.	31.20	29.00	22.00
	4156	Range Tp.	1.80	1.80	1.50
	6050 etc.	Range Tp.	37.65	37.65	56.00
Burke, Agnes Life Estate	5456-5672	Range Tp.	40.00	30.00	40.00
Clawson, lillian L.	6050	Range Tp.	86.50	86.50	86.50
	6050 etc.	Range Tp.	119.25	104.00	156.00
Crawford, Benj. F. et al	5456-5672	Range Tp.	26.34	26.34	32.00
Donahue, John R. & C. Helen	4516	Range Tp.	22.75	22.75	160.00
	5460	Range Tp.	23.41	12.25	86.00
Dorn, Laura	4156	Range Tp.	8.00	8.00	12.00
	4156	Range Tp.	8.00	8.00	12.00
	4156	Range Tp.	8.00	8.00	12.00
	6050 etc	Range Tp.	15.00	6.00	9.00
	8505	Range Tp.	1.75	1.75	2.00
Dorn, Russell D.	4156	Range Tp.	27.67	13.00	40.00
	1524	Range Tp.	3.46	3.46	5.00
	8505	Range Tp.	15.50	10.00	23.00
Dorn, Russell D. & Louise	4156	Range Tp.	15.93	15.93	25.00
	8505	Range Tp.	1.51	1.51	1.00
Dorn, Russell D. & Louise	1524	Range Tp.	16.46	16.46	24.00
Ferguson, Sophia Field	7899	Range Tp.	36.00	10.00	15.00
	7273 etc	Range Tp.	157.50	20.00	30.00
Hankins, Florence	15224	Range Tp.	18.75	5.00	10.00
	8505	Range Tp.	40.12	40.12	60.00
	8505	Range Tp.	16.75	16.75	25.00
	8505	Range Tp.	21.97	21.97	32.00
Hankins, Florence J.	5447	Range Tp.	52.96	52.96	79.00
Hankins, Hubert	4156	Range Tp.	76.00	76.00	114.00
	4156	Range Tp.	74.80	74.80	112.00
Heath, Guy A. et al	6050	Range Tp.	50.16	50.16	45.00
Heath, Mabel	6050	Range Tp.	16.56	16.56	17.00
	5901	Range Tp.	13.92	13.92	15.00
McFadden, Frank & Mary	7899	Range Tp.	100.00	50.00	55.00
Madison County					73.95
Proctor, Jane E.	5476-5672	Paint Tp.	100.00	60.00	75.00
	5672	Range Tp.	12.00	6.00	8.00
	5456	Range Tp.	567.45	250.00	310.00
	5476-5674	Range Tp.	181.01	181.01	310.00
	7899	Range Tp.	20.00	20.00	30.00
	5476-5672	Range Tp.	26.67	26.67	35.00
	5476-5672	Stokes Tp.	57.00	25.00	35.00
	5476-5672	Paint Tp.	68.00	25.00	35.00
Robison, Sarah K.	7899	Range Tp.	25.80	25.80	35.00
	8492-10356	Range Tp.	31.00	31.00	46.00
	5472-5672	Range Tp.	140.00	140.00	190.00
	6050	Range Tp.	132.50	132.50	170.00
	8492-10354	Range Tp.	3.00	3.00	3.00
	5472-5672	Range Tp.	2.00	2.00	2.00
	6050	Range Tp.	324.20	324.20	260.00
					<u>3046.95</u>

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

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and others.

Office of the Board of Co. Comm.
Madison County, Ohio.
November 28, 1948.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 22 day of November 1948, 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 22 day of November, 1948, the County Auditor has given notice to said Board of the filing with him by the County Surveyor of the maps, profiles, schedules, and reports in the above named improvement, in accordance with its order of the 25 day of October, 1948, therefore, be it

Resolved, That the 13 day of December, 1948, 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 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. 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

CATHCART COUNTY DITCH

I - Claim for Damages

In the Matter of the
Single County Ditch No. ---
Petitioned for by
Sarah K. Robison et al.

Madison County, Ohio.
October 11, 1948.

To the Board of County Commissioners of Madison County:

The undersigned, the owners of the following described lands, A. R. Brownlee, 70 acres; H. K. Hankins, 150 acres; Florence Hankins, 150 acres; Russell Dorn, 75 acres; Ronald Barrett, 10 acres; Laura Dorn, 30 acres, John Donahue, 35 acres. affected by the above named improvement petitioned for by Sarah K. Robison et al. represent that, if said improvement be established upon the route decided upon by your Board, they will sustain damage to the lands owned by them the sum of Three Thousand Dollars (\$3,000.00) for the following reasons: Said improvement as granted, will cause the land of the undersigned to overflow and will cause the present tile ditches draining the lands of the undersigned to become clogged and stopped, and will prevent the tile ditches on the lands of the undersigned from functioning properly.

