

A COUNTY DITCH PETITION

London, Ohio March 20, 1962 Petition to reconstruct and repair tile and bulkhead.

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

The undersigned hereby petition your honorable body to reconstruct and repair tile and bulkhead 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 on the Charles R. Wheeler 93.88 acre tract in Union Township, running through the Charles R. Wheeler 60.36 acre tract in Deer Creek Township; thence in Deer Creek Township through 112.38 acre tract of Leonard and Ida Wheeler to the bulkhead.

The following is the nature of the work petitioned for:

Repair and replace tile and bulkhead and fill around bulkhead.

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:

George E. Larkins, R.D.#3, London, Ohio
Oak Hill Cemetery Assn. % H. P. Beathard, London, Ohio
D. M. Richmond, East High Street, London, Ohio
D. E. Simpson, R. D.#3 London, Ohio
Charles R. Wheeler, R. D. #3 London, Ohio
Leonard Wheeler, R. D. #3 London, Ohio
Ida Wheeler R. D. #3, London, Ohio

Service of notice of the filing of the Petition shall be obtained by mailing notices and publication as provided in Section 6131.07 R. C.

Charles R. Wheeler, Petitioner

B BOND

KNOW ALL MEN BY THESE PRESENTS, That I, Charles R. Wheeler am held and firmly bound unto the State of Ohio, in the sum of Two hundred and no/100, to the payment of whic sum, well and truly to be made, I so hereby bind myself, my heirs, executors and administrators.

Signed and dated at London, Ohio this 20th day of march, 1962.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 20th day of March, 1962, the above bound Charles R. Wheeler filed his petition with the Clerk of the County Commissioners of Madison County, Ohio, making application to the County Commissioners to reconstruct and repair tile and bulkhead, petitioned for by me and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing on the Charles R. Wheeler 93.88 acre tract in Union Township, running through the Charles R. Wheeler 60.36 acre tract in Deer Creek Township; thence in Deer Creek Township through 112.38 acre tract of Leonard and Ida Wheeler to the bulkhead.

Now, if the said Charles R. Wheeler will pay the cost of notices, plus any other incidental expenses, except the cost make by the Engineer in making his survey, maps, plans, profiles and schedules, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be voided; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this 26th day of March, 1962
Rodger B. Baker
William S. Bell
Paul E. Andrix

Charles R. Wheeler

C ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the matter of the Single County Ditch Petitioned for by Charles R. Wheeler and others.

Office of County Commissioners,
Madison County, Ohio
March 26, 1962

The board of County Commissioners of Madison County, Ohio, met in Special session on the 26th day of March, 1962, at the office of Commissioners with the following members present:
Rodger B. Baker, Chairman, William S. Bell, Member, Paul E. Andrix, Member.

Mr. Bell moved the adoption of the following Resolution:

Whereas, It appears to said Board that the proper bond has been filed with the Clerk, approved, cinditioned for the payment of costs of notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles and schedules, 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 30th day of April, 1962, at ten o'clock A.M. at the upper terminus of the improvement, 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 the 21st day of May, 1962, 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

WHEELER SINGLE COUNTY DITCH

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

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

Rodger B. Baker - Yes
William S. Bell - Yes
Paul E. Andrix - Yes

Forrest R. Hanson, Clerk of the Board of County Commissioners
Madison County, Ohio

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

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and others.

Office of County Commissioners,
Madison County, Ohio
March 28, 1962

To the Owners of Land Affected by the Proposed Improvement:

You, and Each of You, Are Hereby Notified, that on the 26th day of March, 1962, the above named petitioner and others, filed a petition to Reconstruct and repair tile and bulkhead

with the Clerk of the County Commissioners of said County, the substance and prayer of which said petition 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 on the Charles R. Wheeler 93.88 Acre tract in Union Township, running through the Charles R. Wheeler 60.36 acre tract in DeerCreek Township; thence in Deer Creek Township through 112.38 acre tract of Leonard and Ida Wheeler to the bulkhead.

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 has fixed the 30th day of April, 1962 at 10 o'clock A.M. at the upper terminus of the improvement, as the time for the view thereon and also the 21st day of May, 1962, at 10 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
Clerk of the Board of County Commissioners of
Madison County, Ohio

E (AMENDED) NOTICE OF TIME OF VIEW AND FIRST HEARING TO THE OWNERS OF LAND AFFECTED BY THE PROPOSED IMPROVEMENT

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and Others

Office of County Commissioners
Madison County, Ohio
April 30, 1962

To the Owners of Land Affected by the Proposed Improvement:

You, and Each of YOU, Are Hereby Notified, that on the 26th day of March, 1962, the above named petitioner and others, filed a petition to reconstruct and repair tile and bulkhead,

with the Clerk of the County Commissioners of said County, the substance and prayer of which said petition 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 on the Charles R. Wheeler 93.88 acre tract in Union Township, running through the Charles R. Wheeler 60.36 acre in DeerCreek Township; Thence in DeerCreek Township through 112.38 acre tract of Leonard and Ida Wheeler to the bulkhead.

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 has fixed the 30th day of April, 1962 at 10 o'clock A.M. at the upper terminus of the improvement, as the time for the view thereon and also the 11th day of June, 1962 at 10 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
Clerk of the Board of County Commissioners of Madison Co, Ohio

I hereby certify that on the 1st day of May, 1962, I prepared and mailed in a five day return envelope addressed to:

George E. Larkins	R#3, London, Ohio
Oak Hill Cemetery Assn. %	Henry P. Beathard, London, Ohio
D. M. Richmond	203 E. High St., London, Ohio
D. E. Simpson	R#3, London, Ohio
Charles R. Wheeler	R#3, London, Ohio
Leonard Wheeler	R#3, London, Ohio
Ida Wheeler	R#3, London, Ohio

None of the said mailed notices have been returned undelivered.

Forrest R. Hanson, Clerk of the County Commissioners

F PRELIMINARY REPORT OF COUNTY ENGINEER

In the Matter Of the Wheeler County Ditch
Petitioned for by Charles R. Wheeler and others.

County Engineer's Office
Madison County, Ohio
June 5, 1962

Proceedings to reconstruct and repair
tile and bulkhead.

To the Board of County Commissioners Madison County, Ohio:

The undersigned County Engineer, in obedience to the order of your Board, made on the 30th day of April, 1962, proceeded in the above matter, and visited the proposed location of said improvement and in my opinion based on actual view and of said improvement with my further findings as follows:

4000 lin. ft. new 12" clay tile
Repairs to existing tile ditch
New catch basin
New 12" 16 ga. corrugated metal pipe
Fill and sodding

Total construction \$4730.00

Engineering)
Inspection)
1st year maintenance) 1100.00
Contingencies)

Estimated total cost \$5830.00

If 10" tile is used the cost would be \$400.00 less.

Helge G. Ekedahl County Engineer
By- Gideon T. Clark, Deputy

G JOURNAL ENTRY---COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and others.

Office of the Board of County Commissioners
Madison County, Ohio
June 11, 1962

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 11th day of June, 1962, at the office of Commissioners with the following members present:

Mr. Rodger B. Baker
Mr. William S. Bell
Mr. Paul E. Andrix

Mr. Bell moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order sated the 26th day of March, 1962, 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 sounsel 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 donducive 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 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 adapted and prescribed by said Board:

Commencing on the Charles R. Wheeler 93.88 acre tract in Union Township running through the Charles R. Wheeler 60.36 acre tract in Deer Creek Township; thence in Deer Creek Township through 112.38 acre tract of Leonard and Ida Wheeler to the bulkhead. And be it further

Resolved, That the County Auditor be authorized to transfer from the general revenue funds of the county, not otherwise appropriated, to the general drainage improvement fund the sun of: Four hundred ninety five 55/100 dollars, and be it further

Resolved, That the County Engineer be and he is hereby directed to cause to be make the necessary survey for the proposed improvement, plans for the structures, maps showing the location of the land proposed improvement, plans for the structures, 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 engineering and the cost of notices, publication and othe incidental expenses; and set proper constuaction stakes, beginning at the upper terminus of the improvement, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio; and be it furhter

Resolved, That the 20th day of August, 1962, at 10 o'clock A.M. be and the same is hereby fixed as the time for filing with the Clerk of the County Commissioners 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. Andrix seconded the resolution and the roll being called upon its adoption, the resulted as follows:

Mr. Rodger B. Baker - Yes
Mr. William S. Bell - Yes
Mr. Paul E. Andrix - Yes

Forrest R. Hanson, Clerk of Board of County Commissioners
Madison County, Ohio

Office of the Board of County Commissioners,
June 11, 1962

To the County Engineer:

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

Forrest R. Hanson, Clerk of the County Commissioners.