They, therefore, ask that they be allowed said sum of \$3,000.00 as damages that will accrue to them from the construction of said improvement.
Said damages to be apportioned in proportion to the acreages above set forth.

Hubert K. Hankins
Florence Hankins per H. K. Hankins
Russell Dorn
Laura C. Dorn
Ronald Barrett
John Donahue
A. R. Brownlee

On this 13th day of December 1948 it was moved by Gola Mink and seconded by R. W. Armstrong that the foregoing Claim is hereby rejected.
Result of the vote was:

R. W. Armstrong yes
Gola Mink yes

J-Commissioners' Finding Affirming Former Order, etc.

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and others.

Office of the Board of County Commissioners,
Madison County, Ohio
Dec. 13, 1948

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 13 day of Dec. 1948, at the office of the Commissioners with the following members present:

R. W. Armstrong
Gola Mink

Mr. Mink moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board, in its order dated the 22 day of Nov. 1948, 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 on the 4 day of August, 1947, in favor of said improvement; and be it further
Resolved, That said Board hereby approve the maps, profiles, schedules and reports prepared by The County Surveyor, 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 4 day of August, 1947, be and the same is hereby affirmed; and
Whereas, Objections to the proposed assessment having been filed by ---- 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 said Surveyor's assessments be and the same are hereby approved and confirmed; and be it further
Resolved, That \$73.95 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 10 day of January, 1949, at 11 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 publication as required by law 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. Armstrong seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. R. W. Armstrong yes
Mr. Gola Mink yes

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

K- County Engineer's Report on Bids Received.

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and others

County Engineer's Office,
Madison County, Ohio.
January 10, 1949.

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 for the above named improvement were received by me as follows:

	Amount	Guaranty
Parkersburg Excavating Co.	2474.18	\$50.00
O. E. Liller	2255.87	\$50.00
\$291.08 under estimate		

I recommend the following bids as the best.

H. L. McCafferty
County Engineer.

L-Commissioners' Order Awarding Contracts.

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and other.

Office of the Board of County Commissioners,
MADISON County, Ohio
Jan. 10, 1949

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 10 day of Jan. 1949, at the office of the Commissioners with the following members present;

Rodney Plymell
Glenn R. Daugherty
George W. Taylor

Mr. Daugherty moved the adoption of the following Resolution:

Whereas, The County Surveyor has filed with this Board his report on bids received for work of construction and for furnishing materials in the above named improvement petitioned for by Sarah K. Robison 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	For What Work or Materials	Amt. of Bid	Surveyors Est.
O. E. Liller	Construction	2255.87	2546.95

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said O. E. Liller 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 as provided by Sections 6483 and 6488 of the General Code; and be it further

CATHCART COUNTY DITCH

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 1 day of May 1949, provided that the time of furnishing such material and completeing such labor shall correspond with the time provided for its use in the progress of the work.

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

Mr. Rodney Plymell	yes
Mr. Glenn R. Daugherty	yes
Mr. George W. Taylor	yes

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

M - Contract

For Construction of the Cathcart Ditch.

This Agreement, made and entered into on this 10 day of January, 1949, by and between the County Commissioners of Madison County, Ohio, and hereinafter designated as "First Party" and O. E. Liller, hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," for and in consideration of the sum of Twenty two hundred, fifty five and 87/100 (\$2255.87) Dollars, to be paid as hereinafter specified, hereby agrees to furnish unto said "First Party" all and do all the work and labor required to construct the Cathcart Ditch, in accordance with copies of the surveys, plans, profiles, cross sections, estimates and specifications for the same, hereto attached; whcih surveys, plans, profiles, cross-sections, estimates and specification are hereby declared to be a part of this contract.

Said "Second Party" further agrees to furnish and to do the said work and labor promptly, in a good substantial and workmanlike manner, under the direction of said "First Party," or of the Architect or Engineer 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 his connection therewith and the progress of the wrk may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the 1st day of May, 1949.

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 twenty-two hundred fifty-five and 87/100 Dollars, (\$2255.87) in installments from time to time, upon the certificate or estimate of the County Engineer and the remainder thereof when the aforesaid materials shall all have been furnished and said work and labor shall have been completed and accepted.

It is mutually agreed that no extra work shall be charged for unless ordered in writing by said "First Party."

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

Rodney Plymell
Glenn R. Daugherty
George W. Taylor

Commissioners
of
Madison County, Ohio
"First Party"

O. E. Liller

Contractors,
"Second Party"

Office of Prosecuting Attorney,
Madison County, Ohio.
London, Ohio, Jan. 28, 1949.

The within contract was submitted to me by the Commissioners of said County. I hereby certify that I find the same to be in accordance with the provisions of Chapter 1, Title IX of the General Code of Ohio.