WHEELER SINGLE COUNTY DITCH

H	SCHEDULE OF LAND OWNERS	Survey	Description	Acres Owned--Benefited	Estimated Amt. of Land Assmt
	Owners				
	Griffin, Elta O.	5801	Deercreek Twp.	49.48 6.00	90.92
	Larkins, George E. and Mary M.	5802	"	81.39 18.00	272.77
	Larkins, George E.	"	London S. D.	40.25 40.25	609.94
	Larkins, George E.	"	" "	24.36 16.00	242.46
	McNamara, Raymond et al.	5801	" "	25.59 25.59	387.79
	" "	5802	" "	2.41 2.41	36.52
	" "	"	" "	32.70 32.70	495.54
	Richmond, D.M.	"	" "	88.74 10.00	151.54
	Shipley, Robert M. et al	"	" "	2.36 2.36	35.76
	Simpson, D. E. et al	5801	" "	1.00 1.00	15.15
	Strine, D. F.	5801	" "	1.00 1.00	15.15
	" "	"	" "	1.00 1.00	15.15
	" "	"	" "	1.00 1.00	15.15
	Wheeler, Charles R.	"	" "	93.88 93.88	2088.97
	" "	"	Deercreek Twp.	60.36 30.00	667.50
	Wheeler, Leonard & Ida M.	"	" "	112.38 23.00	511.75
	" " "	"	London S. D.	33.86 11.00	166.69

I NOTICE TO COMMISSIONERS OF THE FILING WITH THE CLERK OF THE REPORTS AND SCHEDULES OF THE COUNTY ENGINEER

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and others.

Office of the Board of Commissioners.
Madison County, Ohio
August 20, 1962

To the Board of County Commissioners of Madison County:

You Are Hereby Notified that the County Engineer filed in this office on the 16th day of August, 1962, the maps, profiles, schedules and reports in the above named improvement, in accordance with your order of the 11th day of June, 1962

Forrest R. Hanson, Clerk of the County Commissioners

J 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 Single County Ditch
Petitioned for by Charles R. Wheeler and others.

Office of County Commissioners
Madison County, Ohio
September 14, 1962

To Affected Persons:

You are hereby notified that the County Engineer filed in his office on the 16th day of August, 1962, the maps, profiles, plans, 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 follows:

Per schedule attached

and you are further notified that the Board of County Commissioners of said County have fixed the 8th day of October, 1962 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 Clerk of the Board of County Commissioners before that date; and that if bonds are to be issued for said improvement, you must give notice within ten days after said final hearing of your intention to pay in cash and if you do not give such notice of your intention to pay in cash within ten days the installments will be payable with interest added at the same rate that the bonds bear interest.

Forrest R. Hanson, Clerk of the County Commissioners
Madison County, Ohio

K 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 Single County Ditch
Petitioned for by Charles R. Wheeler and others.

Office of County Commissioners,
Madison County, Ohio
October 1, 1962

To Affected Persons:

You are Hereby Notified that the County Engineer filed in this office on the 28th day of September, 1962, the maps, profiles, plans, 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 follows:

Per Revised schedule attached

and you are further notified that the Board of County Commissioners of said County has fixed the 29th day of October, 1962 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 Engineer, and on the proceedings for the improvement, and that all claims for compensation or damages must be filed with the Clerk of the Board of County Commissioners before that date; and that if bonds are to be issued for said improvement, you must give notice within ten days after said final hearing of your intention to pay in cash and if you do not give such notice of your intention to pay in cash within ten days the installments will be payable with interest added at the same rate that bonds bear interest.

Forrest R. Hanson, Clerk of the Board of County Commissioners,
Madison County, Ohio

L SCHEDULE OF LAND OWNERS**** REVISED

Owners	Survey	Description	Acres Owned	Benefited	Estimated Am't Land to be Ass'd
Griffin, Elta O.	5801	Deercreek Twp.	49.48	6.00	83.70
Larkins, George E. & Mary M.	5802	" "	81.39	18.00	251.10
Larkins, George E.	"	London S. D.	40.25	40.25	561.50
Larkins, George E. et al	"	" "	24.36	24.36	339.83
McNamara, Raymond et al	5801	" "	25.59	25.59	356.99
" "	5802	" "	2.41	2.41	33.62
" "	"	" "	32.70	32.70	316.68
Richmond, D. M.	"	" "	88.74	16.87	235.34
Simpson, D. E. et al	5801	" "	1.00	1.00	13.95
Strine, D. F. et al	"	" "	1.00	1.00	13.95
" " "	"	" "	1.00	1.00	13.95
" " "	"	" "	1.00	1.00	13.95
Wheeler, Charles R.	"	" "	93.88	93.88	2088.97
" "	"	Deercreek Twp.	60.36	30.00	667.50
Wheeler, Leonard & Ida M.	"	" "	112.38	23.00	511.75
" " "	"	London, S. D.	33.86	11.00	153.45
Oak Hill Cemetery Trustees	5802	" "	11.65	11.65	162.52

M JOURNAL ENTRY--ORDER FIXING TIME OF FINAL HEARING ON ENGINEER'S REPORTS, ON ESTIMATED ASSESSMENTS, ON THE PROCEEDINGS FOR THE IMPROVEMENT AND ON CLAIMS FOR COMPENSATION AND DAMAGES

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and others.

Office of the Board of County Commissioners,
Madison County, Ohio
August 20, 1962

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 20th day of August, 1962, at the office of Board of County Commissioners, with the following members present: Mr. Rodger B. Baker, Mr. William S. Bell, Mr. Paul E. Andrix

Mr. Andrix moved the adoption of the Following Resolution:

Whereas, This 20th day of August, 1962, the Clerk of the Board of County Commissioners has given notice to said Board of the filing with him by the County Engineer of the maps, profiles, schedules, and reports in the above named improvement, in accordance with its order of the 11th day of June, 1962; therefore, be it

Resolved, That the 8th day of October, 1962, at 10 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 Clerk of the Board of County Commissioners on or before said date; and be it further

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

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

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

Mr. Rodger B. Baker - Yes
Mr. William S. Bell - Yes
Mr. Paul E. Andrix - Yes

Forrest R. Hanson, Clerk of the Board of County Commissioners
Madison County, Ohio

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

In the Matter of the Single County Ditch
Petitioned for by Charles Wheeler and others.

Office of the Board of County Commissioners
Madison County, Ohio
October 29, 1962

The Board of County Commissioners of Madison County, Ohio met in Special session on the 29th day of October, 1962 at the office Commissioners with the following members present: Mr. Rodger B. Baker, Mr. William S. Bell, Mr. Paul E. Andrix.

Mr. Bell moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board, in its order dated the 1st day of October, 1962 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, 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 County Engineer; therefore, be it

Resolved, That said Board review and reconsider its former order made and dated the 1st day of October, 1962, in favor of said improvement; and be it further

Resolved, That said Board hereby approve the maps, profiles, plans, schedules and reports prepared by the County Engineer; as amended in its order dated the 1st day of October, 1962,

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

WHEELER SINGLE COUNTY DITCH

the 20th day of August, 1962, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by ----NONE

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:

NONE

and be it further

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

Resolved, That \$None, be and the same is hereby assessed for benefits to the general public by reason of the improvement being conducive to the public welfare and shall be paid by the public and assessed against the County, and #None found to benefit State of County Roads or Highways be and the same is hereby assessed against the County, and following sums found to benefit the following political subdivisions of the State be and the same are hereby assessed against such political subdivisions, respectively:

NONE

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 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 26th day of November, 1962, at 11:00 o'clock A. M., be the the same is hereby fixed as the time for letting the contract 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 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 Clerk of the County Commissioners; and be it further

Resolved, That, whereas the estimated cost of the construction and material required in said improvement exceeds one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House, and advertisement shall be made in two successive weekly issues of a newspaper printed and in general circulation in said 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 bids filed with the Clerk of the Board of County Commissioners; 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 Sections 6331.39 of the Revised Code of Ohio.

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

Mr. Rodger B. Baker - Yes
Mr. William S. Bell - Yes
Mr. Paul E. Andrix - Yes

Forrest R. Hanson, Clerk of Board of County Commissioners
Madison County, Ohio

O ENGINEER'S REPORT ON BIDS RECEIVED

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and others.