Forrest E. Sidener, Jr.
Prosecuting Attorney.

N- Bond of Ditch Contractor.

In the Matter of the
Single County Ditch No.
Petitioned for by
Sarah K. Robison and others.

On Contract for Work and Labor
and Materials.

KNOW ALL MEN BY THESE PRESENTS, That we O. E. Liller, as Principal Western Surety Company, a Corporation, Sioux Falls, South 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 penal sum of Twenty five hundred, forty six and 95/100 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 use, and dated this 10 day of January, 1949.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, Whereas, the above bound O. E. Liller has entered into a contract with said Board of County Commissioners, First, to furnish and perform the work and labor for the construction of the Cathcart Ditch improvement petitioned for by Sarah K. Robison and others specified in said Contract, to the satisfaction and acceptance of the County Surveyor, on or before the 1st day of May, 1949 for the compensation of Twenty five hundred, fifty five and 87/100 (\$2255.87) Dollars;

Second, to save the County from any loss cause by delay in completing the work

CATHCART COUNTY DITCH

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, and to construct the improvement in the manner stated in the contract and specification.

Now if the said O. E. Liller shall faithfully perform and complete such work and labor 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

Countersigned

By

Ohio Resident Agent

O. E. Liller

Western Surety Company

By L. D. Sunding

Asst. Secretary

The above bond being good and sufficient is approved this 31 day of January, 1949.

Rodney Plymell
Glenn R. Daugherty
George W. Taylor

Board of County
Commissioners, Madison
County, Ohio

Received refund of bid deposit of cash \$50.00, Date 2/7/49 O. E. Liller per FSL

O- Certificate of County Surveyor as to Work Completed.

In the Matter of the Single County
Ditch No. Petitioned for by
Sarah K. Robison and others.

Office of County Surveyor,
Madison County, Ohio.
November 17, 1949.

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 Sarah K. Robison and other, and I, therefore, approve said work and labor for payment in the sum of Twenty two hundred fifty-five and 87/100 (\$2255.87) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

R. H. Graham
County Engineer

DISTRIBUTION

O. E. Liller	Labor	\$2255.87	Paid Apr. 13 & Aug. 15, 1949.
Homer Robinson	Labor	234.00	Paid May 9, 1949
Engineering		<u>266.00</u>	
		2755.87	

P-Itemized List of Improvement Costs.

Construction:

O. E. Liller	Contract	\$2255.87		
			Total	\$2255.87

Engineer's Services:

Engineering & Inspection	266.00			
Homer Robinson - Labor	<u>234.00</u>			
			Total	500.00

Transcript Mailing Notices & Advertising

Transcript	4.50			
7-17-47 Mailing Notices (17)	.51			
9-28-48 Mailing Notices (17)	.51			
11-26-48 Mailing Notices (17)	.51			
2-1-49 Ditch Bid Ads & Slips	7.05			
Mailing Statements (15)	<u>.45</u>			
			Total	13.53
			Grand Total	<u>\$2769.40</u>

CATHCART COUNTY DITCH

Q- Final Assessment Schedule.