County Engineer's Office
Madison County, Ohio
December 3, 1962

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	Work or Materials	Am't of Bid	Guaranty	
			Kind	Amount
H. M. Teach	Materials & Labor	3388.91	Cash	175.00
Stanley Johnson	Materials & Labor	4873.11	Check	146.20
Madison Tile Co.	Materials	2197.19	Cash	66.00
Granite Construction, Inc.	Materials & Labor	4320.22	Bid Bond	500.00

I recommend the following bids as the best:

H. M. Teach

Helge G. Ekedahl, County Engineer

WHEELER SINGLE COUNTY DITCH

P JOURNAL ENTRY--COMMISSIONERS'S ORDER AWARDING CONTRACTS

In the Matter of the Single County Ditch
 Petitioned for by Charles R. Wheeler and others.

Office of the Board of County Commissioners
 Madison County, Ohio
 December 3, 1962

The Board of County Commissioners of Madison County, Ohio, met in Regular session on the 3rd day of December 1962, at the office of Commissioners with the following members present:
 Mr. Rodger B. Baker, Mr. William S. Bell, Mr. Paul Andrix.

Mr. Bell Moved the adoption of the following Resolution:

Whereas, The County Engineer has filed with this Board his report on bids received for the work of construction and for furnishing materials in the above named improvement petitioned for by Charles R. Wheeler and others; and

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

Bidder	Work or Materials	Amount of Bid
H. M. Teach	Labor & Materials	\$3388.91

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said

H. M. Teach at the amounts
 bid by him respectively; and be it further

Resolved, That the Clerk of the Board of County Commissioners 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 6131.41 and 6131.42 of the Revised Code; and be it further

Resolved, That the County Engineer 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 1st day of May, 1963, 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. Andrix seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Rodger B. Baker- Yes
- Mr. William S. Bell- Yes
- Mr. Paul E. Andrix - Yes

Q DITCH CONTRACT

In the Matter of the Single County Ditch
 Petitioned for by Charles Wheeler and others.

Work and Labor and Materials

THIS AGREEMENT, made and entered into on this 3rd day of December 1963, by and between the County Commissioners of Madison County, Ohio, and hereinafter designated as "First Party," and H. M. Teach R. F. D. #2, Springfield, Ohio, of hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," for and in consideration of the sum of Three thousand three hundred eighty eight and 91/100-----(\$3388.91) 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 Charles Wheeler Ditch improvement petitioned for by -----Charles Wheeler 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 workmanship manner, under the direction of the County 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 ditch may require, The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the 1st day of May 1963.

AND SAID "FIRST PARTY," for and in consideration of the true and faithful performance of said work and labor and furnishings of said materials as aforesaid, hereby agrees to pay unto the said "Second Party" said sum of Three thousand three hundred eighty-eight and 91/100 (\$3388.91) Dollars, in installments from time to time, upon the certificate of acceptance of the County Engineer 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 Sec. 6131.48 of the Revised Code of Ohio.

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

Signed in duplicate in presence of Ben Williams John E. Milliken	Rodger B. Baker William S. Bell Paul E. Andrix	Commissioners of Madison County, Ohio "First Party"
	H. M. Teach	Contractors "Second Party"

WHEELER SINGLE COUNTY DITCH

R BOND OF DITCH CONTRACTOR

In the Matter of the Single County Ditch
Petitioned for by Charles Wheelar and others.

On contract for work and Labor
and materials.

KNOW ALL MEN BY THESE PRESENTS, That we H. M. Teach, Rt.#2, Springfield, Ohio, as Principal, and The Ohio Casualty Insurance Company, Hamilton, Ohio, 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 Four thousand five hundred-eighteen and 75/100 (\$4518.75) 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 17th day of December, 1962

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, Whereas, the above bound H. M. Teach 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 Charles Wheeler ditch improvement ~~etotopmed~~ ^{etotopmed} fpr by Charles Wheeler and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 1st day of May, 1963, for the compensation of Three thousand three hundred eighty eight and 91/100 (#3388.91) Dollars; furnishing

Second, to save the County from any loss caused by 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; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said H. M. Teach 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

B. E. Bowers
Marjorie C. Rees

Mr. H. M. Teach
Mr. The Ohio Casualty Insurance Company
By Ben Williams, Attorney

The above bond being good and sufficient is approved this 22nd day of December, 1962

Rodger B. Baker	Board of County
William S. Bell	Commissioners
Paul E. Andrix	Madison County, Ohio

S COMMISSIONERS' ORDER APPROVING CONTRACTS AND BONDS AND LEVYING ASSESSMENTS

In the Matter of the Single County Ditch
Petitioned for by Charles R. Wheeler and others

Office of Board of County Commissioners
Madison County, Ohio
December 3, 1962

The Board of County Commissioners of Madison County, Ohio met in regular session on the 3rd day of December, 1962, at the office of Commissioners with the following members present:
Rodger B. Baker, William S. Bell, Paul E. Andrix.

Mr. Bell moved the adoption of the following Resolution:

Whereas, The County Engineer has filed with this Board the contract and bond for the work of construction and furnishing material in the above named improvement petitioned for by Fred H. Beauman and others; therefore, be it

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

Resolved, That the clerk of this Board be and he is hereby directed to record said contract and bond in the Commissioners' journal; and be it further

Resolved, That the County Auditor be and he is hereby directed to reduce pro rata the assessments previously confirmed by this Board, by the difference between the estimated cost of the construction and the final cost upon completion of such contracts as provided in section 6131.41 of the Revised Code; and be it further

Resolved, That the assessments so reduced, but with the cost of location, engineering, compensation, damages, contingency and the assessment for maintenance of one year included therein, be and the same are hereby levied upon each parcel of land, each public corporation and each department, office, or institution of the State of Ohio, Stated in the schedules as of the date of this order; and be it further

Resolved, That the County Auditor be and he is hereby directed to place said assessments so levied upon the Duplicated of the County, making and furnishing the Treasurer of said County a special Duplicate with the assessments arranged thereon in semi-annual installments as provided in our ofrmer order adopted the 19th day of November, 1962

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

Mr. Rodger B. Baker - Yes
Mr. William S. Bell - Yes
Mr. Paul E. Andrix - Yes

Forrest R. Hanson, Clerk of Board of County Commissioners
Madison County, Ohio

T AFFIDAVIT FOR EXTENSION OF TIME TO COMPLETE CONTRACT

In the Matter of the Sounty Ditch
Petitioned for by Charles Wheeler and others.

Proceedings for reconstruction and
repair of tile and bulkhead.

The State of Ohio, County ss. Madison.

Personally appeared before me, a Helge G. Ekedahl, County Engineer in and for said County, who being duly sworn, deposes and says that the time fixed in the contract for the performance of the work of construction of the Wheeler ditch improvement as provided in said contract

expires on the 1st day of May, 1963, and asks that said time be extended to the 1st day of November, 1963, for the following cause:

Inclement weather and destruction of crops.

And further deponent saith not.

Helge G. Ekedahl

Sworn to before me and signed in my presence, this 16th day of April, 1963

Forrest R. Hanson, Madison County Auditor

U COMMISSIONERS' ORDER EXTENDING TIME TO COMPLETE CONTRACT

In the Matter of the Single County Ditch
Petitioned for by Charles Wheeler and others.

Office of the Board of County Commissioners
Madison County, Ohio
April 22, 1963

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 22nd day of April, 1963, at the office of County Commissioners with the following members present:
Mr. Paul E. Andrix, Mr. William S. Bell, Mr. Rodger B. Baker

Mr. Bell moved the adoption of the following Resolution:

Whereas, Helge G. Ekedahl has filed with this Board an affidavit for extension of time in which to complete the contract for "the performance of the work of the construction of said Wheeler Ditch"; and

Whereas, H. M. Teach, 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 November, 1963; therefore, be it

Resolved, That the request to extend the time fixed in said contract for the performance of the work of the construction of said Wheeler Ditch, be and the same is hereby granted, and the time to complete said contract is hereby extended to the 1st day of November, 1963; and be it further

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

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

Mr. Paul E. Andrix- Yes
Mr. William E. Bell-Yes
Mr. Rodger B. Baker-Yes

Forrest R. Hanson, Clerk of the Board of County
Commissioners, Madison County, Ohio

V CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of Single County Ditch
Petitioned for by Charles Wheeler and others.

Office of County Engineer
Madison County, Ohio
August 29, 1963

To H. M. Teach Contractor:

This is to certify that the undersigned 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 Charles R. Wheeler, and others, and I, therefore approve said work and labor for payment in the sum of Three thousand three hundred eighty eight and 91/100 (#3388.91) plus \$25.00 removal old headwall and \$55.00 repair old 10" tile not called for in contract, the same being the contract price for said percentage of work and labor completed and accepted.

Helge G. Ekedahl, County Engineer

First and final est.	\$3388.91
Remove old headwall	25.00
Repair old 10" tile (not called for in contract)	55.00

	\$3468.91 Total amount paid

W RESOLUTION TO ISSUE NOTES IN ANTICIPATION OF THE LEVY OF ASSESSMENTS ACCORDING TO BENEFITS OR OF THE ISSUANCE OF BONDS

In the Matter of the Single County Ditch
Petitioned by Charles R. Wheeler and others.