Owner	District	Acres Owned	Acres Benefited	Construction Schedule Est.	Rate 5 places	Final Assmt. Incl. Expense
Barrett Ronald	Range	14.18	10.00	15.00	.00492	13.63
Brownlee, Arthur R.	"	31.20	29.00	22.00	.00722	20.00
		1.80	1.80	1.50	.00049	1.36
		37.65	37.65	56.00	.01838	50.91
Burke, Agnes Life Estate	"	40.00	30.00	40.00	.01313	36.36
Clawson, Lillian L.	"	86.50	86.50	86.50	.02839	78.62
		119.25	104.00	156.00	.05120	141.79
Crawford, Benj. F. et al	"	26.34	26.34	32.00	.01050	29.08
Donahue, John R. & C. Helen	"	22.75	22.75	160.00	.05251	145.42
		23.41	12.25	86.00	.02822	78.16
Dorn, Laura	"	8.00	8.00	12.00	.00394	10.91
		8.00	8.00	12.00	.00394	10.91
		8.00	8.00	12.00	.00394	10.91
		15.00	6.00	9.00	.00295	8.17
		1.75	1.75	2.00	.00066	1.83
Dorn, Russell D.	"	27.67	13.00	40.00	.01313	36.36
		3.46	3.46	5.00	.00164	4.54
		15.50	10.00	23.00	.00755	20.91
Dorn, Russell D. & Louise	"	15.93	15.93	25.00	.00820	22.71
		1.51	1.51	1.00	.00033	.91
		16.46	16.46	24.00	.00788	21.83
Ferguson, Sophia Field et al	"	36.00	10.00	15.00	.00492	13.63
		157.50	20.00	30.00	.00985	27.28
Hankins, Florence	"	18.75	5.00	10.00	.00328	9.08
		40.12	40.12	60.00	.01969	54.53
		16.75	16.75	25.00	.00820	22.71
		21.97	21.97	32.00	.01050	29.08
Hankins, Florence J.	"	52.96	52.96	79.00	.02593	71.81
Hankins, Hubert	"	76.00	76.00	114.00	.03741	103.60
		74.80	74.80	112.00	.03676	101.80
Heath, Guy A. et al	"	50.16	50.16	45.00	.01477	40.90
Heath, Mabel	"	16.56	16.56	17.00	.00558	15.45
		13.92	13.92	15.00	.00492	13.63
McFadden, Frank & Mary	"	100.00	50.00	55.00	.01805	49.99
Proctor, Jane E.	Paint Range	100.00	60.00	75.00	.02461	68.15
		12.00	6.00	8.00	.00263	7.28
	"	567.45	250.00	310.00	.10174	281.76
	"	181.01	181.01	310.00	.10174	281.76
	"	20.00	20.00	30.00	.00985	27.28
	"	26.67	26.67	35.00	.01149	31.82
	Stokes	57.00	25.00	35.00	.01149	31.82
	Paint	68.00	25.00	35.00	.01149	31.82
Robison, Sarah K.	Range	25.80	25.80	35.00	.01149	31.82
		31.00	31.00	46.00	.01510	41.82
		140.00	140.00	190.00	.06236	172.70
		132.50	132.50	170.00	.05579	154.50
		3.00	3.00	3.00	.00098	2.71
		2.00	2.00	2.00	.00066	1.83
		324.20	324.20	260.00	.08533	236.31
Madison County				73.95	.02427	67.21
				3046.95	1.00000	2769.40

5 years.

CATHCART COUNTY DITCH

R-Unpaid Assessments.

London, Ohio
May 15, 1950

Cathcart Ditch
Unpaid Assessments.

Madison County Commissioners
London, Ohio

Gentlemen:

This is to advise that statements 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
Clawson, Lillian L.	86.50	78.62
	104.00	141.79
Proctor, Jane E.	60.00	68.15
	6.00	7.28
	250.00	281.76
	181.01	281.76
	20.00	27.28
	26.67	31.82
	25.00	31.82
Robison, Sarah K.	25.00	31.82
	25.80	31.82
	31.00	41.82
	140.00	172.70
	132.50	154.50
	3.00	2.71
	2.00	1.83
324.20	236.31	
Total Amount		\$1623.79

The estimated life of the improvement is in excess of five years.

Respectfully,

Robert K. Dixon
Auditor, Madison County

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

In the Matter of the
Single County Ditch
Petitioned for by
Sarah K. Robison and others

Office of the Board of County Commissioners,
Madison County, Ohio
May 22, 1950.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 22 day of May, 1950, at the office the Commissioners with the following members present:

Glenn R. Daugherty
George W. Taylor

Mr. Daugherty moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 13 day of December, 1948 affirmed its former order finding in favor of the improvement of the County Ditch, petitioned for by Sarah K. Robison and others; and

Whereas, It is now deemed necessary to issue and sell \$1623.79 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, This Board has heretofore, by Resolution duly passed on the 13 day of December, 1948, 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 note 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 Sixteen Hundred Twenty Three and 79/100 Dollars (\$1623.79), 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 June 1950, and shall be in the denomination of Sixteen Hundred Twenty three and 79/100 Dollars (\$1623.79) and shall be numbered 19.

Said note shall bear interest at the rate of four per centum per annum until paid, and the interest on said note shall be payable on the 1 day of October, 1950 and the 1 day of April, 1951, and until the principal sum of said note is paid and as evidenced by interest coupons attached thereto. Said note shall not be issued for a longer period of time than two years from date thereof subject to renewal and shall be payable at the office of the Treasurer of said County at Madison, Ohio upon presentation and surrender of said note and interest coupons as they respectively mature. Said note shall be redeemable at any interest period.

CATHCART COUNTY DITCH

Said note shall be due and payable as follows:

No. 19

October 1, 1950

\$1623.79

Said note shall specify on it's face the purpose for which issued, and 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 note 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 note run, not less than that which would have been levied if bonds had been issued without the prior issue of such note.

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 for 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 require 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 and principal of said note 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 note 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 as 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.

The Clerk of this Board is hereby authorized and directed to offer this issue of notes at par and accrued interest first to the Board of Trustees of the Sinking Fund of said County and if refused, then the Clerk is directed to offer the same for sale (no Board of Trustees of the Sinking Fund) at private sale.

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

Mr. Glenn R. Daugherty	yes
Mr. George W. Taylor	yes

Dated this 22 day of May, 1950.

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