Office of the Board of County Commissioners
Madison County, Ohio
September 30, 1963

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 30th day of September, 1963, at the office of Commissioners with the following members present:
Mr. Paul E. Andrix, Mr. William S. Bell, Mr. Rodger B. Baker.

Mr. Baker moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passes on the 19th day of November, 1962, affirmed its former order finding in favor of the construction of new tile ditch of the County Ditch

WHEELER SINGLE COUNTY DITCH

petitioned for by Charles Wheeler et al; and

Whereas, It is now deemed necessary to issue and sell \$3,579.64 of notes under authority of Section 133.31 of the Revised 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 construction of said County Ditch; and

Whereas, The County Auditor has certified the maximum maturity of said notes to be 5 years, which maximum maturity does not exceed the estimated life or usefulness of the improvement fixed by Section 133.20 of the Revised Code of Ohio; and

Whereas, This Board has heretofore, by Resolution duly passed on the 3rd day of December, 1962, determined that five years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited to pay the assessment that may be made for the improvement now, therefore, be it

Resolved, By the Board of County Commissioners of Madison County, Ohio, that in the judgment of said Board of County Commissioners, it is now necessary in anticipation of the levy of assessments according to benefits or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 133.31 of the Revised Code of Ohio and "The Uniform Bond Act" in the aggregate sum of 3,579.64 Dollars (\$3,579.64), 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 construction of new tile ditch of said County Ditch according to the terms of said Resolution above referred to: and be it further

Resolved, That said notes shall be dated the 1st day of October, 1963, and shall be in the denomination of Three thousand five hundred seventy nine 64/100 (#3,579.64) Dollars each and shall be numbered 2.

Said notes shall bear interest at the rate of 4% per centum per annum until paid, and the interest on said notes shall be payable on the 1st day of April and the 1st day of October, 1964, and until the principal sum of said notes is paid and as evidenced by interest coupons attached thereto. Said notes shall not be issued for a longer period of time than two years from date thereof and shall be payable at the office of the Treasurer of said County at London, Ohio upon presentation and surrender of said notes and interest coupons as they respectively mature. Said notes shall be redeemable at any interest period.

Said notes shall be due and payable as follows:

No.2	October 1, 1963	\$3,579.64
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Said notes shall specify on their face the purpose for which they are issued, and that they are issued in pursuance of this resolution and under authority of the General Laws of the State of Ohio, particularly Section 133.31 of the Revised 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 notes 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 notes 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 notes and interest thereon until both are fully paid; and be it further

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

Said tax shall be, and is hereby ordered computed, certified, levied and extended upon the tax duplicate, and collected by the same officers, in the same manner and at the same time that taxes 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 required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocable pledged for the payment of the interest and principal of said notes, when and as the same fall due.

It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of said notes in order to make the same legal, valid and binding obligations of said County have been done, have happened and have been performed in regular and due form 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 The First National Bank of London, Ohio at private sale.

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

Mr. Paul Andrix	- Yes
Mr. William S. Bell	- Yes
Mr. Rodger B. Baker	- Yes

Dated this 30th day of September, 1963

Forrest R. Hanson, Cler, Board of County Commissioners of
Madison County, Ohio

X WHEELER SINGLE COUNTY DITCH --PETITIONER CHARLES WHEELER ET AL--FINAL SCHEDULE OF COSTS

Contractor	\$3468.91
Engineering & Inspection	800.00
First years Maintenance	300.00
Abstract Costs	12.50
Mailing Charges	3.00
Publication	19.59
3% Maintenance Expense	174.56
Contingencies	75.00
	<u>\$4853.56</u>

Y WHEELER SINGLE COUNTY DITCH-1963-PETITIONER CHARLES WHEELER ET AL

Owners	Description	Survey	Acres Owned	Acres Benefited	Paid Cash	Collect as Taxes	Rate	Share of Interest
Griffin, Elta O.	Deercreek Twp.	5801	49.48	6.00	69.79			
Larkins, George E. & Mary M.	" "	5802	81.39	18.00	209.43			
" " "	London S. D.	"	40.25	40.25	468.37			
" " "	" "	"	24.36	24.36	283.45			
Slattery, Catherine T.	" "	5801	25.59	25.59		297.77	.08318	32.75
" " "	" "	5802	2.41	2.41		28.04	.00783	3.09
" " "	" "	"	32.70	22.70		264.13	.07379	229.05
Richmond D. M.	" "	"	88.74	16.87	196.28			
Simpson D. E. et al	" "	5801	1.00	1.00	11.65			
Strine, D. F. et al	" "	"	1.00	1.00	11.65			
" " "	" "	"	1.00	1.00	11.65			
" " "	" "	"	1.00	1.00	11.65			
Wheeler, Charles R.	" "	"	93.88	93.88		1742.48	.48678	191.67
" " "	Deercreek Twp.	"	60.36	30.00		556.80	.15555	61.25
Wheeler, Leonard & Ida M.	" "	"	112.38	23.00		426.87	.11925	46.95
" " "	London S. D.	"	33.86	11.00		127.99	.03575	14.08
Oak Hill Cemetery Trustees	" "	5802	11.65	11.65		135.56	.03787	14.91
					1273.92	3579.64	1.00000	393.75

Owners	Assessment Plus Interest	3% Maintenance Assessment
Griffin, Elta O.		2.51
Larkins, George E. & Mary M.		7.53
" " "		16.84
" " "		10.19
Slattery, Catherine T.	330.52	10.71
" " "	31.13	1.00
" " "	293.18	9.50
Richmond, D. M.		7.06
Simpson, D. E. et al		.40
Strine, D. F. et al		.40
" " "		.40
" " "		.40
Wheeler, Charles R.	1934.15	62.67
" " "	618.05	20.03
Wheeler, Leonard & Ida M.	473.82	15.35
" " "	142.07	4.60
Oak Hill Cemetery Trustees	150.47	4.88
	<u>3973.39</u>	<u>174.47</u>

Z-1 CLAIM FOR DAMAGES

In the Matter of the
County Ditch No.
Petitioned for by

Madison County, Ohio.

October 7th, 1963

Charles R. Wheeler and others

To the Board of County Commissioners of Madison County:

The undersigned, the owner of the following described lands, affected by the above named improvement petitioned for by Charles R. Wheeler and others, represent that, if said improvement be established upon the route decided upon by your Board, he will sustain damage to the lands owned by him in the sum of Fifty Dollars (\$50.00) for the following reasons:

Damage to Soy Bean Crop

he, therefore, ask that he be allowed said sum of \$50.00 as damages that will accrue to from the construction of said improvement.

Charles R. Wheeler

Z-2 MADISON COUNTY ENGINEER

Madison County Commissioners
London
Ohio

Gentlemen:

Re: Wheeler Ditch

The construction of the new Wheeler Ditch entailed damages to crops on the Wheeler land. It is recommended that Mr. Wheeler be compensated for damages in the amount of \$50.00, payable to Robt. Larkins and Charles Wheeler.

Yours very truly,

Helge G. Ekedahl
Madison County Engineer.

HGE:AMS

Z-3 RESOLUTION-COMMISSIONERS' FINDING AND ORDER AS TO COMPENSATION AND DAMAGES

In the Matter of the
Single County Ditch No.
Petitioned for by

Office of the Board of County Commissioners.
Madison County, Ohio.
October 7, 1963

Charles Wheeler and others.

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 7th day of October, 1963, at the office of Commissioners, with the following members present:

Mr. Paul E. Andrix

Mr. William S. Bell

Mr. Rodger B. Baker

Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day set for the final hearing on the reports and schedules of the County Engineer, on the estimated assessments, on the proceedings for the improvement and on applications filed for change of route and change in the nature, kind and extent of the work proposed to be done and on claims for compensation or damages, and the persons hereinafter named having filed written claims for compensation and damages by reason of the above named proposed improvement; and

Whereas, Said Board has considered said written applications for compensation and damages, and heard all competent evidence offered by any of the interested parties upon any claim filed for compensation or damages; therefore, be it

Resolved, by the Board of County Commissioners that upon consideration of all the evidence, and a view of the premises, said Board hereby finds and determines the amount of damages to which any owner is entitled, and the fair value of any land or any interest in real property taken for said improvement, to be as follows;

OWNERS' NAMES	DAMAGES	TOTAL ALLOWED
Charles Wheeler	\$50.00	\$50.00

Payable to Charles Wheeler and
Robert Larkins Tenant

